

MINUTES OF THE HOUSE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on March 18, 2002 in Room 313-S of the Capitol.

All members were present except:

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:

Senator Barbara Allen  
John Cowles, Assistant District Attorney, Johnson County  
Jon Stewart, President & CEO, Metcalf Bank  
Sheila Walker, Director Vehicles, Department of Revenue  
Marlee Carpenter, Kansas Chamber of Commerce and Industry  
Chuck Stones, Kansas Bankers Association  
Senator Derek Schmidt  
Steve Rarrick, Deputy Attorney General, Division of Consumer Protection  
Jeff Bottenberg, State Farm Insurance

Hearing on **SB 559 - application requirements for instructions permit, driver's license and identification cards**, was opened.

Senator Barbara Allen appeared before the committee as the sponsor of the proposed bill. The bill would help stop peoples identities being stolen by requiring that all applicants submit their social security number and a biometric identifier. No social security number would be placed on the licenses. ([Attachment 1](#))

John Cowles, Assistant District Attorney, Johnson County, prosecutes financial crimes of identity theft for Johnson County. He believes the proposed bill would deter these type of criminals. ([Attachment 2](#))

Jon Stewart, President & CEO, Metcalf Bank, stated that the use of fraudulent identification cards costs bankers thousands of dollars. ([Attachment 3](#))

Sheila Walker, Director Vehicles, Department of Revenue, supported the proposed bill and stated that one identifier by itself is not foolproof, two must be used. She prefers not to use the retinal eye scan. She informed the members that there is a Problem Driver Pointer System, which is a nationwide database that keeps track of individuals so multiple licenses can not be given. She also supported having a central place where the undocumented licenses are printed and then mailed to the person.

Marlee Carpenter, Kansas Chamber of Commerce and Industry, believes that identity theft is a growing problem in Kansas and nationwide. She supported the proposed bill because it makes it harder to obtain identification or false identification cards. ([Attachment 4](#))

Chuck Stones, Kansas Bankers Association, stated that many banks have gone to thumb print servicing which has decreased bank fraud by 60% in the first year. A biometric is the only thing that can't be duplicated. ([Attachment 5](#))

Written testimony in support of the proposed bill was provided by Dennis Jones ([Attachment 6](#)) & Paul Morrison ([Attachment 7](#)). Written testimony in opposition of the bill was provided by Representative Jim Garner ([Attachment 8](#)).

Hearing on **SB 559** was closed.

CONTINUATION SHEET

MINUTES OF THE HOUSE JUDICIARY COMMITTEE at 3:30 p.m. on March 18, 200 in Room 313-S of the Capitol.

Hearing on **SB 382 - profiteering from disaster**, was opened.

Senator Derek Schmidt requested the proposed bill with the intent to overhaul the Kansas Protection Act to prohibit price gouging during instances of disaster. Current law is unfair to consumers because it permits a significant amount of profiteering at the expenses of consumers during times of disasters. (Attachment 9)

Steve Rarrick, Deputy Attorney General, Division of Consumer Protection, gave an example of price gouging during the September 11, 2001 incident. They received 1,500 calls from consumers regarding increase in gas prices. The Attorney General's Office announced they would prosecute those stations band had one month to settle. 39 companies settled and 1 did not. (Attachment 10)

Jeff Bottenberg, State Farm Insurance, appeared as a proponent of the bill. He stated that they too suffer losses when businesses quote larger repair costs to home owners due to natural disasters. (Attachment 11)

Written testimony in support of **SB 382** was provided by AARP. (Attachment 12)

The committee meeting adjourned at 6:00 p.m. The next meeting is scheduled for March 19, 2002.

Hearing on **SB 382** was closed.