

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Don Myers at 3:30 p.m. on March 8, 2004 in Room 526-S of the Capitol.

All members were present except:

Representative Joe McLeland- excused

Committee staff present:

Ken Wilke, Revisor of Statutes

Martha Dorsey, Legislative Research Department

Shirley Weideman, Committee Secretary

Conferees appearing before the committee:

Ron Thornburgh, Secretary of State

Brad Bryant, Deputy Assistant Secretary of State

Troy Findley, Governor's Liaison (written only)

Kerrie Bacon, Kansas Commission on Disability Concerns (written only)

Kevin Siek, Topeka Independent Living Resource Center

Michael Donnelly, Kansas Advocacy & Protective Services, Inc.

Shannon Jones for Larry Burnett, Hutchinson

Others attending: See Attached List.

Representative Toelkes moved to approve the minutes of the February 16, 18 and 23 meetings of the Ethics and Elections Committee and Representative Yonally seconded the motion. The motion carried.

Chairman Myers opened the hearing on **SB 479 - Elections; changes to comply with the Help America Vote Act of 2002.**

The Chairman welcomed Secretary of State Ron Thornburgh to the committee to give an overview of **SB 479**. Secretary Thornburgh said that the Help America Vote Act of 2002 is the federal government's response to the 2000 presidential election in Florida and this bill would bring Kansas in compliance with the federal law. He also said that there are three main components of this bill: the first is accessibility, not only of the voting mechanisms, but also the polling places. He told the committee that the accessibility of the polling places has always been determined by the American Disabilities Act and Kansas and was up to 95% in compliance with their standards. The HAVA bill requires that "any person, with any disability, shall have the opportunity to cast an independent secret ballot". Secretary Thornburgh also said that an important part of this bill is the training of board workers and voters and that this bill would require 8 hours of training for the county election officers per year. He indicated that there will be instruction for voters at the polling place with posters as well as verbal instruction. Secretary Thornburgh also told the committee that the second component of the bill is the requirement for having a central voter registration data base. With 105 counties with 105 data bases, the Secretary of State's Office currently is working on a RFP program to combine these programs into one. With some comparisons to last year's bill, he said that his office and the governor's office compromised from identifying all voters to only identifying first-time voters. He understood that they would show identification either with the county election officer or designee when they register to vote, or at the time that they vote. Secretary Thornburgh said the last component of this bill deals with the administrative complaint procedure. He indicated that if someone has an issue to resolve when a HAVA violation has happened, is happening or is about to happen, there is an official procedure to file that complaint. Secretary Thornburgh also commented on the survey of polling places in Kansas for their accessibility to the disabled. There are some rural counties where it may be more economically feasible to consolidate rather than update the facilities, but he said they will work with the counties to up-date as much as possible.

Deputy Assistant Secretary of State Brad Bryant appeared before the committee in support of **SB 479**. He reviewed the nine concepts in this bill. He said the first deals with the affirmation by regular voters and provisional voters that they are qualified to vote in the election and, if they have voted a provisional ballot, the voter will be given information on how to find out if their provisional ballot is counted. Mr Bryant said the second concept concerns the extension of polling hours by court order and provides that