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Senate Committee on Ethics, Elections and Local Government
Testimony on SB 43
Jamie Shew, Douglas County Clerk

Chairwoman Bowers and Members of the Committee:

Thank you for the opportunity to present testimony in support of SB 43.

In Douglas County, the majority of uncounted provisional ballots are due to voter registration. In 2018, Douglas County had 1876 provisional ballots of which 1376 were counted and 498 were not counted. The largest number of uncounted ballots (297) were active, registered voters in other Kansas counties who had missed the deadline to update their registration. In even-year elections, Douglas County averages 45% of the uncounted provisional ballots are registered in one of the other 104 Kansas counties in Kansas. This number has increased with the implementation of online voter registration as voters registering through the SOS website assume that registration is for the state not a specific county. On Election Day, voters argue, "...but I thought I was registered in Kansas?" Voters are confused and angry when they find out that a 2.4 mile move from Perry, Kansas (Jefferson County) to Lecompton, Kansas (Douglas County) means their vote will not count because they did not re-register before the deadline. Often, voters will leave the polling place, race back to the county they no longer reside in and vote in order to have their ballot count. Additionally, voters not registered to vote in Kansas account for 32% of uncounted provisional ballots, therefore 77% of uncounted ballots are based on missing the registration deadline.

Analyzing the impact of this bill, our office does not see an increase in expenditures or resources used. After the passage of H.B. 2067 in 2011, our office experienced a considerable increase in expenses by adding election board workers for photo ID, increasing training for the new law, providing educational mailers to voters and hiring temporary staff to process additional paperwork and provisional ballots. The election board workers already process the provisional ballots at the polls, the provisional envelopes are already printed and our office will spend the same amount of time researching each provisional ballot, therefore we can see no economic impact beyond what was imposed on us starting in 2012. The only change from our current process is counting previously uncounted provisional ballots.

Colleagues from states with Election Day registration, including Minnesota which has offered Election Day registration since the 1970's, have told me counties which historically have minimal registration activity also have minimal Election Day registration. Likewise, counties with increased registration activity in larger elections have the most Election Day registration. Douglas County already prepares for a very large amount of voter registrations and provisional ballots in even-year elections with temporary office staff and increased election board workers. In some precincts, Douglas County sets-up provisional ballot stations specifically to process the large amount of provisional ballots, the majority of which are voters who did not change their address before the 20 day deadline.

Thank you for your consideration and respectfully request your support of SB 43 which provides voter centered legislation for our most fundamental right. I am available to stand for questions at the appropriate time.