

Approved: February 11, 2011
Date

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Chairman Schwab at 9:00 a.m., on February 7, 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

Conferees appearing before the Committee:

Jerry Williams, Representative
Sherrie Riebel, Allen County Clerk
Rhonda Beets, Osage County Clerk
Ron Estes, State of Kansas Treasurer

Others attending:

See attached list.

The Chairman called for bill introductions.

Representative Goico introduced two bills.

- Transfer of campaign funds
- Elimination of filing with election office, if filed electronically with the state.

Bills were entered without objections.

The Chair opened the Hearing on **HB 2080 – Changing the candidate filing for filing deadline for extension districts.**

Doug Taylor, assistant revisor, offered a brief overview of **HB 2080.**

Representative Williams spoke in support of **HB 2080, (Attachment 1).**

Sherrie Riebel appeared in support of **HB 2080, (Attachment 2).**

Rhonda Beets offered testimony in support of **HB 2080, (Attachment 3).**

Written testimony in support of **HB 2080:**

Linda Bogart, Cloud County Clerk, (Attachment 4).

Randal Neely, Neosho County Clerk, (Attachment 5).

Dr. Buchholz, Kansas State University, (Attachment 6).

Lou Kern, Washington County Clerk, (Attachment 7).

Linda Buttron, Jefferson County Clerk, (Attachment 8).

Hearing closed on **HB 2080.**

The Chair opened the Hearing on **HB 2128 – concerning elections; relating to Public Service Announcements by candidates.**

Doug Taylor, assistant revisor, provided a brief overview of **HB 2128.**

Treasurer Ron Estes provided testimony in support of **HB 2128, (Attachment 9)** and responded to questions from committee members. Chairman Schwab ask for an amendment to narrow who is affected by the bill. Treasurer Estes was open to filing an amendment.

Hearing closed on **HB 2128.**

The next meeting is scheduled for February 9..

The meeting was adjourned at 10:30 a.m.

STATE OF KANSAS

JERRY D. WILLIAMS
REPRESENTATIVE, 8TH DISTRICT
NEOSHO COUNTY, WESTERN
CRAWFORD COUNTY AND
NORTHWEST LABETTE COUNTY
21225 KIOWA ROAD
CHANUTE, KANSAS 66720

STATE CAPITOL
451-S
TOPEKA, KANSAS 66612
(785) 296-7650
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TOPEKA
HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
RANKING MINORITY: AGING AND LONG TERM
CARE
MEMBER: APPROPRIATIONS
AGRICULTURE AND
NATURAL RESOURCES
BUDGET

TESTIMONY

To: The House Committee on Elections
Honorable Scott Schwab, Chairman
From: Jerry D. Williams, State Representative, Kansas House, District #08
Re: House Bill 2080
Date: Monday, February 7, 2011

Chairman Scott Schwab and members of the Kansas House Elections Committee, thank you for having a hearing on House Bill 2080.

Neosho County Clerk, Randal Neely, asked me to introduce HB 2080 to clear up some language related to the time of filing for individuals seeking to be on the governing boards of extension districts.

The change from current law to HB 2080 can be seen in lines 25 and 26 of the printed bill.

I testify today in favor of HB 2080 and encourage the support of the Elections Committee.

Thank you for this opportunity to appear before the Elections Committee. I will stand for questions.

Jerry Williams
State Representative
House District #08

HOUSE ELECTIONS
DATE: 2/7/11
ATTACHMENT: 1

ALLEN COUNTY COURTHOUSE

Sherrie L. Riebel
COUNTY CLERK

1 N. Washington
Iola, KS 66749

620-365-1407
Fax: 365-1441
Email: coclerk@allencounty.org

February 7, 2011

To: House Elections Committee

Re: Testimony on House Bill 2080

From: Sherrie L. Riebel, Allen County Clerk/Election Official
and Kansas County Clerks & Election Officials Election Committee Chair

Honorable Chair and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 2080 with an amendment correcting page 1 line 26 to read "Tuesday" not "Wednesday". Kansas County Clerks and Election Officials Association support this legislation.

Extension Districts are a growing item due to funding. More and more county extension offices are merging their services to save monies and utilize their agents to be more specialized. This is causing more and more City/School Elections to have extension district candidates on the ballot as well.

Currently the extension district candidates have until the day before a primary election date to file for extension board. However, if the County does not have a primary election we have to wait to finalize our General Election ballot. This causes time problems with programming and printing when you have 105 counties wanting programming and printing done so that the ballots can be mailed out in a timely manner. Example in 2009 we had primary election day Tuesday, March 3, 2009 the canvass was on Friday, March 5, 2009. Advanced voting for the Tuesday, April 6, 2009 General Election started on Wednesday, March 17, 2009. This leaves one week and two days for our ballots to be programmed and printed to go into the mail on the 17th or if people come into our office to vote. My point is the City/School Elections are so tightly scheduled if the Election Officials are fortunate not to have a Primary Election could get their General Election ballots done as long as they don't have to wait on an Extension District filing date. This would leave the Election Officials that have Primary Elections to get their programming and ballots in a timely manner.

