
Canvassing Kansas

An update on election news in Kansas

Published by Secretary of State Ron Thornburgh

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Election night tabulation goes electronic

The November 5 general election was the first time county election officers have been able to send election results to the Secretary of State electronically. A pilot program was developed this year in cooperation with the following county election officers: Kathy Peckman, Miami County; Joleen Walker, Mitchell County; Laura Baker, Allen County; and Connie Schmidt, Johnson County.

This year's primary and general elections were also the first times the Kansas Secretary of State's office posted election results on the Internet for immediate access by the public. According to published reports, Kansas was one of only ten states to do this.

The election night reporting system was designed to allow a

county election officer with a personal computer, modem and Internet provider to obtain an access code, password and copy of a spread sheet from the Secretary of State. The CEO then entered the vote totals into the spread sheet on election night and sent them directly to the SOS election night tabulation computer system via the Internet. Although the number of counties participating this year was small, it was significant that a connection was established to allow electronic transfer of data from county to state and state to county. As a check, counties that sent their results electronically for the pilot program also reported them by phone or fax.

The goal is to further develop the system to allow county-to-county data transfer and to use the system

for other programs in addition to election night tabulation: transfer of official election abstracts, NVRA and motor-voter registration data and cancellations, NVRA county report forms, certifications of voter registration and party affiliation totals, and miscellaneous communications.

The SOS office looks forward to working with CEOs in the future to reduce the time and money spent on paper filings and at the same time increase the public's access to information.



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Happy Holidays

During the holiday season, the Secretary of State's office will be closed Wednesday, December 25 and Wednesday, January 1, 1997. The office will also be closed Monday, January 20, in observance of Martin Luther King Day.

Bryant attends Election Center conference

Brad Bryant from the Secretary of State's office attended the Election Center conference in Boston on September 5 and 6. Other Kansas election officials in attendance were: Dan Brunetti, Crawford County Clerk; Steve Hogard, Karen Gorentz and Virginia Macary of Brunetti's office; Marilyn Chapman, Sedgwick County Election Commissioner and Bev Exley, her deputy; and Marco Segura of the Johnson County Election Commissioner's office.

The conference included seminars on postal rates and change of address programs for election officials, NVRA implementation, updates on national legislation and litigation, building and using central voter registration files, the Americans with Disabilities Act, mail ballot elections, and electronic filing of campaign finance reports.

On September 4, there was a three-hour meeting of the Joint Election Officials Liaison Committee (JEOLC), which is co-chaired on the national level by Marilyn Chapman. The JEOLC addressed three main topics. The first topic was legislation in Congress to allow federal services voters to vote by fax. Many election officials are concerned about the security and cost of this provision. Kansas law already allows many, but not all, federal services voters the option of voting by fax. Second, the JEOLC expressed support for federal legislation to exempt election board workers' pay from unemployment compensation

withholding up to \$1,000 per year. Third, the committee discussed plans being formulated by the National Association of Secretaries of State to reform the presidential nomination system.

A third group, the National Association of State Election Directors, met September 7 and 8. The use of computer technology in elections was a major topic of discussion, including electronic filing of campaign finance reports and disclosure statements, reporting of election night returns and voter registration data electronically or through the Internet, and using the Internet to communicate among election officers. Two other topics that were discussed in some detail were the continuing growth of ballot access lawsuits across the nation and the continuing problem of recruiting and effectively training election board workers.



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General election turnout

Although the general election turnout was lower than many had expected, of the 1,436,418 registered voters in Kansas 1,073,520 cast ballots. This results in a 75 percent voter turnout. Approximately 149,960 of the ballots were cast in advance. That number translates to Secretary of State Ron Thornburgh's prediction of nearly 14 percent of all ballots cast.

Johnson County experienced the highest percentage of voters voting in advance. Of the 190,146 ballots cast in Johnson County, 66,200 were advance ballots. That number is 27 percent of all the ballots cast in Johnson County. Secretary of State Thornburgh believes the percentage of voters who vote in advance will continue to increase in future elections. Reports have indicated that the vast majority of voters who are familiar with the new process have responded positively to it.



