

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at  
Chairperson

1:15 ~~am~~/p.m. on March 28, 1984 in room 531N of the Capitol.

All members were present except:

Senator Meyers

Committee staff present:

Bruce Kinzie - Revisor  
Julian Efird - Research

Conferees appearing before the committee:

Senator Billy McCray  
Representative Clarence Love  
General Ralph Rice - TAG  
Nancy Sargeant - League of Women's Voters  
Lynelle King - Kansas State Nurses Assn.  
Dwight Hilpman - Common Cause  
Paul Siegel - A.C.L.U. of Kansas  
Ruth Groves - AAUW  
Joan Finney - State Treasurer  
Bill Coffman - General Council, Board of Regents

Senator McCray spoke to the Committee on SCR 1661 relating to representation of the District of Columbia in the congress and distributed a copy of an editorial in support of this issue. (Exhibit A) Representative Love requested to go on record as also being in support of this bill. Nancy Sargent presented testimony in support of 1661 from the League of Women Voters (Exhibit B) as did Lynelle King for the nurses. (Exhibit C) Dwight Hilpman asked the Committee to pass this bill out for vote in the Senate. Written testimony was also presented from the American Civil Liberties Union and the Unitarian Universalist Service Committee of Kansas. (Exhibits D and E) Barb Reinert and Ruth Groves requested the Committee to recommend SCR 1661 favorably for passage.

General Tice appeared in support of SB 854 recommending it to eliminate the necessity for state military board meetings on a quarterly basis. He explained that they did not need that many meetings and to eliminate some of them would save the state some money. (Exhibit F)

Bill Coffman addressed the Committee on Substitute for House Bill 2621 which provides that no supervisor or appointing authority of a state agency may prohibit a classified state employee from discussing the operations of the agency. He stated that the Board requested notice when an unclassified person wished to appear and that they do not discourage faculty participation. A statement was presented by Lynelle King on "Pressure on Nursing Faculty at Regents Institutions Not to Contact Legislators or Testify". Several questions were raised and considerable discussion ensued. (Exhibit G)

Joan Finney appeared on behalf of Senate Concurrent Resolution 1618 which pertains to the office of the state treasurer. She requested support of this bill which would give the people a chance to vote for the office of State Treasurer and answered questions.

The Chairman entertained a motion for Sub. HB 2621. Senator Gaines moved that Sub. HB 2621 be recommended favorable for passage as amended. This was seconded by Senator Mulich. Motion carried. Senator Hein offered a substitute motion to insert the amendments offered by KAPE in lines 38 and 40. This was seconded by Senator Francisco. Motion carried. Senator Gaines then renewed the motion as amended. This was seconded by Senator Mulich and carried.

Senator Gaar made a motion to amend S.B. 854 to allow the State Military Board to meet when the Adjutant General deems necessary. This was seconded

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Governmental Organization,  
room 531N, Statehouse, at 1:15 ~~xx~~/p.m. on March 28, 1984.

by Senator Hein. Motion carried. Senator Gaar then made a motion that S.B. 854 be recommended favorable for passage as amended and Senator Hein seconded this. Motion carried.

Senator Johnston then made a motion to recommend SCR 1618 favorable for passage. The motion was seconded by Senator Francisco and carried.

Senator Francisco made a motion to recommend SCR 1661 favorable for passage. A seconded was made by Senator Hein and the motion carried with Senator Roitz voting "No".

The meeting was then adjourned at 2:30 p.m. by the Chairman.

GUEST LIST

COMMITTEE: Senate Governmental Organization DATE: Mar. 28

NAME	ADDRESS	COMPANY/ORGANIZATION
Mr Ralph T Tree	Topeka	TAG
Joy D Cole	Topeka	The Adjutant General's Dept.
Al Newman	Topeka	The Adjutant General's Dept
Arny Smay	Topeka	Sen. Boyd
Lynelle King	"	KSVA
Col Ann Klesoth	"	KAPE
Ruth Brown	"	KEEY-ARW
Mickey Martin	"	
Nancy Dargend	"	LWUK
Anthony R. Martinez	"	A.R.R.P.
Paul Siegel	Overland Park -	A.C.L.U. of KS.
Dwight Hilgman	641 Ohio Lawrence, KS 66044	Common Cause State Chairman
Frank Austin Old	Topeka	KID
Jeri Zuhl	"	K.I.D.
Barb Remertz	"	K. Womans Political Caucus

