

Approved: 2-25-97  
Date

MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE.

The meeting was called to order by Chairperson Janice Hardenburger at 1:40 p.m. on February 18, 1997 in Room 529-S of the Capitol.

All members were present.

Committee staff present: Dennis Hodgins, Legislative Research Department  
Mike Heim, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Bonnie Fritts, Committee Secretary

Conferees appearing before the committee: Eileen King, President, Riley County Treasurers' Association  
Mike Billinger, Ellis County Treasurer  
Gary Watson, Trego County Treasurer  
Betty McBride, Director, Kansas Division of Vehicles  
Michael Byington, Wichita Industries and Services for the Blind  
Elizabeth Ensley, Chairman, Kansas County Clerk's Association  
Willie Martin, Sedgwick County Intergovernmental Relations  
Nancy Hempen, Douglas County Treasurer

Others attending: See attached list

Chairperson Hardenburger opened the hearings on **SB 125**. Staff gave an overview of the bill.

**SB 125**                      **Concerning motor vehicles; relating to the collection of registration and certificate of title fee funds**

Eileen King, Riley County Treasurer, appeared before the committee in support of the bill and recommended an amendment to the bill (Attachment 1). She testified this amendment was derived from K.S.A.19-503 which states the duties of a County Treasurer and limitations to which they are subject.

Mike Billinger, Ellis County Treasurer, appeared as a proponent of the bill. He stated that without the bill, treasurers are able to control the extent of political liability that office causes them and, with the bill, there is no sense of loyalty to the registrant from those in control thereby creating a political liability for treasurers (Attachment 2).

Gary Watson, Trego County Treasurer, appeared in support of the bill. He testified that as elected officials, treasurers know first hand the importance of public perception as it is a high profile office. He submitted testimony from the Anderson County Board of County Commissioners (Attachment 3), stating their endorsement of the bill with the proposed amendments. They feel it gives the statute the authority for counties to use the Special Auto fund effectively while eliminating the isolated issues that some counties have had to deal with on the local levels. Mr. Watson testified that there may not be a problem with the management but rather a turf battle between elected officials. He concluded by saying the proposed language is a good compromise to create more accountability and still preserve the funds for what is was originally intended for. Anything less could have detrimental effects on the operation of the Motor Vehicle Department.

Betty McBride, Director, Division of Vehicles, appeared as a neutral party. She testified this bill is of vital interest to the Division because of the close working partnership between the Division of Vehicles and the County Treasurers. County Treasurers serve as agents for the State in providing a variety of services to Kansas citizens throughout the state (Attachment 4). She wanted to make sure the committee is aware of the State services provided by the County Treasurers and how vital this partnership is. Loss of service from these offices would result in major increases in the Division's budget and loss of service to Kansas citizens.

Chairperson Hardenburger closed the hearings on the bill and continued the hearings on **SB 145**.

**SB 145**                      **Concerning elections; relating to advance voting**

Michael Byington appeared before the committee in opposition of the bill. He testified that certain parts of the bill would make voting access much more difficult for persons who are blind or severely visually impaired (Attachment 5). He stated the changes in Section 3 of the bill should be removed or massively amended to correct the barriers it creates for certain blind voters. Blind persons should have the right to have options and choices and limiting where they can receive advance voting ballots limits such choices. Mr. Byington urged the committee to keep making the polling place as accessible as possible to people who are blind.

Elizabeth Ensley, appeared in support of the bill without the provision for ballots being delivered to the precinct. She did not present verbal testimony, but submitted voter statistics for Shawnee County for 1995 and 1996 elections (Attachment 6).

Chairperson Hardenburger closed the hearings on the bill and opened the hearings on **SB 188**.

**SB 188**                      **Concerning registration of vehicles; providing for fees for satellite registration facilities**

Willie Martin, Intergovernmental Relations, testified in support of the bill. She stated the reduction of property taxes is dependent, in part, on the use of alternative revenues. A fee for registration at satellite facilities is a reasonable and logical alternative to property tax and authorization of this fee will allow for continued convenience and time savings for the tax payer (Attachment 7).

Nancy Hempen, Douglas County Treasurer, appeared before the committee in support of the bill. She testified that it has always been the goal of County Treasurers to provide the highest level of service to their citizens and it is imperative that adequate funding is available to continue providing that service for the motor vehicle operation. She went on to say the decision for assessing the fee should be determined locally and should be optional for each county (Attachment 8).

Chairperson Hardenburger closed the hearings on the bill.

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for February 19, 1997.

SENATE ELECTIONS AND LOCAL GOVERNMENT  
COMMITTEE GUEST LIST

DATE: 2/18/97

NAME	REPRESENTING
Eileen King	Riley County Treas & KCTA
Dorothy Hunter	Ford County Treasurer
Nancy Weeks	Haskell County Treasurer
Shirley J. Tate	Lavenworth County Treasurer
Nancy L. Hempen	Douglas Co. Treasurer
ACAD F. ANDERSONS	KANSAS COUNTY TREASURERS ASS'N
Marilyn K. Brown	Jackson Co. Treasurer
Ellie Davoy	Lea County Treasurer
Donna A. Helt	Pratt County Treasurer
Jesse Walker	Linn County Treasurer
Shay Watson	Sago County Treasurer
Copal Hess	Bourbon Co. Treasurer
Verna McDaniel	Anderson Co. Treasurer
MIKE BILLINGER	FULLS CO TREASURER
Kelli Martin	Sedgwick County
Sue Williams	Greenwood Co. Treasurer
Kathy Jernst	Sharp Co Treasurer
Jo Ann Raaf	Coffey Co Treasurer
Lynn Scanow	Towell Co Treasurer

# SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE GUEST LIST

DATE: \_\_\_\_\_

NAME	REPRESENTING
Michael Byington	Wichita Industries + Services for the Blind
Rakesh L. S.	KS Co Clerks Assn
Betty McBride	KDOR
Tom Whitaker	KS Motor Carriers Assn
Brad Bryant	Sec. of state
Melissa Wangemann	Sec of State
Anne Spiess	Peterson Public Affairs Group



# KANSAS COUNTY TREASURERS' ASSOCIATION

OFFICERS:

EILEEN KING  
RILEY COUNTY  
President

GARY WATSON  
TREGO COUNTY  
Vice President

LARRY TUCKER  
RENO COUNTY  
Secretary

KATHY TREMONT  
GEARY COUNTY  
Treasurer

To: The Honorable Janice Hardenburger, Chairperson  
Senate Elections and Local Government Committee

From: Eileen King, President Kansas County Treasurers' Association

Date: February 18, 1997

Re: Senate Bill 125

Madam Chairperson and members of the committee. Thank you for allowing me the opportunity to speak to you today.

My name is Eileen King, Riley County Treasurer and President of the Kansas County Treasurers' Association. In recognition of the concern over the Special Auto Fund, our association is prepared to offer the attached amendment. At our annual association legislative meeting earlier this month, our association voted unanimously to support this amendment.

This amendment is derived from the wording in K.S.A. 19-503 which states the duties of a County Treasurer and limitations to which they are subject. In 1991, our association and the Municipal Accounting Section developed a manual to assist with the Special Auto Fund expenditures, but compliance was advisory rather than mandatory. Now we are asking that these amendments be added to the Special Auto Fund in order to give some authority to our guidelines.

With respect to the Motor Vehicle operations, the County Treasurer is an agent of the state rather than a county official. Since the motor vehicle operation is not a county function, it is questionable whether County Commissioners would place this high on a priority list with county functions that are already competing for funding.

The history of the Special Auto Fund dates back to 1929. Others here will give you some background on this fund. The intended use of this fund, as stated under current law "is for the use of the county treasurer in paying for necessary help and expenses incidental to the administration of duties." The Kansas County Treasurers' Association does not condone inappropriate expenditures of this fund.

As an association, our foremost responsibility and priority is to serve the public. The Special Auto Fund ensures county treasurers the ability to continue providing a quality level of service.

Your consideration and support of this amendment would be greatly appreciated. I would be glad to stand for any questions.

SENATE ELECTIONS + LOCAL GOVERNMENT  
2-18-97  
ATTACHMENT 1

**SENATE BILL No. 125**

By Committee on Ways and Means

1-28

9 AN ACT concerning motor vehicles; relating to the collection of regis-  
10 tration and certificate of title fee funds; amending K.S.A. 8-145c and  
11 K.S.A. 1996 Supp. 8-145 and 8-145d and repealing the existing  
12 sections.

13  
14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 1996 Supp. 8-145 is hereby amended to read as  
16 follows: 8-145. (a) All registration and certificates of title fees shall be paid  
17 to the county treasurer of the county in which the applicant for registra-  
18 tion resides or has an office or principal place of business within this state,  
19 and the county treasurer shall issue a receipt in triplicate, on blanks fur-  
20 nished by the division of vehicles, one copy of which shall be filed in the  
21 county treasurer's office, one copy shall be delivered to the applicant and  
22 the original copy shall be forwarded to the director of vehicles.

23 (b) The county treasurer shall deposit \$.75 of each license applica-  
24 tion, \$.75 out of each application for transfer of license plate and \$2 out  
25 of each application for a certificate of title, collected by such treasurer  
26 under this act, in a special fund, which fund is hereby appropriated for  
27 the use of the county treasurer in paying for necessary help and expenses  
28 incidental to the administration of duties in accordance with the provi-  
29 sions of this law and extra compensation to the county treasurer for the  
30 services performed in administering the provisions of this act, which com-  
31 pensation shall be in addition to any other compensation provided by any  
32 other law, except that the county treasurer shall receive as additional  
33 compensation for administering the motor vehicle title and registration  
34 laws and fees, a sum computed as follows: The county treasurer, during  
35 the month of December, shall determine the amount to be retained for  
36 extra compensation not to exceed the following amounts each year for  
37 calendar year 1990 or any calendar year thereafter: The sum of \$60 per  
38 hundred registrations for the first 5,000 registrations; the sum of \$45 per  
hundred registrations for the next 5,000 registrations; and the sum of \$2  
er hundred registrations for all registrations thereafter. In no event,  
however, shall any county treasurer be entitled to receive more than  
42 \$9,800 additional annual compensation.

43 If more than one person shall hold the office of county treasurer during

1-2

1 any one calendar year, such compensation shall be prorated among such  
2 persons in proportion to the number of weeks served. The total amount  
3 of compensation paid the treasurer together with the amounts expended  
4 in paying for other necessary help and expenses incidental to the admin-  
5 istration of the duties of the county treasurer in accordance with the  
6 provisions of this act, shall not exceed the amount deposited in such spe-  
7 cial fund. Any balance remaining in such fund at the close of any calendar  
8 year shall be withdrawn and credited to the general fund of the county  
9 prior to June 1 of the following calendar year.

