

CANVASSING KANSAS



AN UPDATE ON ELECTION NEWS IN KANSAS

1996, 1997 advance voting changes reviewed

The system of advance voting began in Kansas in 1995 with passage by the Kansas Legislature of a bill that expanded the previous system of absentee voting. Now anyone who is a registered voter in Kansas may choose to vote in advance of the election without having to specify a reason of illness or disability, absence from the county, or religious objection.

Advance voters have two options in casting their ballots: they may apply for, receive and return their ballot by mail or they may vote in person in the county election office.

In 1996 and 1997 the Legislature amended the advance voting statutes to make a number of significant changes. It might be helpful to review those changes now, before advance voting begins for this year's elections.

1996 changes

Two major changes were made in 1996:

1 In counties using optical scanning machines or electronic voting, the county election officer may convene the special advance voting board before election day to begin canvassing advance ballots if the election officer deems it necessary, although no vote totals may be tallied or released until election day. This option does not apply to counties using paper ballots due to concerns that election results might be divulged early

because paper ballots are counted by visual inspection.

2 All references to on-behalf-of advance ballot applications were removed from the law. The former absentee voting laws allowed a person to apply for a ballot on behalf of another voter as long as the voter met one of the requirements for absentee voting (illness/disability, absence or religious objection). This change was made out of concern that people might apply for numerous ballots on behalf of others, and there would be people who were not election officers carrying armloads of ballots without any control by the election officers authorized by law to distribute ballots. This change made several previous advance ballot application forms obsolete: Forms AV3, AV4 and AV8.

With these changes, there are now three ways a Kansas registered voter may apply for an advance voting ballot:

(a) The voter may apply for him/herself. As stated earlier, This may be done either in person in the election office or through the mail.

(b) A sick/disabled/illiterate voter may receive assistance from another person in completing the application form and receiving the ballot. The person rendering assistance must first file an affidavit of assistance (Form AV5) with the county election officer, then the person may assist the voter in

applying for, transporting, marking, and returning the ballot, or any combination of these acts. A person may assist more than one sick/disabled/illiterate voter, but an affidavit of assistance and ballot application must be filed for each voter before each ballot is distributed.

(c) A person with a permanent illness or physical disability may apply for permanent advance voter status (Form AV2). The county election officer will automatically mail such voter the ballot before each election. The ballots are mailed according to the regular ballot mailing schedule.

Continued on Page 8

CANVASSING KANSAS IN THIS ISSUE

- 2 Take time to review candidate filing procedures
- 3 A note from the Secretary
- 4 Legislative summary
- 5 Legislative summary
- No constitutional questions on statewide ballot in 1998
- 6 Official Election Mail logo produced
- Clarification of exemptions
- 7 SOS office attends county clerk meeting
- Thornburgh announces plan to recognize long-serving election board workers
- 8 State fair rapidly approaching
- 9 Election day liquor sales not prohibited by state law
- SOS office encourages participation in LUCA program
- 10 Reminders
- Administrative regulation on voter registration addresses adopted
- Phone books include voting info

Take time to review candidate filing procedures

As of May 20, three weeks before the June 10 primary candidate filing deadline, there were 131 candidates who had filed with the Secretary of State for national and state offices. It is during this filing season that election officers really become aware that an election is coming soon. It seems a good time to review the filing procedure.

NATIONAL AND STATE OFFICES

Candidates in the Primary Election

Candidates for national and state offices must file in the Secretary of State's office. If they are Democrats or Republicans, they must run in the primary on the first Tuesday in August. They have an option of either filing by fee or by petition before the deadline of noon on June 10.

The fee must be accompanied by the Declaration of Intention, and the signature on the Declaration must be attested at either the county election office (by the county election officer or a deputy) or at the Secretary of State's office (by the Secretary of State or a deputy).

If a candidate files by petition, no filing fee is required; the petition is the official filing document. The Secretary of State's policy is to ask the petition filer to also complete a Declaration of Intention so we're sure we have the name and city correct for the ballot. In such cases the Declaration need not be signed or attested.

