

Approved: February 11, 2011
Date

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairman Schwab at 9:30 a.m., on January 24, 2011 in Room 546-S of the Capitol.

All members were present .

Committee staff present:

Doug Taylor, Office of Revisor of Statutes
Katherine McBride, Office of Revisor of Statutes
Martha Dorsey, Kansas Legislative Research Department
Jay Hall, Kansas Legislative Research Department
Diane Brian, Committee Assistant

Conferee appearing before the Committee:

Kris Kobach, Secretary of State

Others attending:

See attached list.

The Chairman called for bill introductions.

Representative Mah, introduced a bill that would increase the salary cap for KPERS from 20,000 to 25,000. Bill was entered with no objections.

Staff presented information to the committee regarding the status of selected bills assigned to the House Elections committee in prior years, (Attachment 1), and summarized the legislation from 2007 through 2010, (Attachments 2 through 5). Staff answered questions from the committee members.

The next meeting is scheduled for January 26, 2011

The meeting was adjourned at 10:00 a.m.

HOUSE ELECTIONS COMMITTEE
9:00 AM,
Room 546-S, Capitol Building

GUEST LIST

DATE: ¹¹/₂₄, 2011

NAME	REPRESENTING
Kelly N. Wenzel	Kenny & Assoc.
Jim Edwards	KASB
Brad Bryant	Sec of State

STATUS OF SELECTED BILLS ASSIGNED TO HOUSE-ELECTIONS

2007 LEGISLATIVE SESSION

Final Action Taken	Bill No.	Short Title/Brief Description
Approved by Governor	HB 2080	Meals provided to Executive Branch state officers or employees from non-state government source.
	HB 2081	Several campaign finance and election items: express advocacy telephonic ads must have "Paid for/Sponsored by" statement; "knowingly" soliciting during Legislative Session statute modification; change time frame for issuance of certain election petition written opinions from 5 calendar to 5 business days; clarify recall law time frame when mandamus or injunction proceedings must be brought; poll worker election staff allocation; increase from \$50 to \$100 the threshold for in-kind contributions; optical scanning- and direct recording electronic-voting equipment statute updates
	HB 2128	Write-in candidates - revised formula for determining whether name is printed on the general election ballot; qualifications of authorized poll agents; "corrupt political advertising" definition changed to conform more closely with the "corrupt political advertising" definition in the Campaign Finance Act; "advance voting suppression" crime created.
Vetoed by Governor	None	n/a

HOUSE ELECTIONS
DATE: 1/24/11
ATTACHMENT: 1

2008 LEGISLATIVE SESSION

Approved by Governor	SB 65	Expanded satellite advance voting authority to all counties.
	SB 196	Addressed reporting of campaign contributions and independent expenditures during the 11-day "blackout" period; clarified when a candidate may use contribution funds for membership dues or donations paid to a community service or civic organization; required more detailed information on certain campaign finance reports (expenditures for in-kind contributions of \$300 or more); required reports of contributions by an individual of more than \$150 include the type of industry in which the individual works; further restricted use of public funds and property by expanding entities to whom the restrictions are applicable, and by prohibiting any municipality from allowing the distribution of express advocacy documents unless all candidates for the same office are provided the same opportunity.
	SB 562	Allowed every nursing facility, assisted living facility, and hospital-based long-term care unit to become a mobile voting site for its registered residents; restricted mailing ballots in mail ballot elections to inactive voters who meet certain criteria; revised current requirements regarding when a primary election may be held for school district boards, city officers, and community college district boards; deemed invalid any provision of a restrictive covenant prohibiting the display of political yard signs of a certain size and within certain time limits.
Vetoed by Governor	HB 2019	Would have required photo ID of all in-person voters with certain exceptions, changed the forms of ID allowed when voting for the first time by mail, and changed the presidential primary date to the first Saturday in February, beginning in 2012.
	HB 2683	Would have provided for an alternative (generally condensed) election process in the event a Kansas vacancy occurs in the office of United States Representative due to extraordinary circumstances; required that a vacancy in the office of United States Senator be filled by election instead of gubernatorial appointment; required a statewide convention be held of each political party whose gubernatorial candidate receives at least 5 percent of the votes cast at the preceding gubernatorial election; and changed the presidential primary date to the first Saturday in February, beginning in 2012.

2009 LEGISLATIVE SESSION

Final Action Taken	Bill No.	Short Title/Brief Description
Approved by Governor	HB 2158	Allowed KHP service on municipal governing bodies in specified circumstances; added Internet communications to definition of "corrupt political advertising," addressed e-filing of campaign finance reports; provided for a revised election method for the Sherman County Board of County Commissioners; addressed substantial interest statements of certain faculty members
	SB 38	Linn County hospital district
	SB 80	Re: sale or relinquishment of certain public utilities
	SB 168	NOW: public employee salaries bill
Vetoed by Governor	SB 171	Sherman County Board of County Commissioners election method (NOTE: See HB 2158)

2010 LEGISLATIVE SESSION

Approved by Governor	n/a	n/a - None sent to Governor
Vetoed by Governor	n/a	n/a

ELECTIONS AND ETHICS

Executive Branch Employee Meals

HB 2080 relates in large part to meals provided to Executive Branch state officers or employees from a source outside of state government. The bill does the following:

- Allows a state officer or employee to accept a free or special discount meal from outside state government when the meal is provided at an event or meeting where the person's presence serves a legitimate state purpose or interest and the person's employer agency authorizes their attendance;
- Allows these state officers or employees to accept any meal valued at \$25 or less; and
- Allows the Governor's spouse and immediate family members to accept meals provided at an event or meeting when their presence serves a legitimate state purpose or interest.

