

Approved 2-18-92
Date

MINUTES OF THE HOUSE COMMITTEE ON ELECTIONS

The meeting was called to order by Representative Sherman Jones at
Chairperson

9:12 a.m./p.m. on February 13, 1992 in room 521-S of the Capitol.

All members were present ~~except~~ ~~XXXX~~

Committee staff present:

Arden Ensley, Revisor
Pat Mah, Research
Nedra Spingler, Committee Secretary Pro Tem

Conferees appearing before the committee:

Senator Lana Oleen
Representative Tom Sawyer
Anne Smith, Kansas Association of Counties
Joe de la Torre, Office of the Secretary of State
A list of others in attendance is attached

The Committee held a hearing on:

SB 457 - An act relating to a presidential preference primary election.

Anne Smith, Kansas Association of Counties (KAC), supported the bill, stating that no state money has been appropriated to cover the expense of the election, and KAC would oppose this expense being paid by the counties. Her statement is attached (Attachment 1). Ms. Smith also spoke on behalf of Gail Landoll, Kansas County Clerks Association, who support the bill. Ms. Landoll's statement is attached (Attachment 2).

There was discussion regarding state preferential primaries versus caucuses and the timing of the election date.

Senator Lana Oleen spoke in support of SB 457. Her statement is attached (Attachment 3). She noted that the Senate has taken the position to postpone or cancel this year's presidential primary, and, in Kansas, delegates to the Democratic national convention are not bound to vote for candidates elected by voters in the primary. She added that the \$1.5 million allocated in the Governor's budget for this election should be used for other purposes. She referred to charts to illustrate the proportion of national delegates to the 1992 Democratic convention selected before Kansas has its election (Attachment 4) and the 1% Kansas proportion of national delegates to the Democratic convention (Attachment 5). Senator Oleen believed the primary should be cancelled or delayed until rules regarding delegates could be changed.

Senator Oleen responded to questions and noted that it was not too late to act on SB 457.

Representative Tom Sawyer spoke in opposition to the bill, noting that the 1980 presidential primary brought publicity and advertising revenue to the state and increased voter registration. He responded to statements made by other conferees.

Joe de la Torre, Office of the Secretary of State, said his office has already proceeded to make plans for election materials and needs a decision before February 17 if the primary election is to be called off or costs minimized.

Staff reviewed and explained the contents and mergers of several bills in Committee: HB 2876 is a combination of SB98 and HB2238 and gives the Secretary of State authority to describe the format and types of ballots and addresses the defacing of ballots; HB 2877 is a combination of HB2234 and HB2237 and clarifies the time element for contesting election outcomes; HB 2235 is now HB 2878 and

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ELECTIONS,
room 521-S, Statehouse, at 9:17 a.m./~~p.m.~~ on February 13, 1992

provides for ballot recount procedures; HB 2879 is a combination of HB2236 and HB2239 and addresses provisions for absentee ballots; and HB 2880 contains language of HB2326 and part of SB83 and provides for registration regarding voter name change. The Chairman stated that these bills would be heard February 18 and action taken on them February 20.

HCR 5018 - relating to limiting terms of legislators and leadership.

Representative Macy moved that the Committee report the resolution unfavorably, seconded by Representative McKechnie. The motion carried. Representatives Shallenburger and Love voted against the motion.

HB 2150 - relating to prohibition of lobbying by certain persons.

Representative Shallenburger moved to report the bill adversely, seconded by Representative Johnson. Representative McKechnie made a substitute motion to report the bill favorably, seconded by Representative Macy. Following discussion regarding a procedural question concerning the substitute motion and suggestions by conferees of amendments, Representative McKechnie withdrew his substitute motion. The vote on the original motion carried. Representatives Love and McKechnie voted against the motion.

The meeting was adjourned at 10:37 a.m.



"Service to County Government"

1275 S.W. Topeka Blvd.
Topeka, Kansas 66612
(913) 233-2271
FAX (913) 233-4830

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Bourbon County Clerk
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NACo Representative
Keith Devenney
Geary County Commissioner
(913) 238-7894

Executive Director
John T. Torbert, CAE

TO: House Elections Committee
FROM: Anne Smith, Director of Legislation
DATE: February 13, 1992
RE: SB 457 -- 1992 Kansas Presidential Primary Election

The Kansas Association of Counties supports SB 457. We would be in favor of the state delaying the presidential primary until there are state revenues available to fund the primary election.

The presidential primary election currently is scheduled for April 7, 1992. However, no money is allocated from the state to fund the election. If the state does not fund the election, the funding becomes the burden of the counties.

The KAC feels the election is an unnecessary expenditure and with many county budgets fiscally stressed, the KAC opposes counties having to fund the election. We would even recommend that the state cancel the primary. However, if the legislature feels that the primary should continue to be held, the KAC would support SB 457 which would allow the state some time to find the funding to hold the primary.

