

MINUTES OF THE SELECT COMMITTEE ON CONTESTED ELECTIONS

The meeting was called to order by Chairman Mike O'Neal at 7:30 A.M. on February 6, 2007 in Room 241-N of the Capitol.

All members were present.

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research
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Martha Dorsey, Kansas Legislative Research Department
Mary Torrence, Revisor of Statutes
Gordon Self, Assistant Revisor of Statutes
Cindy O'Neal, Committee Assistant

Chairman O'Neal announced that the committee would make tentative recommendations on the five ballots in question.

Sara Olivares – her residential address was in question. After reviewing sealed portions of the court record, the Committee agreed that Ms. Olivares had not abandoned her address that was listed on her voter registration card and therefore did not cast an illegal ballot.

Alicia Frieswyk – residential address was also in question. Even though there was creditable testimony at the court level that she did not live at the address indicated on her voter registration card, it could not be determined how Ms. Frieswyk voted and therefore her vote could not be deducted from the vote total.

Heather Henderson – listed one address as her residential address (Long Street) and the other as her mailing address (91st Street). The Long address is located in the 16th District and the 91st Street is outside of the district. There was conflicting evidence as to which address she was actually living at on Election Day. All except one committee member agreed that Ms. Henderson's vote should be counted and not be deducted from the vote total as there was no evidence that Ms. Henderson lived outside of the 16th District on Election Day.

Juan Mojica – signed an affidavit as to his address on Election Day and who he believes he voted for, but could not be certain. Mr. Mojica testified that he voted at his usual polling place because it was between his old home and his new home. The Committee determined that Mr. Mojica does not know who he voted for or if he even voted for anyone in the 16th District House Race, and that he lived outside the 16th District on Election Day. While he cast an illegal vote the committee could not determine who he voted for and therefore his vote could not be deducted from the vote total.

Marceline Blickhan - The court ruled that her ballot should be counted and the court counted her ballot on the basis of who she thought she voted for. The Committee recommended that her vote should be counted on the basis of her actual ballot. Mr. Newby was requested to bring Ms. Blickhan's ballot to tomorrow's meeting.

The Chairman announced that the committee would make its final recommendation to the House after Ms. Blickhan's ballot is opened and counted.

The committee meeting adjourned at 8:30 a.m. The next meeting was scheduled for February 7, 2007 at 7:30 a.m. in room 241-N.