

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by the Chair, Carol Dawson, at 9:00 a.m. on January 27, 1995 in Room 521-S of the Capitol.

All members were present except: Rep. Phyllis Gilmore, Excused

Committee staff present: Carolyn Rampey, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Arden Ensley, Revisor of Statutes
Donna Luttjohann, Committee Secretary

Conferees appearing before the committee: Edward Rowe, League of Women Voters of Kansas
Joan Davison, President County Clerk
Marilyn Chapman, Sedgwick County Elections
Mary Ellen O'Brien-Wright, KS ASSN of Independent Living
Candace Shively, KS Dept. of SRS
Michael Byington, KS Assn. for the Blind and Visually Impaired, Inc.

Others attending: See attached list

Chairman Dawson continued the public hearing on HB 2079. Edward Rowe was recognized by the Chair to testify as a proponent of the bill. He testified that there were several groups of individuals that would find it difficult to get to traditional registration sights to register. See Attachment 1.

The Chairman recognized Joan Davison as a proponent of the bill. Ms. Davison testified that their office has been working with the Secretary of State's office to implement the NVRA as mandated, to bring Kansas into compliance. See Attachment 2.

Marilyn Chapman was recognized by Chairman Dawson as a proponent of the bill. She testified that HB 2079 was designed to fulfill the provisions of the NVRA of 1993. See Attachment 3.

Chairman Dawson recognized Mary Ellen O'Brien-Wright as a proponent of the bill. She testified that people with disabilities will have the opportunity to register to vote in a variety of settings not limited to state agencies and division of motor vehicle offices. See Attachment 4.

The Chairman recognized Candace Shively who testified in favor of the bill. She testified that SRS has been working with the Secretary of State's office and county election offices throughout the state to implement an interim agency based voter registration plan in Kansas and that it has been accomplished successfully. Passage of HB 2079 would provide the opportunity for SRS to move ahead with full implementation of the NVRA of 1993. See Attachment 5.

Michael Byington was recognized by the Chairman as a proponent of the bill. He testified that bringing Kansas into compliance with the NVRA of 1993 by passage of HB 2079 would assist the blind and low vision individuals in accessibility to voter registration offices. See Attachment 6.

Chairman Dawson advised committee members that testimony from David Plotkin, representing Human SERVE, was made available to them. See Attachment 7.

After questions from committee members were addressed by the conferees, Chairman Dawson closed the public hearing on HB 2079.

The Chairman announced that a subcommittee would be appointed for study of HB 2079. Rep. Chronister was appointed to be the Chairman with Representatives B. Nichols and Haley members. Rep. Chronister was recognized by the Chair. She announced that the subcommittee would meet at 9:00 a.m. on Monday, January 30, 1995, in Room 521-S of the Capitol. The Chairman adjourned the meeting at 9:50 a.m.

The next meeting is scheduled for Tuesday, January 31, 1995, at 9:00 a.m. in Room 521-S of the Capitol.

GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE GUEST LIST

DATE: January 27, 1995

NAME	REPRESENTING
John W. Smith	KDOR - DMV
Betty McBride	KDOR - DMV
Arlan Holmes	Division of Budget
Colleen [unclear]	Legislative Office
Marilyn [unclear]	KDOR
Marilyn Chapman	Sedgwick County
Lois [unclear]	Ks. County Clerks Association
Jane A. Chubb	S.O.S.
Winn [unclear]	Intern - Sen. J. Moran
Robyn Van [unclear]	KNEA
Brad Bryant	Sec. of State
Mary Ellen [unclear]	
Chuck Knapp	SOS
Kandy Shortle	SRS
Ed Rowe	LEAGUE OF WOMAN VOICES
Candy Shively	SRS

LWVK LEAGUE OF WOMEN VOTERS OF KANSAS

Testimony on HB 2079 before the
House Committee on Governmental Organization and Elections
Representative Carol Dawson, Chair
January 26, 1995

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

Throughout its 75-year history, the League of Women Voters has consistently campaigned to lower registration barriers and has worked hard to increase voter participation. League thanks the Kansas legislature for passing a Kansas "motor voter" law in 1992, a law we think will result in more voter participation in future years. And we thank this committee for the close attention you are giving to HB 2079.