Campaign Finance; Election Petitions; and Election Staff

Senate Sub. for HB 2081 makes a number of changes in campaign finance and elections statutes.

Telephone Campaign Advertisements

The bill defines as a class C misdemeanor crime any paid campaign advertisement made by telephonic means which expressly advocates the nomination, election or defeat of a clearly identified candidate for state or local office when the advertisement is not followed by a statement indicating who paid for or sponsored the ad.

Solicitation of Contributions During Legislative Session

The bill amends prior law, which prohibited legislators and others from soliciting contributions during the Legislative Session, by limiting the prohibition to "knowingly" soliciting such contributions.

Petitions

Regarding various election petitions required or authorized as part of a procedure applicable to the state, any legislative district, or any of several local governments, the bill changes the time frame for the county counselor, county attorney, or district attorney to furnish a written opinion regarding a petition from five *calendar* days to five *business* days.

Senate Sub. for HB 2081 (cont)

The bill also amends the recall law applying to elected officials to clarify the time frame when mandamus or injunction proceedings must be brought to "within" 30 days of the completion of the review of the adequacy of the recall petition by the Secretary of State in regard to state elected officials or by the county or district attorney in regard to local elected officials. The bill also requires notice of this recall petition decision be delivered to the officer who is the subject of the recall.

Election Staff Allocation

The bill changes the prior law regarding poll workers and election boards by permitting a county election officer, at his or her discretion, to allocate staffing resources. Poll workers may be utilized for partial shifts and not be required to work the entire time the polls are open; however, at least two workers, including the supervising judge, must be on duty the entire time the polls are open. Those workers on duty at the time the polls close are required to certify the ballots at that polling place.

The Secretary of State is authorized to adopt rules and regulations for the implementation of this provision of the bill.

Campaign Finance Reports

The bill also amends the campaign finance laws by the following:

- Clarifying that the Kansas Governmental Ethics Commission (KGEC) is required to prescribe and provide forms for all reports required to be filed under the Campaign Finance Act. The bill allows any information filed in accordance with this requirement after January 10, 2008, to be filed electronically with the Secretary of State in a method authorized by the Secretary of State.
- Allowing the candidate to sign a campaign finance report, in lieu of the treasurer.

Threshold for In-Kind Contributions

The bill increases the threshold amount from \$50 to \$100 for reporting in-kind contributions, or instances when an individual has paid for personal services provided without charge to a candidate, a candidate committee, party committee, or political committee.

Optical Scanning Voting System Updates

The bill updates statutes governing the requirements and certification of optical scanning voting systems. A partial list of provisions includes the following:

Senate Sub. for HB 2081 (cont)

- Deletes a provision authorizing a county's voters to petition and vote on whether to adopt a system using optical scanning equipment in the county. Elimination of this provision leaves the decision to the board of county commissioners and the county election officer.
- Revises and updates language addressing the public testing of voting equipment before and after each election.
- Requires the supervising judge either to ensure that the number of ballots equals the number of voters shown on the poll book or to report in writing a discrepancy to the county election officer. (Prior law required an election judge to ensure the number of ballots does not exceed the number of voters shown or report excess numbers to the county election officer.)
- Updates language regarding the crime of optical scanning equipment fraud.
- Requires that optical scanning equipment and related systems approved by the Secretary of State: (a) provide notification when the voter has cast more votes than authorized, and (b) meet the requirements of the federal Help America Vote Act of 2002 (HAVA) and other related federal laws and regulations.

Direct Recording Electronic Voting System Updates

The bill updates the laws dealing with direct recording electronic (DRE) voting systems and repeals laws that provided for lever machines and punch card ballots. A partial list of requirements includes the following:

- Deletes a provision authorizing a county's voters to petition and vote on whether to adopt a system using electronic or electromechanical voting systems in the county. Elimination of this provision leaves the decision to the board of county commissioners and county election officer.
- Clarifies that the Secretary of State's examination of electronic voting systems is to include operating systems, firmware and software, and that the Secretary of State must certify such a system before it is used at any election.
- Clarifies the exception to the requirement that voting in absolute secrecy be provided, in relation to such voting systems, to indicate the exception applies to persons who request assistance due to temporary illness or disability or a lack of proficiency in reading the English language.
- Requires that electronic or electromechanical voting systems approved by the Secretary of State comply with the federal Help America Vote Act of 2002 (HAVA) and other related federal law.

Senate Sub. for HB 2081 (cont)

- Authorizes the Secretary of State to acquire electronic voting systems only to assist counties in meeting the HAVA requirement that each polling place have at least one voting device accessible to individuals with disabilities.
- Updates the definition of "electronic or electromechanical voting system fraud."
- Repeals Chapter 25, Article 13, which provides for lever machines and punch card ballots.

Election-Related Issues

HB 2128 addresses the election-related issues of write-in candidates, authorized poll agents, corrupt political advertising and advance voting suppression according to the following:

Write-In Candidates and the General Election Ballot

The bill revises the formula to determine whether a write-in candidate's name is printed on the general election ballot after a primary election. The bill requires a write-in candidate to receive votes in the primary election equal to 5 percent of the current voter registration in the state, county, or district in which the office is sought.

