



HarveyCounty

COUNTY CLERK
& ELECTION OFFICER
RICK PIEPHO
rpiepho@harveycounty.com

DEPUTY COUNTY CLERK
CARMEN REIMER
creimer@harveycounty.com

COUNTY COMMISSIONERS
GEORGE A "CHIP" WESTFALL
RANDY HAGUE
RON KREHBIEL

OFFICE OF THE COUNTY CLERK

800 N Main, PO Box 687

Newton, Kansas 67114

Phone: 316-284-6842 Fax 316-284-6856

www.harveycounty.com or www.HVcoKSclerk.com

March 20, 2018

Honorable Kansas State Senator Elaine Bowers
Chair, Senate Ethics, Elections and Local Government Committee and Distinguished Members of the Committee

Re: Senate Bill 49, relating to voter registration

Chairman Bowers and Distinguished Committee Members,

As Harvey County Clerk and Election Officer, I thank you for your time in allowing me to comment on this bill that affects a number of existing election statutes. I support the bill in its current form, but I have identified several issues that I feel should be considered.

I agree with the intent of the bill to allow voters to register and cast a ballot on the same day which could attract more prospective voters to participate in the election process. This bill would also allow more of the provisional ballots cast to be counted and included in the final election results. In the 2016 General Election in Harvey County there were 122 of 399 total provisional ballots cast that were not counted due to registration issues, either not registered or registered in another county in Kansas. All or most of those 122 ballots cast could have been counted and included in the final election results if the changes proposed in this bill had been made prior to that election.

I have a few concerns that I would like to address:

1. The proposed changes to KSA 25-2311, striking lines 17-28 on page 1, removes the 21 day registration deadline for registrations received in the county election office, but section (d), beginning on line 10 on page 2, continues the 21 day deadline for registration applications received by other voter registration agencies and the division of motor vehicles.
 - a. I suggest retaining the language to close the registration books during the 20 days preceding each election, but adding a section allowing election officers to accept and process registration applications received with provisional ballots. The changes to KSA 25-2316c, section (c)(6), lines 33-35 on page 4, allow for processing these registrations. This would allow election officers to enter the voter registration and verify the eligibility of the provisional voter prior to the canvass. These ballots that currently are rejected would be eligible to be counted by the canvassers.
 - b. Retaining the date for closing the registration books allows election officers to certify registration statistics to the Secretary of State as required in section (f), lines 22-27 on page 2, as of that specific date.
2. The changes to KSA 25-2316c on lines 1-5 on page 2, allowing advance in-person voters in the election office to register and vote non-provisional ballots immediately, conflict or are inconsistent with section (c)(1), beginning on line 11 on page 3, which states that voters at satellite advance voting sites shall be allowed to register and vote provisionally.
 - a. There should not be a difference between advance in-person voting in an election office or at a satellite advance voting site, both should vote provisionally. Even in the election office, it would be difficult to enter a registration to verify the eligibility of the voter then immediately issue a non-provisional ballot to each voter. If a voter is issued a non-provisional ballot without verification of eligibility and the voter was later determined to be ineligible it would be impossible to retrieve the voted ballot that should not be counted.
3. In my opinion, the portion of this bill regarding the presentation and acceptance of proof of citizenship documentation and the changes to KSA 25-3602 (petitions) are acceptable as presented.

I support passing SB 49 in its current form, but request that the suggested amendments be made. I believe that this bill could result in a small increase in voter turnout, but it will definitely result in allowing more of the ballots cast to be counted.

Sincerely,

Rick Piepho

Harvey County Clerk & Election Officer