

Approved 4-1-90
Date

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Kenneth R. King at
Chairperson

9:10 a.m./p.m. on Thursday, March 22nd, 1990 in room 521-S of the Capitol.

All members were present except: Representative Mary Jane Johnson, excused

Committee staff present: Pat Mah, Research
Fred Carman, Revisor
Ellie Luthye, Secretary

Conferees appearing before the committee:

Senator Oleen
Michael Woolf, Common Cause
Connie Stewart, AFL-CIO
Ron Thornburgh, Office of the Secretary of State
Sandra Dexter, Chief Drivers License Examiner

The House Election Committee was called to order at 9:10 a.m. by Chairman Kenneth R. King on Thursday, March 22nd, 1990.

The minutes of the meeting on March 20th were presented to the committee for approval. Representative Shallenburger made a motion the minutes be approved, seconded by Representative Sawyer and the motion carried.

The first order of business was hearings on SB 734, an act relating to the Department of Human Resources; concerning political activities by certain officers and employees.

Senator Oleen appeared before the committee in support of SB 734, stating that between 300-400 state employees could be affected by this legislation because it would allow them to seek election to non-partisan offices. (Attachment I)

Mr. Clifford White, who works for the Kansas Department of Human Resources in Junction City, sent written testimony in support of SB 734. He encouraged the committee to support a change in the Employment Security Law to allow those interested in running for non-partisan positions to be allowed to do so and not deny them the opportunity because of their jobs. (Attachment II)

Karen Gnefkow, from the Department of Human Resources, appeared briefly before the committee and reported the Department did not have any problems with this bill.

The Chair opened the floor for questions from the committee. Representative Sader requested that Research check to see if there were other departments that might be similarly impacted as the law now reads.

There were no other conferees to appear before the committee and the chair declared hearings closed on SB 734.

The Chair next called for hearings on HB 3057, an act relating to elections, concerning voter registration.

Michael Woolf, Common Cause, presented written testimony in support of HB 3057. He stated the easier it is to register, the higher the voter turnout and this should certainly be a high priority. (Attachment III)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,

room 521-S Statehouse, at 9:10 a.m./p.m. on Thursday, March 22nd, 1990.

Connie Stewart, representing the Kansas AFL-CIO, presented written testimony supporting HB 3057. She stated on behalf of thousands of members of the AFL-CIO across the state, who felt that application for voter registration should be included as part of the application for driver's licenses and non-driver identification cards, she urged the committee to report HB 3057 favorably for passage. (Attachment IV)

Representative Sawyer reminded the committee that the League of Women Voters had also supported this bill in testimony they presented earlier to the committee.

Ron Thornburgh, from the Office of the Secretary of State, appeared before the committee with written testimony in opposition to HB 3057. He said the office of the Secretary of State endorses the goal of increasing participation in the electoral process, however, the office is convinced that HB 3057 is not the appropriate action to take to correct low voter turnout. (Attachment V)

Following testimony the conferees stood for questions by the committee. Sandra Dexter, Chief Drivers License Examiner, also answered questions from the committee. She reported there are 1.7 million licensed drivers in the State of Kansas.

Following discussion the Chair closed the hearings on HB 3057.

The House Election Committee adjourned at 10:00 a.m.

STATE OF KANSAS

LANA OLEEN
SENATOR, 22ND DISTRICT
RILEY AND GEARY COUNTIES



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HOUSE ELECTION COMMITTEE

March 22, 1990

Senate Bill 734

Chairman King and Members of the Committee:

I appreciate the opportunity to appear before you today in support of Senate Bill 734.

The legislation is a result of a request of a constituent, Mr. Clifford White, who works for the Kansas Department of Human Resources in Junction City and resides in Milford. Since he is unable to be here this morning, I have copies of his testimony for you.

Mr. White, as well as 300-400 other state employees, could be affected by this legislation because it would allow them to seek election to non-partisan offices which might include township, school board or city council positions.

An ammendment was made to the bill in the Senate Election Committee. It pertains to solicitation of funds by the individual. Neither my constituent nor me called for the amendment; we leave that to your committee's deliberation.

We have worked with the Kansas Department of Human Resources in the drafting of this bill and they support its original intent.

Thank you for your consideration of Senate Bill 734. I would stand for any questions.