10 *The provisions of this subsection shall expire on June 30, 1997.*

11 (c) ~~All moneys in any special fund created pursuant to subsection (b)~~  
12 ~~prior to the effective date of this act are hereby transferred to the county~~  
13 ~~general fund. Any special fund created pursuant to subsection (b) prior~~  
14 ~~to the effective date of this act is hereby abolished.~~ The county treasurer  
15 shall remit the remainder of all such fees collected, together with the  
16 original copy of all applications, to the secretary of revenue. Except as  
17 provided in subsection (d) (e), all such fees remitted to the secretary of  
18 revenue shall be deposited with the state treasurer and credited to the  
19 state highway fund.

20 (d) ~~From and after July 1, 1997, the county treasurer shall deposit~~  
21 ~~\$.75 of each license application fee, \$.75 of each application for transfer~~  
22 ~~of license plate fee and \$2 of each application for certificate of title fee~~  
23 ~~collected by the treasurer under this act in the county general fund~~

24 (d) (e) (1) On July 1, 1996, through June 30, 1997, \$2.35 of each  
25 certificate of title fee collected and remitted to the secretary of revenue,  
26 shall be deposited with the state treasurer and credited to the Kansas  
27 highway patrol motor vehicle fund, and \$1.15 of each certificate of title  
28 fee collected and remitted to the secretary of revenue, shall be deposited  
29 with the state treasurer and credited to the VIPS/CAMA technology hard-  
30 ware fund.

31 (2) On July 1, 1997, through June 30, 1999, \$2.50 of each certificate  
32 of title fee collected and remitted to the secretary of revenue, shall be  
33 deposited with the state treasurer and credited to the Kansas highway  
34 patrol motor vehicle fund, and, \$1 of each certificate of title fee collected  
35 and remitted to the secretary of revenue, shall be deposited with the state  
36 treasurer and credited to the VIPS/CAMA technology hardware fund.

37 ~~Sec. 2 - K.S.A. § 145e is hereby amended to read as follows: § 145e.~~  
38 ~~The owner of any vehicle, the registration number plate of which has~~  
39 ~~been removed and recovered by the sheriff, may complete the registration~~  
40 ~~of such vehicle and receive such registration number plate by paying to~~  
41 ~~the county treasurer the full amount of the license fee for the registration~~  
42 ~~of such vehicle together with a penalty in the amount of five dollars (\$5).~~  
43 ~~§5. The county treasurer shall deposit two dollars and fifty cents (\$2.50)~~

Expenditures from the special auto fund shall be subject to:  
(1) The limitations of a budget prepared and made available to the board of county commissioners by the county treasurer for expenditures from the fund; (2) personnel policies and procedures established by the board of county commissioners for all employees other than elected officials; (3) any pay plan established by the board of county commissioners for all county employees other than elected officials; (4) any applicable collective bargaining agreements or civil service system; and (5) any county purchasing policies applicable to all other elected officials. In the event a county treasurer makes improper expenditures from the special auto fund, the county or district attorney may bring a civil action in the district court and, if the court finds the county treasurer has made improper expenditures or has otherwise violated the provisions of this subsection, it may order a forfeiture to the county general fund of any portion of the county treasurer's additional compensation authorized under subsection (b) of this section.

1 \$2.50 of each such penalty in the salary fund of the county sheriff's de-  
2 partment and two dollars and fifty cents (\$2.50) \$2.50 of each such penalty  
3 in the special fund created and established under the provisions of K.S.A.  
4 8-145 county general fund.

5 Sec. 3. K.S.A. 1996 Supp. 8-145d is hereby amended to read as fol-  
6 lows: 8-145d. In addition to the annual vehicle registration fees prescribed  
7 by K.S.A. 8-143, 8-143b, 8-143c, 8-143g, 8-143h, 8-143i, 8-167, 8-172 and  
8 8-195, and amendments to any of such sections ~~thereto~~, any applicant for  
9 vehicle registration or renewal thereof for registration or any applicant for  
10 for a placard or identification card issued under K.S.A. 8-1,125, and  
11 amendments thereto, shall pay a service fee in the amount of \$2.25 to  
12 the county treasurer at the time of making such application. The county  
13 treasurer shall deposit all amounts received under this section in the spe-  
14 cial fund created pursuant to K.S.A. 8-145, and amendments thereto, and  
15 such amounts shall be used by the county treasurer for all purposes for  
16 which such fund has been appropriated by law, and such additional  
17 amounts are hereby appropriated as other amounts deposited in such  
18 county general fund.

19 Sec. 4. ~~K.S.A. 8-145c and K.S.A. 1996 Supp. 8-145 and 8-145d are~~

20 hereby repealed.  
21 Sec. 5. ~~This act shall take effect and be in force from and after its~~  
22 publication in the statute book.

Sec. 2

Sec. 3



# ELLIS COUNTY TREASURY

Mike "Mickey" Billinger  
Treasurer  
Jerry Schmidtberger  
Administrative Assistant

1204 Fort \* Box 520 \* Hays, Kansas 67601-0520

Phone 913-628-9465  
FAX 913-628-9467

February 18, 1997

To: Members of the Elections and Local Government Committee  
From: Mike Billinger, Ellis County Treasurer  
RE: Senate Bill 125.

Madame Chairperson and Members of the Committee:

Good afternoon, I am Mike Billinger, Treasurer of Ellis County; and I am appearing on behalf of the Kansas County Treasurer's Association.

I would like to extend my appreciation to this committee for allowing me the time to make my presentation. I realize your time is valuable and therefore I shall try to be as brief and concise as possible yet unequivocally make my case.

