No. 14-112431-S

IN THE SUPREME
OF THE STATE OF KANSAS

CHAD TAYLOR,
Petitioner

vs.

KRIS KOBACH,
Respondent

RESPONSE TO PETITION FOR WRIT OF MANDAMUS

APPENDIX

Original Action

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IN THE SUPREME COURT OF THE STATE OF KANSAS

CHAD TAYLOR,

) )

Petitioner,
) )

vs.
) )

Original Action No. 14-112431-S

KRIS KOBACH, in his official capacity as
Secretary of State for the State of Kansas

) )

Respondent.


AFFIDAVIT OF BRADLEY J. BRYANT

I, Bradley J. Bryant, having been duly sworn, do hereby depose and state as follows to the best of my knowledge and belief:

I am the Deputy Assistant Secretary of State for Elections and Legislative Matters for the Office of the Kansas Secretary of State. My title is sometimes informally referred to as State Election Director. I have held this position since February, 1993, and I have been employed at the Kansas Secretary of State’s Office since May, 1987. My job responsibilities include oversight and coordination of elections in Kansas, preparation of training programs for county election officers, monitoring and proposing legislation concerning elections, processing filings made in our office concerning elections and candidacies for public office, and aiding in the administration of the statewide voter registration system.

In my tenure as State Election Director, I have assisted hundreds of candidates in filing for public office and have assisted many in the filing of withdrawals, objections, and other documents associated with the electoral process. Because of this experience, I have considerable expertise regarding filing requirements and deadlines, and I am frequently called upon to answer questions regarding Kansas elections requirements and procedures. In fulfilling these duties, I have always tried to provide complete and impartial information to those I have aided with such filings.

I have known of Mr. Taylor since 1988, when my family moved to Silver Lake, Kansas. At the time, Mr. Taylor was a high school student in Silver Lake. I saw Mr. Taylor at school events or other local social events, although we were not acquaintances at that time. After Mr. Taylor graduated from high school, I didn’t have any other contact with Mr. Taylor until roughly 2008 during his campaign for Shawnee County District Attorney. During the course of my official responsibilities at the Secretary of State’s Office, I have had occasion to have contact with Mr. Taylor from time to time. Specifically, Mr. Taylor contacted me by phone prior to filing necessary paperwork during his 2012 re-election campaign for Shawnee County District Attorney and during his current campaign for United States Senator. I also had contact with him when he filed papers in the Secretary of State’s Office, including when he filed for candidacy for United States Senator on February 28, 2014.
I would describe my relationship with Mr. Taylor as cordial and friendly. My step-son knew Mr. Taylor when they were in high school, and my contacts with Mr. Taylor in my official capacity were familiar in light of our Silver Lake connection. As an example, when Mr. Taylor filed to become a candidate for United States Senator on February 28, 2014, he kindly inquired about my wife (who also works at the Secretary of State’s Office) and he greeted her in the hall. Needless to say, my contacts with Mr. Taylor were not merely interactions between unfamiliar government officials.

On Thursday, August 28, or Friday, August 29, I received a telephone call from Mr. Taylor, who had been certified on Wednesday, August 27, by the state board of canvassers as the winner of the Democratic primary for the office of United States Senator. Mr. Taylor inquired about the statutory deadline for a candidate to withdraw from a race after having received a nomination at the primary election. I cited K.S.A. 25-306b which sets the deadline at “seven days, including Saturdays, Sundays and holidays, after the meeting of the state board of canvassers for the final canvass of primary election...” I informed Mr. Taylor seven days after the state canvass would be Wednesday, September 3. Mr. Taylor asked if that meant any time on September 3 or if it meant the close of business hours. I replied that we would accept filings until 5:00 p.m., which is the close of business in the Secretary of State’s Office. To the best of my recollection, nothing was said during this phone conversation, either by myself or by Mr. Taylor, regarding the contents of a written withdrawal required to comply with Kansas law.

In the early afternoon on Wednesday, September 3, Mr. Taylor called and, after asking me to keep the conversation confidential for the next hour, said he needed to know how a candidate can file a withdrawal pursuant to K.S.A. 25-306b(b). Mr. Taylor explicitly referenced this statute at the beginning of this phone conversation. Mr. Taylor then asked if we have a form for this purpose. I replied that we do not have such a form and that in the past candidates who have withdrawn have filed letters addressed to the Secretary of State. Mr. Taylor asked what such letters usually say. I told Mr. Taylor that withdrawing nominees usually file letters specifying their intent and the effective date of their withdrawals. I pointed out that the statement must be signed and “acknowledged before an officer qualified to take acknowledgments of deeds.” I further explained that candidates have often used notaries public to provide such acknowledgments. Mr. Taylor indicated that he would come to the Secretary of State’s Office later that afternoon to file his withdrawal.

During this conversation, Mr. Taylor never explicitly asked me for a complete list of what his withdrawal letter had to say to be effective to remove his name from the ballot for the November 4 general election. Mr. Taylor left me with the impression that he knew of the requirements under K.S.A. 25-306b(b) because he cited the statute, he focused his questions on what such withdrawal letters usually say, and I know Mr. Taylor to be an attorney currently serving as the District Attorney for Shawnee County, Kansas. I therefore assumed that he knew what the statute he cited says. I offered to Mr. Taylor what these types of letters have generally included, but I did not at any time undertake to provide Mr. Taylor with a complete list or rendition of what was required and Mr. Taylor never asked for such a list or rendition. The specific topic of what type of declaration Mr. Taylor was required to make under K.S.A. 25-306b(b) regarding his incapability to serve was not raised in any way by either myself or Mr. Taylor during this conversation.
Mr. Taylor arrived at the Secretary of State's office that afternoon—Wednesday, September 3, 2014—at a few minutes before 4:00 p.m. accompanied by a campaign staffer named Brandon Naylor. Mr. Taylor handed me an unsigned letter on campaign stationery which I quickly read. The letter indicated Mr. Taylor’s intention to withdraw as a candidate for the office of United States Senate. Mr. Taylor asked if he could sign the letter in front of me. I said that he would need to sign the letter before a notary public and we began walking across the hall to the Secretary of State’s Administration Division to have Amy Jeffrey, who is a notary public, notarize his signature on the letter. While we were in the hall, I asked if he was here today to carry out what the rumors said was going to happen. He replied, “what rumors?” I said we’ve been contacted by at least one national media outlet asking if a major party candidate for United States Senate withdrew would the party have an opportunity to name a replacement. He responded that he’d tell me about it some day over a cold beer. I said that sounds good but I doubted it would be today or any time soon.

Ms. Jeffrey reviewed two forms of photo identification provided by Mr. Taylor, asked him to sign the letter, and notarized his signature. I am aware of the allegations made by Mr. Taylor and Mr. Naylor that Mr. Taylor asked me, prior to having the letter notarized, if the letter “contained all of the necessary information.” While I recall Mr. Taylor asking me a question of that nature later in our encounter, as described below, I do not recall him specifically asking me this question at this time and, in any event, I did not affirm to Mr. Taylor, at this or any other point during this encounter or otherwise, that his letter contained all of the necessary information to effectuate his withdrawal from the election.

After the letter was signed and notarized, I asked Mr. Taylor if he wanted a photocopy of the letter and he replied, “Yes, two or three.” Mr. Taylor, Mr. Naylor and I walked back across the hall to the Elections Division. I made three copies of the letter and handed them to Mr. Taylor. At this point Mr. Taylor asked if his name would be removed from the candidate list and I gestured by shrugging my shoulders as to indicate “we’ll see.” At this point I was in my office in front of my desk and Mr. Taylor and Mr. Naylor were standing in the doorway between my office and the copy room. Bryan Caskey, Assistant State Election Director, was sitting at his desk and I gestured to Mr. Caskey with my hand to remove Mr. Taylor from the unofficial candidate list, which I understand he did shortly thereafter. At this point, which was approximately 4:10 p.m., Mr. Taylor and Mr. Naylor left the office.

As described above, the only point at which I recall Mr. Taylor asking, in any way, whether his letter was “sufficient” to remove his name from the ballot for the November 4 general election was when, after I provided him the copies, he asked if his name would be removed from the ballot and I in response gestured that the answer was uncertain. I do not recall Mr. Taylor making a similar inquiry, either in person or on the phone, at any other time. Further, I at no point affirmed or stated to Mr. Taylor that his letter contained all of the necessary information to comply with the controlling statute. Moreover, I am convinced based on my relationship and familiarity with Mr. Taylor that, at all times on September 3, 2014, Mr. Taylor was fully aware of the language and requirements of the statute, and that he at no time understood me to be affirming to him that a letter without the declaration described in K.S.A. 25-306b(b) would be sufficient to prevent his name from appearing on the ballot for the November 4 general election.

I was then and am now of the opinion that Mr. Taylor was facing extreme political pressure from...
fellow Democrats at the national level to withdraw from the race for United States Senator, but that Mr. Taylor did not want to sign a written declaration that he was "incapable of fulfilling the duties of office if elected." Mr. Taylor's demeanor during my encounter with him on September 3 was quiet and subdued, while in my previous interactions with him he has generally been friendly and more forthcoming. It appeared to me that Mr. Taylor was hoping to file his letter without attracting much attention, and that he hoped his letter would be accepted by the Secretary of State without the declaration required by the statute. At no time did Mr. Taylor ask to speak with Secretary Kobach or with anyone else in the Secretary of State's Office.

At my direction, Bryan Caskey removed Mr. Taylor's name from the unofficial candidate list shortly after Mr. Taylor departed from our office. Several hours later, after communicating with Secretary Kobach, and after Secretary Kobach had been informed of the contents of Mr. Taylor's letter, I was instructed by Secretary Kobach to restore Mr. Taylor's name to the candidate list until at least the next morning when the situation and applicable laws could be reviewed more thoroughly by legal staff. I instructed Mr. Caskey to return to the office and add Mr. Taylor's name back to the unofficial candidate list.

Removing Mr. Taylor from the unofficial candidate list and then, subsequent to further legal analysis, restoring him to the unofficial candidate list is consistent with longstanding practice in the office. The unofficial candidate list is essentially our office's internet interface to notify the public of filings immediately upon receipt, and this is commonly understood by people who frequently interact with our office regarding elections matters. For example, when a person files to become a candidate that person is almost immediately added to the unofficial candidate list even though after the filing is officially reviewed it may be determined that the candidate should be removed from the unofficial list due to invalidity of filing documents, objections or lawsuits. Likewise, names that are removed may be restored after administrative or legal review. The candidate list maintained on the website is unofficial before the primary election until we certify it for the primary election. Then it is again unofficial, and clearly labeled so, after the primary election until we certify it before the general election. We certify it to the county election officers and provide materials to assist them in preparing ballots for the upcoming election. The unofficial candidate list is the only method our office has to alert the public when a document is filed. This is important public information for persons considering filing objections or persons who need to know who their potential opponents are in deciding whether to file as candidates.

Since 1997, Mr. Caskey and I have had multiple conversations about the implications of the 1997 amendment to K.S.A. 25-306(b), which added the requirement for withdrawing a nomination that the person "declares that they are incapable of fulfilling the duties of office if elected." The most recent such conversation occurred during the afternoon of September 3, after Mr. Taylor had called me to say that he intended to come to the office later that afternoon to file his withdrawal letter. I asked Mr. Caskey to come into my office and explained that we should expect Mr. Taylor to visit the office later that afternoon to file a letter of withdrawal. I told Mr. Caskey that I believed that Mr. Taylor would not want to sign, either as a candidate or as an attorney, a notarized statement declaring incapability of fulfilling the duties of the office because that was not the reason he wished to withdraw.

I am not aware of any withdrawal letters filed under K.S.A. 25-306(b)(b) since 1997, with the exception of Mr. Taylor's, which have failed to contain a statement or declaration to the effect
that the candidate is incapable of serving in office. Thus, Mr. Taylor’s letter is the first withdrawal letter that I am aware of that raised this particular issue under the statute. Indeed, the current version of the Kansas Election Standards, revised March, 2014, contains guidance for the filing and acceptance of candidate withdrawals, and states that the withdrawing candidates “must submit a notarized written statement declaring him/herself to be ‘incapable of fulfilling the duties of office’ if elected.” The page from the Kansas Election Standards containing this guidance is attached as Exhibit A. The Kansas Election Standards are published by the Secretary of State’s Office and made available to the public and are designed to provide guidance to candidates and county election officials. The Kansas Election Standards are available on the internet at: www.sos.ks.gov/elections/elections_reform_standards.html. And this is why I did not affirm to Mr. Taylor that his letter was sufficient to comply with the statute.

Bradley J. Bryant, Deputy Assistant Secretary of State
KANSAS SECRETARY OF STATE’S OFFICE

STATE OF KANSAS )
COUNTY OF SHAWNEE )

Linda C. Limon-Rocha
NOTARY PUBLIC - STATE OF KANSAS
APPOINTED SEPTEMBER 5, 2010

SUBSCRIBED, ACKNOWLEDGED, AND SWORN TO before me, the undersigned Notary Public, by Bradley J. Bryant in his capacity as Deputy Assistant Secretary of State, Kansas Secretary of State’s Office, on this the 11 day of September, 2014.

Notary Public

My Appointment Expires:
May 9, 2017
* The Governmental Ethics Commission receives a statutory $35 campaign finance report fee from candidates for state and county offices except retention judges. The Secretary of State receives a statutory $20 administrative fee from candidates for all state and national offices except president.

Note: In redistricting years (2012, 2022, 2032, etc.) the filing deadline may be set on a date other than June 1, depending on when redistricting is completed. See KSA 25-205(h). The redistricting process may also reduce the petition requirements for candidates who file by petition. See KSA 25-205(g).

**Determining the Validity of Nominations**

For many offices it is the responsibility of the county election officer to determine the validity of the filings. Determining the validity may include checking the Declaration of Intention for completeness, determining the sufficiency of a petition, determining whether a check written for a filing fee clears the bank, or determining whether a candidate possesses the necessary qualifications for office.

The county election officer has three days from the date of a candidate filing for county office, township office, precinct committee position, local school board, or city office to determine its validity. [KSA 25-208a(b)]

For national and state offices, the filings are made with the Secretary of State's office, and a period of ten business days is allowed for determination of their validity. [KSA 25-208a(a)]

If a filing is determined to be invalid, the candidate may file an objection pursuant to KSA 25-308. If a filing is determined to be valid, another person may file an objection if they believe the filing to be invalid. (See Section d below.)

**Candidate Withdrawals**

A candidate who has filed for any office may withdraw before the candidate filing deadline by submitting a notarized written statement of withdrawal. [KSA 25-306a] After the filing deadline and after the primary, a candidate for national, state, county or township office who does not wish to be a candidate must submit a notarized written statement declaring him/herself to be “incapable of fulfilling the duties of office” if elected. [KSA 25-306b] Candidate withdrawals create vacancies in candidacies, which in the case of party candidacies are filled by party district convention. [KSA 25-3904, 25-3904a]

There is no provision in law for replacing independent candidates if they withdraw. Likewise, there is no provision in law for replacing candidates in nonpartisan races.

**Candidate Deaths**

Whether a vacancy in a candidacy can be filled, and the procedure for doing so, depend on the timing of the vacancy. If a vacancy in a party candidacy occurs after the candidate filing deadline but before the primary, leaving the party with no candidate in the primary election, the party chooses a successor candidate. [KSA 25-2906]

After the primary, if a candidate who has been nominated for a national, state, county or township office dies, the candidate’s party chair is directed by law to file a notarized written statement with the Secretary of State or county election officer causing the
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KRIS KOBACH, in his official capacity as  
Secretary of State for the State of Kansas  

)  

Respondent.  

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AFFIDAVIT OF BRYAN A. CASKEY

I, Bryan A. Caskey, Assistant State Election Director for the Kansas Secretary of State's Office, having been duly sworn, do hereby depose and state as follows to the best of my knowledge and belief:

Between June of 1990 and August of 1997, I was employed by the Kansas Secretary of State's Office in various capacities on a periodic basis. I have worked full time and continuously for the Kansas Secretary of State's Office since August of 1997. Between August of 1997 and December of 1997 I worked in the Business Services division of the Secretary of State's Office. From December of 1997 to January of 1998 I was an Auditor in the Administration division of the office. Commencing in January of 1998 I became an Administrative Assistant to Brad Bryant, State Election Director. In roughly 2007, my title was changed to Assistant State Election Director. My immediate supervisor since January of 1998 has been Brad Bryant, and my desk is immediately outside of Mr. Bryant's office in the Elections Division of the office. In my capacity as Assistant State Election Director, my official duties include processing filings made in our office concerning elections and candidacies for public office, coordinating election activities with each of the 105 county election offices in Kansas, and aiding in the administration of the statewide voter registration system. I also manage the unofficial candidate list maintained on the office's website.

In my tenure in the Elections Division of the Secretary of State's Office, I have assisted hundreds of candidates in the filing for public office and have assisted many in the filing of withdrawals, objections, and other documents associated with the electoral process. Because of this experience, I have considerable expertise regarding filing requirements and deadlines, and I am frequently called upon to answer questions regarding Kansas elections requirements and procedures. In fulfilling these duties, I have always tried to provide complete and impartial information to those I have aided with such filings.

On February 28, 2014, Chad Taylor filed paperwork with the Kansas Secretary of State's Office to become a candidate for the Democratic nomination for the office of United States Senator. On the morning of August 27, 2014, the State Board of Canvassers met to certify the election results for the primary election held on August 5, 2014. The State Board of Canvassers certified that Mr. Taylor was the winner of the Democratic nomination for the office of United States Senator. The
Petitioner received 35,067 votes, or 53.2 percent of votes cast for the Democratic primary. Over the course of the next several days, I was aware of statements being made, primarily on social media, that Mr. Taylor was being pressured to withdraw his candidacy. Further, sometime either on August 28 or August 29, 2014, Mr. Bryant told me that he had a phone conversation with Mr. Taylor in which Mr. Taylor inquired about the procedures for withdrawing his nomination. Other than this limited report, Mr. Bryant did not convey any additional details to me regarding his conversation with Mr. Taylor.

On the morning of Wednesday, September 3, 2014, Mr. Bryant informed me that he had received another phone call from Mr. Taylor that morning. Mr. Bryant told me Mr. Taylor called to inquire generally about the withdrawal process. Mr. Bryant in no way suggested that Mr. Taylor had inquired about what information was required in the filing to comply with K.S.A. 25-306(b). At roughly 2:30 p.m. on September 3, 2014, Mr. Bryant received a phone call while I was sitting at my desk. I heard Mr. Bryant talking about withdrawal, and after the phone call ended Mr. Bryant told me the caller was Mr. Taylor. Mr. Bryant told me that Mr. Taylor had said he was going to come in and file a withdrawal with our office before 5:00 p.m. that day. Mr. Bryant asked me to keep this information confidential as Mr. Taylor didn’t want it to be publicly known he was withdrawing until the paperwork was filed.