TSAS457

House Elections Com.

ATTACHMENT 1

2-13-92

Kansas County Clerks Association

February 13, 1992

To: The House Elections Committee
Representative Sherman Jones, Chairman

From: Gayle Landoll, Marshall County Clerk
and Legislative Chairman, Kansas
County Clerks Association

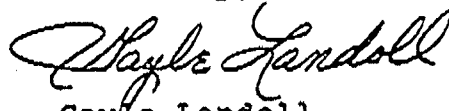
Re: Senate Bill 457

The Kansas County Clerks Association supports Senate Bill 457 which delays the Presidential Preference Primary until 1996. Our objection is not to the election itself, but rather to the lack of state funding for this election.

We respectfully submit that if the Senators and Representatives of our state felt that a 1992 Presidential Preference Primary were a necessary expenditure of tax dollars, state funds would be appropriated to cover the cost of the election.

Absent state funding for a 1992 Presidential Preference Primary, the County Clerks Association is in support of Senate Bill 457.

Sincerely,



Gayle Landoll
Marshall County Clerk
Legislative Chairman, KCCA

House Elections Com
ATTACHMENT 2
2-13-92

~~Postpone~~ this Presidential Preference Primary

The word preference is the key here - we are not talking ^{direct} primary ~~but~~ where Kansas voters have an opportunity to vote for a registered presidential candidate.

In truth, our Presidential Preference Primary has Kansas voters vote for delegates (whose names they don't know) to go to a national convention to vote for a presidential candidate.

The decision as to whom will be the Democratic ^{and} ~~or~~ Republican candidates ^{on which we vote in November does} ~~not~~ rest with Kansas voters - the decision is made by delegates to the national conventions in New York City and Houston, in late August.

I think it is most important that ^{we be} ~~be~~ up front & honest about what a preference primary does - and what it doesn't do.

Kansans need to know - and a growing number are learning - that the 1.5 million dollar bill to be paid by ~~the~~ taxpayers is ~~not~~ unnecessary virtually ^{unconsequential} ~~meaningless~~ ~~and~~ ~~in~~ ^{the total} ~~our~~ impact on the selection process, and ~~is~~ drastically late in its date of April 7, 1992.

LANA OLEEN
SENATOR, 22ND DISTRICT
RILEY AND GEARY COUNTIES



TOPEKA

SENATE CHAMBER

LEGISLATIVE HOTLINE
1-800-432-3924

COMMITTEE ASSIGNMENTS

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LEGISLATIVE EDUCATIONAL PLANNING

VICE-CHAIRMAN: CONFIRMATIONS
LABOR, INDUSTRY, SMALL BUS.

MEMBER: ASSESSMENT AND TAXATION
ECONOMIC DEVELOPMENT
JUDICIARY
ARTS/CULTURAL RESOURCES

COMMISSIONS: KANSAS SENTENCING
WASTE REDUCTION AND RECYCLING
DACOWITS—U.S. DEPT. OF DEFENSE

WHY THE PRESIDENTIAL PREFERENCE PRIMARY IS WRONG FOR KANSAS

I. THE PREFERENCE PRIMARY IS NOT A DIRECT PRIMARY...voters are not voting for the candidate / *misinformation* -

II. THE PREFERENCE PRIMARY IS UNNECESSARY...voters currently have a caucus system in place where any registered voter can vote for delegates in her/his home county, and there is no fiscal note

III. THE PREFERENCE PRIMARY IS VIRTUALLY INCONSEQUENTIAL, Kansas HAS 1% OF THE TOTAL VOTING PROPORTION IN SELECTION OF PRESIDENTIAL CANDIDATES WHERE THEY ARE SELECTED...at national conventions (note handout)

IV. THE PREFERENCE PRIMARY IS TOO LATE; VOTERS IN KANSAS HAVE THEIR PREFERENCE PRIMARY 29th IN THE COUNTRY...we have tied the primary in after the majority of caucuses and primaries have already elected their delegates (note handout)

V. KANSAS HAS OTHER NEEDS FOR THE 1.5 MILLION...

- A. Make the effective Parents as Partners Program state-wide
- B. Immunize Kansas children state-wide
- C. Expand the Kanwork Program, which deals with A.F.D.C. moms, to get us back on schedule
- D. Restore the cuts to Community Corrections for public safety
- E. Restore the proposed cuts to the state-wide grants from the Kansas Arts Commission
- F. You work toward priority in this tight budget year

