

Update on SAFE implementation



During a ceremony held on April 18, Secretary Kobach (right) watches as Governor Sam Brownback signs the SAFE Act into law. *Photo by Justin Runge.*

The Secure And Fair Elections Act (SAFE) represents a significant change in election policies and procedures in Kansas. County election officers who have been in office during the past decade have seen discussion of election administration dominated by the Help America Vote Act of 2002. The 2009 federal Military and Overseas Voter Empowerment Act (MOVE) made some significant changes for a specific class of voters, but the Kansas SAFE Act of 2011 applies to all voters and will rival HAVA for the amount of change it effects in election administration.

The broad outline of SAFE has been previously detailed in this newsletter (see *Canvassing Kansas*, June 2011, page 4), and Secretary of State Kris

Kobach and his staff spent considerable time at the Kansas County Clerks and Election Officials Association's spring conference in Salina on May 5 discussing the impact SAFE will have on election officials.

All parts of SAFE except one go into effect January 1, 2012. The exception is the requirement that new registrants provide proof of U.S. citizenship when they register to vote for the first time in Kansas, which goes into effect on January 1, 2013. It is expected that there will be an attempt during the 2012 legislative session to move that date earlier—possibly as early as March or April, 2012. If that happens, it will be in effect for the 2012

IN THIS ISSUE

- 2 AMERICANS ELECT WEDDINGS
- 3 KCOA CONFERENCE ELVIS AND SAFE
- 5 2012 PREPARATIONS CLERK CHANGES
- 6 LEGAL COUNSEL RESIGNATION CENSUS ADJUSTMENT ELVIS TRAINING
- 8 NEWBY APPOINTMENT

SOS office at State Fair

For the twenty-fifth straight year, the Secretary of State's office will operate a booth at the State Fair in Hutchinson. This year, the fair opens on Friday, September 9 and closes on Sunday, September 18. The SOS booth is in the Meadowlark Building in the southwest part of the fairgrounds.

In 2010, the booth focused on promoting the 2010 U.S. Census and the Kansas Sesquicentennial.

Cont'd on pg. 4

Cont'd on pg. 7

canvassing Kansas

Published by the Office
of the Secretary of State

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

EDITOR
Justin Runge

LAYOUT AND
DESIGN
Justin Runge

CONTRIBUTORS
Brad Bryant
Bryan Caskey
Josh King

Suggestions or comments?
Please call (785) 368-8095.

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 Kansas Secretary of State.

© 2011
Kansas Secretary of State

Americans Elect

On April 27, 2011, the Americans Elect Party submitted a petition seeking party recognition in the state of Kansas. This petition contained 3,216 pages with 31,744 signatures collected in 77 counties.

An initial review concluded that the petition was submitted outside of the 180-day window that starts when a petition effort first collects signatures.

After a meeting with the organizers of the petition, evidence was submitted that proved the petition was filed on a timely basis. This involved verification of the largest petition effort in Kansas in more than fifteen years, and the work of the Secretary of State's office and all 77 counties involved.

On July 5, 2011, the Americans Elect Party achieved official party recognition in Kansas. Individuals registering to vote may now affiliate with this party, along with the Democratic, Libertarian, Reform, and Republican parties, or remain unaffiliated.

To learn more about the Americans Elect Party, visit americanelect.org. ■

Weddings

Shawnee County Election Commissioner Elizabeth Ensley recently married District Magistrate Judge Steven Deiter, of Nemaha County. Libby and Steve met in 2006 on a bicycle ride in Cajun, Louisiana. Last year, they became engaged on the same ride under the Evangeline Oak Tree in St. Martinsville.

The couple married this year while on the same bike ride, with the ceremony taking place in Eunice, on stage at the Liberty Theatre. And, three hours before the ceremony, Steve became a grandfather! (No, Steve and Libby were not wearing bicycle gear at the ceremony.) Congrats to Libby and Steve!

