

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Dave Kerr at 11:00 a.m. on February 5, 1996 in Room 123-S of the Capitol.

All members were present except: Senator Vancrum, who was excused  
Senator Moran, who was absent

Committee staff present: Alan Conroy, Legislative Research Department  
Norman Furse, Revisor of Statutes  
Michael Corrigan, Revisor of Statutes  
Judy Bromich, Administrative Assistant  
Ronda Miller, Committee Secretary

Conferees appearing before the committee:  
Senator Janice Hardenburger  
Brad Bryant, Deputy Assistant Secretary of State

Others attending: See attached list

**SB 543: Repealing the presidential preference primary**

Chairman Kerr informed the Committee that SB 543 was doubly referred and had been passed out of the Senate Elections, Congressional and Legislative Apportionment and Governmental Standards Committee. He noted that the reason for the double referral was that the bill makes an appropriation from a portion of the funding for the presidential preference primary which Senate Ways and Means should review. He called upon Senator Janice Hardenburger, chairperson of the Elections Committee and sponsor of the bill, to present information to the Committee.

Senator Hardenburger testified before the Committee as a proponent of the bill and distributed a copy of her press release of January 23, 1996 (Attachment 1). She explained that SB 543 would repeal permanently the presidential preference primary, would appropriate \$900,000 for the Secretary of State to aid counties with the implementation of the National Voter Registration Act, and would leave the remaining balance of \$500,000 in the State General Fund. She advised members that her reason for introducing the bill was that the presidential preference primary has no binding effect on the delegates who go to the national convention and that, because the primary is held so late, it has little effect on the primary process. She stated that she would like the state to become involved in the formation of a Midwest Primary in the future.

Senator Hardenburger noted that in deference to a request from the Republican party, she would like to offer an amendment regarding the right of parties to proceed with the selection of delegates (Attachment 2). She explained that if the bill were not amended, it was feared that the party would have to abide by rules that were adopted four years ago. She noted that the Democratic party had not contacted her regarding their delegate selection process.

Senator Brady voiced his concern about permanently eliminating the primary, adding that he believes that a concept such as the Midwest Primary proposed by Senator Hardenburger would be easier to implement if a moratorium were placed on the primary this year, but the statute was left on the books.

The Chairman asked that the members address the financial aspects of the bill and offer amendments regarding the election process on the floor of the Senate. He called upon Mr. Brad Bryant, Deputy Assitant Secretary of State, to answer Committee questions. In response to Senator Brady's question regarding the amount of money that has been spent to date in preparation for the presidential preference primary, Mr. Bryant stated that the Office of the Secretary of State has spent no money so far, but will order paper stock later this week. He said that his office prints the ballots for some counties at their request. Cancellation after this week will cause a restocking fee (approximately 10%), but after February 14 the ballots will be printed and the expenses for

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS, Room 123-S Statehouse, at 11:00 a.m. on February 5, 1996.

those are irretrievable. In answer to Senator Lawrence, he stated that he would estimate the cost of the primary four years from now to be \$1.5 million. He testified that the counties have been asked to delay expenditures pending action on SB 543, and the only county expenditure he is aware of is that of supplies specific for election day.

Senator Rock asked how the figure of \$900,000 for the National Voter Registration Act was determined. Senator Hardenburger stated that she had proposed that amount based on estimates from the counties for the implementation of the NVRA. She said that the monies would be used to purchase software, for registration cards, for filing cabinets and possibly for an administrator.

Senator Burke pointed out that according to a letter from the Division of Printing, materials need to be ordered by February 6 to assure delivery of the ballots by March 1 (Attachment 3). There was some discussion regarding the cost per day as cited by the Division. Senator Burke requested that the Secretary of State clarify the cancellation costs versus the restocking charges and determine the absolute final date before the state begins to incur these expenses.

Senator Brady inquired about the number of local jurisdictions that are planning to have elections on the same date in order to save money. Mr. Bryant stated that based on 95 counties that reported, 37 will have one or more regularly scheduled city elections that would be held regardless, 15 will have elections that are scheduled and have adopted resolutions, and 22 have other types of local elections which are being considered. He said that some of the counties appear in more than one group.