KCC&EOA urge the committee to report House Bill 2080 favorably for passage. Thank you for your consideration.

Sincerely,
Sherrie L. Riebel
Allen County Clerk/Election Official
& KCC&EOA Election Committee Chair

HOUSE ELECTIONS
DATE: 2/7/11
ATTACHMENT: 2

OFFICE OF
Osage County Clerk

Rhonda Beets, County Clerk

February 4, 2011

To: House Elections Committee

Re: Testimony on House Bill 2080

Honorable Chair and Members of the Committee:

I am asking you to consider House Bill 2080 as well as a change on page 1 line 26 to move the filing deadline for Extension District Directors to the same day as the filing deadline for City and School candidates. One filing deadline would give County Clerks and Election Officials more time to prepare ballots for the April General Election ensuring that advance ballots were ready to be mailed on time. One filing deadline for the spring election cycle would also simplify the filing process for candidates.

Thank you for the opportunity to testify in support of House Bill 2080.

Sincerely,
Rhonda Beets
Osage County Clerk & Election Officer

COURTHOUSE • P.O. BOX 226 • LYNDON, KANSAS 66451
(785) 828-4812 • FAX (785) 828-4749 • E-MAIL: OS_County_Clerk@wan.kdor.state.ks.us

HOUSE ELECTIONS
DATE: 2/7/11
ATTACHMENT: 3

Linda Bogart
Cloud County Clerk
811 Washington
Concordia, KS 66901

clerk@cloudcountyks.org

Telephone: 785-243-8110

Fax: 785-243-8123

January 28, 2011

To: House Elections Committee

Re: Testimony on House Bill 2080

From: Linda Bogart, Cloud County Clerk/Election Official

Honorable Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of HB 2080. The Kansas County Clerks and Election Officials Association is in support this legislation.

This legislation would allow Election officials in the thirteen (13) Extension Districts, which includes thirty-three (33) counties to be able to prepare for the City/School General Election in a timelier manner. They would be able to submit their complete candidate listing, media programming and ballot information to their equipment vendor by their suggested submission date, which is usually one week after the candidate filing deadline.

This legislation would allow for the Extension District candidate filing deadline to be prior to the deadline for mailing Federal Service ballots.

Also, it would allow sufficient time for candidate inspection of ballots, equipment testing prior to the beginning of Advance voting, twenty (20) days before to the election.

KCC&EOA urge the committee to report House Bill 2080 favorably for passage. Thank you for your consideration.

Sincerely,
Linda Bogart
Cloud County Clerk/Election Official

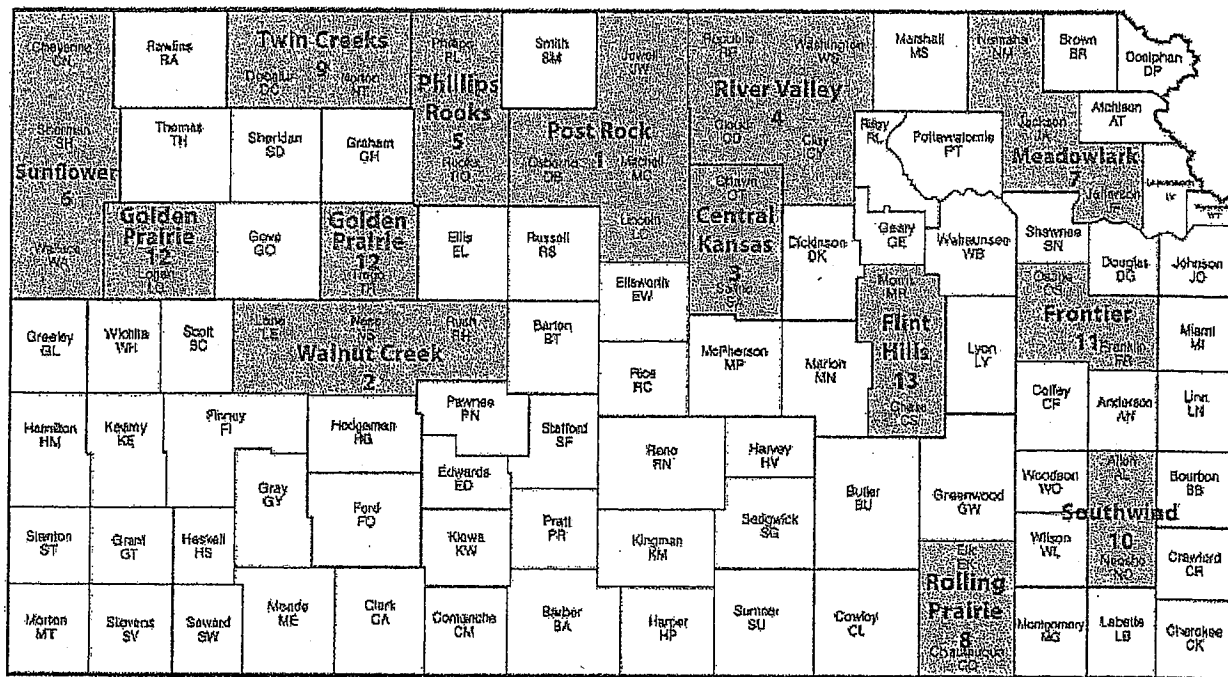
HOUSE ELECTIONS
DATE: 2/7/11
ATTACHMENT: 4