Attachment 1
Elections - 3-22-90

MAR 21 1990

March 19, 1990

Election Committee
Kansas House of Representatives
State House
Topeka, KS 66612

Dear Chairman King, Vice Chairman Shallenberger and
Committee Members:

I apologize for not being able to appear before the Committee in person, but due to prior work commitments, I am not able to do so. I have asked Senator Oleen to speak on my behalf and on behalf of Senate Bill 734, which is now before you.

I originally contacted Senator Oleen to see if there was any way K.S.A. 44-714 could be amended so that employees of the Kansas Department of Human Relations who enforce the Employment Security Law would be permitted to run for non-partisan positions. The Bill when presented to the Senate Election Committee was further amended to include that funds could be received to run for non-partisan positions. I am only concerned with being able to run for such positions and believe that the proposed change of "except as a candidate for a non-partisan elected public office" is sufficient. Since these are non-political activities, there would be no prohibition under the law to receive the funds needed to run for such positions.

I am very interested in running for a position on our local township board and our local school board, but currently I cannot. I believe a person being able to hold such a position is one of our basic rights to free speech. It also allows for change to be made at local levels. Having a daughter in the public school system, I am very concerned with her education and the education of all children. I am also concerned regarding the lack of interest on the part of citizens on a local level to becoming involved in their community and to make changes in their communities if such are warranted.

I encourage the Committee to support a change in the Employment Security Law to allow those of us who are interested in running for non-partisan positions to be allowed to become involved in those positions and not deny us that opportunity because of our job.

I thank you very much for the opportunity to submit this testimony before your Committee and for your consideration in this matter.

Sincerely,



Clifford E. White
Route #1, Box 85 W
Milford, KS 66514



COMMON CAUSE / KANSAS

701 Jackson, Room B-6 • Topeka, Kansas 66603 • (913) 235-3022

March 22, 1990

Statement in Support of House Bill 3057
Presented to the House Elections Committee
by Michael Woolf, Executive Director

Mr. Chairman, members of the Committee:

Common Cause/Kansas rises in support of House Bill 3057. Our organization works, not only for reform of our ethics and campaign finance laws, but also for proposals that will make our government more accountable and accessible to the people it is intended to serve.

A New York Times/CBS poll taken after the 1988 elections found that 37% of the non-voters surveyed did not vote because they were not registered. 75% of those individuals said that state laws should be changed to make it easier to register and vote.

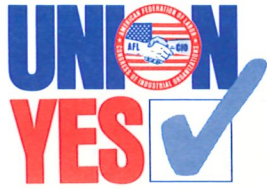
The easier it is to register, the higher the voter turnout. And in a state and country that prides itself on its democracy, that should certainly be a high priority.

Three states have same-day registration: Minnesota, Maine, and Wisconsin; and North Dakota does not require voter registration in any form. These states respectfully ranked first, second, fifth, and sixth in voter turnout. Maine and Wisconsin also boast the highest registration rates in the country--over 90% of the voting age population in each state. One study estimated that voter turnout would increase by about six million people nationally if all states have same day registration.

Critics claim that some people might be encouraged to register and vote in more than one location. But Joan Anderson Grove, Minnesota Secretary of State, has said that, "In Minnesota, we have found this claim to be without foundation. I know of only two indictments in nine years. Secretaries of state in the two other states that use same-day registration give the unanimous opinion that voter fraud has not been a problem with election-day registrants."

Motor-voter programs are currently in effect in Alaska, Arizona, Colorado, Illinois, Iowa, Michigan, Minnesota, Nevada, North Carolina, Ohio, Oregon, Vermont, Virginia, Washington, and West Virginia. In Colorado, 175,000 citizens were registered during programs the first year, 84% of which were new voters. In 1984, Colorado's registration level was 59% of the eligible population; in 1988 that figure rose to more than 80%.

The most basic right in a democracy is the right to vote. Common Cause/Kansas asks you to support HB 3057, which will make it easier and allow more people to exercise this basic right.



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Testimony On HB 3057 Presented to the House Elections Committee

By

Connie Stewart
Kansas AFL-CIO
March 22, 1990

Mr. Chairperson and Members of the Committee:

My name is Connie Stewart and I am representing the Kansas AFL-CIO. I am here today to testify in support of HB 3057, which provides that an application for voter registration be included as part of the application for driver's licenses and non-driver identification cards, or motor-voter as it is commonly called. On behalf of the Kansas AFL-CIO and our thousands of members across the state, I urge you to recommend HB 3057 favorable for passage.

Our organization has always considered the participation of our members and all eligible citizens in the electoral process to be a very important responsibility. It is not a responsibility we take lightly. Every year we devote thousands of hours and thousands of dollars to our efforts to assist our members in registering to vote.

