

# Johnson County Election Office



**Brian D. Newby**  
**Election Commissioner**

**TESTIMONY BEFORE THE HOUSE ELECTIONS COMMITTEE RE: HB 2437**

*Wednesday, February 1, 2012*

Members of the Committee:

A year ago yesterday, I testified before this committee regarding House Bill 2067.

My primary message during that testimony was that after reviewing the bill's requirements, I was confident that we could implement the provisions of the bill.

What I didn't anticipate was the wrinkle we have now, where part of the bill passed in one timeframe and part goes into effect later.

"Proof of citizenship when registering, proof of ID when voting," is a simple message.

Toss in the element of time, and the message becomes complicated. That may sound subtle, but every added word when explaining the changes invites a new fork in the road for confusion.

Voters have heard of the SAFE Act. They've heard of citizenship verification and voter ID. Many remember how first-time voters were required to show ID.

When speaking with voters and community groups, I have learned that the delineation of citizenship and voter ID becomes more confusing than it might otherwise be. Maybe it's just the way I'm communicating it, but the element of half of the law not going into effect until 2013 causes a pause and more questions.

Now, I understand that it's not reasonable to think that you would construct the law so that it's first and foremost easy to administer in Johnson County, but the administration should be a factor. That was my point last January and it remains my point now.

In fact, when I learned that there was a possibility, after the SAFE Act was signed into law, that the effective date of citizenship verification—after being moved to 2013—might come

up on the Senate floor still during the 2011 session, I called one of our Johnson County senators to tell her my support of such a change.

I was told that such a change wouldn't come up, and I closed the call by saying, "If it does, we would like the date changed."

That motion did indeed come up, and it didn't pass.

I recount that situation to stress that the rationale for concurrent implementation of the provisions was first expressed by me 9 months ago. I wanted—and still do want—the date to be effective in 2012 because I think it would reduce the complexity when communicating the changes.

Further, we have a built-in outreach method right now because voters are coming to us. They call us. They come to our website. They come to our outreach meetings. They do this because of the heightened interest in a presidential election year.

This is our chance to create a simple message rather than complicate the message with staggered implementation dates. When they come to our site, all they care about is 2012. We could animate in bold coloring information about 2013, but human nature will be to tune it out and focus on the immediate. And, if we try to squeeze in some 2013 talk through Twitter and other communications, we risk confusion during the 2012 election cycle.

So, it's my belief that delaying citizenship verification created a short fuse for communication to voters. When the November 2012 election ends, election activity doesn't end. We'll have a primary in February 2013 and a countywide general election in April. The primary is not small, averaging 140,000 voters over the last three primaries.

We don't have an outreach budget and we rely on the vehicles we have in place. Our website will be visited more than any other county website in 2012. We have a throng of voters coming to us, and this is our chance—in 2012--to communicate the changes.

I know the House approved the bill in 2011, and I'm respectfully asking that the House again pass this bill to align the implementation dates and take advantage of built-in outreach effect we will have in 2012.

Thank you for your time and consideration of these comments.