

Approved: 3-11-99  
Date

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, 1999, in Room 529-S of the Capitol.

All members were present:

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: Brad Bryant, Deputy Asst., Secretary of State

Written Testimony Presented by: Marilyn Chapman, Commissioner of Elections, Sedgwick County

Others attending: See attached list

Chairman Hardenburger opened hearing on **HB 2228 concerning elections, relating to ballots.**

Brad Bryant, Deputy Assistant Secretary of State, gave testimony in favor of this bill, which would accomplish two objectives. 1. Allow the ovals where a voter marks his/her preferences on an optical scan ballot to be printed on a page separate from the page where the offices and candidates' names are printed. 2. The bill would repeal K.S.A. 25-2015, which would eliminate separate question submitted ballots of a local school district. (Attachment #1) (Attachment #2) (Attachment #3)

The Committee discussed the first objective, that is, having two forms instead of only one ballot, and marking a second card to be submitted with the ballot, in order to scan the results faster. The Committee also discussed marking a circle or square after a person's name when voting.

Written testimony was handed to the Committee from Marilyn Chapman, Commissioner of Elections, Sedgwick County, Ks. (Attachment #4)

Chairman Hardenburger closed hearing on **HB 2228.**

Meeting was adjourned at 2:05 p.m. Next meeting is scheduled for March 9, 1999.



Ron Thornburgh  
Secretary of State



2nd Floor, State Capitol  
300 S.W. 10th Ave.  
Topeka, KS 66612-1594  
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**STATE OF KANSAS**  
**Senate Committee on Elections and Local Government**

**Testimony on House Bill 2228**

Brad Bryant, Deputy Assistant Secretary of State  
Elections and Legislative Matters

March 8, 1999

Madam Chairman and Members of the Committee:

Thank you for the opportunity to appear before the committee in support of House Bill 2228. This bill was requested by the Secretary of State as a ballot bill. It would accomplish two objectives.

1. The bill would allow the ovals where a voter marks his/her preferences on an optical scan ballot to be printed on a page separate from the page where the offices and candidates' names are printed. This would accommodate recent developments by some voting system manufacturers that allow high-speed scanning of votes.

In this type of voting system, the voter receives two pieces of paper when he/she requests a ballot. The voter reads the names of the candidates or ballot questions from one sheet and marks corresponding ovals on a separate page. These pages are then collected and fed into the scanner, which tabulates the votes.

2. The second provision of the bill would repeal K.S.A. 25-2015. We are proposing the repeal of this 1968 statute because it is cumbersome and unnecessarily expensive. It requires a separate ballot when questions are submitted to the voters of a local school district. Modern technology allows the easy printing and accurate tabulation of such questions on the same ballot as the names of candidates for office. There is no reason to require the county election officer to spend the extra money on a separate ballot and risk potential errors by election board workers in distributing more than one ballot to voters.

We encourage the committee to report this bill favorably for passage. Thank you for your consideration.

**Senate Elections & Local Government**

**Attachment: # 1-1**

**Date: 3-8-99**

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GENERAL ELECTION  
 EDGWICK COUNTY  
 KANSAS  
 NOVEMBER 3, 1998

STATE TREASURER 82-5  
 VOTE FOR ONE 23

NATIONAL OFFICES

U. S. SENATOR  
 VOTE FOR ONE

- 6 ALVIN BAUMAN  
SABETHA REFORM
- 7 SAM BROWNBACK  
TOPEKA REPUBLICAN
- 8 PAUL FELECIANO, JR.  
WICHITA DEMOCRATIC
- 9 TOM OYLER  
WICHITA LIBERTARIAN
- 10 WRITE-IN

U. S. REPRESENTATIVE  
 4TH DISTRICT  
 VOTE FOR ONE

- 12 JIM LAWING  
WICHITA DEMOCRATIC
- 13 CRAIG NEWLAND  
WICHITA TAXPAYERS
- 14 TODD TIAHRT  
GODDARD REPUBLICAN
- 15 WRITE-IN

