

MINUTES OF THE HOUSE JUDICIARY COMMITTEE.

The meeting was called to order by Chairman Michael R. O'Neal at 3:30 p.m. on February 11, 2003 in Room 313-S of the Capitol.

All members were present except:

Representative Dan Williams - Excused

Committee staff present:

Jerry Ann Donaldson, Legislative Research Department

Jill Wolters, Revisor of Statutes

Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Senator Barbara Allen

Paul Morrison, Johnson County District Attorney

Jon Stewart, President/CEO Metcalf Bank

Sheila Walker, Director, Kansas Department of Revenue, Division of Vehicles

Chuck Stones, Kansas Bankers Association

Janet Schalansky, Secretary Social & Rehabilitative Services

Representative Tom Klein

Mike Hall, Pittsburg Chief of Police

Emira Palacios, Sunflower Community Action Group

Melinda Lewis, El Centro, Kansas City

Elias Garcia, Hispanic Caucus

Alberto Herdoiza, Attorney

Jim DeHoff, AFL-CIO

Mark Schreiner, Topeka

Beverly Brown, Wichita

Paul Degener, Topeka

Ann Meritt, Wichita

Hearing on **SB 16 - application requirements for drivers licenses and identification cards**, was opened.

Senator Barbara Allen appeared as the sponsor of the proposed bill. She requested it to make it more difficult to use a fraudulent driver's licenses and ID card in Kansas (Attachment 1). The bill proposes:

- requirement that all applicants to submit their social security number to obtain an driver's licenses or ID card
- one could no longer possess both a driver's license and ID card
- photo must be a colored photograph and must be verified before being place on the license
- increase in photo fee to \$4.00

Paul Morrison, Johnson County District Attorney, has noticed that there has been an increase in identity theft. He estimated that Kansas is about 50 years behind the times in requirements to get a driver's license or photo I.D. He supports the bill but doesn't believe that it goes far enough (Attachment 2).

Jon Stewart, President/CEO Metcalf Bank, deals with fake ID's every day and they are suspicious of anyone wanting to open a new account with an ID card. Bank loses are in the thousands of dollars. The proposed bill would help protect citizens of the state (Attachment 3)

Sheila Walker, Director, Kansas Department of Revenue, Division of Vehicles, explained that they would issue a temporary licenses for a period of 10-20 days while the photo and social security number is being verified. Once verification has been reached the driver's license would be sent to the person requesting it (Attachment 4).

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Chuck Stones, Kansas Bankers Association, stated that this is a multi-level, fast growing crime. He supported using biometric identifiers when receiving a driver's license or ID. Most Kansas banks require a thumb print to cash a check if it is a non-customer. **SB 16** would go a long way in helping reduce this type of crime ([Attachment 5](#)).

Janet Schalansky, Secretary Social & Rehabilitative Services, appeared in support of the proposed bill because it would keep Kansas in compliance with the Title IV-D program. She believes that Kansas is on the verge of being sanctioned by the Department of Health & Human Services because we are currently out of compliance ([Attachment 6](#)).

Written testimony in support of **SB 16** was provided by the Office of Attorney General ([Attachment 7](#))

The hearing on **SB 16** was closed.

Hearing on **HB 2039 - illegal aliens may obtain a drivers license if such person has an internal revenue service taxpayer identification number**, was opened.

Representative Tom Klein appeared as the sponsor of the proposed bill and requested an amendment which would reinsert "whose presence in the United States is in violation of federal immigration laws."

Mike Hall, Pittsburg Chief of Police, was concerned that there are many undocumented workers currently driving who don't know the rules of the road and this would ensure that they know the laws. It would also allow them to purchase insurance on their automobiles ([Attachment 8](#))

Sheila Walker, Director, Kansas Department of Revenue, Division of Vehicles, appeared in support of the proposed bill as long as **SB 16** passes because it allows for the authenticity and accuracy of the applicant to receive a driver's license or ID ([Attachment 9](#)).

Emira Palacios, Sunflower Community Action Group, appeared in support of the bill but stressed that she doesn't want a driver's license which would look different from a Kansas citizens license because it would allow those who are undocumented to be treated unfairly ([Attachment 10](#)).

Melinda Lewis, El Centro, Kansas City, appeared as a proponent of the bill because it is about public safety by promoting competent and responsible drivers ([Attachment 11](#)).

Elias Garcia, Hispanic Caucus, pointed out that hispanics are the largest ethnic minority group in the U.S.; they accounted for 3 million in the last census; it is estimated that by 2010 they will have purchasing power of one trillion dollars ([Attachment 12](#)).

Alberto Herdoiza, Attorney, he reminded the committee that until July 2000, undocumented workers could obtain a drivers license. Going back to those provisions would ensure every person knows the rules of the road and would purchase automobile insurance ([Attachment 13](#)).

Written testimony in support of the proposed bill was provided by Kansas City Office of Chief of Police, Western District Conferences, Overland Park Chief of Police and the Kansas Catholic Conference ([Attachments 14-17](#)).

Jim DeHoff, AFL-CIO, proposed two amendments. The first would add "whose presence in the United States is in violation of federal immigration laws", and the next would add additional language to clearly state that US Internal Revenue Identification Number and social security number be verified as legal from the US Internal Revenue Service & Social Security Administration ([Attachment 18](#)).

Mark Schreiner, Topeka, suggested that the proposed bill would be promoting illegal aliens and was concerned with the six month period that they have to be in the United States before they receive their Taxpayer Identification Number in order to get employment ([Attachment 19](#)).

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Beverly Brown, Wichita, opposed the proposed bill. She believed that undocumented workers used fake I.D. cards to vote in the last election and that allowing them to legally possess an driver's license would encourage this type of behavior (Attachment 20).

Paul Degener, Topeka, suggested that the proposed bill would be in violation of federal law that states that the Taxpayer Identification Number is to be used for only tax purposes (Attachment 21).

Ann Meritt, Wichita, appeared in opposition of the bill. She also because it violates several federal laws: Taxpayer ID, National Sovereignty laws and INS laws (Attachment 22).

The hearing on **HB 2039** was closed.

The committee meeting adjourned at 6:30 p.m. The next committee meeting was scheduled for February 12, 2002 at 3:30 p.m. in room 313-S.