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February 17, 2021

Honorable Kansas State Representative Blake Carpenter
Chair, House, Elections Committee and Distinguished Members of the Committee

Re: House Bill 2332, relating to advance ballots – Neutral, with amendment

Chairman Carpenter and Distinguished Committee Members,

My name is Rick Piepho, Harvey County Clerk and Chairman of the Elections and Legislative Committees of the Kansas County Clerks and Elections Officials Association (KCCEOA). The KCCEOA is a statewide organization with 109 members. Our membership includes publicly elected county clerks, charter appointed county clerks, and additionally, four election officers from the most populous counties in Kansas. The duties of the County Clerk are significant under statute. 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 am testifying today in my capacity as legislative and elections committee chairman on behalf of the association. In that capacity, the KCCEOA would ask for your consideration of an amendment to HB 2332. 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. For that reason, we are appearing as neutral conferees today.

However, regarding the amended language beginning at the bottom of page 4, line 34, we would respectfully ask that Election Officials be specifically exempted from this language. It is our hope that the legislature would understand that requiring the statement specified in (k)(4), "Disclosure: This is not a government mailing. It is from a private individual or organization." would effectively disallow any government agency from mailing an advance application. During the 2020 election, county election offices in this state mailed thousands and thousands of advance ballot applications and there are some counties in Kansas which regularly mail every registered voter an advance application. Notwithstanding the (k)(4) statement, changing our envelopes or mailpieces in this manner would be difficult and could result in voter confusion and decreased participation.

We appreciate Representative Toplikar's intent under this bill and do not disagree with what he is trying to accomplish. But in this case we must respectfully ask that you please specifically exempt election officials and government agencies from these requirements.

I am happy to stand for questions about election processes and how this bill would negatively impact the workflow of election administration.

Sincerely,

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