At approximately 3:55 p.m. on September 3, 2014, I noticed Mr. Bryant standing in the hallway outside the Elections Division talking to Mr. Taylor and another person I am not personally familiar with. Through other sources I have learned this other gentleman to be Mr. Taylor’s campaign manager, Brandon Naylor, and I will therefore refer to this person as Mr. Naylor in this affidavit. Mr. Bryant, Mr. Taylor and Mr. Naylor walked through the Elections Division and into the back filing cabinet area while talking. I was unable to hear the conversation between Mr. Bryant and Mr. Taylor as the conversation was in hushed tones. As Mr. Bryant, Mr. Taylor and Mr. Naylor walked past, I leaned over my cubicle and spoke briefly to my co-worker Jameson Beckner, who was in his cubicle. I mentioned quietly to Mr. Beckner to make sure we don’t say anything about Mr. Taylor’s visit and what we believed the purpose of his visit might be until Mr. Taylor had completed his business with our office.

A few minutes later, Mr. Bryant, Mr. Taylor and Mr. Naylor walked back through the Elections Division and across the hall. I assumed they were going to find a notary public because I knew a withdrawal letter must be notarized and a notary public was not present in our part of the office at that time. Immediately afterwards, co-worker Desiree Taliaferro came into the room to discuss the purpose of Mr. Taylor’s visit. She asked if that was Chad Taylor. I confirmed it was and asked her to not say anything yet about the assumed purpose of his visit. Ms. Taliaferro and I continued small talk with Mr. Beckner for a few minutes until Mr. Bryant, Mr. Taylor and Mr. Naylor came back into the Elections Division and Mr. Bryant made copies of the document submitted by Mr. Taylor. Mr. Bryant came back out, again exchanged words with Mr. Taylor and Mr. Taylor subsequently left. I was unable to hear the words exchanged between Mr. Taylor and Mr. Bryant at this point. During this time I was working on ballot rotation orders to send to county election officers and visiting with Ms. Taliaferro and Mr. Beckner.

After Mr. Taylor left I asked Mr. Bryant if I should remove Mr. Taylor’s name from the 2014 General Election unofficial candidate list and Mr. Bryant said yes. I did not look at Mr. Taylor’s
letter at this time. At 4:14 p.m. I sent an email to Secretary of State Kris Kobach, Assistant Secretary of State Eric Rucker, Deputy Assistant Secretary of State Thomas Knutzen, Staff Attorney Caleb Crook, and Director of Public Affairs Ms. Kay Curtis confirming the receipt of Mr. Taylor’s withdrawal letter and a statement that our website will be updated shortly. At approximately 4:45 p.m. I updated the 2014 General Election unofficial candidate list and placed “withdrawn” in lieu of Mr. Taylor’s name. I believe I first looked at Mr. Taylor’s withdrawal letter after updating the unofficial list but it is possible I looked at the letter shortly before.

At 4:54 p.m. I received a phone call from Charles “Jason” Perkey, Executive Director of the Kansas Democratic Party. I have known Mr. Perkey for roughly two years and have occasional contact with him pursuant to my official duties at the Secretary of State’s Office. I characterize my relationship with Mr. Perkey as friendly and cordial. Upon taking this phone call, Mr. Perkey asked if we received a letter of withdrawal from Mr. Taylor and I confirmed that we had. Mr. Perkey then asked if the letter was sufficient to withdraw Mr. Taylor from the ballot and I replied that we had removed Mr. Taylor’s name from the unofficial candidate list. Mr. Perkey then inquired if the determination to remove Mr. Taylor from the ballot was final, and I replied that I am not the Secretary of State and that the Secretary of State makes the final determination. During this phone conversation with Mr. Perkey, I explicitly told him that I was not the person to make the “final call” regarding whether Mr. Taylor’s letter was sufficient. At approximately 5:15 p.m. I left the office.

At approximately 5:37 p.m. Mr. Bryant sent me a text message asking if I had left Mr. Taylor’s name on the unofficial list. Mr. Bryant also stated that Secretary Kobach called him and wanted to discuss the matter in the morning and Mr. Taylor’s name should remain on the list for now. I responded that I had taken it off. Mr. Bryant requested that Mr. Taylor’s name be put back on the list. At 6:21 p.m. I emailed a copy of Mr. Taylor’s withdrawal letter to Secretary Kobach, Mr. Rucker, Mr. Crook, Mr. Knutzen, Mr. Bryant and Ms. Curtis. At approximately 7:47 p.m. I returned to the office and placed Mr. Taylor’s name back on the unofficial candidate list and sent an e-mail at 7:48 p.m. confirming this.

Because documents are filed with the Secretary of State’s Office before their validity or sufficiency can be reviewed, and because subsequent events such as objections can change a candidate’s status, it is not uncommon for the names of candidates to go on and off the unofficial candidate list. Removing Mr. Taylor from the unofficial candidate list and then, subsequent to further legal analysis, restoring him to the unofficial candidate list is consistent with longstanding practice in the office. The unofficial candidate list is essentially our office’s internet interface to notify the public of filings immediately upon receipt, and this is commonly understood by people who frequently interact with our office regarding elections matters. For example, when a person files to become a candidate that person is almost immediately added to the unofficial candidate list even though after the filing is officially reviewed it may be determined that the candidate should be removed from the unofficial list due to invalidity of filing documents, objections or lawsuits. Likewise, names that are removed may be restored after administrative or legal review. The candidate list maintained on the website is unofficial before the primary election until we certify it for the primary election. Then it is again unofficial, and clearly labeled so, after the primary election until we certify it before the general election. We certify it to the county election officers and provide materials to assist them in preparing ballots for the upcoming election. The unofficial
candidate list is the only method our office has to alert the public when a document is filed. This is important public information for persons considering filing objections or persons who need to know who their potential opponents are in deciding whether to file as candidates. As of this filing, the candidate list has not been certified for the November 4, 2014, general election.

Over the course of my employment, Mr. Bryant and I have had multiple conversations about the implications of the 1997 amendment to K.S.A. 25-306b(b). In fact, our office maintains a manual entitled “Kansas Election Standards,” which includes a chapter containing instructions and guidance regarding candidates. This manual is continuously maintained on the Secretary of State website. A true and correct copy of the candidate chapter of the Kansas Election Standards manual can be found on the Internet at https://www.kssos.org/forms/elections/election_standards/ChapIV-Candidates.pdf, and is attached here as Attachment A.

Among my duties are the processing of candidate withdrawals. The Secretary of State keeps these records in the ordinary course of business, and it is the regular course of business for me to review submitted withdrawals and then send them to a file kept for that purpose. Attachment B to this Affidavit is a true and complete set of candidate withdrawal requests filed since 2010 under K.S.A. 25-306a (pre-filing, pre-primary withdrawals); Attachment C to this Affidavit is a true and complete set of candidate withdrawal requests filed since 2010 under K.S.A. 25-306b(b). (Letters received before 2010 are not kept in this file and are maintained in an archive that is not readily accessible.) Both Attachments A and B are exact duplicates of the original sets. I am not aware of any withdrawal letters filed under K.S.A. 25-306b(b) since 1997, with the exception of Mr. Taylor’s, which have failed to contain a statement or declaration to the effect that the candidate is incapable of serving in office. Thus, Mr. Taylor’s letter is the first withdrawal letter that I am aware of that raised this particular issue under the statute.

_Bryan A. Caskey, Assistant State Election Director
KANSAS SECRETARY OF STATE’S OFFICE_

STATE OF KANSAS

) ss:
COUNTY OF SHAWNEE

SUBSCRIBED, ACKNOWLEDGED, AND SWORN TO before me, the undersigned Notary Public, by Bryan A. Caskey in his capacity as Assistant State Election Director, Kansas Secretary of State’s Office, on this the 15th day of September, 2014.

_Gary M. Crowl_
Notary Public

My Appointment Expires 09-31-2016
Chapter IV. Candidates

This chapter focuses primarily on candidates for national, state, county, township, city, school board, and community college offices. One must consult specific statutes for rules governing the election of other offices, such as boards of directors of drainage districts, water districts, fire districts and hospital districts.

A candidate must be nominated to run in the general election. Nominations occur in several ways, and filing as a candidate for nomination occurs in several ways.

a. Nominations

Partisan elections in even-numbered years

There are three ways for a candidate to be nominated to seek election in the general election. Two involve party nominations and the third is a nonpartisan, or independent, nomination.

1. Nomination at the primary election

The statutory definition of which parties may participate in the primary is: any political party whose candidate for governor polled at least 5% of the total votes cast in the most recent general gubernatorial election. Historically, this has applied only to Democratic and Republican candidates. By the same token, this is the only option for these candidates to be nominated to represent their respective parties in the general election.

Only voters who are officially affiliated with a given party may vote in the partisan primary election [KSA 25-202] unless a given party opts to allow other voters to participate in its primary, but the laws do not require candidates running for a given party's nomination to be affiliated with the party on the official voter registration/party affiliation list. In that sense, the voters in the party are free to nominate whomever they want to represent the party in the general election; they are not limited to nominating a member of their party.

2. Nomination by a minor party

Minor parties, or third parties, that have obtained official recognition nominate candidates at state conventions. The conventions are conducted entirely by the party organization and according to party rules. State laws say little about the conventions, other than establishing a deadline for candidate nominations to be certified to the Secretary of State. The certification to the Secretary of State includes all candidates nominated by the party's convention, including national, state, county and township offices. The statutory deadline is the same as the filing deadline for primary candidates:
noon on June 1 of the election year, or the next business day if June 1 is a weekend or holiday. Minor party candidates do not run in the primary; they go directly onto the general election ballot, having already received their parties’ nominations at the conventions. [KSA 25-302]

3. Independent nomination

This option is for candidates who are not affiliated with any of the recognized political parties. Independent candidates must be nominated by petition. [KSA 25-303] The deadline for filing their petitions is noon the day before the primary election. The primary election is on the first Tuesday in August. Independent candidates do not run in the primary; they go directly onto the general election ballot. [KSA 25-305] The filing deadline on the day before the primary election prevents so-called “sore loser” campaigns where a candidate who loses in the primary election runs as an independent candidate in the general election for the same office.

If no candidate files for the primary, a write-in candidate may be nominated by receiving write-in votes equal to 5% of the total number of registered voters in that election district, based on figures compiled by the Secretary of State. For purposes of determining ballot access requirements, such as candidate petition signature requirements, the Secretary of State uses voter registration figures as certified to the Secretary of State by the respective county election officers on August 1 of the year preceding the election year. The exception is for township offices, where only three write-in votes are required. No candidate may be required to receive more than 5,000 write-in votes to be nominated. [KSA 25-213]

If a person receives more than one nomination for the same office, the person must choose which nomination to accept. [KSA 25-306]

Nonpartisan elections in odd-numbered years

Elections for local school board and city offices are normally held in the spring of odd-numbered years. [KSA 25-2010, 25-2107] However, many cities have exercised their home rule authority and adopted charter ordinances establishing other schedules, including annual elections and even-numbered year elections. School districts do not have home rule power and thus must conduct their elections according to the schedule prescribed in law. The spring city and school board elections are nonpartisan. [KSA 25-2009] Candidates file for these offices in January, and if there are three or fewer candidates for a particular office, no primary is held. In that case, the general election ballot contains up to three names and a write-in blank for each position to be filled.

If more than three candidates file for a position, a primary is required to reduce the number of candidates to two for the general election. The primary is held on the Tuesday five weeks preceding the April general election. [KSA 25-2021, 25-2108a]
b. Candidate Filings

(1) National and state offices

Candidates for national and state offices must file with the Secretary of State's office. Democratic and Republican candidates intending to run in the partisan primary in August have a choice of filing by fee or petition. Whichever method they choose, the filing documents and fee (if applicable) must be received in the Secretary of State's office before the filing deadline in order for the candidate to be on the primary election ballot. If they file by fee, they must complete a Declaration of Intention to be a candidate, sign it and have their signature attested by an official in the Secretary of State's office or by the county election officer or deputy. Therefore, the candidate may choose to complete their paperwork and have their signature attested in the county election office rather than traveling to Topeka, but it is still the candidate's responsibility to ensure that the proper documents are filed with the Secretary of State before the deadline. [KSA 25-205, 25-305]

(2) County, township and local offices

Candidates for county, township and other local offices file with their respective county election officers. First and second class city candidates file with their city clerk. Third class city candidates file with either the city clerk or the county election officer. [KSA 25-2110(a), 25-2110a(a)]

(3) Political party precinct committee positions

Candidates for precinct committeeman and committeewoman for the Democratic and Republican parties are elected at the national/state primary in August of even-numbered years. They file notarized Declarations of Intention with their respective county election officers. No filing fee is required. [KSA 25-3801]

Candidate Qualifications

The qualifications a person must possess to hold elective office vary widely. For some offices, such as Governor, Secretary of State and State Treasurer, there are no constitutional or statutory qualifications, while for some, such as state legislator or county commissioner, there are very specific qualifications found either in the Kansas Constitution or various statutes, or both.

One example of a county office with specific requirements that the county election officer must be aware of is sheriff. Each candidate for sheriff must be fingerprinted in the presence of the county election officer at the time of filing. The election officer sends the fingerprints to the Kansas Bureau of Investigation for a background check. If the background check exposes a felony conviction or liquor or narcotics violation, the person is not qualified to run for the office. [KSA 19-826]

When a prospective candidate for any office inquires about the qualifications for an office, or during the review process after the filing period, the specific constitutional or statutory provisions must be consulted in order to determine the validity of candidate filings.
Candidate Filing Deadlines

The deadline for party candidates to file for national, state, county and township offices is noon on June 1 of the year of the election. If June 1 is a weekend, the deadline is noon on the next business day. The June deadline applies to Democratic and Republican primary candidate filings and to minor party conventions, whose officers must certify their nominees to the Secretary of State by noon on June 1. [KSA 25-205, 25-305]

Independent candidates for national, state, county and township offices must file their nomination petitions with the appropriate officers by noon on the day before the August primary election. [KSA 25-305]

The filing deadline for candidates for city and school board and community college boards of trustees elections is noon on the Tuesday ten weeks preceding the April general election. [KSA 25-2007]

Following is a chart of filing requirements for most candidates. Each election year the Secretary of State's office releases information containing specific dollar amounts for fees and signature requirements for petitions.

### CANDIDATE FILING REQUIREMENTS

<table>
<thead>
<tr>
<th>Office</th>
<th>Filing Fees</th>
<th>Petition Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fee</td>
<td>GEC/SOS Fee*</td>
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<tr>
<td>US President/ Vice President</td>
<td>N/A</td>
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</tr>
<tr>
<td>US Senator</td>
<td>1% of salary</td>
<td>$20</td>
</tr>
<tr>
<td>US Representative</td>
<td>1% of salary</td>
<td>$20</td>
</tr>
<tr>
<td>State Senator</td>
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<td>$55</td>
</tr>
<tr>
<td>State Representative</td>
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<td>$55</td>
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<tr>
<td>State Board of Education</td>
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<td>$55</td>
</tr>
<tr>
<td>Supreme Ct. / Ct. of Appeals</td>
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<td>$20</td>
</tr>
<tr>
<td>District Judge</td>
<td>1% of salary</td>
<td>$55</td>
</tr>
<tr>
<td>Dist. Magistrate Judge</td>
<td>$100</td>
<td>$55</td>
</tr>
<tr>
<td>District Attorney</td>
<td>1% of salary</td>
<td>$55</td>
</tr>
<tr>
<td>County Officers</td>
<td>$5 or 1% of salary</td>
<td>$35</td>
</tr>
<tr>
<td>Township Officers</td>
<td>$1</td>
<td>N/A</td>
</tr>
</tbody>
</table>

IV - 4
The Governmental Ethics Commission receives a statutory $35 campaign finance report fee from candidates for state and county offices except retention judges. The Secretary of State receives a statutory $20 administrative fee from candidates for all state and national offices except president.

Note: In redistricting years (2012, 2022, 2032, etc.) the filing deadline may be set on a date other than June 1, depending on when redistricting is completed. See KSA 25-205(h). The redistricting process may also reduce the petition requirements for candidates who file by petition. See KSA 25-205(g).

Determining the Validity of Nominations

For many offices it is the responsibility of the county election officer to determine the validity of the filings. Determining the validity may include checking the Declaration of Intention for completeness, determining the sufficiency of a petition, determining whether a check written for a filing fee clears the bank, or determining whether a candidate possesses the necessary qualifications for office.

The county election officer has three days from the date of a candidate filing for county office, township office, precinct committee position, local school board, or city office to determine its validity. [KSA 25-208a(b)]

For national and state offices, the filings are made with the Secretary of State's office, and a period of ten business days is allowed for determination of their validity. [KSA 25-208a(a)]

If a filing is determined to be invalid, the candidate may file an objection pursuant to KSA 25-308. If a filing is determined to be valid, another person may file an objection if they believe the filing to be invalid. (See Section d below.)

Candidate Withdrawals

A candidate who has filed for any office may withdraw before the candidate filing deadline by submitting a notarized written statement of withdrawal. [KSA 25-306a] After the filing deadline and after the primary, a candidate for national, state, county or township office who does not wish to be a candidate must submit a notarized written statement declaring him/herself to be "incapable of fulfilling the duties of office" if elected. [KSA 25-306b(b)] Candidate withdrawals create vacancies in candidacies, which in the case of party candidacies are filled by party district convention. [KSA 25-3904, 25-3904a]

There is no provision in law for replacing independent candidates if they withdraw. Likewise, there is no provision in law for replacing candidates in nonpartisan races.

Candidate Deaths

Whether a vacancy in a candidacy can be filled, and the procedure for doing so, depend on the timing of the vacancy. If a vacancy in a party candidacy occurs after the candidate filing deadline but before the primary, leaving the party with no candidate in the primary election, the party chooses a successor candidate. [KSA 25-2906]

After the primary, if a candidate who has been nominated for a national, state, county or township office dies, the candidate's party chair is directed by law to file a notarized written statement with the Secretary of State or county election officer causing the
candidate’s name to be withdrawn from nomination and the name taken off the ballot. For national and state offices, the deadline to file the notice is seven days after the meeting of the state board of canvassers after the primary election. For county and township offices, the deadline is ten days after the meeting of the county board of canvassers after the primary election. [KSA 25-306b(o)]

The law does not contain special provisions for a death which occurs late in the process after ballots have been printed. Generally, if it is possible to reprint the ballots, the county election officer should do so. If it is too late to reprint but the ballots can be corrected by hand and voters can be instructed about the change in the ballot, that should be done. “Correcting by hand” usually means obliterating the incorrect information with a marker and hand-writing the correct information on each ballot. In such cases the election board workers should be instructed to inform voters of the ballot correction.

If ballots are not hand-corrected, it is left to the voters to decide which candidates are qualified and to vote for their choice.

There is no provision in law concerning the death of an independent candidate for national, state, county or township office or for the death of a candidate for city or school board or other nonpartisan office.

c. Write-in Candidates

At any general election, write-in blanks are provided on the ballot for each office. At primary elections, write-in blanks are provided only if no candidates filed for the office. [KSA 25-213]

In some cases where more than one position is filled on the same governing body (ex: local school board, city council, community college board of trustees), the number of write-in blanks equals the number of positions to be filled. [KSA 25-612] A person who is not a filed candidate who wishes to run as a write-in candidate may simply announce to the voters that he/she is a write-in candidate and conduct a campaign to secure their votes the same as any other candidate. Of particular concern is telling voters where on the ballot to write the candidate’s name and spelling it correctly so that the voter’s intent is not questioned.

