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155 SOUTH SEWARD STREET
JUNEAU, ALASKA 99801

January 27, 1994

Mr. Tom Anderson
The Office of Representative Terry Martin
Alaska State Legislature
State Capitol
Juneau, Alaska 99811

Dear Tom:

It was a pleasure to have the opportunity to meet with you about CS for House Bill No. 49 (STA).

Concern had apparently been raised that House Bill 49 would apply to municipal elections as well as state elections. In reviewing the bill, it applies only to Title 15, which is the State Election Code. Municipal election requirements are contained in Title 29 of Alaska Statutes. Municipalities generally adopt their own election ordinances and may pattern their election codes after State Statutes, however, there are no requirements for municipalities to adopt the State Code.

The City and Borough of Juneau revised its own election code about two years ago and now allows voters to request an absentee ballot by facsimile. The facsimile application must be received no later than five days before the date of the election. Our experience with the facsimile application is that it works well and voters have been pleased to have it as an option. At the time that the Assembly considered revisions to the City and Borough's election code, the facsimile transaction of ballots to the voters and of ballots returned from the voters was considered but not adopted.

If I may be of assistance or provide additional information, please do not hesitate to contact me.

Sincerely,

Patty A. Holley
Patty Ann Holley, CMC
Municipal Clerk

PAP:etp

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DIVISION OF ELECTIONS
P.O. BOX AF
JUNEAU, ALASKA 99811-0105
PHONE (907) 465-4611

Position Paper
CS For House Bill No. 49 (STA)

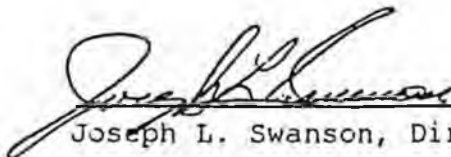
Section 1 of the bill finds that it would be beneficial for the Division of Elections to receive and to send by electronic transmission applications for absentee-by-mail ballots to qualified voters living outside of Alaska. The Division strongly supports this proposal. Currently, voters may request an application by mail, in person, or by phone (and fax), but the Division sends the application to the voter by mail. The voter then mails in the application. The Division then mails the ballot, and the voter returns it by mail. Using electronic transmission would allow the Division to fax the application to the voter and the voter to fax the completed application to the Division, thus saving considerable time, especially in areas not served by regular or frequent mail service. Speeding up the process would also reduce the possibility that the voter would fail to receive and execute an absentee ballot in a timely fashion to allow it to be counted.

Section 2 of the bill allows the Division to deliver and receive absentee ballots by electronic transmission. The Division supports the concept of utilizing electronic transmission to speed the process of absentee voting, but has reservations about the ability to maintain the confidentiality of the vote.

Section 3 allows for voters residing outside the United States to apply by electronic transmission for an absentee ballot. As stated above, the Division strongly supports this proposal.

Section 4 changes the date by which an application must be received by the Division from four to a requirement that the application be postmarked not less than seven days before the election. The Division is neutral on this section, but expresses a concern that, regardless of the postmark, an application cannot be processed until received. This section would require the Division to process applications regardless of the day of receipt, so long as the postmark is timely.

Section 5 allows the Division to send absentee ballots by electronic transmission. The Division supports the concept, as stated above. Sections 6-9 are miscellaneous adjustments supporting the addition of electronic transmission, and do not require specific comment.



Joseph L. Swanson, Director

ELECTIVE DISTRICT 14
ELMENDORF A.F.B.
EAST ANCHORAGE
GOVERNMENT HILL

REP. TERRY MARTIN

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DURING SESSION
P.O. BOX V
STATE CAPITOL BUILDING
JUNEAU, AK 99811
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Alaska House of Representatives

SPONSOR SUMMARY

CSHB 49 (STA)

An Act relating to absentee voting by electronic transmission.

Per a request by the Secretary of Defense, Federal Voting Assistance Program Director Phyllis J. Taylor, I requested LAA Legal Services to draft HB 49. With new committee changes resulting in CSHB 49 (STA), the intent is to allow residents of Alaska, outside the U.S., the opportunity to vote by electronic transmission (fax), if they prefer.

