

## **I. In Focus This Week**

### **Debate over photo ID at the polls shifts to costs**

*Calculation of associated costs varies greatly from state to state*

By [Sean Greene](#)

Controversy over requiring voters to provide photo identification at the polls is nothing new. Electionline began its [coverage of the issue](#) nearly a decade ago, prior to the passage of the [Help America Vote Act \(HAVA\)](#) in 2002.

Since HAVA became law, pitched legislative battles have been fought in numerous statehouses over ID rules. Democrats have generally fought such measures, voicing concerns about the potential disenfranchisement of voters. Republicans have generally supported them, saying they will help prevent voter fraud.

This year, though, a new wrinkle has been added to the debate – how much it will cost to implement these requirements. Most states are facing serious fiscal challenges and large budget shortfalls. Opponents of photo ID legislation have seized on this point to buttress their arguments against these new requirements.

“Implementing photo ID will add both costs and burdens to those trying to run a good election system,” said Tova Wang, senior democracy fellow at [Demos](#).

At least one election official sees it differently, though.

“I have tons of cost issues as we prepare for 2012, but, really, photo ID cost concerns don’t even make the top 10, maybe even the top 25,” said Brian Newby, elections commissioner of [Johnson County](#), Kansas, a state where [photo ID legislation](#) has passed in the House and has moved to the Senate for consideration.

#### ***Fiscal impact***

How states estimate the costs of implementing photo ID legislation varies widely.

Electionline found 14 states with proposed legislation in 2011 requiring photo ID at the polls that also provided official fiscal notes or fiscal impact statements. Nearly a dozen more states have also seen photo ID legislation introduced this year but fiscal notes were not found for these bills. (For detailed information, see the National Conference of State Legislatures’ – NCSL - [2011 elections legislation database](#).)

These estimates vary widely in content and scope. The price tag is anywhere from “negligible” in some states to nearly \$10 million in Missouri over two fiscal years, which includes lost revenue due to issuing free photo IDs. In Nebraska the statement is one page, while in Wisconsin estimates provided by different agencies combine to run 17 pages.

“It goes without saying that the fiscal analysis process is idiosyncratic to each state,” said, Alex Schatz, fiscal analyst for the [Colorado Legislative Council](#) who authored his state’s fiscal impact statement.

Below is a brief summary of these fiscal estimates:

**Colorado** – The costs to revise, print, and distribute election materials will be absorbed within appropriations provided by the annual budget process. The bill will increase the workload of county clerks.

**Iowa** – There will be a revenue loss of \$173,000 in fiscal year 2012 and \$345,000 each year thereafter to reflect the cost of providing identification cards at no charge for the current level of customers.

**Kansas** - \$68,500 total over fiscal year 2011 and fiscal year 2012.

**Maine** - An annual general fund cost of \$256,000 to manufacture additional identification cards. There would also be a reduction in highway fund revenue of \$69,000 per year to eliminate the fees currently collected on identification cards.

**Maryland** - Costs of voter outreach over the course of fiscal year 2012 and 2013 may total at least \$500,000. Issuing free ID cards could decrease revenues by approximately \$825,000 in fiscal year 2012. Annualized revenue decreases would total approximately \$1.6 million. Expenditures may increase for local boards of elections as well.

**Minnesota** - Fiscal year 2012 - \$422,000; Fiscal year 2013 - \$ 2,848,000; fiscal year 2014 - \$37,000; fiscal year 2015 - \$1,498,000.

**Missouri** - Fiscal year 2013 - \$6,679,780; Fiscal year 2014 - \$3,179,402;

**Nebraska** - The Secretary of State estimates no fiscal impact. The Department of Motor Vehicles estimates revenue loss due to the issuance of such identification cards at no cost for indigent individuals. Any revenue loss should be negligible.

**New Hampshire** - This bill repeals the fee collected for issuance of non-driver picture identification cards. It is estimated this repeal may reduce fee collections by \$240,830 per year.

**New Mexico** - Although the Department of Taxation and Revenue did not respond with information, there will be costs to the agency as it expected to provide free photo ID cards. There are also additional costs for voter education and precinct board training.

