

Approved 1-28-92  
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

The meeting was called to order by SENATOR DON SALLEE at  
Chairperson

1:30 ~~xxx~~/p.m. on January 21, 1992 in room 529-S of the Capitol.

All members were present ~~except~~

Committee staff present:

Pat Mah, Legislative Research Department  
Ardan Ensley, Office of the Revisor of Statutes  
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Senator Lana Oleen  
Anne Smith, Director of Legislation, Kansas Association of Counties  
Linda Sheer, Leavenworth County Clerk and Elections Officer  
Gayle Landoll, Marshall County Clerk and Legislative Chairman, Kansas  
County Clerks Association  
Pete McGill, IMcGill and Associates  
Bill Graves, Secretary of State

Others attending: See attached list.

The meeting was called to order by Chairman Don Sallee.

SB-487 - Presidential preference primary elections.

Senator Lana Oleen, author of SB-487, appeared and presented written testimony urging the committee to rethink the issue of spending \$1.5-\$1.8 million to reimburse the counties for the cost of a presidential primary election. It was noted that the caucus system had worked for years and permitted every registered voter in the state to participate. Senator Oleen called attention to the fact that the Kansas election would occur after the majority in the nation had taken place and committed delegates may have already been determined on Democrat and Republican tickets. (Attachment 1)

Discussion followed with concern being expressed that rules were being changed at a late date. The opinion was also expressed that it would appear that this privilege had been given to the people and now that privilege would be taken away.

Anne Smith, Director of Legislation, Kansas Association of Counties, appeared before the committee and presented written testimony. Ms. Smith noted there was no money allocated in the budget which meant counties, whose budgets are already stressed, would be forced to fund such an election. (Attachment 2)

Linda Sheer, Leavenworth County Clerk and Election Officer appeared before the committee that the front runners in a presidential primary would, in all probability, have been determined prior to the time the election in Kansas would be held, thus providing very little choice. Ms. Sheer urged passage of SB-487.

Gayle Landoll, Marshall County Clerk and Legislative Chairman, Kansas County Clerks Association, appeared and presented written testimony in support of SB-487 which would delay the Presidential Preference Primary until 1996 due to lack of funding. (Attachment 3)

Pete McGill, McGill and Associates, appeared and noted that recently, during a trip to Washington, D.C., he was asked about the Kansas primary, consequently he questioned the national image as well as the possible confusion that could exist if the primary were cancelled.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

room 529-S Statehouse, at 1:30 ~~xxx~~p.m. on January 21, 1992, 19    

Bill Graves, Secretary of State, appeared noting his office had historically supported presidential preference elections. Further concern was expressed that should this legislation stumble anywhere along the way the state could end up the middle of February with no decision made on how to fund this election. Secretary Briar noted he felt SB-487 was the wrong vehicle to solve this problem. He quoted K.S.A. 25-4508 which states that the state has an obligation to pay the counties for such an election. Therefore, a final decision needed to be made. He further stated he would like to see SB-487 held in committee or tabled. The bill to fund the election, presently in Appropriations Committee was the proper vehicle to put on the "fast track."

Senator Bond moved that SB-487 be tabled until such time as the Senate acts with regard to the appropriations bill dealing with funding the presidential primary. Senator Rock seconded the motion.

Discussion followed with the observation being made that the caucus system was totally inadequate. It was noted that the critical issue was whether or not to fund the election. Should the appropriations bill fail then legislation would be supported to delay the primary.

Senator Rock withdrew his second to the motion.

Clarification concerning the procedure needed to "remove the bill from the table" was called for with staff noting Robert's Rules of Order a majority was needed. The Chairman reminded the committee there was presently no second to the motion.

Senator Martin seconded the motion.

The suggestion was made to add either "action by the Senate on appropriations or a date certain (two weeks from right now). Senator Bond agreed to add that to the motion and Senator Martin agreed to continue his second to the motion.