Qualifications of Authorized Poll Agents

The bill:

- Requires the written appointment of an authorized poll agent to be filed with the county election officer, and clarifies that a copy of the appointment is to be carried with the poll agent while on duty.
- Establishes qualifications for authorized poll agents, who are appointed to serve as such, to include requirements that the poll agent be:
 - A registered Kansas voter; or
 - A member of the candidate's immediate family; or
 - A person younger than 18 but at least 14 years of age who meets all other requirements for qualification as a voter.
- Requires authorized poll agents to wear a badge containing specified information.

Corrupt Political Advertising

The bill:

- Amends statutes in order to conform more closely with the definition of "corrupt political advertising" in the statute with the campaign finance statute on the same issue by doing the following:
 - Clarifies that a publication or broadcast that "expressly advocates the nomination, election or defeat of any candidate" must be followed by the words or statement "advertisement" or "adv" or it is corrupt political advertising.
 - Revises the requirement regarding broadcasts – aimed at influencing a vote, including the vote on questions submitted as a proposition to amend the Constitution, to authorize the issuance of bonds, or any other question submitted at an election – to include the statement "Paid for" or "Sponsored by" followed by name of the sponsoring organization and the name of the chairperson or treasurer of the organization, or name of the person responsible for the advertisement.
 - Adds a requirement that the publication of brochures, fliers or other political fact sheets aimed at influencing various "questions submitted" include the statement "Paid for" or "Sponsored by" followed by the name of the sponsoring organization and the name of the chairperson or treasurer of the organization, or the name of the person responsible for the advertisement. Absence of such a statement constitutes corrupt political advertising.
- Revises the language contained in the Campaign Finance Act statute – regarding brochure publications aimed at express advocacy for or against a clearly identified candidate for state or local office – to require these publications include a statement providing the name of the sponsoring organization that paid for or sponsored the publication.

Advance Voting Suppression

The bill creates the new crime of advance voting suppression, a level 9, nonperson felony. The bill defines "advance voting suppression" as knowingly, with intent to impede, obstruct or exert undue influence on the election process by:

- Destroying or altering another person's advance ballot without written consent of the registered voter;
- Obstructing the delivery of the advance ballot to the voter, or obstructing the return of the completed ballot to the county election officer;

- Failing to deliver an advance ballot to the county election officer within two business days or before the close of polls on election day;
- Using undue influence on an advance voter in applying for, delivering, or marking an advance ballot; or
- Opening an advance ballot envelope sealed by the voter, examining or disclosing the contents except as required by official duties as prescribed by law.

Delivery of an advance ballot in the United States mail at least five calendar days prior to the election day for delivery to the county election officer would not be a violation of the new crime of advance voting suppression. The bill defines the term "undue influence" to mean coercion, compulsion or restraint as to diminish the voter's free agency, and by overcoming the power of resistance, or obliges or causes such voter to adopt the will of another. The bill defines the term "deliver" to mean hand-deliver, mail, or otherwise transmit an advance voting ballot.

EMPLOYERS AND EMPLOYEES

Employment Security Law—Contribution Rate

SB 83 amends employment security law by adjusting employer contribution rates beginning in FY 2007 and for all subsequent years as follows:

- For new employers, the rate is be 4.0 percent of wages paid during the calender year except for new employers engaged in the construction industry who will pay a 6.0 percent rate. (Under prior law, the rates were between 0.462 to 0.591 percent for new employers.)
- For experienced employers with a positive balance in the employer account at the Kansas Department of Labor, the rate is the following:
 - Rate Groups 1 through 5 – Zero
 - Rate Groups 6 through 28 – 50.0 percent of current rate
 - Rate Groups 29 through 51 – 60 percent of current rate

The bill provides that if the Employment Security Trust Fund balance falls below a prescribed amount, in any subsequent years, the reduction is eliminated and the rates return to the previous percentages.

FY 2012	\$792,000
FY 2013	\$835,000
FY 2014	\$938,000

KAMS is an accelerated residential program for Kansas high school juniors and seniors who are academically talented in science and mathematics. The purpose of KAMS is to provide an opportunity for academically talented pupils to work in a community of peers and to earn simultaneously college credits and a high school diploma at a state educational institution designated by the Board of Regents. The Board designated Fort Hays State University as the site for KAMS in December 2007. The bill appropriates funding for the program based on estimates provided by Fort Hays State University and the Board of Regents.

Dyslexia

HR 6021 urges the State Board of Education to focus more specifically on the reading needs of children with dyslexia. The Resolution addresses early screening, diagnostic assessments, teacher preparation, and instructional programs for students with dyslexia.

ELECTIONS AND ETHICS

Voting Sites

SB 65 expands to all counties the ability of county election officers to designate places other than the central county election office as satellite advance voting sites. Previous law restricted this to counties with a population exceeding 250,000 (Sedgwick and Johnson counties).

Reporting Contributions; Using Public Resources for Express Advocacy

SB 196 addresses the campaign finance and election topics of reporting on various contributions and expenditures, use of contribution money, and use of public resources for express advocacy. Details of the bill follow.

Reporting Campaign Contributions and Independent Expenditures During the 11 Days Before an Election

This portion of the bill does the following:

- Requires that the treasurer for a candidate for a state or local office file a campaign contribution report, listing information for each person who has made one or more contributions totaling \$300 or more during the period that begins 11 days before a primary or general election and ending just before the Wednesday preceding the date

of the election. The report must be made on or before the close of business on the Thursday preceding the election.