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, has its historical roots in League's own struggle to obtain votes for women. Consistent with our position of encouraging all citizens to vote, the national League lobby corps campaigned strongly for the National Voter Registration Act of 1993.

Though in my lifetime this country has gone far toward removing major barriers to registration and voting, there are still barriers which keep our country from realizing the goal of maximum participation in the electoral process. I think of several categories of people who could find it difficult to get to traditional registration sites open at traditional office hours: Handicapped persons, poor people working more than one job, poor people without an automobile, and workers whose jobs take them out of town for long periods.

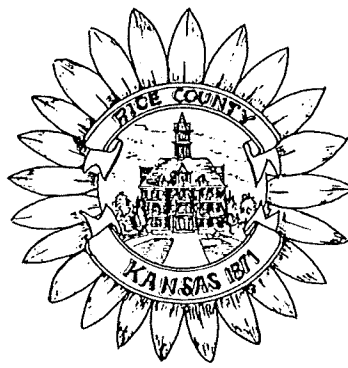
Young, first-time voters are also at a disadvantage. I haven't moved in twenty years, so I have no trouble staying registered, but many of my neighbors are young working people or college students, unfamiliar with registration rules and at a stage in their lives when they are moving frequently. I became acutely aware of the problem when I recently started working on election boards. Some of the saddest stories this last election day were from young people who had moved, in some cases only a block or two, but across a precinct line they didn't know existed, and they became ineligible under our current rules.

I am here to urge you to vote favorably for HB 2079 so that the Secretary of State, the county election officers, state agency personnel and volunteers can go to work and get more Kansans registered to vote.

Thank you for allowing me to appear before you today.

HOUSE GOVERNMENTAL ORGANIZATION
AND ELECTIONS
January 27, 1995
Attachment 1

Courthouse
101 W. Commercial St.



County Clerk

Phone (316) 257-2232

R I C E C O U N T Y C O U R T H O U S E

RICE COUNTY

DATE: January 27, 1995 LYONS, KANSAS 67554-2799

TO: Honorable Carol Dawson, Chairperson
House Committee on Governmental Organization and
Elections

FROM: Joan Davison, Rice County Clerk *Joan Davison*
President, Kansas County Clerks Association

RE: House Bill 2079 - National Voter Registration Act

I want to thank you for the opportunity to appear before you as the President of the Kansas County Clerks' Association. As Clerks and Election officials for Kansas 105 Counties we wanted you to know that we strongly support this Committees consideration of HB 2079 which will serve to bring Kansas into compliance with the provisions of the National Voter Registration Act. We feel that we can not emphasize enough how important it is for election officials to demonstrate our willingness to comply with NVRA by making our best effort to carry out its provisions in an orderly and effective way. This legislation will allow us to do that. We would much prefer that our directive come from the Kansas legislature rather than the courts.

We understand the goal and purpose of the national legislation is to increase the number of registered voters and that specific duties are now being delegated to us involving additional registration methods such as the agency based provisions plus other administrative requirements.

We have been working hard to comply with the required provisions. A Clerks' Association NVRA special committee has been appointed which has been working only with this single issue over a period of several months. Marilyn Chapman, Sedgwick County Election Commissioner is our Chairperson. Carol Brown, Finney County Clerk is the Vice Chair. The Committee consists of members from Crawford, Doniphan, Ellis, Jewell, Leavenworth, Ottawa, Shawnee, Waubunsee, Wallace and Wilson Counties. The Committee has been working very closely with the Secretary of States Office to insure effective NVRA compliance and to formulate the necessary implementing legislation. Marilyn Chapman is here to appear before you as the Association's official spokes person and to address any questions that you may have of the Clerks' Association on NVRA.