HOME

1631 FAIRCHILD AVE.
MANHATTAN, KANSAS 66502
(913) 537-7718

STATE OFFICE

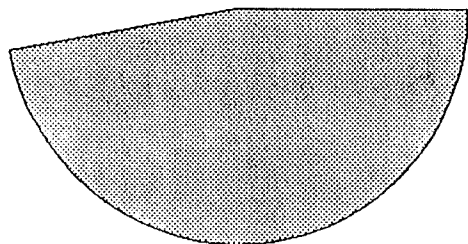
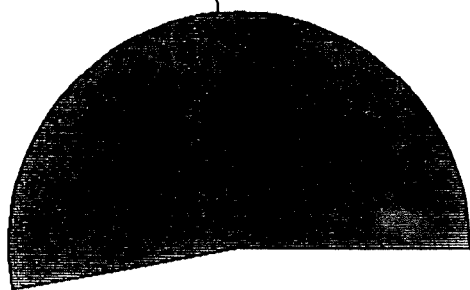
KANSAS CAPITOL ROOM 143N
TOPEKA, KANSAS 66612
(913) 296-7360 (JAN.-APRIL)

Proportion of National Delegates

To 1992 Republican National Convention
Selected Prior to Kansas April 8 Election

Before April 8 (53%)

1169



After April 7 (47%)

1040

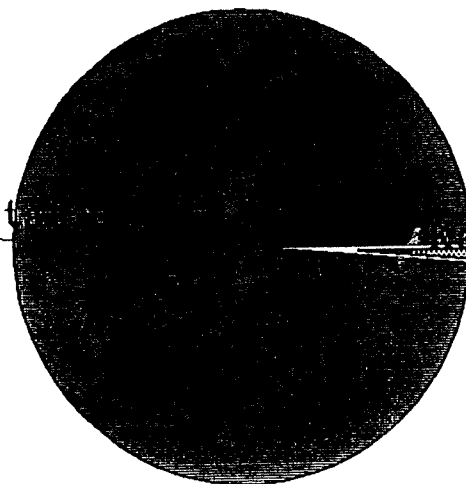
Total Delegates = 2209

Kansas Proportion of National Delegates

To 1992 Republican National Convention

All Other States

2179



Kansas (1.4%)