Need for Legislation

In consideration of the 1990 Desert Storm conflict, the difficulty in sending and receiving ballots from outside the U.S. has escalated through failures in our postal system, electoral regulation changes and misunderstanding by voters. With regards to the military, reports reveal that there are 26,281 Alaska residents serving in the Armed Forces alone, with over 19,000 spouses and dependents of voting age, and almost 5,750 residents not affiliated with the federal government, but eligible to vote in Alaska. These figures do not include all other Alaskan residents who vote out of state by absentee. In total, a good proportion of these absentee voters are outside of the United States and find the absentee voting process to have problems when mail service is the only means to apply and vote in an Alaskan election.

The national trend is to expand voting practices and allow those individual voting absentee the most expeditious means by which they can cast their ballot. In terms of Alaska's requirements, there is a 36-45 day ballot transmission time. Ballots are mailed 21-30 days before the election. Marked ballots mailed by voters within the United States will be counted if postmarked by the day of the election and if received by the Division of Elections by the tenth day following the election. Ballots returned by voters outside the United States must be received by

the Division of Elections by the fifteenth day following the election. Alaska also provides a Special Write-in Absentee Ballot, which is available 60 days before the election.

The purpose of CSHB 49 (STA) is to decrease lost, delayed, or denied absentee ballots from overseas (and in the U.S., in specific cases). The use of electronic transmission maintains confidentiality, while at the same time, is fast and efficient. In essence, it expands the use of alternative voting procedures which might otherwise disenfranchise an Alaskan resident voting absentee. In other states, such as Montana, the use of facsimile machines for absentee voting has been integrated into statute. Through a set of specific guidelines and a regulated procedure established in CSHB 49 (STA), those voters outside of the United States, unable to return to Alaska during a federal or state election, would also be afforded the opportunity to cast their vote via electronic transmission.

PRIMARY CHANGES IN THE LAW:

1. CSHB 49 (STA) categorizes three types of absentee voter and the corresponding requirements to vote absentee:

(1) **OUTSIDE THE U.S.** - Will be allowed to request an application and upon receipt from the Division of Elections (by mail), may send by electronic transmission the completed application. The division will then fax by electronic transmission the ballot and the absentee voter may return the marked ballot by fax to the division, but it must be returned by the close of the polls in the evening of the election.

(2) **OUTSIDE ALASKA (IN U.S.)** - Will be faxed a ballot on the occurrence that an application for an absentee ballot is received less than 7 days prior to the election by the Division of Elections (but postmarked prior to the 7th day before the election). The director will determine if the ballot may be faxed. If faxing the ballot is allowed, upon receipt and completion the absentee-voter must send the marked ballot to the Division of Elections by mail and it must be postmarked by the day of the election.

(3) **IN ALASKA** - No change. The absentee voter will be allowed to participate through the in-state absentee voter process which is very accommodating as the law exists today (e.g., the division provides in-person absentee voting at absentee voting stations throughout Alaska).

2. The bill requires the absentee voter, upon completion of the ballot, to accompany it with a statement, under oath, witnessed by: a commissioned or non-commissioned officer of the Armed Forces of the U.S., an official authorized by federal law or Alaskan law to administer an oath, or two United States citizens.

3. Finally, as noted, the bill changes the time period for the request of the delivery of an absentee ballot application from four (4) days prior to the election to seven (7) prior to the election.

The remainder of the changes are for clarity between mailing and faxing absentee applications and ballots.

ELECTIVE DISTRICT 14
ELMENDORF A.F.B.
EAST ANCHORAGE
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Alaska House of Representatives

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SECTIONAL ANALYSIS

CSHB 49 (STA)

An Act relating to absentee voting by electronic transmission.

Section 1.

- (1) References the untimely delivery and receipt of absentee ballots due to mailing and distance delivery problems.
- (2) Confirms that international postal service can be unreliable, other than for military personnel.
- (3) Notes that the use of electronic transmission would be an expeditious method of sending absentee ballots.
- (4) Promotes the use of electronic transmission in Alaska and clarifies the purpose of HB49 as allowing:
 - (b) (1) Voters outside of the United States to receive an absentee ballot by electronic transmission providing adequate security and secrecy exists.
 - (2) Voters outside the state, in the U.S., under time constraints, to have a ballot delivered providing adequate security and secrecy exists.
- (c) Maintains that the in-state absentee voting process will not be altered.

