

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairman Vratil at 9:35 a.m. on January 27, 2003 in Room 123-S of the Capitol.

All members were present.

Committee staff present: Mike Heim, Kansas Legislative Research Department  
Lisa Montgomery, Office of the Revisor of Statutes  
Dee Woodson, Committee Secretary

Conferees appearing before the committee:

District Judge Nancy Parrish  
Kevin Robertson, Kansas Dental Association  
Terry Humphrey, Executive Director, Kansas Trial Lawyers Assn.

Others attending: see attached list

The Chairman called for bill introductions. John Badger, Chief Counsel for SRS, requested introduction of three bills. The first bill would amend K.S.A. 23-4, 118 to delete subsection (h) which, if left in effect, would cause the Kansas Payment Center's enabling statute to sunset after July 1, 2003. The second bill would amend K.S.A. 8-240 to require a social security number on all driver's license applications. Without amending Kansas law regarding this requirement, the state could lose federal funding. The third bill would repeal K.S.A. 39-7,154 to abolish the requirement that SRS pass through to the assistance family up to \$40 per month of current support collected. (Attachment 1) Senator Goodwin moved to introduce the three bills, Senator Schmidt seconded, and the motion carried.

Chairman Vratil introduced Judge Nancy Parrish who gave a presentation and update on the district courts. She distributed a chart showing a statewide summary of caseload filings and FTE positions which had been updated through 2002. She talked about the present workload within the judicial system and the funding issues. (Attachment 2)

The Chair called the Committee's attention to the January 24 letter from Janet Schalansky, Secretary, Kansas Department of Social And Rehabilitation Services. He explained that this letter concerned her previous testimony on **SB 16** that SRS did not need access to social security numbers that are submitted along with a driver's license application. She said that through further research and work, SRS has determined it is necessary for them to have access to social security numbers for the Child Support Enforcement program in order to be in compliance with Title IV-D requirements. (Attachment 3)

**SB 34 - Charitable health care provider under tort claims act**

Chairman Vratil opened the hearing on **SB 34**. Conferee Robertson testified in support of this bill relating to the Kansas Dental Charitable Foundation and its oral health access project in conjunction with many other dental groups and organizations. He told the Committee that on the weekend of February 28, March 1 and 2 at the Finney County Fairgrounds in Garden City, they would provide a wide range of dental services to everyone who appeared and requested the services at absolutely no cost. He said Garden City was chosen as the site for this first project because of its diverse and economically impacted population, and that they planned to do two projects like this each year. He stated that this project is so unique that it is not covered by the existing Charitable Healthcare Provider Act, and that **SB 34** would simply extend the Charitable Healthcare Provider Act to dentists and dental hygienists who participate in this project. He said that it was the intent for this bill to become effective upon publication in the Kansas Register, but that it was drafted to say in the statute books. He asked that the proposed bill be amended on page 3, lines 36 and 37, to publication in the Kansas Register. (Attachment 4)

Conferee Humphrey testified in support of **SB 34**, and explained that amending the definition of "charitable health care provider" would allow the Kansas Dental Association (KDA) to offer free, mobile dental services through a community service project. She stated that the Kansas Trial Lawyers Association worked with KDA in drafting the language for the new section. (Attachment 5)

## CONTINUATION SHEET

MINUTES OF THE SENATE JUDICIARY COMMITTEE at on January 27, 2003 in Room 123-S of the Capitol.

Following general questions and discussion, the Chair closed the hearing on SB 34. He announced that the Committee would work the bill today due to the limited time line. Senator Oleen pointed out that the bill had 40 co-sponsors.

Senator Umbarger made a motion to amend the bill to make it effective upon publication in the Kansas Register, seconded by Senator Schmidt. The motion carried.

Following Chairman Vratil's brief review of SB 34 and discussion, Senator Donovan moved to pass the bill out favorably as amended, seconded by Senator Schmidt, and the motion carried.