In addition to the filing fee or petition, each candidate at the time of filing must pay a campaign finance report fee.

It is important to remember that if a candidate has his/her

signature attested at the county office, it is not a valid filing until it is received by the Secretary of State. **It is the candidate's responsibility to see that the Declaration/fee or petition is properly filed in the Secretary of State's office by the deadline.**

County election officers should not accept and deposit filing fees or report fees from candidates. The money must be received by the Secretary of State for deposit in the state general fund; processing the funds through the county's accounting system is an unnecessary additional step.

Sometimes when candidates have their Declarations attested at the county election office they ask the county election officer to mail their Declarations and fees to the Secretary of State. If the county election officer chooses to do this, they are accepting responsibility for the candidate's filing. If the filing is delayed, it is the candidate who suffers, so it is in the best interests of the candidate if he/she completes the filing with the Secretary of State.

Candidates not in the Primary Election

As stated above, only Democrats and Republicans run in the August primary. Other candidates—minor party candidates and independent candidates—do not run in the primary, and their filing requirements are somewhat different.

Once properly filed, such candidates go directly to the general election ballot in November. Kansas currently recognizes two minor parties: Libertarian and Reform. These candidates are nominated by their respective state party conventions and their names are certified to the Secretary of State by

CANVASSING KANSAS

Published by the office of
Secretary of State Ron Thornburgh
State Capitol, 2nd Floor
300 SW 10th Street
Topeka, KS 66612-1594
(785) 296-4564

EDITOR
Chuck Knapp

LAYOUT AND DESIGN
Mindy Miller

COPY EDITORS
Barb Nemecek
Nancy Reddy

CONTRIBUTING WRITERS
Brad Bryant
Bryan Caskey
Jessica Fields
Kevin Gaskin

If you have any suggestions or comments about this or future issues, please call Chuck Knapp at (785) 296-1864.

Copyright © 1998 Kansas Secretary of State

This publication may be duplicated for informational purposes only. No written permission is required with the exception of articles or information attributed to a source other than the office of the Kansas Secretary of State.

state party officers before the deadline at noon on June 10. Each candidate is required to pay the campaign finance report fee, but no other fee and no petition is required.

Independent candidates are those who are not affiliated with a recognized political party and who are seeking election without a party label. They must file by petition, and they do not run in the primary. Their filing deadline is noon the day before the August primary; this year it's noon, August 3. Like other candidates for national and state office, their filings must be made directly with the Secretary of State,

Continued on Page 9



RON THORNBURGH

KANSAS SECRETARY OF STATE

Dear Friends:

Preparation for the 1998 elections is in full swing in our office and all county election offices around the state. As election officers we always do what we can to promote voter registration and, more importantly, voting itself. This year we have "borrowed" a concept that was originated by my Arkansas colleague, Secretary of State Sharon Priest. The concept is called "Honor a Vet with Your Vote."

We want to honor our military veterans who have secured our freedoms and our democratic system. At the same time, we want to remind voters of their responsibility to strengthen the democratic system by voting. Too often we take for granted the benefits we all derive from the democratic system, and too often we ignore the things we can each do to support it, such as the act of voting.

This year each voter will receive at their precinct polling place a lapel sticker on which they can write the name of a veteran they admire. The stickers will say "My Vote Honors Your Vet."

In May we held a project planning meeting involving representatives of my office, the Adjutant General's office, the VFW, American Legion and the Kansas Commission on Veteran's Affairs. After that meeting we kicked off the Honor a Vet with Your Vote program with a Memorial Day weekend press conference on May 22 at the Kansas Veterans Memorial on the Capitol grounds in Topeka. Other military and veterans groups are being invited to help promote the program by distributing printed materials from June through October. There will be a concluding event held in conjunction with Veterans Day on Wednesday, Nov. 11, following the Nov. 3 general election.

