

Approved: March 14, 2011
Date

MINUTES OF THE HOUSE ELECTIONS COMMITTEE

The meeting was called to order by Vice Chairman Goico at 9:00 a.m., on March 9, 2011, in Room 546-S of the Capitol.

All members were present except:
Robert Montgomery Excused

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:
Brad Bryant, Deputy Assistant Secretary of State
Sherrie Riebel, Allen County Clerk
Don Pyle, Crawford County Clerk

Others attending:
See attached list.

The Vice Chair opened the hearing on **SB 103 – Elections; absentee voting by military and others; federal services absentee ballot.** Katherine McBride, staff revisor, reviewed the bill.

Brad Bryant spoke in support of **SB 103** stating that this bill will enhance voting opportunities and to comply with two federal laws governing the voting process for military and overseas voters. The major provisions of the bill will allow overseas voter to: (Attachment 1)

- Vote a full ballot at all elections
- Apply for, receive and return their ballots by email or other electronic means, and
- Vote a write-in ballot if needed.

Chairman Schwab arrived and took Chair of the committee.
Testimony was concluded and discussion followed.
There being no further conferees, the hearing on **SB 103** was closed.

The Chair opened the hearing on **SB 125 – Elections; certain local units of governments; primaries.** Doug Taylor, staff revisor, reviewed the bill.

Sherrie Riebel appeared in support of the bill and stated that the deadline for mailing Federal Service ballots in 9 ½ days is not enough time for ballots to be created and printed. The bill would eliminate possible errors on “makeshift” ballots. She stated that if the filing deadline is moved to June 1st, this would alleviate some of the problems and give both the Secretary of State more time to correct certified names and their office more time to prepare the ballots. (Attachment 2)

Don Pyle spoke in support of the bill stating that the change in the deadline will greatly assist elections officials and make it easier for them to meet the deadline for the delivery of Uniformed and Overseas Citizens Absentee Voting Act ballots. By allowing the election officials an additional 9 days it will make the ballot preparation process more manageable and reduce the chance of errors. (Attachment 3)

Written testimony in support of **SB 125** was submitted by:
Donna Zimmerman, Barton County Clerk (Attachment 4)
Joanne Long, Bourbon County Clerk (Attachment 5)
Bruce Newby, Wyandotte County Clerk (Attachment 6)
Linda Buttron, Jefferson County Clerk, (Attachment 7)
Karen Defore, Cowley County Clerk (Attachment 8).

Testimony was concluded and discussion followed.
There being no further conferees, the hearing on **SB 125** was closed.

CONTINUATION SHEET

Minutes of the House Elections Committee at 9:00 a.m. on March 9, 2011, in Room 546-West of the Capitol.

Chairman Schwab called for final action on **SB 67 – Gubernatorial inauguration donations; disposition of residual monies.**

Representative Goico moved to pass SB 67 favorable for passage and add it to the consent calendar. The motion was seconded by Representative Rubin. Chairman Schwab stated that this bill was very time sensitive. Representative Gocio amended motion by removing the inclusion in the consent calendar, and Representative Rubin second, concurred. Motion carried.

The next meeting is scheduled for March 14, 2011.

The meeting was adjourned at 10:15 a.m.

HOUSE ELECTIONS COMMITTEE

9:00 AM,

Room 546-S, Capitol Building

GUEST LIST

DATE: March 9 , 2011

NAME	REPRESENTING
BRYAN A. CASKEY	SECRETARY OF STATE
Karl Presley	Kearney & Associates
Don Pyle	Crawford County Clerk
Sherrill L. Rebel	Allen Co. Clerk / KCCCOA Elect. Chair
Brad Bryant	Sec. of state
Katrina Abraham	intern for Rep. Mergs



STATE OF KANSAS

House Committee on Elections

Testimony on Senate Bill 103

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

March 9, 2011

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of Senate Bill 103. The Secretary of State proposed this bill to enhance voting opportunities and to comply with two federal laws governing the voting process for military and overseas voters. There have been amendments to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and Congress passed the Military and Overseas Voter Empowerment (MOVE) Act in 2009.