### **Final Action on:**

#### **SB 16 - Application requirements for drivers' licenses and identification cards**

Chairman Vratil reviewed SB 16, and stated that it needed to be amended in order to take into consideration under federal laws and regulations that it was the position of SRS that the social security number must be available to them for Child Support Enforcement purposes. After Committee questions and discussion, Senator Allen made a motion to amend page 2, line 6 after the word "confidential" insert "and shall not be disclosed, except as provided pursuant to K.S.A. 74-2012, and amendments thereto" and insert this same phrase on page 5, line 22 after the word "confidential". The motion was seconded by Senator O'Connor, and the motion carried. (Attachment 6)

Committee discussion continued on SB 16 with concerns expressed regarding the national recommendation that a person either has a driver's license or an identification card, but not both; and how that policy might adversely affect foreign students and military personnel. The Chair asked Sheila Walker, Division of Motor Vehicles, to respond to that inquiry, and she said that as far as her department knew it would not affect them. Upon further questioning, Ms. Walker explained how the application process worked, and said that the verification process is rather quick.

The Chair noted that the Division of the Budget was still preparing a fiscal note for the bill, and it had not been received to date.

Senator Schmidt made a motion to pass SB 16 out favorably as amended, seconded by Senator Allen, and the motion carried. Senator Pugh asked that his "No" vote be recorded after he expressed his reasons for voting against the bill.

The minutes of the January 22 meeting were approved on a motion by Senator Donovan, seconded by Senator Goodwin, and the motion carried.

The meeting adjourned at 10:30 a.m. The next scheduled meeting is January 28, 2003.

## SENATE JUDICIARY COMMITTEE GUEST LIST

DATE: Jan. 27, 2003

NAME	REPRESENTING
BILL Brady	Ks Dental Assoc.
T.J. Scott	Prairie Band Potawatomi Police.
Chuck Stones	Ks Bankers Assn
John Peterson	Ks Dental Assn
Richard Kline	Juvenile Justice Authority
Jeff Bottenberg	Ks Sher. Assn
Jeff Frederick	Iowa Tribal Police Dept.
STEVE JONES	SAE AND FOX TRIBAL POLICE
Thomas L. Conklin Jr	Kickapoo Tribal Police Dept.
Sheila Walker	KDOR - DMV
Kevin Robertson	Ks DENTAL ASSN
Carolyn Mulvihill	Ks # No Assn
Kathy Pente	Judicial Branch
Nancy Parrish	Judicial Branch
Barbara J Gibson	KDHE - OLRA
Christina Collins	KMS
Stuart Little	Ks Community Corrections Assoc.
John Lawrence	Sen. Lynn

**Kansas Department of Social and Rehabilitation Services**  
**Proposed Bills for 2003 Legislative Session**  
**Senate Judiciary Committee**  
January 23, 2003

**1. KPC Sunset Measure**

This would amend K.S.A. 23-4,118 to delete subsection (h) which, if left in effect, would cause the Kansas Payment Center's enabling statute to sunset after July 1, 2003.

**2. Social Security Number on Application for Kansas Driver's License**

This would amend K.S.A. 8-240 to require a SSN on all driver's license applications. In order to be in compliance with Title IV-D of the Social Security Act, Kansas law must require all driver's licenses applicants to furnish a SSN on their license application. The U.S. Department of Health and Human Services has advised SRS that Kansas law does not meet the federal requirement which states that "each state must have in effect laws requiring . . . that the social security number of . . . any applicant for a . . . driver's license . . . be recorded on the application.

If HHS formally finds the Kansas IV-D state plan out of compliance, all title IV-D federal funding will be denied until the State comes into compliance. Federal calculations indicate that the loss would total \$31 million per year, an average of nearly \$8 million per quarter. Additionally, Temporary Assistance for Needy Families (TANF) block grant funding is at risk. TANF federal fiscal year 2002 funding was \$101 million.

**3. Repeal of \$40 Pass Through of Child Support**

The proposed bill would repeal K.S.A. 39-7,154 to abolish the requirement that, entirely at state expense, SRS pass through to the assistance family up to \$40 per month of current support collected. Federal law requires the State to transmit to the U.S. Dept. of Health and Human Services the federal share (60%) of all collections made on behalf of families receiving Temporary Assistance to Families (TAF). Consequently, each \$40 of child support passed through to an assistance family costs the State \$64 — \$40 paid to the family plus \$24 paid to HHS — instead of producing \$16 of State revenue.

In recent years, the Legislature has recognized the disproportionate cost of pass-through relative to its impact upon families. *Provisos* were enacted for each fiscal year from 2000 through 2003 to prohibit SRS from making any pass-through payments. In anticipation that the statute would be repealed or that a similar *proviso* would be enacted for FY 2004, the SRS budget for FY 2004 does not include funds needed to cover the estimated cost of pass-through payments. If SRS were required to comply with the mandate of K.S.A. 39-7,154, the additional cost for FY 2004 is estimated to be \$1 million (all state dollars).