**South Carolina** - \$720,000 total. Recurring costs of approximately \$260,000, including \$100,000 for photo ID supplies and \$160,000 for additional absentee ballots. Non-recurring costs are estimated at \$460,000. This includes \$85,000 for voter education and training as well as \$375,000 for 50 camera stations at \$7,500 each. The estimated impact on local government is none.

**Tennessee** - Requires a voter to present one form of name and photo ID when voting in person and authorizes any voter unable to obtain proper ID due to indigence or religious objection to execute an affidavit of identity prior to voting. The estimated fiscal impact is described as not significant because the secretary of state will not need more resources to implement photo ID.

**Texas** - The total fiscal impact of the bill is estimated to be \$2 million for fiscal year 2012 out of the general revenue fund. This estimate includes \$500,000 to research and develop ways to inform the public of the new identification requirements. Additional costs are estimated to be \$1.5 million for media advertisements.

**Wisconsin** - The net loss of annual revenue will be \$2,736,832 for providing free IDs. Additionally there will be a one-time cost over a two-year period estimated at \$2,082,259 to implement photo ID.

### ***Estimating Costs***

NCSL [surveyed states on their fiscal note processes](#) and found different requirements (or lack thereof) to create fiscal notes and different approaches to how these notes are generated.

Schatz detailed how the process works in Colorado.

“Our estimates are direct cost assessments based on responsive data in a survey of affected state and local agencies. Our estimates are also based on a fundamental focus on cost to implement a bill relative to existing law. For example, a few more people will probably get photo IDs in Colorado if HB 1003 passes into law. However, the overall impact on issuance of photo IDs by the DMV and other issuing agencies is minimal and can be absorbed within their existing capacity,” he stated.

He added that voter education was taken into account in the estimate and noted how these tasks are already undertaken by state and local election officials. And when it comes to the impact on local governments costs, Schatz described how they did not have firm numbers as county clerks did not supply them.

Of course states are not the only entities looking at the cost implications of legislation.

Advocacy groups opposed to photo ID requirements including [Demos](#), the [Brennan Center for Justice](#) and [Facing South/The Institute for Southern Studies](#) have released their own analyses. For example, the Institute for Southern Studies estimates that photo ID legislation in North Carolina (as of press time no state fiscal note has been released for [H351/S352](#)) could cost the state upwards of \$25 million over three years. And Demos has described some of the state fiscal estimates as [being unrealistically low](#).

#### ***Voter ID costs in practice: Georgia and Indiana***

Both ID supporters and detractors have looked to Indiana and Georgia to see how much it has cost them to implement photo ID rules in those states over the past five years.

“The big outlays were from 2006-2008. Since then there have been minimal costs,” stated Matt Carrothers, director of media relations for [Georgia Secretary of State](#) Brian Kemp (R). He said the cost to implement photo ID in the Peach State has been just over \$1.6 million.

Carrothers described one of the major costs as the initial purchase of machines to issue free identification cards at all 159 county election offices. The total to purchase and maintain the machines has been just over \$770,000.

From 2006 to the end of January 2011, county election offices have issued 24,064 ID cards. Additionally the Department of Driver Services has issued 1,052 IDs.

Georgia’s other major cost was the initial voter education campaign from September 2007 to November 2008, encompassing six elections, which came in at just over \$840,000. This included direct mail and utility bill inserts, packages of photo ID materials to non-governmental organizations, automated reminder phone calls, video and radio public service announcements and press releases.

In Indiana, the number of free ID cards issued from 2007-2010 has been much higher than in Georgia and has cost the state more. In those four years the state Bureau of Motor Vehicles has issued 771,017 free photo IDs at a total cost of just over \$10 million according to Jeremy D. Burton, Help America Vote Act outreach manager with the [Indiana Secretary of State’s office](#).

He added the state used roughly \$2.2 million HAVA dollars to educate the public and that other costs associated with the law were not tangible enough to calculate.

#### ***Election officials weigh in***

Both state and local election officials across the country have been speaking up as well.

The Wisconsin Government Accountability Board has devoted a [separate section](#) on its website to information about the photo ID legislation.

