

MINUTES OF THE HOUSE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on February 19, 2002 in Room 313-S of the Capitol.

All members were present except:

Representative Judy Morrison - Excused
Representative Dean Newton - Excused
Representative Candy Ruff - Excused

Committee staff present:

Jerry Ann Donaldson, Department of Legislative Research
Jill Wolters, Department of Revisor of Statutes
Sherman Parks, Department of Revisor of Statutes
Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Representative Tom Klein
John Douglass, Chief of Police, Overland Park
Lynda Callon, Westside Community Action Network
Mike Farmer, Executive Director Kansas Catholic Conference
Elias Garcia, Kansas Hispanic Caucus
Richard Oltman, Federation for American Immigration Reform
Robert Visnaw, United States Immigration Services*
Sheila Walker, Director, Division of Vehicles

Hearings on **HB 2135 - undocumented workers**, were opened.

Representative Tom Klein appeared as the sponsor of the proposed bill. He stated three reasons for passing the bill: so undocumented workers can prove their identity; because they reside within the state; and they can pass the drivers license test. (Attachment 1)

John Douglass, Chief of Police, Overland Park, commented that this is very important legislation. With current laws, it is impossible for a number of individuals to drive legally in Kansas and therefore they do not have insurance. Undocumented workers are part of our community, they work and pay taxes and should be treated as equals. (Attachment 2)

Lynda Callon, Westside Community Action Network, informed the committee that it takes at least six years to become efficient in a new language. Currently six states allow undocumented workers to get a drivers license and six more are considering similar legislation. (Attachment 3)

Mike Farmer, Executive Director Kansas Catholic Conference, stated that it's really an issue of whether we want them driving legally or not. (Attachment 4)

Elias Garcia, Kansas Hispanic Caucus, opposes any legislation that would restrict driver licenses privileges. He expressed that this issue had moved forward during the summer interim but because of the September 11, 2001 incident it has brought it back to the beginning. (Attachment 5)

Richard Oltman, Federation for American Immigration Reform, informed the committee that Colorado had a similar bill (SB 67) which was defeated last week. He suggested that allowing illegal aliens to use the Tax ID number to get a Kansas drivers' license would result in more illegal immigration to Kansas. (Attachment 6)

Robert Visnaw, United States Immigration Services*, commented that many undocumented workers obtain drivers licenses to use for bank fraud and to purchase hand guns. (Attachment 7)

Sheila Walker, Director, Division of Vehicles, stated that the American Association of Motor Vehicle Administrators have been working on a model drivers license. The Association recommended two items that are noteworthy: standardizing the definition of residency in all states and provinces and establishment of uniform procedures for serving non-citizens. (Attachment 8)

CONTINUATION SHEET

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Representative Loyd mentioned that Florida issues temporary license until they can check the backgrounds of those applying and then once everything is found to be fine they are issued a license.

The committee discussed if it would be possible to issue them a temporary license which would expire when their visa expired or if a bar could be place under the picture, like what is done with teenagers when they have a restricted license.

Ms. Walker requested that if the committee takes action on the bill that the implementation be delayed until 2003 due to a contract that has just been signed with the vendor which provides the licenses.

Hearings on **HB 2135** were closed.

The committee meeting adjourned at 6:30 p.m. The next meeting was scheduled for February 20, 2002.

*Several days after the meeting, Chairman O'Neal was contacted by the director of INS who stated that Mr. Visnaw did not have authority to appear on behalf of the INS.