RON THORNBURGH
SECRETARY OF STATE

Dear Friends,

As I have expressed many times through this newsletter and in other public forums, I appreciate the support and cooperation of the county election officers in Kansas. We have faced many obstacles over the past few years including the implementation of "motor voter," the National Voter Registration Act and advance voting. Although we still have some fine-tuning to do, these major projects are behind us and it is now time for us to look forward.

Over the next few years, we must look to the future and the dawning of a new millenium. We have only touched the surface on utilizing technology to make voter registration and voting more accessible and secure. Additionally, there are many other areas in which we can collectively develop new election-related projects and programs to more effectively administer, promote and safeguard the electoral process.

One of the first projects we are undertaking is coordinating a Midwest Election Officials Conference (MEOC). This has been a tremendous success in the past. Not only does it allow Kansas election officials to get together for discussion, it presents an excellent opportunity for us to exchange ideas and "war stories" with election officials from surrounding states. We eagerly anticipate working with you as the planning for MEOC more fully develops.

Video conferencing is another successful venture of the past which we would like to use more frequently in the future. Response to our first video conference was overwhelmingly positive, and we are grateful for your cooperation in making it such a success. Your ideas for future sessions are encouraged.

I want to again thank you for your commitment to public service and the sanctity and security of Kansas elections. We have a lot to be proud of, but we must continue to improve and adapt to change. I invite you to join our office as we chart the course into the 21st Century.

Sincerely,

State Fair Review

For ten consecutive years the Secretary of State's office has attended the State Fair and conducted a voter registration drive while encouraging people to vote in our straw poll. With the help of SOS employees, county clerks and members of their staffs, we tabulated nearly 2,000 ballots cast this year. Our booth also served as a debut for our World Wide Web internet page, as people passing by had the opportunity to view all of the on-line services provided by the Secretary of State. If you have internet access, the SOS homepage may be accessed by entering www.ink.org/public/sos

Another new addition at the fair this year was advance voting. Workers at the booth encouraged people to participate, especially those who were registering to vote. Response to the new program was tentative, at best, but seemed to gain momentum as the election drew closer and as people realized just how simple it was.

Secretary of State Thornburgh wishes to thank all the county election officers and their employees who helped and participated. We would also like to thank Clifford Maze and Buck Snowden at the Lockwood Company for the use of the voting machine and for providing the ballots for our straw poll. Without the help and cooperation of all those involved our booth at the fair would not be possible. Thank you again.

Results of the 1996 Straw Poll Kansas State Fair

1. Which issue is most important for political campaigns to address this year?

-Taxes	750	37%
-Budget Deficit	580	29%
-Crime	308	15%
-Education	384	19%

2. Do you support a balanced budget amendment to the U.S. Constitution?

-Yes	1669	82%
-No	368	18%

3. If the Kansas Legislature reduces property taxes, how would you want to replace the revenue?

-Increased sales tax	1124	55%
-Increased income tax	250	12%
-Eliminate your favorite state program	675	33%

4. What is your opinion of the new higher speed limits?

-They should be higher	239	11%
-They're about right	1457	71%
-They should be lower	365	18%

5. What do enjoy most at the fair?

-Animal exhibits	354	18%
-Craft exhibits	672	34%
-Entertainment	240	12%
-Food	295	15%
-Midway	134	7%
-Vehicle & Machinery Exhibits	267	14%

Wangemann joins SOS office

If you have recently contacted the Secretary of State's Office regarding a legal question or issue, you probably noticed we have a new attorney. Melissa Wangemann was appointed to the position of Legal Counsel for the Secretary of State on September 16. Melissa says she is excited about her new position, even though it has been challenging. She says the challenge has made it interesting as well as enjoyable.

Melissa earned her undergraduate degree in English from Wichita State University. She graduated from the University of Kansas School of Law in 1994. Her first position out of law school was with a Wichita law firm. She later moved to Topeka to work for Hein, Ebert & Weir where she was an associate attorney and a lobbyist. Melissa is active in several civic organizations, which include the Young Lawyers Association of the Topeka Bar Association, Women Attorney's Association, and the Junior League.

