

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE.

The meeting was called to order by Vice-Chair Representative Ted Powers at 3:30 p.m. on February 20, 2002 in Room 521-S of the Capitol.

All members were present except: Representative Cindy Hermes, Excused
Representative David Huff, Excused
Representative R.J. Wilson, Excused
Chair Tony Powell, Excused

Committee staff present: Ken Wilke, Revisor
Dennis Hodgins, Research
Shirley Weideman, Secretary

Conferees appearing before the committee:

HCR 5042 and HCR 5044 Proponents: Representative Dennis Pyle
Representative Bruce Larkin
Hiawatha High School Government Students:
Katie Scherer
Kindra Maze
Matt Stephenson
Debra Winter
Carla Schuster
Taylor Lenon
Neutral: Elizabeth Ensley, Shawnee County Elections
Commissioner

Others attending: See attached list

Vice Chairman Powers opened the hearing on **HCR 5042 - Elections; authorize person to vote in primary election if person will be 18 on or before general election** and **HCR 5044 - Allowing persons, who will be 18 on or before the date of general election, to vote in primary election.**

Vice Chair Powers introduced Deputy Assistant Secretary of State Brad Bryant and asked that he explain, primarily for the students' information, what is a House Concurrent Resolution and the processes involved in its passage. Mr. Bryant explained that a HCR to amend the state constitution must pass both houses of the legislature by 2/3's vote in order to be placed on the ballot in November. He said there is a statute that requires the Secretary of State to put a public notice in 1 newspaper in each county in the state for 3 consecutive weeks prior to the election regarding the constitutional amendment. The cost of publishing is determined by the length of the column and the unofficial estimate of this cost would be \$65,000 for the state. The resolution would be printed on the ballot in the general election in November as a question as to whether this amendment should be adopted. If the resolution receives 51% of the vote in the general election it will be adopted as an amendment to the constitution. There has been no formal request for a fiscal note on this bill, but there may be some additional fiscal impact involved in ballot preparation.

Vice Chair Powers introduced Representative Dennis Pyle who appeared before the committee as a proponent for **HCR 5042** and **HCR 5044**. He said that this idea had been brought to the legislature several years ago by Representative Weiland. Representative Pyle asks that the committee treat the bill favorably. (Attachment 1)

Representative Bruce Larkin was recognized by Vice-Chair Powers as a proponent of **HCR 5042** and **HCR 5044**, which are identical bills. He said that this bill will give voters who are not 18 years old for the primary election, but who will turn 18 before the general election, more power in their vote by allowing them to vote in the primary election. He also said many elections are determined in the primary. Representative Larkin asks that the committee should not be deterred by any fiscal note from providing good government in the state of Kansas and allow young people to vote.

The government students of Hiawatha High School were welcomed to the committee by Vice-Chair Powers along with their instructor, Larry Weast:

Katie Scherer, student, appeared before the committee as a proponent of **HCR 5042** and **HCR 5044**. She said that young people often do not vote because they feel that people do not think that they are mature

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enough to vote and do not pay attention to them. Ms. Scherer indicated that, because of their government class requirement, they are well-informed and educated voters. She believes in the “Power of One”, that one vote can make a difference. ([Attachment 2](#))

Kindra Maze, student, testified before the committee as a proponent of **HCR 5042** and **HCR 5044**. She said that there are 16 states that allow 17 year olds to vote if they will be 18 on or before the general election, including the neighboring states of Nebraska and Colorado. Ms. Maze told the committee that the passage of this bill would allow approximately 38,000 of Kansas’s juniors and seniors to vote and, possibly, change the outcome of the election. ([Attachment 3](#))

The third student to testify before the committee in favor of **HCR 5042** and **HCR 5044** was Matt Stephenson. He indicated that students in high schools in Kansas are required to take a year-long course in U.S. government and may become more educated about political issues than perhaps even eligible voters. He also said that students need to be treated as equals because one day they may be sitting in the same seats that the committee members are in right now. ([Attachment 4](#))

The next student to testify in favor of **HCR 5042** and **HCR 5044** was Deborah Winter. She wanted members of the committee to know that students are not only mature enough to vote, but are knowledgeable of government through their classes and are anxious to have their voices heard Ms. Winter believes that Kansas should join the states of Arkansas, Colorado, Hawaii, Kentucky, Maryland, Nebraska and Oregon in allowing 17 year olds to vote. ([Attachment 5](#))

Carla Schuster, student, testified before the committee in favor of **HCR 5042** and **HCR 5044**. She said that a 17 year old’s constitutional right to vote is hindered by these teens’ inability to nominate their own candidates merely because they are under the age of 18 at the time of the primary election. Ms. Schuster also told the committee that teenagers are informed on the issues and candidates and want and deserve the right to choose the candidates that they vote for in the general election. ([Attachment 6](#))

The last student to testify in favor of **HCR 5042** and **HCR 5044** was Taylor Lenon. He said that the thinking is that “Well they don’t vote anyway; so why let more of them vote.” He said that if only 25% of the 38,000 students affected would be interested in voting, that’s still 9,500 people that can be encouraged to become active in and aware of politics. He also indicated that the primary election is often the only “real” election. ([Attachment 7](#))

Vice-Chairman Powers welcomed Shawnee County Elections Commissioner Elizabeth Ensley to the committee as neutral on **HCR 5042** and **HCR 5044**. She said she is neither for or against these resolutions, that she simply has some questions regarding this procedure. Some of Ms. Ensley’s concerns were 1) not all races on the August ballot are a nomination procedure as precinct committee officials and questions are frequently placed on the August ballot (both are actually general elections), 2) would 17 year olds be allowed to vote on questions? (if not, two additional ballot styles per precinct would be necessary and, because those 2 would look alike, there is increased possibility of the wrong ballot being given to the wrong voter), 3) would parties have to agree to the change since Precinct Committee Offices are “party”, not “public” offices?, and 4) could 17 year olds vote on special elections anytime during the period when they can register? ([Attachment 8](#))

Deputy Assistant Secretary of State Brad Bryant answered a question asked by Representative Ray that the estimated cost of ballot preparation for the state if this resolution passes is \$110,000.

Vice Chair Powers closed the hearing on **HCR 5042** and **HCR 5044**.

Representative Welshimer moved and Representative Barnes seconded the motion that the minutes for the January 23, 28, February 4, 6, 11 and 13 meetings be approved as received. The motion carried.

The meeting was adjourned at 4:35 p.m. The next scheduled meeting is February 25 at 3:30 p.m.