



TO: Chair Sen. Robert Olson and members of the Senate Committee on Federal and State Affairs.

FROM: Cille King, Advocacy Chair, League of Women Voters of Kansas

RE: OPPOSING SB394, AN ACT concerning elections; relating to mail ballots; requiring the return of such ballots by 7 pm on the day of the election.

DATE: Hearing Tuesday, February 15, 2022; Testimony both written and in-person

The League of Women Voters of Kansas opposes SB394.

It has been less than five years since the extension to receive mail ballots that had been postmarked by election day was inacted. This extension was a request of the Secretary of State's office and a local county clerk, among others, because they saw that the 2011-12 change in USPS processing was disenfranchising thousands of unsuspecting voters. Noting has changed with USPS; if anything, mail is slower. Voters of all political parties like being able to sit at their kitchen table and research unfamiliar candidates so that they make an informed vote. Do not return to disenfranchising thousands of voters.

As a reminder to the testimony given in 2017, here are a few highlights:

- Representative Vic Miller testified in support of HB2158 to extend the deadline for mail ballots that were postmarked by election day to be received up to three days following an election, due to the United States postal service moving process centers out of Kansas.
- Bryan Caskey, Director of Elections, KS SOS office, Feb 8 and Mar 21, 2017: testifying as a proponent of extending the deadline to receive mail ballots returned by the third day after the election. "The United States postal service has decreased the number of locations that process mail in the state of Kansas. As a result, an increase in the amount of time needed to transmit mail has occurred in the last few years in Kansas (and across the country)."
http://kslegislature.org/li_2018/b2017_18/committees/ctte_h_electns_1/documents/testimony/20170208_04.pdf
- Marge Ahrens, co-president, League of Women Voters of Kansas, also supported HB2158: "The bill provides the minimal necessary three days for those 'on time' ballots to actually arrive at their election offices because of the routing of mail following cutbacks in the U.S. Postal Service. We see this bill as reflecting the desire of the Legislature to serve the real needs of both rural and urban Kansas voters and cut the costs of voting to all our citizens in transportation and time."
http://kslegislature.org/li_2018/b2017_18/committees/ctte_s_ethics_elections_and_local_government_1/documents/testimony/20170321_01.pdf
- Jamie Shew, Douglas County Clerk, Feb 8, 2017, testified for HB 2158, ... "as one step in attempting to respond to the challenges presented with the new postal process, States are being encouraged to consider legislation which meets the reality of new delivery structures and times. As more voters are utilizing

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mail advance ballots, continuing to utilize statutes written during different era of postal delivery will result in a higher amount of votes not counted.”

“In 2011-12, the U. S. Postal Service started implementing reforms which reduced the number of mail processing centers, limited weekend processing and routed mail to larger regional centers. In Kansas, seven processing centers were closed and mail is now routed to regional processing centers, two in Kansas, Wichita and Hutchinson, and three in other states, Amarillo, TX, North Platte, NE, and Kansas City, Missouri. With the regional centers, the methods which mail was processed were also changed; the largest impact of these changes was increased time for delivery. The U.S. Postal Service no longer guarantees 1-2 day delivery for local mail, but now has a 2-5 day window for delivery of First Class local mail. During the 2016 elections, the U.S. Postal Service was recommending voters mail ballots at least one week ahead of Election Day in states that require receipt of ballot on that day. Additionally, with new limited weekend processing, mail sent on Friday and Saturday may not begin processing until Monday, the result has been a decrease in delivered mail on Tuesday across the country. Across Kansas, as these changes have occurred, county election offices have experienced an increase in ballots not arriving until the Wednesday or Thursday after Election Day. Currently, these ballots cannot be counted; when oftentimes it is clear the ballot was sent days before the election.”

http://kslegislature.org/li_2018/b2017_18/committees/ctte_h_electns_1/documents/testimony/20170208_02.pdf

We ask you to vote NO on SB394.