STATE OFFICES

GOVERNOR/LT. GOVERNOR  
 VOTE FOR ONE PAIR

- 18 BILL GRAVES GARY SHERRER  
SALINA WICHITA REPUBLICAN
- 19 DARREL JOYCE  
KING LUSCHEN  
TOPEKA OVERLAND PARK REFORM
- 20 KIRT CEDRIC  
POOVEY BOEHR  
LITTLE RIVER WICHITA TAXPAYERS
- 21 TOM ELIZABETH  
SAWYER BAKER  
WICHITA DERBY DEMOCRATIC
- 22 WRITE-IN

SECRETARY OF STATE  
 VOTE FOR ONE

- 24 SANDRA J. (SANDI) BOEHR  
WICHITA TAXPAYERS
- 25 DON M. REZAC  
EMMETT DEMOCRATIC
- 26 STEVE ROSILE  
WICHITA LIBERTARIAN
- 27 RON THORNBURGH  
TOPEKA REPUBLICAN
- 28 WRITE-IN

ATTORNEY GENERAL  
 VOTE FOR ONE

- 30 DAN LYKINS  
TOPEKA DEMOCRATIC
- 31 CARLA J. STOVALL  
TOPEKA REPUBLICAN
- 32 WRITE-IN

- RITA CLINE 35  
DEMOCRATIC TOPEKA
- TIM SHALLENBURGER 36  
REPUBLICAN BAXTER SPRINGS
- WRITE-IN 37

COMMISSIONER OF INSURANCE  
 VOTE FOR ONE

- BRYAN RILEY 39  
REPUBLICAN WICHITA
- KATHLEEN SEBELIUS 40  
DEMOCRATIC TOPEKA
- WRITE-IN 41

STATE REPRESENTATIVE  
 82ND DISTRICT  
 VOTE FOR ONE

- DON V. MYERS 47  
REPUBLICAN DERBY
- WRITE-IN 48

DISTRICT JUDGE  
 18TH JUDICIAL DISTRICT, DIVISION 4  
 VOTE FOR ONE

- DAVID W. KENNEDY 53  
REPUBLICAN WICHITA
- WRITE-IN 54

DISTRICT JUDGE  
 18TH JUDICIAL DISTRICT, DIVISION 5  
 VOTE FOR ONE

- JON L. FROBISH 56  
REPUBLICAN NEWTON
- GREG WALLER 57  
DEMOCRATIC WICHITA
- WRITE-IN 58

DISTRICT JUDGE  
 18TH JUDICIAL DISTRICT, DIVISION 7  
 VOTE FOR ONE

- DAVID W. DEWEY 60  
REPUBLICAN WICHITA
- WRITE-IN 61

DISTRICT JUDGE  
 18TH JUDICIAL DISTRICT, DIVISION 8  
 VOTE FOR ONE

- TIM LAHEY 63  
REPUBLICAN WICHITA
- WRITE-IN 64

SAMPLE

DISTRICT JUDGE  
18TH JUDICIAL DISTRICT, DIVISION 15  
VOTE FOR ONE

67 PAUL BUCHANAN  
WICHITA REPUBLICAN

68 WRITE-IN

DISTRICT JUDGE  
18TH JUDICIAL DISTRICT, DIVISION 17  
VOTE FOR ONE

70 TOM MALONE  
WICHITA DEMOCRATIC

71 WRITE-IN

DISTRICT JUDGE  
18TH JUDICIAL DISTRICT, DIVISION 18  
VOTE FOR ONE

73 JAMES G. BEASLEY  
WICHITA REPUBLICAN

74 WRITE-IN

DISTRICT JUDGE  
18TH JUDICIAL DISTRICT, DIVISION 19  
VOTE FOR ONE

76 MARK A. VINING  
WICHITA REPUBLICAN

77 WRITE-IN

QUESTION NUMBER ONE

JUSTICE OF THE SUPREME COURT  
POSITION NO. 1

"Shall BOB ABBOTT, Junction City, Position No. 1, Kansas Supreme Court, be retained in office?"