Senate Judiciary

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Attachment 1-1



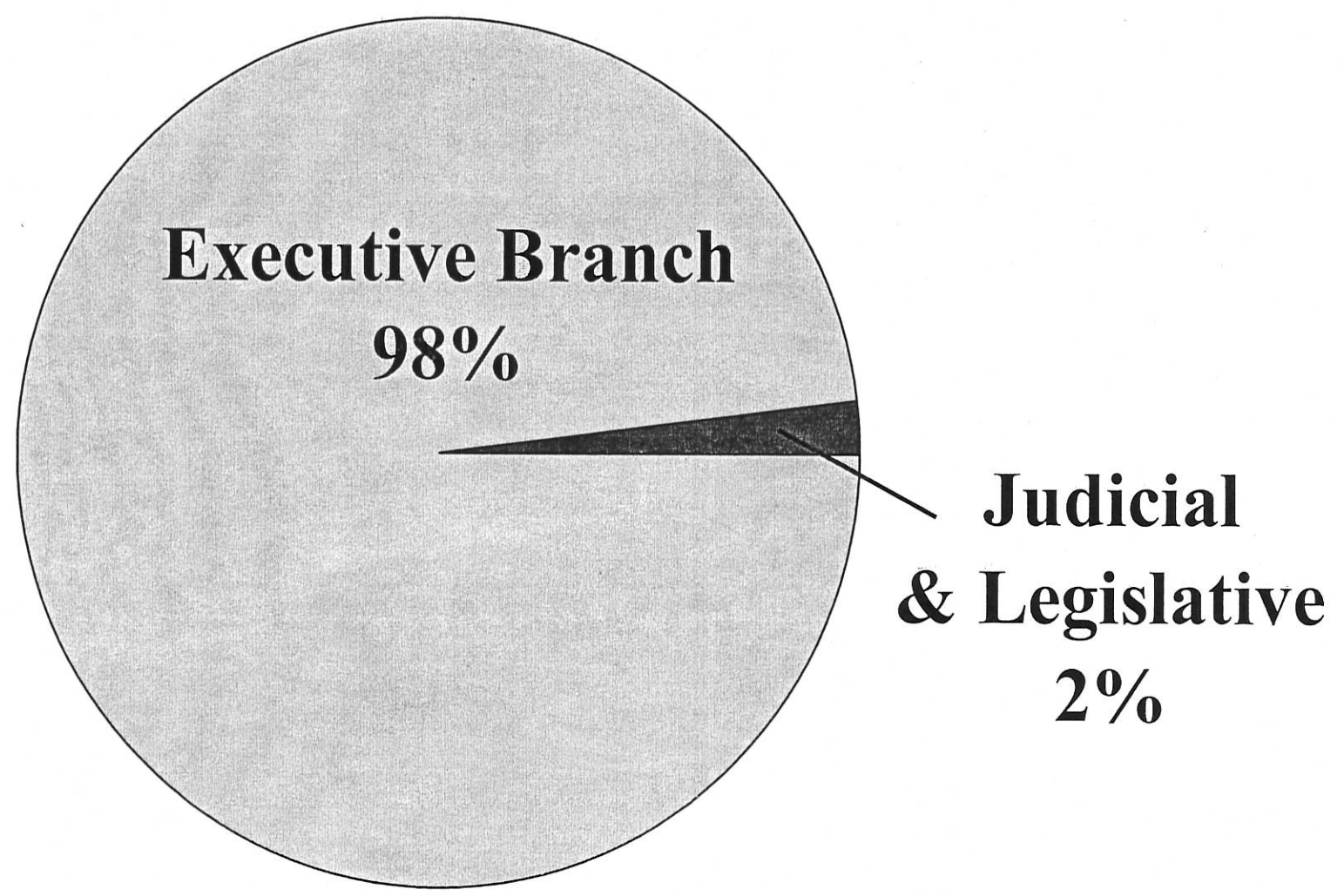
**STATEWIDE  
SUMMARY OF CASELOAD FILINGS AND FTE POSITIONS**

	<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>	<u>FY 92</u>	<u>FY 93</u>	<u>FY 94</u>	<u>FY 95</u>	<u>FY 96</u>	<b>87 TO 96 % CHANGE</b>	<u>FY 97</u>	<u>FY 98</u>	<u>FY 99</u>	<u>FY 00</u>	<u>FY 01</u>	<u>FY 02</u>	<b>87 to 02 % OF CHANGE</b>	
<b>CIVIL CASES</b>																			
Regular Actions	26,385	25,237	24,041	25,733	23,751	23,735	22,347	23,287	21,831	20,539	(22.2)	21,192	21,427	22,554	22,199	21,167	23,522	(10.9)	
Domestic Relations	23,497	25,351	26,404	29,486	30,210	30,717	33,124	36,469	38,099	38,588	64.2	38,105	39,321	38,002	34,989	33,188	35,114	49.4	
Limited Actions	54,526	57,070	62,051	68,525	77,480	84,514	80,404	90,044	99,030	104,752	92.1	115,764	121,463	124,820	125,995	120,391	149,553	174.3	
<b>TOTAL, CIVIL</b>	<b>104,408</b>	<b>107,658</b>	<b>112,496</b>	<b>123,744</b>	<b>131,441</b>	<b>138,966</b>	<b>135,875</b>	<b>149,800</b>	<b>158,960</b>	<b>163,879</b>	<b>57.0</b>	<b>175,061</b>	<b>182,211</b>	<b>185,376</b>	<b>183,183</b>	<b>174,746</b>	<b>208,189</b>	<b>99.4</b>	
<b>CRIMINAL CASES</b>																			
Felonies	11,500	12,188	12,631	12,197	11,436	13,412	13,229	14,423	15,267	17,150	49.1	17,832	17,653	19,007	17,234	16,876	17,437	51.6	
Misdemeanors	13,369	13,234	14,171	15,362	16,919	16,986	16,386	17,762	18,850	18,523	38.6	18,395	18,553	19,977	21,259	20,947	19,854	48.5	
<b>TOTAL, CRIMINAL</b>	<b>24,869</b>	<b>25,422</b>	<b>26,802</b>	<b>27,559</b>	<b>28,355</b>	<b>30,398</b>	<b>29,615</b>	<b>32,185</b>	<b>34,117</b>	<b>35,673</b>	<b>43.4</b>	<b>36,227</b>	<b>36,206</b>	<b>38,984</b>	<b>38,493</b>	<b>37,820</b>	<b>37,291</b>	<b>49.9</b>	