We will send a packet of information to county election officers along with an invitation to become involved in this program. The most important thing election officers can do is to distribute the lapel stickers through their election boards on election day this fall. I invite other interested groups to contact my office to find out how to get involved.

Let's promote voting and at the same time honor our veterans this year by supporting the Honor a Vet with Your Vote program!

RON THORNBURGH
Secretary of State



Legislature makes few changes in election laws in 1998

The 1998 session of the Kansas Legislature produced few changes in election laws. No major bills were passed dealing specifically with elections; neither the Secretary of State's office nor the Kansas County Clerks Association proposed legislation this year. Much of the Legislature's efforts were spent on ethics and campaign finance legislation.

Following is a list of bills passed by the Legislature that have one or more election-related provision about which county election officers should be informed.

All of these bills except two are effective upon publication in the statute books (Session Laws) on July 1, 1998. The two exceptions—HB 2759 and Substitute for HB 2950—are effective upon publication in the Kansas Register.

HB 2534—Unemployment exemption for election board workers

This is an employment security bill that includes a provision to enact in Kansas a 1997 federal law that allows a state to exclude from the definition of "employment" an election official or election worker, if the amount of remuneration received by the individual during the calendar year for such services is less than \$1,000. The 1997 federal law was not automatic; states had to enact its provisions by excluding election board workers from the definition of employment.

The relevant provision in this 24-page bill is in Section 1, K.S.A. 44-703(i)(4)(W) on page 8: The term "employment" shall not include "service performed as an election official or election worker, if the amount of remuneration received by the individual during the calendar year for services as an election official or election worker is less than \$1,000."

Providing these individuals receive less than \$1,000 during a calendar year, they are excluded from employment and should not be reported to the Department of Human Resources for unemployment tax purposes. However, once such an individual receives \$1,000 or more during a calendar year, all of the individual's wages for such services received during the calendar year should be reported—even the first \$1,000. If some of the first \$1,000 in wages were

paid in a calendar quarter before the quarter in which the \$1,000 threshold is reached, the county would need to make a correction to the prior quarter(s) so the wage credits will be correctly reported in the quarters in which the wages were actually paid.

For those individuals who are excluded because they receive less than \$1,000, there will be no wage credits on file and the county will pay no taxes on these wages, and the wage earners are not eligible for unemployment compensation based on these earnings.

Substitute for HB 2662—Ethics and campaign finance bill

This bill affects only campaigns for state offices, county offices, first class city offices, the Wichita school district and the Kansas City Board of Public Utilities. It does not affect second and third class city offices, school districts or other local offices.

Following is a brief summary of the bill's provisions:

- It changes the name of the Kansas Commission on Governmental Standards and Conduct to the Governmental Ethics Commission.
- It adds and defines the phrase "clearly identified candidate" as it pertains to campaign finance.
- It adds the phrase "expressly advocate" the nomination, election or defeat of a candidate in defining what contributions and expenditures must be reported.
- It requires the names of political action committees (PACs) to be descriptive, so they indicate the type of membership and interest of the group represented by the PAC.
- It requires political advertisements to identify the person or group that sponsors the advertisements unless the person's or group's total expenditures are less than \$2,500.
- It allows campaign funds to be used to:
 - pay membership dues to community service or civic organizations,
 - purchase tickets to meals or events held to promote the community well being, or
 - mail greeting cards to voters and constituents.
- It prohibits campaign funds from being used to pay interest on loans made to the campaign by the candidate or the candidate's spouse.
- It allows any candidate for local office who intends to receive and spend less than \$500 in the campaign to

file an affidavit of exemption with the county election officer of the county in which their name is on the ballot (instead of the county of residence). As amended, the bill appears to require such local candidates to also file their exemptions with the Secretary of State. We are told by GEC that that was not the intent of the bill and that the exemptions should be filed only with the county. The confusing language will be cleaned up later.