Map for K-State Research and Extension

Move a cursor over any County/District to view the details.

Click to see map of research centers and experiment stations

Northeast Area Office | Northwest Area office | Southeast Area office | Southwest Area office | Ft. Riley Extension office



Local Extension Operations

K-State Research and Extension serves all 105 counties. Each local office is staffed with professionals equipped to serve the public as our representatives.

Neosho County Clerk

Kansas House Election Committee,

Generally, in the spring of odd years there are not enough candidates seeking City/School offices to cause a Primary Election in Neosho County. Candidates have by statute had to file 10 weeks ahead of the April election, which this year makes the filing deadline January 25th at noon.

Last year Neosho County Extension Office became part of an Extension District. The Kansas statute 2-264 states that Extension District candidates have to file by Wednesday after Tuesday, 5 weeks before the April election. This year it means that Extension District Candidates file by March 2nd, 2011 with the April election to be held on April 5th.

The late filing as described above puts our county at a great disadvantage. The problem is that our election office cannot put together our election candidate slate before the afternoon of March 2nd. We should have that ready to go on Thursday March 3rd and transmit that to our ballot arranging company, ES&S, putting us behind a great number of counties in Kansas and other states, waiting on ballot arrangement, and design. When ES&S does start on our ballots, they then confer on setups with Lockwood Company of Atchison, Kansas. Lockwood does a ballot draft and sends it to our office. Our Election office then sends back approvals and/or corrections.

Lockwood after getting approval from our office then has to send the ballot design and arrangement to the printer. The printer then attempts to squeeze us into their schedule for printing of our ballots for Neosho County.

All of the foregoing should be completed so that our Election office may begin mailing advance ballots when we are allowed, by the 10th of March, or by the deadline to start advanced mailings by March 16th this year.

Please consider the time squeeze that we are forced to deal with in getting out the ballot candidate slate, then waiting on the two ballot arrangement companies to work us into their schedule, get back to us for ballot approval, then the companies transmitting ballot arrangement/design to our printer, the printer working us in and then printing the ballots, and allowing time for them to ship them to us.

Please consider HB 2080 which would cause all candidates including Extension District candidates to file 10 weeks ahead of the April election date. This would lessen the time constrictions we are presently operating under.

Thank you for your consideration,

Randal Neely

Neosho County Clerk/County Election Officer.

HOUSE ELECTIONS
DATE: 2/7/11
ATTACHMENT: 3



Kansas State University

K-State Research and Extension
Office of the Associate Director
for Extension and Applied Research
123 Umberger Hall
Manhattan, KS 66506-3401
785-532-5820
Fax: 785-532-6290

January 28, 2011

Representative Scott Schwab, Chair
Elections Committee

Dear Representative Schwab:

It was been brought to our attention by the Kansas County Clerks and Election Officials Association that they are supporting a bill in the House (HB2080) to change the filing deadline for Extension District candidates to be the same as that of a city/school election. Further, that they will be proposing an amendment changing line 26 to read "Tuesday" not "Wednesday."

As these changes will affect the election process for all current and future Extension Districts, I am writing this letter to indicate that K-State Research and Extension does not oppose these changes. Further, we understand these changes will remove any issues election officials may have with programming machines and printing ballots in a timely manner for the general elections held the first Tuesday in April.

Sincerely yours,

Daryl D. Buchholz
Associate Director for Extension and Applied Research

Kansas State
University Agricultural
Experiment Station
and Cooperative
Extension Service

K-State, County Extension
Councils, Extension
Districts, and U.S.
Department of Agriculture
Cooperating.

K-State Research and
Extension is an equal
opportunity provider and
employer.

