



Wyandotte County Election Office

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HOUSE STANDING COMMITTEE ON ELECTIONS

Testimony on House Bill 2543

Monday, February 15, 2016

Thank you for the opportunity to testify on House Bill No. 2543.

Conceptually, the bill is well-intentioned. It will provide positive assurance to voters and candidates that their votes are being accurately tabulated regardless of which voting machines are used. The bill allows the Secretary of State to determine the scope. This gives the Secretary the discretionary authority to tailor an audit for different size counties.

A recount is comparable to an audit. Recounts are not free, nor should they be. Candidates post a bond which will pay all costs incurred by the county. As proposed, the audit will be at county expense.

The scope of the audit determines the cost. The cost is driven by at least three factors - the number of ballots, the number of special board members, and the time allotted for completion. The audit cost will be different if the audit is for a precinct, a race, or a district. The recount cost in Wyandotte County starts at \$1,740.00 (under 2,000 ballots) and could exceed \$11,000.00 (30,000 ballots).

I recommend that the criteria and procedures for an audit be the same as used for a recount. Candidate requested manual recounts have consistently substantiated the accuracy of voting machines. However, manual audits introduce human error in the count. Human error was and is the foundation for using voting machines. For example, a machine counts the votes recorded on a ballot. Although second-chance voting is available, some voters decline to correct an error. That always results in a ballot that may be under-voted, over-voted, or it does not clearly indicate the voter's intent. If the audit includes the assessment of voter intent, differences in the machine count and the manual count are inevitable.

I am concerned about the time allotted. There already exist substantial requirements between election day and the canvass. The major challenge is the determination of whether to recommend that some provisional ballots count and others do not. We attempt to resolve voter errors that might otherwise disqualify a ballot. We have a special board which documents all of the write-ins. The audit adds another special board that will likely be simultaneous with the write-in board, with both boards needing to see the same ballots. An accurate count is more critical to me than speed. The audit must be deliberate and paced to ensure that ballots are counted correctly. County election officers will need more time before the canvass.

I believe this bill is appropriately timed, for two reasons:

- An audit substantiates that older machines are accurately tabulating votes.
- An audit substantiates that new machines are accurately tabulating votes.

I stand for questions.

Bruce Newby
Wyandotte County Election Commissioner