HB 2685—County clerk and election commissioner notary public bill

This bill makes notaries public of all county election officers in Kansas. The bill states that the county clerk and election commissioner “have the general powers of a notary public in the performance of all notarial acts” and that notarial acts may be performed by a county clerk or deputy county clerk or an election commissioner or assistant election commissioner. The duties of notaries public are governed by the Notarial Act, K.S.A. 53-101 et seq.

HB 2759—Elections in cities with subdivision regulations

If a city has adopted an ordinance enforcing a building code pursuant to K.S.A. 12-751 in an area extending to three miles outside the city limits, a protest petition with signatures of 20 percent of the qualified electors of the area may be submitted to the county election officer. The petition will result in either (1) the city modifying its ordinance, or (2) the county conducting an election at the next regular primary or general county election to force the city to modify its ordinance. In order to identify the electors qualified to vote in the election, the city clerk is required to provide the county election officer with a legal description, map and list of addresses of all real estate parcels in the area.

Effective upon publication in the Kansas Register on April 30.

HB 2832—Election of boards of directors of county hospitals

This bill makes several changes regarding the selection of members of the boards of directors of county hospital districts.

■ A county hospital district may change from an appointed to an elected board if the county commission puts it to a countywide vote after receiving a petition signed by 5 percent of the electors who voted for Secretary of State in the last election. The petition requirement is all that has changed in this section; the previous requirement was 5 percent of the total qualified electors in the county.

No constitutional questions on statewide ballot in 1998

There have been no concurrent resolutions regarding constitutional amendments passed in 1997 or 1998. There will be no special questions on constitutional amendments on the statewide ballot in the general election on Nov. 3, 1998.

■ A new procedure added by this bill allows the commission to adopt a resolution to change the method of selection of the hospital board, subject to a protest petition and election process as outlined above.

■ Hospital board member terms are staggered so they won't all face election the same year.

HB 2838—Establishing cemetery districts

This bill creates a new law to allow the county commission to adopt a resolution to create a cemetery district within the county. The commission must conduct a public hearing on the proposal, then adopt the resolution and publish it twice in consecutive weeks. The action is subject to a protest petition signed by 10 percent of the electors in the district, followed by an election.

HB 2902—Transfer of township functions to the county

This bill creates a new law to allow a township board to transfer the township's powers, duties and functions to the county commissioners. The proposal to do so must be approved at a township election held according to general bond law.

The law provides a procedure for the transfer of the township functions back to the township if the county commission is presented a petition signed by 20 percent of the township electors calling for an election. That election would also be held according to general bond law.

Substitute for HB 2950—Corporate hog farming

This bill contains numerous environmental provisions regarding corporate swine production facilities, and it contains one election-related provision which changes one of the procedures for allowing corporate hog farming in a county.

Previously, the law stated that hog farming could be allowed by either (1) adoption of a resolution by the county commissioners, subject to a possible protest petition and countywide election, or (2) submission of

Continued on Page 6

Official Election Mail logo produced

The Election Center in conjunction with the US Postal Service recently conducted a series of seminars on the Elections Postal Manual and the Official Election Mail logo. Several election officers from Kansas attended the seminar held in Chicago on May 8: Bryan Caskey, Secretary of State's office; Marilyn Chapman, Sedgwick County election commissioner; Debbie Ryan and Jeanie Nichols, Johnson County election office; Jolene Campbell, Riley County clerk's office; and Karen Gorentz and Virginia Macary, Crawford County clerk's office.

The manual and logo will be mailed to each county election officer around June 15 by the Postal Service. The Official Mail logo produced by the Postal Service is the first time any organization outside of the Postal Service itself has received its own logo. No one but official voter registration and elections officials may use the logo; it is trademarked by the Postal Service.

All election mailings, not just those for voter registration, may use this logo. This logo alerts postal officials that it is an elections mailing. Postal officials will process all mail with the logo on it at a higher priority than any other piece of mail, except first class.