BAG  
AT  
INFO  
DESK

# Editorials/Opinion

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EXHIBIT A

As We See It:

## D.C. Vote Deserves Ratification

*The District of Columbia is not just a plot, of land full of big white buildings and people who have come here temporarily to work for the federal government. Rather, it is home to almost three-quarters of a million people who should be granted congressional representation just as the citizens in all of our states are.*

— Sen. Bob Dole, R-Kan.

Some Kansas legislators may question the relevance to Kansas of a constitutional amendment that would extend congressional voting rights to the people of the District of Columbia. In fact, as Sen. Dole and advocates of the amendment from across the political spectrum have indicated, the question is not a philosophical one, but deals with a basic American tenet: the right to representation in the Congress of the United States. Nothing could be more relevant to this or any other state.

The average D.C. citizen pays \$701 more in federal taxes every year than the national



average — more than the resident of any other state but Alaska — yet that citizen has no say in how the money is spent. D.C. residents send their sons to fight in wars declared by Congress — yet have no say in U.S. involvement in those wars. District population exceeds that of four states — Alaska, Delaware, Vermont and Wyoming — yet the constitutional prerogative of “one person, one vote” does not apply to residents of the District of Columbia.

Nor do district residents all work for the federal government, as is commonly assumed. Less than one-third of the work force is so employed, with more than half working in the private sector. The fact a majority of district residents is black obviously should have no bearing on whether those residents have representation in Congress. Yet it is feared that resistance to the idea of a largely or wholly black delegation being added to the present congressional mix may prove fatal to the proposed amendment.

Kansas legislators should place this state squarely on the side of fairness and equality, and vote to ratify the District of Columbia Voting Rights Amendment, this session. They will have their chance, beginning Wednesday in the Senate Organization Committee, chaired by Sen. Ben Vidricksen, R-Salina. Also on the committee is Sen. James Francisco, D-Mulvane.

Fourteen states already have ratified the amendment, but time is running out. The seven-year period allowed for ratification expires next year. Regardless of the ultimate outcome, Kansas should not be found wanting when the final roll of the states is taken. Extending the vote in Congress to the people of the District of Columbia is in Kansans' best interests, too.

*Bill & Mary Ann*

EX. A

# LWVK LEAGUE OF WOMEN VOTERS OF KANSAS

909 Topeka Boulevard-Annex

913/354-7478

Topeka, Kansas 66612

March 28, 1984

STATEMENT TO THE GOVERNMENTAL ORGANIZATION COMMITTEE IN SUPPORT  
OF SCR 1661.

Senator Vidricksen and members of the Governmental Organization  
Committee:

The League of Women Voters was born in 1920 out of the struggle to get  
the vote for women. Since 1924 the League has supported efforts to  
gain full voting rights for citizens of the District, the "Last Colony".

Kansas itself extended the franchise as it has become the home of settlers  
from other states and nations.

- \* In 1859 Kansas was declared a "free" state by the Wyandotte  
Constitution.
- \* In 1861 Kansas became the 34th state.
- \* Thirtytwo Senators have been added since 1861.
- \* Kansas Senators influence is as high as ever.
- \* In 1887 Kansas was the first state to give women the right to vote  
and hold municipal office.

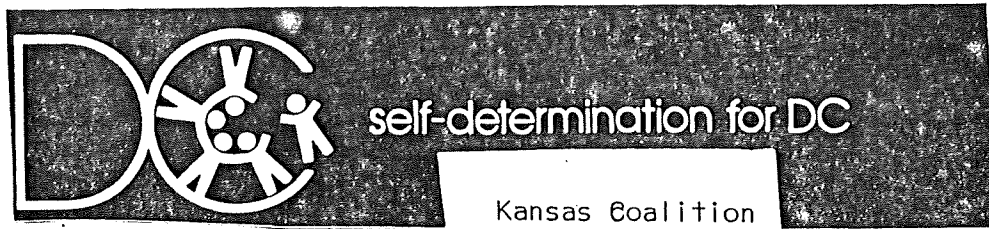
We hope your vote today will send Kansas on the way to being the 15th  
state to ratify the D.C. Voting Rights Amendment.