No filing document is required of write-in candidates for most offices, the exception being certain statewide offices. The law requires write-in candidates for president/vice president and all state offices elected on a statewide basis to file affidavits of write-in candidacy with the Secretary of State by noon on the second Monday preceding the general election in order to have their write-in votes tabulated and reported as part of the official election results. This applies to the offices of President/Vice President of the United States, Governor/Lieutenant Governor, Secretary of State, Attorney General, State Treasurer and Commissioner of Insurance. [KSA 25-305, 25-305b] It does not apply to U.S. Senator because it is not a state office. It does not apply to U.S. Representative because it is not a state office, nor is it elected on a statewide basis.

When a candidate files an affidavit of write-in candidacy with the Secretary of State, the county election officers are required to report write-in votes for the candidate, and the official election abstracts are prepared so as to include the candidate’s name.

If a write-in candidate for statewide office does not file the affidavit, election officers are not required to tabulate and report the write-in votes cast for that candidate for that office. [KSA 25-3002(c), (d), (e)]
For local candidates and others not required to file affidavits of write-in candidacy, the county election officer and the Secretary of State must be aware of write-in candidacies as they occur, because write-in candidates can win elections. Write-in candidacies are recognized in Kansas law, and all that is required to win an election is to obtain more votes than the other candidates for that office. Write-in candidates for any office are subject to the regular campaign finance reporting requirements of the office for which they are running. (See also Section IV c.)

d. Objections

An objection is a method to review the validity of a candidate filing or nomination. It may occur at either of two points in the election process:
(1) after the candidate files for office, or
(2) after the candidate wins a party’s nomination. [KSA 25-208a, 25-308]

An objection at the time the candidate files for office may occur in one of two ways:
(1) a person other than the candidate files an objection, or
(2) the candidate files an objection if the election officer determines the candidate’s filing to be invalid. [KSA 25-208a(c)]

Any person may file an objection after the candidate is issued a certificate of nomination after the primary.

The deadline for filing any objection is:
(1) three days after the date of the candidate’s filing, or
(2) three days after the determination of invalidity by the election officer, or
(3) three days after the date of the issuance of the certificate of nomination after a primary.

Note: The date of issuance of the certificate of nomination varies by office. Certificates for local offices are issued after the county canvass. Certificates for national and state offices are issued after the state canvass several weeks later. [KSA 25-308(a)]

Objections to nominations for national and state offices are filed with the Secretary of State. Objections to nominations for local offices are filed with the county election officer.

The grounds for filing an objection are the same as the grounds for contesting a general election in court:
(1) the candidate is ineligible to hold the office
(2) one or more eligible voters were deprived of the right to vote
(3) illegal votes were received or legal votes were rejected
(4) error or fraud occurred in computing the results of the election which could change the outcome of the election
(5) the candidate bribed an election officer, or
(6) any other cause showing that a different candidate should have won.
Kansas Election Standards

[KSA 25-308(e), 25-1436]

For national and state offices, objections are decided by the state objections board, consisting of the Lieutenant Governor, Secretary of State and Attorney General. For county, township, city and school offices, objections are decided by the county objections board, consisting of the county election officer, county or district attorney and an elected county official whose position is not involved in the controversy. The latter official is designated by the county election officer. [KSA 25-308(e)]

Results of objection—
By their nature, objections are filed during the election process at a time when it is urgent that the matter be concluded and the process of printing ballots and preparing for election day continue without delay. According to the law, the objections board makes its decision by majority vote, and the decision is final. There is no provision in the law for appealing the decision except in extraordinary cases, which would involve quo warranto, mandamus or injunction. [KSA 25-308(e)] Courts have held that the objections board is a quasi-judicial body. This gives the objections board a more authoritative posture than a mere administrative body. It possesses broad powers to investigate facts, weigh evidence and draw conclusions as a basis for official action. The purpose is to decide cases as they arise and get on with the process of conducting the election.

e. Campaign Finance

Once a person files as a candidate or announces his/her candidacy, the candidate must follow all campaign finance rules pertaining to the office for which the candidate is running. The rules vary with the office, but they may limit the size of contributions, the source of contributions, the way funds are spent, and set the time and location of filing reports of receipts and expenditures.

Candidates for national offices file with the Federal Election Commission according to federal laws and regulations. The Secretary of State maintains access to the FEC reports via the Internet, as provided by federal law. The public may view the reports on computer equipment in the Secretary of State's office or via the Internet on their personal computers. [Public Law 104-79]

Candidates for state offices file periodic finance reports with the Secretary of State. [KSA 25-4148] Oversight of the campaign finance system for state candidates is exercised by the Kansas Governmental Ethics Commission. In campaign finance and ethics issues, the rules include candidates for first class city offices, school districts of more than 35,000 students (one district in Sedgwick County) and the Board of Public Utilities in Wyandotte County.

Candidates for local offices file their reports with the county election officer. [KSA 25-901]
This includes county and township offices, all school districts except one in Wichita, and all second and third class cities. These candidates file reports 30 days after the primary and 30 days after the general election. If they anticipate receiving or spending less than $500, they may file an affidavit of exemption no later than the ninth day before the primary election. In this case they do not have to file finance reports unless their receipts or expenditures rise above $500, at which time they are subject to the reporting requirements. [KSA 25-904]
Electronic campaign finance

The Secretary of State maintains an electronic campaign finance system for use by state-level candidates, parties and political action committees. Candidates for statewide office are required to file reports electronically. Candidates for district offices (not statewide offices) have the option of filing electronically. If they choose not to file electronically, they may file on paper or by fax. The system was designed with assistance from the Governmental Ethics Commission and was deployed in 2008. The electronic system provides greater public access to the receipts and expenditures by allowing anyone with a computer and Internet access to view the reports free.

f. Political Parties

A political party must be officially recognized by the Secretary of State before being allowed to nominate candidates for elective office or participating in the Kansas electoral process. As of this writing there are five recognized parties: Democratic, Republican, Libertarian, Reform and Americans Elect. [KSA 25-302a]

Official Recognition

A party seeking official recognition in Kansas must submit a petition to the Secretary of State by noon on June 1 of the year of the first election in which they plan to participate. The petition must contain the signatures of registered voters in the state equal to two percent of the total votes cast for all candidates for governor at the most recent general election at which the office of governor was elected.

Upon submission of a petition, the Secretary of State sends photocopies to the county election officer in each county in which signatures were collected. The respective county election officers have 20 days to review the signatures, compare them to their signature files, and certify to the Secretary of State the number of valid signatures contained on their portion of the petition. The Secretary of State determines the overall sufficiency of the petition and informs the petitioners of the decision in writing.

[KSA 25-116, 25-117]
(For more on petitions to obtain official political party recognition, see Section V a 5.)

Loss of Official Recognition

A recognized political party must meet two requirements at each national/state general election in order to maintain its official status: (1) it must nominate a candidate for at least one office elected on a statewide basis, and (2) at least one such statewide candidate of the party must receive at least 1% of the total votes cast for the office. If a party does not meet either requirement in a given election, the Secretary of State notifies county election officers that the party is no longer recognized. Registered voters affiliated with the party are subsequently listed as unaffiliated on the county voter registration list.

[KSA 25-302b, 25-302c]

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Party Contact Information
The following information may be used to contact any of the political parties currently recognized in Kansas. This information might become outdated at any time, and parties are not required to keep current information on file with the state.

RECOGNIZED POLITICAL PARTIES IN KANSAS
CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Party</th>
<th>Chair</th>
<th>Address</th>
<th>Phone</th>
<th>Fax</th>
<th>Email/Website</th>
</tr>
</thead>
</table>
| Democratic  | Joan Wagon | P.O. Box 1914
              Suite 706
              700 SW Jackson
              Topeka, KS 66601 | (785) 234-0425 | (785) 234-8420 | kdp@ksdp.org
                           www.ksdp.org |
| Republican  | Kelly Arnold | P.O. Box 4157
                  2025 SW Gage Blvd.
                  Topeka, KS 66604 | (785) 234-3456 | (785) 228-0353 | chairman@ksgop.org
                           www.ksgop.org |
| Libertarian | Al Terwelp | 12156 S. Stanley Rd
               Overbrook, KS
               66524 | (785) 665-7581 |              | KCLibertarian@kc.rr.com
                           www.lpks.org
                           chair@lpks.org |

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### QUALIFICATIONS OF CANDIDATES AND OFFICEHOLDERS

<table>
<thead>
<tr>
<th>Office Sought</th>
<th>Statutes</th>
<th>Elector at Time of Filing</th>
<th>Resident at Time of Filing</th>
<th>Elector on Election Day</th>
<th>Resident on Election Day</th>
<th>Elector Upon Taking Office</th>
<th>Resident Upon Taking Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Offices</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>U.S. President and Vice President</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>U.S. Senators and Representatives</td>
<td>U.S. Const. Art. 1</td>
<td></td>
<td></td>
<td>YES-resident of state</td>
<td>YES-resident of state</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Offices</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Governor and Lt. Governor</td>
<td>KS Const. Art. 1</td>
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<td></td>
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<tr>
<td>Secretary of State</td>
<td>KS Const. Art. 1</td>
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<tr>
<td>Attorney General</td>
<td>KS Const. Art. 1</td>
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<tr>
<td>Insurance Commissioner</td>
<td>40-109</td>
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<tr>
<td>State Treasurer</td>
<td>75-601 et seq.</td>
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<td>Senators and Representatives</td>
<td>KS Const. Art. 2 Sec. 4</td>
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<tr>
<td>District Court Judges</td>
<td>20-331, -334, 25-312a</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>*See KSA 20-331(b) if district has established residency requirements</td>
<td>*KSA Chap. 4, Article 2 contains individual district qualifications.</td>
<td></td>
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<td></td>
<td></td>
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<td>District Magistrate Judges</td>
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<tr>
<td>*See KSA 20-331(b) if district has established residency requirements</td>
<td>*KSA Chap. 4, Article 2 contains individual district qualifications.</td>
<td></td>
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<tr>
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<td>YES</td>
<td>YES</td>
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<tr>
<td>County Offices</td>
<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Commission</td>
<td>19-202, -203</td>
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<tr>
<td>Clerk</td>
<td>19-301, -303</td>
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<tr>
<td>Treasurer</td>
<td>19-501, -504</td>
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<tr>
<td>Attorney</td>
<td>19-701, -715</td>
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<td>Sheriff</td>
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<td>Register of Deeds</td>
<td>19-1201, -1203</td>
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<td>Local Offices</td>
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</tbody>
</table>

**Note:** Some district residency requirements, some county requirements.
### Kansas Election Standards

<table>
<thead>
<tr>
<th>Office Sought</th>
<th>Statutes</th>
<th>Elector at Time of Filing</th>
<th>Resident at Time of Filing</th>
<th>Elector on Election Day</th>
<th>Resident on Election Day</th>
<th>Elector Upon Taking Office</th>
<th>Resident Upon Taking Office</th>
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<tbody>
<tr>
<td>Community College Board of Trustees</td>
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<td>Township Offices</td>
<td>80-202</td>
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</tbody>
</table>

**City Offices**

**1st Class Cities**

Note: Most 1st class cities have exempted themselves from state election laws by invoking home rule under the Kansas Constitution, Article 12, Section 5. The city of Emporia is one exception. Most laws pertaining to 1st class city elections have been repealed. Candidate qualifications are established by the individual cities.

Second and third class cities also may individually charter out of statutory qualifications by invoking home rule. City charter ordinances must be consulted to determine if the following statutory provisions are in effect.

<table>
<thead>
<tr>
<th>2nd Class Cities</th>
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<tr>
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<td>Commission</td>
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<tr>
<td>Mayor-Council</td>
<td>14-109, -204, -205</td>
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Response to Petition for Mandamus - Exhibit 2, Attachment A
June 11, 2012

Steven A. Hohe
10920 W 65th Street
Shawnee, KS 66203

I, Steven A. Hohe, do hereby withdraw from the Kansas 2012 Election, Kansas House of Representative of the 18th District.

Steve A. Hohe

STATE OF KANSAS
COUNTY OF JOHNSON

This document was signed before me on the 11th day of June, 2012 by

Steven A. Hohe

[Signature]

NOTARY PUBLIC - State of Kansas
TRAVIS B. HAPFNER
My Appointment Expires June 2015

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 1
June 11, 2012

To: Kansas Secretary of State
Topeka, Kansas

This letter represents my official notification of withdrawal from the House of Representatives District 19 election race.

Sincerely,

Kay Wolf

Subscribed & signed before me this 11th day of June 2012.

[Signature]

Exp. 7-1-2015

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 2
State of Kansas

Representative Terry Calloway
House of Representatives, District 3

June 8, 2012

Kansas Secretary of State

To Whom It May Concern:
Effective immediately and in accordance with K.S.A. 25-205, I make formal notification to have my name withdrawn for candidacy for office of Kansas House of Representatives District 3 from the primary election.

Respectfully,

[Signature]

Terry L. Calloway

County of Shawnee
Date - June 8, 2012
Amber A. Baker, Notary Public
My appt. expires 2/4/15

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 3
June 11, 2012

Brad Bryant
State Election Director
Kansas Secretary of State
120 S.W. 10th Avenue
Topeka, KS 66612-1594

Dear Mr. Bryant:

I wish to withdraw my notification of candidacy for House of Representative – District 19 effective immediately.

Sincerely,

Jim Denning

[Notary Seal]

Mansfield Manor
Expires 12-29-2012
Witnessed June 11, 2012

Original filing District 19, SOS moved to District 29 per court order. Withdrawed from House 29.

Bills fields in KS Sen.8
June 8, 2012

Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

Re: Withdrawal of Name from Election

Dear Sir:

I hereby withdraw as a candidate for Position #1, District Court Judge for the 15th Judicial District.

Very truly yours,

STRAMEL LAW FIRM, P.A.,

TODD R. STRAMEL
Attorney at Law

State of Kansas,
County of Thomas, ss:

SUBSCRIBED AND SWORN to before me this 8th day of June, 2012.

Response to Petition for Mandamus - Exhibit 2, Attachment B
Please withdraw my name, Larry Joe Lambert from the Republican Nomination for House of Representatives 109th District. I wish to withdraw because of the unexpected changes made in the geographic area that the 109th district covers.

Thank you, Larry Joe Lambert

Larry Joe Lambert
405 Shelton Dr.
Smith Center, KS
Ph: 785-232-5831 66967

State of Kansas
County of Smith

This instrument was acknowledged June 9, 2012 by Larry Joe Lambert

GAREN L. KUHLMANN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 7-2-12

RECEIVED
JUN 12 2012
KRIS W. KOBACH
SECRETARY OF STATE

Received in morning mail - Tuesday 6/12/12
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, [Name], hereby withdraw as a candidate for the

[Party] nomination for the office of

[Office] effective immediately.

[Signature]

[Acknowledgment] [Print name] [Date]

State of Kansas
County of Shawnee

Acknowledged before me on [Date] by

[Signature]

K.S.A. 25-306a
2. Elane S. Beams, hereby
withdrawal immediately from
House District 107 filed on
4/22/2011.

Elane S. Beams

County of Johnson

Date: June 8, 2012

Amber A. Baker, Notary Public

Appt. expires: 2/4/15

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 8
June 8, 2012

I, James P. Fawcett hereby withdraw my candidacy for the seat of State Representative in the 165th house district.

[Signature]
6/8/12

County of Shawnee

Date: June 8, 2012

Amber A. Baker, Notary Public

My App. Expires 2/14/15

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 9
I hereby withdraw as a candidate for State Representative for District 4, effective immediately.

[Signature]

County of Shawnee

Date: June 8, 2012

[Notary Public Seal]

NOTARY PUBLIC - State of Kansas
AMBER A. BAKER
My Appt. Expires: 2/14/15

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 10
5-15-12

Dear Secretary Kobach,

I am the treasurer for candidate Liz Hects whose filing papers and filing fee of $105 are endorsed. Please call me at the numbers below, if something is amiss with these papers or something more is needed to complete the filing of this candidate for office.

Kelly W. Johnston

2005 S. Cypress    WICHITA, KS 67207
(Call) 316-214-7451  (W) 316-263-2173
E-mail: shockerjd@johnstonlawoffices.com
Date: May 22, 2012

I, David Calvert, hereby withdraw my name as a Republican candidate for District Judge, 18th Judicial District, Division 20, for the 2012 Election.

Signature

Subscribed and Sworn to before me this 22 day of May, 2012.

Kimberly A. Mullin
Notary Public

(Note: Withdrawing from running in Division 20 and re-filing in Division 23)
Request for removal of name as candidate for State Representative.

June 8, 2012

Kris Kobach
Secretary of State, Memorial Hall, 1st Floor
Topeka, Kansas, 66612-1594

Mr. Secretary, I wish to remove my name as candidate for the House of Representatives, 75th District for this upcoming election cycle. My situation has changed and I believe it is my best interest to not seek this position at this time.

Respectfully,

[Signature]

Rep. John C. Grange
2515 Kacy Ct. El Dorado, 67042

County of Shawnee
Date - June 8, 2012

Amber A. Baker, Notary public
Appt. expires 2/4/2015
STATEMENT OF WITHDRAWAL OF CANDIDATE FILING

I, George N. York, having previously filed as a candidate for the Democratic nomination for the 3rd congressional district in the State of Kansas, hereby state that I no longer wish to be a candidate for this office and request that my filing be withdrawn.

George N. York

Subscribed and sworn before me on this 11th day of June, 2012.

Heather A. Smith
Notary Public

FILED
JUN 11 2012
Kris W. Kobach
Secretary of State
June 8, 2012

Mr. Kris W. Kobach  
Secretary of State  
1st Floor, Memorial Hall  
Topeka, Kansas 66612-1594.

Dear Secretary Kobach:

I, Terrie W. Huntington, wish to withdraw my name as a candidate for re-election to the Kansas Senate, District 7. You may submit my refund for the filing fee to:

Senator Terrie Huntington  
6264 Glenfield Drive  
Fairway, Kansas 66205

Respectfully,

Terrie W. Huntington

[Signature]

KRISTEN MARTIN  
Notary Public - State of Kansas  
My Aqpt. Expires 12/12/2015

[Stamp]

Kristen Martin 06/04/2012
I am withdrawing from my filing in District 23 on the Republican ticket.

6-5-2013

County of Shawnee,
date - 6-5-12

Queenie Baker, Notary public
My app't expires 2-4-15

Brett Hildebrand
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, Robert Montgomery, hereby withdraw as a candidate for the Republican nomination for the office of Ks. State House 25 effective immediately.

Moved & filed in Dist 15 House. (BB)

Signature
Robert Montgomery

Print name
Robert Montgomery

Date
6/11/2012

State: KS
County: Johnson

K.S.A. 25-306a
Subscribed & sworn before me this 11th day of June, 2012.

NOTARY PUBLIC - State of Kansas
RYAN KRIEGSHAUSER
My Appt Expires 7-1-2015

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 17
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, \textit{Pat Colloton}, hereby withdraw as a candidate for the nomination for the office of \textit{State Representative District 28}, effective immediately.