Senate Bill 103 is identical to 2010 Senate Bill 426, which was considered by this committee last year.

The major provisions of Senate Bill 103 will allow overseas voter to:

- Vote a full ballot at all elections,
- Apply for, receive and return their ballots by email or other electronic means, and
- Vote a write-in ballot if needed.

More specifically:

Section 1—

This section will allow UOCAVA voters to vote in all elections, including special elections. Currently, K.S.A. 25-1215 limits them to primary and general elections, which leaves out special elections.

Section 2—

a. This section changes the effective period of UOCAVA voters' ballot applications from two federal general elections to one calendar year. Before 2004, Kansas law had a provision similar to the one-year application period proposed in this bill. The Help America Vote Act of 2002 (HAVA) required the period to be changed so that ballot applications would be effective from the date of submission of the application by the voter through the second succeeding federal general election, a period spanning two to four years. The MOVE Act reversed that provision from HAVA, allowing states to revert to their pre-HAVA rules.

b. This section allows UOCAVA voters the option of applying for, receiving and returning their ballots by email or other electronic means, as required by the MOVE Act. We propose this provision not just because it would comply with the new federal law, but because it expands voting opportunities for a group of voters who often are in situations that make it very difficult to vote. Ballots are sent to overseas voters by county election officers beginning 45 days before the election, and Kansas law also allows the process to be completed by fax, but we find that in some cases these

conveniences are not enough. Mail does not get delivered timely, and overseas voters often do not have access to fax machines. We have learned that they are more likely to have access to the Internet than to a fax machine, so email is a better alternative for them.

Section 3—

This section allows UOCAVA voters to vote a full ballot. Since 1976, federal services voters' ballots have excluded two races: (1) local question submitted elections and (2) political party precinct committee positions, which are elected in the August primary each even-numbered year. Before 1976, dating back to 1943, these ballots excluded even more races. The only reason for these exclusions that we know of was that, at the time the law was passed, many overseas voters received little information about local races and thus may have been uninformed about these issues. With recent improvements in the availability of political information, especially through the Internet, we assert that federal services voters are no longer limited by this factor and thus should be allowed to vote on all issues that other voters have on their ballots. Senate Bill 103 therefore would expand voting opportunities and promote fairness and equality. Another benefit of Senate Bill 103 would be to simplify the ballot preparation process for county election officers. They would no longer need to prepare a separate and different ballot for federal services voters. This would allow them to issue the same ballots to federal services voters as are issued to all other voters.

Section 3 also allows overseas voters the option of voting a Federal Write-in Absentee Ballot (FWAB) as provided for in UOCAVA. The FWAB is used when overseas voters have applied for regular ballots but the ballots were lost or not delivered. If there is not enough time to apply for a replacement ballot, voters may obtain a FWAB and write in the names of their preferred candidates for federal offices (President/Vice President, U.S. Senate, U.S. House of Representatives).

We urge the committee to recommend Senate Bill 103 favorably for passage.

For the committee's information, following are the main provisions of the 2009 MOVE Act.

- Begin distributing ballots to overseas voters 45 days before the election (this was already in Kansas law, but now it is in federal law).
- Allow overseas voters to obtain all voting information electronically.
- Collect ballot applications and transmit ballots by email or "other electronic means."
- Provide a method for overseas voters to submit Federal Write-in Absentee Ballots electronically.
- Allow overseas voters to track their ballot (whether it's been sent and received) electronically.
- Provide candidate lists electronically to overseas voters.

ALLEN COUNTY COURTHOUSE

Sherrie L. Riebel
COUNTY CLERK

1 N. Washington
Iola, KS 66749

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

March 9, 2011

To: House Elections Committee

Re: Testimony on Senate Bill 125

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

Honorable Chair and Members of the Committee:

Thank you for the opportunity to testify in support of Senate Bill 125. Senate Bill 125 would move the filing deadline for Federal, State and Local offices from June 10th to June 1st.

Kansas County Clerk's and Election Officials Association supports this legislation.

