

HCR5004 Neutral Written Only Testimony

Chairman Proctor and Members of the Committee

I am neutral on HCR5004 in its current form, though I strongly support the principle that only U.S. citizens should be allowed to vote. Voting is not only a right but also an inherently important responsibility connected to citizenship. It ensures that those shaping policies and electing leaders are committed to the long-term welfare of our community. Citizenship signifies a dedication to our laws, values, and governance—qualities essential for those participating in the democratic process.

However, I question the necessity of this proposed constitutional amendment. The Kansas Constitution already stipulates that only citizens can vote. What specific issues or challenges have arisen that warrant this amendment? Is it intended to prevent future legal challenges, preempt potential efforts to expand voting rights to non-citizens, or address ambiguities in the existing language? Without understanding the amendment's intended purpose, it's difficult to assess its necessity.

Additionally, I believe the amendment is missing a critical component: a definition of 'citizen.' Without a clear and specific definition, the term could be subject to varying interpretations in legal or political debates, creating potential ambiguities. Including a definition would enhance clarity and strengthen the amendment's legal defensibility. For example, a clear definition could address questions about eligibility for categories such as dual citizens, individuals on the path to naturalization, or others who might attempt to claim voting rights under expanded interpretations.

Codifying a definition of 'citizen' would also safeguard against future legislative or judicial efforts to reinterpret or broaden the term in ways that conflict with the amendment's intent. Such a measure ensures that the amendment remains aligned with its purpose: preserving the sanctity of voting as a right tied to U.S. citizenship.

Finally, I want to highlight a practical concern. The record for recent constitutional amendments passing in Kansas has not been favorable. Voters often struggle to understand the language or the need, and, in some cases, the language appears intentionally confusing. When voters don't fully grasp the purpose of an amendment, they tend to vote no. Since the passage of this amendment would require a yes vote, I encourage the committee to consider how to make the purpose and language as clear as possible to avoid voter misinterpretation.

In conclusion, while I fully support the principle behind HCR5004, I urge the committee to carefully evaluate its necessity, consider adding a clear definition of 'citizen,' and ensure the language is straightforward and the purpose well-communicated to the public. These steps would increase the likelihood of the amendment's passage and ensure it effectively safeguards our electoral process.

Respectfully submitted,

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