- The information required to be placed in the report is:
 - The name and address of each person contributing an aggregate amount of at least \$300;
 - The amount and date of the contribution, including the name and address of every lender, guarantor and endorser if the contribution is in the form of an advance or loan.
- The required reports may be filed by hand delivery, express delivery service, fax, or any electronic method authorized by the Secretary of State.
- Requires that the treasurer for a party committee or political committee file reports of (1) independent expenditures made and (2) contributions received totaling more than \$300 during the period that begins 11 days before a state or local primary or general election and ending just before the Wednesday preceding the date of the election. The report must be made on or before the close of business on the Thursday before the election. For the Thursday, Friday, Saturday, and Sunday preceding the election, reports must be submitted daily by the close of business on the following day.
- The information required to be placed in the report is:
 - The amount, date and purpose of each such independent expenditure or contribution.
 - For independent expenditures, the name of the candidate whose nomination, election or defeat is expressly advocated.
 - For independent expenditures made as payment to an advertising agency, public relations firm or political consultant to be disbursed to vendors, the name of each vendor and the amount, date and purpose of the payments, also accompanied by the name of the candidate whose nomination, election or defeat is expressly advocated.
- The required reports may be filed by hand delivery, express delivery service, fax, or any electronic method authorized by the Secretary of State.

- "Independent expenditure" is defined as one made without the cooperation or consent of the candidate or the agent of the candidate intended to be benefitted.

Use of Contribution Funds for Membership Dues or Donations

The bill clarifies the circumstances under which a candidate is permitted to use contribution funds for membership dues or donations paid to a community service or civic organization. The bill:

- Clarifies that only membership dues related to a candidate's campaign are permitted to be paid from contribution funds; and
- Clarifies that donations are permitted to be paid from contribution funds only if the candidate receives no goods or services unrelated to a candidate's campaign as a result of the payment of such dues or donations.

More Detailed Information on Certain Campaign Finance Reports

The bill amends existing law related to campaign finance to require that a political committee or a party committee provide more detailed information on certain expenditures than currently required. The requirements would apply to the following types of expenditures:

- An expenditure for an in-kind contribution to a candidate in an aggregate amount of \$300 or more, and
- An aggregate expenditure of \$300 or more made without the consent or cooperation of the candidate, and which expressly advocates the nomination, election or defeat of that candidate.

The bill requires those committees to report the name and address of the candidate; the amount, date, and purpose of each expenditure; and the specific service or product provided.

In addition, the bill makes several technical corrections.

Reporting of Contributions by an Individual

The bill amends existing law related to campaign finance to require that mandated reports of contributions by an individual of more than \$150 include the type of industry in which the individual works. This is in addition to the current requirement to report the name and occupation of those contributors.

Use of Public Resources for Express Advocacy

The bill addresses the use of public money and property to expressly advocate the nomination, election or defeat of a clearly identified candidate. The bill:

- Expands the current restriction on the use of public funds, vehicles, machinery, equipment or supplies by a public officer or employee to all municipalities, in addition to the state of Kansas and the specific municipalities currently covered by the law.
 - The current restriction applies to the State of Kansas, counties, cities of the first class, any unified school district with an enrollment of 35,000 or more, and the Board of Public Utilities of Kansas City, Kansas. The bill retains the restriction for these entities and adds a number of others, subsumed under the term "municipalities."
 - The bill uses the definition of "municipalities" contained in another statute that covers all of the following: "county, township, city, school district of whatever name or nature, community junior college, municipal university, city, county or district hospital, drainage district, cemetery district, fire district, and other political subdivision or taxing unit, and including their boards, bureaus, commissions, committees and other agencies, such as, but not limited to, library board, park board, recreation commission, hospital board of trustees having power to create indebtedness and make payment of the same independently of the parent unit."
- Adds a further restriction, prohibiting any municipality from allowing any person to distribute express advocacy political brochures or other documents in any structure owned by the municipality, unless each candidate for the office concerned is provided the same opportunity.

Mobile Voting Sites, Mail Ballot Election, Local Primaries, Political Yard Signs

SB 562 addresses the election topics of mobile voting sites, inactive voters in mail ballot elections, local office primary elections, and political yard signs. Details of the bill follow.

Mobile Voting Sites

The bill establishes a process whereby, beginning on January 1, 2010, every nursing facility, assisted living facility, and hospital-based long-term care unit could serve as a voting place for its residents who are registered to vote. Specifically, the bill:

- Permits the county election officer to contact the administrator or operator of each such facility, at least 60 days before any election other than a mail ballot election, to request

that the registered voters in the facility be offered the opportunity to vote there. If the administrator agrees, a mutually agreed upon date for the voting must be established.

