Kansas Secretary of State

Report of the Study Group on the Future of Elections in Kansas

December 2009

Ron Thornburgh, Kansas Secretary of State
1st Floor Memorial Hall, 120 SW 10th Ave.
Topeka, KS 66612

Contents

Section 1: Background

Kansas Secretary of State Ron Thornburgh appointed the Study Group on the Future of Elections in Kansas to gather information about options for significant changes in the way elections may be conducted in the future. The study group was asked to analyze information provided and to offer input on what changes, if any, should be considered in the future.

Several voting options have gained adherents in recent years nationally and in Kansas. Among them are vote by mail and vote centers. The growing interest in various voting options led many groups and individuals to inquire as to Secretary Thornburgh's views as chief state election officer.

In the interests of developing an informed policy stance, Secretary Thornburgh decided in the fall of 2008 to invite individuals representing groups invested in the electoral process from a variety of perspectives to gather in a series of meetings to discuss the issues and provide input. This report is not intended to be a scholarly or scientific study; rather, it is intended as a summary of where the state currently stands with regard to its voting process and where it may want to go.

Political Geography of Kansas

Kansas is a state with 2,802,134[1] people and 1,647,554[2] registered voters. The state's 105 counties are the principal jurisdictions in the administration of elections. At the time of the general election in November, 2008, there were 3,300 precincts and 1,850 polling places in the state.

State law assigns the duty of election administration to a county election officer in each county. In the four largest counties (Johnson, Sedgwick, Shawnee and Wyandotte), the election officer is an election commissioner appointed by the Secretary of State. In the 101 remaining counties the election officer is the county clerk, who is elected countywide every four years in a partisan election.

Current Electoral System

Each county election officer determines the number and locations of polling places needed to serve the voters in the county. A few counties have consolidated election-day polling places into one or two sites.

Voting Methods

As of the 2008 general election, 75 counties voted principally by optical scan ballot, 22 by direct recording electronic machines, and eight by hand-counted paper ballot. Aside from the principal means of voting, all counties have a number of electronic voting machines to comply with the requirement of the Help America Vote Act of 2002 to have at least one fully accessible voting machine in each polling place.

Equipment from two voting equipment manufacturers is currently in use in Kansas: 79 counties use equipment from Election Systems & Software and 26 use equipment from Premier Election Solutions.

Advance Voting

In 1995 Kansas adopted a system of no-excuse absentee voting in which any registered voter may

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[1] United States Census estimate, July 1, 2008
[2] Kansas Secretary of State, July 1, 2008

choose to vote up to twenty days before the election, either by mail or in person. The by-mail aspect of advance voting corresponds to what is referred to as absentee voting in many other states, and the in-person aspect corresponds to early voting.

Before advance voting was adopted, approximately four percent of the total votes cast in a November general election were cast by absentee ballot. In 1996, the first year with advance voting, the number of advance votes as a percentage of the total votes cast was eight percent. The percentage trended upward in subsequent elections and leveled off for a period of several years until 2008, when the number of advance votes rose by nearly 160% over the previous election. In 2008, 34.7% of the total ballots were advance ballots. The charts below illustrate this advance voting trend and provide evidence of the popularity of advance voting as a convenience for the voting public.

Turnout

Turnout in the state partisan primary elections during the past fifteen years has ranged from a low of 18% to a high of 39%. The primary is closed; voters must be affiliated with either the Democratic or the Republican Party in order to vote.[3] In most years Republicans constitute more than 40% of the electorate and Democrats constitute nearly 30%. This leaves nearly 30% of the voters ineligible to vote in the primary unless they join a party or change party affiliations before the registration/affiliation deadline fifteen days preceding the primary.

General election turnout is summarized in the chart below.

Nonpartisan elections for local offices are conducted in the spring of odd-numbered years. These elections involve city council and mayor positions, local school boards and community college boards of trustees. The turnout in these elections is often very low, ranging from less than ten percent to 25%. Turnout in these elections is higher if there are competitive, contested races or if there are controversial propositions included on the ballot.

When local propositions are submitted to the voters in stand-alone elections, turnout is often comparable to, sometimes lower than, turnout in regularly-scheduled local elections.

