

HCS SB 99 -- ELECTIONS

SPONSOR: Keaveny (Dugger)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Elections by a vote of 10 to 0.

The substitute changes the laws regarding elections. In its main provisions, the substitute:

(1) Allows certain third class cities organized under Sections 78.010 - 78.400, RSMo, to eliminate, by order or ordinance, any primary election for the office of mayor and councilman that is currently held in February. A person wishing to become a candidate for one of these offices must file a signed statement of candidacy with the city clerk in order to be placed on the ballot in the next municipal election for the office (Section 78.090);

(2) Lowers, from 21 years of age to 18 years of age, the minimum age requirement for a person to serve as an alderman in a fourth class city (Section 79.070);

(3) Requires the name of any voter reported dead under Section 193.148 to be removed from the registration records within 30 days of the death of the voter. The Department of Health and Senior Services must establish a notification system that requires all certificates of death that are filed and registered by local registrars to be reported, by county, to the appropriate election authorities in order for the authorities to remove those names from its registration records (Sections 115.199 and 193.148);

(4) Repeals the provision that prohibits a voting machine from being used unless it permits each voter at a presidential election to vote by the use of a single lever for the candidates of one party or group of petitioners for President, Vice President, and their presidential electors (Section 115.249);

(5) Repeals the provision that requires a voting machine to be placed so that the ballot labels can be plainly seen by the election judges when not in use by voters (Section 115.259);

(6) Repeals the provision requiring that the words "Official Absentee Ballot" appear at the top of an absentee ballot (Section 115.281);

(7) Changes the composition of a team to count absentee ballots from four election judges consisting of two from each political party to an equal number of judges from each major political party (Section 115.299);

(8) Repeals the provision prohibiting absentee ballots from being counted by the same persons as those who removed them from their envelopes (Section 115.300);

(9) Repeals the provision allowing the use of pasters to add or delete names on printed ballots (Section 115.383);

(10) Removes ballot labels from the list of items that the election authority must deliver to each polling place before the poll opens (Section 115.419);

(11) Changes when election judges must open the ballot box and show to all present that it is empty from after the time fixed by law for the opening of the polls but before the voting begins to not more than one hour before the voting begins (Section 115.423);

(12) Removes ballot cards from the type of ballots that election judges must initial after the voter's identification certificate has been initialed (Section 115.433);

(13) Removes sealing the envelope containing a ballot from the list of responsibilities that election judges must perform when any physically disabled voter is unable to enter the polling place (Section 115.436);

(14) Repeals the provision that allows a voter to cross out a name that appears on the ballot and write the name of the person for whom he or she wishes to vote above or below the crossed-out name and place a cross X mark in the square directly to the left of the crossed-out name but allows a voter to write the name of the person for whom he or she wishes to vote on the write-in line if the line appears on the ballot and place a valid mark immediately beside the candidate's name. The substitute repeals the provisions allowing the election authority to authorize the use of a sticker or other item containing a write-in candidate's name in lieu of a handwritten name (Section 115.439);

(15) Repeals the provision requiring the ballot to be strung on a wire or string in the order read after all of the proper votes on a ballot have been counted (Section 115.449);

(16) Repeals the provisions regarding the responsibility of the election authority in counting ballots cast using punch card voting systems and repeals the provision regarding the information that a sticker must contain when a voter uses a write-in sticker on a ballot (Section 115.456);

(17) Extends the time period that specified election ballots,

records, and materials must be kept from 12 months to 22 months (Section 115.493);

(18) Changes, in a case where a candidate filed or a ballot question was originally filed with the Secretary of State, when the candidate or the person whose position on a ballot question was defeated must be allowed a recount of the votes from a standard requiring the candidate's or the ballot question's defeat by less than 1% of the votes cast to a defeat by less than .5% of the votes cast (Section 115.601); and

(19) Makes the public administrator for the City of St. Louis an appointed position. Currently, all public administrators must be elected by the voter in the county or city in which he or she serves. The administrator must be appointed by a majority of the judges of the 22nd judicial circuit and the qualifications and requirements for the position will remain the same as for elected public officials (Sections 473.730 to 473.737).

PROPOSERS: Supporters say that the bill has widespread support in St. Louis from the mayor and judges because it will help save costs and streamline city government. The city administrator position will have better continuity and the individual will be better able to focus on mental health issues and other responsibilities.

Testifying for the bill were Senator Keavney; and Jerry Nestor, St. Louis City Administrator.

OPPOSERS: There was no opposition voiced to the committee.