Saline County Clerk Don Merriman was also married, on June 17 in Salina to Debbie Holmes. Debbie has a Masters degree in social work and has been an election worker in Saline County. Don and Debbie are having a wedding celebration on October 15 in Salina at the Ramada Inn. There is an open invitation to all county clerks (and SOS staff). Congrats to Don and Debbie as they begin their new life together! ■



From the desk
of the Secretary

The SAFE Act Task Force has met twice, and I am very pleased with what we have accomplished, thanks to election officials from across the state and election staff in our office working side by side. Our sincere appreciation goes to the task force members.

In the process of thinking through implementation of the SAFE Act, we have also found other opportunities to promote best practices and standardize materials across the state. I am optimistic that the 2012 elections will go very smoothly.

The next task force meeting will be held at 10:00 a.m., Wednesday, September 7, 2011, in the Training Room, Memorial Hall, 120 S.W. 10th Avenue, Topeka, KS.

With gratitude,

A handwritten signature in black ink that reads "Kris W. Kobach". The signature is written in a cursive style.

Secretary Kobach recognizes the efforts already made by the SAFE Task Force members. Following is a list of these individuals:

Rhonda Beets	County Clerk, Osage County
Rebecca Bossemeyer	County Clerk, Geary County
Linda Buttron	County Clerk, Jefferson County
Crystal Clemens	Deputy County Clerk, Seward County
John Copple	Deputy County Clerk, Linn County
Heather Dill	Assistant Election Deputy, Lyon County
Bill Gale	Election Commissioner, Sedgwick County
Janet Klasinski	County Clerk, Leavenworth County
Inge Luntsford	County Clerk, Kingman County
Don Merriman	County Clerk, Saline County
Brian Newby	Election Commissioner, Johnson County
Sherrie Riebel	County Clerk, Allen County
Janet Rumpel	KCCEOA President, Sherman County Clerk
Jamie Shew	County Clerk, Douglas County
Sonya Stohs	County Clerk, Marshall County
Rich Vargo	County Clerk, Riley County
Matt Woehrle	Program Coordinator, Wyandotte County
Robert Wyatt	County Clerk, Norton County

ELVIS will be SAFE

The Secretary of State's office has begun work with Elections Systems & Software (ES&S), the Division of Motor Vehicles (DMV), and county election officers to ensure that ELVIS will be SAFE-compliant early in 2012.

There will be ten ELVIS enhancements dedicated specifically to SAFE requirements, as well as five report modifications

that will take place. The current schedule will have these requirements and reports installed into the ELVIS production environment in late January, 2012.

The following enhancements are among those being added: revising the advance voting ballot application and poll book, changing the business rules on voter identification, capturing

citizenship documents from the DMV, and enhancing security surrounding citizenship documents.

Development specifications are being created and reviewed this fall. Counties will have the opportunity to test the new requirements in January, 2012, before they are installed in the ELVIS production environment. ■

KCOA Conference

The annual fall conference of the Kansas County Officials' Association is scheduled for Wednesday through Friday, September 14 – 16, at the Wichita Airport Hilton.

Officers in the county clerks association have invited the Secretary of State's office to make a presentation on election issues on Thursday, September 14 from 1:30 to 4:00. Topics for the afternoon presentation will include the following: preparation for the 2012 elections, HAVA endowment program, future enhancements to the ELVIS voter registration system, and a status report on planning for the implementation of the Secure And Fair Elections (SAFE) Act.

The Secretary of State's office encourages county election officers to attend the KCOA conference to discuss the latest on the important election-related issues of the day, receive updates on various county clerk duties, and to interact with their colleagues across the state. We are looking forward to this event and would like to see as many CEOs attend as possible. ■

SAFE Act

Cont'd

presidential election. All planning is being done concurrently so that procedures are in place as soon after the beginning of 2012 as possible.

At KCCEOA, Secretary Kobach invited interested CEOs to volunteer to serve on a SAFE Task Force to recommend policies and procedures to effectively administer the requirements of the Act. The Task Force's first two meetings were held at the Secretary of State's office in Topeka on June 28 and August 3. As of this writing, only one more meeting is scheduled, on Wednesday, September 7. Additional meetings will be scheduled as needed.