- Requires the county election officer to appoint a special election board to administer the ballots to the residents of a participating facility. Qualifications for the board, consisting of two or more members, are established in the bill.
- Requires the special election board for each participating facility to follow advance voting procedures, to the extent practicable.
- Permits any facility resident who is a registered voter to request a ballot from the special election board. The special election board may deliver an advance ballot to any voter who has received permanent advance voting status, instead of mailing the ballot.
- Permits any voter to receive assistance from a special election board member or from a person of the voter's choice, if the person rendering assistance signs a written statement as required by law.
- Requires the special election board to protect the privacy of each voter and seal each ballot in an envelope or deposit it in a locked ballot box. Security measures also are required when direct recording electronic voting systems are used. Voting materials must be returned to the county election officer at the close of voting at the facility. Tabulation procedures are specified in the bill.
- Requires the county election office to post the appropriate notice at each participating facility when it is serving as a mobile voting site.
- Defines the terms "nursing facility," "assisted living facility," and "hospital-based long-term care unit."
- Makes participating facilities subject to the provisions of the electioneering crime statute, during the time when the facility is serving as a mobile voting site.

Mail Ballots and Inactive Voters

With respect to mail ballot elections, the bill prohibits a county election officer from mailing ballots to any inactive voter who:

- Appears to have moved to a location outside the county in which the voter currently is registered or for whom mail cannot be forwarded, based on information provided by the postal service; and

- Has been mailed a confirmation notice as required when the postal service provides such information.

A provision exists in the bill for requesting a replacement ballot when the inactive voter believes he or she is entitled to vote in the election. These provisions became effective upon publication in the *Kansas Register*.

Local Primary Elections

Beginning on July 1, 2008, the bill revises current requirements regarding when a primary election may be held for school district boards, city officers, and community college district boards. For all three types of entities:

- A primary election is prohibited:
 - Unless, by holding the primary, two or more persons will be eliminated as candidates for office.
 - If there are not more than three times the number of candidates as there are officers or board members to be elected. If there are not more than three times the number of candidates, the candidates' names must appear on the general election ballot.
- A primary election must be held if needed to reduce the number of candidates for each office in the general election to no more than three candidates.

With respect to school district and community college district boards, the bill deletes the current language requiring the entities to hold primary elections under certain circumstances, which differ depending on whether the district elects members from member districts or at large. Regarding city officer elections, the bill revises the number of candidates that must be eliminated and the total number of candidates existing in order to hold a primary election.

Political Yard Signs and Restrictive Covenants

The bill invalidates any provision of a restrictive covenant prohibiting the display of political yard signs, which are less than six square feet, 45 days before an election or two days after the election. The bill applies to any restrictive covenant in existence on the day the act became effective, which was upon publication in the *Kansas Register*.

Voter Photo Identification; Presidential Preference Primary

HB 2019 changes the requirements for providing voter identification at elections. Effective January 1, 2010, the bill requires photo identification of all in-person voters (with the exception of certain voters who are exempted), and it changes the list of acceptable identification forms for those first-time voters submitting advance ballots by mail. Effective July 1, 2008, the bill allows for the issuance of a free photo identification card to anyone who qualifies under specified poverty criteria and signs an affidavit. Effective August 1, 2008, the bill requires first-time voters to show a photo identification and provides for a process to educate all other in-person voters on the upcoming change in identification requirements.

The bill also changes the presidential preference primary date to the first Saturday in February beginning in 2012.

The specific changes are described below.

Effective January 1, 2010

- Requires all in-person voters to provide identification at every election. Current law requires identification be provided only by those voting for the first time in the county who did not provide identification when registering to vote.
- Revises the array of acceptable identification documents, depending on whether the voter is voting in person or by mail as follows:
 - Requires photographic identification be provided by every advance voter applying to vote in person and by every elector voting at the polls. The list of acceptable photographic identification forms includes:
 - Current Kansas driver's license;
 - Current Kansas nondriver's identification card;
 - United States passport;
 - Employee badge or identification;
 - Debit or credit card;
 - Military identification;
 - Student identification; or

- Public assistance identification.
- Requires an election board member to verify whether the photographic identification provided by a person voting at the polls bears a signature. If it does not, the voter must provide an additional form of identification that provides the voter's signature.
- Deletes "utility bill, bank statement, paycheck and government check" from the list of acceptable identification for persons applying for an advance ballot to be transmitted by mail who are voting for the first time. The remaining acceptable identification forms include:
 - Providing on the ballot the voter's current, valid Kansas driver's license number, nondriver's identification card number, or the last four digits of the voter's Social Security number; or
 - Providing with the application a copy of the voter's current, valid Kansas driver's license number, nondriver's identification card number, or other government document containing the voter's current name and address as indicated on the registration book.
- Exempts the following persons from voter identification requirements unless they are first-time voters:
 - Persons aged 65 or older;
 - Persons with a temporary or permanent physical disability;
 - Members of the military on active duty, or their spouses, who because of their duty status are absent from the county on election day;
 - Members of the merchant marine, or their spouses, who are on assignment and absent from the county on election day;
 - Eligible voters currently residing outside the United States.
- Changes the presidential preference primary date to the first Saturday in February, beginning in 2012, and makes conforming changes.

Effective July 1, 2008

- Allows any person to receive a nondriver's identification card free of charge upon application, in order to meet the photographic identification requirements of the bill, if the person is at least 18 but less than 65 years of age and signs an affidavit that he or she either is registered to vote or plans to register and:
 - Receives any of a number of types of public assistance (food stamps, general assistance, supplemental security income [SSI], temporary assistance to families, Medicaid, United Tribes food distribution program, Bureau of Indian Affairs general assistance, administered temporary assistance for needy families, Head Start [if the person meets its income qualifying standard], or free school lunch program); or
 - Resides in a household whose income is 150 percent or less of the federal poverty level.

A person signing an affidavit falsely is guilty of an unclassified misdemeanor subject to a fine of up to \$250.

