



2022 - 2023 Executive board

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February 14, 2023 - hearing on SB 209, relating to the deadline for returning advance ballots – Opponent testimony from Rick Piepho, representing KCCEOA.

Chairman Thompson and Distinguished Members of the Senate Federal and State Affairs Committee,

My name is Rick Piepho, Harvey County Clerk and Chairman of the Elections Committee of the Kansas County Clerks and Election Officials Association (KCCEOA). The KCCEOA is a statewide organization with 109 members including 103 publicly elected county clerks, 2 charter appointed county clerks, and additionally, four election officers from the most populous counties in Kansas. Our duties are significant under statute and one of our most public facing functions is free and fair administration of elections. We take this duty very seriously. We prepare for every possible, and impossible, scenario which could occur.

I am submitting this testimony on behalf of the KCCEOA membership. The KCCEOA prepared a legislative agenda which was developed through a policy committee process and agreed to by a majority of the members. One of the items specifically included is: "Maintain the status quo with regard to election, registration and canvass schedules...".

We believe that the current deadline for receipt of valid advance ballots by mail should remain. With delivery delays by the US Postal Service expected to continue, we believe that allowing ballots mailed prior to the close of polls on Election Day to be received by the 3rd day following the election ensures that valid voted ballots are accepted and included in the final results. Most properly mailed advance ballots are returned the day after the election but diminishing quantities continue to be received for many days after Election Day.

Exhibit 1 on the next page shows the advance return log for the 2022 General Election in Harvey County. A deadline of 7 p.m. on Election Day would have meant that 45 valid voted ballots would not be counted out of 1,014 total received by mail. Not a huge number but it adds up across 105 counties. Also, Tuesday is almost like a postal holiday with very little mail received on that day of the week. This would effectively mean that voters would have to mail on Friday or Saturday before Election Day or earlier so that we receive them in time. The total number of advance ballots sent and returned were much higher for the 2020 General Election, but the statistics for ballots returned by the USPS are similar.

The KCCEOA opposes SB 209 as currently presented. We ask that the committee hear our concerns and act accordingly. I will not be able to attend the hearing so we are providing written testimony only on this bill.

Sincerely,

Rick Piepho
Harvey County Clerk & Election Officer – KCCEOA Elections Committee Chair

Exhibit 1:

GN2022 Advance Return Log - Harvey County

	USPS	Clerk office drop	Courthouse drop	FS 3 drop	UOCAVA	Adv poll	Totals	Undel/late
Prior to 10/19/22					13		13	
Thursday, October 20, 2022					7		7	
Friday, October 21, 2022		2					2	14
Saturday, October 22, 2022					2		2	
Sunday, October 23, 2022							0	
Monday, October 24, 2022	91	19	45				155	43
Tuesday, October 25, 2022	6	13	32	14		1	66	6
Wednesday, October 26, 2022	107	4	31	6		7	155	1
Thursday, October 27, 2022	116	6	31	11	7	3	174	4
Friday, October 28, 2022	166	7	34	7		4	218	1
Saturday, October 29, 2022							0	
Sunday, October 30, 2022							0	
Monday, October 31, 2022	138	9	57	18	2	2	226	
Tuesday, November 1, 2022	2	9	39			6	56	2
Wednesday, November 2, 2022	71	5	50	18	9	3	156	1
Thursday, November 3, 2022	58	11	33	9		8	119	
Friday, November 4, 2022	62	10	35	8	3	4	122	
Saturday, November 5, 2022				9		1	10	
Sunday, November 6, 2022							0	
Monday, November 7, 2022	121	26	55	13	8	6	229	4
Tuesday, November 8, 2022	31	9	62	27	2	54	185	
Wednesday, November 9, 2022	31						31	
Thursday, November 10, 2022	8						8	
Friday, November 11, 2022							0	
Monday, November 14, 2022	6						6	1
Tuesday, November 15, 2022							0	1
	1014	130	504	140	53	99	1940	78
% of total returned	52.27%	6.70%	25.98%	7.22%	2.73%	5.10%	2386	Total sent
							2018	Total return
After ED	45	4.44%					368	Not returned

10-27-2022 Certified registered voters in Harvey County = 23,642

Note: since Friday, November 11 was a Federal holiday the deadline for receipt was extended to Monday, November 14.