

Approved: March 15, 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 February 23, 1994 in
Room 529-S of the Capitol.

All members were present except: Senator Martin, 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: Carol Williams, Kansas Commission on Governmental
Standards and Conduct
John W. Campbell, Deputy Attorney General of Kansas
Sergeant Terry L. Maple, Kansas Highway Patrol
Brad Bryant, Deputy Assistant Secretary of State, Elections and
Legislative Matters
Elizabeth Ensley, Shawnee County Election Commissioner
Elgia Stevenson, Johnson County Election Commissioner

Others attending: See attached list

Hearings were opened on SB 592-State governmental ethics; compensation of state personnel for services to
private persons.

Carol Williams, Kansas Commission on Governmental Standards and Conduct, testified before the committee
in support of **SB 592**. Ms. Williams stated the Commission is recommending the new language found in the
balloon replacing subsection (b) in the bill as a result of an advisory opinion it issued in 1993. The
Commission believes that state officers and employees should be prohibited from being employed by or
performing consulting services for any person they license, inspect, or regulate. (Attachment 1).

John W. Campbell, Deputy Attorney General, testified on behalf of the Office of the Attorney General in
support of **SB 592**. **SB 592** would amend that portion of the Kansas Governmental Ethics Act found at
K.S.A. 46-286 (b). The bill would prohibit regulators from personally profiting from those that they regulate.
SB 592 would allow the State as an employer to better regulate its own work force. It would also provide
protection to the public by the elimination of both real and perceived conflicts of interest. He further stated the
current law does not provide sufficient protection for the thousands of persons and businesses regulated by the
State. The Office of the Attorney General urges the committee to act favorably on **SB 592**. (Attachment 2).

Sergeant Terry Maple, Kansas Highway Patrol, appeared before the committee on behalf of Superintendent
Lonnie McCollum. He stated **SB 592** amends K.S.A. 46-286 by adding new language designed to prevent
conflicts of interests by state employees who are employed by or perform consulting services for persons that
regulate, license or inspect. The Patrol is supportive of the attempt to prevent potential conflicts of interest and
clarify what forms of employment are permitted. He further stated they are concerned that the new language
may limit employees ability to obtain legitimate additional employment in some instances. The Patrol requests
the committee to try to insure that what, if any, changes made to the law are in the best public interest and
preserve an employee's ability to obtain employment that does not constitute a conflict of interest. The federal
government felt there was a conflict of interest on the federal level even though no state laws had been broken.
(Attachment 3).

After much discussion, Chairperson Lawrence announced that hearings will continue on **SB 592** at 1:30
p.m., February 24, 1994.

Hearings were opened on HB 2674-Elections; board members and voting booths.

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 February 23, 1994.

Brad Bryant, Deputy Assistant Secretary of State, testified before the committee in support of **HB 2674**. He stated this bill will allow county election officers to provide adequate voting booths, maintain privacy in the booths, and appoint an appropriate number of election board workers, without being required to adhere to strict state requirements which increase costs. Mr. Bryant recommended the committee report the bill favorably. (Attachment 4).

Elizabeth Ensley, Shawnee County Election Commissioner, appeared before the committee in support of **HB 2674**. She stated **HB 2674** seeks to amend three very strict requirements in the law. The current statutes make unnecessary distinctions between voting machine and paper ballot counties. She further stated this legislation could help all counties, but it would immediately impact Shawnee County. Ms. Ensley noted that important security measures are still in place. She urged the committee to vote for **HB 2674**. (Attachment 5).

Discussion was held on **HB 2674**.

Senator Sallee made a motion to pass favorably **HB 2674**. Senator Hardenburger seconded. Motion passed.

Hearings were opened on **HB 2592**-Elections; identification of voters at polling places.

Brad Bryant, Deputy Assistant Secretary of State, testified in support of **HB 2592** and recommended passage of this legislation. Mr. Bryant stated **HB 2592** will amend K.S.A. 25-2507 and 25-2908. It will require each voter to sign a book at the poll before voting, and it will allow each county election officer, if they choose, to eliminate one of the books used at each polling place. Most of the county election officers whom the Secretary of State's office consulted in preparation of this bill expressed no reservations about its provisions. (Attachment 6).