HOUSE ELECTIONS
DATE: 2/7/11
ATTACHMENT: 6

*Knowledge
for Life*

**WASHINGTON COUNTY
CLERK'S OFFICE**

Lou Kern, Clerk

Kathy Fritz, Deputy

Myma Skrabal

Diana Svanda

214 C Street
Washington, KS 66968
(785) 325-2974
(785) 325-2303 FAX
e-mail: ws_county_clerk@wan.kdor.state.ks.us

February 4, 2011

To: House Elections Committee

RE: Testimony on House Bill 2080

From: Lou Kern, County Clerk/Election Official

Honorable Chairperson and Members of the Committee:

I had hoped to present personally today in favor of this bill as I had done so last year. I believe passage of this bill is in the best interests of both the Kansas County Clerks and Election Officials and Extension Districts throughout Kansas. We as Election Officials were pleased that Kansas State University appeared with us before committee last session and offered no objection to changing the filing date of extension district board members to the same date as city/school candidates must file.

Our election material requests must be submitted to our election vender by February 4, 2011 in order to have ballots printed in a timely manner for the April 5 election. With the deadline of March 2, 2011 for Extension Board Member filing the margin for error due to lack of time increases greatly on our part. Federal service ballots are to be mailed on or before February 19, 2011. Advance voting begins March 16 (20 days prior to the General Election).

Kansas County Clerks and Election Officials Association urges favorable passage of House Bill 2080. Thank you for your consideration in this matter.

Sincerely,

Lou Kern
Washington County Clerk
Election Official

HOUSE ELECTIONS
DATE: 2/7/11
ATTACHMENT: 7

Jefferson County, Kansas

Linda M. Buttron, Jefferson County Clerk

PO Box 321 • Oskaloosa, KS 66066 • 785-863-2272 • lbuttron@jfcountryks.com

COUNTY OFFICES

Commissioners
863-2272

Clerk
863-2272

Attorney
863-2251

Sheriff
863-2351

Register of Deeds
863-2243

Treasurer
863-2691

Clerk of the
District Court
863-2461

Engineer
863-2211

Appraiser
863-2080

Noxious Weed
863-2581

Emergency
Preparedness
863-2247

Extension
863-2212

Planning & Zoning
863-2241

Ambulance
863-2278

Health
Department
863-2447

January 28, 2011

Honorable Representative Schwab
Chairperson-House Elections Committee
And Committee Members

Re: H.B. 2080

Written Testimony Only-

Chairman Schwab and Committee Members:

As Jefferson County Clerk and Election Officer, I am in support of the favorable passage of House Bill 2080.

The bill makes the filing deadline for Extension District Directors the same as City and School candidate's filing deadlines. This simplifies the spring election process and allows County Clerk's to order their ballots for the April election much sooner than the current law allows.

Thank you for your consideration concerning this bill.

Sincerely,



Linda M. Buttron
Jefferson County Clerk & Election Officer

HOUSE ELECTIONS
DATE: 2/7/11
ATTACHMENT: 8



900 SW JACKSON ST., STE 201
TOPEKA KS 66612-1235

STATE OF KANSAS
Ron Estes
TREASURER

PHONE: 785-296-3171
FAX: 785-296-7950

House Elections Committee

February 7th, 2011

Thank you Mr. Chairman and members of the committee for allowing me the opportunity to come and testify on **House Bill 2128**.

Over the past decade the difference between public service announcements and campaign commercials during the campaign season has become blurred, and candidates and voters have raised questions whether the timing of these ads are politically motivated.

During my campaign for Kansas State Treasurer, I made a commitment to the voters that I would do all that I could to prevent future State Treasurers and other elected officials from using public service announcements and advertisements for a state agency's programs to help themselves get re-elected. I am here today to suggest that allowing the state agencies to utilize state resources to run these ads right before an election is wrong and should no longer be allowed.

These public service announcements are intended to educate the citizens of Kansas on the programs available by the state to help serve their best interests. They are not intended to serve as a free campaign commercial for a candidate before an election. Everywhere I traveled during my campaign, Kansans agreed with me.

As your State Treasurer, I have a statutory responsibility to promote and administer the Learning Quest 529 Education Savings Program. This bill allows me to continue to do that, but during the campaign season the advertisements would not include me, my name, or my photograph.

Here are the highlights of the bill:

- Neither the candidate, image of the candidate or the name of the candidate may appear in agency sponsored PSA or advertisements 60 days prior to the primary or general election in the year their name appears on the ballot.
- This includes television, radio, and newsprint advertising.
- This bill also prevents officials from sending out any unsolicited direct mailing valued at \$2,000 or more.
- Websites and printed materials used in the regular course of business are still allowed.

Thank you Mr. Chairman for the opportunity to be here today. I'd be glad to answer any questions you may have about the bill.

HOUSE ELECTIONS
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