

CANVASSING KANSAS

An update on election news from Kansas Secretary of State Ron Thornburgh

December 2005

Thornburgh attends county conventions

CANVASSING KANSAS

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Secretary of State Ron Thornburgh and members of his staff attended the first annual convention of the Kansas County Officials Association November 11 to address the county clerks and election officials. There were many issues to choose from in setting the agenda for the presentation, but Thornburgh chose the topic of voter registration system security as the main topic.

After opening comments, Thornburgh and two staff members from the Information Technology (IT) Department, Mary Hill, project manager, and Mike Stewart, chief information officer, led a discussion of the security built into the ELVIS voter registration system. The discussion included a description of the substantial security architecture and the reasons behind the system.

Bryan Caskey, administrative assistant in the Elections Division, discussed the process for procuring HAVA-compliant voting equipment. Information about the procedure for CEOs to use in selecting their equipment had been disseminated by e-mail earlier, and counties have been busy researching their options under the state contracts and deciding how they would spend their allotted funds. Secretary Thornburgh announced during the meeting that he was extending the November 23 deadline for counties to place their equipment orders with the SOS to Friday, December 2.

Brad Bryant, election director, described a plan to conduct a discussion among CEOs during the next few months on the topic of confirmation mailings. Since the advent of the confirmation mailing process, required by the list maintenance provisions of the National Voter Registration Act (NVRA) of 1993, some different interpretations of the law have arisen among the states and by federal agencies and have led to differences in the way states

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MEOC event is a success

Thank you to all who participated in the fifth Midwest Election Officials Conference (MEOC), held December 11 - 14 at the Overland Park Sheraton Hotel and Convention Center. More than 250 people participated in this fun and informative event.

Attendees were able to gather insightful information about the future of voting while networking with other Chief Elections Officers from three other states; Iowa, Nebraska and Missouri.

The information shared at these meetings covered topics including youth voting programs, accessibility, voting centers, how to combat election fraud, graphic design relating to election forms and other materials, computer security and adapting to change.

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More Spanish materials available

For those counties that provide ballots and other voting materials in Spanish, there is an increasing number of forms and documents available. The SOS office has worked for the past four years with a translator at the state level to translate essential documents into Spanish.

Seward County, one of the six counties required to provide Spanish translations under the Voting Rights Act, has a very active local program that has produced additional materials. County Clerk Stacia Long and her deputy, Crystal Clemens, have offered their translations to other CEOs who wish to use them.

One thing to keep in mind, however, is that sometimes local translations vary. There may be dialects or other differences in usage that produce different translations in various localities. When the SOS produces a state translation, it is done in a general dialect that should be understandable by any Spanish speaking person. However, counties required to provide translated materials also have their own translators, and they have the authority to alter the state translation to accommodate local needs.

The list of Spanish materials includes the following:

- ★ Primary and general election ballots
- ★ Voter Rights and Responsibilities poster
- ★ Advance voting forms AVI, OI and VI
- ★ Guide to Voting
- ★ Voter registration application form
- ★ Notice of incompleteness (of voter registration applications)
- ★ Voter outreach brochure
- ★ Administrative Regulations—KAR 7-22-1, 7-23-1, 7-23-2, 7-23-3, 7-23-4, 7-23-6, and 7-23-7

Chase County gets new CEO

We want to welcome June Morgan as the newly appointed Chase County clerk. June replaces Nadine Buell, who resigned as of October 31, 2005, to accept a position working with Ron Roberts in the Butler County clerk's office.

June was selected by the Republican Party committee in Chase County to be appointed by Governor Sebelius in November. She had been the deputy register of deeds in Chase County for two years prior to her appointment. Before that, she worked for 18 years for a local title company.

June is married to Frank Morgan and she has a degree in microbiology from Emporia State University. One of her interests during her free time, which she has very little of lately, is listening to oldies rock and roll music. Her particular favorite is the duo known as Jan & Dean. (Remember "Dead Man's Curve" or "Little Old Lady from Pasadena"?)

Welcome, June!

And Nadine, good luck in your new position!

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Ron Thornburgh**

Memorial Hall
120 SW 10th Ave.
Topeka, KS 66612-1594
(785) 296-4564

Editor
Jodi Spindler

Layout and Design
Jodi Spindler

Contributing Writers
Brad Bryant
Stephanie Wing

If you have any suggestions or comments about this or future issues, please call (785) 296-8571.

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RON THORNBURGH Kansas Secretary of State

Dear Friends:

The 2006 legislative session is quickly approaching. In less than a month, lawmakers will return to Topeka to begin work on a variety of important issues. One of these issues will be voter security.

I am committed to protecting our most important freedom—the ability to cast a vote in a fair, impartial system. This means ensuring the system’s security on a number of levels, including verifying voter information, authenticating advanced voting ballots, and maintaining a central voter registration database that is as complete and up-to-date as possible.

I have urged the legislature and governor for a number of years to pass a law that would require a voter to present identification in order to receive a ballot. This is critical to protecting the integrity of our election process and I will continue to work until such a measure is passed.

Additionally, our office is again going to ask for greater scrutiny regarding advanced voting ballots. This bill was initially introduced last year, but was caught up in committee and never came to the floor for final approval. It includes checking signatures on envelopes and limiting the delivery of advanced voting ballots. We want to take every possible step to prevent voter fraud.

