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February 9, 2020

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

Re: Senate Bill 310, Concerning Election Voting Systems and Procedures

Chairman Bowers and Distinguished Committee Members,

As Harvey County Clerk and Election Officer, I thank you for your time in allowing me to testify as an opponent of this bill.

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

1. This bill contains an unfunded mandate to purchase new election equipment since it outlaws the use of direct recording electronic (DRE) voting machines after January 1, 2021. Harvey County is one of the 8-10 counties in Kansas that has not yet replaced DRE voting equipment with new election equipment or ballot marking devices. The estimated cost to replace the voting equipment in Harvey County is \$300,000 which is not in the 2020 adopted county budget. This purchase is tentatively planned to be in the 2021 budget, but would effectively have to be completed prior to the end of 2020 to conduct elections in calendar year 2021 and beyond. A few points about DRE's:
 - a. Our DRE's still function well and accurately and are regularly serviced by the manufacturer.
 - b. KSA 25-4403(d) already states that DRE's cannot be purchased.
 - c. All in-person voters in Harvey County are offered the option to vote a paper ballot or electronically; about 55% of the voters choose paper ballot.
2. This bill includes a number of items that are redundant or inconsistent with current law, including but not limited to:
 - a. Requires audits be conducted by each precinct. This could significantly delay the election night tabulation process. We are already required to conduct post-election audits per KSA 25-3009.
 - b. Requires recounts be hand counted unless requested otherwise. KSA 25-3107 already gives requestor the option to choose how the recount is conducted; by hand counting or as originally counted.
3. This bill requires "a hand-written signature". If this means that signatures cannot be captured electronically or digitally then the electronic poll books used for voter check-in in Harvey County, and most other counties in Kansas, could not be used and we would have to utilize paper poll books that could be signed with a pen. KSA 25-2908 governs voter check-in procedures including signatures.

I oppose passing SB 310 in its current form and request that my concerns be considered.

Sincerely,


Rick Piepho
Harvey County Clerk & Election Officer