Elizabeth Ensley, Shawnee County Election Commissioner, appeared before the committee in support of **HB 2592**. Ms. Ensley stated **HB 2592** is a progressive bill which seeks to increase security at the polling place and has the added benefit of being able to be used to decrease the cost of an election. (Attachment 7).

Elgia Stevenson, Johnson County Election Commissioner, appeared before the committee requesting the following amendments to **HB 2592**: (1) amend 25-2909 (b) to mandate that, when appearing to vote, voters shall show either a registration card or a driver's license showing their current address (2) amend 25-2309 (c) to mandate that ALL certificate of registration forms provide space for a voter's signature. (Attachment 8).

Discussion followed Ms. Stevenson's testimony.

The meeting adjourned at 2:30 p.m.

The next meeting is scheduled for February 24, 1994.

GUEST LIST

SENATE ELECTIONS COMMITTEE

DATE: Feb. 23, 1994

[illegible]

**KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT****Testimony Before Elections, Congressional & Legislative
Apportionment and Governmental Standards
Senate Bill 592
by Carol Williams, Executive Director**

Senate Bill 592 which is before you this afternoon is a recommendation made by the Kansas Commission on Governmental Standards and Conduct in its 1993 Annual Report and Recommendations. This bill amends K.S.A. 46-286, a provision of the State Governmental Ethics Laws.

The Commission is recommending the new language found in the balloon replacing subsection (b) in the bill as a result of an advisory opinion it issued in 1993. In Opinion No. 93-30, the Commission ruled that a trooper with the Kansas Highway Patrol could in his off-duty time offer his services as a safety consultant to the private sector, which included some of the same individuals and businesses which he helped to regulate while on duty with the Patrol. A majority of the members believed that his activity, though legal, was inappropriate. New subsection (b) would state "No state officer or employee who participates in the licensure, inspection, administration or enforcement of any regulation of, or in the making of a contract with any person, shall accept compensation for consulting with or be employed by that person." This new language would prohibit a state officer or employee from being employed by or paid to consult with any person he or she participates in licensing, inspecting, or regulating as a state officer or employee.

Current law only precludes this activity when the individual "holds a position" with any outside organization. The Commission has held in other opinions that an employee of an organization, or a member of the board of directors of an organization can be said to "hold a position". The Commission does not believe, however, that the language "hold a position" is specific enough to extend to an independent business person who sells goods or services to an organization.

The Commission believes that state officers and employees should be prohibited from being employed by or performing consulting services for any person they license, inspect, or regulate.

The Commission urges your support of SB 592.

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ATTACHMENT 1



KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

September 14, 1993

Opinion No. 93-30

John W. Campbell
Deputy Attorney General
Chief--Litigation Division
Office of the Attorney General
2nd Floor, Kansas Judicial Center
Topeka, Kansas 66612-1597

Dear Mr. Campbell:

This opinion is in response to your letter of July 16, 1993, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the conflict of interest laws (K.S.A. 46-215 et seq.).

We note at the outset that the Commission's jurisdiction on this matter is limited to the applicability of the above statute. Thus, whether some other common law, statutory system or agency rule & regulations relate to your question is not covered by this opinion.

FACTUAL SITUATION

We understand you request this opinion in your capacity as the attorney for the Kansas Highway Patrol. You advise us that a situation has arisen where a trooper on his off duty hours offers his services as a safety consultant to the private sector, which includes some of the same individuals and businesses which he helps to regulate while on duty with the Patrol. This potential conflict has drawn the attention and concern of the federal agency which funds the trooper's position with the state. You also advise us that other troopers are expressing desires to be involved in off-duty businesses.

QUESTION

Does the provision of consultation services for valuable consideration by a state employee during his off-duty hours, to persons or businesses which that employee helps to regulate in the course of his official duties, violate the Kansas State Governmental Ethics Act?

OPINION

There are three sections of the statute which may apply to the situation you describe.

K.S.A. 46-241 states:

"No state officer or employee shall disclose or use confidential information acquired in the course of his or her official duties in order to further his or her own economic interest or those of any other person."