Registration, Turnout and Advance Voting in General Elections

Year	Registration	General Election Turnout	%	Advance Votes	% of Vote
2008	1,749,756	1,234,765	71	428,772	34.7
2006	1,663,017	864,294	52	165,313	19.1
2004	1,694,365	1,213,108	72	245,827	20.2
2002	1,615,333	840,243	52	139,055	16.5
2000	1,622,131	1,083,264	67	185,399	17.1
1998	1,513,685	751,505	50	84,160	11.1
1996	1,438,894	1,076,237	75	150,000	12.9

[3] Unaffiliated voters may affiliate at the polling place and vote that party's ballot. The Republican Party requires affiliation, while the Democratic Party allows unaffiliated voters to vote the party's ballot without affiliating.

Registration, Turnout and Advance Voting in General Elections
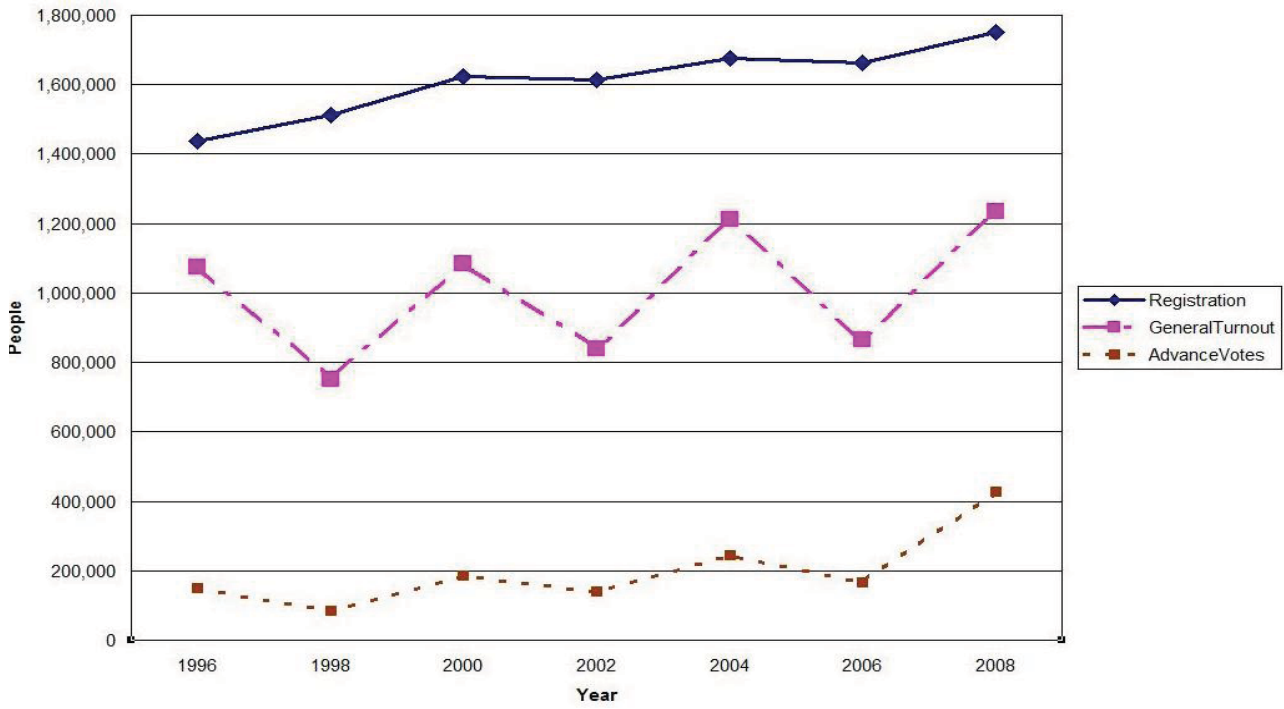
Section 2: Study Group

Members were invited representing local government, political parties, academia and the disabilities community. They were selected for their knowledge, experience with the political process, and the perspectives of the organizations they represent.

A leading expert in the field of convenience voting, Prof. Paul Gronke of Reed College in Oregon, participated in the study group's discussions. He provided background research materials and the expertise to frame issues related to various voting options to guide the group's discussion. Prof. Gronke participated in the first meeting by telephone and personally attended the second and third meetings.

Research Materials

Articles and other materials were distributed to study group members to provide background on the issues. The Secretary of State's office provided articles by Professor Gronke and Prof. Priscilla Southwell, of the University of Oregon, and information from the Oregon Secretary of State's office about the Oregon experience with vote by mail.

Professor Gronke provided information on convenience voting that he had presented to other groups, including the National Association of Secretaries of State and the Commission on Federal Election Reform co-chaired by former President Jimmy Carter and James A. Baker.

Professor Bob Beatty provided a recent article summarizing the Oregon experience with vote by mail and its impact on voter turnout.