Kansas Association of Counties Convention

The annual convention of the Kansas Association of Counties was held in Wichita November 17 through 19. The Secretary of State's office was invited by Opal Hall, Stevens County Clerk and 1996 president of the County Clerks' Association, to make a presentation at the meeting of the county clerks on Monday, November 18.

Attending the Monday county clerks' meeting from the Secretary of State's office were Brad Bryant, Deputy Assistant Secretary of State for Elections; Melissa Wangemann, Deputy Assistant Secretary of State-Legal Counsel; and Randy Foster, Elections Cartographer. Kathy Sachs, Deputy Assistant Secretary of State-Uniform Commercial Code, spoke to the meeting of the registers of deeds.

The presentation to the county clerks included a thank you for the clerks' efforts during the 1996 election season, goodbye to clerks who are leaving office in January, and a preview of ideas for 1997 legislation. Also, there was a detailed discussion of the advance

voting experience during this year's elections.

The County Clerks' Association was notified that approximately \$2,500 would be donated by the Secretary of State to the clerks' scholarship fund. The contribution is made each election year from fees paid by press organizations for access to the vote tabulations on election night.

Prizes in the form of candy-filled SOS coffee mugs were awarded to the county clerk who was the first to call in results on election night, the first to finalize results, and the first to report results electronically (this year was the first time for electronic filing). A consolation award mug was given to the last county to call in on election night.

At the conclusion of the SOS presentation Brad Bryant swore in the 1997 officers of the Kansas County Clerks' Association:

President

Rosalie Seemann, Thomas County

Vice President

Linda Scheer, Leavenworth

County

Secretary

Don Proffitt, Linn County

Treasurer

Joleen Walker, Mitchell County

Everyone in the SOS office wishes to thank Opal Hall for her leadership and hard work as president during the past year. We wish next year's officers the best of luck and look forward to working with them.

Knapp returns

Director of Communications Chuck Knapp has returned to the Secretary of State's office after an unpaid leave of absence. He left the SOS office in May to manage Jerry Moran's successful campaign for Congress.

Provisional voting causes confusion

New procedure is similar to old one

One of the more notable election-day aspects of the implementation of the National Voter Registration Act (NVRA) is provisional voting. This is an expansion of the right to vote, but its newness has caused some confusion among voters and precinct election board workers.

Provisional voting is a result of the NVRA's fail-safe voting requirement. Fail-safe voting means that any registered voter who changes his/her name or moves within the county and fails to re-register with the county election officer may go to the polling place of their new residence or a central location (central location designated by the county election officer) on election day and update the registration record and vote a provisional ballot. The provisional ballot is like a regular ballot except it is put in an envelope with the updated registration information attached. The ballot is not counted on election night; rather, the county election officer reviews the voter's qualifications and, if everything is in order, the county board of canvassers counts the ballot. This is not allowed for address changes from county to county or state to state.

The provisional voting resulting from within-the-county address changes is similar to the former system where voters were allowed to vote if they had moved within the precinct. The NVRA caused that law (K.S.A. 25-2316) to be amended to allow ballots to be

cast by any voters who moved within the county, not just the precinct.

Another statutory voting procedure that can be confused with provisional voting is in K.S.A.



In general, the provisional voting procedure is the same as the system formerly referred to as challenging voters.



25-3701, which is referred to as voting by former precinct residents. It states that a registered voter who moves anywhere in the state within thirty days of the election may return to the voter's precinct of former residence, complete an affidavit, and vote a regular (not provisional) ballot.

In general, the provisional voting procedure is the same as the system formerly referred to as challenging voters. Before NVRA, the ballots of voters were challenged if the voters' qualifications were in question. State law still allows this procedure, but the ballots are called provisional ballots, and the

category of provisional ballots also includes the fail-safe votes explained above.

Confusion can arise when the provisional voter goes to the wrong precinct to vote, or a voter who has moved out of the county attempts to vote provisionally or when election board workers are unfamiliar with the provisional voting procedures. It is often confusing to try to keep the various voting procedures straight: provisional voting, former precinct resident voting, and the old law allowing voting by people who moved within the precinct.

The provisional voting procedure is the only part of the NVRA that significantly affects precinct election board workers. County election officers must have a thorough understanding of the procedures and emphasize them in training election board workers.