One, currently Election officials have to create ballots before the final ballots are printed due to the mailing deadline being 45 days before Election Day. The problem being that from June 10th at noon until June 20th deadline for mailing Federal Service ballots is 9 ½ days. This is not enough turnaround time for actual ballots to be created and printed; therefore we are creating "makeshift" ballots for our most important voters, the ones serving to keep our freedom so that we can vote. I have attached calendars from the Secretary of State's office and Election Systems and Software (which has at least 85% of Kansas Counties).

Two, it would also eliminate possible errors on "makeshift" ballots. You are trying to get everything on the ballot, and waiting on the Secretary of State's office for the certification of candidates. Secretary of State's office has to wait on lawsuits, therefore time gets pressed and mistakes are more likely to happen. We take every precaution to avoid such errors, but we are human.

Third, if the filing deadline were moved to June 1st, this would alleviate some of the problem and give both the Secretary of State more time to have the correct certified names and our offices more time to prepare the ballots.

KCC&EOA urge the committee to report Senate Bill 125 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: 3/9/11
ATTACHMENT: 2



Kansas – November 2008 County General Election Calendar

August

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

➤ August 4th – Final day to submit General Election on-site support request (90 days prior to election)

➤ August 18th – Pre-Election Questionnaire Due – to get on the customer portal, visit www.essvote.com My ES&S Customer Portal

September

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

➤ September 1st – Closed for Labor Day

➤ September 4th – ES&S/Lockwood receives layout and coding forms and media from counties

➤ September 9th – SOS will send a certified list of candidates, rotation of names and orders to rotate, judicial ballots, and Constitutional amendments and resolution for General Election. Forms for candidate lists should be completed on portal today or as soon thereafter.

➤ September 12th – Last day for counties to return pronunciation guides for audio programming

➤ September 19th – Layout comes to a close. All PDF files must be approved by counties. All Ballot Quantity Run Lists are due at this time.

➤ September 20th – Absentee (UOCAVA) Voting Begins

➤ September 30th – Ballot delivery deadline

October

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

➤ October 14th – Last day for ES&S/Lockwood to ship election definitions to counties

➤ October 15th – County election offices to begin mailing advance voting ballots

➤ October 28th – Advance voting must begin

➤ October 28th – County election officials must conduct test of voting machines within 5 days of election

November

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22

➤ November 3rd – Noon deadline to vote regular advance voting

➤ November 4th – Election Day

2008 GENERAL ELECTION CALENDAR

Aug. 6

Voter Registration
Books Reopen

K.S.A. 25-2311(a)

Aug. 6 - Oct. 31

Advance Voter
Applications Filed
For Ballots
To Be Mailed

K.S.A. 25-1122 (e)(2)
Preparation of List
By County Election
Officer
K.S.A. 25-1122(h)

Sept. 20

Deadline to Mail
Federal Service
Absentee Ballots to
Applicants

K.S.A. 25-1220

Oct. 6

Publication of Closing Date
of Voter Registration Books
and the days such books
are to be kept open
additional hours are made at
least ten (10) days before
such days of additional
open hours begin.
(Number of such days vary
with size and class of city)

K.S.A. 25-2310 - 2311(a)(3)
K.A.R. 7-23-4

Oct. 6

Recommendations
for
Judges and Clerks
By
County
Party Chairs
(Statutory deadline
Sunday, October 5)

K.S.A. 25-2803(a)

Oct. 10

Mail copy of Notice of
General Election to each
person nominated for
public office and
Judicial candidates (except
Presidential Candidates)

Oct. 19

Deadline to publish
Notice of General Election
K.S.A. 25-105

Oct. 15

Preparation of Ballots
and Envelopes for
Advance Voter

K.S.A. 25-1120

Begin Mailing
Advance Voting Ballots
K.S.A. 25-1123

Form Prescribed By
Secretary of State
K.S.A. 25-1121

Oct. 20 or Prior

Appointment of
Judges and Clerks
of Election by
County Election Officer
K.S.A. 25-2801

Oct. 20

Last Day of
Voter Registration
Prior to
General Election.
K.S.A. 25-2311(a)(3)

