

MINUTES OF THE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Terrie Huntington at 9:40 A.M. on March 15, 2012, in Room 159-S of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Jill Shelley, Kansas Legislative Research Department
Ellen Martinez, Committee Assistant

Conferees appearing before the Committee:

Glenda Overstreet, President, NAACP Kansas State Conference of Units
Ernestine Krehbiel, President, League of Women Voters of Kansas
Bill Brittendall, Director, Peace and Social Justice Center of South Central Kansas
Louis Goseland, Coordinator, KanVote
Marie D. Johnson, Salina Branch of NAACP
John Dickinson
Steve Stegner
Rev. Ben Scott, President, Topeka Branch of NAACP
Representative Ann Mah, District 53, Kansas House of Representatives
Thomas Witt, Executive Director, Kansas Equality Commission
Maren Turner, Director, AARP Kansas
Holly Weatherford, Program Director, ACLU of Kansas and Western Missouri
Steve Ortiz, Chairman, Tribal Council of the Prairie Band Potawatomi Nation
Kris Kobach, Secretary of State, Kansas
Brian Newby, Election Commissioner, Johnson County Election Office
Bruce Newby, Election Commissioner, Wyandotte County Election Office

Others attending:

See attached list.

The Chairman opened the hearing on **HB 2437-an act concerning elections; relating to voting; changing effective date of United States citizenship requirements; amending K.S.A. 2011 Supp.25-2309, 25-2908 and 65-2418 and repealing the existing sections.** Staff gave an overview of the changes in the bill.

Glenda Overstreet, President, NAACP Kansas State Conference of Units, testified as an opponent to HB 2437. Ms. Overstreet testified that this bill would specifically suppress the voting rights of Kansans. (Attachment 1)

Ernestine Krehbiel, President, League of Women Voters of Kansas, testified as an opponent to the bill. She made these points: This bill is redundant and too costly without evidence of any voter impersonation in Kansas. Moving the date of the implementation of the requirement does not improve the voting

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The minutes of the Ethics and Elections Committee at 9:40 AM. on March 15, 2012, in Room 159-S of the Capitol.

system. This bill makes it costly for women who need ID's to vote because, if they changed their names upon marriage, they must have copies of both their birth certificates and their marriage licenses. ([Attachment 2](#))

Bill Brittdall, Director, Peace and Social Justice Center of South Central Kansas, testified in opposition to the bill. He said that, based on his experience with databases, he believes the computer systems will not be ready and there is no training for SRS and DMV workers on the new requirements. ([Attachment 3](#))

Louis Goseland, Coordinator, KanVote, testified as an opponent to HB 2437. He stated county motor vehicle officials are not ready for the implementation and the elections officials are not ready. Mr. Goseland said he believed the Secretary of State misrepresented the issues with the early election in Sedgwick County and that the amendment would unnecessarily rush the implementation of the original bill. ([Attachment 4](#)) He presented a copy of a petition he said was signed by more than 3,500 people opposing the bill. (not attached)

Marie D. Johnson, Salina Branch of NAACP, spoke in opposition to the bill. She stated this bill would disenfranchise many Kansas voters, limit voter participation and suppress the votes of minorities, including veterans. ([Attachment 5](#))

John Dickinson of Wichita spoke as an opponent to HB 2437, portraying a personal experience when voting in Wichita in February. Only a driver's license was acceptable and there was considerable confusion among the election officials at his polling place. He said there needs to be better training and better public education. ([Attachment 6](#))

Steve Stegner, a single father, testified in opposition to the bill. He explained his experience at the DVM after having lost his job and his driver's license, due to his inability to pay a traffic fine. He said HB 2437 would place a financial burden on him that he cannot afford. ([Attachment 7](#))

Rev. Ben Scott, President, Topeka Branch of NAACP, testified as an opponent. He said HB 2437 would deny citizens their Constitutional right to vote. ([Attachment 8](#))

Representative Ann Mah, District 53, Kansas House of Representatives, testified as an opponent. She stated the state cannot manage the changes already made by the 2011 enactment of HB 2067. Implementing the bill likely would violate federal law and would bring grassroots registration to a halt. ([Attachment 9](#))

Thomas Witt, Executive Director, Kansas Equality Commission, testified in opposition to the bill. His organization was concerned that the Kansas counties did not have time to prepare their staff or election officials for the new statutes and regulations. ([Attachment 10](#))

Maren Turner, Director, AARP Kansas, testified as an opponent. She said this bill would disproportionately prevent minorities, older persons and people with disabilities from voting or having their votes counted. ([Attachment 11](#))

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Holly Weatherford, Program Director, ACLU of Kansas and Western Missouri, testified in opposition to HB 2437. She cited the lack of funding to educate the public and poll workers, and voter confusion. She said there was no need to rush implementation of the amendment. She provided an update on litigation regarding state voter ID laws. ([Attachment 12](#))

The Chairman noted written testimony also had been submitted in opposition to HB 2437: John Ralston ([Attachment 13](#)); Glenn Cox ([Attachment 14](#)); Pete Cohen ([Attachment 15](#)); Micheline Burger, President of MainStream Coalition & MainStream Education Foundation ([Attachment 16](#)); Terry Forsyth, Chairman of Working Kansas Alliance ([Attachment 17](#)); Susan Cohen ([Attachment 18](#))

Steve Ortiz, Chairman of the Tribal Council of the Prairie Band Potawatomi Nation, testified as a proponent, because the bill would provide recognition of the tribal identification card as a valid form of photo ID as proof of citizenship. ([Attachment 19](#))

Kris Kobach, Secretary of State of Kansas, testified as a proponent. He asked the Committee to approve the bill with an amendment that would create a “soft assessment period” between June 15, 2012, and December 31, 2012. He said passage of the bill would put all of the protections of the 2011 Secure and Fair Elections Act (S.A.F.E.) into place before the bulk of the anticipated voter registration activity this presidential election year. ([Attachment 20 & 21](#))

Brian Newby, Election Commissioner, Johnson County Election Office, testified in support of HB 2437. Moving the implementation to June 15, 2012, from January 1, 2013, protects the election process in the spring by not tossing new requirements in the middle of an election cycle. ([Attachment 22](#))

Bruce Newby, Election Commissioner, Wyandotte County Election Office, testified as a proponent. He noted HB 2437 would affect only new voters. He said the delay of proof of citizenship component for a year makes implementation of the law more difficult. ([Attachment 23](#))

The Chairman noted the Committee had received written proponent testimony from Robert Wyatt, Norton County Clerk. ([Attachment 24](#))

Noting the hour allotted to the Committee meeting had passed, the Chairman closed the hearing.

The Chairman adjourned the meeting at 10:45 A.M.