K.S.A. 46-238 states:

"No state officer or employee or candidate for state office or associated person shall charge to or accept from a person known to have a special interest a price, fee, compensation or other consideration, for the sale or lease of any property or the furnishing of services which is substantially in excess of that which other persons in the same business or profession would charge in the ordinary course of business."

K.S.A. 46-286(a) states:

"No state officer or employee in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position."

The first section cited above is fairly self-explanatory. Confidential information obtained during official duties may not be used for a state officer or employee's financial gain. We have insufficient information to determine whether any of the information being used by the officer meets the definition of "confidential", although we would note that any information contained in statutes, rules or regulations or government publications would not meet this definition.

The second section places a restriction on the price which may be charged to someone with a special interest and limits that amount to an amount not substantially in excess of what others would charge. Please note this section does not speak to the issue of when it may be illegal to contract with someone with a special interest. That issue is covered by K.S.A. 46-286(a), the last section set out above.

In reviewing the application of K.S.A. 46-286(a) to the situation you have described, the issue is whether an individual who provides goods or

services to an organization can be said to "hold a position" with the organization. Clearly, an employee of an organization, or a member of the board of directors, can be said to "hold a position". It is our opinion, however, that this language is not specific enough to extend to an independent business person who sells goods or services to an organization.

In sum, it is our opinion that K.S.A. 46-286(a) does not prohibit the situation you have described, but that there is a limitation on the amount that can be charged under K.S.A. 46-238 and the information the trooper may use under K.S.A. 46-241.

Please note that we express no opinion on whether the situation may constitute a conflict of interest under applicable federal law. It is clear, however, that no action should be taken by the trooper or others in similar situations until clearance is received from the appropriate federal agency since federal law certainly could preempt the limited prohibitions in the state law.

In addition we note that a majority of this Commission believes the activity, though legal, is inappropriate and will make a recommendation to the legislature to prohibit this activity in the future. Also, the patrol itself may have or could impose policies against this behavior.

Sincerely,



Richard C. Loux, Chairman

By Direction of the Commission

RCL:DDP:dlw

SENATE BILL No. 592

By Committee on Elections, Congressional and Legislative
Apportionment and Governmental Standards

1-25

AN ACT relating to state governmental ethics; concerning conflict of interests; compensation of state officers and employees for services to private persons; amending K.S.A. 46-286 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 46-286 is hereby amended to read as follows:

46-286. (a) No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.

~~(b) No state officer or employee shall accept compensation for consulting with or be employed by, any person who is licensed, regulated or inspected by the state office or agency in which such state officer or employee holds a position or is employed.~~

(b) No state officer or employee who participates in the licensure, inspection, administration or enforcement of any regulation of, or in the making of a contract with any person, shall accept compensation for consulting with or be employed by that person.

(c) This section shall not apply to appointed or elected members of a state board, council or commission, except that no member of such board, council or commission shall participate in any license, inspection or contract on behalf of their state board, council or commission with any outside organization with which such member is associated or the holding of a position as a member of an advisory board, council or commission of an outside organization or of a position of a voluntary or charitable nature if the advisory, voluntary or charitable position is taken without any expectation or acceptance of remuneration other than reimbursement of necessary and actual expenses.

Sec. 2. K.S.A. 46-286 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612-1597

ROBERT T. STEPHAN
ATTORNEY GENERAL

MAIN PHONE: (913) 296-2215
CONSUMER PROTECTION: 296-3751
TELECOPIER: 296-6296

SENATE ELECTIONS COMMITTEE

TESTIMONY IN SUPPORT

OF

SENATE BILL 592

BY

John W. Campbell
Deputy Attorney General

February 23, 1993

Madam Chairperson, members of the committee, my name is John W. Campbell. I am a deputy attorney general for the State of Kansas. I am here today on behalf of the Office of the Attorney General to testify in support of Senate Bill 592.

Under current Kansas law, state officers and employees who license, inspect, and regulate professions and businesses are free to accept part time jobs for pay from these same professionals and businesses. The real and potential conflicts of interest allowed under our current law are detrimental to the State both as an employer and as an agent of the people.

