

Approved: January 26, 1994  
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS, CONGRESSIONAL & LEGISLATIVE  
APPORTIONMENT AND GOVERNMENTAL STANDARDS

The meeting was called to order by Chairperson Barbara Lawrence at 1:30 p.m. on January 20, 1994 in Room 529-S of the Capitol.

All members were present except: Senator Don Saltee, excused  
Senator Bill Wisdom, excused

Committee staff present: Dennis/Hodgins, Legislative Research Department  
~~Mary Galligan, Legislative Research Department~~  
~~Raney Gilliland, Legislative Research Department~~  
Arden Ensley, Revisor of Statutes  
Pat Brunton, Committee Secretary

Conferees appearing before the committee: Marilyn Chapman, Sedgwick County Election Commissioner  
Betty McBride, Director, Division of Vehicles, Kansas  
Department of Revenue  
Edward Rowe, League of Women Voters  
Kandy Shortle, Kansas Department of Social and Rehabilitation  
Services  
Elizabeth Ensley, Shawnee County Commissioner of Elections

Others attending: See attached list

Hearings were continued on **SB 489**-relating to elections (NVRA).

Marilyn Chapman, Sedgwick County Election Commissioner, testified in support of **SB 489**. Ms. Chapman stated **SB 489** has been designed to carry out the provisions of the National Voter Registration Act and that the bill has been carefully considered to cover all aspects of the national act and offers a challenge to Kansas to see that more voters are registered than ever before. She further stated that some aspects of the bill will be expensive to initiate, but hopefully a higher voter turnout will offset the costs and broaden the scope of involvement in elections of many Kansans that so far we have failed to reach. Ms. Chapman, as representative of the Kansas County Clerk's Association, urged favorable consideration of this bill. (Attachment 1)

Betty McBride, Director, Division of Vehicles, Kansas Department of Revenue, appeared before the committee on **SB 489**. She stated the bill regulates the voter registration procedure, and includes procedures to allow all eligible persons to register to vote at the time of making application for a Kansas driver license. The bill also grants the Secretary of State the authority to promulgate rules and regulations as may be necessary to administer the provision of this bill. The Department of Revenue feels this should be clarified to show that it is intended to apply only to the content of the voter registration portion. Ms. McBride requested that **SB 489** be amended on page 14 line 10, in Sec. 14, (d) after the word The, to insert the following, "*content of the voter registration portion of the*" motor vehicle driver's license and nondriver identification card applications and change of address and name forms used shall be subject to approval by the Secretary of State for purposes of voter registration under this section.

Ms. McBride informed the committee that after much deliberation and consideration of the options available, the Department of Revenue has determined that on July 1, 1994 when the State Motor Voter legislation becomes effective, the Division of Vehicles will go forward with a manual voter registration form which will be a part of the driver license application. The Department estimates that it will cost \$113,316 annually plus a one time cost of \$35,258 to provide this procedure manually. Because of the additional information Examiner's will be required to obtain, the Department anticipates that it will take as much as ten minutes longer to issue a driver license to an applicant. Training, which is included in the above amount, will be a major issue and expense. The estimate of training costs alone will be \$25,058. (Attachment 2).

Edward Rowe, a member of the state lobby corps of the League of Women Voters of Kansas, testified in

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS, CONGRESSIONAL & LEGISLATIVE APPORTIONMENT AND GOVERNMENTAL STANDARDS, Room 529-S Statehouse, at 1:30 p.m. on January 20, 1994.

favor of **SB 489**, stating the League favors Kansas legislation which will increase voter registration and voter participation. Mr. Rowe urged the committee to vote for **SB 489** and let the Secretary of State and the county officers go to work and get the job done. (Attachment 3).