When I first took office twenty-two years ago I made the transition from a private professional office to my current public office. At that time the motor vehicle office of Ellis County operated with several manual typewriters and similar antiquated office machinery. All applications and registrations were typed on these manual typewriters and mistakes were at an intolerable level. My first order of business was to replace the manual typewriters with electric typewriters using the financial assistance generated by motor vehicle transactions. My first confrontation with the presiding board of commissioners was concerning these typewriters. Their problem was not that I did not follow correct

purchasing procedures or that I over spent my budget, but that every other county office would now insist on having electric typewriters. Their concern was not that bad information was being sent to the State but what effect electric typewriters would have on the other offices in the courthouse. Demonstrating the shortsighted mentality of a part-time micro manager.

My next major professional endeavor was to encourage shifting the workload of registering all vehicles in the beginning of the year to a staggered system throughout the entire year. A much better utilization of employees and the shift of a staggering workload. This in turn evolved into the improvement of the process of taxing and registering motor vehicles. There was a time when all motor vehicles were taxed on the regular tax cycle with taxpayers required to pay half tax by the 20th of December and the remaining half by June 20th the following year. Many hours of debate and promotion between treasurers, the state and legislators finally produced the current process of collecting taxes on vehicles at the time of registration, the "Tag and Tax Law". This process reduced the appraiser's workload and literally eliminated thousands of dollars of delinquent motor vehicle taxes. Commissioner assistance was minimal in the promotion of this idea. The state and treasurers worked tirelessly to attain this common goal and in the process laid the foundation for a working partnership based on trust.

Realizing the State of Kansas had an antiquated motor vehicle registration system, treasurers and the state began the tedious process of developing a statewide computerized motor vehicle system. I actively participated in the evolution process of the VIPS system. I have been through the good, the bad and the ugly; and now take pride in knowing the State of Kansas has one of the premiere motor vehicle systems of the United States. Ellis County was the pilot county in western Kansas and was computerized six months prior to any other counties in the area being brought onto the VIPS system. The main objective was for us to help work out all the "bugs" before other counties were

introduced to the system. Not only did this system modernize the motor vehicle registration process but it placed a 3600 computer in every county and did so with self funding through the registration fee structure. In the near future, because of continued efforts, every county will be upgraded to an AS400. Once again this did not involve commissioners but was a joint endeavor between treasurers and the state, reinforcing the partnership and trust started so many years ago.

Looking to improve collections, treasurers have been searching for ways to catch delinquent taxpayers and force them to redeem their tax liability. Naturally total statewide computerization was the driving force behind the five byte enhancement to the VIPS system. The five byte enhancement allows treasurers to put a coded message into the statewide system and if a delinquent taxpayer tries to register in a county other than the one in which they have delinquent taxes they are restricted from doing so and are forced to redeem the delinquent taxes before they can renew their registration. Once again minimal commission involvement in this innovative process, just treasurers and the state. The partnership and trust grows stronger.

I ask you this, what is the nemesis that has generated the need for SB 125? What have I done wrong? During my years in office I have been an active participant of twenty-one audits. Two years ago the auditors asked why I so thoroughly documented expenditures for the auto special fund. It seemed to them to be a situation of over kill. Were this the problem of other county funds there would not have been a need to make correcting entries for violations of the cash basis or budget laws. It is documented that on a yearly average the Ellis County motor vehicle department generates one million dollars in registration fees, three million dollars in motor vehicle taxes, one million dollars in sales tax collections, processes thirty-two thousand transactions and attempts to pacify hundreds of irritated taxpayers. All this under the direction of my professional management expertise

for a yearly compensation of \$5,600.00. Is this done for the money or is it a labor of trust and partnership between the treasurer and the state?

SB 125 appears to address a control issue but does not make good business sense. Treasurers and the state have spent years building a trust that has generated sound innovative business programs. Commissioners generally do not accept directives from the state in a trusting frame of mind. To them the state mandates, it does not work hand in hand, and it's always trying to get the upper hand. Where is the logic in removing the financial means of supporting local motor vehicle offices from trusting full-time professional treasurers to part-time commissioners. Without SB 125 treasurers are able to control the extent of political liability this office causes them. With SB 125 there is no sense of loyalty to the registrant from those in control thereby creating a political liability for treasurers.

In conclusion I reiterate that the appearance for corrective legislation has been encouraged by recent specific situations, wherein the need for local cooperation might possibly have been the answer as opposed to wide spread mandates. Begrudgingly I request your support of SB 125 with its proposed amendments eventhough I know the present system to be a time tested system that makes good sound business sense. Once again thank you for your time and considerations.



# Anderson County Court House

100 EAST FOURTH • GARNETT, KANSAS 66032

COUNTY  
CLERK  
913-448-6841

COUNTY  
TREASURER  
913-448-5824

REGISTER  
OF DEEDS  
913-448-3715

COUNTY  
SHERIFF  
913-448-5428

To: Senator Janice Hardenburger, Chairperson  
Senate Election & Local Government Committee Members

From: Anderson County Board of County Commissioners

RE: SB 125

Date: February 18, 1997

Madam Chairperson and Committee Members:

The Anderson County Board of County Commissioners appreciates the opportunity to express our opinion of SB125.

Anderson County has operated under the current K.S.A. 8-145 for many years with no budgetary or management quandaries arising with the County Auto Fund. The current system works well in Anderson County. The procedures established in our county for the operation of the fund by our county treasurer has kept the fund effective, and the board informed of the funds status. For several years the county auto fund has been budgeted and presented to the Board with the other county budgets. All bills are subject to the purchase procedures set forth by the county policies and are paid through county warrants upon approval by the board of county commissioners. All hiring and firing of employees follow the personnel handbook and county pay plan. The fund is also regulated by the County Treasurers' Special Auto Fee Fund Handbook. This book was prepared using Kansas Statutes by a task force of County Treasurer's and the Municipal Accounting Section.