Effective August 1, 2008 and Expiring January 1, 2010

- Requires that in-person voters be requested to provide a form of photo identification from the list of those that will be mandated effective January 1, 2010. Failure to provide this identification will not invalidate a person's ballot.
- Requires county election officers and election board members to distribute written information to all in-person voters that explains:
 - The photo identification requirements that will become effective January 1, 2010; and
 - The ability of anyone who meets the poverty guidelines in the bill to obtain a nondriver's identification card free of charge.

U.S. Congressional Vacancies

HB 2683 addresses the filling of vacancies by election in the offices of United States Representative and Senator. It also changes the date of the presidential preference primary election. Details of the bill follow.

United States Representative

The bill provides for an alternative (generally condensed) election process in the event a Kansas vacancy occurs in the office of United States Representative due to extraordinary circumstances.

- The bill defines "extraordinary circumstances" as those in which the Speaker of the U.S. House of Representatives announces more than 100 vacancies exist in the U.S. House.
- The alternative election system specified in the bill is the system provided for in the U.S. Code for such vacancies.

United States Senator

The bill requires that a vacancy in the office of United States Senator be filled by election instead of gubernatorial appointment. It requires the Governor to proclaim, within five days of a vacancy occurring, an election date to fill any unexpired term left by the exiting U.S. Senator. The election date must be:

- Not less than 45 days nor more than 60 days after the proclamation is issued, unless otherwise provided;
- On the same date as the primary election of state officers, if the vacancy occurs any time from 90 to 30 days before the primary election; or
- On the same date as the primary or general election, if the vacancy occurs any time from 90 to 30 days before any regular primary or general election of city and school officers occurring in an odd-numbered year.

The bill further requires a statewide convention be held of each political party whose gubernatorial candidate receives at least 5 percent of the votes cast at the preceding gubernatorial election. Deadlines are established in the bill for holding the convention. The bill also allows independent candidates to be nominated by petition of registered voters equal in number to 4 percent of the number of qualified Kansas voters, or 5,000, whichever is less.

Presidential Preference Primary

Beginning in 2012, the bill changes the date of the presidential primary election to the first Saturday in February. The candidate filing and ballot deadlines are changed to conform.

VETOED

ELECTIONS AND ETHICS

KS Highway Patrol Service on Governing Bodies; Corrupt Political Advertising; Sherman County Board of County Commissioners; Substantial Interest Statements of Certain Faculty Members; E-filing of Certain Campaign Finance Reports

HB 2158 addresses the elections and ethics issues of Kansas Highway Patrol members' service on governing bodies of municipalities, corrupt political advertising, electronic filing of certain campaign finance reports, the election method for the Sherman County Board of County Commissioners, and substantial interests statements of certain faculty members. Details of the bill follow.

Kansas Highway Patrol Member Service on Governing Bodies

The bill allows a member of the Kansas Highway Patrol to serve on the governing body of a municipality if the position is appointed or elected on a nonpartisan basis. It also allows a member of the Patrol to serve on an appointed task force the Patrol superintendent deems necessary as part of the member's duties.

It forbids any member of the Patrol from accepting any reward or gift pertaining to the performance of the member's duties.

This portion of the bill became effective upon publication in the *Kansas Register*.

Additions to "Corrupt Political Advertising" Statute

The bill makes additions to the statute relating to the crime of corrupt political advertising of a state or local office, as follows:

- It prohibits the making of any website, e-mail, or other internet communication expressly advocating the nomination, election, or defeat of a clearly identified candidate for state or local office, which is disseminated to 25 or more individuals by a candidate, candidate committee, party committee, or political committee, unless the information disseminated is followed by a statement which indicates who paid for or sponsored the communication.
- It blends two versions of the prior statute, which resulted from the statute being amended twice in 2007. The new language shown in subsection (b) (1)(C) was enacted by the Legislature in one of the 2007 amendments to that statute.

E-Filing of Campaign Finance Reports by Statewide Candidates

The bill requires the electronic filing of regular campaign finance reports by candidates for offices elected on a statewide basis.

Election of Sherman County Board of County Commissioners

Effective upon publication in the *Kansas Register*, this portion of the bill allows the Board of County Commissioners of Sherman County (Board) to provide for the at-large election of its members if the voters of Sherman County approve the proposal.

The Board is required to adopt a resolution that provides for the following:

- Each county commissioner would run at large, and each candidate is permitted to reside anywhere in Sherman County;
- All qualified electors residing in Sherman County are permitted to vote in both the primary and general election for each county commissioner being elected;
- Primary elections are to be conducted on a partisan basis. Primary election voters are permitted to vote for the same number of candidates as the number of commissioners being elected. The candidate receiving the highest number of votes will appear on the general election ballot, for each county commissioner being elected. No person is permitted to cast more than one vote for any specific candidate;
- General election voters are allowed to vote for the same number of candidates as the number of county commissioners being elected. The candidate receiving the highest number of votes for each commissioner office being elected will be deemed to have been elected;
- Unless the Sherman County voters elect to adopt this at-large election method, the statute allowing it expires on December 31, 2010; and
- The bill makes conforming changes to other sections of law.