Oct. 27 or Prior

Receipt of Ballots
from Printers
K.S.A. 25-604 (c)

Oct. 31

Deadline for Voters to
apply for Advance Voting
Ballots to be mailed
K.S.A. 25-1122(a)(2)

Oct. 28 - Nov. 3

Public Test for
Opti-Scan Voting Machine
held within 5 days
of Election
K.S.A. 25-4411(b)
Notice Published
at least 48 Hours
before test conducted
K.S.A. 25-4610(b)

**Oct. 28 or Prior
Nov. 3 (Noon)**

Application and Casting
of Ballot
By "Walk-in"
Advance Voter

K.S.A. 25-1122(c)(f)

Nov. 4

Time of Arrival and
Disposition of Ballots Cast
By Advance Voters
K.S.A. 25-1132 - 1134

Disabled/Non-English proficient
Voters may apply for
Advance Voting Ballots
K.S.A. 25-1122(c), 1124

Nov. 4

Election Day
K.S.A. 25-101

Hour
of Opening
and Closing
of Polls
K.S.A. 25-106

Nov. 7 or 10

Canvass of Votes
Abstract of Votes by
County Board of Canvassers
Certificates of Election
By County Election
Officer

K.S.A. 25-3101 thru K.S.A. 25-3110

Official
General
Ballot

K.S.A. 25-610-614
K.S.A. 25-616-618

Supreme
Court
Judicial
Ballot

Art. 3, Sec. 5 (c)
Const. of Kansas

Kansas Secretary of State			September 2008		2008 Election Calendar	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 SOS - (Primary) Deadline for state board of canvassers to meet. -3205 Labor Day	2 SOS - (Primary) During this week (4 days after state canvass), mail nomination certificates to primary winners, publish primary results in <i>Kansas Register</i> . -3205	3 SOS - (General) Send to CEOs: (1) certified candidate list to be published [deadline Oct. 15], -311, (2) ballot rotation schedules, -610, (3) judicial ballots, -617, (4) constitutional amendment resolution and ballot. -605, -607	4 CEO - (Primary) Campaign finance report deadline for township candidates. -904(b)	5 SOS - (Primary) Deadline for national/state candidates to declare incapability for office and withdraw (7 days after state canvass). -306b(b) SOS - (General) Deadline to notify CEOs of close of registration for general election (60 days before election). -2311(c)	6 SOS - (General) Deadline for Supreme Court, Court of Appeals judges to file for retention. KS Const. Art. 3 Sec. 5(c), 20-3006(b) ←
7	8	9	10	11	12	13
14	15	16	17 <i>Turn in to data Register</i>	18	19	20 CEO - (General) Deadline to mail federal services absentee ballots to applicants. -1220 CEO - (General presidential) First day for new resident and former resident president-only voters to apply for ballots. -1802(a), (b)
21	22	23	24	25 SOS/CEO - (General) Deadline for withdrawal of candidate nominated to fill candidate vacancy. -306b(d)	26	27
28	29	30 SOS - (General) Deadline to send advance voting ballot forms & voter instructions to CEOs. -1121				