Kandy Shortle on behalf of Donna L. Whiteman, Secretary, Kansas Department of Social Rehabilitation Services, testified in support of **SB 489**. She stated this bill will provide the basis for implementing the provisions of the National Voter Registration Act of 1993 in Kansas. As a "public assistance agency" (defined by the NVRA Conference as one which administers AFDC, food stamps, Medicaid, and WIC programs), the Department of Social and Rehabilitation Services is a stake holder in the successful implementation and ongoing administration of NVRA. Responsibilities required of public assistance agencies in carrying out these initiatives are: distributing voter registration forms, providing assistance in completing the forms and accepting completed forms for transmittal to the proper election offices for processing. These services, according to the Act, must be offered at each application for assistance, and with each recertification, renewal or change of address form relating to such assistance. The agency's only recommendation for change to **SB 489** is in regard to when services must be offered. The wording which SRS recommends reflects the exact wording in the Act. It ties the provision of services to a specific form used by the agency such as a "*change of address form*," rather than simply a "change of address." This recommendation also eliminates reference to a change of name as that is not included in the original wording of the Act. This change would give the agency a more concrete means of determining when voter registration services must be provided and would allow for better tracking and accountability. Ms. Shortle further stated that provision of services mandated by the Act will have an ongoing administrative impact. (Attachment 4).

Elizabeth Ensley, Shawnee County Commissioner of Elections, appeared before the committee regarding the National Voters Registration Act and **SB 489**. Ms. Ensley stated the sooner state laws are in compliance with Federal Law the better it will be for election administrators because of the many changes in forms and procedures. She further stated that the County Clerks' Association has been working closely with the Secretary of State's Office to ensure that the legislation which is being recommended will both comply with Federal Law and be workable throughout the state of Kansas. Ms. Ensley informed the committee that K.S.A. 25-2703 which requires voting booths to have four sides and one booth for every 60 voters expected to turn out are excessive and exceedingly expensive. (Attachment 5).

The meeting adjourned at 2:30 p.m.

The next meeting is scheduled for January 26, 1994.

GUEST LIST

SENATE ELECTIONS COMMITTEE

DATE: January 20, 1994

[illegible]



# SEDGWICK COUNTY, KANSAS

## Commissioner of Elections

Marilyn K. Chapman

Historic Courthouse \* 510 North Main \* Wichita, Kansas \* Telephone (316) 383-7101 \* Fax (316) 383-7388

On May 23, 1993 President Clinton signed into law the National Voter Registration Act. This act is mandated to go into effect January 1, 1995. Senate Bill 489 has been designed to carry out the provisions of this act.

This bill has been carefully considered to cover all aspects of the national act and offers a challenge to Kansas to see that more voters are registered than ever before. Yes, some aspects of the bill will be expensive to initiate. But hopefully a higher voter turnout will offset the costs and broaden the scope of involvement in elections of many Kansans that so far we have failed to reach.

The clerk's committee has met numerous times to consider the impact this bill will have on county election officers, on agencies involved, on election day board workers and on the voters. We feel that the bill as drafted offers fair and impartial treatment to voters and can be administered effectively by everyone concerned.

As representative of the Kansas County Clerk's Association, I urge you to consider this bill favorably.

SENATE ELECTION  
1-20-94  
ATTACHMENT 1

STATE OF KANSAS

Betty McBride, Director  
Robert B. Docking State Office Building  
915 S.W. Harrison St.  
Topeka, Kansas 66626-0001



(913) 296-3601  
FAX (913) 296-3852

Department of Revenue  
*Division of Vehicles*

To: The Honorable Senator Barbara Lawrence, Chairperson  
Senate Committee on Elections, Congressional and Legislative  
Apportionment, and Governmental Standards

From: Betty McBride, Director, Division of Vehicles  
Kansas Department of Revenue

Date: January 20, 1994

Subject: Senate Bill 489

My name is Betty McBride. I am the Director of the Kansas Division of Vehicles. I appreciate the opportunity to appear before you today on behalf of the Kansas Department of Revenue regarding Senate Bill 489.

