February 10, 2022

Honorable Kansas State Representative Emil Berquist
Chair, House Elections Committee and Distinguished Members of the Committee

Re: House Bill 2486, relating to electronic poll books and equipment – Neutral

Chairman Berquist and Distinguished Committee Members,

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 publicly elected county clerks, 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. Our organization has a legislative platform adopted by the membership. I have attached that platform to this testimony for your use.

I am submitting this testimony on behalf of the KCCEOA membership. We believe that the legislature sets the policy and we implement it. You pass the laws, the Secretary of State works with you to develop and adopt rules, and we follow the law and regulations in an attempt to allow the public to participate in free and fair elections while complying with your intent and the Secretary's guidance. We understand and agree with the intent to build on the already secure election processes in Kansas and increasing voter confidence. For these reasons, we are appearing as neutral conferees today.

We believe that defining electronic poll books and specifically including them in statutes regarding election equipment is appropriate. We also support adding requirements to law that ban connectivity of electronic equipment used for voting and tabulation; this is already the current practice but it is not statutory. We agree with the provisions to require that electronic poll books be certified by the secretary of state, like other election equipment, unless the certification process, requirements or security standards are so onerous that electronic poll books are effectively eliminated. Electronic poll books are a critical component of the voter check-in process for many counties and they are essential for counties that operate vote centers to ensure that individual voters cannot check-in at multiple locations. The process of checking in and receiving the appropriate ballot is faster and more efficient for the voter, poll workers and election office staff. Unlike other election equipment, electronic poll books must be connected to each other and/or to a secure website to ensure that once an individual has checked-in they cannot check-in again on any other unit. Electronic poll books are completely separate systems from other election equipment and are not part of the process of casting or tabulating ballots, they just capture the voter signature and record that a ballot was issued to that voter. We agree with the provisions to specify the time frame and notification for the public testing of voting equipment after each election. We do have some concerns about how election judges will be able to ensure that electronic voting and tabulation equipment is not connected to any network throughout the day.

The KCCEOA is neutral on HB 2486 as currently presented, but we ask that the committee consider our comments and act accordingly. I will gladly stand for questions at the appropriate time.

Sincerely,

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

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2022 Legislative Priorities

The members of the KCCEOA want to bring special focus to the following with regard to elections:

- Encourage legislature to complete redistricting in a timely manner.
- Maintain the status quo with regard to election, registration and canvass schedules and with regard to partisan/non-partisan elections.
- Advocate for protecting the integrity of the anonymous ballot.
- Advocate for measures that allow provisional ballots to be counted for registered voters who moved within the state.
- Advocate for expansion of eligibility requirements for permanent advance voting status while also making requirements more stringent for all permanent election applicants to maintain status.
- Support initiatives which build on already secure and transparent election equipment and processes.
- Advocate for establishing lawful, consistent and workable timelines for special elections.
- Maintain local control of usage and placement of drop boxes for advance ballots.
- Ease pollworker employment restrictions for KPERS and unemployment.

The membership of the KCCEOA reviews, discusses and participates in drafting the Kansas Association of Counties (KAC) annual legislative policy. The members of KCCEOA want to bring special focus to the following with regard to county governance:

- Retain and enhance county home rule authority and maintain local decision making, standing on the principle that government closest to the people will best understand and serve the community's needs.
- Support local control of property taxes.
- Oppose unfunded mandates and support state funding for any current statutory mandates.
- Support allowing choice of alternate sources or methods for distributing official publications, including legal notices.
- Support flexibility to utilize preliminary values when calculating mill levy rates for shared districts.
- Join with other county office holders in opposing deferment of payments to KPERS and the sweeping of funds intended for transportation.

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Statement: The Kansas County Clerks and Election Officials Association (KCCEOA) serves the residents of all Kansas Counties through professional training for our members, presenting the Association's position on state issues, advocating policy positions which increase access for our constituents to county government and safe, secure, free and fair elections.

2021 - 2022 KCCEOA Executive board & legislative committees

Tina Spencer, Marion County | President
Ashley Mannis, Sherman County | Vice president
Janet Paddock, Franklin County | Secretary
Rick Piepho, Harvey County | Treasurer

The **Election committee** formulates policy and education for election-related topics. Members also work with the Secretary of State's office and legislative committee on any election legislative initiatives.

Rick Piepho, Harvey County (chair)
Sarah Rains, Hodgeman County (vice-chair)
Sherrie L. Riebel, Allen County
Kayla Wang, Clay County
Angie Kirchner, Coffey County
Karen Madison, Cowley County
Don Pyle, Crawford County
Jamie Shew, Douglas County
Debbie Cox, Ford County
Rebecca Nordyke, Geary County
Fred Sherman, Johnson County
Crystal Rucker, Logan County
Chris Treaster, Mitchell County
Stacey Rein, Pawnee County
Rich Vargo, Riley County
Angela Caudillo, Sedgwick County
Stacia Long, Seward County
Andrew Howell, Shawnee County
Keesa Mariman, Thomas County
Rhonda Willard, Wilson County
Michael Abbot, Wyandotte County

The **Legislative committee** is tasked with proposing and monitoring any legislation not dealing with elections.

Karen Madison, Cowley County (chair)
Jamie Doss, Saline County (vice-chair)
Kyle Rennie, Cherokee County
Janet Paddock, Franklin County
Ashley Rogers, Gray County
Rick Piepho, Harvey County
Linda Buttron, Jefferson County
Somir Hassan, Johnson County
Dawn Harlow, Lincoln County
Sandra Wilson, Marshall County
Janet White, Miami County
Chelsey Schmidt, Morris County
Rachel Finley, Rawlins County
Donna Patton, Reno County
Mary Nuss, Russell County
Pamela McDaniel, Scott County
Kelly Arnold, Sedgwick County
Debra Norris, Sumner County
Brett Deichler, Wyandotte County

KCCEOA Lobbyist - Dick Carter, The Carter Group

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