America's democratic promise is to include all our citizens in the nation's decisions. That promise has not been kept. Too many of our citizens still stand outside the process. We are the only western democracy which places the burden of registration on the individual. In all other western democracies, it is the responsibility of government to maintain the voter rolls.

In time, all states will have to address the growing concern over registration barriers. Indeed, the focus on these concerns on a national level indicate that, in time, if states do not take steps to simplify the registration process themselves, the U. S. Congress will mandate reforms. The provisions of HB 3057 are included in the HR 2190 presently before Congress.



Attachment IV

Elections - 3-22-90



One common argument we hear frequently against simplification of the registration process, is that people should consider voting a privilege and should be willing to invest a little time and effort in becoming eligible to vote. Indeed, those of us actively involved in the political process frequently have little patience with the public apathy so frequently encountered. However, if the public has become apathetic about our system, we need look no further than the system itself for the cause. Too many cumbersome and antiquated legal and administrative impediments stand in the way of registering voters.

The net effect of registration barriers is to quietly disenfranchise the powerless. Motor-voter is one of the most effective and efficient ways to make voter registration accessible to citizens. It is estimated that 90% of people old enough to vote, visit driver's license stations to apply for or renew their licenses or obtain non-driver identification cards. Each of these agency visits can provide an additional convenient, quick and cost-effective service to the public by affording a chance to register to vote or to update a registration.

Approximately 10 states have some form of motor-voter registration. Many of these states have seen a significant increase in the percentage of registered voters. In Arizona, 66,609 people used the program to register during the first six months. During the first month of Colorado's new program 10,000 voters registered. During the first four months, Colorado gained 46,227 new registrations. In Michigan, where motor-voter registration was born, over 80% of eligible voters are registered to vote, a figure much higher than the national average. In the ten years of its motor-voter program, registration in Michigan has increased over 15 percent and the voting population has increased by 11 percent.

Motor-voter registration offers other advantages to elections officials. According to the Michigan Secretary of State, motor-voter registration has virtually eliminated the last-minute rush. Since the program maintains the state's voter registration base at a high level, fewer electors remain unregistered before each election.

Michigan's experience indicates that poll workers' jobs are simplified as a result of motor-voter registration also. Because driver's licenses are frequently used for identification, drivers have a compelling reason to have their driver's licenses updated, thereby eliminating most of the voters who arrive at the polls only to discover they must travel to another polling place to vote, or worse, discover that they are ineligible to vote because they failed to re-register after moving.

Voting is a precious Constitutional right. Motor-voter registration can encourage the exercise of that right among our citizens.

Thank you for the opportunity to appear before you today. I respectfully request your favorable consideration of HB 3057.

Bill Graves
Secretary of State



2nd Floor, State Capitol
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(913) 296-2236

STATE OF KANSAS

TESTIMONY OF RON THORNBURGH
HOUSE ELECTIONS COMMITTEE
MARCH 22, 1990

HB 3057

Thank you Mr. Chairman and members of the committee for the opportunity to appear before you on House Bill 3057.

The office of the Secretary of State has long been an advocate of expanding voter registration opportunities. This year we have proposed several important pieces of legislation designed to expand the number of registered voters in our state. We believe that every reasonable measure to correct the problem of low voter turnout should be taken, including more government agencies making voter registration materials available.

However, we do not support HB 3057 because it makes the registration process a part of a separate governmental act. Voter registration, by its very nature, must require a positive act rather than an act of omission as it would in HB 3057. By asking only if the person does not wish to vote, we are greatly increasing the risk of fraud through duplicate registrations, 16 year old registered voters, and non-residents being allowed to register to vote.

In addition to these problems, the Department of Revenue has stated that obtaining a false drivers license is a wide-spread problem in our state. In fact, there are nearly more driver's licenses issued in the state of Kansas than there are men, women, children and non-citizens residing in the state. How could we attach the governmental function of registering people to vote, a duty that insists on absolute reliability and scrutiny, and attach it to a system wrought with the potential for fraud?

The bill also fails to take into consideration a very important problem. The implementation date of July 1, 1990 is entirely unreasonable. Such a comprehensive voter registration plan would take a minimum of two years to design and implement.

The office of the Secretary of State endorses the goal of increasing participation in the electoral process. However, as strongly as we feel about the concept of increased voter registration, we are convinced that this is not the appropriate action to take to correct low voter turnout.

Attachment V

Elections - 3-22-90