*Nancy Sargent*

Nancy Sargent  
LWVK Lobbyist

EXHIBIT B

EX. B



The D.C. Voting Rights Amendment is a Constitutional Amendment granting residents of Washington, D.C. voting representation, the right to ratify or not Constitutional amendments, and the correct number of electors. It passed Congress in August, 1978, and must be ratified by 38 states by August, 1985, to become law. Simply, it would give D.C. residents the same rights of citizenship now enjoyed by the people of the 50 states.

CONSIDER THAT:

- \* On a per capita basis, D.C. residents pay more federal taxes than the residents of 49 states --- over two billion dollars per year.
- \* 237 District residents were killed in the Vietnam War, yet neither they nor their families had a voice in Congressional appropriations for that war.
- \* The District of Columbia has a greater voting-age population than six states. But each of these states has two Senators and one or two House members in Congress.
- \* Of 115 countries with national legislatures, only the U.S. and the military dictatorship of Brazil deny full representation to citizens of their federal districts.
- \* D.C. residents pay high local, as well as federal, taxes. But how these taxes are spent is determined by Congress --- without the voting participation of a single District of Columbia representative.

ANSWERS TO FREQUENT OBJECTIONS TO DCVRA:

1. Most D.C. residents are Federal employees. Their Congressmen would vote to expand the Federal bureaucracy.

ONLY 1/4 OF THE D.C. WORK FORCE IS FEDERALLY EMPLOYED. ONLY 3% OF ALL FEDERAL WORKERS LIVE IN D.C. MORE FEDERAL BUREAUCRACY WOULD MEAN HIGHER FEDERAL TAXES FOR D.C. RESIDENTS TOO.

2. The District of Columbia should be given back to the State of Maryland.

CONGRESS DOES NOT WANT THE FEDERAL CITY CONTROLLED BY A STATE. THIS AMENDMENT WILL NOT CHANGE THAT. AND, THE STATE OF MARYLAND DOES NOT WANT THE DISTRICT BACK. IN FACT, MARYLAND WAS ONE OF THE FIRST STATES TO RATIFY THE D.C. VOTING RIGHTS AMENDMENT.

3. The Constitution grants states alone the right to representation in the Senate.

EMINENT CONSTITUTIONAL SCHOLARS DENY THAT THE CONSTITUTION INTENDED TO LIMIT DEMOCRATIC REPRESENTATION. REPRESENTATION OF STATES WOULD NOT BE COMPROMISED BY ALLOWING THE DISTRICT OF COLUMBIA TO HAVE TWO SENATORS ANY MORE THAN IT IS WHEN A NEW STATE IS ADMITTED TO THE UNION.



# KSNA

the voice of Nursing in Kansas

EXHIBIT C

Statement of the Kansas State Nurses' Association  
by Lynelle King, R.N., M.S., Executive Director  
before the Senate Governmental Organization Committee  
March 28, 1984

## In Support of Voting Rights for the District of Columbia

Mr. Chairman, and members of the Committee I am appearing at the request of KSNA to give KSNA's official statement on this important matter. But I also speak from a personal perspective as a former resident of "the last colony".

KSNA has taken a position on this matter, as has our parent organization, the 164,000 member American Nurses' Association, because we have always had concerns about basic human rights, about U.S. citizens' right to vote. For example, as early as 1937 the ANA went on record in opposition to discrimination against blacks, and from that time on voted not to hold any meeting of the association in a city which did not allow our black members to be housed in the same hotel and eat in the same restaurants as the rest of our members.

In 1980, our nurse colleagues in the District of Columbia appeared before the ANA House of Delegates and eloquently requested ANA's assistance in gaining the right for D.C. to have representation in Congress. ANA gave its wholehearted support. To ANA/KSNA it is the most basic right of democracy - that the citizens choose their own representatives, that they can vote. What could be more un-American that "Taxation Without Representation"?