Substantial Interests Statements of Certain Faculty Members

At the option of the employing educational institution, the bill creates the following temporary alternative to the currently required statement of substantial interests (SSI), which expires on July 1, 2010:

- The alternative form is permitted in lieu of the SSI required by law to be sent by each faculty member who receives an annual salary of \$50,000 or more, other than an adjunct faculty member, who is employed by a state education institution governed by the Kansas Board of Regents (KBOR) to the Secretary of State (and maintained by the Kansas Governmental Ethics Commission [KGEC]);
- The alternative form must contain the same information required in the SSI that is filed with the Office of Secretary of State, it will be considered an open public record, and it must be filed annually as part of the educational institution's appointment or salary notification process. Any additional conflict of interest information required by the KBOR or the employing institution may be placed in the faculty member's personnel file and may be considered confidential; and
- The executive officer of any KBOR institution must notify the KGEC in writing if that institution's faculty will be using the alternative form in lieu of the regular SSI.

Bill Summary

At start 1 2 > Last

Click on the bill number for more information

Track	Bill #	Date Introduced	Current Status and Last Action	Bill Subject	Principal Bill Sponsor
	HB 2066	01/22/2009	Stricken from Calendar 02/24/2009 - House: Stricken from Calendar, House Rule 1507	Elections; pertaining to compliance with the Help America Vote Act (HAVA)	House Elections Committee
	HB 2077	01/26/2009	In House Elections 03/04/2009 - House: Withdrawn from Federal and State Affairs; rereferred to Elections	Elections	House Elections Committee
	S Sub for HB 2079	03/19/2010	In Senate Ways and Means 03/24/2010 - Senate: Withdrawn from Calendar; referred to Ways and Means	Campaign Finance Act; pertaining to coverage of certain retention elections	Senate Ethics and Elections Committee (original bill by House Assessment and Taxation Committee)
	S Sub for HB 2082	03/11/2010	In Senate Ways and Means 03/24/2010 - Senate: Withdrawn from Calendar; referred to Ways and Means	Campaign finance; relating to electioneering communication; establishing certain reporting requirements	Senate Ethics and Elections Committee (original bill by House Federal and State Affairs Committee)
	HB 2156	01/29/2009	In House Elections 02/05/2009 - House: Withdrawn from Local Government; referred to Elections	The Legislature; relating to legislators holding other elected offices	House Local Government Committee
	HB 2158	01/29/2009	Approved by Governor 05/21/2009: Approved by Governor Mark Parkinson	Elections and election related issues	House Local Government Committee
	HB 2193	02/02/2009	Killed in House 02/19/2009 - House: Final Action: Not passed; Yeas 54, Nays 69	Campaign finance	House Local Government Committee
	HB 2215	02/03/2009	In House Elections 02/04/2009 - House: Referred to Elections	Governmental ethics; prohibiting the use of public funds for lobbying	House Elections Committee
	HB 2216	02/03/2009	In House Elections 02/04/2009 - House: Referred to Elections	Contracts with state agencies	House Elections Committee

	HB 2244	02/04/2009	Stricken from Calendar 02/24/2009 - House: Stricken from Calendar, House Rule 1507	Campaign finance; pertaining to unitemized contributions	House Elections Committee
	HB 2256	02/04/2009	In House Elections 02/03/2010 - House: Scheduled Hearing: Wednesday, 2/10/2010, 3:30 PM, Rm 144-S	Elections; pertaining to preregistration of certain persons	Don Hill, R-60th
	HCR 5006	01/28/2009	In House Elections 02/11/2010 - House: Scheduled Hearing: Monday, 2/15/2010, 3:30 PM, Rm 144-S	A proposition to amend Section 1 of Article 10 of the Constitution of the State of Kansas, relating to the reapportionment of senatorial and representative districts	House Veterans, Military and Homeland Security Committee
	HCR 5010	02/04/2009	Killed in House 02/20/2009 - House: Final Action: Not adopted; Yeas 65, Nays 54	A proposition to amend Section 11 of Article 1 of the Constitution of the State of Kansas, relating to filling vacancies in executive offices	House Elections Committee
	H Sub for SB 3	03/13/2009	In House Elections 03/30/2009 - House: Withdrawn from Calendar; rereferred to Elections	Elections	House Elections Committee (original bill by Anthony Hensley, D-19th)
	SB 38	01/15/2009	Approved by Governor 04/06/2009: Approved by Governor Kathleen Sebelius	Hospital districts; relating to the formation of a hospital district in Linn County	Senate Ethics and Elections Committee
	H Sub for SB 43	03/10/2009	Rejected by House 03/29/2010 - House: Stricken from Calendar, House Rule 1507	Social workers; relating to continuing education requirements	House Aging and Long-Term Care Committee (original bill by Senate Education Committee)
	SB 55	01/21/2009	In House Elections 03/30/2009 - House: Withdrawn from Calendar; rereferred to Elections	Elections; pertaining to official federal services absentee ballots	Senate Ways and Means Committee
	SB 56	01/21/2009	In House Elections 03/30/2009 - House: Withdrawn from Calendar; rereferred to Elections	Elections; pertaining to advance voting ballots	Senate Ways and Means Committee
	SB 71	01/22/2009	In House Elections 03/04/2009 - House: Scheduled Hearing: Wednesday, 3/11/2009, 3:30 PM, Rm 446-N	Certain elections	Senate Education Committee