Again we do thank you for this opportunity to appear and for your support of HB 2079.

HOUSE GOVERNMENTAL ORGANIZATION
AND ELECTIONS January 27, 1995
Attachment 2



SEDGWICK COUNTY, KANSAS

Commissioner of Elections

Marilyn K. Chapman

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

January 26, 1995

On May 23, 1994 President Clinton signed into law the National Voter Registration Act. This act was mandated to go into effect January 1, 1995.

House Bill 2079 has been designed to carry out the provisions of this act. It 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 Kansas County Clerk's Association committee, of which I am chair, has met numerous times during the last year and a half 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. We also feel that Kansas will be better served by passing legislation that we write rather than having to administer laws handed down to us from the courts. As representative of the clerk's association, I urge you to consider this bill favorably.

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Attachment 3



Gina McDonald
Executive Director

Member Agencies:

**ILC of
Southcentral Kansas**
Wichita, KS
316/838-3500 Voice/TT

Independence, Inc.
Lawrence, KS
913/841-0333 Voice
913/841-1046 TT

Independent Connection
Salina, KS
913/827-9383 Voice/TT

LINK, Inc.
Hays, KS
913/625-6942 Voice/TT

The WHOLE PERSON, Inc.
Kansas City, MO
816/561-0304 Voice
816/531-7749 TT

**Topeka Independent
Living Resource Center**
Topeka, KS
913/233-4572 V/TT

**Southeast Kansas
Independent Living, Inc.**
Parsons, KS
316/421-5502 Voice
316/421-6551 TT

**Accessing Southwest
Kansas (ASK), Inc.**
Dodge City, KS
316/225-6070 Voice/TT
1-800/871-0297

Testimony to
Committee on Governmental Organization and Elections
Representative Carol Dawson, Chairperson

Kansas Association of Centers for Independent Living
Mary Ellen O'Brien -Wright
January 25, 1995

The Kansas Association of Centers for Independent Living (KACIL) offers our support for House Bill 2079, which will bring Kansas into compliance with the National Voter Registration Act of 1993.

Centers for Independent Living (CIL's) are advocacy organizations which promote the rights of people with disabilities. CIL's have been assisting people with disabilities in becoming registered voters for many years. KACIL is very happy to see that individuals will now be given the opportunity to register to vote in a variety of settings not limited to state agencies and division of motor vehicle offices.

KACIL will offer any assistance we can to the secretary of State in the implementation of the National Voter Registration Act.

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KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES
Janet Schalansky, Acting Secretary

**House Committee on Governmental
Organizations and Elections**
Testimony on House Bill 2079

January 27, 1995

Madame Chair and Members of the Committee, on behalf of Acting Secretary Schalansky I thank you for the opportunity to appear before the committee to testify in support of House Bill 2079. 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 completion of each recertification, renewal or change of address form relating to such assistance. H.B. 2079 addresses all of these aspects of the Act.

During the past year SRS has worked in conjunction with the Secretary of State's office and county election offices throughout the state, to implement, effective January 1, 1995 an interim agency based voter registration plan in Kansas. This interim plan has been accomplished within the confines of the current statutes and it is already demonstrating success. People are applying to register to vote at public assistance agencies.

However, under current Kansas law SRS cannot move ahead with full implementation of NVRA particularly in regard to offering voter registration services through the mail and to assistance recipients who change addresses. H.B. 2079 will provide SRS with that opportunity. This legislation will enable the department to continue its development and implementation of customer responsible, cost effective and Kansas oriented strategies which address the role of the public assistance agency in voter registration.

Candace Shively for
Janet Schalansky
Acting Secretary
January 27, 1995

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Kansas Association for the Blind and Visually Impaired, Inc.