It saddens us to be told that this has no chance now in Kansas, which has been in the forefront of so much related to human rights.



EX. C



Testimony Submitted on Behalf of the  
American Civil Liberties Union  
of Kansas and Western Missouri  
By Paul Siegel, Executive Director

Public Hearings on S. C. R. 1661,  
the "D. C. Voting Rights Amendment"

Kansas Senate Committee on Governmental Organization  
Senator Ben Vidricksen, Chairperson

March 28, 1984

EXHIBIT D

EX. D



My name is Paul Siegel, and I am Executive Director of the American Civil Liberties Union of Kansas and Western Missouri. The ACLU is a non-partisan organization some 250,000 strong nationwide whose purpose is to protect the civil liberties of all Americans through public education, litigation, and meetings with legislators. There are approximately 2,000 ACLU members in the local affiliate, serviced from our staffed office in Overland Park, and with organized volunteer chapters in Topeka, Manhattan, Lawrence, Wichita, and Emporia.

The ACLU is a member organization of a broad-based coalition of groups favoring passage of the "DC Voting Rights Amendment," currently before you as Kansas Senate Concurrent Resolution 1661. The Amendment, as you know, would give full representational rights in Congress to the nearly 700,000 residents of Washington, D. C.

To onlookers it might seem odd that the ACLU is a part of the coalition pressing for passage of this amendment. After all, if the ACLU's stated mission is to preserve the Constitution, should we not refrain from taking stands on constitutional amendments?

To amend the Constitution, however, is not at all at odds with preserving it. The Constitution, after all, is more than the words of which it is composed; rather, it is a living, breathing document that stands for enduring values. In the 1960's,

the ACLU successfully persuaded the United States Supreme Court to recognize that Americans should enjoy a constitutionally-guaranteed right of privacy, despite the fact that the word "privacy" appears nowhere in the text of the Constitution. If privacy is one of the enduring values embodied in the Constitution, so too is equality. The Fourteenth Amendment prohibits states from denying any of its citizens "equal protection of the laws." And yet we as a nation continue to deny to the citizens of the District of Columbia a right that is as basic as one can imagine in a representational democracy--the right to be represented in Congress.

Why have we done this? I think we can identify at least three sets of reasons, the first of which is simple inertia. The framers of the Constitution did not concern themselves with Congressional representation for residents of the District because at that time the District's population was too small. According to the census of 1800, the population of the entire District was 14,000--far less than the 50,000 then required of territories which wanted to enter the union. Although the premise that produced the conclusion that District residents should not be represented in Congress is--as the post-Watergate generation is used to phrasing it-- "no longer operative," in that the District's population now approaches 3/4 of a million, we simply have not gotten around to adapting.

Another set of reasons that District residents are without

full voting rights flows from the huge amount of ignorance that exists concerning the unique status of these citizens.

Many Americans erroneously believe that District residents do not pay federal income taxes, when in fact their per capita share of taxes is higher than every state in the union except Alaska. Others among us oppose the proposed amendment on the grounds that it would confer the status of statehood upon a city, but this is also untrue. Nothing in the amendment would alter the unique relationship between the District and the United States Congress, which will still oversee the District's budget and legislation. In a sense, Washington is no more a "city" than it is a state. It is a unique federal enclave. The question before us is a simple one--whether those who reside in that federal enclave are to remain second-class citizens.

There is yet another body of cognitions that work together to produce opposition to this amendment, and it is the most troubling of all. Perhaps Maryland's [Republican] Senator Mathias put it best, when he indicated that "the issue of equal representation for the District arouses all of the unhappy political emotions," including racism as well as what Mathias calls "the selfish side of human nature." The "reasoning" here is that "I've got mine, and now I'm going to keep you from getting yours." This anti-amendment contingent sees the District as suffering from "the Four-Too's"--it is "too urban, too liberal, too Democratic, and too Black."