	SB 79	01/22/2009	In House Elections 02/20/2009 - House: Referred to Elections	Elections; pertaining to filing deadlines for candidates	Senate Ethics and Elections Committee
	SB 80	01/22/2009	Approved by Governor 04/10/2009: Approved by Governor Kathleen Sebelius	Cities; dealing with certain elections; relating to cities' power to relinquish authority to regulate natural gas and water utilities to the State Corporation Commission	Senate Ethics and Elections Committee
	SB 103	01/26/2009	In House Elections 03/04/2009 - House: Scheduled Hearing: Monday, 3/9/2009, 3:30 PM, Rm 446-N	Elections; relating to certain primary elections	Senate Ethics and Elections Committee
	Sub for SB 117	02/12/2009	In House Elections 03/11/2009 - House: Scheduled Hearing: Monday, 3/16/2009, 3:30 PM, Rm 446-N	Campaign finance; dealing with the crime of corrupt political advertising	Senate Ethics and Elections Committee (original bill by Senate Ethics and Elections Committee)
	H Sub for SB 118	03/19/2010	Rejected by House 03/29/2010 - House: Stricken from Calendar, House Rule 1507	Cities; relating to annexation	House Local Government Committee (original bill by Senate Ethics and Elections Committee)
	H Sub for SB 168	03/19/2009	Approved by Governor 05/22/2009: Approved by Governor Mark Parkinson	State agencies; relating to salaries and wages; amounts budgeted and appropriated therefor; payment of payroll obligations	House General Government Budget Committee (original bill by Senate Ways and Means Committee)
At start 1 2 > Last					

Bill Summary

First<1 2 At end					
Click on the bill number for more information					
Track	Bill #	Date Introduced	Current Status and Last Action	Bill Subject	Principal Bill Sponsor
	SB 171	02/02/2009	Veto sustained 06/04/2009 - Senate: No motion to reconsider; veto sustained	Sherman county; pertaining to the election of county commissioners	Ralph Ostmeyer, R-40th
	SB 268	02/12/2009	In House Elections 03/25/2009 - House: Referred to Elections	Elections	Senate Federal and State Affairs Committee
	SB 297	03/03/2009	In House Elections 03/23/2009 - House: Referred to Elections	Governmental ethics; eliminating the filing requirement for certain faculty of state education institutions; pertaining to reporting of certain expenditures by lobbyists; requiring certain members of the judicial branch to file disclosure statements	Senate Ways and Means Committee
First<1 2 At end					

Bill Summary

Click on the bill number for more information					
Track	Bill #	Date Introduced	Current Status and Last Action	Bill Subject	Principal Bill Sponsor
	HB 2622	02/03/2010	In House Elections 02/04/2010 - House: Referred to Elections	Use of public funds for lobbying	Joe Patton, R-54th
	HB 2654	02/04/2010	In House Elections 02/10/2010 - House: Scheduled Hearing: Monday, 2/15/2010, 3:30 PM, Rm 144-S	Elections; relating to changing the date of primary elections from April to August	House Elections Committee
	HB 2733	03/09/2010	In House Judiciary 05/06/2010 - House: Withdrawn from Elections; referred to Judiciary	Campaign finance; relating to electioneering communication; establishing certain reporting requirements	House Federal and State Affairs Committee
	HCR 5029	02/02/2010	In House Elections 02/10/2010 - House: Scheduled Hearing: Monday, 2/15/2010, 3:30 PM, Rm 144-S	To amend Section 1 of Article 10 of the Constitution of the State of Kansas, relating to the reapportionment of senatorial and representative districts	House Veterans, Military and Homeland Security Committee
	Sub for SB 416	02/11/2010	In House Elections 03/10/2010 - House: Scheduled Hearing: Monday, 3/15/2010, 3:30 PM, Rm 144-S	Governmental ethics; eliminating the filing requirements for certain faculty of state education institutions	Senate Ethics and Elections Committee (original bill by Senate Ethics and Elections Committee)
	SB 417	01/21/2010	In House Elections 03/10/2010 - House: Scheduled Hearing: Monday, 3/15/2010, 3:30 PM, Rm 144-S	Ethics and election related issues; relating to campaign finance	Senate Ethics and Elections Committee
	SB 419	01/21/2010	In House Elections 03/10/2010 - House: Scheduled Hearing: Wednesday, 3/17/2010, 3:30 PM, Rm 144-S	Election of city officers; pertaining to filing requirements	Senate Ethics and Elections Committee
	SB 420	01/21/2010	In House Elections 03/10/2010 - House: Scheduled Hearing: Wednesday, 3/17/2010, 3:30 PM, Rm 144-S	County extension councils; pertaining to the date of election of the governing body	Senate Ethics and Elections Committee
	SB 421	01/21/2010	In House Elections 02/24/2010 - House: Scheduled Hearing:	Election crimes; pertaining to the penalty for voting when not qualified	Senate Ethics and Elections Committee

			Wednesday, 3/3/2010, 3:30 PM, Rm 144-S		
	SB 423	01/21/2010	In House Elections 03/09/2010 - House: Scheduled Hearing: Wednesday, 3/10/2010, 3:30 PM, Rm 144-S	Certain public officers and employees; relating to use of unexpended campaign funds	Senate Ethics and Elections Committee
	SB 426	01/22/2010	In House Elections 03/03/2010 - House: Scheduled Hearing: Monday, 3/8/2010, 3:30 PM, Rm 144-S	Elections; pertaining to methods of voting absentee ballots by uniformed and overseas citizens and federal service voters	Senate Ethics and Elections Committee