Earl Glynn distributed summary information from his analysis of the Kansas voter registration database, including advance voting statistics from recent elections.

Shane Shields released a compilation of the advantages of the vote by mail system from a county election administration perspective.

Study group member Kris Kobach arranged during meeting #2 for a discussion via conference call with John Fund, a Wall Street Journal editor and author of *Stealing Elections: How Voter Fraud Threatens Our Democracy.*

Bob Newsome arranged for a presentation during meeting #3 by Rich Vargo, Riley County Clerk, summarizing the benefits of the vote by mail system.

Meetings

The study group met three times. All meetings were held in the office of the Secretary of State in Topeka.

First Meeting—January 23, 2009
The first meeting was on Friday, January 23, 2009 with twenty invitees either attending or represented by designees. This meeting, which lasted approximately four hours, was spent considering background and research materials to familiarize members with the issues.

Professor Paul Gronke of Reed College in Portland, Oregon, participated in the first meeting by conference call, providing background information about convenience voting for study group members to familiarize themselves with the current research in the field.

Much of the discussion was led by Kansas Secretary of State Ron Thornburgh and members of his staff.

Second Meeting—February 20, 2009
The second meeting was held on Friday, February 20. All but two members were able to attend, and the meeting lasted nearly six hours. A wide range of topics were discussed, leading to occasional disagreement and, often, consensus. The meeting produced three significant outcomes: the study group identified a set of guiding principles for considering future voting options, it defined a list of factors to consider in assessing the advantages of each option, and it finalized the list of options that should be considered for future elections.

Professor Gronke attended this meeting in person and moderated the discussion for most of the day. Study group member Kris Kobach, former state chairman of the Kansas Republican Party, arranged for *Wall Street Journal* editor and author John Fund to participate by conference call. Fund led a thirty minute discussion of election fraud and security.

Third Meeting—April 17, 2009
The third meeting was held on Friday, April 17 and lasted five hours. Discussion continued on each of the voting options, and members were invited to advocate for their favorites or to oppose the options they did not favor. All were invited to submit matrices summarizing their thoughts and to submit written statements for the record.

Professor Gronke again moderated the discussion for much of the day.

Study group member Bob Newsome, a former county commissioner in Riley County, Kansas, arranged for Riley County Clerk Rich Vargo to attend the meeting and make a presentation on vote by mail. Study group member Brian Newby, Johnson County Election Commissioner, made a presentation on the advantages and disadvantages of vote centers.

The last several hours of the meeting were spent in a discussion of the strengths and weaknesses of the various voting options. Some of the time was spent discussing what the benefits and weaknesses of the status quo in Kansas are and whether study group members perceived a need for significant change.

During the final hour, Secretary of State Ron Thornburgh led a discussion in which he framed the goals of the group and reiterated his original objectives in forming the group. He asked for individual members' opinions rather than a vote on a preferred voting model and expressed his intention to take all study group members' opinions into consideration as he considers what the future of elections in Kansas should look like. He indicated that he was not seeking short-term fixes for perceived problems or shortcomings; rather, he was seeking input on how to design the best electoral system for the state of Kansas for the next twenty years.

Much of the emphasis in the third meeting was on providing members opportunities for input in three ways:

- They were encouraged to take a stand as an advocate for one or more of the voting options, or to oppose one or more options.
- They were provided a matrix and asked to rank their preferences among the six voting options and to list the advantages and disadvantages of each. Members were invited to submit their matrices for the record. (See sample in Appendix C.)
- They were invited to submit written statements expressing their views and their preferences.

Section 3: Outcomes

The first and second meetings of the study group produced agreement in three areas: a set of guiding principles to govern consideration of voting options, a set of factors to be considered in assessing the merits of voting options, and a list of six options warranting consideration. These were the basis for the discussion in the third meeting.

Guiding Principles

The study group reached consensus on five guiding principles for evaluating options for election administration. Guiding principles were thought of by the group as values for any electoral system—a system that promotes all five principles should receive serious consideration. A system that is deficient in one or more areas is less likely to receive serious consideration.

- Participation—What system will achieve the highest levels of voter participation?
- Accuracy—Does a particular system produce accurate results, or is it less accurate than other systems?
- Security—Do some systems provide greater security of the ballot? Can they provide security without reducing access?
- Access (convenience & accessibility)—What systems provide greater access? Can full access be provided while maintaining security? This principle includes two perspectives: convenience of the voter in obtaining and voting a ballot, and accessibility in the sense of serving voters with disabilities.
- Equity—What systems are best at providing equal protection and treating various voters and groups equally?

