

CANVASSING KANSAS



September 2008
inside

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

PRIMARY

Voter turnout exceeds expectations!

Kansas voters exceeded the turnout expectations of election officials in the August 5 primary election. In a press conference on the Friday before the primary, Secretary of State Ron Thornburgh predicted 319,000 individuals would cast ballots out of the total of 1,642,477 registered voters, which would be a turnout of 19.4%. In fact, there were 364,033 votes cast, for a final turnout percentage of 22.02%. Of the total votes cast, 59,770 were advance ballots, for 16.4% of the total.

In comparison, in 2006 there was an 18.1% turnout, and in 2004 it was 30%.

As of the voter registration deadline (two weeks before the primary), the party affiliation breakdown was as follows:

Democratic	449,058
Republican	741,786
Libertarian	9,152
Reform	1,344
Unaffiliated	451,633
Total	1,642,477

The four largest counties—Johnson, Sedgwick, Shawnee and Wyandotte—comprise 46.7% of the total statewide registration, and the 10 largest counties comprise 62.2% (add Douglas, Reno, Leavenworth, Saline, Butler and Riley).

Secretary Thornburgh stated that one reason primary turnout is always lower than general election turnout is that many voters are not involved in the primary. The primary is a nominating device for the two major parties—Democratic and Republican—to nominate candidates to represent them in the November general election. Although unaffiliated voters may vote in the primary, most do not, and members of the minor parties are not eligible.

While many people see reasons for expecting a high turnout in the 2008 November general election, the factors that tend to produce high turnout did not seem to be at work in the primary. There were few hotly

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Legal counsel resigns

Goodbye and good luck!

Melissa Wangemann, legal counsel for Secretary of State Ron Thornburgh, resigned from the SOS office in August 2008. She had been legal counsel for 12 years.

During those 12 years, Melissa not only provided legal assistance to Secretary Thornburgh and the Elections Division, she served the entire agency, including Corporations, Uniform Commercial Code and other functions of the SOS office such as the oversight of notaries public.

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CONGRATULATIONS! **County clerk gets married, retires and lives happily ever after!**

Lori Martin, Chautauqua county clerk, was married June 7, 2008 in Chautauqua County, to Allen Richmond from Bartlesville, Oklahoma. Allen is a patent attorney (if you have any inventions, he is your guy!).

In addition, Lori is retiring from the county clerk's office, after serving as county clerk for 17 years. She was appointed in September 1991. After retiring, Lori will remain as a part-time assistant in the county clerk's office through 2009. She will essentially be changing jobs with her assistant, Cammie Farmer, who is running unopposed for county clerk in the general election this fall and has been in the county clerk's office since 1997. Congratulations to Lori and Allen, and keep in touch with us!

CONGRATULATIONS! **Ensley appointed to IACREOT position**

In July, Shawnee County Election Commissioner Libby Ensley was appointed to the Election Assistance Commission's Board of Advisors, succeeding Tony Sirvello, Executive Director of International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT). Sirvello's term on the EAC Board expired June 28. Ensley currently serves as the secretary for IACREOT.

"This appointment will be exciting. I will travel to Washington, D.C., twice a year and attend 'virtual meetings' via the Internet. I will take with me 16 years of practical experience in elections. I know that change needs to be justified, well thought out and adequately financed. Freedom is priceless, but elections are expensive," Ensley said.

Ensley went on to say the IACREOT appointment was due to the fact that she was both an officer of IACREOT and an election official. By national standards, she represents a medium-sized county using both optical scan and DRE voting equipment. She has been election commissioner in Shawnee County for 16 years, so she has experience with lever machines and hand-counted paper ballots, which were used for absentee voting in lever machine days.

The EAC Advisory Board is a 37-member board created by Section 211 of HAVA. According to its charter, the board exists to "advise the EAC through review of the voluntary voting systems guidelines described in title II Part 3 of the HAVA; through review of the voluntary guidance described

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RON THORNBURGH
Kansas Secretary of State

Dear friends,

First of all, I want to congratulate you on a job well done! Last month, thousands of Kansans across our state made their way to polling places, advance voting locations, or their mail box to cast a ballot in the primary election. And despite dire turnout predictions (including my own), more than 22 percent of registered voters took the time to participate in democracy. While this is nothing to shout from the rooftops, I was pleased that our citizens proved that they do indeed want to play a role in the future of our state and nation. Beyond that, I am proud of all of you for your tireless work to ensure that their voting experience was pleasant, secure – and fast!

As is always the case, there were several close races – resulting in two recounts. The efforts of the clerks and their staff in these districts were outstanding, and the outcome certainly proved that our system was accurate and reliable.

