

MINUTES OF THE HOUSE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Don Myers at 3:30 p.m. on March 17, 2004 in Room 526-S of the Capitol.

All members were present.

Committee staff present:

Martha Dorsey, Legislative Research Department
Dennis Hodgins Legislative Research Department
Ken Wilke, Office of Revisor of Statutes
Shirley Weideman, Committee Secretary

Conferees appearing before the committee:

Kevin Siek, Topeka Independent Living Resource Center
Chrissie Frahm, People First of Shawnee County
Brad Bryant, Deputy Assistant Secretary of State
Kerrie J. Bacon, Kansas Commission on Disability Concerns, KDHR

Others attending: See Attached List.

Chairman Myers told the committee that he would build **House Substitute for SB 166** using the Amendment Grouping Code that was given to all committee members. (Attachment 1)

Ken Wilke, Revisor, gave the committee copies of SB 166 with the proposed amendments. (Attachment 2) The chairman asked Ken to review the amendments to **Hs Sub for SB 166**, using the Grouping Codes and starting with #1 - Double identification for first time voters. Ken said that amendments under grouping 1 add "*Such voter shall not be required to provide identification if such voter has previously provided current and valid identification in the county where registered*" at the end of lines 29 and 39 on page 3; add "*and I have not previously submitted valid identification*" after 'county' on line 41 on page 6 and on line 27 on page 7; then on page 15, add "*unless such voter has previously submitted current and valid identification in the county where registered*" after 'voter' on line 27, and after 'document' on line 36.

Representative Powers moved to amend Hs Sub for SB 166 with identification for first time voters as outlined by Ken Wilke. The motion was seconded by Representative McLeland. Motion passed.

Ken Wilke reviewed the Grouping Code #2 amendment to the bill: Redefining 'disability'. He said he created a new Section 9 on page 18 to cover the definitions of disability, first time voter and HAVA. The definition for disability shall have the meaning ascribed to it in K.S.A. 44-1002. This grouping also includes changing language from "sick, physically disabled or illiterate" voter to "*a person who has a temporary illness, disability or is not proficient in reading the English language*". This language is inserted on line 12 page 5 and on line 39 on page 8. Ken said the language is changed slightly on line 24, page 15 and in the new Section 7 on page 16 from 'reason of physical disability, visual handicap or lack of proficiency in reading the English language' to "*reason of temporary illness, disability, or lack of proficiency in reading the English language*". Brad Bryant, representing the Secretary of State's office, referred to page 5 of his written testimony regarding the definition of disability. He said this language was agreed upon by the Kansas Advocacy and Protective Services Group and his office with the definition of disability being: "*Disability means, with respect to an individual : (1) A physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment*". (Attachment 3)

Representative Yonally moved and Representative Powers seconded the motion to amend Hs Sub for SB 166 with the definition of disability as outlined by Ken Wilke and approved by the Secretary of State's Office and the Kansas Advocacy & Protective Services Group. The motion carried.

Grouping Code #4 deals with: Standards for voter accessibility. Ken said there is a proposed amendment to K.S.A 25-2710 on page 13 and 14: "Standards of accessibility for voting places; exceptions (a) voting place provided by the county election officer, in which is to be held national, state, county, township, city