



Jim Howell
Chairman

Commissioner – Fifth District
Board of County Commissioners
Sedgwick County, Kansas

STATEMENT IN SUPPORT OF HB 2017

TO: Chairman Keith Esau, Vice-Chairman Blake Carpenter, and members of the House Elections Committee

FROM: James M. Howell, Chairman, Board of County Commissioners, Sedgwick County, KS

Sedgwick County supports the passage of HB 2017 with slight modifications. This bill is a fix for the inconsistency between the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as amended by Congress in 2009 through the Military and Overseas Voter Empowerment Act (MOVE), and K.S.A. 25-3501 et. seq., Both statutes deal with vacancies in the office of United States representative to Congress. Although UOCAVA currently requires election official to mail overseas and military ballots forty-five (45) days in advance of an election, K.S.A. 25-3501 et. seq., in its current form, fails to allow such sufficient timeframe. The bill would affect the anticipated vacancy in 4th Congressional District of Kansas, which contains Sedgwick County in its entirety. While we are excited for the opportunity that Congressman Pompeo has been given, it sheds light on a portion of Kansas law that has not kept up with federal law. This is due, in part, to the rare occurrence of a congressional vacancy. However, in looking at a solution to resolve the conflict between Kansas and federal law, it must be considered that these vacancies may occur at a time when they are not anticipated (e.g., due to sudden resignation or unfortunate death). Sedgwick County believes HB 2017 resolves the conflict and takes into consideration all future vacancy possibilities.

Allowing for the selection of a nominee to occur earlier still allows the parties to hold their congressional district conventions in a reasonable window. Reducing the amount of signatures to petition onto the ballot allows greater access to the ballot for independent candidates and reduces the likelihood of litigation by a candidate with an “access to ballot” claim. Extending the timing of the election allows for ballots to be created and mailed to our military and citizens overseas in compliance with UOCAVA. This is crucial to ensuring that members of the military have sufficient time to receive and return their ballots to be counted.

The only concern Sedgwick County has is the timing of canvassing. HB 2017 extends the time to canvass only slightly. This raises two concerns. The first is that election officials will not

have adequate time to prepare for canvassing after the polls have closed. The process currently in place requires manual verification, which is time consuming. The second is that if other special elections are being conducted simultaneously (such as a special city or school board election), canvassing timing may conflict between the two. That would increase the workload on the election officials and cause the taxpayers eligible to vote in both elections to pay for both, rather than being able to time them together. Opening up the period for canvassing to allow the Board of County Canvassers to meet at any time during a six (6) day window under K.S.A. 25-3503 would alleviate this concern. Sedgwick County would support an amendment that addresses this issue and encourages taxpayer savings.

Sedgwick County is pleased that HB 2017 is being introduced and fast tracked to resolve the conflict between Kansas and federal voting law. It will ensure that members of the military have their voting rights protected. Sedgwick County urges its passage.

A handwritten signature in cursive script that reads "James M. Howell". The signature is written in black ink and is positioned above the printed name and title.

James M. Howell, Chairman
Board of County Commissioners
Sedgwick County