The Elections Postal Manual includes information on mail piece design and instructions on how to qualify for nonprofit mail rates which should lower the money spent on postage by each county not already using this rate. The manual includes full details of procedures, regulations and guides to help elections officials qualify for nonprofit mail rates and to improve the design

Continued on Page 9

■ Election board worker salaries

Clarification of exemptions

The passage of House Bill 2534 by the Kansas Legislature this year enacted in state law a federal provision that exempts from unemployment withholding the first \$1,000 in annual wages paid to election board workers. (See the legislative summary elsewhere in this newsletter.)

The information provided to county election officers regarding this provision has been obtained from the Federal Election Commission and the Kansas Department of Human Resources.

There have been similar exemptions made in the past few years for election board workers' salaries. A summary of those exemptions was recently disseminated by the Election Center in Houston, Texas,

reporting on information released by the National Conference of State Social Security Administration and the Internal Revenue Service. The exemptions are:

■ Election workers who receive less than \$600 per year for their election services are generally not required to have these earnings reported to the IRS by their employers.

■ All wages paid to election workers are exempt from federal income tax withholding.

■ Election workers' salaries up to \$1,000 annually are exempt from FICA withholding.

As reported in earlier editions of this newsletter, election workers' wages also are exempt from workers compensation.

Legislative Summary continued from Page 5

a petition requiring the county commissioners to call an election. This bill, by amending K.S.A. 17-5908, changes method (1) so that any commissioner resolution on hog farming automatically goes to a countywide vote. There is no need for a protest petition to force a vote.

The bill goes on to specify the possible date and publication of notice of the election. Effective upon publication in the Kansas Register, May 7.

SB 410—Expanded subpoena power of Governmental Ethics

Commission (formerly Kansas Commission on Governmental Standards and Conduct)

This bill allows the newly-renamed Governmental Ethics Commission to immediately subpoena documents from a person or group being investigated for campaign finance violations. Previous law required GEC to notify the person or group, then wait 30 days before issuing a subpoena.

SB 556—Requirements for official newspapers

This bill amends the requirements for official newspapers designated by counties, first class cities and school districts. The official newspapers must meet the following requirements, most of which were already in the law: (1) published at least weekly 50 times per year and published for one year prior to publication of any official publication of the county, first class city or school district, (2) entered at the post office as periodical class mail matter, (3) circulated in the county or school district, (4) published in the county or school district or, if no newspaper is published there, it must be published in Kansas and have paid circulation in the county or school district. These requirements are much the same as previous requirements for counties and first class cities, but they are new for school districts.

SOS office attends county clerk meeting

The annual convention of the Kansas County Clerks Association was held May 5-8 in Manhattan. Ninety-two counties attended the convention, which featured presentations on payroll issues, property valuation, crisis management, advance voting, mail ballot elections, postal service mailing regulations, county budgets, ethics and technology. Special events included a silent auction and a Thursday evening banquet with a luau.

The Secretary of State's office was invited to speak to the county election officers on Thursday, May 7. Secretary of State Ron Thornburgh explained his work in promoting a midwest regional presidential preference primary. He also unveiled plans for a new "Honor a Vet with Your Vote" program for the 1998 election.

The Honor a Vet with Your Vote program includes a plan to produce lapel stickers for distribution to voters statewide. Voters can write the name of a military veteran on a sticker and wear it on election day.

Brad Bryant of the SOS elections division discussed plans for upcoming elections and distributed an implementation guide for new election laws passed this year. He also discussed plans for a program to recognize long-serving election board workers from the various counties and precincts around the state. Bryant introduced Bryan Caskey, who joined the elections division in February to replace Randy Foster, who transferred to the SOS administration division to become computer network manager.

Caskey commented on plans for the upcoming 2000 federal census and encouraged county clerks to become involved and to help promote the census in their counties, cities and townships.