Senator Burke moved, Senator Lawrence seconded, that SB 543 be amended by adoption of the amendment submitted by Senator Hardenburger (Attachment 2). In answer to Senator Burke, Senator Karr stated that he was unsure whether this amendment would be consistent with rules of the Democratic party and asked Committee support on the floor of the Senate if further amendments would be necessary. The motion carried on a voice vote.

Senator Brady moved, Senator Salisbury seconded, that SB 543 be further amended by deletion of new section 2, regarding appropriation of the savings. Senator Burke expressed his support of the proposed amendment, but also voiced support for the financing of the National Voter Registration Act. The motion carried on a voice vote.

It was moved by Senator Burke and seconded by Senator Salisbury that SB 543 as amended be recommended favorable for passage. Senator Brady commented that he would present a proposal on the Senate floor to delay the primary four years. Senator Burke requested that Mr. Bryant provide information regarding potential costs associated with delaying passage of the bill and stated that if the costs begin to accrue immediately, he would like to consider "emergencing up" the bill. The revisor stated that the Committee report would be available for the Feb. 5 session. In answer to Senator Salisbury, Mr. Bryant stated that it would not be the responsibility of the Secretary of State to print ballots for counties if the bill were passed. The motion carried on a roll call vote.

The Chairman told members that he is considering removing state employee pay raises from the appropriations bills and putting them in a single bill. He advised that the bill to change longevity will start in the House and if the pay increases are not pulled from the appropriations bills, the Committee will have to adjust budgets that have not been passed by one body. He asked members to discuss their concerns regarding this procedure on the floor.

Senator Salisbury moved, Senator Burke seconded that the minutes of the February 1 meeting be approved. The motion carried on a voice vote.

The Chairman adjourned the meeting at 11:50 A.M. The next meeting is scheduled for February 6, 1996.



## JANICE L. HARDENBURGER

SENATOR, 21ST DISTRICT  
 CLAY, CLOUD, MARSHALL  
 NEMAHA, WASHINGTON, RILEY  
 AND A PORTION OF  
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TOPEKA

## SENATE CHAMBER

## COMMITTEE ASSIGNMENTS

CHAIRMAN: ELECTIONS, CONGRESSIONAL AND  
 LEGISLATIVE APPORTIONMENT, AND  
 GOVERNMENTAL STANDARDS  
 MEMBER: ENERGY AND NATURAL RESOURCES  
 PUBLIC HEALTH AND WELFARE  
 ASSESSMENT AND TAXATION  
 JOINT COMMITTEE ON ADMINISTRATIVE  
 RULES & REGULATIONS

IMMEDIATE RELEASE:

January 23, 1996

Senator Janice Hardenburger (R, Dist. 21), Haddam, announced today that she will introduce legislation to permanently repeal the presidential preference primary, effective January 1, 1996. The Senator also proposes that a majority of the budgeted funds, \$1,400,000, earmarked for the primary, be directed to the funding of the implementation of the National Voter Registration Act (NVRA).

Senator Hardenburger recommends that \$900,000 be allocated to the counties on a proportional basis determined by the number of registered voters within each county. The remaining \$500,000 would remain in the general fund.

The Senator, who is the Chairman of the Senate Elections, Congressional and Legislative Apportionment, and Governmental Standards Committee, has been active in challenging the federal government on its right to force Kansas to comply with the NVRA. On Monday, the U.S. Supreme Court denied California's appeal to hear their case against the federal government.

Senator Hardenburger addressed her concerns, "The federal government continues to wield its heavy hand on ordering the states to comply with their mandates. I have to admit we feel at mercy when the feds dictate their orders down to us. However, I will continue to support the Tenth Amendment, and the rights of the states and their counties to determine their local needs."