Provisional voting is here to stay, and it is growing. In the August 6 statewide primary election nearly 5,900 provisional ballots were cast statewide; in the November 5 general election approximately 9,000 provisional ballots were cast. This is a significant increase over the average numbers of challenged ballots in previous elections. Many county election officers expect the number to increase in future elections as voters realize they have the option of re-registering on election day, rather than updating their records prior to the registration cut-off.

NVRA Update

Kansas election officials have now been through one statewide primary and one statewide general election under the new rules of registration and voting brought about by the National Voter Registration Act of 1993 (NVRA). Many county election officers have also conducted local question-submitted elections for various localities under the new rules.

It has often been said that the NVRA effected the most significant changes to election laws and procedures that have occurred in recent memory. These changes have been successfully implemented through a cooperative effort involving many state and county government officials, voter registration personnel and local election board workers. As reported in the September, 1996 edition of this newsletter, the NVRA is now an established and ongoing program involving hundreds of persons every day. Now we can also say that a statewide election has been held under the NVRA.

There will probably be a need to modify the NVRA program slightly through legislation and regulations in the future, but no large-scale changes are planned unless the Congress amends the federal law.

One aspect of the NVRA that has caused some confusion and that will require constant monitoring is the paperwork. Many mailings are conducted by county election officers, many forms are completed and transferred among offices, and many records are maintained to meet the requirements of the

NVRA. When one person fails to transfer forms and records in a timely manner it often means a person does not get registered properly and therefore cannot cast a valid ballot. It is imperative that anyone involved in the day-to-day functions of the NVRA program periodically review their procedures and ensure they are in compliance with the law. In short, everyone must maintain control of their records and send everything where it needs to go on time.

If it is any consolation to Kansas election officers, these problems appear to be occurring nationally. Other states are reporting problems with registration cards, change of address forms and other elections-related documents not being sent on time. Hopefully as time goes by people will be more diligent about these small but important aspects of their jobs. In the meantime we will try to improve the situation by offering reminders and retraining when needed.

Probably the most significant problem in this area involves the change of address forms used by motor vehicle offices. Motor vehicle personnel must collect change of address forms and transfer them to the county election officer regularly, on a schedule previously agreed upon. County election officers often must forward change of address forms to other officers, who then must send existing voter registration information so the voter gets registered in the county of their current residence. When any part of this process breaks

down, voters stand a chance of being disenfranchised on election day. They should be issued



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provisional ballots, but in many cases such ballots are not counted.

Another section of the NVRA that attempts to protect people's right to vote is the limited purging. County election officers may no longer remove names of voters who miss two consecutive general

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REMINDERS...

- NVRA reports covering the period July 1 through the November 5 general election are due from CEOs. The next NVRA report will cover November 6 through December 31, 1996. Forms are being sent by the SOS office.
- The next central voter registration report date is January 1, 1997. Each CEO must send the SOS a copy of the complete county registration database within 14 days after January 1.
- The Kansas Legislature conducted its preorganizational meetings December 2 and will convene the 1997 session on January 13.
- State, county and township officers elected November 5, 1996 take their oaths of office on the second Monday in January, which is January 13, 1997.

NVRA Update Continued from Page 7

elections. According to the NVRA, once a person is registered, his or her name will never be removed from the registration list unless they move out of the county or state, die, become convicted of a felony, or ask to be removed.

We must all keep in mind the intent of the NVRA: to expand voter registration opportunities, to provide opportunities to segments of the population that have traditionally been left outside the political process, and to ensure that, once registered, a voter's right to vote is not denied because of administrative failures. As long as everyone is cognizant of their duties and diligent in their pursuit of those duties, the program will be successful.

Goodbye to CEOs

The most rewarding and interesting part of working for the Election Division of the Secretary of State's office is interacting with county clerks. Probably the hardest part of the job is saying goodbye every four years to the group of clerks who are moving on to different challenges. This year is particularly difficult as there are eighteen clerks who will not be in office next January—ten chose not to seek re-election, three ran for county commissioner and five lost in the November general election.

We want to wish all eighteen departing county clerks the very best of luck in the future and thank them all for the many years of excellent service that they have provided to their respective counties, the state of Kansas, and our office.

