



WYANDOTTE COUNTY ELECTION OFFICE

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SENATE STANDING COMMITTEE ON ETHICS AND ELECTIONS

Testimony on House Bill 2437

Thursday, March 15, 2012

Thank you for the opportunity to testify in support of House Bill No. 2437.

The Secure and Fair Elections Act (SAFE Act) mandates that persons registering to vote will be required to provide proof of citizenship beginning January 1, 2013. This bill changes the effective date for proof of citizenship for voter registration to June 15, 2012.

I testified before this committee almost one year ago in support of the SAFE Act. We were, and still are, prepared to implement the SAFE Act in its entirety. Whenever a new election law is considered and, more importantly, when it is passed, the task of the county election officer is to determine what must be done to most effectively and efficiently make it happen. A presidential election year is our singularly best opportunity to educate voters and potential voters concerning any election law changes. The delay of the proof of citizenship component for a year makes full implementation of the law more difficult.

Most voters are already aware of the provisions of the SAFE Act. It has been a major point of confusion when we have to tell voters that part of the new law is not in place. This year, 2012, is the year when we enjoy the advantage of having the voter's attention. That same level of attention will not come again until 2016. Changes made now set voter expectations for at least the next four years. A substantive change to the voter registration component delayed until 2013 means we have lost the opportunity this year gives us to educate voters.

The proof of citizenship requirement applies exclusively to those citizens who are defined as new registrants. This group includes new citizens and those citizens who will be age 18. It includes persons who have moved to this state from another state or country. It does not affect any voter who is already registered in the state of Kansas. It does not affect any voter who moves within the state.

In pure numbers, the proof of citizenship requirement could apply to no more than 3,000 new voters in Wyandotte County in a presidential election year. The numbers of new registrants in other years is much lower. Of the more than 20,000 voter registration applications we processed during 2008, fewer than 3,000 were applications of new registrants. We estimate that less than 15% of voter registration applicants will be affected by the proof of citizenship requirement. Most of this 15% will have the necessary documents readily available to them which will be needed as proof of citizenship.

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From the perspective of a county election officer, the proof of citizenship for voter registration is not affected by whether the DMV does or does not collect proof of citizenship documentation. DMV simply provides a convenient location for persons who are applying for a driver's license to also complete a voter registration application at the same time.

Similarly, the proof of citizenship for voter registration is not affected by whether a person or a group does or does not collect copies of citizenship documents. In fact, it may be preferable to not allow voter registration drives to collect such documents. It would be too easy for someone going door-to-door claiming to be conducting a voter registration drive to collect citizenship documents as an avenue for identity theft or other criminal purposes.

It is too often assumed that completion of a voter registration application is synonymous with becoming registered to vote. It is not. An applicant is registered to vote only after the county election officer enters the applicant's name on the voter rolls. Every county election officer has procedures to obtain from an applicant any and all of the information necessary for voter registration. Applicants who may have failed to submit a proof of citizenship document are no different, administratively, than those applicants who forget to write their date of birth or enter their driver's license number on their voter registration application. County election officers promptly follow up with every applicant who may be missing essential information or documents.

The new voter registration deadline, 21 days before an election, is very helpful to giving applicants and county election officers, the time needed to obtain proof of citizenship documentation which was not supplied by the applicant with the voter registration application.

The education of voters concerning voter photo ID has already begun. It is not as intense now as it will be when we get nearer to our first election. In that regard, Wyandotte County has the luxury of focusing on just two scheduled elections – the Primary in August and the General in November. To educate voters, we plan to send to every registered voter household a postcard or letter prior to the Primary followed by another postcard or letter prior to the General election. In our communications, we remind voters of the election dates, inform them of the voter ID requirements, and describe their voting options, especially advance voting. We expect various campaigns and candidates will be sharing much of the same information.

We will also have announcements concerning voter photo ID displayed prior to every movie on local theater screens at the Legends in Village West. We are in negotiation with the Wyandotte County Fair Association, the Kansas City T-Bones (baseball) and Sporting KC (soccer) officials to leverage their events to get the word to voters. We have participated and we will continue to participate in many local community events. As we are still early in the education process, these initiatives describe only a small portion of all that we intend to do to reach out to voters.

This year is our best opportunity to reach the greatest number of voters. Please allow county election officers the opportunity we have this year to fully educate Kansas voters. What we are able to do now, in my view, will affect voter registration and the administration of elections for at least the next four years.

I support House Bill No. 2437 and stand for your questions.

Bruce Newby
Election Commissioner