



STATE OF KANSAS

Senate Committee on Ethics and Elections Testimony on Senate Bill 389

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Madam Chair and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 389. This bill would require the Secretary of State's office to develop and implement a comprehensive, statewide voter education program before the 2012 general election, including direct mail, mass media, press events and social media. We are neutral on the bill, but we wish to make several points for the committee's consideration.

1. New Section 14 of the 2011 Secure and Fair Elections Act already requires a voter education program. We have contracted with a private vendor, and a plan for an effective statewide campaign is in place. See below for the SAFE Act voter education requirements:

New Sec. 14. The secretary of state shall provide advance notice of the personal identification requirements of this act in a manner calculated to inform the public generally of the requirements for forms of personal identification as provided in this act. Such advance notice shall include, at a minimum, the use of advertisements and public service announcements in print, broadcast television, radio and cable television media, as well as the posting of information on the opening pages of the official internet websites of the secretary of state and governor.

2. We are willing to do more if the Legislature directs. If Senate Bill 389 is the vehicle for such a directive, we recommend clarification of certain concepts in the bill.

a. Clarify the distinction between the mailings required in Section 1(b)(1) and (2).

b. Clarify the following terms:

Section 1(b)(1): *sufficient* number of stations
 broadest possible Kansas audience

Section 1(b)(4): *maximum use* of media

Section 1(b)(5): *aggressive* social media campaign

Section 1(b)(6): *comprehensive* materials and communications

Section 1(b)(7): *easy* for the *average* person to understand

3. Senate Bill 389 has no funding mechanism, and the fiscal note is large, mostly due to its requirements for direct mail. A legislative appropriation to cover these expenses will be necessary.

4. The education campaign in Senate Bill 389 covers only the 2012 general election. Our existing plan for SAFE Act education covers the August primary election, November general election, local elections and special elections throughout the year.

5. We cannot guarantee compliance with Section 1(b)(3) on lines 12 through 14. Creating a public service announcement and requesting media outlets to air it does not guarantee that it will be aired 25,000 times or that it will "reach the broadest possible Kansas audience." This is attainable only by leveraging the airing of PSAs with paid advertisements. Our SAFE Act plan already accomplishes this. We have asked representatives of our contractor to be available today to answer questions on this point.

The Secretary of State's office believes it is vitally important to educate all voters about the new voting requirements this year. We have a plan to accomplish that. If the Legislature directs our office to implement Senate Bill 389, we are willing to do so. We ask the committee to carefully consider what Senate Bill 389 will accomplish beyond what is already planned.

Thank you for your consideration.