AN AFFILIATE
OF THE
AMERICAN COUNCIL
OF THE BLIND

January 27, 1995

TO: House Local Government and Elections

FROM: Lucille Parli and
Michael Byington,
Legislative Committee

SUBJECT: Support for House Bill 2079

We rise in support of this bill. Particularly, we support the portions which allow human services agencies and home visitation staff which work with those agencies to assist disabled citizens in registering to vote, and which direct these agencies and staff that such services must be offered.

Our organization represents many older blind and low vision individuals. While some persons who are blind or who have low vision travel very independently in their community, others who are newly blind, elderly blind individuals, and multiply disabled blind individuals often have great difficulty traveling to voter registration sites. Registering by mail is often not an easy option for these citizens either because the voter registration mail-in forms are not made available in large print, in Braille, or in a returnable tape recorded format.

Under current Kansas provisions, an agency office can be designated a satellite voter registration site. It is not possible, however, for a staff member working for that agency, but who works largely with clients in their homes, to assist with voter registration from a citizen's residence.

Many blind and low vision individuals receive a majority of whatever social or human services they are allotted while in their homes. After all the purpose of many of the services in question are to assist the individual to remain in their residence and community. Voter registration needs to be one of the services offered through home visits or many blind and low vision citizens simply are not going to be registered.

There are a large number of volunteer and political organizations which offer rides to the polling places on election day. It is therefore not usually a problem for a blind or low vision citizen to get to the voting place. The problem is usually in getting the ride or the reader necessary to either go register or register by mail.

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While it is helpful to have the non-driver's identification card included along with the driver's license in the motor voter provisions, this inclusion does not insure adequate voter registration access to the State's blind and low vision residents. Many blind and low vision individuals choose not to go through the hassal of getting the non-driver's identification card. After all, it does not allow them to do anything particularly useful, such as drive a car. If the individual is well known by their bank and by places where they shop, then identification alone may not be a sufficient motivator. The individual simply may not find the non-driver's identification card to be necessary. This is why equal access is only approached when in-home registration assistance is available.

If the Committee is disposed to not want to adopt and implement this entire bill because of costs connected with the notification provisions, then we hope it will at least adopt the provisions of the bill which allow for the in-home registration assistance by social services agencies and which require such agencies to offer voter registration services. There would be virtually no costs connected with these provisions, and we see them as the most important of all of those in the bill.

When motor voter was debated as a concept and eventually adopted at the federal level, the support for it seemed to be largely divided along liberal and conservative lines with the liberal forces being for the idea and the conservatives being against. The issues in dispute may have in part been related to costs, but there also seemed to be some fear on the part of many conservative Congresspersons that the electorate would become more liberal if the in-home human services registration provisions were included. They seemed to think that all of the unregistered, homebound individuals were social service using, liberal, welfare recipients who would want to stack government in that direction. While the information we can provide to refute this concern may not be gathered by scientific methods, we feel it is nonetheless significant. One of the authors of this testimony, Michael Byington, has for many years, assisted a large number of blind and low vision voters each election. Byington not only helps arrange transportation for these individuals, but also assists them upon request as a reader for the ballot. He has found that the political views of the blind population with which he works vary greatly. Some voters he assists are quite liberal. Some are quite conservative. Some clearly remain toward the political middle-ground. The idea therefore is not to change the direction of the overall electorate, but rather to simply make certain that all who are motivated to vote have an equal opportunity to arrange to do so.

January 19, 1995



TESTIMONY TO THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE

PREPARED BY DAVID PLOTKIN, STATE PROGRAMS DIRECTOR, HUMAN SERVE

Thank you for the opportunity to present testimony to you on behalf of Human SERVE, a national, non-partisan voter registration reform organization. Human SERVE specializes in the design and implementation of voter registration in government agencies. We are very pleased that Kansas has taken the initiative of assembling an advisory panel to assist in the effective implementation of the National Voter Registration Act (NVRA) of 1993.