This situation first came to our attention last year when the Federal Highway Administration filed a complaint regarding a Kansas Highway Patrol trooper assigned to a federally funded program known as the Motor Carrier Safety Assistance Program. During the day the trooper inspects and tickets motor carriers. During the evenings and weekends the same trooper served as a private consultant to some of the same motor carriers.

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ATTACHMENT 2

By investigation, and after consultation with the Kansas Commission on Governmental Standards, we determined that the trooper had not violated any law. Despite the fact that this state employee as a private consultant was receiving nearly twice the money he earned as a trooper, our conflict of interest laws simply did not apply.

The situation involving the trooper was resolved by negotiations. And I would emphasize that we did not uncover evidence of a crime. However, the fact remains that an employee of the state was lawfully engaged in activity which at a minimum presented a increased risk of abuse in the enforcement of the law.

Senate Bill 592 would amend that portion of the Kansas Governmental Ethics Act found at K.S.A. 46-286(b). The bill would prohibit regulators from personally profiting from those that they regulate. Senate Bill 592 would allow the State as an employer to better regulate its own work force. It would also provide protection to the public by the elimination of both real and perceived conflicts of interest.

The current law does not provide sufficient protection for the thousands of persons and businesses regulated by the State. The Office of the Attorney General urges the committee to act favorably on Senate Bill 592.

**Kansas Highway Patrol
Summary of Testimony
Senate Bill 592
Before the
Senate Committee on Elections & Governmental Standards
Presented by
Sergeant Terry L. Maple
February 23, 1994**

Good afternoon madame Chair and members of the Committee. My name is Sergeant Terry Maple and I appear before you on behalf of Superintendent Lonnie McCollum.

Senate Bill 592 amends K.S. A. 46-286 by adding new language designed to prevent conflicts of interests by state employees who are employed by or perform consulting services for persons the regulate, license or inspect. The Patrol is supportive of the attempt to prevent potential conflicts of interest and clarify what forms of employment are permitted.

We are also concerned that the new language may limit our employees ability to obtain legitimate additional employment in some instances. Examples include but are not limited to the ability to be employed as a driver for a trucking firm or act as a salesman at a vehicle dealership.

We respectfully request the committee to try to insure that what, if any, changes made to the law are in the best public interest and preserve an employee's ability to obtain employment that does not constitute a conflict of interest.

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ATTACHMENT 3

Bill Graves
Secretary of State



2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236

STATE OF KANSAS

Senate Committee on Elections, Legislative Apportionment and Governmental Standards

Testimony on HB 2674

Brad Bryant, Deputy Assistant Secretary of State
Elections and Legislative Matters

February 23, 1994

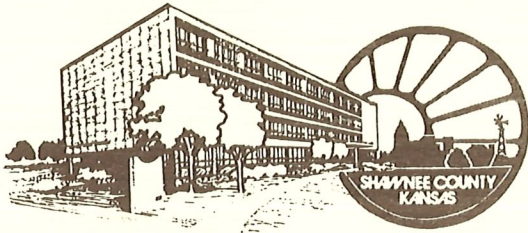
Madam Chair and Members of the Committee:

The Secretary of State's office supports HB 2674.

This bill will allow county election officers to provide adequate voting booths, maintain privacy in the booths, and appoint an appropriate number of election board workers, without being required to adhere to strict state requirements which increase costs.

On February 7 the House of Representatives passed HB 2674 120-0. We recommend this committee report the bill favorably.

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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

DATE: February 23, 1994

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

FROM: Elizabeth Ensley
Shawnee County Election Commissioner

RE: HB 2674, Election Equipment and Personnel

HB 2674 seeks to amend three very strict requirements in the law. The current statutes make unnecessary distinctions between voting machine and paper ballot counties. These restrictions place in statutory cement out dated descriptions that inhibit the effective and efficient administration of elections and unnecessarily cost taxpayers thousands of dollars.

This legislation could help all counties, but it would immediately impact Shawnee County. Because of the recent purchase of a precinct count paper ballot election system, the investment for voting booths alone will be roughly \$100,000 or more. The timeframe for handling these issues is very important. The system will need to be paid for and in place by late spring of this year for use in the coming election cycle.