The communication, operation and use of this fund have been very effective, open and efficient. It allows the county treasurer to manage her office to the benefit of the taxpayers, the State Director of Vehicles and to Anderson County.

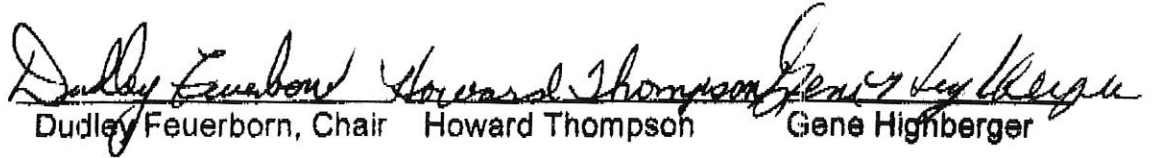
We wish to go on record with the Legislature as endorsing SB125 with the amendments introduced and recommended by the Kansas County Treasurer's Association. Anderson County has experience of operating under the proposed amendments for many years. We feel it gives the

SENATE ELECTIONS + LOCAL GOVERNMENT  
2-18-97  
ATTACHMENT 3

statute the authority for counties to use the Special Auto fund effectively while eliminating the isolated issues that some counties have had to deal with on the local levels.

Thank you for the opportunity to submit our ideas.

Sincerely,

  
Dudley Feuerborn, Chair   Howard Thompson   Gene Highberger

Anderson County Board of County Commissioners

Betty McBride, Director of Vehicles  
Kansas Department of Revenue  
915 SW Harrison St.  
Topeka, KS 66626-0001



(913) 296-3601  
FAX (913) 296-3852  
Hearing Impaired TTY (913) 296-3909

Division of Vehicles

MEMORANDUM

**TO:** The Honorable Senator Janice Hardenburger, Chairperson  
Elections and Local Government Committee

**FROM:** Betty McBride, Director  
Division of Vehicles

**DATE:** February 18, 1997

**SUBJECT:** Senate Bill 125

Madam Chair, Members of the Committee:

I am Betty McBride, Director of the Kansas Division of Vehicles. I appreciate the opportunity to appear before you today, regarding Senate Bill 125.

Senate Bill 125 is of vital interest to the Division because of the close working partnership between the Division of Vehicles and the County Treasurers. County Treasurers serve as agents for the State in providing a variety of services to Kansas citizens throughout the state.

Counties have issued registrations and vehicle tags in county offices since 1929. During this process, they also collect sales tax due on vehicles registered. They collect millions of dollars in state revenue each year, which is credited to the State Highway Fund. The level of service they provide their citizens and the manner in which they administer the required duties for the State is beyond reproach.

In an effort to streamline processes, in 1991, the State of Kansas made the decision to close low volume Driver License stations. A total of 41 exam stations throughout the state were closed. The outcry from county citizens and legislators, whose offices were closed, was dramatic. I became Director during this hectic time. A determination was made to survey County Treasurers located in these counties and ask if they would consider assuming this responsibility and provide driver license service to their county citizens at the County Treasurers office. The response from Treasurers was outstanding. Thirty nine of the forty one counties involved agreed to assume the additional responsibility of issuing renewal driver licenses and ID cards without personal or county compensation. In many instances, the counties themselves absorbed the cost to provide these extra services. The number of Treasurers offering this service has increased, and we now have 60 County Treasurers issuing renewal driver's licenses and ID cards. Assuming these duties has also brought about additional responsibilities mandated by Federal legislation, such as accepting Motor Voter Registrations, and more recently, administering the record opt-out procedure.

SENATE ELECTIONS + LOCAL GOVERNMENT  
2-18-97  
ATTACHMENT 4

As of last week we began requesting that County Treasurers issue Driver Education student licenses and to allow CDL renewal testing in their offices.

Madam Chair, members of the Committee, I am making you aware of the State services provided by the County Treasurers with the hope that when the Committee studies Senate Bill 125, and a decision is made, the State functions, training, staffing, supplies and other requirements made by the state of County Treasurers, will continue to be top priority, and the Division will be assured that the current level of customer service to Kansas citizens is continued. The state's partnership with County Treasurers is vital. Loss of service from these offices would result in major increases in the Division's budget, increases in FTE's, and loss of service to Kansas citizens.

Thank you again for allowing me to appear today. I would stand for questions at this time.



WICHITA INDUSTRIES & SERVICES FOR THE BLIND, INC.

PLEASE REPLY TO: Michael Byington  
WISB Governmental Affairs Office  
P. O. Box 1063  
Topeka, Kansas 66601  
(913) 575-7477 (office and voice mail)  
(913) 233-2539 (FAX)

February 13, 1997

TO: Senate Committee on Elections and Local Government

SUBJECT: Senate Bill 145 - opposition

I rise strongly in opposition to this bill. Parts of it would make voting access much more difficult for persons who are blind or severely visually impaired.