2006 is an important year for the Kansas election community. We will have a central voter registration database, ELVIS, that will allow more uniform election management and our polling places will truly be accessible to all Kansans.

As these major HAVA requirements are coming due, the spotlight will be on the process and administration of elections across the state and the nation. I am confident that we will continue to lead the way in making our elections process one of the most secure and accessible in the country.

I hope you all have a merry Christmas and I look forward to working with you in the coming year.

Sincerely,

A handwritten signature in black ink that reads "Ron".

RON THORNBURGH
Secretary of State

MEOC event

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Highlights from the conference included a presentation by Paul DeGregorio, vice chairman of the Election Assistance Commission, and an informative discussion about foreign election observation programs. Dave Helling, Kansas City Star reporter, was also on hand to share his insight about political news writing.

Juli Burney, 2001 MEOC conference presenter, was back again with the presentation “Cast a Vote for Good Humor”.

Attendees also participated in break-out sessions on Monday and Tuesday. Topics ranged from voting fraud to guidelines for voting systems. Speakers on these topics provided information that is sure to be valuable during the upcoming election year.

Tuesday night, conference participants enjoyed the traditional banquet, featuring Mark Mayfield, a corporate comedian who spoke at the 1997 MEOC conference.

I want to thank the members of the Secretary of State staff whose hard work and dedication made the conference a huge success!

Thornburgh attends

From page 1

and counties conduct their confirmation mailings. Also, the process of installing the new ELVIS voter registration system and providing training to CEOs has highlighted these differences. The purpose of the discussion was to reaffirm the state policies based on the NVRA. Also part of the discussion about NVRA, was to give counties more consistent training and to increase uniformity of procedures among the counties.

One other important item on the agenda at KCOA was the adoption of the 2005 revisions to the Kansas Election Standards. The standards were developed in 2002 and have been revised each year since adoption. The county clerks and election officials in attendance at the KCOA formally adopted the 2005 revisions during their business meeting.

Secretary Thornburgh attended the Kansas Association of Counties convention November 22 at the Capitol Plaza Hotel in Topeka. The purpose of his attendance was to address the county commissioners on the subject of “The Impact of HAVA on County Budgets.” Thornburgh explained several ways HAVA has had and will continue to have an impact on counties, including:

- ★ The two times, in 2003 and 2004, when counties were required to pay matching funds (HAVA’s federal funding requires a 5% match by the state; in Kansas the state provided 3% and the counties cumulatively provided 2%. This was completed twice.)
- ★ The cost of \$1500 per work station for ELVIS connectivity, with payments commencing in February 2007.
- ★ Any costs counties may have incurred in ensuring their polling places are fully accessible and ADA compliant. The SOS office spent more than \$200,000 in federal grants to purchase accessibility products for distribution among the counties, but some counties added supplemental county funds to further improve polling places.
- ★ Expenses counties may incur in procuring HAVA-compliant voting equipment. The SOS is allocating \$12 million in spending authority among the counties for voting equipment, but some counties may choose to supplement these funds with county money for voting equipment, training, programming or maintenance costs not covered by the HAVA funding.

Secretary Thornburgh and his staff plan to attend the annual convention of the Kansas County Clerks and Election Officials Association in May 2006 to discuss further developments of various aspects of HAVA and preparations for the 2006 elections.

Voter Registrations being cancelled using e-mail

Election officials in Kansas are beginning to receive voter registration cancellations from jurisdictions in other states via e-mail. This is a recent development. However, it is not surprising given the pace at which various types of communications are becoming electronic.

To date, the Secretary of State's office (SOS) has received e-mail cancellations only from the state election office in Vermont, but it is probably only a matter of time before other states and possibly localities will begin to do so as well.

Kansas law provides for the cancellation of voters' registrations upon receipt of information from another jurisdiction indicating the voters have re-registered, but there is no specific provision in our law for receiving and accepting them via e-mail.

However, there are general provisions in Kansas laws that allow all kinds of transactions to be carried out electronically, if both the sender and the receiver agree to it. The principal statute governing this in Kansas is the Uniform Electronic Transactions Act, or UETA. Without a specific law prohibiting such transmissions, it is the policy of the SOS office that they should be accepted.

CEOs should process these e-mail cancellation notices as they are received. If you wish to maintain a hard copy, you may print the e-mail. In some cases the SOS office may send the cancellations in printed form.

The transmission of cancellations via e-mail is another step in the electronic transmission of various kinds of voter registration data. The Kansas Division of Motor Vehicles has been transmitting changes of address to CEOs when drivers complete their driver's license/voter registration change of address forms on the DMV's Web site for several years. The ELVIS voter registration system is built to accommodate various kinds of electronic transmission, including verification of registrations using Social Security Administration records, death notices from the Office of Vital Statistics, felony convictions from the Department of Corrections and, eventually, new voter registrations from the DMV.

Holiday hours at SOS

The holiday season is here, and the SOS office will be observing holiday hours along with other offices of state government. The office will be closed Monday, December 26, and Monday, January 2.

Also, the SOS office will be closed Monday, January 16, 2006, in observance of Martin Luther King Jr. Day.

Happy holidays!