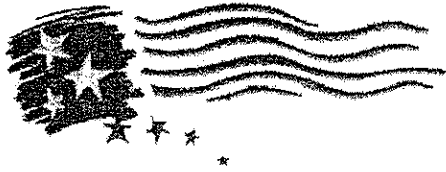


Johnson County Election Office



Brian D. Newby
Election Commissioner

TESTIMONY BEFORE THE HOUSE ELECTIONS COMMITTEE RE: HB 2210

Wednesday, February 13, 2013

Members of the Committee:

Thank you for allowing me to provide comments regarding House Bill Number 2210. I regret that I am not delivering these in person but we are in the midst of an election cycle and have election worker training this week.

From what I understand, the bill proposes a simple change in the timeframe whereby voters can declare party affiliation changes, from two weeks before the election to the active period of the August primary election, filing deadline day until the date the election is certified at the state level.

Assuming adequate voter registration system support is in place, I believe this change may streamline communication with our office. (Our office isn't the owner of the state-wide system and while I think the system can accomplish this, I can't speak to that with certainty. Hopefully, affiliation changes would initially be blocked during this time frame, but we would want to have the ability to override a blockage in the system for cases where the registrations were mailed before the filing deadline but not yet received until after that date).

Candidates obtain voter lists from our office and then campaign based upon this information, which represents a voter database snapshot at the time the list is obtained. Changes between the filing deadline and Election Day impact the candidates, who may target someone who actually will not be voting in the primary or might miss targeting a voter who changes affiliation and, as a result, does not get direct mail or a personal visit by the candidate. Candidates obtain this data to operate campaigns efficiently and economically and the confusion caused by the change of the "addressable market" will be avoided if this bill was passed.

Communications with voters would be more direct, from our office, as well. We often get questions from voters about participation rules in the primaries, and the rules are

complicated. Stating that persons who are affiliated with a party as of June 1 are eligible for that party's primary is straightforward.

Further, I believe it would be helpful to consider a change in section 1c of the bill regarding unaffiliated voters—instead of allowing them to declare up to 14 days before the election, it may be worth considering changing the language to allow a declaration on election day only, after the filing deadline, subject to party rules. This, in my opinion, would prevent candidates from showing up at doors and mailing to voters who have since declared to vote in a primary other than the candidates' party.

Finally, the extension of this party change to the time when the state election is certified by the Secretary of State allows for a consistent approach among all 105 counties. Voter history (records of who voted and when) rarely syncs exactly with the number of votes because cancellations and new registrations are processed beginning the day after Election Day. Delaying the processing of party affiliation changes until September 1, or having them held and not effective in the registration system until then (if that is possible) could allow for more precision when candidates compare voter history to turnout results.

There may be other considerations for candidates—who are stakeholders of our efforts—that I have not identified. If members of the committee have any questions related to these comments, please call me at 913-715-6850 or email, brian.newby@jocogov.org.