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Gladys M. Kammerer
University of Kentucky

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By GLADYS M. KAMMERER*

The 1954 General Assembly received an unusually large number of bills affecting elections but passed none. All election bills represent strong political motivations on the part of their sponsors, but an impartial observer can distinguish between the motivation to tear down safeguards for honest elections and the motivation either to erect additional safeguards or to democratize certain aspects of the political process. Bills directed against clean elections unfortunately received more consideration from the 1954 session than did those in the second category. In the end, however, all met the same fate.

The attack on the comparative signature book requirement received more attention in the press and from political leaders than any other election bill. Its genesis was simple. When the Model Registration and Purgation Act was passed in 1952 with the comparative signature book requirement applied to all counties within the state, a group of state senators was strongly opposed to this requirement. Certain county clerks in various parts of the state were also opposed to this requirement. In consequence, in the elections of 1952 and 1953 not all counties strictly observed this requirement in voting. A case challenging the results of a local option election in Middlesboro, by reason of failure to observe the comparative signature book requirement in all precincts, came up to the Court of Appeals. In a decision handed down on February 12, 1954, the court held that the comparative signature book requirement was mandatory for all elections in all counties as it represented the clear intent of the legislature to prevent fraudulent elections.

The Senate opponents of the comparative signature requirement jumped into the fray immediately with S. B. 141 to repeal the comparative signature requirement for all counties except those with first-class cities (Jefferson alone). This bill, introduced on February 15, progressed amazingly fast, with referral to com-

* Associate Professor of Political Science, University of Kentucky.

mittee, report by committee, and first reading, all on the night of introduction. It was ready for third reading and passage on February 17.

But S. B. 141 was never called up for third reading. Why? First of all, proponents of clean election laws went into immediate action on February 16 in a free-swinging attack on the motives of the sponsors of S. B. 141 and the deleterious results that could be expected from repeal. The categorical nature of the Court of Appeals decision was of immense value to those fighting repeal and placed the proponents of repeal on the defensive. The ramrodding tactics of the would-be repealers and their denial of hearings to spokesmen for retention of the comparative signature law also damaged the standing of the group for repeal. Newspaper editorials against repeal appeared in many newspapers around the state denouncing the repealer as an attack on clean elections.[1] The state League of Women Voters and several local government civic groups maintained a barrage of letters to state senators; Governor Wetherby indicated his opposition to repeal. Several radio programs pointed up the issue of clean elections. Indeed, the 1952 Registration and Purgation Act with its comparative signature book requirement had been a major measure in the governor's legislative program of that year. Proponents of S. B. 141 attempted the tactic of framing a "compromise" which would accomplish the purpose of repeal in a less obvious way. Opponents stood firm against compromise. So much time had been lost by those attempting to pass the repealer, that by the time they realized the impossibility of compromise they had run into the time period within which a gubernatorial veto could be exercised without the possibility of over-riding it. Furthermore, the minority party had caucused and had taken a solid stand against repeal. This party action raised the specter of campaign ammunition in the next gubernatorial race. Therefore, a combination of many forces prevented S. B. 141 from ever attaining third reading. The comparative signature book requirement was saved, and Kentucky remained in the forefront among the states using this safeguard for honest elections on a state-wide basis.

[1] See Louisville *Courier-Journal* editorial on February 18, 1954, entitled, "Kentucky's Clean Election Law Should be Saved from Ruin," as an example of editorial attack on repeal.

Another attack on safeguards for clean elections came in the Senate through S. B. 194 to amend the requirement for challengers at the polls. This bill travelled a little farther than did S. B. 141 in the legislative process, but it, too, finally failed of passage. The essence of S. B. 194 was the extension to challengers of a requirement of residence in the precinct, but the bill was worded more subtly: to provide that election challengers should possess the same qualifications as are required of election officers and that in primary and general elections challengers should also be registered as members of the party for which they serve as challengers. This measure clearly aimed at certain civic groups which have offered challengers to candidates and parties. The effect, in the opinion of many practical politicians, would have made it virtually impossible for non-"machine" candidates to obtain challengers in a state-wide election in many hundreds of precincts. Civic groups wrote letters to legislators, several radio programs highlighted this issue, some newspapers editorialized against the bill, and the Governor quietly indicated opposition to it. Nevertheless, it was passed in the Senate by a vote of 27-8, and received two readings in the House. It failed to obtain the crucial third reading because of gubernatorial opposition.