In Iowa, the Iowa State Association of County Auditors issued a [report](#) making recommendations about what the state needs to consider if legislation requiring photo ID at the polls is passed. Much of the report focuses on concerns about cost including needed investments by the state for free IDs, free birth certificates and significant voter education efforts. The report also noted the state would be wise to budget for potential litigation costs.

And some in the state are worried about who will foot the bill.

"If the state enacts this legislation, the state should provide the funds to make it successful. There should not be any costs borne by the county, though, from past experience, we know that will not happen," said Janine Sulzner, [Jones County](#) auditor.

Back in Kansas, Johnson County's Newby does not estimate many additional costs in his jurisdiction. And he doesn't think the larger debate over cost or fraud is going to change many people's minds on whether or not requiring photo ID at the polls is worthwhile.

"I think this issue either speaks to you or it doesn't. I know voters will have more confidence in voting if we require ID because I've received several emails and phone calls over the years, at least 20 to 1 in favor of ID. But if 5 or 10 or 100 past cases of potential fraud don't make someone think photo ID is necessary, 1,000 or 10,000 probably won't, either."

## II. Election News This Week

- What began as suspicions of a "stolen" election has erupted into a fight between Secretary of State Scott Gessler and the Colorado's county clerks over [whether voted ballots should be public records](#). Gessler announced this week that his staff and local election judges will conduct a public hand review of ballots from the 2010 general election in Saguache County, where the attorney general's office already is investigating allegations of election fraud. According to *The Denver Post*, Saguache County Clerk and Recorder Melinda Myers sent a letter to Gessler indicating that she would not unseal the ballots without a court order. "These ballots have been counted twice, reviewed by your office, canvassed and recounted. The deadline for contesting the election has passed; therefore the outcome cannot change," Myers wrote. "It is unclear what this exercise would accomplish, and could only serve to undermine the work already done in this election." Gessler's office told the paper it will take the issue to court. The request to review the ballots has drawn the ire of the Colorado County Clerks Association, which says clerks are charged with maintaining the integrity and security of elections and that voted ballots should not be public. "Who knows what can happen when untrained people with an agenda get their hands on ballots," Larimer County Clerk and Recorder Scott Doyle, the association's president told the paper. "We can't watch everybody."
- Cash-strapped clerks across the state of Wisconsin are bracing for something none of them saw coming when they were planning their budgets for this year — a recall election. Following the civil unrest in Wisconsin regarding collective bargaining for state employees, [16 recall initiatives are underway](#) across the state to recall legislators on both sides of the aisle. "I certainly did not budget for a recall," Seymour City Clerk Susan Garsow told the *Post-Crescent*. According to the paper, even though only one race would be on the ballot, a special election could cost communities just as much as a general election. "An election's an election," Hesse told the paper. "Sometimes it doesn't even matter how big it is. You have to have the same process put together." According to Garsow, a recall election could eat up roughly 25 percent of the city's election budget.
- Following a [review that compared voter records with driver's licenses](#) issued to foreign nationals, New Mexico Secretary of State Dianna Duran believes that she has found 37 possible incidents of voter fraud committed in the Land of Enchantment. Duran, testifying before a House committee on proposed voter ID legislation said the findings were "preliminary: and that more work must be

done. New Mexico is one of three states that issues driver's licenses to people without proof of immigration status. Duran's testimony came during a [committee hearing](#) on H351 that had 43 confirmed speakers, both pro and con on the voter ID issue.

- **Update:** Late last week, Indiana Secretary of State Charlie White pleaded [not guilty](#) to seven felony counts. The indictment has caused two top staff members in the secretary's office to resign: [Sean Keefer](#), who held both the titles of deputy secretary of state and chief of staff in White's office resigned on Friday and [Jason Thomson](#), the secretary's chief spokesman resigned this week. Both Keefer and Thomson have already been [replaced](#).

### III. Research and Report Summaries

*electionline provides brief summaries of recent research and reports in the field of election administration. Please e-mail links to research to [sgreene@pewtrusts.org](mailto:sgreene@pewtrusts.org).*

[Assessing Electoral Fraud in New Democracies: A New Strategic Approach](#) - Staffan Darnolf, IFES, March 2011: This paper outlines the current and potential roles of the main national and international actors relevant to combating electoral fraud. Based on this an improved electoral fraud model applicable across countries is suggested.