All provisions of the bill are acceptable, and might in fact prove helpful except one set of changes. THE CHANGES REFLECTED IN SECTION 3, LINES 29 THROUGH 35 OF PAGE FOUR OF THE BILL, WOULD MAKE VOTER ACCESS MUCH MORE DIFFICULT FOR CERTAIN PERSONS WHO ARE BLIND. IF THIS SECTION IS NOT TAKEN OUT OF THE BILL, OR IS NOT MASSIVELY AMENDED TO CORRECT THE BARRIERS IT CREATES FOR CERTAIN BLIND VOTERS, THEN THE BILL SHOULD BE DEFEATED!!

We at Wichita Industries and Services for the Blind, (WISB) employ approximately 150 people, approximately 110 of whom are blind or severely visually impaired. Between our three manufacturing locations in the State of Kansas, we work with blind employees who reside in seven different counties. Our rehabilitation program administers a contract to serve deafblind persons State-wide, and we provide services which lead to blind workers getting integrated, community based employment throughout the State. We would thus claim some expertise as to the barriers faced by blind voters. We get to hear a lot about this subject.

The body of law now being addressed in Senate Bill 145 has proven beneficial to voter access for persons who are blind. We do not want to see any of the new law's beneficial features for our blind employees, clients, and associates be weakened or undone.

Many of our blind employees, clients, and associates live alone. They perhaps have a reader who visits once a week or so to help with the reading of print mail. Often these same individuals find transportation to polling places

1

SENATE ELECTIONS + LOCAL GOVERNMENT  
2-18-97  
ATTACHMENT 5

A not-for-profit  
agency providing  
employment &  
services to people  
who are blind.

801 East Lincoln  
Wichita, Kansas 67211  
(316) 267.2244  
Fax (316) 267.4312

925 Sunshine Road  
Kansas City, Kansas 66115  
(913) 281.0710  
Fax (913) 281.2450

1600 North Walnut  
Pittsburg, Kansas 66762  
(316) 231.8600  
Fax (316) 231.8620

also to be a difficult issue. They therefore choose to engage in voting through an advance voting ballot. Assuming they are aware of the requirement and receive the proper form, they certainly have any reader who works with them sign and transmit the required statement of assistance with their ballot. The problem many blind voters who live alone encounter, however, is that if a reader visits them once a week or less, they may not realize, in a timely manner, that their advance voting ballot has arrived in order to arrange for special assistance in filling it out. After all, the State of Kansas has made no provisions to date to provide Braille, large print, or tape recorded ballots or ballot envelopes to accommodate blind voters. Something as important as their ballot, however, may be something the blind citizen wants to deal with right away. Under the law as it currently stands, they may assure prompt awareness of the arrival of their ballot by asking that it be sent to the home or office of their reader. The reader can then call the ballot to their attention immediately. Also under the provisions of the current law, many blind voters who are employed, also may choose to have the ballot sent to their workplace. In this situation also, someone with sight can call it to their attention that the ballot has arrived. There are also quite often sighted co-workers who are available to provide ballot reading and marking assistance.

Senate Bill 145 would make all of the above accommodations illegal. IT WOULD DEEPLY INFRINGE ON THE VOTING ACCESS OF CERTAIN BLIND VOTERS.

In her comments during the initial hearings on Senate Bill 5, Senator Praeger said that she did not think that voters need to be spoon fed their voting rights. In light of this comment, permit me to explain why I do not think the system described above is the type of spoon feeding she was referencing. At this point in our progress toward voter access, a blind person must have their privacy infringed upon no matter how they vote. There is no way they can do it without somebody else knowing how they voted. They must deal with forms and ballots which are only provided in a media which is inaccessible to them. While correcting these problems by providing Braille and large print ballots should be done, and I believe will eventually be done given some court decisions which are making their way through the system, even accessible ballots will not make the process very accessible for all blind voters. The newly blind person, for example, who has lost so much vision that they can not use large

print, and who has not yet learned Braille, would still have no choice but to have their privacy infringed in the voting process. Given these inconveniences and indignities, I do not think it is spoon feeding, or asking too much, to suggest that a blind or otherwise disabled person should be able to have their ballot sent to them at ANY location they choose.

I find it ironic in the extreme that the proposed law makes it easier for a person who is committed to a psychiatric hospital to vote, but makes it more difficult for certain blind people to do so. I am not objecting to the reference to the psychiatric hospital in the proposed law, but the elimination of the provisions limiting where the advance voting ballot can be sent would still allow the psychiatric hospital, all other places listed, and any place convenient to a person who is blind, to be used. It is better to leave the law open to this extent.

This bill seems to exist because of a partisan squabble. I think that is very unfortunate. I think that the Democrats should have known that their attempts through the advance voting project to register additional voters in certain targeted areas of town would result in Republican eyre. Perhaps therefore the campaign should not have been conducted in the way it was as it caused this bill to be generated. Nothing, however, legal or ethical, would have prevented the Republicans from going out and doing the same type of advance voting campaign in areas where they felt they could register additional Republicans. I think it is unfortunate that instead, they decided to attempt to make voter access more difficult for blind and other disabled individuals.

A national Harris poll taken during the last election resulted in the finding that, of people who have severe disabilities, only 34% vote. This study did not break out blind voters from the rest of the disability population, but it has been my experience, that among blind voters, registration and voter participation may be even lower than this national figure.

Under the new voting laws, the number of our blind employees at WISB who vote has gone up considerably. We are proud of this and brag about it a bit. We know that more of our employees are voting, because they tell us so. Also about 50 of our blind employees have chosen to receive their ballots at work for some of the reasons listed above. Most of them find ballot reading and marking assistance through friends or family outside of

the workplace, but they still want to know when their ballot has arrived by having it come to them at work. A few of our blind employees ask employees who have sufficient sight to read and mark ballots to assist them with these activities. We provide a private office for this to occur just as we allow employees who wish to go to the polls in person to take the time to do so.