Section 2.

Adds a new section on voting by electronic transmission:

- (a) Allows for transmission of ballot to absentee voter outside of U.S.
 - (1) Requires the voter to continue complying with time deadlines.

- (2) Ensures accuracy and secrecy.
- (b) Requires statement of identification under oath, witnessed by:
- (1) Commissioned/non-commissioned officer of the Armed Forces in the U.S.
 - (2) Official of federal government or Alaska that can administer oaths.
 - (3) Two United States citizens.

Section 3.

Allows an absentee voter outside of the U.S. to apply for an absentee ballot by electronic transmission and requires the inclusion of the fax number in use.

Section 4.

Requires the request for the delivery of an absentee ballot to be postmarked or faxed not less than seven (7) days before the election. Prohibits the use of electronic transmission for voter registration.

Section 5.

States that the director of elections shall send the absentee ballot/materials by priority mail, unless the absentee voter resides outside of the U.S. and requests the delivery by electronic transmission. In addition, if an individual outside of Alaska, but residing inside the U.S., mails the request in the allotted time and the director concludes that the ballot's distribution may be delayed through mail, the use of electronic transmission may be utilized by elections, but the marked ballot must be returned by mail.

Section 6.

Requires the absentee ballot, whether mailed or faxed, to be postmarked (or faxed), by the close of the election day.

Section 7.

Adds that those who use electronic transmission must also be included on the division's absentee list of voters in the state.

Section 8.

States that the use of electronic transmission is not applicable in the use of the federal write-in absentee ballot for overseas voters (which involves a blank ballot with the list of candidates if certification has not occurred).

Section 9.

Allows the absentee voter to write-in candidates on the ballot if the wrong ballot is sent, but the candidates written in must be eligible.

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. HB 49

Revision Date: December 22, 1993
Title: Absentee Balloting by FAX
Sponsor: Representative Martin
Requestor: _____

Department Affected: Office of the Governor
BRU: Division of Elections
Component: Primary and General
COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL	7.8	0	7.8	0	7.8	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	20.0	0	20.0	0	20.0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	3.4	0	0	0	0	0
LAND &	0	0	0	0	0	0
GRANTS,	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL	31.2	0	27.8	0	27.8	0

CAPITAL	0	0	0	0	0	0
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REVENUE						
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FUNDING:

1002 Federal	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	31.2	0	27.8	0	27.8	0
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	31.2	0	27.8	0	27.8	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	1	0	1	0	1	0

Estimate of current year (FY94) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Joseph L. Swanson, Director
Division: Division of Elections

Phone: 465-4611
Date: 12/29/93

Approved by Commissioner: John B. Coghill, Lieutenant Governor
Agency: Office of the Governor

Date: 1-2-94

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Bush Victory?

Noted forecaster Marvin Cetron, president of Forecasting International, was on the mark earlier this year when he predicted in *Washington Watch* that Bill Clinton would be the Democratic Presidential nominee because the party wanted a moderate who wouldn't lose the South to the Republicans.

Now Cetron looks at the presidential race.

Clinton's big issue is the economy, but Cetron insists it will work to the President's advantage. Although unemployment is around 8 percent, Cetron thinks most voters will look on the bright side—92 percent are working. Moreover, he says, inflation and interest rates are very low, the housing market is picking up, and the American people are leery of the Democratic Party tax and spending programs.

The economy plus other issues such as integrity and law and order add up to a George Bush victory Nov. 3, Cetron says. He predicts a small Bush win in the popular vote but a big victory in the Electoral College. Cetron, a Democrat, made this prediction back in August when Bush was 10 to 15 points behind Clinton in the polls.

Cetron also sees many new people in Congress—including more women—but no basic difference in the ratio of Democrats and Republicans.

Marines Vs. Cruise

Actor Tom Cruise didn't impress Marine Corps hard-liners with his portrayal of an alienated, disabled Vietnam vet in "Born on the Fourth of July," and his new film, "A Few Good Men," won't repair the damage. Coming this Christmas and co-starring Jack Nicholson, the movie is an adaptation of the stage play about a disciplinary action that results in the death of a young Marine.