<b>TOTAL CIVIL AND CRIMINAL CASES</b>	<b>129,277</b>	<b>133,080</b>	<b>139,298</b>	<b>151,303</b>	<b>159,796</b>	<b>169,364</b>	<b>165,490</b>	<b>181,985</b>	<b>193,077</b>	<b>199,552</b>	<b>54.4</b>	<b>211,288</b>	<b>218,417</b>	<b>224,360</b>	<b>221,676</b>	<b>212,566</b>	<b>245,480</b>	<b>89.9</b>	
<b>LESSER JURISDICTION WITHOUT TRAFFIC</b>	<b>54,143</b>	<b>54,632</b>	<b>54,807</b>	<b>56,808</b>	<b>56,647</b>	<b>57,224</b>	<b>53,186</b>	<b>54,285</b>	<b>56,317</b>	<b>56,539</b>	<b>4.4</b>	<b>57,361</b>	<b>58,470</b>	<b>59,252</b>	<b>56,945</b>	<b>54,707</b>	<b>51,580</b>	<b>(4.7)</b>	
<b>GRAND TOTAL WITHOUT TRAFFIC</b>	<b>183,420</b>	<b>187,712</b>	<b>194,105</b>	<b>208,111</b>	<b>216,443</b>	<b>226,588</b>	<b>218,676</b>	<b>236,270</b>	<b>249,394</b>	<b>256,091</b>	<b>39.6</b>	<b>268,649</b>	<b>276,887</b>	<b>283,612</b>	<b>278,621</b>	<b>267,273</b>	<b>297,060</b>	<b>62.0</b>	
<b>DISTRICT COURT JUDGES (FTE)</b>	<b>216</b>	<b>216</b>	<b>217</b>	<b>218</b>	<b>218</b>	<b>218</b>	<b>218</b>	<b>218</b>	<b>221</b>	<b>225</b>	<b>4.2</b>	<b>225</b>	<b>225</b>	<b>228</b>	<b>233</b>	<b>234</b>	<b>234</b>	<b>8.3</b>	
<b>DISTRICT NONJUDICIAL FTE</b>	<b>1,301</b>	<b>1,341</b>	<b>1,395</b>	<b>1,402</b>	<b>1,404</b>	<b>1,349.50</b>	<b>1,348.50</b>	<b>1,367</b>	<b>1,380</b>	<b>1,387</b>	<b>6.6</b>	<b>1,389</b>	<b>1,404</b>	<b>1,419</b>	<b>1,434</b>	<b>1,433</b>	<b>1,433</b>	<b>10.1</b>	

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"87 to 96" column reflects the statistics used in the 1997 Legislative Post Audit report, "Reviewing the Kansas Court System's Allocation of Staff Resources to the District Courts."