We take voting very seriously, and I feel very confident that no one on our staff who has assisted a blind person in ballot reading and marking has attempted to influence their voting. In fact, of the few employees who asked me for help with ballot reading and marking, one of them said, "I decided to ask you to help me with this because I have had my mom help me in the past, but I am not sure I trust her to mark it like I tell her too. She has some pretty strong opinions and thinks I ought to think just like she does. The fact is, I just don't. I know you will mark it as I tell you to." Another person told me, "I'm having you help me with this because, I know my husband marks it like I tell him to, but then afterward, he argues and argues with me about it. I just don't want to go through that."

Blind people should have the right to have these options and choices. Limiting where they can receive advance voting ballots limits such choices.

Lastly, I want to acknowledge that I am aware that many members of the Kansas Legislature were very reluctant about the entire process of motor voter or changes in voting rights laws. The new federal requirements were implemented by the Kansas Legislature only when it became clear that failure to do so would result in litigation. Apparently the concern was that voters who would experience increased encouragement to vote or ease in voting would be among the liberal poor, and would skew elections in Kansas far to the left. I might point out that I did not see this happening via the most recent election results, and I feel quite confident from the arguments I hear in the WISB break rooms that the increased activities of blind voters is not skewing or changing any elections. I suspect that blind Americans think like the rest of America, and I am quite sure that blind Kansans reflect the same diversity as the rest of the State. I hear folks on the left, folks on the right, and a lot of folks in between. I thus feel sure that an additional number of blind voters are not changing election results, but it nonetheless certainly feels good to see the participation going up. I am thus simply

asking that you defeat this bill, or at least its bad parts, and keep making the polling place as accessible as possible to people who are blind.

Sincerely yours:

Michael Byington  
Director of Governmental Affairs

MB/mjb

# KANSAS COUNTY CLERK'S ASSOCIATION

*Rosalie Seemann*  
President  
Thomas County

*Linda Scheer*  
Vice President  
Leavenworth Co.

*Don Proffitt*  
Secretary  
Linn County

*Jolene Walker*  
Treasurer  
Mitchell County

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DATE: February 18, 1996  
TO: Committee on Elections and Local Government  
FROM: The Kansas County Clerk's Association  
RE: SB 145

Thank you for allowing me to respond to some of the questions I was asked on February 13th.

**BRANDON PETTY'S BALLOT** was sent to the mailing address indicated on the application. The ballot was returned as undeliverable by the post office as shown on the attached copies.

**ADVANCE VOTER STATISTICS** requested by Senator Petty on the percent of returned ballots are also attached.

**THE KANSAS COUNTY CLERKS ASSOCIATION'S** membership is made up of 101 County Clerks who, among other responsibilities, serve as the election officials for their county and the four Election Commissioners. The other four County Clerks are also members and serve on our Legislative Committee which this year is chaired by Shirley Jacques, Saline County Clerk. We have two lobbyists.

**THE KANSAS COUNTY CLERK'S ASSOCIATION URGES THE FAVORABLE PASSAGE OF SB 145** without the provision for ballots being delivered to the precinct.

**Thank you.**

*KCCA ELECTIONS COMMITTEE: Chairman Libby Ensley - Shawnee Co., Patty Jaimes - Douglas Co., Alberta Klaus - Ellis Co., Connie Schmidt - Johnson Co., Inge Luntsford - Kingman Co., Doris White - Lincoln Co., Karen Hartenbower - Lyon Co., Clara Strutt - Rooks Co., Linda Bott - Rush Co., Marilyn Chapman - Sedgwick Co., Maurine Burns - Wilson Co., Pat Rahija - Wyandotte Co.*

**APPLICATION FOR ADVANCE VOTING BALLOT**

Affirmation of an elector of the county of SHAWNEE, and state of Kansas desiring to vote an advance voting ballot.

RECEIVED

State of Kansas OCT 9 1996  
County of Shawnee SS: SHAWNEE COUNTY ELECTION OFFICE

**RETURN APPLICATION TO:**  
Shawnee County Election Office  
911 SW 37th Street  
Topeka KS 66611-2378

I do solemnly affirm that I am a qualified elector of the precinct listed below, residing at the address listed below in the county of SHAWNEE, and state of Kansas. I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on **NOV. 5, 1996.**

**VOTER INFORMATION:**

**MAIL BALLOT TO:**  
(Complete if mailing address is different.)

Name Brandon T. Petty

8 Griggs St.

Residence 106 Woodlawn

Allston, Mass. 02134

City/State/Zip Topeka Ks

Ward/Pct/Tw/ 000108285 07 01 4 18 56 2  
PETTY BRANDON T

Political Part: 106 SW WOODLAWN AVE  
TOPEKA KS 66606-1241

**VOTER'S SIGNATURE** X 

Note: False statement on this affirmation is a severity level 9, nonperson felony.