Senate Bill 489 regulates the voter registration procedure, and includes procedures to allow all eligible persons to register to vote at the time of making application for a Kansas driver license. The bill also grants the Secretary of State the authority to promulgate rules and regulations as may be necessary to administer the provision of this bill. The Department of Revenue feels this should be clarified to show that it is intended to apply only to the content of the voter registration portion. Therefore, we ask that Senate bill 489 be amended on page 14 line 10, in Sec. 14, (d) after the word The, to insert the following, "*content of the voter registration portion of the*" motor vehicle driver's license and nondriver identification card applications and change of address and name forms used shall be subject to approval by the Secretary of State for purposes of voter registration under this section.

Since the passage of the State Motor Voter Act during the 1992 legislative session, division personnel, myself included, have met on numerous occasions with representatives of the Secretary of State's office to explore alternatives for the implementation of this act.

After much deliberation and consideration of the options available, the Department of Revenue has determined that on July 1, 1994 when the State Motor Voter legislation becomes effective, the Division of Vehicles will go forward with a manual voter registration form which will be a part of the driver license application.

SENATE ELECTIONS  
1-20-94  
ATTACHMENT 2

The Department estimates that it will cost \$113,316 annually plus a one time cost of \$35,258 to provide this procedure manually. Because of the additional information Examiner's will be required to obtain, we anticipate that it will take as much as ten minutes longer to issue a driver license to an applicant. This means lines will again occur in our heavily populated stations, thus requiring at least one additional, and perhaps more staff members in each large station to absorb the overflow. We have made considerable effort to eliminate waiting lines, and fear our efforts may have been in vain with the implementation of Motor Voter. Training, which is included in the above amount, will be a major issue and expense, as we will need to train Driver License Examiners as well as County Treasurer's who perform the Driver License function. We estimate the training costs alone to be \$25,058.

The Department of Revenue will issue a new digitized driver license beginning July 1, 1994. Issuing this license and doing it efficiently, in a timely manner, and correctly will be our main objective. We have, however, included the capability to register applicants on an application form provided on the system, and on which the information would be captured electronically, and transferred after hours. At this time no system or method exists to receive the transferred information. There has been discussion with the Secretary of State's office and Kansas INK which would allow the electronically captured information to be transferred after hours to Kansas INK. Kansas INK would then transfer the voter registration information to the Secretary of State's office, reformat the information to comply with the counties' needs, and transfer the appropriate voter registration information to each of the 105 county Clerks and Election Officers throughout the state. Although this proposal is still in the discussion stages we have expectations that it can be accomplished.

I want to thank you for the opportunity to appear today to discuss the Motor Voter issue. I would stand for questions at this time.



Bill Graves  
Secretary of State

2nd Floor, State Capitol  
Topeka, KS 66612-1501  
(913) 296-2236

## STATE OF KANSAS

Please estimate the costs to your agency in the categories listed below. Add any additional costs not specifically mentioned. Please complete and return to Kathy Martin prior to the next advisory panel meeting.

### MANUAL IMPLEMENTATION

AGENCY NAME KANSAS DEPARTMENT OF REVENUE - DIVISION OF VEHICLES

Number of mandatory voter registration offices 109 (includes 58 DOV and 51 County locations)

Number of voter registration forms needed 800,000 per year

#### Hardware

Printer

Hard Data Storage Media

IRMA III

Modems

Other

#### Software

(i.e. ProComm)

Other

#### Conversion

Data manipulation programs

Data edit programs

#### Printing

#### Postage

#### Personnel

#### Training

Office furniture/fixtures  
(File cabinets, desks, chairs)

TOTAL

#### IMPLEMENTATION

#### ANNUAL

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NONE OF THESE COSTS ARE APPLICABLE IF A  
MANUAL IMPLEMENTATION IS UTILIZED.