\textit{Pat Colloton}  
\underline{Signature}

\textit{Pat Colloton}  
\underline{Print name}

\textit{6-11-2012}  
\underline{Date}

State of Kansas  
County of Shawnee

Acknowledged before me on  
\textit{June 11, 2012}  
\underline{by} \textit{Amber A. Baker, Notary}  
\underline{K.S.A. 25-306a}

\textit{County of Shawnee}  
\underline{Notary Public}

\framebox{\begin{minipage}{2in}
\textbf{NOTARY PUBLIC - State of Kansas}  
\textbf{Amber A. Baker}  
\textbf{My Appl. Expires 3/14/15}
\end{minipage}}
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, ___Denise Cassells___, hereby withdraw as a candidate for the

Party: ___Democrat___ nomination for the office of

Office: ___4th District House___ effective immediately.

Signature: [Signature]

(acknowledgment)

Print name: ___Denise Cassells___

Date: ___6-11-2012___

State of Kansas
County of Shawnee

Acknowledged before me on
___June 11, 2012___ by
___Julia A. Baker___

Public

K.S.A. 25-306a
Filing in KS Sen 12

Debra W. Smith, a candidate
for State Representative for District 4,
effective immediately.

County of Shawnee
Date - June 9, 2012

Jill A. Baker, Notary Public
My appointment expires 2/4/15

NOTARY PUBLIC - STATE OF KANSAS
AMBER A. BAKER
My App. Expires 2/3/15

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 20
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, **Debbie Bearden**, hereby withdraw as a candidate for the

Republican nomination for the office of Senate 4th 12

Office effective immediately.

[Signature]

(acknowledgment)

[Print name]

[Date]

State of Kansas
County of Shawnee

Acknowledged before me on [June 11, 2012] by [Amber A. Baker]

K.S.A. 25-306a

[Notary Public - State of Kansas]

Response to Petition for Mandamus - Exhibit 2, Attachment B  Page 21
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, Forrest J. Knox, hereby withdraw as a candidate for the Republican nomination for the office of 13th District House of Rep effective immediately.

Signature

Forrest J. Knox
Print name

11 June '12
Date

State of Kansas
County of Shawnee

Acknowledged before me on June 11, 2012, by K.S.A. 25-306a

Amber A. Baker, Notary Public
June 8, 2012

I, James P. Fawcett, hereby withdraw my candidacy for the seat of State Representative in the 65th house district.

6/8/12

County of Shawnee

Date: June 8, 2012

Amber A. Baker, Notary Public

My Apt. Expires: 2/14/15
Secretary of State, June 2, 2012

I, Mark Taddie, do hereby withdraw as a candidate for the Republican nomination for the office of State Senator District 21.

State of: Kansas
County of: Shawnee
Signed before me on: 6-1-2012
By: Mark Taddie

State of: Kansas
County of: Shawnee
Signed before me on: 6-1-2012
By: Amber A. Baker
June 10, 2012

Secretary of State Kris Kobach
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

Dear Secretary Kobach,

Please consider this my official notice that I would like to withdraw my candidacy for the office of Kansas House of Representatives. I would like to extend my gratitude to you and your office for your assistance in this matter.

Sincerely,

Dan Kerschen

State of Kansas)
County of Sedgwick
Signed and sworn to (or affirmed) before me on 10/10/2012 by Dan Kerschen.

My appointment expires: 11-12-12

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 25
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, _______ Mason, hereby withdraw as a candidate for the
Name
Republican nomination for the office of
Party
Senate #16 effective immediately.
Office

[Signature]

(acknowledgment)

Gary Mason
Print name

6-11-12
Date

State: KS
County: Shawnee

K.S.A. 25-306a

Subscribed + sworn in my presence on the 11th
day of June 2012 at 9:15 am.

[Signature]

Exp. 1-1-2015

NOTARY PUBLIC - State of Kansas
RYAN KRIEGSHAUSER
My Appt Expires 7-1-2015
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, MITCH HOLMES, hereby withdraw as a candidate for the Republican nomination for the office of House of Representatives (113) effective immediately.

Signature

(acknowledgment)

MITCH HOLMES
Print-name

6/11/2012
Date

State of Kansas
County of Shawnee

Acknowledged before me on June 11, 2012 by

K.S.A. 25-306a

NOTARY PUBLIC - State of Kansas
AMBER A. BAKER
My App't Expires 2/1/15

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 27
6/8/12

Elenia S. Brown, hereby withdraw immediately from House District 107, filed on 11/22/2011.

Elenia S. Brown

County of Shawnee
Date: June 8, 2012

Amber A. Baker, Notary Public
Appt expires 2/4/15
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, Charlotte O'Hara, hereby withdraw as a candidate for the Republican nomination for the office of 27th Dist. (House) effective immediately.

Signature

(acknowledgment)

Print name

Date

State of Kansas
County of Shawnee

Acknowledged before me on K.S.A. 25-306a

by

[Signature]

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 29
INDIVIDUAL ACKNOWLEDGMENT

State/Commonwealth of Kansas
County of Johnson

On this the 6th day of June, 2012, before me, Jamal Johnson, the undersigned Notary Public, personally appeared Jeffrey D. Stalnaker

☐ personally known to me – OR –
☑ proved to me on the basis of satisfactory evidence

the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein stated.

WITNESS my hand and official seal.

Jamal Johnson

Signature of Notary Public

5-28-12

Any Other Required Information

Place Notary Seal/Stamp Above

Description of Any Attached Document

Title or Type of Document: Withdrawal from Campaign

Document Date: 6/6/12 Number of Pages: 1

Signer(s) Other Than Named Above: N/A
Wednesday, June 06, 2012

To:
The office of the Secretary of State of Kansas
Attn: Elections
120 SW 10th Avenue
Topeka, Kansas 66612

I, Jeffrey D. Stainaker - candidate for the Kansas House of Representatives for the 24th District, wish to formally end my campaign for office effective immediately.

Please consider this the formal end to my candidacy and remove me from the ballot for the upcoming primary.

If there are any questions at all, please contact me as soon as possible at my office number: 913.362.8062.

Thanks so much.

Sincerely,

Jeffrey Dean Stainaker
5529 Russell St.
Mission, KS 66202
Home: 913.362.8062
Mobile: 785.550.5333
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, RAY MERRICK, hereby withdraw as a candidate for the Republican nomination for the office of State Senate effective immediately.

[Signature]

(acknowledgment)

[Print name]

[Date]

State of Kansas
County of Shawnee

Acknowledged before me on

[Date]

by

[Notary Public]

K.S.A. 25-306a

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 32
Withdrawal of Candidacy

June 11, 2012

I, James Todd, am withdrawing as a candidate, running as a Republican, for the position of State Representative for the 16th District in Johnson County, Kansas effective immediately on this the 11th day of June, 2012.

[Signature]

06/11/2012
Date

STATE OF KANSAS

COUNTY OF JOHNSON

BE IT REMEMBERED, that on this 11 day of June, 2012, before me, the undersigned, a notary public in and for the county and state aforesaid, came James Todd personally known to me to be the same person who executed the above and foregoing withdraw of candidacy and duly acknowledges to me that he signed the same freely and voluntarily, and that he knows the purpose for which said instrument is to be used, having been advised for the legal effort of said execution.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on the day and year last above written.

[Signature]
NOTARY PUBLIC

My appointment expires 12-29-2012
Talked to James Todd.
Filed #29 in case in 14.

Plans to establish residency in the district so he can vote. Will file in #29.

He acknowledged that he has been notified by me of the district change.

B B
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, [Name], hereby withdraw as a candidate for the

[Party] nomination for the office of

[Office] effective immediately.

[Signature]

(acknowledgment)

[Print name]

State of Kansas
County of Shawnee

Acknowledged before me on [Date] by [Notary Public]

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 35
713 Oak Street
Leavenworth, KS 66048
913-683-1610
Melanie@melier4kansas.com
10 June 2012

Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Ave
Topeka, KS 66048

To Whom It May Concern:

I request to be withdrawn from the House of Representative Race for the 42th District.

Thank you,

[Signature]
Melanie J. Melier

State of Kansas
County of Shawnee

Acknowledged before me on [June 11, 2012] by

[Signature]
Notary Public

Filing in District 41
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, [Name], hereby withdraw as a candidate for the [Party] nomination for the office of [Office] effective immediately.

[Signature]

(acknowledgment)

[Print name]

[Date]

State of Kansas
County of Shawnee

Acknowledged before me on [June 11, 2012] by [Notary Public]

K.S.A. 25-306a

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 37
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, Deloyce McKee, hereby withdraw as a candidate for the Republican nomination for the office of State School Board, effective immediately.

[Signature]
Deloyce McKee

[Print name]
Deloyce McKee

[Date]
6-12-2012

K.S.A. 25-306a

County of Shawnee

[Date]
June 11, 2012

[Name]
Amber A. Baker, Notary Public
Appt. expires 2/14/15
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, [Name] Lana Gordon, hereby withdraw as a candidate for the Republican nomination for the office of State Rep effective immediately.

[Signature] Lana Gordon

(acknowledgment)

State of Kansas
County of Shawnee

Acknowledged before me on [June 11, 2012] by [Notary Public]

K.S.A. 25-306a

[Notary Public - State of Kansas]
[Amber A. Baker]

[File stamp]

FIELDED

JUN 11 2012

Kris K. Kobach
Secretary of State
April 24, 2012

Kansas Secretary of State
120 SW 10th Ave,
Topeka, KS 66612-1594

ATTN: Brad Bryant
Subject: Request to pull my name from Kansas House Elections, 2012 Topeka, District 54.

Dear Mr. Bryant:

Even though I still maintain my house in Topeka, I have moved my practice to Wellington, Kansas since February, 2012. This will become difficult for me to campaign for my elections for Kansas House that I filed from Topeka, District 54. So I hereby inform your office that I would like to pull my name from the election 2012 for Kansas House. I also further declare that I did not collect any money/donations for this election from any of my friends/voters/from any other source. My new mailing address is:
PO Box 192, Wellington, Kansas 67152.

Sincerely yours,

[Signature]

Bal K. Sharma, M.D.

Subscribed and sworn to before me this 24th day of April, 2012

[Signature]
Notary Public

My commission expires: 11/29/2015
I, TerriLois Gregory, wish to withdraw my filing for Kansas House of Representatives District 10.

Thank You,

TerriLois Gregory

06/08/2012
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, Lee Madcist, hereby withdraw as a candidate for the Republican nomination for the office of 47th district house rep effective immediately.

[Signatures]

[Signature]

(acknowledgment) Lee Madcist

Print name

Date 6/11/12

State of Kansas County of Shawnee
Acknowledged before me on 6-11-2012.

K.S.A. 25-306a

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 42
I declare that I no longer desire to be a candidate for the Kansas House of Representatives for District 108. I ask that my name as filed on my March 29, 2012 Candidate’s Declaration of Intention be removed immediately.

Sincerely,

[Signature]

Clark Shultz

State of Kansas
County of Shawnee

Acknowledged before me on June 11, 2012, by

[Signature]

Amber A. Baker, Notary Public

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 43
June 11, 2012

Secretary of State Kris Kobach
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

Dear Secretary Kobach,

Please consider this my official notice that I would like to withdraw my candidacy for the office of Kansas House of Representatives. I would like to extend my gratitude to you and your office for your assistance in this matter.

Sincerely,

Lou Smith

County of Sedgwick
Signed and sworn to (or affirmed) before me on 6/11/2012, by Lou Smith.

Patricia M. Connelly
Notary Public - State of Kansas
My Appointment Exp. 7/17/2012

My appointment expires: 7-17-2012
June 10, 2012

Secretary of State Kris Kobach
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

Dear Secretary Kobach,

Please consider this my official notice that I would like to withdraw my candidacy for the office of Kansas House of Representatives. I would like to extend my gratitude to you and your office for your assistance in this matter.

Sincerely,

[Signature]

John Whitmer

State of Kansas

County of Sedgwick

Signed and sworn to (or affirmed) before me on 10/10/12 John Whitmer.

[Seal]

My appointment expires: 11-12-12

NOTARY PUBLIC - State of Kansas
ANGELA LOVELACE
My Appt. Expires 11-12-12

Signature of notary public
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, __BRENDA LANDWEHR__, hereby withdraw as a candidate for the 
Name __R__
Party nomination for the office of 
Office __SENATE 25__ effective immediately.

(acknowledgment)

Signature __BRENDA K. LANDWEHR__
Print name __6-11-12__
Date

State of Kansas
County of Shawnee

Acknowledged before me on __June 11, 2012__ by __K.S.A. 25-306a__

K.S.A. 25-306a

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 46
Representative Joe McLeland  
431 S. Westfield  
Wichita, KS  67209

Secretary of State Kobach,

The new house maps have moved me from the 94th district to the 97th district. I have decided to not seek election in the 97th district.

Please withdraw my name from candidacy for the Kansas House of Representatives.

Sincerely,

Representative Joe McLeland

[Signature]

Signed before me this 8th day of June, 2012
in Wichita, KS, Sedgwick County.

[Signature]

Sandra D. Call
Notary Public
State of Kansas
My/App. Exp. (2.3.2014)
June 9, 2012

Secretary of State Kris Kobach
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

Dear Secretary Kobach,

Please consider this my official notice that I would like to withdraw my candidacy for the office of Kansas House of Representatives. I would like to extend my gratitude to you and your office for your assistance in this matter.

Sincerely,

[Signature]

Clinton D. Coen

[Stamp and signature]

My appointment expires: 06-30-14

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 48
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, [Name], hereby withdraw as a candidate for the Democratic nomination for the office of [Office] effective immediately.

[Signature]

[Print name]

[Date]

State of Kansas
County of Shawnee

Acknowledged before me on [Date] by [Notary Public]

[Notary Seal]

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 49
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, Jamey Blubaugh, hereby withdraw as a candidate for the Republican nomination for the office of Senate effective immediately.

Signature

Print name

Date

State of Kansas
County of Shawnee

Acknowledged before me on June 11, 2012, by K.S.A. 25-306a

[Notary Public Signature]

Response to Petition for Mandamus - Exhibit 2, Attachment B Page 50
NOTICE OF WITHDRAWAL

I, Wade Waterbury filed for Candidacy for the office of Kansas House of Representatives of District 101, wish to Withdraw and do hereby authorize and request the Secretary of State to omit my name from the official ballot for said election.

SIGNED this 10th day of June, 2012

Signature of Candidate

ACKNOWLEDGMENT

STATE OF KANSAS

COUNTY OF SEDGWICK

On this 10th day of June, 2012, before me, the undersigned notary public, personally came and appeared, Wade Waterbury, who acknowledged that he/she executed the above and foregoing Notice of Withdrawal.

Notary Public:

My commission expires: 2-17-2013
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, Janice L. Pauls, hereby withdraw as a candidate for the

Name

Dem. nomination for the office of

Party

District 104 State Rep. effective immediately.

Office

Janice L. Pauls

Signature

Janice L. Pauls

Print name

6-11-2012

Date

K.S.A. 25-306a

County of Shawnee

Date: June 11, 2012

Audra A. Baker, Notary public

Appt. expires 2/4/15
June 8, 2012

Sue Holloway Boldra
2405 General Custer Rd
Hays, KS 67601

Secretary Kris Kobach
Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

Please accept this as notice that I would like to withdraw my filing for candidacy for the position of state senator from the 36th senate district.

Due to the new district maps, I no longer reside in the 36th district and I choose not to run for the position of state senator from the 40th district. Senator Ralph Ostmeyer has done an admirable job for the people of western Kansas, and I do not wish to run against him in the August primary. Please remove my name from the candidate filing list.

With much hope for the future of our state and country,

Sincerely,

Sue Holloway Boldra

State of Kansas
County of Shawnee

Acknowledged before me on
12-11-2012 by

[Signature]
Notary Public
I am Steven Steinhaus, a Republican candidate for the 20th Judicial District Magistrate Judge position. I wrote the Supreme Court of Kansas due to ethical concerns of having interests that may be conflicting to the Judge seat. I received the Judicial Ethics opinion that stated that I could not continue to own or operate an outpatient facility or offer assessments and treatment if elected. It is from this opinion that I regretfully resign my position as a Republican candidate for the 20th Judicial Magistrate Judge position.

Steven Steinhaus
507 Nth Douglas
Ellsworth, KS 67439
785-472-4645

STATE OF KANSAS, COUNTY OF ELLSWORTH, SS:

The foregoing instrument was acknowledged before me this 11th day of April, 2012 by Steven Steinhaus.

[Signature]

Response to Petition for Mandamus - Exhibit 2, Attachment B Page 54
April 6, 2012

Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

Dear Secretary Kobach,

On January 30, 2012, I filed to become a republican candidate for district magistrate judge in the 17th judicial district position 5. It is with regret that I must withdraw as a candidate for district magistrate judge at this time.

If you need further information feel free to contact me.

Sincerely,

Gary L. Stephen

State of Kansas
County of Phillips

Subscribed and sworn to before me by Gary L. Stephen this 6th day of April, 2012.

Connie J. Price
Notary Public

My commission expires 8-30-2012

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 55
Sen. Umberger filed for KS Senate Dist 19. After redistricting, his district is 15.

The Sec. of State will move him to Dist 15.

Sen. Quentin Umberger

FILED
JUN 08 2012
Kris W. Kobach
Secretary of State
Office of the Kansas Secretary of State

Candidate Withdrawal Request

I, Bob Brookens, hereby withdraw as a candidate for the Republican nomination for the office of State Representative, Dist 70 effective immediately.

[Signature]

(acknowledgment)

Bob Brookens
Print name

6-11-17
Date

State of Kansas
County of Shawnee

Acknowledged before me on
June 11, 2017 by
Quleen A. Baker, Notary Public
K.S.A. 25-306a

County of Shawnee
Date: June 11, 2017
Quleen A. Baker, Notary Public
Appt. expires 2/14/15

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 57
June 9, 2012

Kansas Secretary of State Office:

I, Charissa JarboeGale, candidate for Kansas State Representative, withdraw my filing.

Charissa JarboeGale
2916 W. 15th St. N.
Wichita, KS 67203

6/4/2012
Date

Sedgwick County Election Commissioner

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 58
06/11/2012

Mr. Brad Bryant
State Election Director
Office of the Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Ave.
Topeka, KS 66612-1594

Mr. Bryant-

Due to the changes that the United States Federal Court's redistricting has had on legislative districts, I am withdrawing my petition/filing as a candidate in the 50th/61st District of the House of Representatives and wish to be removed from the ballot for the upcoming Republican Primary.

Sincerely,

[Signature]

David R. Allen
25350 C Road
Soldier, KS 66540

[Signature]

Signed before me this 11th day of June, 2012.

[Seal]

Evelyn Allen
My comm'n expires: 4/7/14

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 59
Jeff Whitham  
1308 Cloud Circle  
Garden City, Kansas 67846  
(620) 275 4128 (Work)

May 20, 2010

Brad Bryant  
Kansas Secretary of State Office  
Memorial Hall, First Floor  
120 SW 10th Avenue  
Topeka, KS  66612-1594

Mr. Bryant,

I hereby withdraw my candidacy in the 2010 primary and general elections for the 123 district  
House of Representatives elections. I have enclosed a copy of the Candidate’s Declaration of  
Intention that provides further information that may assist you in withdrawing my name from  
any ballot that may be prepared this year.