**AFFIDAVIT OF ASSISTANCE**

**NOTE: This affidavit must be completed only by a person who assists a sick, physically disabled or illiterate voter in completing an application.**

**PERSON PROVIDING ASSISTANCE**

I hereby declare under penalty of perjury that I have rendered assistance in marking and/or transmitting the advance voting application for the above named voter. I further declare that I have not exercised undue influence and have marked the application as instructed by the sick, physically disabled or illiterate voter. Knowingly or willfully failing to sign this statement is a class E felony. K.S.A. 25-1124

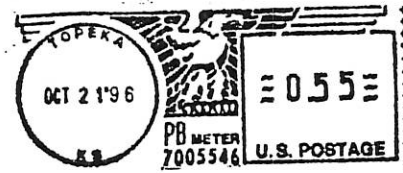
Name \_\_\_\_\_  
Residence \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Signature X

4404

REQUEST # \_\_\_\_\_ Applied \_\_\_\_\_ Sent \_\_\_\_\_ VIO \_\_\_\_\_

OCT 19 1996

COMMISSIONER OF ELECTIONS  
911 S W 37TH ST  
TOPEKA KS 66611-2378



000108285 07 01 4 18 56 2  
PETTY BRANDON T  
8 GRIGGS ST  
ALSTON, MA 02134

*check application*

ATTEMPTED UNKNOWN  
UNDELIVERABLE AS ADDRESSED ST 02  
RETURN TO SENDER

6-3



SHAWNEE COUNTY

	PRIMARY ELECTION 1995 Permanent Ballots	Sick & Disable
Advance Ballots		
Sent 94	Applied 829	Sent 18
Received 88	Blank 538 (No Election)	Received 18
94%	Sent 291	100%
	Received 143	
	49%	

	GENERAL ELECTION 1995 Permanent Ballots	Sick & Disable
Advance Ballots		
Sent 345	Sent 839	Sent 76
Received 336	Received 383	Received 67
97%	46%	88%

	PRIMARY ELECTION 1996 Permanent Ballots	Sick & Disable
Advance Ballots		
Sent 2,780	Sent 807	Sent 24
Received 2,698	Received 517	Received 17
97%	64%	71%

	GENERAL ELECTION 1996 Permanent Ballots	Sick & Disable
Advance Ballots		
Sent 8,094	Sent 997	Sent 53
Received 7,388	Received 800	Received 43
91%	80%	81%

The above listed numbers do not include Federal Service Voters or Military voters.

Overall voter turnout was 79.5% for November 5, 1996.

Voter turnout at the precinct was 77%.

Total number of registered voters was 95,855.



SEDGWICK COUNTY, KANSAS

*INTERGOVERNMENTAL RELATIONS*

WILLIE MARTIN

COUNTY COURTHOUSE • 525 N. MAIN • SUITE 315 • WICHITA, KANSAS 67203 • TELEPHONE (316)383-7552

TO: Senate Elections and Local Government  
FROM: Willie Martin  
DATE: February 18, 1997  
SUBJ: Senate Bill 188

Madam Chair and Members of the Committee I am Willie Martin, representing the Sedgwick County Board of Commissioners. We appreciate the opportunity to testify in support of Senate Bill 188.

The Sedgwick County Treasurer operates the main office at the Sedgwick County Courthouse and three (3) tag satellite facilities at strategic locations in the County. All of these locations process more than 600,000 transactions a year.

The main office processes 75% of the yearly transactions handled by the County Treasurer. These include dealer, fleet and all mail transactions. The satellite facilities in Sedgwick County process 25% of face to face transactions.

In 1988 a \$2.00 fee was placed on transactions processed at satellite facilities. This fee has not been increased since it's implementation, although increased usage of the satellite stations has required additional space, equipment and employees. Currently there are 16 full time employees at the three satellite facilities. There is no mandated use of these facilities. County taxpayers may use satellite stations or the main office to process tag transactions.

SENATE ELECTIONS + LOCAL GOVERNMENT  
2-18-97  
ATTACHMENT 7

Total revenue for the Auto License Fund, in 1995 was \$2,077,458. Total expenditures for direct and indirect costs were \$2,209,272. Direct costs are paid from the Auto License Fund by the County Treasurer. A transfer from the County Treasurer to the County General Fund goes toward indirect costs for the Auto License operation. As these figures indicate there was a deficit of \$131,814 in 1995. In 1996 that deficit increased to \$354,751 due to elimination of the \$2 fee for a period of time.

The Attorney Generals Office has issued an opinion stating counties do not have authority to implement a fee at satellite facilities. Sedgwick County is seeking legislative authorization for such a fee.

The reduction of property tax is dependent, in part, on the use of alternative revenues. A fee for registration at satellite facilities is a reasonable and logical alternative to property tax. Authorization of this fee will allow for continued convenience and time savings for the tax payer.



KANSAS COUNTY TREASURERS' ASSOCIATION

OFFICERS:

EILEEN KING  
RILEY COUNTY  
President

GARY WATSON  
TREGO COUNTY  
Vice President

LARRY TUCKER  
RENO COUNTY  
Secretary

KATHY TREMONT  
GEARY COUNTY  
Treasurer

February 18, 1997

TO: Senate Elections & Local Government Committee  
FROM: Nancy Hempen, Douglas County Treasurer  
Representing the Kansas County Treasurers Assn.  
RE: SB 188

Madam Chair and members of the committee. Thank you for the opportunity to appear before you today.

It has always been the philosophy and goal of County Treasurers to provide the highest level of service to our citizens. In doing so, it is imperative that adequate funding is available to continue providing that service for the motor vehicle operation.

The Kansas County Treasurers Association does support the concept of SB 188 as proposed, which allows those counties to meet the need for operating "a satellite registration facility" by assessing additional fees.

Although less than ten counties currently have a satellite or sub-station office, we do believe the decision for assessing the fee should be determined locally and should be optional for each county.

Thank you for your consideration. I would be happy to answer any questions.

SENATE ELECTIONS + LOCAL GOVERNMENT  
2-18-97  
ATTACHMENT 8