Introduction

Effective implementation of the NVRA will have a great impact on voter registration rates in Kansas. Currently, 77.1 percent¹ of Kansas's voting age population is registered to vote, yet of those registered, 93.2 percent actually voted. Once registered, people vote. The data shows that the principal reason for the lack of voter participation is registration. If effectively implemented, Kansas registration rates may reach 95 percent.

Kansas has already made a giant leap forward by enacting "Motor Voter" legislation in April 1992. We know that the Kansas Department of Motor Vehicles (DMV) is already working on implementation of the NVRA. The fully computerized system that the DMV is now considering will not only ensure higher registration rates, it will provide for an effective and efficient program. Because Kansas is familiar with motor voter, we would like to take this opportunity to discuss agency-based voter registration.

Agency-Based Registration

The NVRA requires that states provide voter registration services in public assistance agencies, state-funded agencies primarily serving those with disabilities, armed forces recruitment offices, and discretionary agencies. While motor voter will reach approximately 90% of the eligible electorate, there remains a significant population that will not be offered voter registration. Therefore, providing voter registration in these agencies is critical.

Agencies must provide voter registration forms when citizens apply for services, recertifications, renewals, and changes of address. Agency personnel must provide the same level of assistance in completing voter registration forms as in completing any agency forms. Agencies must collect completed registration forms and forward them to the appropriate election officials. Agency personnel must preform all duties in a non-coercive and nonpartisan manner, and may not

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¹ U.S. Bureau of the Census, Current Population Records, p 25, *Voting and Registration in the Election of November 1992*. U.S. Government Printing Office, Washington, DC, 1993.

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Paul Anders Ogren • Basil Paterson • Cheryl Patterson Artis • Jan Pierce • Anthony Robbins • Baldemar Velasquez • George Wallerstein • Juanita White

question an applicant as to reasons for declining to register. The NVRA also requires that specific language be included with voter registration forms.

Public Assistance Agencies

The Explanatory Statement of the Conference Committee defines public assistance agencies as those agencies which provide Aid to Families with Dependent Children (AFDC), Food stamps, Medicaid and Special Supplemental Food Program for Women, Infants and Children (WIC). The Act gives the states substantial latitude to design their agency-based registration programs. We believe that there are several critical elements that public assistance voter registration programs should incorporate. First, agencies should integrate voter registration applications with applications for agency services. Experience in other states shows us that a combined application process yields higher voter registration rates while minimizing staff time and agency costs. By creating a user-friendly application which serves as both voter registration and agency application, Kansas will minimize confusion and questions in the agencies. Second, public assistance agencies should collect all completed voter registration forms at the agency site. And finally, a comprehensive initial and ongoing training program for agency personnel will facilitate an effective program.

As with motor voter, Kansas should consider the level of computerization and paper use in the agencies before designing the voter registration program. With a highly computerized program, voter registration forms can be generated by computer using the same information entered for agency application purposes. For paper-intensive systems, the voter registration applications should be attached to agency forms, perhaps by using pressure-sensitive paper, thereby limiting duplicate information required.

Agencies serving people with disabilities

The requirements for voter registration services in agencies with disabilities are basically the same as for public assistance agencies. The breadth of these agencies is large, and Kansas should work with the governor's appointee for the American with Disabilities Act, the Development Disabilities Councils and the governor's commission on disabilities.

Discretionary agencies

According to the NVRA, the states must designate several agencies to provide voter registration services as they do in public assistance agencies. To best determine which agencies to designate, Kansas should consider which populations are not reached through the mandated agencies. Some agencies to consider include unemployment offices, public housing agencies and public schools.

Thank you again for the opportunity to testify on behalf of Human SERVE. As you consider implementing the National Voter Registration Act of 1993, we hope that you will make the requirements for voter registration applicable to all federal, state, and local elections. We would welcome the opportunity to further discuss any issues, questions, or concerns you may have with implementation. We can be reached at: Human SERVE, 622 West 113th Street, Suite #410, New York NY, 10025. (212) 854-4053.