*Senate Ways & Means  
 February 5, 1996  
 Attachment 1*

## PROPOSED AMENDMENTS TO SENATE BILL NO. 543

On page 5, following line 12, by inserting following section to read as follows:

"Sec. 5. K.S.A. 25-4507 is hereby amended to read as follows: 25-4507. ~~(a) Upon completion of the state canvass of the results of the presidential preference primary, the secretary of state shall certify to the state chairperson of each political party participating in the presidential preference primary the number of votes received by each candidate of that party and the number of votes for an uncommitted delegation received by that party.~~

~~(b) Each political party shall then select as many delegates and alternates to the national party convention as are allotted to it by the national committee of that party, according to K.S.A. 25-4506 and this section, and amendments thereto.~~

~~(c) No later than 60 days following the presidential preference primary, Delegates and alternates to a national party convention shall be selected by a party by its state committee, at its state convention, or as otherwise provided by party rules adopted by the state committees of the political parties. ~~The number of delegates and the number of alternates to a national party convention shall be determined according to party rules. Delegates and alternates to a national party convention shall be selected in the manner prescribed by party rules. The binding of delegates and alternates to a national party convention shall be determined by party rules. All such rules shall be filed with the secretary of state no later than January March 2, 1992 1996, and no later than January 2 every fourth year thereafter.~~";~~

And by renumbering sections accordingly;

On page 1, in the title, in line 11, after "25-604" by inserting "and 25-4507"; in line 13, by striking ", 25-4507";

*Senate Ways & Means  
February 5, 1996  
Attachment 2*



**DEPARTMENT OF ADMINISTRATION**  
Division of Printing

**BILL GRAVES**  
*Governor*

**SHEILA FRAHM**  
*Lt. Governor/Secretary*

**RICHARD GONZALES**  
*Director of Printing*  
201 NW MacVicar Avenue  
Topeka, KS 66606-2499  
(913) 296-3631  
FAX (913) 296-2795

Date: Feb. 3, 1996  
To: Dennis Hodgins:  
Legislative Research  
From: Skip Anderson  
Division of Printing  
Re: Daily cost for production of presidential preference ballots

Costs were arrived at by estimating the cost of the completed job and dividing by the total number of days the job would be in production. It should be noted that actual costs would not be uniform on a daily basis. For example once supplies such as ink, paper or ballot forms were ordered, the expense of the entire job for these items would then be incurred.

From a labor and equipment standpoint, the situation is somewhat the same only reversed. More costs would be incurred later in the job. In the first day or two only limited personnel and equipment would be dedicated to this project. Type setting, camera work and stripping, for example. Later on as some of the ballots are printed, the bindery department would join in and costs would increase.

In order to begin printing on or about Feb. 13th, which would assure the delivery date of March 1st, we would need to be ordering materials on Feb. 6th. It will take approximately 1 week to receive the paper and ink necessary to produce the scannable ballots from Henry M. Adkins & Son Inc. This paper stock could conceivably be used by the Division of Printing on other printing jobs but based on our current usage of this stock item it would take three to four years to do so. The paper vendor may be persuaded to allow a stock return but this would no doubt incur a restocking fee of from 10 to 15 percent of cost. The cost of this stock is not included in these calculations.

*Senate Ways & Means*  
*February 5, 1996*  
*Attachment 3*

The vendor from AIS, has requested five working days notice when ordering ballot blanks from his company, but my understanding is that the order could be canceled up to the time they are shipped. We would need to have these ballots ordered by Feb. 6th in order to pick them up on Feb. 12th. The cost of this stock is not included in these calculations as it is believed at this time that materials will be ordered by the office of the Secretary of State.

Cost per day between the dates of Feb. 6th and Feb. 26th = \$ 3,600.00

Cost per day after Feb. 26th. = \$ 4,000.00

The major reason for the two different amounts is that on Feb 26th it would be necessary to begin printing the paper ballots.

All of these figures are assumptions as to quantity, splits by Republican VS Democrat ballots, and the total number of ballots to be produced by each of the three different formats and should not in any way be considered a cost estimate for the specific job when we receive these numbers.

I hope that these admittedly very rough figures are of some assistance to your organization and if I can be of any further assistance please don't hesitate to call me.

Respectfully



Skip Anderson  
Kansas Division of Printing

cc Richard Gonzales  
Jim Gardner  
Brad Bryant