Factors

The study group identified five factors that should be considered in evaluating the merits of an electoral system. These are variables to be considered in the evaluation process.

- Feasibility—Is a particular voting option workable or would it require disruptive change?
- Effect on voters—Will a particular option promote participation or discourage it? Will voters like it?
- Effect on groups—How will a particular voting option affect parties, election administrators, local governmental units, voters with disabilities, and other groups?
- Cost—Are some options more expensive than others? Will some options save money over the current system?
- Advantages/Disadvantages—Considering the advantages and disadvantages, or pros and cons, of a particular option, what is the balance? Does a particular option have more disadvantages than advantages, or are its advantages so great that its disadvantages are insignificant?

Voting Options

The impetus for the study group was the growing interest in vote by mail and vote centers as two of the most popular voting options. But the group was charged with considering all viable options, not limiting the discussion to these two. Ultimately, six options were considered.

- Vote by Mail—Every registered voter is automatically mailed a ballot every election. Some accommodations must be made in the election office or at selected sites for voters with disabilities in order to comply with the Help America Vote Act, but otherwise there are no election-day polling sites in a pure vote by mail system.

- Vote Centers—Polling places are set up around the county on election day. Voters are not required to vote at an assigned place where they're registered. They can vote at the most convenient site. All ballot styles used in the county must be provided at each vote center. This is done most efficiently using electronic machines, which in most cases have enough memory to hold all ballot styles, or a ballot-on-demand system, where ballots are printed at the time they are requested rather than being pre-printed. Vote centers are usually larger than traditional polling places and serve multiple precincts, so the total number of vote centers usually is smaller than the number of precinct-based polling places.

- Expand Advance Voting—Make advance voting more convenient by implementing ideas such as no-excuse permanent advance voting and incentives for more counties to conduct satellite advance voting. No-excuse permanent advance voting would allow any registered voter to apply to be on a list to automatically receive a ballot by mail each election. Kansas law currently offers this option only to voters with illnesses or disabilities. All counties have the option of establishing satellite advance voting sites. Whether to conduct satellite advance voting and the number and location of the sites are decisions left to the county election officer. Without satellite sites, all in-person advance voting is done at the county election office.

- Telephone Voting—Some states use telephone voting to comply with the HAVA mandate for voters with disabilities. Voters go to a site, record their votes via telephone key pad, and a ballot is printed for scanning or hand-counting. Telephone voting would not necessarily be limited to voting by persons with disabilities; it could be used for all voters, but to date this has not been done on a large scale. Telephone voting requires the acquisition of voting technology in addition to, or in place of, technology currently in use.

- Internet Voting—This is a system of voting via the Internet from voters' personal computers with some type of secure voter verification. Internet voting has been done on a pilot basis by the Department of Defense and some election jurisdictions. Some foreign nations have experimented with this system more than the United States. The technology must allow a voter to submit the ballot electronically and securely while allowing the election official to identify who the voter is without knowing the contents of the ballot. Recent reports suggest the technology exists to do this, but providing it on a widespread basis is expensive and, as yet, unfeasible.

- Status Quo—This option would be a continuation of the present system for the foreseeable future, with polling places on election day and advance voting in person or by mail at the voter's choice. The status quo offers voters with disabilities options of receiving assistance, applying for permanent advance voting status, or voting at the polling place on fully accessible voting equipment in compliance with the Americans with Disabilities Act and HAVA.

Options As Related to Guiding Principles

Having established the five guiding principles, the study group used the principles as the basis for discussion of each of the six voting options. Following is a summary of the group's discussion.

Vote by Mail
Participation—Jurisdictions that use vote by mail claim higher voter turnout.
Accuracy—Election results are generally seen as equally accurate as those produced by other systems. A vote by mail system is not as effective at preventing voter errors as in-person systems.
Security—Security is based on comparison of signatures, which is viewed by some as less secure than voting in person.
Access—Access to the ballot is comparable with other systems, assuming they provide alternative means for voters with disabilities. Vote by mail is very convenient for voters.
Equity—Equity is achieved in a vote by mail system if separate means are provided for voters with disabilities.

The study group thought vote by mail had the potential of increasing participation measurably with no significant loss of accuracy or access. Some members expressed concern about a possible loss of security. Some members thought vote by mail could be tried on an experimental basis in certain counties for local and special elections and expanded if the system proved viable. Some group members favored consideration of using vote by mail as part of a hybrid system with some polling places available on election day.