# SGF Budget





KANSAS DEPARTMENT OF SOCIAL  
AND REHABILITATION SERVICES

915 SW HARRISON STREET, TOPEKA, KANSAS 66612

JANET SCHALANSKY, SECRETARY

January 24, 2003

Honorable John Vratil  
Statehouse 255-E  
Topeka, KS 66612

Dear Senator Vratil:

Thank you for meeting with Marianne Deagle, John Badger, and Jamie Corkhill on Thursday, January 23, 2003, to discuss the federal requirements for Child Support Enforcement (CSE) which are involved with Section 1 of Senate Bill 16.

There is no question about the requirement in 42 USC 666(a)(13), which clearly specifies that the State must require all applicants for driver's licenses to provide their social security number (SSN) on the application. SB 16, as introduced, will meet this requirement.

A second question is whether federal law mandates that CSE have access to the SSNs contained in Division of Vehicles records.

Since our discussions on Thursday, we have received additional information from the Regional Office of Health and Human Services, and we have learned that the federal statutes and regulations previously discussed with the Regional Office are not controlling. After consulting with their Policy Section in Washington, D.C., the HHS Regional Office furnished additional citations and stated that, in their view, CSE is required to have access to SSNs in Division of Vehicles records.

It's a general principle of administrative law that Federal agencies are allowed wide discretion when interpreting their own statutes. In light of the deference likely to be given to HHS' interpretation, we now believe that Kansas must require SSNs on driver's license applications and that any language prohibiting disclosure of the SSN to CSE would cause the CSE state plan to be found out of compliance with Title IV-D requirements.

I apologize for any confusion we may have caused. We would be glad to meet with you at your convenience to discuss this further or share the specific citations with you, if you wish. Thank you for your continued interest in this matter.

Handwritten signature of Janet Schalansky in cursive.  
Janet Schalansky  
Secretary

Senate Judiciary  
1-27-03

Attachment 3-1



KANSAS DENTAL ASSOCIATION

Date: January 27, 2003

To: Senate Committee on Judiciary

From: Kevin J. Robertson, CAE  
Executive Director

A handwritten signature in black ink, appearing to read 'Kevin', is written over the printed name and title of the sender.

RE: Testimony in SUPPORT of SB 34

Chairman Vratil and members of the committee I am Kevin Robertson, executive director of the Kansas Dental Association representing 1,168, or some 80% of the state's licensed dentists. Thank you for all seeing fit to co-sponsor SB 34 and assist the KDA and other partners through our Kansas Dental Charitable Foundation move forward with what we think is a terrific oral health access project.

The Kansas Mission of Mercy (KMOM) is a dental outreach that is being funded entirely through the generosity of Kansas dentists and private funders. No governmental of any kind is being used – and none was sought.

The KDA's Kansas Dental Charitable Foundation has joined forces with the Kansas Dental Hygienist's Association, Kansas Dental Assistants Association, local dental societies, dental product suppliers, the United Methodist Health Ministry Fund, Mexican American Ministries, community volunteers, and civic groups to help provide dental care to persons in need and combat a growing problem in many areas of Kansas - access to dental care.

Thousands of Kansans with little or no ability to pay for dental services suffer pain from lack of care. On the weekend of February 28, March 1 and 2 at the Finney County Fairgrounds in Garden City we will provide a wide range of dental services to all comers at absolutely no cost.

Volunteer professionals from the sponsoring organizations, including 60 dental hygienists, 100 dentists, and 100 dental assistants will set up a 45-chair dental clinic and administer free dental care to as many area residents as can be accommodated during the Friday to Sunday event. In all, some 400 volunteers are supporting KMOM. In addition to dental professionals, more than a dozen dental students from two schools, dental laboratory personnel, dental equipment and dental supply representatives, church volunteers, civic clubs, Garden City police, as well as school nurses and the local medical community will be on hand. The Kansas event is modeled after similar projects in Virginia and Texas. In addition to area residents receiving needed dental care - medical screenings and immunizations through local physicians will be offered.