Thus far, the Task Force's work has focused on three major areas: (1) policies and procedures, (2) forms, and (3) regulations. Task Force members have spent a considerable number of hours discussing the best procedures to adopt to carry out the requirements of SAFE. One of the guiding principles has been to design procedures to help voters as much as possible.

New Forms

Nine new forms have been drafted, and four existing forms have been revised:

- Form AV1M—Application for advance ballot by mail
- Form AV1P—Application for advance ballot in person
- Form AV1C—Combined advance ballot application
- Form RCD—Request to state election board for assessment of citizenship documentation
- Form DRO—Declaration of religious objection to photographic identification
- Form ABC—Request for free certified copy of birth certificate
- Form AID—Affidavit of person requesting free nondriver's identification card (KDOR)
- Form FPC—Request for free copy of identification document from agency
- Form RTA—Request for free transmission of birth certificate application

Revised Forms

- Form AV2—Application for permanent advance voting status
- Guide for voter registration drives (brochure)
- Voter registration application form
- Advance ballot return envelope

Regulations

Six new administrative regulations are planned for adoption, as well as the revision of one existing regulation:

- Policy on submitting photo IDs after election
- Guidelines for poll workers to determine the validity of photo IDs
- Processing citizenship documents
- Processing advance ballot applications
- Regulation on providing free certified copies of birth certificates (by Kansas Department of Health and Environment)
- Regulation on providing free nondriver's identification cards to registered voters (by Kansas Department of Revenue)
- Revisions to KAR 7-23-4, which deals with the publication of the notice of the places, dates and close of voter registration before each election

Training

County election officers will receive training on the SAFE Act at regional meetings, KCOA and KCCEOA. Also, information will be disseminated by email and newsletter.

Under Kansas law, election officers are responsible for training their poll workers. The Task Force has recommended that the Secretary of State's office develop guidelines consistent with SAFE for CEOs to use in training their poll workers. This core curriculum provided by the SOS office will include, at minimum, printed materials and a PowerPoint presentation that CEOs may incorporate into their training programs.

Cont'd on pg. 8

Plan for a big one in 2012

It is eleven months before the 2012 primary election, and preparations have already begun. The Secretary of State's office will soon release the 2012 election calendar, which election officials use as a road map to carry out the many details of conducting a presidential election, and candidate filing information is also being finalized for release.

The 2008 presidential

election year proved to be a record-setter in a number of ways. In Kansas, we reached new levels of voter registration, advance voting, and sheer numbers of voters.

The 2012 election year holds the possibility of being an equally busy and hectic one for several reasons (see below), although that remains to be seen. In any event, it is wise to prepare for a

big year so that demands can be met if and when records are set.

It is the intention of the Secretary of State's office to use upcoming meetings with CEOs and all other forms of communication at our disposal to keep election officials informed of their duties and to provide assistance whenever possible to ensure a successful experience in 2012. ■

SAFE Act: Passage of the Secure And Fair Elections Act (SAFE) by the Kansas Legislature in 2011 means that, beginning January 1, 2012, all voters will be required to show photographic identification before receiving their ballots. This changes the voting procedure and has implications for CEO training, poll worker training, and public education.

Also, beginning January 1, 2013, all new voter registration applicants will be required to show proof of U.S. citizenship when registering to vote for the first time in the state. This will affect the voter registration process, motor-voter, online voter registration, the ELVIS database, and third-party registration drives. (Note: There will be an attempt to move the date for citizenship verification earlier, possibly as early as March or April, 2012. Whether that occurs will be a decision made by the 2012 Kansas Legislature.)

Presidential year: Presidential elections always see more voters than other election years.

Redistricting year: The Kansas Legislature will redraw district lines for U.S. House of Representatives, Kansas Senate, Kansas House of Representatives, and Kansas State Board of Education districts. Depending on when the new boundary lines are finalized, there will very likely be minimal time for election officers to make precinct changes and reassign voters to the correct districts.

County clerk elections: We should not forget during the planning for everything else that county officials, including county clerks, are on the ballot. Incumbent county clerks who are running for re-election will have their hands full as they conduct the 2012 election while running their campaigns at the same time.