Vote Centers
Participation—Vote centers promote participation by making voting convenient. Voters can obtain any ballot in any vote center, so they cannot be in the wrong polling place unless they cross county lines.
Accuracy—Accuracy is increased due to the fact that voters cannot be in the wrong polling place. Provisional voting is greatly reduced.
Security—All the safeguards of the traditional polling place are included with vote centers. To the extent that mailed ballots are perceived by some to be less secure than ballots cast in person, vote centers may increase security by decreasing the use of mailed ballots.
Access—Access is promoted to a higher level than traditional polling places because of the convenience voters have of choosing where they vote. They may see it as more convenient to vote during the work day at a site near where they work.
Equity—Vote centers have a high degree of equity. Voters have all the options provided by state law, as well as any pre-election day options such as advance voting.

The study group viewed vote centers as having the potential to increase participation, security and access with no loss of accuracy or equity. Some members favored using vote centers along with early voting to give voters more options. Some members favored expanding advance voting before the election and deploying vote centers on election day.

Expand Advance Voting
Participation—Participation may be expected to increase somewhat by expanding advance voting because it would increase the opportunities using an option that is already popular among voters.
Accuracy—Accuracy would be expected to be the same as under the current system. Advance ballots are counted the same as ballots cast on election day.
Security—Expanding permanent advance voting would appear to some to decrease security because it would increase the number of ballots sent through the mail. Expansion of satellite advance voting, however, would increase security by expanding the proportion of in-person advance votes and decreasing the number of mailed ballots. Thus, an increase in permanent advance voting has an opposite effect on security than does an increase in satellite advance voting.

Access—Expanding advance voting is seen by many to increase access by increasing the options for voters. The fully accessible options for voters with disabilities must be provided at the same time.

Equity—Equity is the same as under the current system because this option provides the same voting options as the current system with expansion of some of the existing options. To the extent some groups are better served by certain options, this system could be seen to enhance equity.

The study group generally viewed this concept favorably, often recommending it as part of a hybrid system with vote centers. A move to vote by mail, however, would reduce the need to expand advance voting. Some expressed concern about decreased security if the number of ballots sent by mail was increased by adoption of no-excuse permanent advance voting.

Telephone Voting

Participation—Participation levels with a telephone voting system would depend on how widely it is deployed. If it is used only for voting by persons with disabilities, participation rates would not rise noticeably. If all voters were offered a telephone voting option without having to travel to a voting site, participation could rise.

Accuracy—As deployed in jurisdictions currently using telephone voting, the system produces a ballot that is counted the same as other ballots. Thus, accuracy is the same.

Security—Jurisdictions currently using telephone voting require voters to travel to a voting site. In such a situation, security may be expected to be the same as other in-person options. If the system allowed voting from remote locations, security enhancements would need to be designed to verify voters' identities.

Access—Access to the ballot is the same with telephone voting as with other options. If the system were deployed to allow telephone voting from home, access would be expanded, but such a system would raise security concerns.

Equity—Telephone voting provides the same equity as current systems. One group is not particularly advantaged over another by it.

The study group spent less time discussing telephone voting than most of the other options. There was no strong support expressed for adopting telephone voting; other options were more preferable among the members of the study group. There is less familiarity with the technology and administration of telephone voting because of the limited use of this option in other states.

Internet Voting

Participation—Internet voting has the potential to significantly increase participation, especially among segments of the population, such as the young, that prefer to conduct transactions electronically.

Accuracy—Preliminary research on Internet voting does not specify the nature of the ballot that would result from using the system. If a traditional ballot is produced, accuracy would be the same as with current systems. If Internet voting were completely electronic from beginning to end, tabulation systems would have to be designed to produce accuracy levels similar to today's. No such system as been designed, tested or certified as yet.

Security—Security is seen as the main weakness of Internet voting by those who question its feasibility. Technology to guarantee security and to accurately verify voters' identities may exist, but it is expensive to deploy and not readily available to the public.

Access—Internet voting would provide wide access, including for many voters with disabilities. For those not adequately served by Internet voting, election officials would need to provide fully accessibility options. For the general public, access could be gained from home or from kiosks in public places.

Equity—Most groups in the voting public would be equally served by an Internet voting option. Those without Internet service would need to be served at public sites.

The study group viewed Internet voting as a viable option sometime in the future with the potential to significantly expand participation and access. There was not a consensus to recommend adoption of Internet voting in the near future due to the limited availability and affordability of the technology and the possible loss of security.