New Russian Power

Experts say the new man to watch in Russia is Arkady Volsky, president of the Russian Union of Industrialists, who may join with Vice President Alexander Rutskoy in challenging President Boris Yeltsin's already tenuous authority. Volsky and Rutskoy are

Washington-based Cliff Kincaid writes for Human Events and other publications.



WASHINGTON WATCH

By Cliff Kincaid

partners in the Civic Union, representing the old Soviet military-industrial complex.

Meanwhile, the industry-based U.S. Space Transportation Association is warning that U.S. government plans to buy Russian space-launch hardware and technology could be damaging to American aerospace firms. The group says that Russian engineers and technicians may get jobs that belong to Americans.

New Defense Post

The Bush administration is expected to go along with a Congressional proposal to re-establish the office of Deputy Secretary of Defense for Equal Opportunity, a position used during the Carter years to promote expanded roles for women in the military. The office was dismantled under Ronald Reagan.

A Hit At Cheney

President Bush may have removed an embarrassing reference from the GOP platform that his 1990 tax hike was a "mistake." But his convention managers missed a subtle swipe at Defense Secretary Dick Cheney for not stopping the sales of so-called adult magazines such as *Playboy* and *Penthouse* at military bases. The plat-

form denounced unnamed "federal agencies" that refuse to "halt the sale, under government auspices, of pornographic materials." Some anti-porno activists think these magazines are related to harassment of women.

Iraq-gate

Attorney General William Barr's refusal to appoint a special prosecutor in Iraq-gate is expected to heat up considerably the charges that the Bush administration illegally assisted Iraq's military buildup before the Persian Gulf War.

The administration says that key congressmen approved the policy and that charges of illegality are too vague to take seriously. But with congressional leaders continuing to demand classified documents about U.S.-Iraq relations, the administration is counting on CIA director Robert Gates to publicly make the case that Congress can't be trusted because it has already publicized secret information dealing with Iraq's nuclear weapons development.

The Military Vote

DoD says that 200,000 military personnel who tried to vote in the 1988 presidential election were unable to do so because they received their absentee ballots too late or not at all. The problems are mainly delays in printing and mailing absentee ballots. But thanks to a group of volunteers led by Navy Reserve Commander Samuel F. Wright, that figure could decline dramatically this year. His "Wrighteous" campaign has resulted in 45 states making improvements in their election laws to accommodate military personnel. Some politicians believe these votes go heavily Republican.

Impeach Thomas?

Lawyers with the radical Center for Constitutional Rights are promoting a campaign to impeach Supreme Court Justice Clarence Thomas. They claim that Thomas, who has voted consistently conservative in his first term on the court, deliberately misled the Senate when he testified during his confirmation hearings that he had no ideological agenda. But political observers don't expect more than a few congressional liberals to join the campaign. □

VOTING INFORMATION

Prepared by: Federal Voting Assistance Program, Office of the Secretary of Defense, Pentagon, Washington, D.C. 20301-1155



NUMBER:

#109

DATE:

December 17, 1992

Absentee Votes Made a Difference

The Federal Voting Assistance Program (FVAP) announced that absentee votes, including those cast by persons covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), played an important role in several contests around the nation. The FVAP handled over 6,000 calls relating to the absentee voting process from February to November 1992. A look at some of the close races throughout the country clearly shows that a few votes can make the difference in determining the outcome of any election.

In the November 24 Fowler-Coverdell runoff race for U.S. Senate in Georgia, Republican Paul Coverdell ousted incumbent Democrat Wyche Fowler with 634,208 ballots cast in his favor versus 617,283 for his opponent, a difference of only 16,925 in this statewide race. Because voter turn-out was only 39% for this election and because absentee voters who had requested ballots for the November 3 election were automatically sent ballots for the November 24 election, the absentee vote had a significant impact on the outcome of this race.