Sincerely,

Jeff Whitham

State of Kansas  
County of Finney

This instrument was acknowledged before me on May 20, 2010 by Jeff Whitham.

(Seal)

\(\underline{\text{Anita C. Hernandez}}\)  
Notary Public  
My appointment expires: 3/31/2012

Response to Petition for Mandamus - Exhibit 2, Attachment B  
Page 60
I, Jennifer A. Winn, hereby withdraw my candidacy for the office of Governor and the candidacy of Ethan McCord for the office of Lt. Governor.

Effective 5-30-14.

Signed before me on 5-30-2014
By: Jennifer A. Winn

KAREN L. DILLIHUNT
NOTARY PUBLIC
STATE OF KANSAS
MY APPT EXP: 4-18-18

RECEIVED
MAY 30 2014
KRIS W. KOBACH
SECRETARY OF STATE

May 30, 2014
May 31, 2014

Mr. Brad Bryant
Elections and Legislative Matters
Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

Mr. Bryant:

Pursuant to K.S.A. 25-306a, consider this my request to be withdrawn as a candidate for District Court Judge, Division 19 in Wichita, Sedgwick County (18th Judicial District of Kansas) and that my name not be included on the August 5 primary ballot.

Please contact me with any questions or concerns you have at 316-761-5204.

Thanks.

Sincerely,

[Signature]

Eric N. Williams

County of Sedgwick
State of Kansas

This instrument was acknowledged before me
on 3-5-2014 by Eric Williams

[Notary Public’s Signature]

My Commission Expires 8-27-16
On 10 June 2010, I filed as a candidate for the Kansas State Board of Education. Because I am a Department of the Army civilian employee, I asked for a legal opinion concerning the Hatch Act from the Staff Judge Advocates Office, Ft. Leavenworth, Kansas. According to Captain James Flannigan, running for a State Board of Education seat would be a violation of the Hatch Act. I am formally withdrawing my name from the election.

Thank you.

Dawn M. Weston, EdD
2 May 2014

I hereby withdraw from The Republican Dist. 73 Election for 2014

James E. Toews

State of Kansas

County of Shawnee

Signed or attested before me on 5-2-2014
by James E. Toews

Linda C. Limon-Rocha
Secretary of State
Ron Thornburg
Memorial Hall, 1st Floor
120 S.W. 10th Avenue
Topeka, Ks. 66612-1594

1 February 2010

Dear Mr. Thornburg:

I am writing you to let you know that due to circumstances I wish to decline as a candidate for the United State House of Representatives in the 3rd Congressional District of the State of Kansas.

If you have any questions please contact me at (913) 422-1885.

Sincerely,

[Signature]
Paul V. Showen

P.S. Thank you for all your help.

Notary

[Signature]

Bria Carrier

E-mail: pshowen1@aol.com
April 7, 2014

To: Office of Secretary of State

From: Rep. John Rubin, District 18

I hereby withdraw my name as a candidate for election to the 18th District seat in the Kansas House of Representatives in 2014.

Sincerely,

Rep. John Rubin
District 18

Kansas
Shawnee

State of Kansas
County of Shawnee

Signed before me on: April 7, 2014
By: John Rubin
May 20, 2014

Kansas Secretary of State
120 SW 10th Ave.
Topeka, KS 66612

Dear Sir:

As a candidate for the office of Kansas Secretary of State, I am requesting the removable of my name from the primary ballot.

Sincerely,

[Signature]

Randy Rolston
randy@victorianpaperco.com
Candidate for Kansas Secretary of State
I, Emily Perry, withdraw myself from the Democratic nomination for House of Representative 24th District. effective 6 June 2, 2014.

Emily Perry

Notary Public - State of Kansas
County of Shawnee

State of Kansas
County of Shawnee
Signed before me on 6-2-2014 by
Emily Perry.
June 10, 2010

Dear Friends and Family,

I am proud to announce that my wife and I are having triplets! We recently learned that the baby we were expecting, is, in fact, going to be three babies. Cara and the babies are all doing well.

Unfortunately, I will not be able to continue my campaign for State Representative in the 87th District at this time. Between some expanded responsibilities at work, and the amount of time I will be needed at home once the babies arrive, I just won't have the time to serve in the Kansas Legislature in Topeka.

I do thank everyone for their support and encouragement over the last 10 months, and please know that I will continue to do what I can to help candidates and elected officials who believe in a smaller, smarter government. Our state and nation still need business-minded leaders who believe in fiscal responsibility, family value and common sense solutions.

I am not ruling out running again in the future, but right now the health and well-being of my wife and my three unborn children take precedence. Triplets will be a unique challenge that we are both looking forward to.

Thank you again for all that you have done to make this a very positive experience for me, and please pray for the safety and health of Cara and our babies!

Sincerely,

Eric Payne

[Stamp: Amanda Michaels, Notary Public, Exp. 10/23/11]
I am officially running for House Representative for District 23.

Thank you.

Rep. Kelly R. Meigs

State of Kansas
County of Shawnee

Signed below on 5-30-2014
by Kelly R. Meigs.

May 9, 2017
To: Secretary of State

I am withdrawing my name as a candidate for State Representative of the 124th District.

Bill Light

May 12, 2010

State of Kansas
County of Shawnee

Signed and sworn to (or affirmed) before me on May 12, 2010.

Notary: Jennifer Schneider
My commission expires: Feb 14, 2011
I, Donald Hobson, am switching from Kansas House District 73 race to Kansas Senate 35 race on this day June 2, 2014.

[Signature]

Linda G. Liron-Rocha
State of Kansas
Notary Public - State of Kansas
Appointed: 5-9-2017

County of Shawnee

Acknowledged before me on May 9, 2017.

[Signature]

6-2-2014
May 28, 2014

Mr. Secretary of State,

I would like to remove my name from the primary race for Kansas House District 73. Though I have a great desire to serve the people of McPherson county in this and other capacities, I believe my time to represent McPherson at the state level is not yet. Our incumbent, Les Mason, has served just a few months as Representative to our district, but has stood for the well being of ourselves and our neighbors. I would ask my supporters, to throw their support behind Les Mason. He is smart, approachable and conscientious while he represents us in Topeka.

In the meantime, I would like the support of Lone Tree Township to re-elect me as Republican Chair person. I plan to continue to serve McPherson County in whatever capacity I can, getting to know and learning from the variety of people and business that make up our great district, county, and state. I will use my time wisely in learning and serving so that when I'm needed to represent McPherson, I will be ready. I will continue to build into the community through commitments on the McPherson County Farm Bureau Board, the McPherson Chamber of Commerce Board of Directors and various other community projects and organizations. I wake up every day challenged to make McPherson's Main Street, commerce and industries better and to enrich the lives of each person I interact with, whether I'm serving them coffee at The Well or purchasing groceries.

I look forward to being elected to represent my community in the future, but being a public servant is a mindset that I'm fostering today.

I am so thankful for the support of those around me, especially my family and friends. I look forward to seeing where God will call me next.

No money has been received or spent for my campaign.

Respectfully,

Jenny Coering

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 74
Office of the Kansas Secretary of State
Candidate's Declaration of

1. Ballot Information

Marshall Christman
Name (as it will appear on the ballot, including punctuation)
Lyons KS
City of Residence (as it will appear on the ballot)
State Senate
Office Sought

Party Nomination Sought: ☑ Democratic ☐ Rept

2. Elected Judicial Candidates Only (if applicable)

District Court Judge Division No.

3. Contact Information (If applicable)

This rep. withdrew from House and filed for Senate

stated office at the
Date 5-1-14

ATTESTATION (for office use only)

Secretary of State or County Election Officer
Brenda Byard
Assistant Secretary of State or Deputy County Election Officer

Notary (applicable only for precinct committeeman or committeewoman)

Prepared by the Office of the Secretary of State Ks, 1st Floor, Memorial Hall, Topeka, KS 66612-1584.
KSA 25-205(a), 25-205(e), Rev 06/12/13

5-1-14
Marshall Christman
Withdrawal of my candidacy for
The 11th House Seat,

State Kansas
County: Shawnee

Acknowledged below
mean 5-1-2014

Linda C. Limon-Roths

AMADA

2731 81
065 000
$130.00
12:59:22 PM
FILE#:

FILED BY KS 505
05-01-2014

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 75
April 5th, 2014

Kansas Secretary of State, Kris Kobach

Memorial Hall 120 SW 10th Ave

Topeka, Kansas 66612

Dear Mr. Kobach

It is with great disappointment that I request my name be withdrawn from the District 41 candidate list of the State Legislature election for 2014. After conferring with my family and medical professionals, I feel this is the best course of action for my health. If age wasn't a contributing factor, (68) I would take the risk and run.

I wish all candidates the best of luck and success for the Republican Party.

Sincerely yours

Larry D. Dedeke

722 Pennsylvania

Leavenworth, Ks 66048

Karen J. Logan

Notary Public

State of Kansas

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 76
May 21, 2010

Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, Kansas 66612-1549

RE: WITHDRAWAL FROM 83RD DISTRICT RACE

Mr. Secretary,

Please note that as of today May 21, 2010, at 12:28pm, I respectfully request that my name, Kenny Estes, be taken off of the filing for District 83 Kansas House of Representatives Republican Primary Race.

I recognize that I have forfeited my filing fee, but I am no longer in a position to carry out this most important endeavor. Thank you for your help in this matter.

Sincerely,

Kenny Estes
Former Candidate to the 83rd Seat

DATED this 21st day of May, 2010.

SUBSCRIBED and sworn to before me on this 21st day of May, 2010.

My Appointment Expires: Notary Public

Response to Petition for Mandamus - Exhibit 2, Attachment B
Page 77
August 27, 2012

Hon. Kris Kobach  
Kansas Secretary of State  
Memorial Hall, 1st Floor  
120 S.W. 10th Avenue  
Topeka, KS  66612-1594 

Re: Kansas House District 85 Ballot

Dear Secretary Kobach:

Due to circumstances beyond my control, I find that I am unable to fulfill the duties of the office of State Representative for District 85.

I hereby request that my name be removed from the ballot.

Sincerely,

Rebecca Armstrong  
4306 N Rushwood Circle  
Bel Aire, KS 67226  
316-371-9662
August 24, 2012

Hon. Kris Kobach
Kansas Secretary of State
Memorial Hall, 1st Floor
120 S.W. 10th Avenue
Topeka, KS 66612-1594

Res: Kansas House District 93 Ballot

Dear Secretary Kobach:

Due to circumstances beyond my control, I find that I am unable to fulfill the duties of the office of State Representative for District 93.

I hereby request that my name be removed from the ballot.

Sincerely,

Pamela Frieden
1121 W. Grand Ave.
Haysville, KS 67060-1259
To the Kansas Secretary of State Office, Election Division:

My wife and I have reluctantly decided not to campaign for State Representative. It was our intention to sell our Idaho-based business and return to Atchison, Kansas. Since then we've decided not to sell the company and for that reason must remain in Idaho. My wife also has an elderly grandparent who is hospitalized and that also weighed on our decision. If elected we would therefore not be able to fulfill our duties for Kansas State Representative - District 63. Having talked with the Secretary of State this last week we understand that by stepping aside the Kansas GOP will have twenty-one days to find a suitable replacement.

We rented a home in Atchison and it appears the Democrat who owns the house didn't cash our last rent check and then used that as an excuse to evict us from the property and then immediately contest our eligibility to campaign. My eligibility comes down to an "intention" to return to a place of residence. I believe I fit the definition, regardless of what my Democrat landlord would like to believe, and so I hope that his efforts to remove voter choice from the ballot will fail. One person should not be able to decide the fate of the election in the District, as it appears my landlord is trying to do. In that way I believe he is hurting the District and trying to decide the outcome for everyone.

It's my opinion that America is heading into a very troubled time. From once being the world's largest lender we are now the largest debtor nation. Every four years our country's debt has doubled from a trillion dollars to two trillion to four trillion, to eight trillion and now $16,000,000,000,000.

We've gone from being 1st in science and math to 22nd and 27th respectively. The average American family was twenty times wealthier than the average Chinese family and had fifteen times the buying power of the average East Indian family just twenty years ago, but we are now five times and three times wealthier, respectively and dropping fast. On our current trajectory the average Chinese or Indian family will have a greater buying power, and education level than the average American family within five years. This decline
occurred during the same twenty years Jerry Henry served as the Representative for District 63.

We've given these foreign nations our manufacturing jobs and shut down the harvesting of our own natural resources in the name of the spotted owl and other such environmental concerns, leaving America in a position where we don't manufacture much of anything anymore. What was once a lower-middleclass life is now out of reach for most Americans. A parent can no longer raise a family working eight hours per day. It's now common to see two parents working three or four minimum-wage jobs to barely get by. Lady Gaga and Xbox, gangs and the media now raise our children. God and the family have seemingly been marginalized or disappeared. What has Jerry Henry done to help prevent this in the last two decades???

District 63 deserves a candidate who can truly go and get what the People need and in my opinion Jerry Henry is not that person. It's my understanding that Jerry is pro-Obamacare and sits on the board of every committee in charge of spending your taxpayer dollars on businesses like the one he owns. If indeed it's a fact that he votes taxpayer money to his own business that would be unethical.

It's also my understanding that Jerry has voted for nearly every tax increase that has crossed his desk. He claims to be pro-life and pro-Catholic but by voting against nullification of Obamacare this year he helped force taxpayer-funded abortions on Kansans and forced Catholics to distribute contraceptives in their Church-owned hospitals.

Jerry has done NOTHING that stands out after TWENTY years in the Statehouse. Perhaps that's why in the primary less than eight hundred people showed up to vote for Jerry but as an unknown Republican I received nearly two thousand votes. I know that neither one of us had opponents in the primary but I still received more than twice as many votes as he did.

I wish I could return to champion this great cause and I thank Kansas for the opportunity it gave me to focus on serving the state and our nation. In 2014 I will likely campaign for a legislative position in Idaho. For now I will focus on keeping my Republican friends in office so they can protect our great nation and its uncertain future.
I expect the liberal media, rather than looking into what committees Jerry serves on or what Jerry's record has been for the last twenty years, will now focus on how they can tear me down and protect their Democrat in the race. I would simply ask everyone to consider what I said and think about whether you're better off over the last twenty years with Jerry in the Statehouse, apparently serving his own interests but not necessarily your own. We all agree there are tough times ahead. Prepare for that reality. Elect a strong Republican who WILL serve your needs. As for Jerry I would love to hear what he's done for the District over the last twenty years. What committees does he chair after so many years in office? What has he done for his District that has elevated a worker's pay, brought new business to the area or protected the businesses that are there now. As he hasn't done much of anything I won't expect much of anything and will expect his people or the paper to tear me down instead. This is the sad state of our liberal media.

Thanks again for the opportunity to serve and thanks for all of you who voted overwhelmingly for me during the primary. It's clear that Jerry doesn't have a lot of support this time around.

Sincerely,

John Gottis

09/07/12

KATRINA D. THOMAS
NOTARY PUBLIC
STATE OF IDAHO

KATRINA THOMAS
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires 5/03/18
AUGUST 30, 2010

To: Chris Biggs
Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

From: Dr. Dawn M. Weston
34074 167th St
Leavenworth, KS 66048

Re: KSA 25-306(b) Withdrawal Letter

On June 10, 2010, I filed as the sole Republican candidate for the 1st State School Board. Shortly after filing, I learned that public office would be incompatible with my employment when government attorneys determined that it would be a violation of the Hatch Act.

I am, therefore, Incapable of fulfilling the duties of office if elected and request that my name be withdrawn from nomination. Thank You.

Dr. Dawn Weston
Home: (913) 682-0904;
Cell: (913) 684-7330;
E-Mail: dawnweston@aol.com

Notary:
State of Kansas
County of Leavenworth

This instrument was acknowledged before me on 8/30/2010 by Dawn Weston.

(Seal, if any)

Title (and Rank): Civilian

My appointment expires: 8/3/2012
Kansas Secretary of State Kris W. Kobach  
Memorial Hall, 1st Floor  
120 SW 10th Avenue  
Topeka, KS 66612-1594  

September 3, 2014  

Dear Secretary of State Kobach,  

I, Chadwick J. Taylor, Democratic nominee for the United States Senate race, do hereby withdraw my nomination for election effective immediately and request my name be withdrawn from the ballot, pursuant to KSA 25-306b(b).  

Sincerely,  

Chadwick J. Taylor  

State of: Kansas  
County of: Shawnee  

Signed before me on: 9-3-2014  
By: Chadwick J. Taylor  

PO BOX 2696 ★ TOPEKA, KANSAS 66601-2696 ★ 785-783-8030  
WWW.TAYLORFORUSSenate.com ★ info@TAYLORFORUSSenate.com
I am declaring myself incapable of Discharging the duties of office if elected herefor. I withdraw my candidacy as a Republican in 14 House District 5. Thank you, Kari Strahter.

State of Kansas
County of Shawnee

Signed and sworn to (or affirmed) before me on August 31, 2010

Jennifer Schneider
My Commission expires 2/14/11

NOTARY PUBLIC - State of Kansas
JENNIFER SCHNEIDER
My Appt. Expires 2/14/11

RECEIVED
AUG 31, 2010
RON THORNBURGH
SECRETARY OF STATE
Kansas Secretary of State
Mr. Chris Biggs

Dear Chris,

My health requires that I withdraw from the race for the 76th District House of Representatives in the state of Kansas.

I regret that I cannot fulfill the obligations that this race or possible subsequent job will require.

Thank you for your understanding in this matter.

Sincerely Yours,

Alan Rees

State of Kansas 
County of Lyon 

Signed and sworn to (or affirmed) before me on 9-1-10
by Alan Rees

Signature of notary public

My appointment expires: 6-2-2012
Kansas Secretary of State:

This is my request to you to withdraw my name from the 2010 ballot as
the Libertarian Party candidate for U.S. House of Representatives for
Kansas District 4.

I am making this request pursuant to the applicable statute:

KSA 25-306b:

(b) Any person who has been nominated by any means for any national,
state, county or township office who declares that they are incapable
of fulfilling the duties of office if elected may cause such person’s
name to be withdrawn from nomination by a request in writing, signed by
the person and acknowledged before an officer qualified to take
acknowledgments of deeds. Any such request shall be filed with the
secretary of state in the case of national and state offices; any
such request shall be filed within seven days, including Saturdays,
Sundays and holidays, after the meeting of the state board of
canvassers for the final canvass of primary election....

I have come to realize that my current circumstances and obligations
would not allow me to devote the necessary time and diligence required
to perform the duties of a United States Representative. Due to these
circumstances I am incapable of fulfilling the duties of office if
elected.

Candidate Signature:

\[Signature\]

Date: 7/27/2010

Notary Signature: \[Signature\]
September 7, 2010

Kansas Secretary of State
Attn: Elections Office
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

To Whom It May Concern:

Please accept this letter as notice of my withdraw of participation in the Kansas House of Representatives 66th District election.