There are, it seems to me, two ways of responding to the more selfish concerns. We could refute these concerns with factual data, pointing out that fears about the possible political leanings of yet-unnamed legislators is nothing new, and have rarely been proven well-founded. Oregon's admission to the Union, for example, was hindered by Republican fears that it would be Democratic. Admitted in 1859, it voted Republican in 1860--for Abe Lincoln. [Both of its current Senators are Republicans]. How many of us would have predicted 20 years ago that Iowa would ever have a Democratic Congressional delegation? Perhaps the tensions between Democrats and Republicans are not as salient for Kansans debating this amendment as the concern that here will be an Eastern big-city delegation, unmindful of the needs of more rural populations. But consider: the District's Congressional Delegate co-sponsored the Emergency Farm Act of 1978. Need we point out that he did not, and could not, vote for it? He could only sponsor it.

Perhaps the most reasonable response to those who might oppose the amendment on the grounds that the District's elected officials might have different political leanings from their own is not to calmly point out the logical and factual inconsistencies with such a stance, but to boldly assert that such a view injects into a constitutional debate questions that are plainly unworthy of consideration.

Residents of Washington, D.C. have accepted all the responsibilities of citizenship: federal regulation, taxation,

conscription and military service. The time is long overdue for them to be also granted the full rights of citizenship. We in the ACLU therefore urge you support S.C.R. 1661.



635 Randolph, Topeka, Kansas  
66606

March 28, 1984

TO: SENATOR VIDRICKSEN AND THE SENATE GOVERNMENTAL ORGANIZATION COMMITTEE

RE: D.C. VOTING RIGHTS AMENDMENT

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

On behalf of many Kansans who serve as Service Committee volunteers and who are members of Unitarian Universalist churches and fellowships across the State, I urge you to vote for and recommend to the Senate passage of the concurrent resolution calling for the adoption of the D.C. Voting Rights Amendment.

As Unitarian Universalists, we affirm the dignity and worth of every individual. We speak out for equality, social justice, and respect for basic civil rights. And so it is that we call on our Kansas senators and representatives to vote for this Amendment which will enfranchise and enable hundreds of thousands of American citizens to have full participation and full representation in the Congress and in the decisions which affect all Americans. We call on you to vote for this legislation so that all may have a vote and a representative voice in the governance of this nation.

This Amendment enjoys broad bi-partisan support, including the endorsement of our senior United States Senator, Bob Dole. We urge you all, Republicans and Democrats, to support this measure to grant to our fellow citizens in the District of Columbia this basic right we all have long enjoyed. Stand firm for the principle over which we fought the Revolutionary War: end taxation without representation.

Thank you for your attention and your support.

Steven Carr  
State Coordinator  
UUSC Unit of Kansas

EXHIBIT E

EX. E



GOVERNMENTAL ORGANIZATION COMMITTEE HEARING  
March 28, 1984  
Major General Ralph T. Tice  
The Adjutant General

MR. CHAIRMAN, MEMBERS OF THE GOVERNMENTAL ORGANIZATION COMMITTEE:

SENATE BILL NO. 854 WAS RECOMMENDED BY THIS DEPARTMENT TO ELIMINATE THE NECESSITY FOR STATE MILITARY BOARD MEETINGS ON A QUARTERLY BASIS. SUCH MEETINGS SHOULD NOT BE HELD UNLESS THERE IS A SUFFICIENT REQUIREMENT MAKING IT NECESSARY TO CONDUCT BUSINESS.

ENACTMENT OF SB NO. 854 WILL ENSURE THAT EXPENDITURE OF TRAVEL AND SUBSISTENCE FUNDS ARE UTILIZED ONLY WHEN NECESSARY FOR THE STATE MILITARY BOARD TO MEET TO CONDUCT NECESSARY BUSINESS.

THE REQUIREMENT OF AT LEAST ONE MEETING PER YEAR AND OTHER MEETINGS AS REQUIRED BY BUSINESS DEMANDS WOULD BE THE MOST PRODUCTIVE.

EXHIBIT F

EX. F

MILITARY ADVISORY BOARD, KANSAS

(K.S.A. 48-214, et seq.)