Garden City was chosen as the site for this first-ever KMOM project because of its diverse and economically impacted population. The second project will be held at the Wyandotte County Fairgrounds November 14-16, 2003. The KDA's intent is to continue to host two KMOM projects each year in both shifting and recurring locations.

5200 Huntoon  
Topeka, Kansas 66604-2398  
Phone: 785-272-7360  
Fax: 785-272-2301

Senate Judiciary

01-27-03

Attachment 4-1

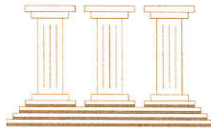


The KDA estimates that 1,500 to 2,000 people will receive \$500,000 or more in free dental services during the three day KMOM event. When all volunteer time – including police support, meals, interpreters, etc. The KMOM project may well approach \$1 million in total volunteer participation.

You can help us to hold a successful access event by supporting SB 34. Currently, a dentist or dental hygienist falls under the provisions of the Charitable Healthcare Provider Act (75-6102) if they provide gratuitous services to medically indigent in a health department or health clinic. This project is so unique, however, it is not covered by the existing Charitable Healthcare Provider Act. SB 34 would simply extend the Charitable Healthcare Provider Act to dentists and dental hygienists who participate in KMOM project.

Representatives of the KDA and the Kansas Trial Lawyers Association had several contacts through December/January to find acceptable language to cover the KMOM project under the Charitable Healthcare Provider Act. That language is contained in SB 34.

Thank you for your time today, I am happy to answer any questions you may have at this time. I urge you to support SB 34 with a favorable recommendation.



KANSAS TRIAL LAWYERS ASSOCIATION

*Lawyers Representing Consumers*

TO: Members of the Senate Judiciary Committee

FROM: Terry Humphrey  
Executive Director  
Kansas Trial Lawyers Association

RE: 2003 SB 34/Charitable Health Care Provider

DATE: Jan. 27, 2003

Chairman Vratil and members of the Senate Judiciary Committee, I am Terry Humphrey, executive director of the Kansas Trial Lawyers Association (KTLA). KTLA is a statewide, nonprofit organization of lawyers who represent consumers and advocate for the safety of families and the preservation of the civil justice system. We appreciate the opportunity to appear before you today in support of SB 34.

We were pleased to be asked by the Kansas Dental Association to provide input into the drafting of the language of Sec. 1(f)(4) amending the definition of "charitable health care provider." This new section allows the KDA to offer free, mobile dental services through a community service project. We worked with KDA in drafting the new section and have no objection to the language which allows KDA members to perform dental services while still protecting citizens.

As advocates for the safety and protection of consumers and families, we commend KDA members for their efforts to improve the dental health of their communities and for their concern for the safety of Kansans.

Thank you again for the opportunity to express our support of SB 34.

*Terry Humphrey, Executive Director*

Fire Station No. 2 • 719 SW Van Buren Street, Suite 100 • Topeka, Ks 66603-3715 •

E-Mail: [triallaw@ink.org](mailto:triallaw@ink.org)

Senate Judiciary

01-27-03

Attachment 5-1

Gordon's Amendment

1 had passed the original examination.

2 (b) (1) For the purposes of obtaining any driver's license or instruc-  
3 tion permit, an applicant shall submit, with the application, proof of age  
4 or proof of identity, or both, as the division may require. An applicant  
5 shall submit the applicant's social security number, which shall remain  
6 confidential. If the applicant does not have a social security number, the  
7 applicant shall submit a sworn statement, with the application, stating  
8 that the applicant does not have a social security number. The distin-  
9 guishing number assigned to the license or permit may be the applicant's  
10 social security number if the applicant so requests in writing. If the ap-  
11 plicant is applying for an instruction permit or driver's license and the  
12 applicant otherwise meets the requirements for such license, the applicant  
13 shall receive a temporary license or instruction permit until the division  
14 verifies all facts relative to such applicant's right to receive an instruction  
15 permit or driver's license, including the age, identity, social security num-  
16 ber and residency of the applicant.

17 (2) An applicant who submits proof of age or of identity issued by an  
18 entity other than a state or the United States shall also submit such proof  
19 as the division may require that the applicant is lawfully present in the  
20 United States.

