

Issues to Consider Before Moving Odd Year Elections to Even Years

Presented to the Senate Ethics, Elections and Local Government Committee

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1. **The length of ballots.** Most Counties will not be able to place all their races on the front and back of one ballot. Counties that are required to have ballots in other languages will have more problems with this than other counties. Unless legislation is also passed that reduces the number of items that need to be placed on ballots, most voters will receive two ballots. More than one ballot will make it easier to have mistakes when handing ballots to voters and there will be many voters that will not vote the second ballot due to a lack of time or a lack of interest in the races.

Every page of a ballot is counted by the voting machine as a separate ballot. The entry of multiple ballot pages into a voting machine makes obtaining an accurate machine count of ballots cast a virtual impossibility. While logically, it should be a simple multiple of the number of ballot pages, it has been our experience that this is never the case. The extra pages get pocketed or trashed and never make it to the voting machine (optical scan reader). Some voters will choose to skip a second or third page of a ballot. They may or may not turn it in. Many voters in a Presidential election year are only interested in voting the Presidential race and leave the rest of the ballot(s) blank. A multi-page ballot exacerbates the under-vote problem.

Voters are limited by law (KSA 25-2901) to no more than 5 minutes in a voting booth. Lengthy ballots, and especially multi-page ballots, virtually guarantee election day problems for voters who choose to read and vote every race or question on a ballot. With a multi-page ballot, it will not be possible for many voters to get through the ballot in the time allotted. Many of the waiting lines in the November 2012 election were caused by the lengthy constitutional question which took up the entire back of an 18-inch long ballot. An 18-inch ballot is the longest ballot which can be read by an optical scan reader. As a matter of practicality, lengthy ballots increase the likelihood of under-votes and over-votes, as voter confusion is increased.

2. **Mixture of partisan and non-partisan ballots at the primary.** The way the primary is currently set up, we could have some primaries for non-partisan races at the same time as the primaries for the partisan races. This would require separate ballots for the partisan and non-partisan races or the

partisan ballots could also have the non-partisan races included on them. The number of races and candidates could easily make it necessary to have two page ballots for the primary. The party affiliation rules also contribute to confusion at these elections.

An August Primary is a party election with rules for voting of ballots set by the 2 major political parties. Non-partisan races or questions always require a separate ballot to make available a ballot to any voters not affiliated with one of the two major parties. With party rules, there is already substantial confusion about which voters get which ballot. Adding a non-partisan ballot further complicates the confusion. The confusion is not limited to voters. Many election workers already have difficulty understanding the rules.

With the growing complexity of elections, fewer persons are willing to volunteer or even be a paid volunteer to work an election. Most election workers are paid less than minimum wage. There is too little time for adequate training, which is also not adequately funded by most counties.

Voters will not understand why some races are non-partisan. It will also be confusing to have many races that allow voters to vote for multiple candidates (some school district and city contests) alongside the traditional partisan elections that allow for only one choice. Combining partisan and non-partisan races in the same election increases the dissatisfaction of partisan voters who demand to know the party affiliation of every candidate.

3. **Necessity of other public elections.** Many cities, school districts and other public entities also use the odd year elections as a vehicle to put sales tax issues, bond issues and other issues that require an election to a public vote without holding a separate election. These issues, which may still require an election in the odd years, will still be paid for with public funds.

With elections scheduled in every calendar year, local jurisdictions have a more regular opportunity to present issues to voters in conjunction with a scheduled election. The elimination of odd-year scheduled elections virtually guarantees an increase in the number of special elections which will become necessary.

For example, if a school district missed the opportunity to place a bond issue on an even-numbered year ballot, they would have to wait as much as two years before they could bring the issue to voters without asking for and paying for a special election. Rather than saving money, the special elections are conducted at considerable expense with only the direct election expenses being a reimbursable cost to the county.