Please note that important security measures are still in place. K.S.A. 25-2703 still requires that no one be allowed within three feet of a voting booth, and the Federal Election Commission guidelines VOTING SYSTEMS STANDARDS further requires secrecy sleeves for precinct count systems which will also aid in providing privacy.

Attached is a detailed statement of the three issues involved with this bill. They are: the description of the voting booths, the number of voting booths and the number of board workers at the polling place. Based on this information, I urge you to vote for HB 2674.

Thank you for your time and consideration.

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DESCRIPTION OF BOOTH - THE FOUR SIDED BOOTH IS COSTLY, DIFFICULT TO WORK WITH AND MAY NOT MEET ADA STANDARDS

The list price for a single portable four sided booth is \$195.00. However, a variety of three sided booths is available for competitive bids. A comparison of prices for the Shawnee County system using 650 voting booths could range from:

4 sided booth described by statute	\$103,350
3 sided booth on display	\$ 87,750
temporary corrugated cardboard booths	\$ 16,250

The four sided booth can be difficult for boardworkers to handle. If moving companies set up the booths, then we will need to pay an additional \$3000 to \$5000 per year for delivery expenses.

The statutory description appears to conflict with the Americans with Disabilities Act in two ways. 1. The ADA four sided booth does not appear to have enough room for the flap to completely close behind a wheel chair. 2. It does not provide sufficient turning space for a wheel chair (60 inches). A three sided ADA model could also be used with a chair which is more convenient for the large number of people that use canes, crutches or walkers.

When the open side of the three sided booth is turned to the wall, the booth becomes, for all practical purposes, a four sided booth.

NUMBER OF VOTING BOOTHS - ELECTION OFFICIALS SHOULD PROVIDE FOR A SUFFICIENT NUMBER OF BOOTHS FOR EACH POLLING PLACE

Many polling places are not big enough to accommodate one booth for every 60 registered voters. A number of counties have difficulty in complying with this statute.

Paper ballot counties are unfairly held to a higher standard than voting machine counties which do not have a statutory ratio of machines to voters.

NUMBER OF ELECTION BOARD MEMBERS - ELECTION OFFICIALS SHOULD PROVIDE FOR AN ADEQUATE NUMBER OF WORKERS TO GET THE JOB DONE

Four member election boards add flexibility when needed for increased turnouts or additional help at retirement homes.

Each time that one board worker position can be eliminated, Shawnee County saves \$10,055.50 on that election.

Paper ballot counties are again unfairly held to a more difficult and expensive standard than voting machine counties which can use an even number of board workers.

Bill Graves
Secretary of State



2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236

STATE OF KANSAS

Senate Committee on Elections, Legislative Apportionment and Governmental Standards

Testimony on HB 2592

Brad Bryant, Deputy Assistant Secretary of State
Elections and Legislative Matters

February 23, 1994

Madam Chair and Members of the Committee:

Thank you for the opportunity to appear before the committee to recommend passage of HB 2592. This bill will amend K.S.A. 25-2507 and 25-2908 to accomplish two things:

- (1) it will require each voter to sign a book at the poll before voting, and
- (2) it will allow each county election officer, if they choose, to eliminate one of the books used at each polling place.

Requiring the signature of each voter will increase the security of the vote and decrease the chance of election fraud by giving local election officials the ability to cross-check signatures of voters against their signatures on the registration records. This is a step that thirty-nine other states have already taken.

Under current law, the voter merely states his/her name, whereupon one election board worker repeats the name out loud and marks it in the registration book, and another worker writes the name in a poll book. Requiring the voter's signature instead of a board worker's writing of the voter's name will, as stated before, increase security while adding neither additional cost nor additional time to the voting procedure.

This bill will also allow the county election officer to do away with one of the books at the polls if they choose. The current system requires both a registration book and a poll book at each polling place. The registration book contains names, addresses and other pertinent information about voters who are registered in the precinct. The poll book contains blank lines for election clerks to write the names of voters.

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ATTACHMENT 6

Under this bill, county election officers may reduce election costs by eliminating one book and possibly one election board worker, while still maintaining, and even increasing, security by requiring the signatures of voters. As amended by the House of Representatives, in counties that opt to maintain the current two-book polling system the county election officer may choose which book the voters sign.