Status Quo

Participation—The current system is generally seen as providing adequate means for participation in compliance with federal and state laws. Participation levels in Kansas compare favorably with those in other states, but there is a perception that levels are too low across the board.

Accuracy—The current system uses technology meeting the accuracy standards of federal guidelines and state laws. It uses equipment that is used in many jurisdictions in other states and produces accuracy levels that are generally viewed as acceptable. One situation that tests the accuracy of voting systems is a recount, and recounts in Kansas rarely reverse the results of elections or significantly change the vote totals.

Security—The voting system currently used in Kansas is generally secure, but some perceive weaknesses in mailed advance ballots. Others see a need for tighter security in the form of voter identification requirements to verify voters' eligibility.

Access—The current system provides access in compliance with federal and state laws. All voters with disabilities may vote independently with the deployment in 2004 of voting equipment required by the Help America Vote Act. Advance voting laws provide options not available in all states, and these options are popular among voters due to the convenience they afford.

Equity—Election officials for the most part see the current system as equitable. There are not widespread criticisms of the system from groups claiming unequal access or denial of the right to vote.

The study group was generally comfortable with the status quo but recognized that improvements can be made. Most members favored keeping some aspects of the status quo but adopting enhancements that would improve participation and access if they could be done without compromising security or accuracy. Establishing vote centers or expanding advance voting would produce systems that closely resemble the status quo. Adopting vote by mail would, however, alter the status quo significantly, and some study group members expressed interest in experimenting with vote by mail on a limited, local basis.

The Vote on Voting Options

Study group members were offered an opportunity to summarize their thoughts and to express their preferences for various voting options by completing a matrix (See Appendix C). Not all members chose to submit a matrix, and some who did submit a matrix did not express an opinion on all options. Still, it is instructive to consider the opinions expressed. The matrix asked respondents to rank each option 1 to 5, with 1 being most favorable and 5 least favorable. Here are the composite scores:

Expansion of Advance Voting	2.50
Vote by Mail	2.55
Status Quo	2.66
Vote Centers	2.87
Telephone Voting	3.37
Internet Voting	4.22

Section 4: Conclusions

The study group's discussions did not result in a strong consensus on a single voting option as being the best for Kansas. In fact, nearly every member agreed that it is unlikely that a single voting option is best for the state. Hybrid systems that blend two or more methods were generally seen as preferable because they provide more options for voters.

There were certain ideas that were prevalent and with which most group members agreed:

- Change is coming whether we cause it or not. We need to embrace change and shape it to fit the needs of the voting public. Any voting system must be designed to be flexible enough to accommodate change.
- Technology will be part of the future. Technology is an increasingly important part of everyday modern life, and elections are no exception. The younger generation expects to carry out normal daily processes using computers, cell phones and other technology, and it carries this expectation over to its transactions with the government, including the electoral process.
- We need to increase participation. Voting levels in the United States generally do not compare well with other modern democracies, and most comparisons are done using general elections held in November of even-numbered years. When one looks at local elections and special elections, turnout in the single digit or low double digit percentages is common. Important decisions are made in these elections and too small a proportion of the electorate is making them.
- We need to guarantee security. Voters must be prevented from voting more than once or voting for others. Failure to provide adequate security dilutes the efficacy of individuals' votes and decreases public confidence in the electoral process. There is a constant need to balance security with access. The greater the access, the harder it is to guarantee security of the vote, and vice versa.
- Voting in the future probably will be a hybrid of more than one voting option. One method does not serve all voters equally. Most states' voting systems today offer more than one method for voters to choose from, and the demand for multiple options can be expected to continue in the future.

Following is a list of hybrid voting systems proposed and supported by one or more members of the study group:

- A two-week period of early (advance) voting with election-day voting.
- Advance voting and vote by mail.
- Several satellite advance voting sites and vote by mail.
- Vote by mail with several polling sites on election day.
- Unrestricted (no-excuse) permanent advance voting, in-person advance voting and a smaller number of election-day polling sites.
- Increased in-person advance voting, mostly through increased used of satellite advance voting, with some election-day polling sites.

Observations

At the conclusion of the study group's final meeting, Secretary of State Ron Thornburgh assessed the nature and direction of the discussions. The main question is: Where do we go from here? Kansas

has an orderly election process, based on sound laws, that provides many opportunities for voters to register and to participate if they wish to do so. Access to the vote has been expanded and simplified in several important ways in the past fifteen years, but that does not mean the task is finished. Those involved in elections, whether administrators, candidates, parties or interest groups, and those who observe and study the process must keep pushing forward, looking for ways to expand the electorate and, more important, motivate it.