21 (3) The division shall not issue any driver's license to any person who  
22 is not lawfully present in the United States.

23 (4) The division shall not issue any driver's license to any person who  
24 is not a resident of the state of Kansas, except as provided in K.S.A. 8-  
25 2,148, and amendments thereto.

26 (5) The parent or guardian of an applicant under 16 years of age shall  
27 sign the application for any driver's license submitted by such applicant.

28 (c) Every application shall state the name, date of birth, sex and res-  
29 idence address of the applicant, and briefly describe the applicant, and  
30 shall state whether the applicant has ~~theretofore~~ been licensed as a driver  
31 prior to such application, and, if so, when and by what state or country;  
32 and Such application shall state whether any such license has ever been  
33 suspended or revoked, or whether an application has ever been refused,  
34 and, if so, the date of and reason for such suspension, revocation or re-  
35 fusal. In addition to the above criteria, applications for commercial driv-  
36 ers' licenses and instruction permits for commercial licenses must include  
37 the following: The applicant's social security number; the person's sig-  
38 nature; the person's color photograph; certifications, including those re-  
39 quired by 49 C.F.R. 383.71(a), effective January 1, 1991; a consent to  
40 release driving record information; and, any other information required  
41 by the division.

42 (d) When an application is received from a person previously licensed  
43 in another jurisdiction, the division shall request a copy of the driver's

and shall not be disclosed, except as provided pursuant to K.S.A. 74-2012, and amendments thereto

Senate Judiciary  
01-27-03

Attachment 6-1

6-2

P. 08/06  
FAX NO. 9132966668  
REVISOR OF STATUTES  
JAN-24-03 FRI 10:50 AM

1 sued to other drivers and upon such request the division shall issue such  
2 license. Drivers' licenses issued to persons who are deaf or hard of hearing  
3 and under the age of 21 years shall be readily distinguishable from drivers'  
4 licenses issued to persons who are deaf or hard of hearing and 21 years  
5 of age or older.

6 Sec. 3: K.S.A. 8-1324 is hereby amended to read as follows: 8-1324.

7 (a) Any resident who does not hold a current valid Kansas driver's license  
8 may make application to the division of vehicles and be issued one iden-  
9 tification card, certified by the registrant and attested by the division as  
10 to true name, correct age, photograph and other identifying data as the  
11 division may require. ~~Every application for an identification card shall be~~  
12 ~~signed and verified by the applicant and shall contain such bona fide~~  
13 ~~documentary evidence of the age and identity of such applicant as the~~  
14 ~~division may require.~~

15 (b) An applicant who submits documentary evidence under subsec-  
16 tion (a), issued by an entity other than a state or the United States shall  
17 also submit such proof as the division may require that the applicant is  
18 lawfully present in the United States. *For the purposes of obtaining any*  
19 *identification card, an applicant shall submit, with the application, proof*  
20 *of age or proof of identity, or both, as the division may require. An ap-*  
21 *applicant shall submit the applicant's social security number, which shall*  
22 *remain confidential. If the applicant does not have a social security num-*  
23 *ber, the applicant shall submit a sworn statement, with the application,*  
24 *stating that the applicant does not have a social security number. The*  
25 *distinguishing number assigned to the identification card may be the ap-*  
26 *plicant's social security number if the applicant so requests in writing. If*  
27 *the applicant is applying for an identification card and the applicant oth-*  
28 *erwise meets the requirements for such card, the applicant shall receive*  
29 *a temporary identification card until the division verifies all facts relative*  
30 *to such applicant's right to receive an identification card, including the*  
31 *age, identity, social security number and residency of the applicant.*

and shall not be disclosed, except as  
provided pursuant to K.S.A. 74-2012, and  
amendments thereto

32 (c) The division shall not issue an identification card to any person  
33 who is not lawfully present in the United States nor to any person who  
34 holds a current valid Kansas driver's license unless such driver's license  
35 has been physically surrendered pursuant to the provisions of subsection  
36 (e) of K.S.A. 8-1002, and amendments thereto.

37 (d) The parent or guardian of an applicant under 16 years of age shall  
38 sign the application for an identification card submitted by such applicant.

39 (e) The division shall require payment of a fee of \$8 at the time  
40 application for an identification card is made, except that persons who  
41 are 65 or more years of age or who are handicapped, as defined in K.S.A.  
42 8-1,124, and amendments thereto, shall be required to pay a fee of only  
43 \$4.

6-2