Foster demonstrated the electronic reporting system currently being used and expanded. The system allows county election officers to make their quarterly NVRA reports electronically by accessing the SOS web server. Some counties also have sent their quarterly voter registration databases electronically, either as a file transfer or as an attachment to e-mail. More than 30 county election officers signed a list expressing interest in using the

system in August and November to report election night vote tabulation results.

Secretary Thornburgh and his staff wish to thank the members and officers of the County Clerks Association, especially the Association's president, Linda Scheer of Leavenworth County, for the opportunity to address the group. The conference was informative on a wide range of topics and was well attended by county clerks.

Thornburgh announces plan to recognize long-serving election board workers

At the Kansas County Clerks Association convention in Manhattan on May 7, Secretary of State Ron Thornburgh announced a plan to recognize long-serving election board workers from around the state.

Thornburgh plans to send a mailing this summer to county election officers asking them to help establish criteria for recognition of board workers and to recommend the names of election workers who meet the criteria. The main criterion being considered is 15 or 20 years of service in their respective counties.

Secretary Thornburgh will invite each eligible election board worker to attend the meeting of the State Board of Canvassers after the November general election. As of this writing, the board is tentatively

scheduled to meet at the Capitol on Wednesday, Nov. 25, the day before Thanksgiving.

Each board worker will be presented with a certificate, and each will be recognized with a press release in their local newspaper.

With the Election Board Worker Recognition Program we hope to draw attention to the thousands of people who work in their neighborhoods each election day. They work for little pay, mostly out of a sense of civic duty, and they distribute more than a million ballots statewide.

Administering ballots to an ever-growing electorate that is increasingly hurried and often uninformed of the voting process is a thankless task, and we think it is time we found some small way to recognize those efforts.

Advance voting continued from Page 1

1997 changes

The changes made in the advance voting laws in 1997 were not as substantial as those made in 1996, but there were six changes:

1 A voter is now allowed to fax the signed application for an advance ballot to the county election officer.

2 A voter is limited in the types of addresses to which the ballot may be sent. The permitted mailing destinations are: (a) the voter's residential or mailing address as it appears on the county voter registration list, (b) the voter's temporary residential address (as specified on the advance ballot application form), or (c) a medical care facility where the voter resides.

The restrictions do not apply to sick/disabled/illiterate voters; once they qualify as sick/disabled/illiterate, such voters may have their ballots delivered to any address they specify on their ballot applications.

These restrictions on ballot delivery were intended to limit the ability of candidates, campaign workers, parties and other organizations to handle and deliver ballots to voters. The delivery of a blank ballot to an advance voter and the return of the marked ballot is intended to be a transaction between the county election officer and the voter with no interference from others and with no extra stops along the way. The handling and distribution of ballots by anyone other than election officers or their appointees threatens the security of the voting process, and with the 1997 amendments it is a crime to intercept, interfere with, or delay the transmission of an advance ballot to a voter.

3 A sick/disabled/illiterate voter may request an advance ballot on election day as long as the

completed ballot is returned to the county election officer before the close of polls on election day. This provision is intended to help voters who become ill or hospitalized during the last couple of days before election day who consequently are unable to make it to the polling place. A provision was added to specifically make it a crime to exercise undue influence over the vote of a sick/disabled/illiterate voter.

NOTE: Sick/disabled/illiterate voters are the only ones who may request an advance ballot on election day. Voters who are not sick/disabled/illiterate must apply for their ballots by noon the day before the election if they apply in person, or by the Friday before the election if applying for a mailed ballot.

4 A voter who has changed his/her name or address may update the registration record and vote a provisional ballot in the context of advance voting, the same way such voters are allowed to do at the polling place on election day.

5 An unaffiliated voter may affiliate with a party and vote a primary election ballot in the context of advance voting the same way such voters are allowed to do at the polling place on primary election day.

6 A voter who has received an advance ballot but has not returned it to the county election officer may return the ballot to the precinct polling place, have the election board void the ballot, and vote a regular ballot.