Similarly, the absentee vote swung the course of the race for U.S. House of Representatives in the 43rd District in Riverside county, California and was a critical factor in deciding a winner between front runners Mark Takano (D) and Kenneth Calvert (R). Before Saturday, November 7, 1992, Takano was ahead of Republican Kenneth Calvert by 1,234 votes. Following the tallying of absentee votes and a recount of all ballots cast, however, Calvert overtook Takano by a 519 vote margin. A total of 31,803 absentee ballots were cast in Riverside county, equivalent to 21% of all ballots cast.

The absentee vote accounted for 22% of the vote cast also in the race for the Golden State's 19th Congressional district seat between front runners Rick Lehman (D), an incumbent, and Republican challenger Tai Cloud (R). Lehman defeated Cloud by 1,030 votes, or 43.22% of the vote. Challenges from Dorothy Wells of the Peace and Freedom party and write-in candidate James Williams, Jr. prevented either front runner from obtaining an absolute majority of the vote.

In the race for the 11th District's Congressional seat in northern California's Sacramento and San Joaquin counties, freshman Republican Congressman Richard Pombo was victorious over Democrat Patricia Garamendi with 45.11% to 43.24% of the vote cast. As in the District 19 race, Libertarian Christine Roberts' 6.45% of the vote prevented either Pombo or Garamendi from obtaining an absolute majority of the vote cast. Absentee ballots cast in Sacramento county alone accounted for 18% of the total vote or 6,991 ballots out of a total 38,358 ballots cast in that county.

In the state of Washington's 4th Congressional district race between Democratic challenger Jay Inslee and incumbent Republican Richard Hasting, absentee ballots accounted for five percent of the 176,369 votes cast. While at first glance this may seem an insignificant figure, Inslee's two percent victory margin make the absentee vote a powerful force in determining the outcome of this race.

In Nevada, absentee ballots from 122 members of the Armed Forces and citizens overseas determined the outcome of the State Senate race in the eighth district which includes Las Vegas. Before the absentee votes were received, twenty-four votes separated Republican Mark James with 20,709 votes from Democrat Sandi Krenzer who was trailing with 20,685 ballots cast in her favor. When the absentee votes were counted November 17, James won by a 32 vote margin. Not only did these absentee voters determine the outcome of the James-Krenzer race, they also gave the Republican party the majority in the State Senate. Prior to this date, Republicans and Democrats had held ten seats each in the twenty-one member Senate.

INSIDE THE BELTWAY

Getting out the fax

Just as many recipients were about to declare Fax the biggest threat to sanity and human progress, what with unsolicited press releases and 27-page dissertations on Indonesian pottery overheating the machine, along comes someone with a socially redeeming value for the thing: "Vote by Fax."

The system, provided to the Pentagon by Election Technology Co. of Raleigh, N.C., will enable U.S. forces in Operation Desert Shield to vote in local, state and federal elections next month. Absentee ballots, provided by the GI's election board back home, will be faxed over to Saudi Arabia in a matter of minutes. The men and women fill out their ballots and either mail them back or, if they don't mind everyone along the way looking, can fax them back to election officials.

Ed Weems Jr., president of ETC, said 30 states and the District have already made use of "Vote by Fax" to send ballots over to the desert, and he expects the system eventually will be used by about 5,000 of the 200,000 troops there.

Lighten up

More than a dozen Republican members of the House crawled off to the Republican Cloak Room to try to unfrizzle themselves after too long a dose of Democrats debating the budget and taxes and how to spend more money. They have a television set with a VCR in there and amused themselves watching reruns of "12 O'Clock High." That's the series that Rep. Bob Dornan, back in his acting days, starred in as a co-pilot. In fact, as we hear it, Mr. Dornan was present during the showing of the reruns and provided a running commentary, pointing out eccentricities such as the scene in which a British Spitfire is shot down by American B-17s. Whoops.

Lend me an ear

Ted Turner gave a Brazilian reporter a hard time when asked about the political leanings of his Cable News Network. Mr. Turner asked the reporter to repeat the question in "better" English and claimed to be "hard of hearing."

stand. Then a British reporter asked in perfect king's English when Mr. Turner planned to marry Jane Fonda. "Sorry, I don't understand that one either," Mr. Turner said, according to a report in the New York Post.