Through many years of experience in election administration, the critical balance between access and security, as identified and discussed by the study group, remains the overarching consideration and the measure for any proposed new voting plan.

The study group has served the process by enumerating and defining key concepts to guide future discussions: five guiding principles, five factors to consider in evaluating systems, and six viable voting options. If nothing else comes from the study group's deliberations, these concepts provide the context in which new ideas and proposals should be considered in the future.

It is a fact that technology is part of the process, and it is a given that the use of technology will grow. Technology is geared to increase efficiency, but we must be sure that the efficiency we achieve is what we actually want. For instance, electronic voting machines are efficient in eliminating voter errors and in tabulating votes quickly, but they may not be the most efficient in overall cost or the time voters spend recording their votes.

We must strive in this and every other aspect of election administration to find cost efficiencies and voter opportunities while preserving security. Technology must be managed so as to produce that.

Recognizing that increased participation is a major goal of many who advocate for electoral reform, we must recognize that after the government does all it can do—writing laws, designing procedures, expanding opportunities, conducting outreach programs—nothing increases participation like competitive races between attractive and viable candidates. There is, and there always will be, an important role for non-governmental entities—candidates, parties, interest groups and other stakeholders—in producing the results for which we all strive.

The work of the study group will guide discussions of elections in Kansas for years to come. While we have not identified the perfect voting system to be used twenty years from now, the ideas, agreements and disagreements highlighted by the members will guide the discussions for the next twenty years. The members of the study group are to be commended for contributing their time and efforts to the cause. They have served the state of Kansas well, now and into the future.

Appendix A

Study Group Members

Local Government	
Kansas Association of Counties	Dennis Kriesel, Melissa Wangemann
League of Kansas Municipalities	Moji Fanimokun
Kansas Association of School Boards	Jim Edwards
Riley County	Bob Newsome

Election Offices	
Seward County Election Office	Stacia Long
Sumner County Election Office	Shane Shields
Cowley County Election Office	Karen Defore
Johnson County Election Office	Brian Newby

Academics	
Washburn University	Bob Beatty
Kansas State University	Joe Aistrup
Reed College, Oregon	Paul Gronke

Political Parties	
Kansas Republican Party	Kris Kobach
Kansas Democratic Party	Lawrence Gates, Kenny Johnston
Kansas Libertarian Party	Rob Hodgkinson

Disabilities Organizations	
Kansas Commission on Disability Concerns	Martha Gabehart
Kansas ADA Coordinator	Anthony Fadale
Kansas Association for the Blind and Visually Impaired	Michael Byington

Political Consulting	
Consultant	Earl Glynn

Secretary of State's office
Ron Thornburgh, Secretary of State
Brad Bryant, State Election Director
Bryan Caskey, Administrative Assistant

Appendix B

Agendas

AGENDA—Meeting #1
January 23, 2009

1. Welcome and Introductions   Ron Thornburgh
   Opening Remarks

2. Background and Purpose   Brad Bryant
   Research Materials

3. Overview of Convenience Voting   Paul Gronke

4. Discussion

5. Next Meeting

AGENDA—Meeting #2
February 20, 2009

1. Welcome

2. Research Materials

3. Options for Consideration
   Vote By Mail
   Vote Centers
   Telephone Voting
   Expansion of Advance Voting
   Internet Voting
   Status Quo

4. Discussion
   Feasibility
   Effect on Voters
   Effect on Groups Represented on Study Group
   Cost
   Advantages / Disadvantages

5. Next Meeting

AGENDA—Meeting #3
April 17, 2009

1. Welcome

2. Review
   Summary of Meeting #2
   Five Guiding Principles
   Five Factors to Consider
   Six Voting Options

3. Riley County Information
   Rich Vargo, Riley County Clerk

4. Discuss the Options
   Proponents
   Opponents
   Matrices

5. Conclusion

Appendix C

Matrix

This matrix was provided to study group members as an optional tool for organizing their thoughts about various voting options. Members were invited to submit their completed matrices for consideration by the group.

Study Group on the Future of Elections in Kansas
Rank each 1 - 5. 1 is high, 5 is low.
Factors: Feasibility, effect on voters, effect on group represented, cost, balance of advantages/ disadvantages, access, security

Option	Rank	Advantages	Disadvantages	Notes
Vote By Mail				
Vote Centers				
Expand Advance Voting				
Telephone Voting				
Internet Voting				
Status Quo				

Appendix D

Discussion Comments

In fifteen hours of discussion by the study group, many ideas were brought up, sometimes resulting in agreement and sometimes not. But throughout the discussion some statements were made and questions were asked that moved the discussion forward and exemplified the nature of the conversation. Reading the comments gives one an understanding of how the group progressed through its work.