2-5

Kansas Secretary of State			October 2008		2008 Election Calendar	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3 CEO – (General) Deadline for in-state residence change. Voter who moves within 30 days before election may vote in former precinct. (Deadline October 5) -3701	4
5	6 CEO – (General) Deadline to publish times, places and close of registration. -2310, -2311(a)(3), KAR 7-23-4 CEO – (General) Deadline for county party chairs to recommend election board workers. (Statutory deadline Sunday, Oct. 5) -2803(a)	7	8	9 <i>Kalata Registrar deliver</i>	10 CEO – (General) Deadline to mail copy of notice of general election to each nominee for public office and judicial candidates. -105 CEO – (General presidential) First day to distribute ballots to president-only voters. -1805	11
12	13 Columbus Day	14 CEO – (General presidential) First day for relocated resident president-only voters to apply for ballots. -1802(c)	15 CEO – (General) Begin mailing advance ballots. (20 days before election) -1123 CEO – (General) Advance voting in person in office of CEO may begin. -1122(f), -1123 SOS – (General) Publish first notice of constitutional amendment this week (3 consecutive weeks). 64-103(b)	16 CEO – (General) 1 st and 2 nd class cities may provide late hours for voter registration through Monday (optional). -2311(d)	17	18
19 CEO – (General) Deadline to publish notice of general election. -105	20 SOS/CEO – (General) Last day to register to vote. -2311(a)(3) CEO – (General) Appoint election boards. -2801 SOS – (General) Mail abstract books to CEOs. -3006	21 CEO – (General) Certify to SOS and county party chairs voter registration and party affiliation totals by precinct. -3302, KAR 7-27-1	22 SOS – (General) Publish second notice of constitutional amendment this week. 64-103(b)	23	24 CEO – (General) Publish notice of voting equipment test at least 48 hours before test. Notify party chairs in writing. -4411(b), -4610(b)	25
26 CEO – (General) Deadline to accept late voter registration applications with missing or illegible postmarks. (Statutory deadline October 26). -2311(e) CEO – (General) Train election boards this week. -2806	27 SOS – (General) Noon deadline for write-in candidates for statewide office to file affidavits of write-in candidacy with SOS. -305b SOS/CEO – (General) Campaign finance report deadline for state and county offices, party and political committees. -4148(a)(2) CEO – (General) Candidates and their agents may inspect ballots. -604(c)	28 CEO – (General) Advance voting in person in CEO office must begin (earlier if CEO desires). -1122(c), (f) CEO – (General) Conduct test of voting equipment (within 5 days before election). -4411(b), -4610(b) SOS/CEO – (General) Election night tabulation test run (tentative).	29 SOS – (General) Publish third notice of constitutional amendment this week. 64-103(b)	30	31 CEO – (General) Deadline for voters to apply for advance voting ballots to be mailed. -1122(c)(2) Halloween	

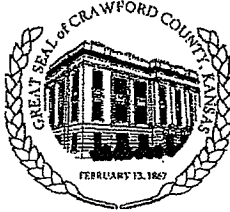
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Kansas Secretary of State						
November 2008						
2008 Election Calendar						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2 Daylight saving time ends	3 CEO – (General) Noon deadline to vote regular advance voting ballots in person in CEO office. -1122(f) CEO – (General presidential) Noon deadline for president-only voters to apply for ballots. -1802 CEO – (General) Distribute ballots and supplies to supervising judges. -604(c)	4 GENERAL ELECTION -101 CEO – (General) Advance voting ballots must be returned by close of polls. -1132 CEO – (General) Disabled & non- English proficient voters may apply for advance ballots. -1122(c), -1124	5 SOS/CEO – (General) Registration books reopen. -2311(a) CEO – (General) Prepare preliminary final abstract. -3106	6	7 CEO – (General) County canvassers certify election results (or next Monday). -3104, -3107 CEO – (General) Send intermediate abstract for national and state offices in SOS as soon as possible. -3202	8
9	10 CEO – (General) Alternate date for county canvass. -3104 SOS/CEO – (General) Noon deadline to request recount if canvass was Friday. -3107(b) CEO – (General) Issue certificates of election to county/township candidates if recount not requested. -3110, KAR 7-26-2	11 CEO – (General) Deadline to request recount if canvass was Monday. -3107(b) SOS/CEO – (General) Recount must be initiated if requested Monday. -3107(b) Veterans Day	12 SOS/CEO – (General) Recount must be initiated if requested on Tuesday. -3107(b)	13 CEO – (General) Contest of election for local office may be filed in district court. (Deadline 5 days after issuance of certificate of election) -1439 ← →	14 SOS/CEO – (General) Recount must be completed by 5:00 p.m. if requested Monday. -3107(b)	15
16	17 SOS/CEO – (General) Recount must be completed by 5:00 p.m. if requested Tuesday. -3107(b)	18 CEO – (General) Deadline to forward election abstract to SOS. -3203	19	20	21	22
23	24	25	26 SOS – (General) State board of canvassers meets. (Tentative date—deadline December 1.) -3206(b) SOS – (General) Send certificate of election and copy of abstract to successful candidates. Send notice of preorganizational meeting to state House & Senate members. elect. -3211(c), 46-143	27 Thanksgiving	28	29
30						