We are also looking forward to meeting and working with the new county clerks.



1996 Election Calendar

Just as the dust is beginning to settle from the 1996 Presidential Election, we are already in preparation for the 1997 City/School elections. The Secretary of State's office is preparing a 1997 election calendar for your convenience; it will be distributed in the near future. We are aware that some of the deadlines for the upcoming elections are fast approaching, so here are some important dates to keep in mind.

Tuesday, December 9, 1996
First day community college trustee candidates may file.
K.S.A. 71-1414(c)

Tuesday, January 21, 1997
Noon deadline for city, school or community college trustee candidates to file or withdraw. K.S.A. 71-1414(c)

Tuesday, February 25, 1997
City/School Primary Election
25-2010. K.S.A. 25-2108a(a)

Tuesday, April 1, 1997
City/School General Election.
K.S.A. 25-2010, 25-2107

Ten Workplace Resolutions

By Jack Gillespie and Susan Marshall
From Communication Briefings

You'll no doubt be extra busy as 1996 ends and 1997 begins. So we decided to offer you a chance to get your New Year's resolutions out of the way early. Here are 10 to consider:

1 I resolve to manage my time better by applying the "must-should-could" test to every task. I'll spend most of my time on "must" items, get to "shoulds" as soon as I can and stop worrying about "coulds." To help matters, I'll say "no" more often and delegate whenever I can.

2 I promise that as much as possible in my dealings with others, I'll cooperate rather than compete, compliment rather than condemn and coach rather than criticize.

3 I vow to use mostly short words, short sentences and short paragraphs when I write. And I'll make my prose more appealing to readers by using "you" and its derivatives as often as possible.

4 I pledge that I will not waste time on excuses when I make a mistake. Instead, I'll admit the error quickly and explain what I'm doing or will do to correct.

5 I promise to avoid negative statements such as: "I can't," "It won't work," "She's not in," "We're out of that," "You're wrong," "We tried that once," "We can't possibly meet that deadline" and "That's a dumb idea."

6 I resolve that I will not schedule a meeting that does not have a purpose, an agenda that clearly states the meeting objectives and a time limit. As a participant, I'll arrive at meetings on time and prepared, I'll take an active part and I'll follow up on any after-meeting tasks assigned to me.

7 I vow to listen better by not interrupting others, listening "between the lines" and carefully observing body language. I'll show with brief words and gestures that I'm interested in what the speaker is saying. And I'll paraphrase what's said to make sure I heard it right.

8 I resolve to make all my presentations sparkle because I'll know what my au-

Voter registration record set in Kansas

Voter registration rose to record levels for this year's general election. It was reported in the September, 1996 issue of this newsletter that a record was set before the August primary, and that record was surpassed as of the October 21 voter registration cut-off before the general election.

The 1,436,418 registered for the 1996 election broke the previous record for statewide registration that occurred in the 1992 general election when 1,365,849 were on the rolls.

Secretary of State Thornburgh credits the rise in registration to a number of factors, including the state motor-voter program that went into effect in July, 1994; the National Voter Registration Act that went into effect in Kansas in April, 1996; several hotly contested elections for state and federal legislative seats; native son Bob Dole's candidacy for president; and many registration drives by private organizations under the new rules of the NVRA which allow door-to-door registration.

Here are comparisons of 1992 and 1996 registration figures for the general election:

	1992	%	1996	%
Total registered voters	1,365,849	—	1,436,418	—
Democrats	424,478	31	423,595	29
Republicans	587,303	43	650,566	45
Libertarians	4,204	0.3	9,829	0.6
Reform	—	—	936	0.06
Unaffiliated	349,864	26	351,492	24

dience wants or needs and what techniques will help me most to deliver it. Armed with that information, I'll be interesting, brief and to the point.

9 I promise to avoid conflict whenever possible. But if it does occur, I'll hear the other person out without interrupting. I'll acknowledge the other person's feelings and apologize if it's called for. If nec-

essary, I'll ask for a cooling-off period. Only then will I suggest how we might resolve the conflict.

10 I pledge that I will seize every opportunity to improve the skills I possess or to learn new skills that will not only help me get ahead but also benefit my organization.