

## TOP STORY ■■■

SATURDAY, AUGUST 12, 2006

## Secretaries of state: Flashpoint in '06?

By Pamela M. Prah, Stateline.org Staff Writer

Ohio's top election official, J. Kenneth Blackwell, has handed over some of his election duties to an aide while he campaigns to be that state's first black governor, hoping to avoid any appearance of impropriety.

Blackwell, a Republican, is among 20 secretaries of state running for office this year while also serving as the state's chief election official. Unlike Blackwell, most other secretaries of state with their name on the ballot don't recuse themselves from key election duties.

Democrat Chet Culver of Iowa has kept his duties as secretary of state while running for governor. In Georgia, Cathy Cox (D) also opted not to relinquish her secretary of state responsibilities during her unsuccessful primary bid against Lt. Gov. Mark Taylor, who will face Republican Gov. Sonny Perdue in November.

The controversy over "hanging chads" and voter irregularities during the 2000 presidential election in Florida thrust the secretary of state into the public spotlight as never before. This year, races for secretary of state are emerging as a new flashpoint for bitter partisan struggles over how balloting is run.

Controversies over strict new voter ID rules, counting of absentee ballots and mistrust of new electronic voting machines are reviving a debate over whether a secretary of state can guarantee a fair election while also running for office.

"There is such an inherent conflict of interest there that states should think of alternatives," said Edward "Ned" Foley, an elections expert at Ohio State University. "It would be wise for states with elected secretaries of state to revisit the question whether there is a better way to do it."

Of the country's 47 secretaries of state, voters elect 35 (Alaska, Hawaii and Utah don't have the position and tap their lieutenant governor to assume the duties). In nine states, the governor appoints the official, (Delaware, Florida, Maryland, New Jersey, New York, Oklahoma, Pennsylvania, Texas and Virginia) while legislatures in Maine, New Hampshire and Tennessee make the selection. While most secretaries of state are responsible for overseeing elections, 11 are not. Other duties include licensing businesses, registering corporations and trademarks, and serving as their states' chief notaries. In some states, the job involves heading up the state boxing commission. Click [here](#) for a state-by-state update of secretaries of state in races this year.

The secretary of state position has not only garnered more notoriety, but also more attention from ambitious politicians. "It's becoming a position sought after by young hopefuls who are looking to see the secretary of state job as a steppingstone," said Kay Stimson, a spokeswoman for the [National Association of Secretaries of State](#), a nonpartisan group. Current Republican Govs. Matt Blunt of Missouri, Bob Taft of Ohio and Jim Douglas of Vermont and Democratic Gov. Joe Manchin of West Virginia all served as secretary of state before being elected governor.

"Secretaries of state are on the political radar in a way they have never been before," said



### 2006 STATE ELECTIONS

Follow state elections using [Stateline.org's interactive elections map](#) or [chart of secretary of state races](#).

Doug Chapin, director of [Electionline](#), a nonpartisan, non-advocacy Web site that provides news and analysis on election reform. Electionline receives funding from The Pew Charitable Trusts, which also funds *Stateline.org*.

Up until 2000, secretaries of state were relatively obscure statewide officials. That changed when then-Florida Secretary of State Katherine Harris made a series of decisions regarding the recount in the nation's tightest presidential race while serving as co-chair for the Bush campaign in Florida. "That's when the public concern began" about a possible conflict of interest, said Stimson of the National Association of Secretaries of State.

In Ohio, where a win was crucial for President Bush's re-election in 2004, Blackwell came under fire for his decisions regarding voter challenges while he served as secretary of state and chairman of President Bush's re-election campaign there. To quell possible concerns in his gubernatorial campaign, Blackwell in March delegated key duties to the assistant secretary of state. Blackwell spokesman Carlo LoParo late last month told *The Columbus Dispatch* that as the head of the Republican ticket this year, Blackwell wanted "a level of insulation" for the decisions of the secretary of state's office.

An issue in some campaigns this year is the way secretaries of state carry out the 2002 [Help America Vote Act](#) (HAVA), passed in response to the controversial 2000 election. That law gave secretaries of state the daunting task of developing computerized statewide voter registration databases and modernizing voting equipment.

In this year's Democratic primary campaign for governor in Georgia, Secretary of State Cox was criticized for awarding a \$54 million contract for a new statewide electronic touch-screen voting system to Diebold Election Systems. The system was used in the November 2002 election even though critics said the equipment was untested and uncertified. "Did she lose because of HAVA? Probably not, but it probably was a factor," Electionline's Chapin said.

In the Connecticut secretary of state race, the Republican candidate, Richard J. Abbate, has charged that incumbent Susan Bysiewicz (D) has tried to steer state contracts for new voting machines to certain companies, rather than open the bidding fairly. Bysiewicz has denied the claims.

One of the tightest secretary of state races is in California. Recent polls show Democrat Debra Bowen, a state senator representing the Marina del Rey area, edging Republican Secretary of State Bruce McPherson. McPherson was appointed last year by Gov. Arnold Schwarzenegger (R) after Secretary of State Kevin Shelley (D) resigned following accusations he used federal money from the 2002 "Help America Vote Act" for partisan political purposes.

In Arkansas, Secretary of State Charlie Daniels (D) is named in an ethics complaint alleging that a voter guide from Daniels' office is a plug for his re-election campaign. The complaint was filed by a self-proclaimed gadfly named Jim Parsons and not Daniel's Republican challenger, Jim Lagrone, according to the Arkansas News Bureau. Lagrone has blamed Daniels for problems with voting machines during the state's May 23 primary.

Foley of Ohio State University said the secretary of state races in Michigan and Minnesota likely will receive heightened scrutiny because both states also have close governor's races this year. Terri Lynn Land (R) seeks to hold her secretary of state's job in Michigan, where Gov. Jennifer Granholm (D) is also facing re-election, and Mary Kiffmeyer (R) in Minnesota is on the ballot as well as Gov. Tim Pawlenty (R).

One idea to insulate a state's top election official from political bickering is to turn over election practices to an independent state election board.

Election experts R. Michael Alvarez, co-director of the California Institute of Technology and Massachusetts Institute of Technology's [Voting Technology Project](#), and Thad E. Hall, assistant professor of political science at the University of Utah, last year released results of a survey that found that less than 1 percent of Americans support the current system in which an elected official with party ties governs elections.

"The current practice of having a single partisan elected official run elections – as is done in most states – can have the effect of making all decisions made by this individual seem partisan," the researchers wrote.

See related stories:

[Lt gov: Not quite a fifth wheel](#)

*Send your comments on this story to: [letters@stateline.org](mailto:letters@stateline.org). Selected reader feedback will be posted in the Letters to the Editor section.*

Contact Pamela M. Prah at [pprah@stateline.org](mailto:pprah@stateline.org)