Key Questions Posed by Members

Question: Think about the situation in reverse. What if we had another system (vote by mail, vote centers, etc.) and were considering adopting our current system? Would we do that?

Question: What if we had no system? What system would we build if we were building from scratch?

Question: Recent local elections had turnout ranging from 9% to 25%. Is that a crisis or just the way things are? If we think 9% turnout is a crisis, then we need the will to make changes.

General Comments

Advance voting (AV) and other forms of convenience voting do not necessarily increase turnout. They make it more convenient for those who are already likely to vote.

A hybrid system is most likely the best. No single system is adequate.

Each option has its own difficulties. By switching, one is trading one set of problems for another. As a state, we need to balance the benefits of each and decide after carefully weighing advantages and disadvantages of each.

The system should offer approximately the same costs and benefits to each voter. One type of voter's costs of participation should not be significantly greater than another's.

Vote by mail and other options can have a greater impact on increasing turnout in local elections than in national/state elections.

No single system can reliably produce the greatest turnout. The biggest factor in turnout is competitive elections.

Turnout will not increase dramatically unless and until voters think their votes make a difference.

We need to find incentives to drive voters to the polls.

The plan should be less about the mechanism of collecting votes and more about how to engage voters in the process.

One administrative change that seems to increase turnout is election day registration.

Besides changing the method of voting to improve participation, we should look at other factors such as candidates, parties, the date of the election, and others.

Some voters will continue to want to vote from home in the future. Internet voting might be the best alternative if it's secure. At present, biometric identification is the only way to provide adequate security.

Voting from home takes away the civic aspect of voting on election day. American society has lost many civic aspects of life. We should be careful about taking away election day voting.

Security of the vote must be considered in any option. The weak link in our current system is mailed ballots. The election officer loses control of the ballot when mailing it out. Vote by mail would expand the least secure aspect of the process.

Security versus access is a constant balancing act. The most accessible system is the least secure, and vice versa.

Security is a legitimate concern. Whether there is fraud or not, there is at least a perception of fraud. This must be minimized. Systems that don't allow fully independent voting by voters with disabilities increase the perception of fraud and/or coercion.

Laws should provide counties the option to experiment with reforms such as vote by mail. If successful in increasing turnout, stay with it. If not, try something else. We might make some mistakes, but we would learn from them and eventually design a good system.

Let counties choose their method of voting. When counties use various methods, it will demonstrate which methods produce the greatest benefits.

We should set up a pilot program. Pick an election, let counties try a new option, and study the results.

Local option may be challenged on the basis of equal protection of the law.

We need consistency across the state. All counties should conduct elections the same way.

Opposition to county option is hard to understand. If it's a slippery slope, we're already on it. We're seeing growth in advance voting already that is pushing us in that direction.

Counties already have some options in election administration. Examples: whether to conduct satellite advance voting, the date for the onset of in-person advance voting.

County options and county input were effective in designing the plan for implementing the Help America Vote Act in Kansas. It would make sense to use the same approach for election reform.

An incremental approach is best.

The state should pay counties to expand satellite advance voting as an incentive to make changes that might improve participation.

Many voters like the status quo. People think our elections are run well. A road map for the future is already developing with increases in advance voting. If advance voting continues to increase, consider adoption of vote by mail, but not now. We're on a good path.

The current system is good for the next fifteen to twenty years.

Vote by mail is an archaic idea and an antiquated solution to future problems. People don't use the postal service to conduct their business as much as they once did. If we adopt vote by mail, we'll be back in five years discussing how to improve it.

A move to vote by mail might not be good. It's possible we will evolve to it in the next fifteen years.

The state legislature should fund a study to decide if we have a fraud problem or not.

The key consideration is participation. We should study the options, decide which would produce the greatest turnout, and implement it.

Our discussion of voting in the future should not put limits on the future twenty years from now. Future generations should make their own decisions.

Technology will be part of any solution in the future. We can't conceive today how technology will look years from now. Our system must allow new ideas and technology.

Military and overseas voting could be a testing ground for the effective use of cutting-edge technology, such as Internet voting.

We should embrace change and be in the forefront. People will adapt to change. We must lead and get people used to change. If we start making small changes now, people will be more accepting of larger changes later. The result will be the empowerment of voters.