Moving into the general election, the stakes are high. Interest in the presidential race has never been greater, and many pundits and officials are predicting record-breaking turnouts. If it plays out as expected, we will see hundreds of thousands of Kansans at our state's polling places and advance voting sites, and we must be prepared. The good news is that we've done this before. As election officials, you understand the significance of a presidential election of this magnitude, and you've already begun the work to accommodate the influx of voters. I have no doubt that after the votes are tallied and voting machines put away, I will continue to take pride in our elections system and all of you.

In the coming months, my office will be doing all we can to inform and encourage Kansans of all stripes to engage in the political process through both standard and nontraditional means. During this process, I encourage you to also think outside of the box and look for new and interesting ways to draw voters in your area to the polls this fall. Together, I believe we can capitalize upon this heightened interest and continue to show the nation why Kansas leads the way in elections management and innovation!

Best,

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

RON THORNBURGH
Secretary of State

SOS office expands voter outreach program

The Secretary of State's office expanded its voter outreach program in 2008 (see *Canvassing Kansas*, June 2008, page 11). Three of the areas of expansion were to focus on the youth vote on college campuses, increase the presence at local events, and increase contacts with voters with disabilities.

The first phase of the voter outreach program is complete. One aspect was to organize teams of SOS employees and college student interns to attend local events, such as county fairs and harvest festivals, to register voters, promote the Vote Kansas Web site and the VoterView function of ELVIS, and to answer questions about the upcoming elections. The teams attended approximately 20 events around the state, some of them in a cooperative effort with county election officers who were operating booths at the events.

The program to increase contacts with voters with disabilities was developed by the SOS office in conjunction with the Kansas Commission on Disability Concerns and the Disability Rights Center of Kansas. SOS representatives on the planning team were Craig Bourne, HAVA Coordinator, and Brad Bryant, Election Director. The team traveled to three sites to train individuals who work in offices serving the disabled population. The first meeting was June 24 in Kansas City, Kansas, followed by a meeting July 1 in Salina and a third meeting on July 8 in Garden City. The meetings accomplished several objectives:

- Personnel in offices serving individuals with disabilities received training on their voter registration duties under the National Voter Registration Act of 1993. They are required to provide the opportunity to register to vote with each application for services, including services provided in a person's home.
- They were provided information on the dos and don'ts of assisting people in registering to vote, applying for advance ballots, and assisting disabled persons in voting.
- The SOS office offered voting materials free of charge for distribution by disabilities office personnel, including voter registration cards in English, Spanish, Braille and large type; advance ballot applications; brochures on Voting in Kansas, Provisional Voting, Voting Accessibility and the HAVA Complaint Procedure; and VoterView brochures.
- The SOS office outlined various voting options under Kansas law for voters with disabilities.
- Representatives of the Commission on Disability Concerns and Disability Rights Center offered their assistance to the disabilities offices and emphasized the importance of getting individuals with disabilities registered and involved in the electoral process.

The agencies involved in the disabilities outreach are discussing whether to conduct another series of meetings in the weeks leading up to the November general election.

Another aspect of the first phase of the program was to negotiate a contract with an advertising company to produce radio and TV commercials for airing this fall. As of this writing, the company is working on scripts for the ads.

Phase Two of the voter outreach program includes the youth outreach. Having a presence at college football games and other fall collegiate events enables the program to reach the most people with the most efficient use of funds. Messages will be posted on scoreboards and announced over public address systems at various fall football games, culminating at the KU-KSU football game November 1 in Lawrence. There will be more than 50,000 people in attendance and tens of thousands more listening to the radio, and the game offers an unequalled opportunity to reach voters just a few days before the election.

Phase Two also will include distribution of media kits to newspapers across the state and to county election offices and libraries, advertising in newspapers, Web site promotions, textcasting from the SOS Web site, and enhancements to VoterView.

The Secretary of State's public affairs office is organizing and implementing much of the voter outreach campaign.

One down, one to go!

September is the beginning of the general election season. The state canvass of the primary election occurs at the end of August each election year, and Labor Day weekend serves as an unofficial kick-off for the general election campaigns. It is the time when election officers begin preparations for the November election.

In early September the secretary of state certifies the official candidate list for national and state offices to county election officers, counties begin programming voting equipment or placing orders with vendors, voters begin applying for advance ballots, private organizations begin voter registration drives, and campaign mailers and commercials begin showing up in voters' mail boxes and on the airwaves.

Because 2008 is a presidential election year, the level of activity is expected to be higher than in non-presidential years. Election officers can expect more voter registration, more turnout and more general interest in the electoral process. Media and public scrutiny of voting procedures may be a result of these factors. This can cause more questions to be asked of election officers; more requests for permission to observe voting and canvassing; more appointments of poll agents; and, possibly, more surveys by governmental and private research organizations after the election.