This provision was added to address confusion in the 1996 elections when advance voters attempted to deliver their voted advance ballots to their precinct polling places. The laws at the time had no guidance for election board workers as to how to handle such situations, and various procedures

were adopted by different counties. The law now establishes a prescribed method.

1998

There were no changes in the advance voting laws in 1998.

The system of advance voting adopted in Kansas in 1995 and the subsequent changes as outlined above have made voting easier than it has ever been.

Advance voting is a popular option for many voters, as evidenced by the following figures. In 1992 and 1994, before the advent of advance voting, absentee voters comprised approximately 4 percent of the total vote cast statewide. In 1996, the only statewide general election under the new system of advance voting, advance voters comprised 14 percent of the total, and this number is expected to increase in 1998.

State fair rapidly approaching

This September marks the 12th year that the Secretary of State will operate a booth at the Kansas State Fair. Once again the booth will be located in the Industrial Building, Sept. 11-20.

This year's booth will feature:

- ✓ voter registration
- ✓ Kansas flag sales
- ✓ Kids Voting information
- ✓ Opinion poll
- ✓ Secretary of State web page
- ✓ free materials

If any county election officials would like to volunteer for any dates of the fair, please call Kevin at (785) 296-0080. In past years those who have participated reported that they have enjoyed meeting the public and seeing the fair.

Filing procedures continued from Page 2

and they are subject to the campaign finance report fee.

Processing Petitions

Upon receiving a petition from any candidate, the Secretary of State works with the various county election officers to determine the petition's sufficiency. Copies are made of the petition and sent to the respective counties where the signatures were collected for comparison to the county signature files. Each county election officer certifies to the Secretary of State the number of valid signatures contained in the portion of the petition pertaining to their county.

The Secretary of State's office tallies the number of valid signatures from the various counties and informs the candidate as to the sufficiency of the petition.

COUNTY AND LOCAL OFFICES

Candidates for county and local offices have most of the same options as national and state candidates. The principal difference is that such candidates file only with the county election officer. This year the offices up for election are one or more county commissioner in each county and township clerk.

In addition, one precinct committeeman and one precinct committeewoman will be elected in each precinct for each of the two major parties.

Other Paperwork

Candidates are required to follow statutory guidelines regarding campaign finance reporting. Also, they are required to file Statements of Substantial Interest after becoming candidates. Candidates for national office receive their forms from the Federal Election Commission and file them with both the FEC and the Secretary of State. Candidates for state office receive their forms from the Kansas Commission on Governmental Standards and Conduct and file them with the Secretary of State. Candidates for county and local offices receive their forms from the county election officer.

Postal logo continued from Page 6
and efficiency of election mailings.
The US Postal Service is in the process of educating its employees about the use of the logo and the manual. It is possible that election officials will receive this information before the local postal officials. Our office urges you to cooperate with your local postal official in designing mail pieces and in qualifying for lower postal rates.

Election day liquor sales not prohibited by state law

State law no longer prohibits the retail sale of alcoholic liquor or cereal malt beverages on election days. Before 1994 such sales were prohibited, but there was always a certain amount of confusion when election day came.

Before the 1994 amendments to the laws, K.S.A. 41-712 stated: "No person shall sell at retail any alcoholic liquor...on the day of any national, state, county or city election, including primary elections, during the hours the polls are open, within the political area in which such election is being held."

Another statute, K.S.A. 41-2704, applied the same restrictions to retail sale of cereal malt beverages.

In 1994 these two statutes were amended by Senate Bill 544 to remove the language prohibiting such sales on election days.

According to the Kansas Division of Alcoholic Beverage Control, cities and counties might still have ordinances prohibiting or limiting sales of alcoholic beverages that were in effect before 1994. If local jurisdictions are retaining and enforcing such ordinances, the county election officer should check on them so as to provide accurate information to the voting public.