2-6

Donald P. Pyle
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Girard, Kansas 66743



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countyclerk@ckt.net

Office of the Crawford County Clerk

March 7, 2011

Honorable Kansas State Representative Scott Schwab
Chairman, House Committee on Elections
and Distinguished Members of the Committee

Re: Senate Bill Number 125, to change the candidate filing deadline in even-numbered years

Chairman Schwab and Distinguished Committee Members,

In my capacity as Crawford County Election Officer, I am very supportive of Senate Bill 125. This bill will move the candidate filing deadline for even-numbered elections from June 10 at noon to June 1 at noon. The change of this deadline will greatly assist election officials and make it easier for them to meet the deadline for the delivery of Uniformed and Overseas Citizens Absentee Voting Act ballots.

UOCAVA is a federal election law that is designed to give American citizens and soldiers that are overseas the same voting opportunities as all other American citizens. I feel that it is very important that our soldiers deployed overseas have the same opportunity to vote on local and national candidates as all other voters. According to this law, ballots for the August Primary Election in even-numbered years must be mailed to the individuals requesting UOCAVA ballots by June 19. With the filing deadline of June 10, it is extremely difficult to finish the formatting of ballot forms, get them sent off to the printers and back and to still have them ready to be mailed out by June 19. This schedule can be even more complicated if a candidate files by petition. By allowing the election officials an additional 9 days it will make the ballot preparation process much more manageable and will reduce the chance for errors.

The Kansas County Clerks and Election Officials work hard to make sure that Kansas Elections are administered in a professional manner. With the support of the Kansas Secretary of State's Office and the Kansas Legislature we will continue to work to make sure that Kansas Elections are a model for the rest of the country. Thank you for your time and we very much appreciate your support in this matter.

Sincerely,

Donald P. Pyle
Crawford County Clerk and Election Officer
countyclerk@ckt.net

HOUSE ELECTIONS
DATE: 3/9/11
ATTACHMENT: 3



DONNA ZIMMERMAN
BARTON COUNTY CLERK/ELECTION OFFICER
1400 Main Street - Room 202
Great Bend, Kansas 67530
PH: (620) 793-1835 / FAX: (620) 793-1999

March 7, 2011

To: House Elections Committee

From: Donna Zimmerman, Barton County Clerk/Election Officer &
Kansas County Clerk's & Election Officials Election Committee Member

Re: Testimony on Senate Bill 125

Honorable Chair and Members of the House Elections Committee:

Thank you for allowing me to present written testimony, on behalf of the Kansas County Clerk's and Election Officials Association and myself, in support of Senate Bill 125.

Briefly, County Election Officers are charged with conducting elections and furnishes all forms for the filings of office. The current filing deadline of June 10th creates problems. For example:

- K.S.A. 25-1220 requires Federal Services Absentee Ballots be mailed no less than 45 days prior to an election.

Statute 25-1220: Same; transmission of ballots, envelopes and instructions to voters. The county election officers of the various counties shall transmit to every person who is eligible to vote by federal services absentee ballot who makes application to vote in accordance with K.S.A. 25-1216 and amendments thereto an official federal services absentee ballot and ballot envelope, voting instructions and an envelope for use in returning the official federal services absentee ballot and ballot envelope. If the application is made 45 or more days before the day of the election, such ballot, instructions and envelopes shall be sent as soon as practicable, but not later than 45 days before the election.

- The 45 day mailing deadline leaves County Election Officers with 5 work days to verify filings and prepare ballots proofs prior to mailing.
- Often times, County Election Officers have not received the "Certified List of Candidates" from the Secretary of State's Office (especially when filings are in question). This further delays ballot preparation and finalization.
- Federal service voters consequently have to vote from ballot "proofs" as opposed to actual ballots.
- County Election Officers must hand tally the Federal Service ballots and manually adjust the tally to include those votes.