86 YES

87 NO

QUESTION NUMBER TWO

JUDGE OF THE COURT OF  
APPEALS  
POSITION NO. 1

"Shall DAVID S. KNUDSON, Salina, Position No. 1, Kansas Court of Appeals, be retained in office?"

91 YES

92 NO

JUDGE OF THE COURT OF  
APPEALS  
POSITION NO. 4

"Shall KAY ROYSE, Wichita, Position No. 4, Kansas Court of Appeals, be retained in office?"

95 YES

96 NO

JUDGE OF THE COURT OF  
APPEALS  
POSITION NO. 6

"Shall ROBERT J. LEWIS, JR., Atwood, Position No. 6, Kansas Court of Appeals, be retained in office?"

YES 100

NO 101

JUDGE OF THE COURT OF  
APPEALS  
POSITION NO. 7

"Shall HENRY W. GREEN, JR., Leavenworth, Position No. 7, Kansas Court of Appeals, be retained in office?"

YES 104

NO 105

JUDGE OF THE COURT OF  
APPEALS  
POSITION NO. 8

"Shall JERRY G. ELLIOTT, Wichita, Position No. 8, Kansas Court of Appeals, be retained in office?"

YES 108

NO 109

JUDGE OF THE COURT OF  
APPEALS  
POSITION NO. 9

"Shall GARY W. RULON, Emporia, Position No. 9, Kansas Court of Appeals, be retained in office?"

YES 112

NO 113

JUDGE OF THE COURT OF  
APPEALS  
POSITION NO. 10

"Shall ROBERT L. GERNON, Hlawatha, Position No. 10, Kansas Court of Appeals, be retained in office?"

YES 116

NO 117

COUNTY OFFICES

COUNTY COMMISSIONER  
5TH DISTRICT  
VOTE FOR ONE

DOLAN PELLEY 121  
DEMOCRATIC

BEN SCIORTINO 122  
REPUBLICAN

WRITE-IN 123

REGISTER OF DEEDS  
UNEXPIRED TERM  
VOTE FOR ONE

BILL MEEK 125  
REPUBLICAN

WRITE-IN 126





# SEDGWICK COUNTY, KANSAS

Commissioner of Elections

Marilyn K. Chapman

Historic Courthouse \* 510 North Main \* Wichita, Kansas \* Telephone (316) 383-7101 \* Fax (316) 383-7388

DATE: February 26, 1999  
TO: Senate Elections and Local Government Committee  
FROM: Marilyn Chapman  
RE: HB 2228

Thank you for the opportunity to address you in this manner. I am sorry that I am not able to appear in person, but I need to be in Sedgwick County to oversee the primary election.

When we purchased our new voting system in 1995, we did not purchase the accompanying "absentee" system. With advance voting, and the large increase in the number of "absentee" ballots that we deal with, we now feel that we need a system that will tabulate the votes much more quickly than we have been able to in the past. The system that corresponds with our voting system is very efficient. It was used on a trial basis in 1998, and we are using it for these 1999 elections as well. We would like to have it approved for use in Kansas so that we can purchase it.

A ballot guide, with the names of the candidates for each office, is sent to each advance voter along with a ballot card on which the actual voting is done. Voters are given instructions to fill in the rectangle numbered to correspond with the number next to the name of the candidate for whom they wish to vote.

On election day the ballot cards are run through an optical scan card reader and tabulated at a rate of about 100 per minute. In 1998 approximately 12,000 advance ballots were processed by seven people in about eight hours. To compare, using our previous procedure in 1996, 16,000 ballots were processed by nearly twenty people over a period of five days.

Voters find this method of voting quite acceptable. The few complaints we have had have come from older people who either have difficulty seeing or who are not very coordinated and have trouble with almost any system. We have been able to work with all of these folks to make sure their votes count.

The number of advance voters increases each year. I anticipate 2000 to be an extraordinary year with many more advance voters than we have ever had. The use of this tabulating system will reduce the number of people required to process the ballots on election day, and at the same time will give accurate results and save thousands of tax dollars.

I encourage you to pass this bill favorably. Thank you.

Senate Elections & Local Government  
Attachment: # 4-1  
Date: 3-8-99