SOS office encourages participation in LUCA program

Preparation for CENSUS 2000 is in full swing. Our office recently sent a letter to all city mayors and county election officers urging participation in the Local Update of Census Addresses (LUCA) program. The letter asked the election officers for help in contacting township officials and asking for their help. We are encouraging each of you to follow up on that letter and to continue to ask for their involvement.

Kansas has 2097 government entities, which ranks our state fifth in the nation. As of May 6, overall response rate to the LUCA survey from all entities was 37 percent. Of those responses, 60 percent have chosen to participate. The census bureau would like to see the response rate increased as much as possible.

The LUCA program may be the only opportunity for government entities to review census information. The census bureau has no plans currently to review CENSUS 2000 counts after the census. Thus, LUCA is the opportunity for government entities to ensure all housing units are listed. Please be as diligent as possible in contacting your local officials and urging them to respond to the census bureau. Contact us if you have any questions or problems.

REMINDERS

County election officers should keep the following upcoming dates in mind:

✓ The results of the National Change of Address program will be mailed to each county about the time this newsletter is issued.

Last month we sent the statewide voter file to the company with whom we have the NCOA contract, and we're awaiting the results as of this writing.

✓ The next central voter registration report is due July 1. Again, it's an election year, so there's a lot of demand for the data. We ask everyone to send their countywide database as soon as possible after July 1.

✓ The next county NVRA report is due July 1. This is the second quarterly report for 1998, covering the period from April 1 through June 30, 1998.

Remember, counties with Internet access may make their NVRA reports electronically by accessing the Secretary of State's web server site at <http://165.201.68.87>

✓ The candidate filing deadline for the primary election is noon June 10.

✓ The primary election is August 4. Advance voting by mail for the primary begins July 15. Advance voting in person begins as early as July 15, depending on the county, but it must begin no later than Tuesday, July 28.

Administrative regulation on voter registration addresses adopted

Most county election officers have been faced with situations involving addresses for voter registration applicants where the election officer was uncertain whether the address provided was adequate to allow the applicant to be a qualified elector. Over the years various groups advocating voting rights for homeless, institutionalized and other groups have recommended that states adopt policies allowing registration by such nontraditional voters if it could be done without violating statutes governing the voting process.

In an attempt to help county election officers in such situations, in 1994 the Secretary of State adopted an administrative regulation, K.A.R. 7-23-12, which simply states: "An election official shall register any person who is otherwise qualified to vote and is able to provide a residence address in enough detail to enable the election official to assign the applicant to the correct precinct."

This could result in registration by people claiming residence at a

park bench, underpass or other atypical residence. Some people might claim residence at a shelter, mission or public assistance site.

The law does not require voter registration applicants to live at traditional addresses such as houses or apartments. K.S.A. 25-2309(b)(2) requires the applicant to supply the "place of residence, including specific address or location," and K.S.A. 25-407 defines "residence" for voting purposes as "the place adopted by a person as such person's place of habitation, and to which, whenever such person is absent, such person has the intention of returning."

In processing voter registration applications, the county election officer's main interest in determining the sufficiency of the address is knowing the exact location, even if it's not a conventional address, so the applicant can be assigned to a precinct and polling place and the election officer can supply the correct ballot to the voter on election day.

Phone books include voting information

Kansas voting information can now be found in local and area-wide telephone directories. Residents of the Lawrence and Manhattan areas can find information on voter registration and procedures in the blue pages of their telephone directories. Throughout the state, local directories and the Feist area-wide directory have agreed to begin including voting information in their publications.

The new "Kansas Voting Information" page contains helpful information on three areas of voting:

1. The process of voter

registration is explained in terms of deadlines and methods of voting.

2. The Kids Voting Kansas program, in which K-12 students learn more about the rights, responsibilities and mechanics of voting, is briefly described.

3. Also, the advance voting program, in which a person can vote at their convenience by advance ballot, is outlined with in-person or mailing procedures.

This page of voting information is a result of a collaborative effort between the Communications and Elections divisions of the Secretary of State's office.