30

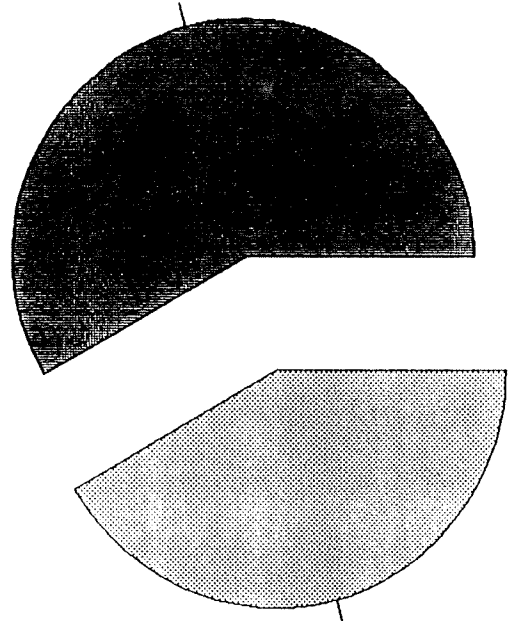
Total Delegates = 2209

Proportion of National Delegates

To 1992 Democratic National Convention
Selected Prior to Kansas April 8 Election

3-4

Before April 8 (58%)
2520

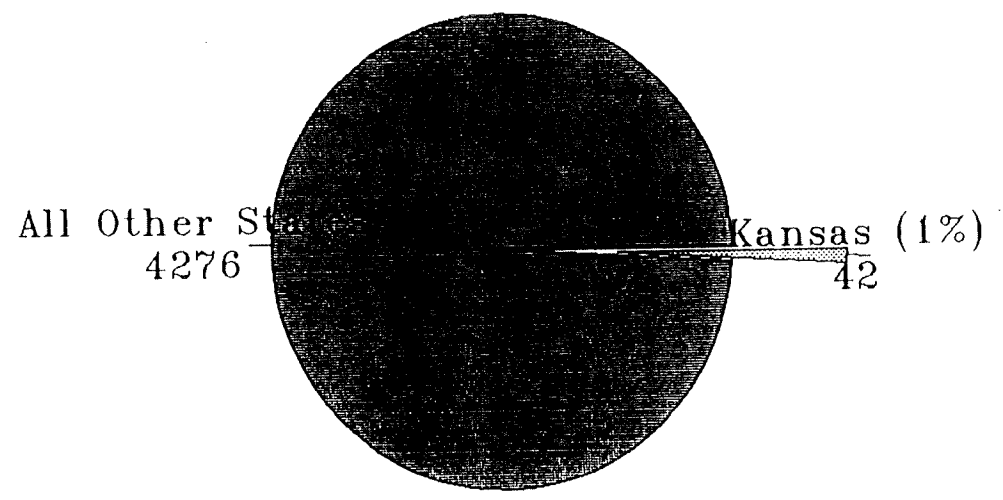


After April 7 (42%)
1798

Total Delegates = 4318

Kansas Proportion of National Delegates

To 1992 Democratic National Convention



All Other States
4276

Kansas (1%)
42

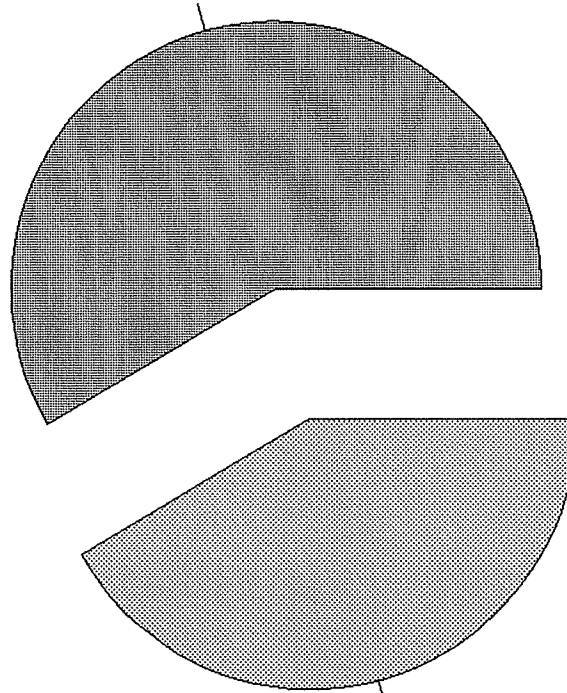
Total Delegates = 4318

Proportion of National Delegates

To 1992 Democratic National Convention
Selected Prior to Kansas April 8 Election

House Elections Com.
ATTACHMENT 4
2-13-92

Before April 8 (58%)
2520



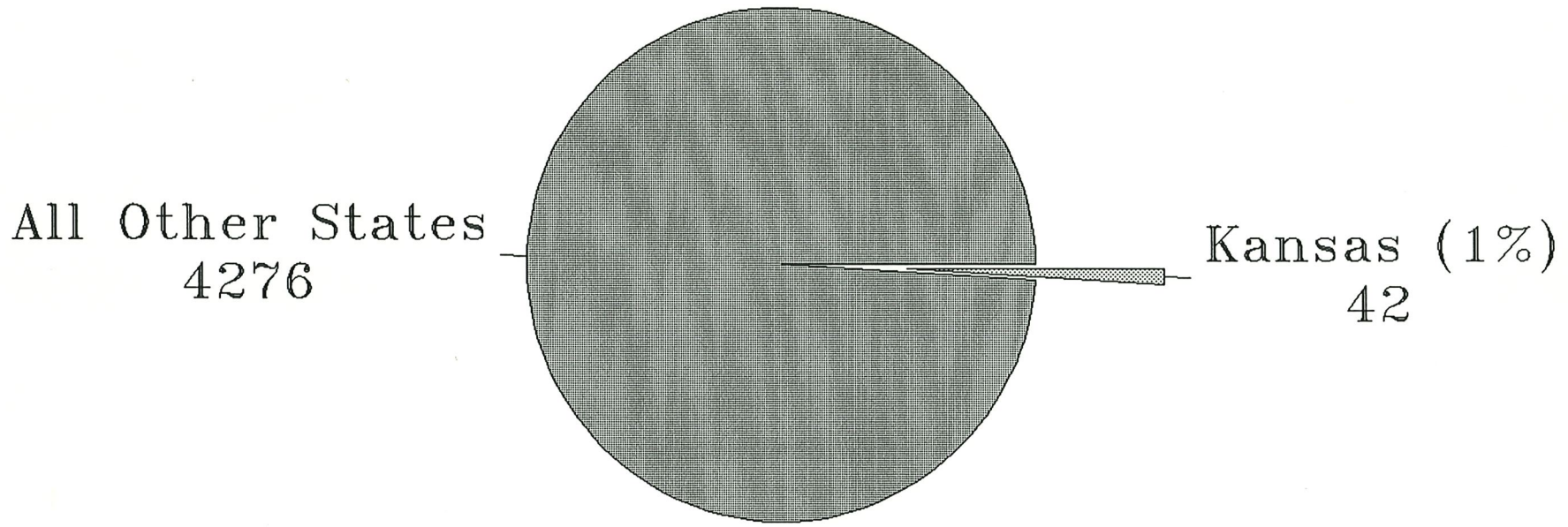
After April 7 (42%)
1798

Total Delegates = 4318

Kansas Proportion of National Delegates To 1992 Democratic National Convention

PRES. PRIMARY

House Elections Com.
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*Democratic National Delegates are Not Bound To support
Ks. voters' preferences.*

Total Delegates = 4318