

Talking points on Election Bills in the Legislature March 6, 20212

GENERAL

- Voting registration in Wyoming is trending in the wrong direction. In 1978, for the Primary election, 62% of the voting age population was registered. In the 2020 election it became 52%.
- Actual voter turnout in Wyoming is also trending in the wrong direction. In the 1978 Primary, turnout was 68%. In the 2020 Primary, it was 61%.
- For the General Elections, turnout has been better because people tend to take their responsibility more seriously for General Elections than Primaries. In 1978, for instance, 69% of the voting age population was registered and 71% of those actually voted. In 2020, 60% of the voting age population were registered but 104% of registered voters actually voted because so many registered at the polls on November 3, 2020. But that still represented only 62.6% of the voting age population in 2020.
- Taking away the right to register and vote at the polls will be a step backward in assuring voters go to the polls.
- Democracy suffers when fewer people are “invested” in it by voting.

HB0075 “VOTER IDENTIFICATION”

- No one in Wyoming has been convicted of voter fraud since 2004
- This is a “feel good” bill that doesn’t deal with a Wyoming problem
- Restrictions like this make it harder for honest people to vote
- Avenues for cheaters are already slim with existing procedures and the new “present an ID at the polls on election day” requirement does not do anything new to prevent cheating.
- Such “cheating” by one person casting one ballot fraudulently already carries stiff felony penalties of up to 5 years imprisonment or up to \$10,000 fine if “knowingly and willfully committed.” (2020 Wyoming Election Code)
- The most common fraudulent voting is “unknowingly” voting by a convicted and released felon who did not realize his or her voting rights had been suspended. The proposed legislation would not stop this form of fraudulent voting of a person with a photo id as required.
- The time limit on acceptance of Medicare cards as a valid ID means that after a certain date in the future senior citizens would lose this way of proving who they are.
- It will result in many more provisional ballots cast by people who didn’t realize they had to have one when they never did before – as a result they all must come to the courthouse with an acceptable ID the following day, which will result in many more people overwhelming the County Clerk’s office or discourage people from voting at all if the trip to the courthouse another day is a hardship.
- It institutes a de facto poll tax, the cost of IDs are: \$10 for a Wyoming ID, \$145 for a passport. New Wyoming Driver’s license \$40, Northern Arapahoe ID, \$20; Shoshone ID—over age 60 is free.

HB0178 VOTER REGISTRATION

- Requires that persons may register not less than 14 days before certain elections like county, municipal, school, community college, bond, special, conservation district, and other special elections. But for General and Primary elections, the person must register not less than 29 days before an election. Currently a person in Wyoming may register and vote at the same time on General or Primary election days.
- This bill will require separate ballots (at extra expense) for Primary and General elections at every election to accommodate people who can only vote in certain races:
 - One listing Federal and State offices that persons registered 29 days in advance can cast. It will not be given to those who register after the 29 day deadline has passed.
 - Another ballot with city, county, school, other special district and bond measures for which those who registered 29 days in advance can vote, as well as people registering 14 days in advance. Those who miss the 29 day deadline are ineligible to vote for federal and state offices.
- The Legislative Service Office is wrong to suggest there is no fiscal impact to this bill.
- This is a voter suppression move, designed to keep qualified people snarled in red tape that will prevent them from voting
- There is no clear problem that this provision of the bill is “solving”. Rather, it is creating more problems for those who administer elections in Wyoming
- It also requires that a person may only change party affiliation not less than 29 days before a Primary election or at the polls on a General election (which is, of course, too late to vote in that year’s Primary.) Currently party affiliation can be changed on Primary election days.
- In Wyoming in 2020, about 1/3 of voting age population decided about 1/3 of our Primary elections.
- This bill assures that there will be fewer people voting.
- What we should be doing is making it possible for more people to vote
- In the 2020 Primary there were 5 seats for the State legislature for which the Democrats offered no candidates, 1 seat for which Republicans offered no candidate. Therefore the voters in each party had no choice but to offer a write-in candidate in those six races, rather than changing party affiliation in order to pick their preferred candidate from among those run by the opposing party.
- Restricting party affiliation changes fails to recognize that many voters are not strongly adhering to one party or the other, but prefer to choose the person, not the party.
- There were 26,056 people in Wyoming not registered as either a Republican or Democrat on the Secretary of State’s list for Primary election day, August 18, 2020.

HB0234 CHANGE IN PARTY AFFILIATION

- This is another voter suppression bill that discourages voters from going to the polls for the Primary when there are few if any choices for them to make.

- This bill unlike the one above, does not disrupt registration dates as HB0178 does. It only deals with changing party affiliation, but it is much more stringent, requiring the change to be made before May 1st preceding any Primary election, which is 2 ½ months in advance of the Primary and before the deadline for candidates to file for office. So the party affiliation is set in stone before voters know who the candidates will be.
- This makes no provision for changes in a voter's way of thinking based on campaign statements of the various candidates.
- There may be ways to "game the system" that this voter suppression bill will encourage, such as writing in (for instance) on the Democratic party ballot the name of the preferred Republican candidate, giving the option for two Republicans to face each other in the General election race if certain other conditions are met, required for any write-ins to be certified as winners.

HB0194 BALLOT HARVESTING

- This bill, like the others above, solves a problem that does not exist in Wyoming and discourages voting.
- The effect of this bill appears to address people who are temporarily hospitalized, who live in a group home or a nursing home apart from their blood relatives, making it impossible for them to vote.
- There is a subsection created (i) which allows for mailing an absentee ballot, in conflict with the overarching paragraph which says that all absentee ballots must be hand delivered.
- The prohibition of any person delivering more than two absentee ballots for any election is unnecessary hardship for nursing homes where legal voters will be unable to request staff who care for them to deliver ballots. Many of these people have no blood relatives in the area at election times.
- The bill makes it illegal for anyone other than a spouse, parent, sibling, child or other "blood relative" living in the individual's household thus making it extremely difficult for elderly, handicapped or single persons living alone to comply with the requirements of this bill.
- The discrimination against elderly or handicapped voters inherent in this poorly worded bill is egregious and unworthy of the "equality state."
- This bill disenfranchises people who live together without the benefits of a legal tie. The US Census says there are over 15,000 such couples in Wyoming.