HOUSE ELECTIONS
DATE: 3/9/11
ATTACHMENT:

4

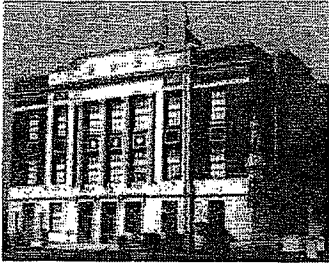
Should Federal Services Absentee ballots be sent with errors or missing candidates, this will result in critical and costly errors and, in most cases, will deny the right to vote to our UOCAVA voters. Accurate and timely information is vital in the preparation of ballots, publications and other requirements.

Moving back the filing deadline will create consistent, accurate and timely filings. Therefore, KCC&EOA urges the committee to support Senate Bill 125 for passage. Thank you for your time and consideration.

Sincerely,



Donna Zimmerman
Certified Barton County Clerk/Election Officer
& KCC&EOA Election Committee Member



BOURBON COUNTY CLERK

JOANNE LONG

Courthouse
210 S. National
Fort Scott, Kansas 66701-1304
(620) 223-3800

March 9, 2011

To: House Elections Committee

Re: Written Testimony on Senate Bill 125

From: Joanne Long, Bourbon County Clerk/Election Official
and Kansas County Clerks' and Election Officials' Association Secretary

Honorable Chair and Members of the Committee:

Thank you for the opportunity to present written testimony in support of Senate Bill 125. The Kansas County Clerks' and Election Officials' Association has submitted this legislation for consideration and supports its passage.

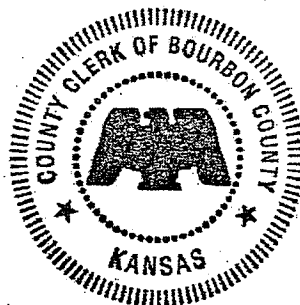
Currently, the filing deadline for candidates for national, state and county office is noon, June 10th (or the next business day if that falls on a weekend or holiday). The Secretary of State does not finalize the candidate list until June 24th, allowing ten business days for checks to clear and objections to be filed. This does not allow the County Election Officers to finalize a ballot to send to UOCAVA voters in the time required by law, often resulting in UOCAVA ballots being incorrect or incomplete.

With the passage of SB 125, moving the filing deadline from noon, June 10th, to noon, June 1st, the County Election Officers would gain an additional nine days to ensure that our military and civilians stationed overseas can vote a correct and complete ballot and that the County Election Officers can provide said ballots in accordance with federal law.

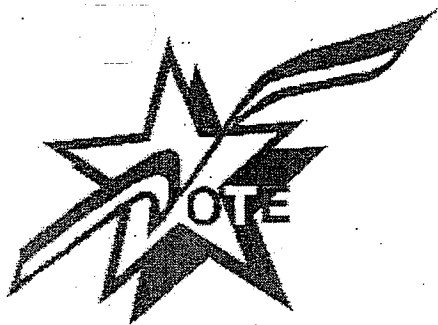
Therefore, I and the Kansas County Clerks' and Election Officials' Association urge you to vote in favor of Senate Bill 125.

Sincerely,

Joanne Long
Bourbon County Clerk/Election Official
& KCC&EOA Secretary



HOUSE ELECTIONS
DATE: 3/9/11
ATTACHMENT: 5



WYANDOTTE COUNTY ELECTION OFFICE

Bruce L. Newby, Election Commissioner

Frances D. Sheppard, Assistant Election Commissioner

HOUSE STANDING COMMITTEE ON ELECTIONS

Testimony on Senate Bill 125

Wednesday, March 9, 2011

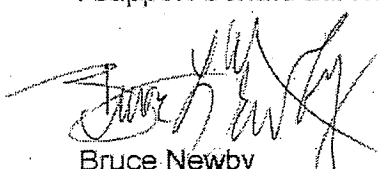
Thank you for the opportunity to submit testimony in support of changing the filing deadline from 12:00 noon on June 10th to 12:00 noon on June 1st.