After moving over the summer, I realized that my new residence is actually in the 67th District. Therefore, I am unable to fulfill the requirements stated in the Kansas Constitution necessary to represent the 66th District.

Thank you for your assistance with this request.

Sincerely,

[Signature]

Justin McCarthy
5004 Vista Acres
Manhattan, KS 66503
August 28, 2014

To Whom It May Concern:

It is with great regret that I announce I am withdrawing from the 5th District race for Kansas House of Representatives.

Upon my graduation from Kansas State University in a couple of years I intend to pursue graduate studies. With that in mind, I have been one of the few undergraduate members of my fellowship engaged in a multi-year criminology research project at K-State. In preparation for the beginning of course work and to resume the research project, I have learned that more of my time will be required for the research project this semester than previously considered and it has become obvious that I am facing a heavier candidate load than I had anticipated. I also realized that continuing my campaign pose a problem because it may create a conflict of interest and requires me to maintain a high degree of impartiality.

In addition, because of cutbacks in federal and state funding for colleges, I had to incur expenses and sometimes three jobs to help pay for school last year. That will be the case this year as well.

After long reflection and discussions with my family and teachers, I have concluded it will be nearly impossible for me to handle all of this and still run an election campaign that the voters in the district deserve. I hate quitting, but I also hate doing a half-baked job. The issues facing Kansans require a candidate who can do justice to them. It has been a pleasure and a wonderful learning experience meeting with the people of the 5th District. I am also touched and humbled by the expressions of support for my candidacy. It's been a wonderful experience, and if it becomes possible later in my life, I would like to run for public office again.

Thank you,

Miranda Rickel 8/28/14

Miranda Rickel
registered voters of the party in the state, county or district in which the office is sought at the primary election preceding the last general election of governor, except that a candidate for township office may receive the nomination and have such person's name printed on the ballot where no nomination petitions or declarations have been filed if such candidate receives three or more write-in votes. No such person shall be required to obtain more than 5,000 votes.

Sec. 2. K.S.A. 25-213 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 13, 1991.

CHAPTER 99
Senate Bill No. 85

AN ACT relating to elections; concerning nominations for office; amending K.S.A. 25-306b and K.S.A. 1990 Supp. 25-303 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 25-306b is hereby amended to read as follows: 25-306b. (a) Any person who has been nominated by any means whatsoever for any national, state, county or township office may cause his such person's name to be withdrawn from nomination by his a request in writing, signed by him the person and acknowledged before an officer qualified to take acknowledgments of deeds. Any such request shall be filed with the secretary of state in the case of national and state offices and with the county election officer in the case of county and township offices. Except as provided in subsection (b) of this section, in the case of national and state offices, any such request shall be filed within ten (10) three days after the meeting of the state board of canvassers for the final canvass of primary election provided for in K.S.A. 25-3205 and amendments thereto. Except as provided in subsection (b) of this section, in the case of county and township offices, any such request shall be filed within ten (10) 10 days after the meeting of the county board of canvassers to canvass the primary election as provided in K.S.A. 25-3104 and amendments thereto. No name withdrawn as provided in this section shall be printed on the ballots for such office for the general election.

(b) Whenever there has been a vacancy which occurred from a withdrawal under this section, and such vacancy was filled according to law, the person filling the vacancy may cause his such person's
name to be withdrawn from nomination in the manner provided in subsection (a) of this section at any time prior to the fortieth (40th) 40th day before the general election.

Sec. 2. K.S.A. 1990 Supp. 25-303 is hereby amended to read as follows: 25-303. (a) This section shall not apply to city and school elections, nor to election of other officers provided by law to be elected in April.

(b) All nominations other than party nominations shall be independent nominations. No person who has declared and retains a party affiliation in accordance with K.S.A. 25-3001 and amendments thereto shall be eligible to accept an independent nomination for any office.

Independent nominations of candidates for any office to be filled by the voters of the state at large may be made by nomination petitions signed by not less than 5,000 electors qualified voters for each candidate and in the case of governor and lieutenant governor for each pair of such candidates.

(c) Independent nominations of candidates for offices to be filled by the voters of a county, district or other division less than a state may be made by nomination petitions signed by voters equal in number to not less than 4% of the qualified voters of such county, district or other division as compiled by the office of the secretary of state in the case of state offices and as compiled in the office of the county election officer in the case of local offices, and in no case to be signed by less than 25 nor more than 5,000 electors qualified voters of such county, district or division, for each candidate.

(d) Independent nominations of candidates for offices to be filled by the voters of a township may be made by nomination papers signed by not less than 5% of the qualified voters of such township, computed as above provided, for each candidate, and in no case to be signed by less than 10 such voters of such township for each candidate.

(e) The signatures to such nomination petitions need not all be appended to one paper, but each registered voter signing an independent certificate of nomination shall add to the signature such petitioner’s place of residence and post-office address. All signers of each separate nomination petition shall reside in the same county and election district of the office sought. The affidavit of a qualified elector who resides in such county and election district or of the candidate shall be appended to each petition and shall contain, at the end of each set of documents carried by each circulator, a verification, signed by the circulator, to the effect that such circulator personally witnessed the signing of the petition by each person whose
gents, the board of trustees of the Kansas public employees retirement system, Kansas, Inc., the board of directors of Kansas technology enterprise corporation and the board of directors of the corporation for change, in such official, agency or board’s discretion, are hereby authorized and directed to modify or to authorize the modification of the salaries of the state officers and employees of such official, agency or board who are in the unclassified service under the Kansas civil service act and whose salaries are not subject to approval by the governor under K.S.A. 75-2935b or 75-2935c and amendments thereto or any other statute to provide for base salary increases to be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 1998, and to be distributed on a merit basis from a merit salary increase pool, the average of such increases shall not exceed 3.5% of the base salaries of such officers and employees of such official agency or board.

(c) The provisions of subsection (b)(2) shall not authorize or provide any salary increase for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, attorney general, or to any member of any state board, commission, council or committee receiving per diem compensation as provided by statute.


Sec. 119. This act shall take effect and be in force from and after July 1, 1997, or the date upon which the omnibus reconciliation spending limit bill of 1997 becomes effective, whichever is later, and its publication in the statute book.

Approved April 24, 1997.

CHAPTER 124
SENATE BILL NO. 143


Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1986 Supp. 25-1122 is hereby amended to read as follows: 25-1122. (a) Any person described in K.S.A. 25-1119, and amendments thereto, may file with the county election officer where such person is a resident, or where such person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application may be transmitted to the county election officer by facsimile.
(b) Applications for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:

(1) For the primary election occurring on the first Tuesday in August in even-numbered years, between April 1 of such year and the last business day of the week preceding such primary election.

(2) For the general election occurring on the Tuesday succeeding the first Monday in November in even-numbered years, between 90 days prior to such election and the last business day of the week preceding such general election.

(3) For the primary election held five weeks preceding the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such primary election.

(4) For the general election occurring on the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such general election.

(5) For question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election.

(6) For question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the last business day of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the county election officer shall determine the final date for mailing of advance voting ballots, but such date shall not be more than three business days before such election.

(7) For any special election of officers, at such time as is specified by the secretary of state.

(8) For the presidential preference primary, between January 1 of the year in which such primary is held and the last business day of the week preceding such primary election.

The county election officer of any county may receive applications prior to the time specified in this subsection (b) and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(c) Except as otherwise provided in subsection (e), applications made by persons specified in K.S.A. 25-1119, and amendments thereto, for advance voting ballots to be transmitted to the voter in person in the office of the county election officer shall be filed only on the Tuesday next preceding the election, or such earlier date as the county election officer may designate, on each subsequent business day and, if the county election officer so provides, on Saturday, until no later than 12:00 noon on the day preceding such election. Upon receipt of any such application, properly executed, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

(d) Any person having a permanent physical disability or an illness
which has been diagnosed as a permanent illness who would be qualified
to vote an advance voting ballot pursuant to K.S.A. 25-1119, and amend-
ments thereto, is hereby authorized to make an application for permanent
advance voting status. Applications for permanent advance voting status
shall be in the form and contain such information as is required for ap-
lication for advance voting ballots but shall also contain information
which establishes the voter's right to permanent advance voting status.

(e) On receipt of any application filed under the provisions of this
section, the county election officer shall prepare and maintain in such
officer's office a list of the names of all persons who have filed such
applications, together with their correct post office address and the pre-
cinct, ward, township or voting area in which such persons claim to be
registered voters or to be authorized by law to vote as former precinct
residents and the present resident address of each applicant, which names
and addresses shall remain so listed until the day of such election available
for inspection upon request in compliance with this subsection by any
registered voter during regular business hours. The county election offi-
cer upon receipt of such application shall enter upon a record kept by
such officer the name and address of each such person, which record
shall conform to the list above required. The county election officer shall
maintain a separate listing of the names and addresses of persons qualify-
ing for permanent advance voting status. Before inspection of any ad-
vanve voting ballot application list, the person desiring to make such in-
speccion shall provide to the county election officer identification in the
form of driver's license or other reliable identification and shall sign a log
book or application form maintained by such officer stating such person's
name and address and showing the date and time of inspection. All
records made by the county election officer shall be subject to public
inspection, except that the identifying number on ballots and ballot en-
velopes and records of such number shall in no case be made public.

(f) If an advance voting ballot is destroyed, spoiled, lost or not re-
ceived by the voter, the voter may request a replacement ballot from the
county election officer as provided in this subsection. When a request is
timely received under this subsection, the county election officer shall
deliver the ballot to the voter if the voter is present in the office of the
county election officer, or promptly transmit the ballot by mail to the
voter at the address contained in the original application, except when
prohibited in the subsection. The county election officer shall keep a
record of each replacement advance voting ballot provided under this
subsection.

Sec. 2. K.S.A. 1986 Supp. 25-1123 is hereby amended to read as follows: 25-1123. (a) When an application for an advance voting ballot
has been filed in accordance with K.S.A. 25-1122, and amendments
thereto, the county election officer shall transmit to the voter applying

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therefor one each of the appropriate ballots. Except as provided by subsection (b), the county election officer shall transmit the advance voting ballots to the voter at one of the following addresses as specified by the voter on such application: (1) The voter's residential address or mailing address as indicated on the registration list; (2) the voter's temporary residential address; or (3) a medical care facility as defined in K.S.A. 65-425, and amendments thereto, psychiatric hospital, hospice or adult care home where the voter resides. No advance voting ballot shall be transmitted by the county election officer by any means prior to the 20th day before the election for which an application for an advance voting ballot has been received by such county election officer. If the advance voting ballot is transmitted by mail, such ballot shall be transmitted with printed instructions prescribed by the secretary of state and a ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot. If the advance voting ballot is transmitted to the applicant in person in the office of the county election officer, such advance voting ballot and printed instructions shall be transmitted in an advance voting ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot unless the voter elects to deposit the advance voting ballot into a locked ballot box without an envelope. All ballots shall be transmitted to the advance voting voter not more than 20 days before the election but within two business days of the receipt of such voter's application by the election officer or the commencement of such 20-day period. In primary elections required to be conducted on a partisan basis, the election officer shall deliver to such voter the ballot of the political party of the applicant.

(b) The restrictions in subsection (a) relating to where a county election officer may transmit an advance voting ballot shall not apply to an advance voting ballot requested pursuant to an application for an advance voting ballot filed by a sick, physically disabled or illiterate voter.

Sec. 3. K.S.A. 1996 Supp. 25-1124 is hereby amended to read as follows: 25-1124. (a) Any person qualified to vote pursuant to K.S.A. 25-1119, and amendments thereto, upon receiving any ballot transmitted to such person as provided in this act, shall cast their vote as follows: The voter shall make a cross or check mark in the square or parentheses opposite the name of each candidate or question for whom the voter desires to vote. The voter shall make no other mark, and shall allow no other person to make any mark, upon such ballot. If the advance voting ballot was transmitted by mail, the voter shall then personally place the ballot in the ballot envelope bearing the same number as the ballot and seal the envelope. The voter shall then fill out in full the form on the ballot envelope and shall sign the same. Except as provided by K.S.A. 25-
and amendments thereto, the ballot envelope shall be mailed or
otherwise transmitted to the county election officer. If the advance voting
ballot was transmitted to the voter in person in the office of the county
election officer, the voter may deposit such ballot into a locked ballot box
without an envelope.

(b) Any sick, physically disabled or illiterate voter who is unable to
apply for or mark or transmit an advance voting ballot, may request as-

istance by a person who has signed a statement required by subsection
(d) in applying for or marking or transmitting an advance voting ballot.

(c) An application for an advance voting ballot filed by a sick, physi-
ically disabled or illiterate voter or by a person rendering assistance to
such voter may be filed during the regular advance ballot application
periods until the close of the polls on election day. Any voted ballot may
be transmitted to the county election officer by the voter or by another
person upon request of the voter. Any such voted ballot shall be trans-
mitted to the county election officer before the close of the polls on election
day.

(e) The county election officer shall allow a person to assist a sick,
physically disabled or illiterate voter in applying for or marking or trans-
mitting an application or advance voting ballot, provided a written state-
ment is signed by the person who renders assistance to the sick, physically
disabled or illiterate voter and submitted to the county election officer
with the application or ballot. The statement shall be on a form prescribed
by the secretary of state and shall contain a statement from the person
providing assistance that the person has not exercised undue influence
on the voting decision of the sick, physically disabled or illiterate voter
and that the person providing assistance has completed the application
or marked the ballot as instructed by the sick, physically disabled or illit-
erate voter.

(d) Any person assisting a sick, physically disabled or illiterate
voter in applying for or marking or transmitting an advance voting ballot
who knowingly and willfully fails to sign and submit the statement re-
quired by this section shall be guilty of a class E felony, or who exercises
undue influence on the voting decision of such voter shall be guilty of a
severity level 9 nonperson felony.

Sec. 4. K.S.A. 1996 Supp. 25-1128 is hereby amended to read as
follows: 25-1128. (a) No voter shall mark or transmit to the county elec-
tion officer more than one advance voting ballot, or set of one of each
kind of ballot, if the voter is entitled to vote more than one such ballot
at a particular election.

(b) No person, unless authorized by K.S.A. 25-1119, and amend-
ments thereto, shall mark, sign or transmit to the county election officer
any advance voting ballot or advance voting ballot envelope.

(c) No person, unless authorized by K.S.A. 25-1122 or K.S.A. 25-1124,
and amendments thereto, shall intercept, interfere with, or delay the transmission of advance voting ballots from the county election officer to the voter.

(d) (e) No person shall willfully and falsely affirm, declare or subscribe to any material fact in an affirmation form for an advance voting ballot, or set of advance voting ballots if the voter is entitled to vote more than one kind of advance voting ballot at a particular election, or in a declaration form on an advance voting ballot envelope.

(e) (d) Nothing in this section shall be construed to prohibit any person from mailing, carrying or otherwise conveying advance voting ballots or sets of advance voting ballots to the county election officer upon request of advance voting voters.

(f) (e) Violation of any provision of this section is a class C misdemeanor.

Sec. 5. K.S.A. 1986 Supp. 25-2316c is hereby amended to read as follows: 25-2316c. (a) When a registered voter changes name by marriage, divorce or legal proceeding, if such voter is otherwise qualified to vote at such voting place such voter shall be allowed to vote a provisional ballot at any election, or apply for an advance voting ballot, on the condition that such voter first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration records, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable first-class mail, a notice of disposition to any voter completing such application.

(b) When a registered voter changes residence, such voter must re-register in order to be eligible to vote, except that when a registrant has moved from an address on the registration book to another address within the county and has not reregistered, such registrant shall be allowed to vote a provisional ballot at any election, or to apply for an advance voting ballot, on the condition that such registrant first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration record, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable first-class mail, a notice of disposition to any such voter. Whenever the county election officer receives from any other election officer a notice of registration of a voter in a different place than that shown in the records of the county election officer, such officer shall remove the name of such voter from the registration book and party affiliation list.

(c) Every application for registration completed under this section shall be returned to the county election officer with the registration books.

(d) A registrant shall not be removed from the registration list on the ground that the registrant has changed residence unless the registrant:
(1) Confirms in writing that the registrant has moved outside the county in which the registrant is registered, or registers to vote in any other jurisdiction; or

(2) has failed to respond to the notice described in subsection (e) and has not appeared to vote in an election during the period beginning on the date of the notice and ending on the day after the date of the second federal general election that occurs after the date of the notice.

(e) A county election officer shall send a confirmation notice upon which a registrant may state such registrant's current address, within 45 days of the following events:

(1) A notice of disposition of an application for voter registration is returned as undeliverable;

(2) change of address information supplied by the National Change of Address program identifies a registrant whose address may have changed;

(3) if it appears from information provided by the postal service that a registrant has moved to a different residence address in the county in which the registrant is currently registered; or

(4) if it appears from information provided by the postal service that a registrant has moved to a different residence address outside the county in which the registrant is currently registered.

The confirmation notice shall be sent by forwardable mail and shall include a postage prepaid and preaddressed return card in a form prescribed by the chief state election official.

(f) Except as otherwise provided by law, when a voter dies or is disqualified for voting, the registration of the voter shall be void, and the county election officer shall remove such voter's name from the registration books and the party affiliation lists. Whenever (1) an obituary notice appears in a newspaper having general circulation in the county reports the death of a registered voter, or (2) a registered voter requests in writing that such voter's name be removed from registration, or (3) a court of competent jurisdiction orders removal of the name of a registered voter from registration lists, or (4) the name of a registered voter appears on a list of deceased residents compiled by the secretary of health and environment as provided in K.S.A. 65-2422, and amendments thereto, or appears on a copy of a death certificate provided by the secretary of health and environment, the county election officer shall remove from the registration books and the party affiliation lists in such officer's office the name of any person shown by such list or death certificate to be deceased. The county election officer shall not use or permit the use of such lists of deceased residents or copies for any other purpose than provided in this section.

(g) When the chief state election official receives written notice of a felony conviction in a United States district court, such official shall notify within five days the county election officer of the jurisdiction in which
the offender resides. Upon notification of a felony conviction from the
chief state election official, or from a county or district attorney or a
Kansas district court, the county election officer shall remove the name
of the offender from the registration records.

(h) Except as otherwise provided in this section, no person whose
name has been removed from the registration books shall be entitled to
vote until such person has registered again.

Sec. 6. K.S.A. 1996 Supp. 25-2908 is hereby amended to read as
follows: 25-2908. (a) Each polling place shall use either: (1) A registration
book and a poll book, as defined in K.S.A. 25-2507(a) and K.S.A. 25-
2507(b)(1), and amendments thereto; or (2) a registration book, as de-
defined in K.S.A. 25-2507(b)(2), and amendments thereto. The county elec-
tion officer shall determine which books are used in each county, and
which book voters shall sign.