K.S.A. 48-214 - There shall be a Kansas Military Board consisting of The Adjutant General, who shall be recorder, the Judge Advocate General, the three senior commanders of the Kansas Army National Guard and the senior commander of the Kansas Air National Guard; there may be three additional members appointed at the discretion of the Governor.

The Adjutant General  
Member by Statute

Major General Ralph T. Tice  
RECORDER  
4916 Cedar Crest Road  
Topeka, KS 66606

Judge Advocate General  
Member by Statute

COL Edward F. Wiegiers  
706 North 11th  
Marysville, KS 66508

Senior Commanders, KSARNG  
Members by Statute

BG Dan E. Karr (Cdr, 69th Bde)  
601 Maple  
Overbrook, KS 66524

BG Philip B. Finley (Cdr, KSARNG)  
685 South Court  
Colby, KS 67701

COL Joseph H. Wolfenberger (Cdr, 130th Bde)  
120 West 18th  
Hutchinson, KS 67501

Senior Commander, KSANG  
Member by Statute

Col Ernest Z. Adelman (Asst AG Air)  
39 Skyline Drive  
Millington, NJ 07946

Members Serving at Pleasure  
of Governor

Cpt Paul E. Burke, Jr.  
(Kansas Senator in U.S. Naval  
Reserve)  
8229 Cherokee Circle  
Leawood, KS 66206

COL (Ret) Donald J. O'Toole  
3113 Stone Street  
Topeka, KS 66614

COL (Ret) Joseph G. Youngkamp  
1295 Wayne  
Topeka, KS 66604

# KSNA

the voice of Nursing in Kansas

To: Members of the Senate Government Organization Committee  
From: Lynelle King, R.N., M.S., Executive Director  
Date: March 28, 1984  
Subject: Your Request for Documentation of Pressure on Nursing Faculty at Regents Institutions Not to Contact Legislators or Testify

Over night I have been able to gain the following information from KSNA President Mike Goodwin, R.N., M.Ed., M.N., Asst. Professor, Wichita State University Department of Nursing.

1. In late March or early April, 1982, special verbal messages were passed by an authority figure to nursing faculty at WSU who had been active in contacting legislators on behalf of KSNA's legislative interests. They were told they were to stop contacting legislators about any nursing bills.
2. In September, 1982, a four-page memo and attachments were given to Mike Goodwin and others. It was indicated verbally to them that they were receiving the memo because they had been active in contacting legislators. Since it was too late last night to send the memo express mail from Wichita, Mike read large portions of the memo over the phone and I took them down as best I could - as follows:

"Council of Presidents:

September 2, 1982

"Items for Discussion:

1. Legislative Activity  
Must be communicated to and through the Regents Office  
Regents office should act as funnel for information  
Reference: Regents' Policy
2. Legislative/Executive Visits to Campus  
When any institutional representatives visit state officials on matters of budget, operational improvements, personnel, etc., the Board of Regents Office should be notified of any such visit.  
"The Board of Regents should reinforce a policy that if any campus person testifies before a legislative committee, notification and a copy of testimony shall be provided in advance to the Executive Officer. Similarly the Executive Officer will share statements with institutions." (emphasis added by L.K.)
3. Legislative Testimony  
The Exec. Officer (if present) shall testify at legislative hearings on behalf of the Board of Regents on those matters affecting Regents institutions on a system-wide basis. Such testimony should precede any individual testimony offered by individual institutional representatives."

(there was more - this was all I took down)

(Continued)



Attached to this memo was something titled "General Policies, Pg. 25, Board of Regents"  
1st - Legislative appearances and committee hearings  
2nd - Legislative Representation ("also see pages 30 and 74-76").

To reiterate - this memo was used to tell faculty that it was not their place to represent their own views on legislation to legislators, either in person or in the form of testimony.

We have heard similar reports over and over from other nursing faculty, including PSU and KUMC, FHSU.

If it is the belief of the Senate Government Organization that non-supervisory faculty should feel free to contact legislators and to give testimony without prior restraint and without fear of retribution afterwards then on behalf of KSNA I urge you to take whatever action you deem appropriate to accomplish this. Thank you very much!