

ATTENTION: Senate Committee on Federal and State Affairs
Chair: Senator Robert Olson

**OPPOSITION TESTIMONY TO SB 394
A BILL REQUIRING ADVANCED BALLOTS BE RETURNED BY
ELECTION DAY AT 7:00PM**

I write in extreme opposition to SB 394 — a proposal to remove the three day voter protection period for returning advanced ballots via the US Postal Service (USPS).

At first it seemed a bit absurd to me, reading SB 394 just by itself — it's petty and niggling and surprising to see such legislation — but for the fact that it comes from this risible body otherwise known as the Kansas Legislature. To read SB394 alone is to completely misjudge just how insidious the effort to limit my participation in our democracy actually is, however.

SB 394 sits along side its destructive partners SB 388 and SB 445; together they pack a giant punch at the core of Kansas' social contract — that government stakes its legitimacy on the constitutional covenant to govern by consent of the people. If I cannot vote, then I have not consented and if I have not consented than you cannot be deemed legitimate.

By issuing contradictory and picayune edicts limiting the responsiveness by local election clerks to the situations they confront in their unique county processes, the supermajority overestimate their governing mandate. On the one hand the Kansas Legislature wishes to order all advanced ballots be returned via USPS, though the mail on-time delivery has fallen dramatically under the unscrupulous postmaster and shyster Louis DeJoy. On the other hand, the Kansas Legislature proposes to eliminate the grace period allotted to make up for those very same USPS transit and delivery problems in the companion bill SB 388.

Just in case they hadn't quite tied the noose tightly enough, SB 445 has been written to further collapse alternate pathways for ballots to reach the tabulation machines — all secure drop boxes will be eliminated from outside county election offices. It's beginning to look like a reverse engineered Gordian Knot — only rather than boldly taking action to resolve a problem, you are making problems where none had existed. It's almost as if you purposefully intend on disenfranchising me and my fellow Kansans... hmmm.

Leslie D. Mark
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