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SENATE COMMITTEE ON ELECTIONS, CONGRESSIONAL AND LEGISLATIVE  
APPORTIONMENT, AND GOVERNMENTAL STANDARDS

Senator Barbara Lawrence, Chair

January 20, 1994

Senator Lawrence and members of the Election Committee, I'm Edward Rowe, a member of the state lobby corps of the League of Women Voters of Kansas. The League is a grassroots, nonpartisan political organization. We adopt positions after thorough study of issues, and we actively promote political responsibility through informed and active participation of citizens in government.

The League position on voting rights, in brief, is to "protect the right of every citizen to vote" and to "encourage all citizens to vote". This position, of course, grows out of League's own fight for the vote. Consistent with our position of encouraging all citizens to vote, the national League lobby corps campaigned strongly for the National Voter Registration Act, the "Motor Voter" Act.

We favor Kansas legislation which will increase voter registration and voter participation. As I listened to your questions the last two days and also on October 21 I felt you were sympathetic to these same goals, even when you had disagreements on the federal means to reach these goals.

As I've listened to the staff members from the Secretary of State's office and to county election officers I feel they also are sympathetic to these goals of increased registration and increased voter participation, and I get the impression that increasingly they think the job really can be done by the federal rules.

I am here to urge you to vote for SB 489 and to let the Secretary of State and the county officers go to work and get the job done.

Thank you for allowing me to appear before you today.

SENATE ELECTIONS  
1-20-94  
ATTACHMENT 3

KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
Donna L. Whiteman, Secretary

Senate Committee on Elections,  
Congressional & Legislative Apportionment  
and Governmental Standards  
Testimony on Senate Bill 489

January 20, 1994

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SRS Mission Statement

"The Kansas Department of Social and Rehabilitation Services empowers individuals and families to achieve and sustain independence and to participate in the rights, responsibilities and benefits of full citizenship by creating conditions and opportunities for change, by advocating for human dignity and worth, and by providing care, safety and support in collaboration with others."

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Madame Chair and Members of the Committee, on behalf of Secretary Whiteman I thank you for the opportunity to appear before the committee to testify in support of Senate Bill 489. This bill will provide the basis for implementing the provisions of the National Voter Registration Act of 1993 (NVRA) in Kansas. As a "public assistance agency" (defined by the NVRA Conference Committee as one which administers AFDC, food stamps, Medicaid, and WIC programs), the Department of Social and Rehabilitation Services is a stake holder in the successful implementation and ongoing administration of NVRA.

The Act contains provisions intended to make it easier for individuals to register to vote in elections for Federal office. Responsibilities required of public assistance agencies in carrying out these initiatives are: distributing voter registration forms, providing assistance in completing the forms and accepting completed forms for transmittal to the proper election offices for processing. These services, according to the Act, must be offered at each application for assistance, and with each recertification, renewal or change of address form relating to such assistance. S.B. 489 addresses all of these aspects of the Act. The agency's only recommendation for change to S.B. 489 is in regard to when services must be offered. Copies of the wording change are being provided to members of the committee. The wording which SRS recommends reflects the exact wording in the Act. It ties the provision of services to a specific form used by the agency such as a "change of address form," rather than simply a "change of address." Our recommendation also eliminates reference to a change of name as that is not included in the original wording of the Act. This change would give the agency a more concrete means of determining when voter registration services must be provided and would allow for better tracking and accountability.

Implementation plans for NVRA within SRS have not been finalized but it is apparent from initial discussions that provision of services mandated by the Act will have an ongoing administrative impact. To minimize this impact the Department is continuing to work with the Secretary of State's office and to explore cost effective yet customer responsive implementation strategies which address the prescribed role of the public assistance agency in the voter registration process.

Kandy Shortle on behalf of  
Donna L. Whiteman  
Secretary  
January 20, 1994

SENATE ELECTIONS  
1-20-94  
ATTACHMENT 4

or change of address form relating to such service or assistance.