4. **Ballot printing problems.** With the additional amount of printing for ballots and the additional races and candidates that will need to be included in the programming of ballots, the turnaround for ballots will be longer and it will be even more difficult to meet UOCAVA deadlines.

Pushing all elections to even-numbered years merely shifts all of the costs associated with ballot design, programming and printing into one year rather than being able to spread the cost over two years.

Lead times for ballot printing will increase making it considerably more difficult to have printed ballots available prior to the 45-days-prior ballot mailing deadline for UOCAVA voters.

In some years, the filing deadlines and election schedules already make it impossible to meet the federal (UOCAVA) voter ballot deadline or to even have a candidate list from which to design a ballot. With redistricting every 10 years, this virtually guarantees we will have a situation like we had in 2012 where redistricting decisions were made and the necessary changes made to the affected databases that took us past the deadline. Federal UOCAVA voters then get a ballot under construction rather than a final ballot. This creates an unfair voting situation for UOCAVA voters.

5. **Additional races and issues.** The addition of many more candidates and races into an election cycle will make it even more difficult to sort out all the issues and candidates. Scheduling for forums and debates will become more cluttered. The amount of yard signs will be massive. With additional races will also come additional write in votes which will require additional write in boards and more hours of work.

The additional races and candidates means that state and federal office candidates will be filing with the Secretary of State while simultaneously, large numbers of candidates are filing with their county election officer for local offices. These local filings, appointments of campaign treasurers, the filing of Statements of Substantial Interest and other campaign finance issues will occur at a time when the county election office is least able to provide an appropriate and expected level of assistance to local candidates.

Local candidates receive a candidate packet containing the most current information possible about filing, campaign finance, running a campaign, a code of ethics, appointment of poll agents and other information. A federal election year is just too busy to devote the time to the assembly of local candidate

packets. This increases the likelihood that some packets will be incomplete or will be missing the most current information.

6. **Cost Savings.** We may save some money in the odd numbered years, but in the even numbered years we will spend a lot more than we are currently spending because we will have more printing and ballot costs and probably some other additional costs. This will cause our budgets for elections to fluctuate even more from one year to the next and make that harder to manage.

This change will primarily shift expenses from one year to the next instead of actually saving money. If anything, the complexities of the resulting elections will operate to radically increase the net cost. In fact, the costs of conducting elections continue to increase to keep up with legislative changes, paying election workers, and the major costs which will be associated with training workers who are only exposed to election requirements just every 2 years. Even with elections annually, there is already a significant decay of election knowledge from year to year which will be exacerbated by election worker recruiting and retention issues.

Consistent annual elections help county election officers to maintain some degree of continuity from election to election. Making the gap two years, virtually assures that each election year we will be starting from scratch to recruit and train election workers. It will be very difficult to maintain any sort of continuity from election to election when the time between elections is so great.

The proposal to push all elections to even-numbered years, ignores the prerogatives of some local jurisdictions according to their charter. For example, the rules established that govern the conduct of the number of candidates necessary before there is a nonpartisan primary does not apply to a local government organized under a charter which says otherwise.

7. **Budget Considerations.** The actual cost-savings realized by shifting elections to even-numbered years is difficult to calculate. If anything, it will become more difficult to make sure elections are adequately funded. This puts county election offices on a feast-or-famine budget schedule with radically different budgets for even- or odd-numbered years. Under the guise of cost savings, even-numbered year budgets will be underfunded and odd-numbered year budgets will be underfunded adversely affecting the ability of the county election officer to conduct special elections. Special elections only require as much as 60-120 days advance notice. It is impossible to predict in the budget

planning cycle just how many special elections will be done. There may be none or there could be many.

Having a minimum of two elections scheduled in every calendar year facilitates good budget planning because costs are fairly balanced in each year. Even though odd-numbered year election costs may be somewhat smaller than even-numbered year elections, a consistent budget gives county election officers the opportunity to focus on equipment maintenance and modernization or other issues during odd-numbered years.

