

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairman Senator Janice Hardenburger at 1:30 p.m. on March 8, 2000, in Room 245 N of the Capitol.

All members were present except: Senator Praeger

Committee staff present: Dennis Hodgins, Legislative Research Department  
Mike Heim, Legislative Research Department  
Ken Wilke, Revisor of Statutes  
Graceanna Wood, Committee Secretary

Conferees appearing before the committee: Connie Schmidt, Johnson Election Commissioner  
Karen Hartenbower, Lyon County Clerk  
Representative Melvin Minor

Others attending: See attached list

Chairman Hardenburger opened the hearing on **HB 2328 concerning elections; relating to advance voting, and repealing the existing sections.**

Connie Schmidt, Johnson County Election Commissioner presented testimony in support of **HB 2328**. She said this bill would clarify that an application for an advance mail ballot should be transmitted only to the county election officer, and to add the stipulation that “no person or group engaged in the distribution of advance voting ballot applications shall cause any such application signed by a voter to be mailed or otherwise delivered to a place other than the county election office.” (Attachment #1)

Ms. Schmidt also said that during the 1998 elections, political parties, campaign headquarters, and labor organizations mailed out large quantities of applications for advance mail ballots. The return addressed on the applications were various offices in Topeka, Salina, and Kansas City, Kansas. At these locations, the applications were accumulated and entered into computer databases, and eventually the applications were forwarded to the election office. This caused undue delay and difficulties for the County Election Officers. (Attachment #2)

The Committee discussed faxing an application, and Ms. Schmidt advised that this could be done.

Karen Hartenbower, Lyon County Clerk and Chair of the Kansas County Clerks and Election Officials - Election Committee, gave testimony in favor of **HB 2328**. She stated to the Committee that there was a lot of confusion for the voters at the last general election because voters did not know if their applications were reaching the County Election Office. Their Committee would like to have the advance ballot applications in the same format as the voter registration forms. (Attachment #3)

Seeing no opposition to the bill, Chairman Hardenburger closed the hearing on **HB 2328**, and opened hearing on **HB 2241 concerning certain county officers; relating to qualifications thereof, and repealing the existing sections.**

Representative Minor, a proponent of **HB 2241** told the Committee that under current Kansas law, a candidate running for county clerk, treasurer, register of deeds or sheriff, does not have to be a qualified elector who resides in the county, but if a vacancy occurs in any of these positions, the appointee must reside in the county. The bill corrects this problem. (Attachment #4)

Chairman Hardenburger informed the Committee that the County Attorney does not need to be a resident, and, therefore, is not included in the bill, as he can serve in more than one county.

Seeing no opposition to the bill, Chairman Hardenburger closed the hearing on **HB 2241**.

**Senator Gooch moved that the bill be passed out favorably with the technical amendments, seconded by Senator Steineger.**

## CONTINUATION SHEET

Senator Huelskamp said counties with smaller population might not have a candidate to run for the positions, and the Committee discussed the option of having candidates from other counties.

Chairman Hardenburger thought that there doesn't appear to be a problem.

Senator Lawrence made a substitute motion that a candidate for office can be either elected or appointed from outside of the county.

The Committee clarified the substitute motion to say, in order to be elected or appointed it is not necessary to be a resident of that county.

Chairman Hardenburger said that the problem has not been identified and there only is one request to change the law. Senator Gooch advised the Committee that there would be problems with the larger counties also.

The Committee discussed what would be done if there was no one to be appointed in a particular county, would the position have to be appointed by the legislators?

Chairman Hardenburger advised the committee that **HB 2241** would be discussed further at the meeting tomorrow.

Senator Becker moved that the minutes for February 21, 22, March 1 and 2 be approved as written, seconded by Senator Steineger. Motion carried.

Meeting was adjourned at 2:30 p.m. Next meeting is scheduled for March 9, 2000.









Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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