[Election Law Journal: Rules, Politics, and Policy](#) – Volume 10, Number 1, March 2011 (subscription required): This volume includes an examination of the benefits and challenges of mobile polling for residents of long-term care facilities and a look at who switches to vote-by-mail.

### IV. Opinions

National: [Ex-felon voting rights](#)  
California: [Instant-runoff voting, II](#); [Vote-by-mail](#)  
Colorado: [Instant-runoff voting](#)  
District of Columbia: [Board of Elections and Ethics](#)  
Florida: [Ex-felon voting rights](#)  
Indiana: [Charlie White](#)  
Maine: [Instant-runoff voting](#)  
New Hampshire: [Voting reform](#)  
New York: [Voting machines](#); [Election dates](#)  
North Carolina: [Voter ID, II, III](#); [Voting rights](#)  
Ohio: [Election reform, II, III, IV](#)  
South Carolina: [Bluffton election commission](#)  
Washington: [Early primary, II](#)  
Wisconsin: [Voter ID](#)

### V. Poster and Slogan Contest

For the first time, Federal Voting Assistance Program officials are opening the program's biennial voting poster and slogan contests to all U.S. citizens using [Challenge.gov](#) to facilitate the process. The FVAP Slogan Contest challenge asks for slogan ideas that inspire members of the military, their families and U.S. citizens residing overseas to start or continue to participate in elections while away from home, and can be found at [FVAP.gov](#) or <http://challenge.gov/DoD/115-absentee-voting-slogan-contest>. The FVAP Poster Contest seeks artwork illustrating what it means to be an American voter anywhere in the world. The FVAP Poster Contest details are located at [FVAP.gov](#) or <http://challenge.gov/DoD/116-absentee-voting-poster-contest>. There is no limit to the number of entries an individual may submit for either contest. All entries must be received by April 8, 2011. All submissions must include your full name, branch of service (if military), mailing address, daytime telephone number, fax number and e-mail address (if applicable). Defense Human Resource Activity personnel and their immediate family members are not eligible to participate in these contests.

## VI. Job Openings

**Director of the Division of Elections, Tallahassee, Fla.** — serves at the pleasure of the secretary of state who is the chief elections officer for the State of Florida and an appointed agency head within the executive branch. Some of the duties and responsibilities of the director of the Division of Elections are as follows: directs, manages and coordinates all administrative, programmatic and operational activities of the division; oversees the management of the HAVA Section, Bureau of Voting Systems Certification, Bureau of Election Records and the Bureau of Voter Registration Services; oversees the development, implementation, and coordination of rules and administrative directives of the division as well as legislative proposals affecting election laws. Applicants should have at least five years of election administration experience at a managerial level in either state or local government. **Salary:** \$90,000 and includes benefits. **Application:** Resumes should be directed to: Jennifer Kennedy, Assistant Secretary of State, 500 South Bronough Street, Tallahassee, FL 32399-0250. For further information on the Florida Division of Elections, please visit our website at <http://election.dos.state.fl.us>. **Deadline:** March 24, 2011.

**IT Specialist III (Elections), Board of Elections, Gaithersburg, Md.** — oversees the planning and implementation of technical programming, testing and preparation of the county's allotment of the statewide voting system, equipment and voter registration system in collaboration with the State of Maryland, the contract holder; is experienced and familiar with system integration and functionality and usage of the Oracle data base and preparation of Crystal reports, Word, Access, and Excel, and analyzing statistical data; works with permanent and temporary programming employees; evaluates alternative system and equipment funding sources; represents the Department at election system related meetings and Board meetings addressing election issues; and performs technology related duties as required and necessary and at a high standard of accuracy. The employee works as an administrator and would evaluate employees. **Requirements:** Applicants must possess sufficient physical strength to lift and move objects weighing fifty (50) pounds. Bachelor's degree and a minimum of three years experience. **Salary:** \$59,345-\$98,513. **Deadline:** March 22. **Application** and more information can be found [here](#).