

MINUTES OF THE SENATE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 9:30 a.m. on March 4, 2009, in Room 446-N of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Ken Wilke, Office of the Revisor of Statutes
Martha Dorsey, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Carolyn Long, Committee Assistant

Conferees appearing before the Committee:

Brad Bryant, Deputy Assistant Secretary of State for Elections and Legislative Matters
Kathy Perry, Elections Official from Wichita

Others attending:

See attached list.

The Chair opened the meeting and asked for approval of the minutes for February 12, February 18, and February 25, 2009 as electronically transmitted. Senator Apple moved, Senator Faust-Goudeau seconded. Motion passed.

The hearing on **SB 267–Elections; voters; voter identification changes** was opened. After a brief explanation of the bill by staff including the need for the word “request” to be added to Section 5, line 41, the Chair recognized Brad Bryant, Deputy Assistant Secretary of State for Elections and Legislative Matters, who spoke in favor of this legislation (Attachment 1). This bill, supported by the Secretary of State’s office, will accomplish three things: enhance security and integrity of the Kansas electoral process by requiring voters to show identification each time they vote, clarify definition in current law of what constitutes valid voter identification, and codify procedures for verification and maintenance of statewide voter registration list. He also offered two proposed amendments dealing with permanent advance voter status. The first was to not require identification in subsequent elections unless the voter changes their name or residential address, moves out of the county or state, or is removed from the list and then re-registers. The second addresses any person applying for such status shall submit valid identification; once submitted and approved, then no validation would be required in subsequent elections unless one of the above situations applies.

Responding to questions regarding voter fraud from Senator Kultala, Mr. Bryant responded that there really was no way to identify the extent of fraud as no measure was in place.

Senator Pyle asked if notifications such as a traffic violation would be a legal document. The Secretary of State’s office works off a published list and as of this time that type of document does not appear.

Asking for a definition of a permanent advanced voter, Mr. Bryant said that this person is typically in a nursing home. Asked what triggers removal from the rolls; he said that two consecutive unreturned ballots generates a 30-day notice sent to voter and if no response then voter is removed from the permanent advance roll.

The Chair welcomed Kathy Perry, a provisional ballot judge from Wichita (Attachment 2). Ms. Perry shared with the committee her observations and frustrations resulting from the last national elections regarding what she considered flaws in our system and the blatant attempts at voter fraud which she witnessed.

Due to time restraints, the hearing on **SB 267** will be continued on March 11, 2009.

The meeting was adjourned at 10:30 a.m. The next meeting is scheduled for March 5, 2009.