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Private Citizen

Chairman Thompson and members of the committee,

I am writing this testimony about three weeks before the 2023 Special Committee on Elections has its hearing. Because the deadline for written testimony is over two weeks before the hearing and there is no opportunity for the public to weigh in during the hearing itself, I hope it ends up being relevant to what is discussed.

It appears that the focus of this committee hearing will be Election Integrity. I have trouble finding a concrete definition for this term, but I hope one point we can all agree on is that in order for our elections to have integrity, they must be fair elections. I also hope that we can all agree that part of holding a fair election is to ensure that all votes have equal weight and that all votes have an effect on the overall outcome. Unfortunately, if we apply this criteria to Kansas elections we can actually see that many of them are not fair.

In 2022, just about half of our state House districts had a contested general election. 63 of 125 by my count. The other 62 only had one candidate on the general election ballot. A handful of these districts had multiple candidates file for office, but they were all members of the same party so only one of them advanced from the primary. Our votes do not have equal weight when comparing these districts to each other. In the districts with only a primary, only voters from one party had a say in things so their votes had more weight than those who were not allowed to participate in the primary. In the remaining uncontested districts where only one candidate filed, no one's vote mattered at all. I'll ask a rhetorical question. If you were to read about an election in another part of the world where the winner was decided months before election day, what would your first thoughts be about the election integrity of that country?

To fix our uncompetitive elections, we need to change the way in which we choose our elected officials. The US is kind of an outlier compared to other advanced democracies in that our legislative elections are winner-take-all. Many other countries use some form of proportional representation. Electing our legislators proportionally would ensure that everyone's vote matters equally. Even in parts of the state that are heavily liberal or conservative, opposition voters would have a chance to elect a representative who shares their views. The Legislature already uses proportional representation to allocate committee seats to both parties, so it must see that as the most fair way to do things. Why not use it for elections, too?

I have confidence that our election officials are accurately counting our ballots. It's certainly important for that to happen, but it's just as important to make sure that our ballots actually count. We can have the best ballot security that money can buy, but if there's only one candidate on the ballot then it's hard to call that a genuine election.