



SUPPORT FOR SB 351– Ensuring that the votes of voters whose names do not appear in the poll book and are otherwise eligible to vote are counted.

Testimony of Melissa Stiehler

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Committee on Ethics, Elections & Local Government – Feb. 19, 2020

Chairwoman Bowers and Members of this Committee,

Thank you for the opportunity to present testimony today. My name is Melissa Stiehler. I am the Senior Field Organizer with the ACLU of Kansas, representing our 35,000 supporters from across the state. We are a nonpartisan, non-profit organization that works to preserve and strengthen the constitutional liberties of every person in Kansas. The ACLU of Kansas supports efforts to pass SB 351 because it is a straightforward, focused solution to address a minor administrative issue that has real consequences. Thousands of provisional ballots cast by eligible voters are being rejected every election cycle due to minor technicalities that can be easily resolved. Passing SB 351 is vital to ensuring that the votes of eligible citizens are counted.

I work with voters across the state of Kansas. They simply want to see our democracy thrive. But people lose faith in that democracy when the fact of their eligibility to vote is not a guarantee their ballot will be counted. And people lose faith in that democracy when they learn, far after the fact, that their ballot didn't count at all. This Committee can help to support and cement voters' faith in our democracy by moving this bill forward.

While working with your constituents, I have found many people whose vote did not count despite their efforts. People who move and think that they updated their registration at the DMV, only to find that did not happen. People who go into assisted living homes and do not know they need to change their registration in the first place. Students who come to our colleges and universities from out of state and do not know that there is a registration deadline at all. According to the Election Assistance Commission, roughly 80% of the thousands of ballots rejected in Kansas in 2018 fell into cracks in the law like this. SB 351 would help alleviate this issue while supporting our local governments in their goal of counting the votes of every eligible citizen.

The SB 351 solution is simple and straightforward. It would comply with current electoral laws such as photo ID requirements. It would be easy to implement during our existing county canvassing process, yet it would not change anything about how poll workers do their jobs. The only change would be counting provisional votes cast by eligible voters.

The importance of provisional ballots is not purely an academic issue. Provisional ballots have real consequences for the outcome of elections, especially in municipalities across Kansas with smaller populations where elections often are decided by a dozen votes or less.

When Kansans fulfill their civic duty and participate in our elections, they do so assuming that their vote matters and will be counted alongside the votes of their neighbors. Codifying SB 351 will allow voters to

regain and retain confidence in the system, and to focus on what brought them to participate on Election Day in the first place: the choice of for whom to vote. The ACLU of Kansas urges this Committee to support SB 351.

Thank you for your time and consideration. I am happy to stand for questions.