Another measure relating to challengers, H. B. 448, had an entirely different import. It would have permitted organizations formed for the purpose of preventing election frauds to have two challengers in each precinct and one representative to meet with the board of election commissioners in each county. Although this measure was reported favorably by the House Rules Committee, it was never called up for third reading and a vote. Indeed, the energies of some of its sponsors had to be diverted to the defeat of S. B. 194, when the latter reached the House.

Two House bills dealing with voting machines failed of passage in the Senate, despite administration sponsorship. They were H. B. 77 and 78. The first would have provided reimbursement by the state to counties using voting machines, up to 75 percent of the cost of an election or thirty-five dollars per precinct. Under existing law the state not only pays for ballot paper but reimburses counties for election costs up to one-half the expenses or twenty dollars per precinct. H. B. 78 authorized the State Property and Buildings Commission to contract with counties for

providing them with voting machines, financed through revenue bonds which the county fiscal courts could pay off to the state over a period of years. This device of utilizing state credit to assist counties in the purchase of voting machines would have accelerated for many counties the process of acquiring such machines. Despite the large House votes for these bills, 78-2 for H. B. 77 and 88-1 for H. B. 78, the Senate Rules Committee refused to allow them to come up for a third reading and vote. One can only conjecture that certain influential members of the upper house were opposed to increased use of voting machines for reasons of their own.

Several bills were introduced to change provisions covering absentee voting. Two of these measures, S. B. 76 and H. B. 114, were designed to allow sick and physically disabled persons to vote by absentee ballot. The former passed the Senate but failed to obtain third reading in the House. Perhaps the fact that vote frauds had occurred in some states which allow absentee voting by such persons had come to the knowledge of enough House members to block passage of this bill. Another measure, H. B. 320, would have restricted absentee voting to members of the armed forces and would have denied it to persons absent from their counties by reason of business or other duties. This latter bill was pigeonholed by committee inaction.

Several minor bills, some to raise the pay of election officers or commissioners, S. B. 248, 249, H. B. 181, one to change the requirements for recounts, H. B. 89, and one to reduce the period before elections when registration books are closed, H. B. 230, were all pigeonholed by the committees to which they were referred. They were representative of a class of bills introduced in each legislative session which may have merit but receive little support.

A new idea, however, was embodied in three bills for a presidential preference primary in Kentucky. S. B. 101 was brief and sketchy. Two House measures, H. B. 437 and 453, indicated considerably more precision in planning and thinking out of details involved in such a change. The first of these had emerged from a special study committee of the Democratic Party organization in the 49th legislative district (Fayette County). That committee's proposals were unanimously adopted by the district party

organization, and the committee was directed to prepare suitable legislation. One of the main differences between the committee's bill, H. B. 437, and H. B. 453, introduced by a Louisville representative, was that the committee's bill provided for slating of candidates for delegate-at-large and alternate delegate-at-large to national conventions, with an automatic vote for the delegates when the voter indicated his preference for the particular presidential candidate to whom they were pledged. Another important difference was the provision in the committee's bill for listing district delegates and alternate delegate candidates under the name of the presidential candidate to whom they were pledged, so that the voter would clearly know candidates' ties to each other. In addition, the committee's bill outlined in detail the method for counting votes to determine precisely the district delegates elected for the winning presidential candidate in the district.

The House leadership referred H. B. 437 to the Ways and Means Committee, the "graveyard" committee in that session. Such referral was a clear indication of their hostility. H. B. 453 was caught by the Rules Committee and met an identical fate. These bills are given attention in this article because the issue embodied in them may gather momentum by the time the 1956 General Assembly convenes, as that year is a presidential one.

Those interested in safeguarding the electoral process in Kentucky were probably not too displeased with the total extinction of all election bills in the 1954 session. Although they could not get some "good" bills passed, they at least had the satisfaction of seeing all the "bad" bills die, a not inconsiderable achievement for so-called reformers. Those who fought to save the comparative signature book requirement well knew that the battle to get a good law enacted is only half-won with its passage. The task of keeping such a law intact on the statute books is often more difficult than the initial victory. "Round two" in the fight for the so-called "clean election" law had been won.