(b) Persons desiring to vote shall give their names, and if required
their residence, to the judges of election, one of whom shall announce
the name in a loud and distinct tone of voice, and if the name is in the
registration books, the member of the election board having the registra-
tion record shall repeat the name. For the purpose of identifying voters
at the polling place, the voter shall add the voter's signature, as listed in
the registration book, to the registration book beside the voter's printed
name or to the poll book and the voter shall be allowed to vote. An
election board member shall provide the required signature at the request
of and on behalf of any voter who is unable to personally affix a hand-
written signature by reason of physical disability, visual handicap or lack
of proficiency in reading the English language or any voter 65 or more
years of age. The judges shall give the voter one and only one of each
ballot to be cast at the election, on the upper right-hand corner of each
of which shall be written the number corresponding to the voter's number
in the registration book or poll books, and the voter's name shall be
marked in the registration books and the party affiliation list. If the voter
refuses to sign the registration book or poll book, the election board judge
shall challenge such person's vote pursuant to K.S.A. 25-414, and amend-
ments thereto.

If the name of any person desiring to vote at an election is not in the
registration books, an election board member shall print the name and
address of the person appearing to vote in the registration book or poll
book. The person appearing to vote shall add such person's signature to
the registration book or poll book beside such person's printed name, as
listed in the registration book or poll book, and the election board judge
shall challenge such person's vote pursuant to K.S.A. 25-414, and amend-
ments thereto. During the pendency of a challenge other voters shall be
given ballots and be permitted to vote.

(c) A voter who has received an advance voting ballot may vote a
regular ballot on election day at the precinct polling place where the voter resides if the voter first returns the advance voting ballot to a judge or clerk at the precinct polling place. The judge or clerk shall void such advance voting ballot.

Sec. 7. K.S.A. 25-3301 is hereby amended to read as follows: 25-3301. (a) Each registered voter of this state who has declared a party affiliation as provided in this section or in K.S.A. 25-3304, and amendments thereto, shall be entitled to vote at every partisan primary election.

(b) The county election officer shall prepare for each voting place at each partisan primary election a party affiliation list, duly certified by such officer, which clearly indicates the party affiliation of each registered voter in the voting area who has declared a party affiliation. The registration book prepared for a voting place pursuant to K.S.A. 25-2318, and amendments thereto, may be used as such list, but no registration book prepared for use at a voting place in an election other than a partisan primary election or an election held at the same time as a partisan primary election shall indicate in any manner the party affiliation of any voter. Such list shall be delivered by the supervising judge to the voting place before the opening of the polls.

(c) The party affiliation list provided for by subsection (b) shall be used to determine the party affiliation of a voter offering to vote at a partisan primary election and of a voter applying for an advance voting ballot pursuant to K.S.A. 25-1122, and amendments thereto. If a voter's party affiliation is not indicated on the party affiliation list, such voter shall state his or her the voter's party affiliation in writing on a form prescribed by the secretary of state. One of the judges then A judge at the precinct polling place, or the county election officer or such officer's designee, shall give such voter a primary ballot of the voter's party affiliation, and such person thereupon shall be entitled to vote. Such a statement of party affiliation shall constitute a declaration of party affiliation, and all such signed statements shall be returned to the county election officer, who shall cause them to be recorded on the party affiliation list.

(d) No voter shall be allowed to receive the ballot of any political party except that with which such voter is affiliated.

(e) Party affiliation statements shall be preserved for five (5) years. The county election officer may then dispose of the statements in the manner approved for destruction of ballots as provided in K.S.A. 25-2708, and amendments thereto.

(f) The county election officer shall update party affiliation lists as provided by rules and regulations of the secretary of state.

Sec. 8. K.S.A. 22a-102 is hereby amended to read as follows: 22a-102. No person shall be eligible for nomination to the office of district attorney unless such person shall have been regularly admitted to practice law in the state of Kansas for five (5) years next preceding his nomination.
for such office. Provided, That An attorney who shall have been a county attorney, assistant county attorney or assistant district attorney for the three (3) years immediately preceding his nomination as district attorney shall be eligible for nomination. A person so qualified may become a candidate for election to the office of district attorney by either one of the following methods:

(a) Any person who is a qualified elector of any judicial district in which a district attorney is to be elected and who is otherwise qualified under this act may petition to be a candidate for district attorney of such judicial district by filing in the office of the secretary of state a petition for his candidacy, signed by not less than five percent (5%) of the qualified electors of such judicial district who voted for the office of secretary of state at the last preceding general election; or

(b) Any person who is a qualified elector of any judicial district in which a district attorney is to be elected and who is otherwise qualified under this act may become a candidate for district attorney of such judicial district by filing in the office of the secretary of state a declaration of intent to be such a candidate and payment therewith of a filing fee in an amount equal to one percent (1%) of the annual salary for such office.

(c) Any such petition or declaration of intent must be filed at the time and in the manner and form provided in K.S.A. 25-205, to the extent the provisions thereof are not in conflict with this act, and filed by a candidate to run in the primary election held in accordance with K.S.A. 25-203, and amendments thereto, shall be filed no later than 12:00 noon, June 10, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12:00 noon of the next following day that is not a Saturday, Sunday or a holiday. Any such petition or declaration of intent filed by an independent candidate for the office of district attorney shall be filed no later than 12:00 noon on the Monday preceding the date fixed for the holding of primary elections in accordance with K.S.A. 25-203, and amendments thereto. All laws applicable to the election of other state officers shall apply to elections of district attorneys to the extent the same are not in conflict with this act.

Sec. 9. K.S.A. 1996 Supp. 25-105 is hereby amended to read as follows: 25-105. Except as otherwise provided by law, the county election officer shall cause notice of the time of the holding of any general election to be published once at least 15 days before such election, except in the case of special elections, when 10 days' notice shall be given. Such notice shall be published in a paper or papers having circulation in such county. Such notice shall state the date and times of such election, the name of each person nominated for any public office to be voted upon and any propositions to be voted upon. If such election is not held in conjunction with another election for which notice of voting areas and polling places has been published, the notice required by this section shall also include
such information. When the names to appear on general election ballots are definitely known and no later than 25 days prior to any general election, the county election officer shall mail a copy of such notice to each person nominated for any public office, except candidates for president and vice president of the United States, and to judicial retention candidates.

Sec. 10. K.S.A. 1996 Supp. 25-306b is hereby amended to read as follows: 25-306b. (a) Except as provided by this section, no person who has been nominated by any means for any national, state, county or township office may cause such person's name to be withdrawn from nomination after the day of the primary election.

(b) Any person who has been nominated by any means whatsoever for any national, state, county or township office who declares that they are incapable of fulfilling the duties of office if elected may cause such person's name to be withdrawn from nomination by a request in writing, signed by the person and acknowledged before an officer qualified to take acknowledgments of deeds. Any such request shall be filed with the secretary of state in the case of national and state offices and with the county election officer in the case of county and township offices. Except as provided in subsection (b) of this section (d), in the case of national and state offices, any such request shall be filed within seven days, including Saturdays, Sundays and holidays, after the meeting of the state board of canvassers for the final canvass of primary election provided for in K.S.A. 25-3205, and amendments thereto. Except as provided in subsection (b) of this section (d), in the case of county and township offices, any such request shall be filed within 10 days after the meeting of the county board of canvassers to canvass the primary election as provided in K.S.A. 25-3104, and amendments thereto. No name withdrawn as provided in this section shall be printed on the ballots for such office for the general election.

(c) In the case of the death of a person who has been nominated for any national, state, county or township office, the county chairperson of the political party of which such nominee was a member may cause such nominee's name to be withdrawn from nomination by a request in writing, signed by the chairperson and acknowledged before an officer qualified to take acknowledgments of deeds. Any such request shall be filed with the secretary of state in the case of national and state offices and with the county election officer in the case of county and township offices. Except as provided in subsection (d), in the case of national and state offices, any such request shall be filed within seven days, including Saturdays, Sundays and holidays, after the meeting of the state board of canvassers for the final canvass of primary election provided for in K.S.A. 25-3205, and amendments thereto. Except as provided in subsection (d), in the case of county and township offices, any such request shall be filed within 10 days after the meeting of the county board of canvassers to canvass the primary election as provided in K.S.A. 25-3104, and amendments thereto. No name withdrawn as provided in this section shall be printed on the ballots for such office for the general election.
days after the meeting of the county board of canvassers to canvass the primary election as provided in K.S.A. 25-3104, and amendments thereto. No name withdrawn as provided in this section shall be printed on the ballots for such office for the general election.

(b) (d) Whenever there has been a vacancy which occurred from a withdrawal under this section, and such vacancy was filled according to law, the person filling the vacancy may cause such person's name to be withdrawn from nomination in the manner provided in subsection (a) (b) or (c) of this section at any time prior to the 40th day before the general election.

Sec. 11. K.S.A. 25-308 is hereby amended to read as follows: 25-308.

(a) Any certificate of nomination, nomination petitions or declaration of intention to become a candidate, filed or issued in apparent conformity with law, shall be deemed to be valid unless:

(1) Objection thereto is made in writing within three days from the date the certificate, petitions or declaration is filed with or issued by the proper officers; or

(2) In the case of certificates of nomination, nomination petitions and declarations of intention to become a candidate, the secretary of state or the county election officer finds them to be invalid pursuant to K.S.A. 25-208a, and amendments thereto.

(b) If the secretary of state or the county election officer finds any certificates of nomination, nomination petitions or declaration of intention to become a candidate to be invalid pursuant to K.S.A. 25-208a, and amendments thereto, the candidate on whose behalf the certificates, petitions or declaration was filed may make objection to such finding in writing within three days of receipt by the candidate of notice of such finding.

(c) In the case of nominations of national and state officers, objections shall be filed with the secretary of state and shall be considered by the lieutenant governor, secretary of state, and attorney general, and a decision of a majority of these officers shall be final. In the case of nominations for county, township, city and school officers, objections shall be filed with the county election officer and shall be considered by the county election officer, clerk of the district court and county attorney or district attorney, and a decision of a majority of these officers shall be final.

(d) In any case where objection is made, notice shall forthwith be given, by the officer with whom the objections are filed, to the other officers required to determine the matter and to the candidates affected thereby, addressed in the case of candidates to their places of residence as given in the nomination petitions, declaration of intention to become a candidate or certificate of nomination. The notice shall state the time when the objection will be considered, which shall be not more than five days following the giving of such notice in the case of nomination of a
national or state officer and not more than three days following the giving
of such notice in the case of nomination of a county, township, city or
school officer, and the place where such objections will be considered.

(e) The causes for objection under this section as to any office may
be any of those causes listed in K.S.A. 25-1436, and amendments thereto.
The officers determining any objections under this section may assess any
costs arising therefrom to either the objector or objectee in accordance
with the determination made. Such costs shall be paid to the secretary of
state or the county election officer, as the case may be, and deposited
thereby in the treasury of the state or county to the credit of its general
fund. If such costs are not paid within 10 days after the same are fixed,
the secretary of state or county election officer shall make a certificate of
the facts and file it with the clerk of the district court in the county where
the person owing the same resides, and such clerk of the district court
shall cause the same to be collected as in cases of collection of court costs,
and when so collected the same shall be disposed of as are court costs in
such district court.

(f) All mandamus proceedings to compel an officer to certify and
place upon the ballot any name or names, and all injunction proceedings
to restrain an officer from certifying and placing upon the ballot any name
or names, must be commenced not less than 30 45 days before the elec-
tion.

Sec. 12. K.S.A. 25-1903 is hereby amended to read as follows: 25-
1903. (a) A person may become a candidate for election to the office of
state board member by either one of the methods provided in this section.
(1) Any person who is an elector of any board member district may pe-
tition to be a candidate for member of the state board from the board
member district in which such person resides. Any such person shall file
with the secretary of state a petition for the candidacy of such person
signed by not less than two hundred (200) electors residing in such
board member district. (2) Any person who is an elector of any board
member district may become a candidate for member of the state board
from the board member district in which such candidate resides by filing
in the office of the secretary of state a declaration of intent to be such a
candidate and payment therewith of a filing fee in the amount of twenty-
five dollars ($25) ($25).

(b) Any such petition or declaration of intent must be filed in the
form, and at the time and in the manner provided in K.S.A. 25-205, as
amended; to the extent the provisions thereof are not in conflict with this
act, filed by a candidate to run in the primary election held in accordance
with K.S.A. 25-203, and amendments thereto, shall be filed no later than
12:00 noon, June 10, prior to such primary election, or if such date falls
on Saturday, Sunday or a holiday, then before 12:00 noon of the next
following day that is not a Saturday, Sunday or a holiday. Any such
petition or declaration of intent filed by an independent candidate for the office of state board member shall be filed no later than 12:00 noon on the Monday preceding the date fixed for the holding of primary elections in accordance with K.S.A. 25-203, and amendments thereto.

Sec. 13. K.S.A. 1996 Supp. 25-2309 is hereby amended to read as follows: 25-2309. (a) Any person may apply in person, by mail, through a voter registration agency, or by other delivery to a county election officer to be registered. Such application shall be made on: (1) A form approved by the secretary of state, which shall be provided by a county election officer or chief state election official upon request in person, by telephone or in writing; or (2) the mail voter registration application prescribed by the federal election commission. Such application shall be signed by the applicant under penalty of perjury and shall contain the original signature of the applicant or the computerized, electronic or digitized transmitted signature of the applicant.

(b) Applications made under this section shall give voter eligibility requirements and such information as is necessary to identify the applicant and to determine the qualifications of the applicant as an elector and the facts authorizing such person to be registered, including, but not limited to, the following data:

(1) Name;
(2) place of residence, including specific address or location, and mailing address if the residence address is not a permissible postal address;
(3) date of birth;
(4) sex;
(5) telephone number, if available;
(6) naturalization data (if applicable);
(7) if applicant has previously registered or voted elsewhere, residence at time of last registration or voting;
(8) when present residence established;
(9) name under which applicant last registered or voted, if different from present name;
(10) an attestation that the applicant meets each eligibility requirement;
(11) a statement that the penalty for submission of a false voter registration application is a maximum presumptive sentence of 17 months in prison;
(12) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes;
(13) a statement that if an applicant does register to vote, the office to which a voter registration application is submitted will remain confidential and will be used only for voter registration purposes; and
(14) political party affiliation declaration, if any. An applicant's failure to make a declaration will result in the applicant being registered as an unaffiliated voter.

If the application discloses any previous registration in any other county or state, as indicated by item (2) or item (8) paragraph (7) or (9), or otherwise, the county election officer shall upon the registration of the applicant, give notice to the election official of the place of former registration, notifying such official of applicant's present residence and registration, and authorizing cancellation of such former registration.

(c) Any person who applies for registration through a voter registration agency shall be provided with, in addition to the application under subsection (b), a form which includes:

(1) The question "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";

(2) a statement that if the applicant declines to register to vote, this decision will remain confidential and be used only for voter registration purposes;

(3) a statement that if the applicant does register to vote, information regarding the office to which the application was submitted will remain confidential and be used only for voter registration purposes; and

(4) if the agency provides public assistance, (i) the statement "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

(ii) boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote, together with the statement "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME."

(iii) the statement "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.

(iv) the statement "If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Kansas Secretary of State, 300 SW 10th St., Topeka, KS 66612-1594."

(d) If any person, in writing, declines to register to vote, the voter registration agency shall maintain the form prescribed by subsection (c).

(e) A voter registration agency shall transmit the completed registration application to the county election officer not later than five days after the date of acceptance. Upon receipt of an application for registration, the county election officer shall send, by nonforwardable first-class mail, a notice of disposition of the application to the applicant at the postal
delivery address shown on the application. If a notice of disposition is
returned as undeliverable, a confirmation mailing prescribed by K.S.A.
25-2316c, and amendments thereto, shall occur.

(f) If an application is received while registration is closed, such ap-
pllication shall be considered to have been received on the next following
day during which registration is open.

(g) A person who completes an application for voter registration shall
be considered a registered voter when the county election officer adds the
applicant’s name to the county voter registration list.

(h) Any registered voter whose residence address is not a per-
missible postal delivery address shall designate a postal address for reg-
istration records. When a county election officer has reason to believe
that a voter’s registration residence is not a permissible postal delivery
address, the county election officer shall attempt to determine a proper
mailing address for the voter.

Sec. 14. K.S.A. 1996 Supp. 25-2311 is hereby amended to read as
follows: 25-2311. (a) County election officers shall provide for the regis-
tration of voters at one or more places on all days except the following:

(1) Days when the main offices of the county government are closed
for business, except as is otherwise provided by any county election officer
under the provisions of K.S.A. 25-2312 and amendments thereto;

(2) days when the main offices of the city government are closed for
business, in the case of deputy county election officers who are city clerks
except as is otherwise provided by any county election officer under the
provisions of K.S.A. 25-2312 and amendments thereto;

(3) the 14 days preceding the day of primary and general state elec-
tions;

(4) the 14 days preceding the day of primary city and school elections,
if either has a primary;

(5) the 14 days preceding each first Tuesday in April of odd-
numbered years, being the day of city and school general elections;

(6) the 14 days preceding the day of any election other than one
specified in paragraphs (3), (4) and (5) of this subsection; and

(7) the day of any primary or general election or any question sub-
mitted election.

(b) For the purposes of this section in counting days that registration
books are to be closed, all of the days including Sunday and legal holidays
shall be counted.

(c) The secretary of state shall notify every county election officer of
the dates when registration shall be closed preceding primary and general
state, city and school elections. The days so specified by the secretary of
state shall be conclusive. Such notice shall be given by the secretary of
state by mail at least 60 days preceding every primary and general state,
city and school election.
(d) The last days before closing of registration books as directed by the secretary of state under subsection (e) of this section, county election officers shall provide for registration of voters during regular business hours, during the noon hours and at other than regular business hours upon such days as the county election officers deem necessary. The last three business days before closing of registration books prior to state primary and general elections, county election officers shall may provide for registration of voters until 9:00 p.m. in cities of the first and second class.

(e) County election officers shall accept and process applications received by voter registration agencies and the division of motor vehicles not later than the 15th day preceding the date of any election; mailed voter registration applications that are postmarked not later than the 15th day preceding the date of any election; or, if the postmark is illegible or missing, is received in the mail not later than the ninth day preceding the day of any election.

(f) The secretary of state may adopt rules and regulations interpreting the provisions of this section and specifying the days when registration shall be open, days when registration shall be closed, and days when it is optional with the county election officer for registration to be open or closed.

(g) Before each primary and general election held in even-numbered years, and at times and in a form prescribed by the secretary of state, each county election officer shall certify to the secretary of state the number of registered voters in each precinct of the county as shown in the registration books in the office of such county election officer.

Sec. 15. K.S.A. 1996 Supp. 19-3a02 is hereby amended to read as follows: 19-3a02. (a) The board of county commissioners of any county may adopt a resolution establishing the office of county administrator.

(b) The board of county commissioners of any county may adopt a resolution submitting to the voters of the county whether the county should adopt a resolution establishing the office of county administrator. Such resolution to establish the office of county administrator shall not be effective until the question has been submitted to and approved by a majority of the voters of the county voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law.

(c) Upon presentation of a petition requesting the establishment of the office of county administrator signed by at least 5% of the qualified electors of the county, the board of county commissioners shall adopt a resolution establishing such office. Such resolution shall not be effective until the question has been submitted to and approved by a majority of the voters of the county voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law.

Sec. 17. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 24, 1997.