Clerks resign

Three county clerks have recently resigned to begin new stages in their lives.

Earlier this year, Dena Jordan resigned as Hodgeman County Clerk, and was replaced by Kari Weis.

Pat Schippers resigned as Logan County Clerk August 1 to work for the Logan County Hospital. Pat served as county clerk for over seventeen years.

Susan Figge, Pottawatomie County Clerk, retired June 30. Susan became county clerk in 1996 and had been in the clerk's office since February 26, 1986. Her replacement is Nancy McCarter. Nancy began her career in the county clerk's office in 1997 as a temp due to someone on maternity leave, and hasn't left yet!

Nancy is originally from Santa Ana, California. While away from work, Nancy enjoys spending time with her family; she hosts Family Night every Thursday with her two sons and their families.

Congratulations to Pat, Susan and Dena on your new positions, and thank you for your service to the people of Kansas! ■

SOS legal counsel resigns

Diane Minear, Legal Counsel for the office of the Secretary of State, resigned effective May 20, 2011 to take a position in the Kansas Attorney General's office in the Civil Division.

Diane began working in the SOS office on September 21, 2008, taking the position of former Legal Counsel Melissa Wangemann, who left to become General Counsel for the Kansas

Association of Counties. Diane was in the SOS office for the 2008 presidential election, when records were set for voter registration, advance voting, and overall turnout.

Diane also worked on the renewal of several contracts and the development of a number of new contracts associated with HAVA and the election process, as well as several state candidate objections and lawsuits.

SOS staff members have not lost touch with Diane because the Attorney General's office occupies the top floors of the Memorial Hall building where the Secretary of State's office is located. Diane is frequently seen in the hallways, and she finds time for occasional visits to the office.

Secretary of State Kris Kobach has appointed Ryan Kriegshauser to assume Diane's duties as

Deputy Assistant Secretary of State, Legal Counsel. Ryan came to the office in January, 2011 as one of five staff members brought on board by Secretary Kobach.

For the first few months of the term, Ryan was Deputy Assistant Secretary of State for Policy. He still is involved in policy matters, along with assuming general legal counsel duties. ■

Census, consider yourself adjusted

The two-plus year project of adjusting the 2010 Decennial Census has finally come to a close.

This project, mandated by Article 10 of the Kansas Constitution, allowed students and military personnel to elect the address at which they should be counted for purposes of representation in the Kansas Legislature. More than 42,000 of the 118,690 respondents chose to be adjusted in one way or another.

This adjustment touched every county in the state. Most saw a meager bump in population as students or military personnel elected to be subtracted from their temporary residence and counted in their permanent residence elsewhere in Kansas; however, 17 counties lost population as more respondents were subtracted than added.

The adjusted population figures will be used in the drawing of district lines for the Kansas House of Representatives and Kansas Senate. Kansas Senate districts will then be used to form districts for the Kansas State Board of Education.

Printed copies of the adjustment report are available from the Secretary of State's office. An electronic version is also available at www.sos.ks.gov. ■

ELVIS training program update

If knowledge is power, then Kansas county election workers are becoming some of the most powerful in the country.

This power-up is thanks to the high level of interest in the 2011 ELVIS Training Program offered by the Secretary of State's office. By the end of November, more than 300 county workers will have received ELVIS training, ranging from a week-long basics course to a three-hour advanced WebEx.

With 96 counties requesting training, this year's program will be the largest training program since the initial rollout of ELVIS. (Of course, this will have been the only major training program offered since the initial rollout of ELVIS.)

The Secretary of State would like to thank county election officers for their willingness to give staff time to the important task of training. We hope these courses have been and continue to be worthwhile.

With that in mind, we would appreciate hearing both the good and the bad of this training program so that we can make future training programs meet your needs. Please direct all comments to josh.king@sos.ks.gov. ■

2011 State Fair Opinion Poll Questions

Every year, hundreds of Kansans voice their opinions through our opinion poll. Here's what they'll be asked to answer at the upcoming State Fair:

Question Number One

What is the biggest issue facing rural Kansas?