Take care when tangling on the Senate floor with Robert Byrd.

Levels of the game

Sen. Robert Byrd, West Virginia Democrat, undoubtedly wears of being described as gentlemanly, courtly, old-school and all the other compliments that make him sound as if he belongs in a display case. But you get the picture. He's also a master of the game. Witness an exchange when he asked for a little more time to continue his comments on budget matters:

Mr. Byrd: "I ask unanimous consent to proceed for such time as I may need."

Presiding officer: "Is there objection?"

Sen. John Chafee: "Well, Mr. President."

Mr. Byrd: "Do not worry, this senator will end it."

Presiding officer: "Is there an objection? Hearing none, it is so ordered."

Mr. Byrd (to Mr. Chafee, who had reconsidered his objection): "I thank you for your nice card that I

with in the Interior appropriations bill." [This remark referring to some favor bestowed brought laughter from the assembled senators.]

Mr. Chafee: "I had that in mind as I rose to my feet. [More laughter.] The reason I rose was I thought I wanted to assist you in any way I could in an extension of the time you wanted. [Further laughter.]

Mr. Byrd: "I say to the senator, wait until next year and he will write me a bigger card. I thank the senator."

Way off base

The chap from the Pentagon who said he'd get back to us on the cost of the trip to South America for the Air Force's 65-piece Serenade in Blue brass band has done so. Our source estimated the cost of the expedition at \$500,000, but the spokesman said that's too high. It will cost \$170,000 to feed and lodge the musical crew. The aircraft in question would have to be flying anyway to log in the hours assigned to it, he said. But if the flight were billed at an estimated cost of \$2,650 per hour, that cost would come to about \$118,000.

So it won't cost nearly as much as we predicted. Of course, that's what they said about the Hubble, and the S&L bailout, and ...

Inscrutable Bill

Rep. Bill Alexander, Arkansas Democrat, happens to agree with President Bush on most points regarding dialogue and commerce with China, and he has some ideas about the difficulty of understanding that country: "One must visit China in order to fully understand the importance of this relationship," Mr. Alexander said on the House floor the other day. "About 10 years ago, I had the opportunity to travel to the People's Republic of China on four separate occasions. Prior to my travel, I had little or no knowledge of the Orient. When I arrived there, I found it such a contrast to the United States that I was reminded of the statement by Mark Twain that 'East is East and West is West.'"

And never the Kipling shall

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SUBMITTED BY: REP. MARTIN
REF: HB49
1/25/93

Washington Post
January 10, 1990

For the Record ^{Wash.}
_{Post}
Wed. 1/10/90

From the December issue of *Campaigns & Elections*: 90

If bureaucracy doesn't get in the way, some six million military and civilian voters stationed overseas may cast their next presidential votes by fax.

That high-tech forecast comes from Henry Valentino, director of the Defense Department's Federal Voting Assistance Program. He says that ultimately, the fax may be the only way to ensure fair absentee voting. "There is court precedence for [accepting] digitized [faxed] signatures," he says. "It seems like the next logical step, but it may not happen until 1996. It took us four years to get ballots in embassies."

Currently Valentino concedes, a combination of application deadlines and foreign postal service routinely conspire to subvert long-distance democracy.

"[T]here's a problem, primarily in the transit time needed for absentee ballots," Valentino says. . . .

Valentino's efforts to better the system have included making federal write-in ballots available at embassies and establishing the DoD Voting Information Center, a hotline through which voters can access campaign messages. The DoD service, which uses the military Autovon network and civilian long distance lines, has proven popular since its debut in August '88. In its first 72 days, the Voting Information Center logged 20,000 calls from potential voters and frequent messages from at least one presidential candidate.

"[Then Vice President] Bush recorded personal messages for the election. He changed his message weekly the month before the election and daily election week," Valentino says. "Dukakis made one message and never changed it."



SUBMITTED BY: REP. MARTIN
REF: HB49
1/25/93

December 1992

Voting Information News Vol. 2 No. 12

A roundup of voting news from the Federal Voting Assistance Program (FVAP) ✓ ✓ For voters, potential voters and those who assist voters.