Throughout the presidential campaign in 2008, which began even before the new year, the level of voter interest and participation in the presidential caucus and primary process has been high. This is partly attributed to the fact that the presidential office is an open seat with the incumbent ineligible to run, close races for the nominations, especially in the Democratic Party, and some successful mobilizations of voters. There are indications that young voters may participate at higher levels this year. Since the voting age was lowered to 18 in 1972, 18 to 24 year olds have been the least likely to participate nearly every election.

Although Kansas did not have a presidential primary in 2008, the caucuses organized by the parties were better attended than in past presidential years. Party affiliation among Kansas voters favors Republican presidential candidates, but the increased interest in the race this year may not be limited to one party.

In a speech to the Kansas County Clerks and Election Officials Association in May 2008, Secretary of State Ron Thornburgh cited many of these factors when he advised association members to prepare for high turnout in November. He said the counties' preparations for the general election should include:

- Ensuring there are enough polling places and that they are fully accessible and ADA compliant,
- Recruiting an adequate number of poll workers and training them properly so they're prepared for high turnout,
- Supplying each polling place with plenty of ballots, including paper ballots in areas using electronic voting machines as a backup for equipment failures or to reduce the length of voters' wait times, and
- Working closely with vendors and ballot printers to ensure that programming media and ballots are received in time for the public test and for advance voting.

If state and county election officers work together in effectively planning for the election, we can reach the goal of a secure and successful voting experience for all who wish to participate. We will be content to let the candidates, campaigns and final tallies make the news, not the voting process or the election office.

Voter turnout

From page 1

contested primaries in federal and state offices, many local races were uncontested, and most did not have any ballot questions creating controversy.

In the areas where there were contested primaries, most involved sheriff races, with some close county commission races added into the mix.

Objections

During the candidate filing season, culminating on the filing deadline June 10, the Secretary of State's office had five objections filed, which was the largest number in recent memory. This required the State Objections Board, consisting of the secretary of state, attorney general and lieutenant governor, to convene twice. Three of the objections involved candidates for district magistrate judge positions, one was a Libertarian candidate for county commission, and one involved a candidate who filed for both state board of education and a township office.

Recounts

Between election night and the completion of the county canvasses on Monday, August 11, three primary races for state offices were reversed. One involved the Democratic nomination for Kansas House of Representatives in District 24 (Johnson County), one involved the Republican nomination for Kansas House in the 118th district (Gove, Lane, Logan, Ness, Rush, Trego, Wallace and Wichita counties) and one involved the Republican nomination for district court judge in the 26th judicial district (Grant, Haskell, Morton, Seward, Stanton and Stevens counties).

Two recount requests were filed; one each by the losing candidate in the 24th and 118th House districts.

State Canvass

The State Board of Canvassers, consisting of the governor, attorney general and secretary of state, met August 29 to certify the statewide results of the election for national and state offices. Governor Sebelius was unable to attend and designated Sally Howard, her chief counsel, to attend in her place. The certification of the primary election results by the State Board of Canvassers signifies the official end of the primary and the beginning of the general election cycle.

Ensley appointed

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under title III of HAVA; and through the review of the best practices recommendations contained in the report submitted under Section 242(b) of title II of HAVA."

IACREOT is entitled to two members on the board, along with members from a number of organizations including the National Association of Secretaries of State and the National Association of State Election Directors.

Congratulations on your appointment, Libby! It's good to have another Kansas CEO representing the interests of election officers at EAC.

Resigns

From page 1

In the past several years, one of Melissa's bigger projects was negotiating and drafting contracts related to HAVA: the ELVIS contract with ES&S and the voting equipment contracts with ES&S and Premier.

Many county election officers have gotten to know Melissa over the years as she participated in conferences and training sessions and fielded telephone calls from CEOs with legal questions.

During a reception held in her honor, Melissa told her colleagues she hated to leave the office but had an opportunity to pursue another job with different challenges.

After a short vacation, Melissa will assume her new duties as legal counsel for the Kansas Association of Counties. This position was recently vacated by the retirement of Judy Moler. Melissa's duties will include proposing and testifying on legislation affecting counties, so the SOS office will probably see her at the Capitol during the legislative session. She also might be attending KAC conventions, so there will be an opportunity to see her there as well.

Melissa is married to Jared Maag, an attorney at the Kansas Attorney General's office. Melissa and Jared have two children, Emma and James.

We in the SOS Elections Division are very sorry to see Melissa leave, but we're glad she was able to stay through the August 5 primary election. She will be sorely missed as we move through the general election period and beyond. The SOS Human Resources office is in the process of finding a replacement for Melissa.