CHAPTER 125

HOUSE BILL NO. 2011

AN ACT relating to the workers compensation act; amending K.S.A. 44-502, 44-510b, 44-523, 44-534, 44-536, 44-550b, 44-557a, 44-567, 44-5120, 44-5,121 and 74-713 and K.S.A. 1996 Supp. 44-508, 44-510, 44-532, 44-534a, 44-551, 44-555c, 44-566a and 44-5,125 and repealing the existing sections; also repealing K.S.A. 1996 Supp. 44-532b.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1996 Supp. 12-2621 is hereby amended to read as follows: 12-2621. (a) With respect to the categories of coverage described in subparagraphs (d)(1) through (4) of K.S.A. 12-2618, and amendments thereto, premium contributions to the pool shall be based upon appropriate manual classification and rates, plus or minus applicable experience credits or debits, and minus any advance discount approved by the trustees, not to exceed 25% of manual premium. The pool shall use rules, classifications and rates as promulgated by the national council on compensation insurance an approved rating organization for workers compensation if the pool has been in operation for less than five years. Such rates shall either be the rates effective June 1, 1994, or the prospective loss costs, as defined in K.S.A. 40-1113c, and amendments thereto, plus expenses necessary to administer the pool. For purposes of subsection (b), the prospective loss costs shall be presumed to be the 70% required to be deposited in the claims fund. If the pool has been in operation for more than five years, the board of trustees may determine such rates and discounts as approved by the commissioner. Premium contributions to the pool for all other lines of insurance shall be based on rates filed by a licensed rating organization or on rates of certain companies filing rates with the commissioner and approved by the commissioner for the pool. In lieu of the foregoing, the board of trustees may determine such classification, rates and discounts as approved by the commissioner.

Premium contributions to any pool providing life insurance or any pool providing group sickness and accident insurance as described in K.S.A. 12-2617, and amendments thereto, shall be based on sound actuarial principles.

(b) An amount equal to at least 70% of the annual premium shall be maintained in a designated depository for the purpose of paying claims
MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS, Room 321-S Statehouse, at 9:00 a.m. on February 14, 1997.

Chairperson Glasscock recognized Representative Lisa Benton who testified in favor of HB 2316. She outlined the following uses for campaign expenses: 1) legitimate campaign purchases; 2) expenses of holding political office; 3) contributions to the party committees of the political party which such a candidate is a member; and 4) 4-H, chamber dues, etc. She said that a candidate or a candidate committee cannot use campaign money to pay interest or finance charges for loans made to the campaign account by the candidate or his/her spouse. (Attachment 3.)

The Chair next recognized Ms. Carol E. Williams, Executive Director of the Commission on Governmental Standards and Conduct, who presented testimony on HB 2316. She said that the introduction of this bill was a direct result of an advisory opinion issued by the Kansas Commission on Governmental Standards and Conduct in May of 1996. "HB 2316 would permit a candidate to use campaign funds to make contributions or pay membership dues to any community service, civic, educational, youth, recreational, charitable, religious, scientific, or literary organization or any organization which promotes or facilitates the social, business, commercial or economic well being of the local community." She said that the Commission believes that this is a legislative policy decision, so therefore does not take a position on HB 2316. (Attachment 4.)

Representative Lisa Benton made a motion to pass HB 2316 marked favorable for passage. Representative Ruby Gilbert seconded.

Representative Jonathan Wall made a motion to place HB 2316 on the Consent Calendar. Representative Larry Campbell seconded. Motion failed.

The vote was taken on Representative Benton's motion. Motion passed.

Chairperson Glasscock opened the Public Hearing on HB 2133.


The Chair welcomed Mr. Brad Bryant, Deputy Assistant Secretary of State, Elections and Legislative Matters, who spoke as a proponent of HB 2133 which was proposed by his office. He said that this bill concerns candidates and the administration of elections. Mr. Bryant presented six sections, and during his testimony there were some questions concerning clarification in a couple of the sections. Since the whole purpose of this bill is to make the law more clear, the Chair asked Representative Ralph Tanner's Subcommittee on Elections to meet Monday, February 17, 1997, to study these sections carefully. (Attachment 5.)

Representative Ralph Tanner said the Subcommittee would meet Monday morning at 9:00 a.m. in Room 321-S.

The Chair recognized Mr. Scott Hesse, Assistant Attorney General in the Civil Litigation Division I, who spoke in support of HB 2133 because he said that he "was assigned to defend numerous lawsuits filed by persons with vague certificates of nomination that were attempting to get on the ballot." (Attachment 6.)

Chairperson Glasscock closed the Public Hearing on HB 2133.

Chairperson Glasscock thanked the whole Committee for all its great work, especially the efficiency and bipartisanship effort of the Subcommittees.

The meeting adjourned at 9:45 a.m.

The next meeting is scheduled for February 18, 1997.
Mr. Chairman and Members of the Committee:

Thank you for your consideration of HB 2133, which was proposed by the Secretary of State. This bill concerns candidates and the administration of elections.

Section 1 would amend K.S.A. 22a-102 to clarify that independent candidates for district attorney may file until noon the day before the August primary, the same as independent candidates for other offices. Partisan primary candidates would still be required to file by noon on June 10. Current law is unclear and resulted in an Attorney General opinion last year. (See also Section 6.)

Section 2 would amend K.S.A. 25-105 to end the requirement that county election officers send a copy of the newspaper publication of candidates' names to presidential and vice presidential candidates. While the mailing of this publication serves a useful purpose in the administration of elections for most offices, presidential and vice presidential candidates do not know why they receive the publications if they receive them, and they usually don't receive them because county election officers usually have no address to send them to.

Section 3 would amend K.S.A. 25-306b to prohibit party candidates who have won the primary election from withdrawing after the primary. Current law allows such "placeholder" candidates to withdraw and be replaced by a party convention. The problem arises when the party takes too long to find a replacement, or never finds a replacement. This delays the county election officers' ability to prepare ballots on time and contributes to voter confusion concerning who the candidates are from which to choose.
Section 4 would amend K.S.A. 25-308(a) to grant the Secretary of State the authority to determine the validity of certificates of nomination filed by third parties after their nominating conventions. Current law allows the Secretary to determine the validity of declarations of intention and petitions filed by partisan primary candidates and independent candidates, but not certificates filed by minor party conventions. When those certificates contain errors, it creates confusion as to the party's intent. This resulted in a series of lawsuits in 1996, and we think such situations could be avoided in the future with passage of this legislation.

Section 4 would also amend K.S.A. 25-308(f) to move the deadline earlier for mandamus actions concerning ballot access. Current law allows persons to file mandamus actions in court seeking the inclusion or exclusion of a candidate’s name on the ballot up to 30 days before the election. If an action is filed that late, by the time the court issues a decision it is too late to reprint ballots for all voters, particularly federal service voters and advance voters. This bill would move the deadline to 45 days before the election.

Section 5 would amend K.S.A. 25-616 to change the general election ballot format to include the phrase “Vote for One Pair” above the list of candidates for president and vice president of the United States. In the races for other offices the ballot instructs the voter how many times to vote.

Section 6 would amend K.S.A. 25-1903 to clarify that independent candidates for state board of education may file until noon the day before the August primary, the same as independent candidates for other offices. Partisan primary candidates would still be required to file by noon on June 10. A lack of clarity in the current laws was pointed out in the 1996 election and resulted in a lawsuit that this legislation proposes to avoid in the future.

We recommend the committee report this bill favorably for passage. Thank you for your consideration.
CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION &
ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on February 19, 1997.

Chairperson Glasscock thanked Representative Wilk, and since there was no additional testimony, closed the .

Public Hearing on HB 2211.

The Chair opened the Public Hearing for HB 2211.

HB 2211 - Kansas Parole Board membership reduced to four; unanimous vote required to release inmates convicted of certain crimes.

Chairperson Glasscock welcomed Ms. Marilyn Scafe, Chairperson of the Kansas Parole Board, who spoke as a proponent for HB 2211. She said that she is one of the five members of the current parole board. She presented seven amendments in addition to the original concept of the reduction of one board member beginning in FY 96. The following is a summary of these seven amendments: 1) changes the four to three in the number required for parole of . . . A - . . . B felony or off-grid crime; 2) Some cleanup language in which all references to hearing are deleted; 3) involves some wording which needs to be removed from the statutes; 4) Board no longer needs to hold informational hearings, so does not currently apply; 5) Changes in technical wording involving restrictions; 6) Allows for some cleanup language in establishing halfway houses; 7) Provides flexibility in consolidating hearings in certain places. (Attachment 2.)

Representative Gwen Walsheiner commented that she had sat in on some Parole Board hearings and had observed that there were never more than two members of the Parole Board in attendance. She said that it was extremely difficult for one or two board members to handle a large room full of people.

Ms. Scafe explained that these meetings are not hearings, but rather an opportunity for public comments. She said that the format is cumbersome and awkward in that there are no appointments and the number in attendance is unpredictable. As of September of 1995, three board members are required to be at these monthly meetings which are held in Wichita, Kansas City, and Topeka. She said the first priority would be to have all five members attend, but axially that is not possible.

Representative Ralph Tanner said that he has heard that one of the biggest reasons for the increase in inmates is due to parole violators.

Ms. Scafe said that was partly true, but that many are probation violators.

Representative David Haley voiced a couple of concerns. One was about the reduction from five to four and another was the current pay. He also wondered if malfeasance was considered the same as conflict of interest?

Ms. Scafe was not able to answer his question, and she said that she had actually never even thought about it. She did respond that the pay is right at $79,000.

Representative Ted Powers expressed some confusion between a hearing and a public meeting, and Ms. Scafe responded that one person could do a hearing and act as a hearing officer.

Chairperson Glasscock recognized Ms. Wendy McFarland who represented the ACLU and spoke as an opponent to HB 2211. She said that the objection concerned the requirement of a unanimous decision and that she was addressing the original bill before the amendments were presented. She also said they would like the five member board to continue, but if it should be reduced, they would recommend it be reduced to a three member board. (Attachment 3.)

During questioning, Ms. McFarland was asked if she would have any problem with HB 2211 with the proposed amendments, and she replied that she would not.

Since there was no additional testimony, the Chair closed the Public Hearing for HB 2211.

Chairperson Glasscock asked the Committee to turn its attention to HB 2133. Written testimony was distributed from The Kansas County Clerk's Association. (Attachment 4.)

HB 2133 - An act amending elections; relating to candidates for office; relating to nominations for office; relating to ballots, etc.

Representative Ralph Tanner made a motion to amend HB 2133 by deleting Section 5. Representative Jonathan Wilk seconded, and Motion passed.

Representative Ralph Tanner made a motion to pass out the amended HB 2133 and to recommend favorably.
CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS, Room 521-a, "steakhouse," 9:00 a.m. on February 19, 1997.


Discussion followed, and Brad Bryant from the Secretary of State's office answered some questions concerning the elimination of the placeholder issue and exactly when a candidate could withdraw.

Following the discussion, the vote was taken, and the motion passed.

The meeting adjourned at 10:10 a.m.

The next meeting is scheduled for February 20, 1997.
DATF: February 18, 1996

TO: Committee on Governmental Organization and Government

FROM: The Kansas County Clerk's Association

RE: House Bill No. 2133

Thank you for considering HB 2133. I am Elizabeth Ensley, the Shawnee County Election Commissioner and the registered lobbyist for the Kansas County Clerk's Association. HB 2133 is an important bill for all County Clerks in Kansas.

Recent years have seen an increase in the number of candidates who have withdrawn from a race. The result is very serious for the election process.

BALLOT PREPARATION IS DISRUPTED. If the maximum number of days is taken in each step of filling the vacancy, the timetable can extend into advance voting with no time for ballot preparation.

BALLOT PRINTING BECOMES MORE EXPENSIVE. Frequently, the election official is never notified if the candidate is to be replaced. Printing is held up, which increases the cost to the the County.

VOTING IS DISRUPTED. Federal service voting begins 45 days prior to the election. The lack of a candidate on the ballot means multiple mailings to the federal service voter without giving adequate time for the voter to return the voted ballot. Advance Voting can also be disrupted if no time is allowed for ballot preparation.

THE KANSAS COUNTY CLERK'S ASSOCIATION URGES THE FAVORABLE PASSAGE OF HB 2133. Thank you.
The House Committee on Government Organization and Grey fade of various text blocks, making the text difficult to read.
By committee on Elections and Local Government

SENATE BILL NO. 145

[An Act amending the committee on Elections]

[An Act amending the committee on Local Government]
Response to Petition for Mandamus Exhibit

The application for an extension of time to file an answer is hereby extended to 

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the 10th day before the close of the case for which an answer is required.

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The supporting facts and circumstances are as follows:

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The defendant, by its answer, has admitted the facts stated in the complaint and the

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complaint is True.

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The alleged facts and circumstances are as follows:

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complaint is True.

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The alleged facts and circumstances are as follows:

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The defendant, by its answer, has admitted the facts stated in the complaint and the

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complaint is True.
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Response to Petition for Mandamus - Exhibit 3

Page 1 of 1
1. The petition for a writ of mandamus is hereby granted. The respondent is ordered to cease and desist from any further violation of the law as alleged in the petition.
2. The respondent is ordered to comply with all applicable laws and regulations, and to cease any unlawful activities immediately.
3. The respondent is ordered to provide a detailed report of all actions taken to comply with the order within 30 days from the date of this order.
4. The petitioner shall have the right to seek further relief from this court if the respondent fails to comply with this order.
5. Costs of this proceeding shall be borne by the respondent.
6. This order shall remain in effect until further order of this court.

Petitioner

[Signature]

[Date]
Response to Petition for Mandamus - Exhibit 3
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1. The petition is filed in the court of competent jurisdiction by the petitioner.
2. The petition requests an order compelling the respondent to perform certain duties.
3. The respondent is required to take action within a specified time frame.
4. The petitioner is entitled to damages if the respondent fails to comply.
5. The petition is supported by affidavits from witnesses.
6. The respondent is ordered to file a response within 10 days of service.
7. The court may grant the petitioner's request for a preliminary injunction.
8. The court may order the respondent to pay the petitioner's attorney's fees.
9. The court may issue a permanent injunction if the petitioner prevails.
10. The court may award the petitioner costs and expenses of the action.

By Order of the Court,

[Signature]
Judge

[Date]

County Clerk
Kansas Legislative Information System

1997

SENATE AND HOUSE ACTIONS REPORT AND
SUBJECT INDEX REPORT

These reports include all bills, resolutions, and concurrent resolutions and executive recommendations of an introduction or referral to the 1997 legislature as of the above date. They are part of the computerized Kansas Legislative Information System (KLIS), sponsored by the General Assembly of Kansas and directed by the Legislative Coordinating Council.

The Senate and House Actions Report includes a roll history of Senate and House bills. The Senate actions have been kept under the supervision of the Secretary of the Senate, and the House actions under the Chief Clerk of the House. The subject index is developed by the Office of the Secretary of State.

For legislative information and up-to-the-minute bill status information, call the State Library at 296-2149 or the legislative hotline (800-432-3924). Specific questions on Senate actions will be welcomed by the office of the Secretary of the Senate (296-2456). Questions concerning House actions may be directed to the Chief Clerk of the House of Representatives (296-7333). Inquiries on the distribution of this booklet should be directed to the Office of Legislative Administrative Services (296-2391).
02/19/97 Senate—CR: Be passed as am. by Assessment & Taxation—SJ 150
02/19/97 Senate—COW: CR be adopted; be further am.; be passed as am.— SJ 217;
EPA: Passed as am.; Yeas 35 Nays 4—SJ 220
02/27/97 House—Received and introduced—HJ 324
02/28/97 House—Referred to Taxation—HJ 341
S 0143 Bill by Hardenburger, Clark, Harrington, Hulet, Jordan, Olson, Ranson, Slate;
State governmental ethics; state officers and employees; gifts, prohibited.
Effective date: Statute Br.
01/29/97 Senate—Introduced—SJ 69
01/30/97 Senate—Referred to Elections & Local Government—SJ 74
S 0144 Bill by Elections & Local Government;
Cities and counties; payment of fire insurance proceeds. Effective date: Statute Br.
01/29/97 Senate—Introduced—SJ 69
01/30/97 Senate—Referred to Elections & Local Government—SJ 74
02/27/97 Senate—CR: Be passed as am. by Elections & Local Government—SJ 149
02/20/97 Senate—COW: CR be adopted; be further am.; be passed as am.—SJ 170
02/24/97 Senate—FA: Passed as am.; Yeas 39 Nays 5—SJ 177
02/25/97 House—Received and introduced—HJ 266
02/26/97 House—Referred to Insurance—HJ 285
S 0145 Bill by Elections & Local Government;
Elections; advance voting. Effective date: 7/1/97.
01/29/97 Senate—Introduced—SJ 69
01/30/97 Senate—Referred to Elections & Local Government—SJ 74
02/20/97 Senate—CR: Be passed as am. by Elections & Local Government—SJ 127
02/28/97 Senate—COW: CR be adopted; be further am.; be passed as am.—SJ 227;
EPA: Passed as am.; Yeas 39 Nays 3—SJ 240
03/04/97 House—Received and introduced—HJ 354
03/05/97 House—Referred to Governmental Organization and Elections—HJ 367
03/20/97 House—CR: Be passed as am. by Governmental Organization and Elec-
tions—HJ 458
03/27/97 House—COW: CR be adopted; be further am.; be passed as am.—HJ 596;
EPA: Passed as am.; Yeas 110 Nays 4—HJ 605
03/28/97 Senate—Nonconcurred; CC requested; apptd Hardenburger, Becker,
Gooch—SJ 437
03/31/97 House—Acceded; apptd Horst, Glasscock, Welschimer—HJ 615
04/10/97 House—Adopt CCR; Yeas 121 Nays 0—HJ 713
04/11/97 Senate—Adopt CCR on senate bill; Yeas 38 Nays 1—SJ 644
04/13/97 Senate—Enrolled and presented to gov.—SJ 685
04/24/97—Approved by gov.—SJ 801
S 0146 Bill by Elections & Local Government;
Clean weed abatement; procedure. Effective date: 7/1/97.
01/29/97 Senate—Introduced—SJ 69
01/30/97 Senate—Referred to Elections & Local Government—SJ 74
02/18/97 Senate—CR: Be passed as am. by Elections & Local Government—SJ 152
02/28/97 Senate—COW: CR be adopted; be passed as am.—SJ 214; EPA: Passed as
am.; Yeas 39 Nays 1—SJ 221
02/27/97 House—Received and introduced—HJ 324
03/23/97 House—Referred to Agriculture—HJ 341
03/24/97 House—CR: Be passed as am. by Agriculture—HJ 533
03/26/97 House—Withdrawn from calendar, referred to Calendar and Printing—
HJ 608
03/31/97 House—Withdrawn from Calendar and Printing; Referred to COW—HJ
301
04/10/97 House—COW: CR be adopted; be further am.; be passed as am.—HJ 527;
EPA: Passed as am.; Yeas 107 Nays 0—HJ 560
04/02/97 Senate—Nonconcurred; CC requested; apptd Hardenburger, Becker,
Gooch—SJ 582
04/03/97 House—Acceded; apptd Rower, Ballou, Welander—HJ 753
04/10/97 House—Adopt CCR; Yeas 121 Nays 0—HJ 811