



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 423		DATE: 2/17/2021	
COMMITTEE: Elections and Elected Officials			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: DENISE		PHONE NUMBER: Lieberman	
BUSINESS/ORGANIZATION NAME: MISSOURI VOTER PROTECTION COALITION		TITLE: GENERAL COUNSEL	
ADDRESS: 6047 WATERMAN BLVD.			
CITY: ST. LOUIS		STATE: MO	ZIP: 63112
EMAIL: denise@movpc.org	ATTENDANCE: Written	SUBMIT DATE: 2/17/2021 9:59 AM	

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

The Help America Vote Act of 2002 sought to ensure that voters with disabilities have full and equal access to voting by mandating that every polling place have at least one voting machine accessible to voters with disabilities but this mandate is binding only for federal elections. To ensure that voters with disabilities have access to the ballot, Missouri should honor the spirit of HAVA, and the Missouri Constitution's guarantee of free and equal access to the ballot by guaranteeing that this mandate applies to all elections in Missouri, including state and local elections. Voters with disabilities face the greatest barriers to the ballot of demographic groups, and documented voter experiences in Missouri demonstrate that these barriers are significant in Missouri. The Missouri Voter Protection Coalition is a non-partisan statewide network of voter advocates that work to protect the right to vote. For 15 years, MOVPC has coordinated statewide nonpartisan Election Protection efforts in Missouri, which includes documentation of all calls into the 866-OUR-VOTE hotline and in-person monitoring at polls across the state. Each election, accessibility issues are consistently a top problem reported by voters. Missouri law provides for use of federal funds to ensure access for voters with disabilities. RSMo § 115.076 provides that the secretary of state shall provide funds to election authorities in order to purchase voting machines that are accessible to individuals with disabilities, to make polling places accessible to individuals with disabilities, and to provide individuals with disabilities information about the accessibility of polling places. The Missouri Constitution enshrines the right to vote as fundamental. It is time for Missouri to ensure access to the ballot for all Missouri voters in every election by ensuring that each polling place has equipment accessible to voters with disabilities. Missouri's failure to ensure full access could violate the Missouri Constitution and federal law. The Americans with Disabilities Act provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. § 12132. Section 504 of the Rehabilitation Act provides that "[n]o otherwise qualified individual with a disability . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 29 U.S.C. § 794(a). And Section 208 of the Voting Rights Act provides that "[a]ny voter who requires assistance to vote by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union." 52 U.S.C. § 10508 (formerly codified at 42 U.S.C. § 1973aa-6). Art. VIII Sec. 2 of the Missouri Constitution guarantees the right to Article VIII, Section 2 of the Missouri constitution guarantees the right to vote to ALL US citizens over the age of eighteen who are residents of Missouri and of the relevant political subdivision are entitled to vote at ALL elections. Let's make that a reality in Missouri. Accordingly, the Missouri Voter Protection Coalition

SUPPORTS HB324 and HB423.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MO DEL VILLAR		PHONE NUMBER: 8165503327	
REPRESENTING: AMERICAN CIVIL LIBERTIES UNION OF MISSOURI		TITLE: LEGISLATIVE ASSOCIATE	
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EMAIL: mdelvillar@aclu-mo.org	ATTENDANCE: Written	SUBMIT DATE: 2/17/2021 11:23 AM	

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February 17, 2021 House Elections and Elected Officials Committee Chairman Shaul HB 423 Dear Honorable Representatives: Thank you for allowing me to provide written testimony today. On behalf of the American Civil Liberties Union of Missouri and our approximately 15,000 supporters statewide, I would like to express our support for HB 423. Visually-impaired Missourians deserve equal access to the most fundamental right of citizenship in our democratic process. HB 423 provides for the use of and access to a federally compliant voting machine for statewide and local elections that would allow blind and visually impaired individuals to exercise their right to an independent and private vote. This legislation would further ensure that those who wish to vote without being hindered by their vision can do so with little issue from local elected officials. In order to cast their vote today, a visually impaired or blind voter must rely on assistance from family, friends, or a polling place volunteer. They must also depend on that person to cast their vote without the opportunity all other voters have to verify that the correct selection was made. There is an exception made in statute to allow for more than one person in a voting booth to allow for assistance to the blind and visually impaired. While the Secretary of State has rules for personal assistance at the ballot for those who "cannot read or write, are blind or have another physical disability" to bring in someone to help them vote or have a poll worker assist them, this bill moves access and inclusivity in the right direction to lift barriers so that these Missourians can independently participate in their government. I strongly urge you to vote "yes" on this legislation and I look forward to your questions. Sincerely, Mo Del Villar Legislative Associate ACLU of Missouri



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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: OTTO FAJEN		PHONE NUMBER: 573-634-3202
REPRESENTING: MISSOURI NEA		TITLE: LEGISLATIVE DIRECTOR
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CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65101
EMAIL: otto.fajen@mnea.org	ATTENDANCE: In-Person	SUBMIT DATE: 2/16/2021 9:16 PM

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Missouri NEA Testimony on HB 423 to the House Elections and Elected Officials Committee February 17, 2021 Otto Fajen, MNEA Legislative Director The Association appreciates the opportunity to present written testimony regarding HB 423. The Association supports the bill as filed. HB 423 would require election authorities to have at least one electronic voting machine per polling location for blind or visually impaired voters. The Association supports efforts to remove barriers and allow all eligible citizens to vote and to participate in the political process. The Association supports the bill. On behalf of the Association, I thank you for the opportunity to offer our testimony on this bill. Otto Fajen MNEA Legislative Director



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
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EMAIL: ArnieDienoff@Yahoo.Com		ATTENDANCE: Written	SUBMIT DATE: 2/17/2021 1:36 AM
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I am Opposed to this Bill.Citizens with a hearing or eye disability shall be able to vote on machines, like all Missourians with out assistance from staff, who may interfere with a vote.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: ERIC FEY		PHONE NUMBER: 314-615-1950	
BUSINESS/ORGANIZATION NAME: ST. LOUIS COUNTY BOARD OF ELECTIONS		TITLE: DIRECTOR OF ELECTIONS	
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CITY: ST. ANN		STATE: MO	ZIP: 63074
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/17/2021 12:00 AM	
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