The chairman noted difficulty with the use of the word "table" in the motion. Senator Bond changed the wording of the motion from "table" to delay action on this bill until one of two things occur, action on the appropriations bill or two weeks pass. The second was continued.

Senator Brady made a substitute motion to report SB-487 adversely. Senator Rock seconded the motion. The motion carried with 5 YEA votes.

The meeting adjourned at 2:37 p.m.

GUEST LIST

SENATE ELECTIONS COMMITTEE

DATE January 21, 1992

(PLEASE PRINT)  
NAME AND ADDRESS

ORGANIZATION

Lynette K. Shau  
Robert G. Sewanson  
Brida A. Shew  
Charles Sandall  
Norm Wilcox  
Anne Smith  
Paul Williams  
Debbie Green  
 DICK CARTER  
Michael Wolf  
Martin Hawver  
Morris Thompson  
Mary Thompson  
Gregg Farmer  
Craig Grant  
Jill Edwards  
Bill Graves  
Beall Colwin  
Jae A. Delta Tore  
Ron Young

Kansas Democratic Party  
Kansas Democratic Party  
Leav. County Clerk  
Marshall County Clerk  
Ks Assoc of School Boards  
Ks. Assoc. of Counties  
KCGSC  
Staff - Sen. J. Kerr  
PETE MCGILL & ASSOCIATES  
Common Cause/KS  
Tonka Capital Journal  
Individual  
 "  
Univ. Daily Kansan  
H-NEA  
KCCO  
Sec. of State  
Manhattan, Nebraska  
Secretary of State office  
 " " "

LANA OLEEN  
 SENATOR, 22ND DISTRICT  
 RILEY AND GEARY COUNTIES



TOPEKA

SENATE CHAMBER

## COMMITTEE ASSIGNMENTS

CHAIRMAN: GOVERNMENTAL ORGANIZATION  
 VICE-CHAIRMAN: CONFIRMATIONS  
 LABOR, INDUSTRY AND SMALL  
 BUSINESS  
 MEMBER: ASSESSMENT AND TAXATION  
 ECONOMIC DEVELOPMENT  
 JUDICIARY  
 LEGISLATIVE EDUCATIONAL PLANNING  
 CHILDREN AND YOUTH ADVISORY COMMITTEE  
 JOINT COMMITTEE ON ARTS AND  
 CULTURAL RESOURCES  
 WASTE REDUCTION, RECYCLING COMMISSION

LEGISLATIVE HOTLINE  
 1-800-432-3924

Chairman Sallee and Members of the Committee:

Today we revisit the issue of the Presidential Primary. The bill before you today, which has be-partisan sponsorship, postpones the primary until 1996. The enactmnet of this bill would allow the Legislature to revisit and to plan for funding of a presidential primary, if there is public interest and dollars to do it. I oppose the primary on grounds of two major impacts: fiscally and politically.

First, it is deficit spending. The Secretary of States' office contacted each of our 105 counties to see what this special election would cost our tax payers the amount - 1.8 million dollars. We knew the fiscal note last year, and what did we do about it - nothing - it was ignored. By passage of the bill and not the buck, we sent yet another mandate to our counties to pick up the tab at the local level which is primarily funded by property taxes.

Currently, Kansas plans to join 38 other states in holding a primary election. However, 20 of those states hold their primary in conjunction with their regularly scheduled spring primaries, not a special \$1.8 million event. Of the remaining 19 states, one - only one - Kansas - has scheduled a special primary without funding it. The answer? Take it out of next year's budget, after the fact? I think not. The \$1.5 million could better be used for people, not paper ballots. The \$1.5 million could fund all the at-risk student grants currently administered throughout the state; the \$1.5 million could restore funding to the arts which has been recommended to cut from this year's budget.

We set a dangerous precedent of funding one year's actions with the dollars from another year's budget. If we allow this \$1.5 million to slip by, what's next? Do we pass on other mandates to the counties, promising to reimburse them later? I urge you not to let this way of "charging for services occur in Kansas.