Most of the county election officers whom the Secretary of State's office consulted in preparation of this bill expressed no reservations about its provisions. The House of Representatives passed the bill 124-1 last month. The Secretary of State's office recommends the Senate pass HB 2592 to increase the security of the voting process and at the same time reduce costs.



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

DATE: February 23, 1994

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

FROM: Elizabeth Ensley/
Shawnee County Election Commissioner

RE: HB 2592, Identification of Voters

HB 2592 is a progressive bill which seeks to increase security at the polling place and has the added benefit of being able to be used to decrease the cost of an election.

Kansas Statutes do not at this time require any form of identification at the voting place. It relies solely on the board workers recognizing each voter to prevent fraud. While this system may work well in more stable neighborhoods, it is not the case in many areas. People are more mobile then they used to be. Apartment complexes dot cities and new housing can double precincts in one summer. The result is that the board workers frequently do not recognize any of the voters. Thus we lose one important protection.

ADDS PROTECTION - Requiring a signature at the polling place would provide an avenue for verification against the registration card should anyone question who voted. It would further provide evidence for the district attorney to use for prosecution.

SAVES TAX DOLLARS - The signature can be used to replace the poll books and the need for the clerks who write in them. Each time a board worker position can be eliminated, Shawnee County saves \$10,055.50 for that election.

SHORTENS LINES - If voters sign their names instead of a clerk having to listen for the spelling and then writing the names, the lines move a lot faster.

I would therefore, very much appreciate your support of HB 2592.

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FEBRUARY 23, 1994 COMMENTS on HB-2592
Elgia Stevenson, Johnson County Election Commissioner

The original request for HB 2592 was to offer election officers an option for shortening the time required to check-in voters. Voting can be enhanced by allowing the voter to sign either a registration or poll book. Voters become impatient while enduring the repetitious announcing, spelling and copying of names to a poll book.

As written, the 'paper work' aspect will ultimately increase the check-in time and create an adversarial climate by proclaiming voters 'shall' sign either document. Refusal to sign, in itself, should never force voters to a challenge ballot or place a polling place official in the position of wrongfully challenging what could be a legitimate voter.

Kansas statutes are shamefully lax about voter identification at the polls. The following amendments should be entered as the first step in a 'fail-safe' plan.

1. Amend 25-2909 (b) to mandate that, when appearing to vote, voters SHALL show either a registration card or a driver's license showing their current address.
2. Amend 25-2309 (c) to mandate that ALL certificate of registration forms provide space for a voter's signature.

Weak voter identification requirements open opportunities for voters, who have moved out of any county/state, to easily return and vote from a vacated address. Poor voter ID is probably the most common and consistent weakness in any voting procedure because:

A discrepancy in identification information is the first clue to consider challenging a voter. Hard copy identification is helpful to boardworkers when searching for a name in the registration book, especially in a noisy polling place.

Current statutes explicitly outline a mechanism for processing challenged ballots at the polls. The process enables board workers to allow a questioned voter to vote but with minimal controversy and delay of other voters. Confrontational incidents should be avoided.

A challenged ballot envelope must be signed by two boardworkers and the voter; entry in a registration book is redundant.

A registration book is the official list of eligible voters for a precinct. Until eligibility of a challenge voter is established, by the board of canvassers, entering the name/signature on the registration book list establishes a degree of legitimacy. If developing a polling place record of these voters is desirable, the entry should be on an appendix sheet in the registration book but not within the original listing. AFTER the board of canvassers rules on the challenge ballot, updating the registration book/file would be in order.

Sequential entry to a poll should be recorded by using a poll book. Signing only the registration book will not show that information. Research of the approximate time of a voter's presence at the polls has been requested in determining an individual's whereabouts for reasons other than voting. The voter sequence is used by machine or ballot workers to keep in balance to the number of voters checked in.

FISCAL IMPACT: Many election officers maintain a stock of poll books. Requiring the immediate printing of a declaration would obsolete books costing \$1.25 to \$1.75 each, depending on area. Such transitional problems could be eased by requiring the directives of the bill to be installed no later than July 1, 1996.