- Lack of healthcare access
- Lack of job opportunities
- Closing of post offices
- Inconvenience of shopping in person

Question Number Two

Since Kansas enacted the Personal and Family Protection Act in 2006, the Attorney General has issued concealed carry licenses to 35,617 Kansans. Have you applied for a concealed carry license?

- Yes
- No, but I plan to get one
- No, and I will not be getting one
- No, I don't think people should carry concealed

Question Number Three

If you had the power to change things in Washington, D.C., which would you do?

- Reduce taxes and provide fewer services in order to reduce the national debt
- Reduce taxes and continue to borrow money to provide federal services
- Raise taxes to pay down the national debt
- Raise taxes and provide more federal services

Question Number Four

Which right guaranteed by the Kansas Constitution do you value most?

- Freedom of speech and assembly
- Freedom of religion
- Right to keep and bear arms
- Right against unreasonable searches of one's home

Question Number Five

Do you have a government-issued photo ID (driver's license, college ID, passport, nondriver's state ID, government employee ID, etc.)?

- Yes, and I have it with me now
- Yes, but I don't have it with me
- No

State Fair

Cont'd from pg. 1

This year's booth will focus on distributing information about the SAFE Act in preparation for the 2012 election, as well as registering voters, promoting various activities of the SOS office, and conducting our annual opinion poll.

The purpose of the opinion poll is two-fold: part of the purpose is to stimulate thought and get people's opinions on issues of the day, and part is to showcase voting technology.

This year, as in recent years, ES&S iVotronic DRE voting machines will be loaned to the SOS office by Don Merriman, Saline County Clerk, and programming of the machines will be donated by The Lockwood Company in Atchison.

We invite CEOs who wish to get out of their offices and experience the fair to volunteer to work a few hours in the SOS booth. If you're interested, you may contact the Elections Division to sign up.

Whether you volunteer or visit as you attend the fair, we look forward to seeing you! ■

SAFE Act

Cont'd from pg. 4

What can the CEO expect?

- Training—As mentioned above, each CEO will receive training from the SOS office and training curriculum to incorporate into the county-based poll worker training program.
- Guidelines—SAFE Act procedures will be incorporated into the Kansas Election Standards, CEO training manuals, administrative regulations, forms and all communications from the SOS office.
- Voter education—The SOS office will implement a statewide voter education program including radio, television, cable TV, public service announcements, web sites, newspaper articles, and public meetings around the state. CEOs are encouraged to coordinate local efforts with the SOS program with the intention of ensuring that all voters receive adequate notice of the photo ID and citizenship verification requirements of the new law.
- ELVIS changes—A list of program changes to the ELVIS voter registration/election management system has been submitted to ES&S with the expectation that they will be incorporated into the January, 2012 software release.
- Regional and state meetings—The SOS office will include SAFE planning discussions in all appearances at regional county clerk meetings: KCOA in September, 2011 and KCCEOA in May, 2012. ■

Bruce Newby reappointment

On June 30, Secretary of State Kobach swore in Bruce Newby to another four year term as Wyandotte County Election Commissioner. A ceremony was held at the Wyandotte County Election Office before family, friends and staff. Bruce took the opportunity of his appointment to make a few comments:

“I am delighted that Secretary of State Kris Kobach has selected me to continue in this position. We have been aggressively working to ensure fair and honest elections in Wyandotte County.

"While there may be no perfect voting system, the state of Kansas may well have the best voting laws in the entire United States. With the establishment of the high speed Google fiber network in Wyandotte County and the surrounding area, we hope to leverage the network to explore what may be possible for the future of elections in how we communicate with voters and serve their voting needs.

"We are proud of our efforts to build and maintain the integrity of elections and we look forward to the opportunities which lie before us to continually improve the security and fairness of elections.

"I take this opportunity to thank my loyal and dedicated staff for their conscientious and skilled work.”

Congratulations to Bruce on his appointment! ■



Secretary Kobach standing with Commissioner Newby at the ceremony. *Photo by Tom Treacy.*