Secondly, our form of government has a strong two party system. The caucus system works well for our type of democracy. Any registered voter in the State of Kansas can participate in a caucus. If the voter is Republican, participation and vote at the Republican caucus in resident county. If Democrat, participation and vote is at the Democrat county caucus. If unaffiliated, the person merely declares her/his affiliation at either the Republican or Democratic county caucus.. the participation and voting rights are available.

In the caucus system 10 of the Republican delegates are locally elected; 20 are elected at the state meeting. Those 30 delegates are the Kansas delegation which compose a fractional part of the 2,209 delegates to the national convention. Democrats select 23 individuals at their local caucuses and 19 statewide to join 4, 318 national delegates. Our impact in numbers is not great. A presidential primary - where voters select delegates for candidates - not elect presidential contenders -- occurs 39th in the nation. Our proud presidential primary voice rings after all the large states have had their primaries (which they paid for?) and committed delegates may have already been determined on the Democrat and Republican tickets.

To date we have 10 candidates who have filed for office. I'm certain we will get a few more, but the \$1.5 - \$1.8 million pricetag is not money well spent. I ask, have vast numbers of your constituents call for the Presidential primary? Have they questioned why we haven't had one in 12 years and demanded its return? Have they asked to have the bill set to their counties to pay?

We have an opportunity today to rethink the issue of spending \$1.5 million on a one-day event which has a viable, proven alternative already in place. I urge your favorable consideration of SB 487.

SENATOR LANA OLEEN

January 22, 1992



"Service to County Government"

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

**EXECUTIVE BOARD**

**President**

Marjory Scheufler  
Edwards County Commissioner  
R.R. 1, Box 76  
Belpre, KS 67519  
(316) 995-3973

**Vice-President**

Marion Cox  
Wabaunsee County Sheriff  
Wabaunsee County Courthouse  
Alma, KS 66401  
(913) 765-3303

**Past President**

Winifred Kingman  
Shawnee County Commissioner  
(913) 291-4040  
(913) 272-8948

Thomas "Tom" Pickford, P.E.  
Shawnee County Engineer  
(913) 266-0192

Murray Nolte  
Johnson County Commissioner  
(913) 791-5501

**DIRECTORS**

Leonard "Bud" Archer  
Phillips County Commissioner  
(913) 689-4685

George Burrows  
Stevens County Commissioner  
(316) 593-4534

John Delmont  
Cherokee County Commissioner  
(316) 848-3717

Berneice "Bonnie" Gilmore  
Wichita County Clerk  
(316) 375-2731

Betty McBride  
Cherokee County Treasurer  
(316) 429-3848

Roy Patton  
Harvey County Weed Director  
(316) 283-1890

Gary Post  
Seward County Appraiser  
(316) 624-0211

Nancy Prawl  
Brown County Register of Deeds  
(913) 742-3741

Vernon Wendelken  
Clay County Commissioner  
(913) 461-5694

**NACo Representative**

Keith Devenney  
Geary County Commissioner  
(913) 238-7894

**Executive Director**

John T. Torbert

**TO:** Senate Elections Committee  
**FROM:** Anne Smith, Director of Legislation  
**DATE:** January 21, 1992  
**RE:** 1992 Kansas Presidential Primary Election

The Kansas Association of Counties supports SB 487. 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 487 which would allow the state some time to find the funding to hold the primary.

Senate Elections  
01-21-92  
Attachment 2

# Kansas County Clerks Association

January 21, 1992

To: The Senate Elections Committee  
Senator Don Sallee, Chairman

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

Re: Senate Bill 487

The Kansas County Clerks Association supports Senate Bill 487 which delays the Presidential Preference Primary until 1996.

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 have been 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 487.

Sincerely,



Gayle Landoll  
Marshall County Clerk  
Legislative Chairman, KCCA

Senate Elections  
01-21-92  
Attachment 3