The August Primary election is set by statute to be the first Tuesday in August. A filing deadline of June 10th makes compliance with the deadlines of other statutes at least difficult, if not impossible. Specifically, federal and state law both require that ballots be sent to military and overseas civilian (UOCAVA) voters not later than 45 days prior to any federal election. Assuming an election date of August 1st requires that we send ballots not later than June 17th. A filing deadline of June 10th leaves just 7 days before printed ballots must be mailed to UOCAVA voters.

Unfortunately, the day of the filing deadline does not result in a final certified candidate list from which we draw the information to create and print ballots. KSA 25-208a provides that the Secretary of State has 10 days from the filing deadline to certify the candidate list. The full 10 days is necessary if there are candidates who file at the deadline by petition. Verification of petition signatures can take several days. As a result, a filing deadline of June 10th means that certification of the candidate list does not occur until June 20th, well after the federal deadline. Printing of ballots for federal voters can require up to 10 more days meaning that ballots for federal voters may actually be mailed 1-2 weeks after the federal deadline.

A filing deadline of June 1st improves the likelihood that all counties can meet the federal deadline. While an optimum date may well be earlier in the month of May, June 1st gives county election officers the opportunity to have a certified list of candidates from which to prepare ballots before the federal deadline has passed.

I support Senate Bill No. 125 and recommend its favorable consideration.


Bruce Newby
Election Commissioner

HOUSE ELECTIONS
DATE: 3/9/11
ATTACHMENT: 6

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

March 4, 2011

House Elections Committee
Representative Scott Schwab, Chair
And Committee Members

-Written Testimony Only

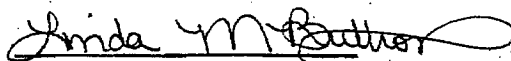
Re: Senate Bill 125

I am in support of moving the filing deadline to June 1 in even-numbered years. With UOCAVA laws passed to help overseas voters get their ballots back to the US in time for the elections, the filing deadline has become a difficulty in the administration of elections. The deadline for the Secretary of State's office to certify candidates to the County Election Officers is actually after the deadline to mail federal service ballots. That means that the ballots sent to federal service folks are 1) usually manually generated ballots and 2) not guaranteed to have the correct candidates on them as the candidates may change after the SOS certifies the list to us.

Even nine days would be helpful in ensuring the federal service voters get correct timely ballots.

Thank you for consideration of my testimony.

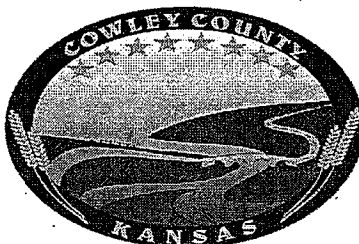
Sincerely,



Linda M. Buttron
Jefferson County Clerk

HOUSE ELECTIONS
DATE: 3/9/11
ATTACHMENT: 7

Karen D. Defore
Cowley County Clerk
kdefore@cowleycounty.org



Amy Scott
Deputy County Clerk
ascott@cowleycounty.org

311 E. 9th
Winfield KS 67156
(620)221-5400 (Winfield)
(620)441-4500 (Arkansas City)
Fax (620)221-5498

Honorable Chair:

Thank you for the opportunity to testify in support of Senate Bill 125 regarding moving the candidate filing deadline from June 10 to June 1 beginning in 2014.

Military and overseas voter ballots must be mailed out 45 days before the Primary Election. In the 2014 Election cycle that will allow 8 business days from filing deadline until the ballots have to be in the mail. If an objection is filed, the time period is shortened even more possibly passing the 45 day time frame forcing Election Officers to send out ballots that are incomplete. Cowley County in a Primary Election has 120 ballot faces to check for accuracy prior to mailing. Even a few extra days would be beneficial at this crucial time in the Election cycle.

Moving the candidate filing deadline back to June 1 should not place a burden on anyone seeking to be a candidate for office while giving election officers a few more days to ensure accuracy of the ballots sent to our military and overseas voters.

Thank you for your consideration,

Karen D. Defore
Cowley County Clerk/Election Officer

HOUSE ELECTIONS
DATE: 3/9/11
ATTACHMENT: 8