In November 3 election

Electronic Transmission of Voting Materials

The electronic transmission service provided by the Federal Voting Assistance Program (FVAP) processed over 5,000 applications, ballots and other documents from voters and election officials. This alternate process of requesting registration and/or a ballot was first used during Operation Desert Shield in the Persian Gulf and has since been adopted by many States and localities around the nation.

While the method was available to all, it was invaluable for overseas citizens who would have otherwise been unable to

Last-minute voters . . . found this option to be the only alternative which allowed them to vote.

register or vote due to lengthy mail transit times from their country of residence. Also some last-minute voters who registered just a few days before the State deadline to request a ballot found this option to be the only alternative which allowed them to vote.

Voters using this alternate method should always consult Chapter 3 of the *Guide* as well as *Appendix I* to see if their State allows for the electronic transmission of materials and insure that the proper procedure is followed when faxing.

In This Issue

Close Elections in '92	p. 1
Electronic Transmission	1
The Electoral College Meets	2
FVAP says, "Thank you!"	2
Q & A Column	2
FVAP Ombudsman Service	3
DoD Voting Information Center	4

Increased participation reflects nat'l trend

Absentee Voters Make A Difference

Official results from the November 3 general election will not be available until later but absentee votes played an important role in several contests around the nation.

While the deadline for receipt of absentee ballots usually coincides with the close of polls on election day, several States and jurisdictions count ballots after November 3. In many instances, these absentee ballots can make a difference.

Take the case of the race for the U.S. House of Representatives seat in the 43rd District in Riverside, California. Absentee votes are the pivotal factor in deciding the winner. Before Saturday, November 7, 1992, Democrat Mark Takano was maintaining a 1,234 vote lead over Republican Kenneth Calvert. Following the count of absentee votes on that date, however, Calvert overtook Takano by a 397 vote margin. A total of 22,842 absentee ballots were cast in Riverside County. Presently, Calvert has 87,869 votes (46.4%) to Takano's 87,472 (46.4%). After official certification on November 25, 1992, candidates have five days to request a recount. The official result of this election will be declared after that date.

In Minnesota's 2nd Congressional district, less than 600 votes separated Republican Cal Ludeman from Democrat David Minge, out of a total of 263,000 votes cast. Ludeman conceded defeat on November 12.

In the eighth district race for State senate in Nevada, at last count, twenty-four votes separated Republican Mark James with 20,709 votes from Democrat Sandi Krenzer who was trailing with 20,685 ballots cast in her favor. However, the State had not received all absentee ballots and was counting on 122 absentee voting members of the Armed Forces and overseas citizens to determine the outcome of the race in this district which includes Las Vegas. All ballots received on or before November 17 at 5:00 pm will be counted.

Even more interesting is that not only will these absentee voters determine the outcome of the James-Krenzer race, they will also determine which party will have the majority in the Senate. Both Republicans and Democrats currently have ten seats each in the twenty-one member Nevada Senate, making participation by all 122 absentee voters even more critical. In another electoral cliff-hanger this year, the 18th district race between Lonny B. Winrick and Clare Carlson for the North Dakota State House of Representatives may be decided by a coin toss. The district, which includes part of Grand Forks Air Force Base, received a large number of absentee ballots.

Both contenders received an equal number of votes, 1,895. A date for a mandatory recount has not been assigned. However, if after the recount the contest is still tied, a coin toss will determine the winner.

In the Codington district race for State senate in neighboring South Dakota, out of 92,095 ballots cast, 1,238 were cast by absentee voters. In this race, Democrat Dale Howlett received 46,048 votes in his favor while his opponent, Republican Berdeter Solum received 46,047, a difference of only one vote.

Official canvassing (counting) for this race will be completed on November 18. At that time the losing candidate can accept the official results or choose to file a petition with the State. In the latter case, a presiding judge, a referee and two members of the elections commission will conduct an official recount.

Absentee ballots accounted for 32% of the total 24,448 votes cast in the race for the 38th State senate seat in Texas. Challenger Jim Solis, a Democrat, edged out Republican incumbent Ken Slunet by 34 votes. The 7,838 absentee ballots out of a total 24,448 votes cast proved that absentee voting again played a significant role.