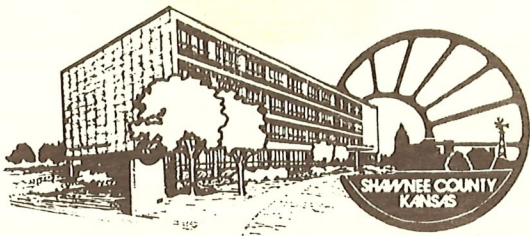
1 city of the first or second class in such county to be a deputy county  
2 election officer for the purpose of registration under the provisions  
3 of this act if such city clerk has had the responsibility to register  
4 voters under the statutes of this state effective immediately prior to  
5 the effective date of this act. "Voter registration agency" means any  
6 office in the state, other than an office of the division of motor  
7 vehicles, that provides public assistance, that provides state-funded  
8 programs primarily engaged in providing services to persons with  
9 disabilities, recruitment offices of the armed forces, and other offices  
10 designated by the chief state election official as voter registration  
11 agencies. A voter registration agency shall provide voter registration  
12 services to persons who apply for the agency's services or assistance,  
13 and with each recertification, renewal, ~~change of address, or change~~  
14 ~~of name.~~ ↑

15 (c) Deputy county election officers shall maintain records and  
16 perform duties under the provisions of this act only in the manner  
17 prescribed by the county election officer. County election officers  
18 may appoint such deputy county election officers as ~~they deem~~  
19 ~~deemed~~ appropriate, including but not limited to, the city clerk of  
20 any city, personnel in any public high school, any public library or  
21 public institution of higher education, in addition to those required  
22 to be appointed under the provisions of ~~this section~~ subsection (b).

23 Sec. 7. K.S.A. 25-2309 is hereby amended to read as follows:  
24 25-2309. (a) Any person may apply in person or, by mail, ~~through~~  
25 ~~a voter registration agency, or by other delivery~~ to the county elec-  
26 tion officer to be registered. Such application shall be made on: (1)  
27 A form approved by the secretary of state, which shall be provided  
28 by the county election officer or chief state election official upon  
29 request in person, by telephone or in writing by an individual  
30 applicant; or (2) the mail voter registration application prescribed  
31 by the federal election commission. Such application shall be signed  
32 by the applicant under penalty of perjury and shall contain the  
33 original signature of the applicant.

34 (b) Applications made under this section shall give voter eligibility  
35 requirements and such information as is necessary to identify the  
36 applicant and to determine the qualifications of the applicant as an  
37 elector and the facts authorizing such person to be registered, in-  
38 cluding, but not limited to, the following data concerning the ap-  
39 plicant:

- 40 (1) Name;  
41 (2) place of residence, including specific address or location, and  
42 mailing address if the residence address is not a permissible postal  
43 address;



## Shawnee County Commissioner of Elections

Elizabeth Ensley  
Election Commissioner  
Norine Staab  
Asst. Election Commissioner

911 S.W. 37th, Suite A  
Topeka, Kansas 66611-2378  
(913) 266-0285

### MEMORANDUM

DATE: January 20, 1994

TO: Senate Committee on Elections, Congressional and  
Legislative Apportionment and Governmental Standards

FROM: Elizabeth Ensley  
Shawnee County Commissioner of Elections

RE: NVRA

Congress has passed the National Voter Registration Act effective January 1, 1995. This legislation has been "in the works" for several years.

Passing legislation to comply with the National Voter Registration Act will be less confusing for voters. As information concerning the changes in Federal Law becomes more widely disseminated, the public will expect the same provisions to be in effect locally.

The sooner state laws are in compliance with Federal Law the better it will be for election administrators because of the many changes in forms and procedures.

The County Clerks' Association has been working closely with the Secretary of State's Office to ensure that the legislation which is being recommended will both comply with Federal Law and be workable throughout the state of Kansas.

I would also like to mention K.S.A. 25-2703 which requires voting booths to have four sides and one booth for every 60 voters expected to turn out. Both of these are excessive and exceedingly expensive.

SENATE ELECTIONS  
1-20-94  
ATTACHMENT 5