



Voting equipment for the 2004 elections

Type of voting equipment	Registered Voters	
	Number	Percentage
Punch card	32,224,103	18.64
Lever	22,165,917	12.82
Paper ballots	1,038,800	0.60
Optical scan	55,668,695	32.20
Electronic	50,035,070	28.94
Mixed	11,742,150	6.79
Total	172,874,735	100.00

Note: Registered voter counts are from the 2002 general elections.

Source: Election Data Services Inc.



Fixing the flaws in elections

State election directors implement HAVA despite funding delays

BY JACK PENCHOFF

After the 2000 presidential election exposed flaws in how ballots were cast and counted in Florida and other states, the federal Help America Vote Act was enacted, mandating election reforms for all 50 states paid for with federal assistance.

While the requirements were spelled out when HAVA became law in 2002, state election directors have found the funding slower to come by.

“The challenge for us is to make voters and the media understand that we have made great strides, but not all the provisions have been funded,” said Denise Lamb, New Mexico’s director of elections and the new president of the National Association of State Election Directors.

In February, election officials received some good news on the funding front when the Election Assistance Commission, created by HAVA, told the National Association of Secretaries of State about plans to distribute \$2.3 billion to states for upgrades to their election equipment.

The funding had been delayed because the election commission members weren’t appointed until January. HAVA requires that states file plans to be published in the Federal Register before they get their money. The \$800,000 needed to publish the plans, however, could not be spent until the four commission members were appointed following a lengthy Senate nomination process.

“After the Florida election, the voters in the country have reason to believe a lot of improvements have been made,” said Lamb. “There have been improvements, but the most profound changes won’t be seen until the states receive their money.”

One of the goals of HAVA is the elimination of punch card voting. This fall nearly 32 million voters, or 18.6 percent, will vote with punch cards, the center of the “hanging chad” storm in Florida, according to a report issued in February.

Election Data Systems, a Washington, D.C. consulting firm,

surveyed 3,100 election jurisdictions and found that 50 million voters, or 28.9 percent, will use touch screen machines, an increase from the 12.5 percent used in 2000.

The use of electronic machines has sparked controversy among state and federal lawmakers because electronic systems do not provide paper receipts that can be used to verify that a voter cast a ballot. As a result, according to the EDS study, states are moving to optical scan systems, which will be used this fall by 55.7 million voters, or 32.2 percent.

Major changes voters will see in 2004 as a result of the Help America Vote Act of 2002

- Some polling places in 42 states will have new machines in place. Florida, California, Maryland and Georgia have rid their states entirely of punch cards.
- There will be provisional ballots for voters who believe they are registered but are not on registration rolls.
- Poll workers in every state will be required to demand identification from first-time voters who registered by mail but did not provide it with their registration form.
- Alabama, Colorado, Montana, North Dakota, South Dakota and Tennessee will require identification from all voters before they cast ballots.
- Punch cards will still be used in 22 states.

Source: electionline.org

But running elections is more than just buying equipment.

“Elections require enormous amounts of planning and enormous amounts of attention to detail,” said Lamb. “Most election directors start planning for an election a year and a half ahead of time. There are documents to prepare related to ballot access and campaign access for those who have that responsibility. There are also training manuals and calendars.”

And the state election officials are accountable to three constituencies: the candidates, local election officials and the voters.

“People who run for office invest enormous amounts of time and money,” said Lamb.

While the falling chads debacle in Florida highlighted major problems in that state’s election system, most election problems are minor, said Lamb.

“Every election has some issue that will arise. Each election seems to have its own character,” she said.

Some of the issues that commonly crop up during elections, said Lamb, are voters whose registration is incorrect because of an administrative error.

“You try to resolve the difficulty in a way that makes people feel confident and feel their election system is being run by people who care about democracy and what it means,” she said.

To minimize voter registration mix-ups, states are implementing provisions of HAVA designed to smooth out the wrinkles in the election process.

Officials, for example, are developing statewide voter registration databases.

“Every state will have computerized interactive voter files,” said Lamb. “Previously, voting records resided at the local

level. HAVA profoundly changes the relationship between the local and state entities because it requires statewide files. The state file will be the official file.”

While most states have started development systems, 41 of them were granted waivers by HAVA to postpone complete implementation until 2006, according to electionline.org

The slow flow of federal dollars, however, hasn’t slowed the efforts of state election directors to implement other changes.

“In most states there will be provisional voting, which states didn’t allow before,” said Lamb.

Voters who believe they are registered but are not on the registration rolls will be given paper ballots. Their qualifications will be checked before their vote is tallied.

“The intent is to make sure no one is turned away,” said Lamb.

Voters will also see posted signs, informing them of their rights as a voter, their right to vote provisionally and where they can find out if their vote was counted.

Helping states navigate the uncharted waters of HAVA is NASED.

Lamb, who has been a member of NASED since becoming New Mexico’s election director in 1994, said the organization is a great asset.

“I found it an incredible resource of people who you can call on,” said Lamb. “It saves taxpayers’ money if you don’t have to spend a lot of time resolving problems your colleagues have already dealt with.”

— Jack Penchoff is senior editor of *State Government News*.



The U.S. Environmental Protection Agency’s (EPA) Environmental Monitoring and Assessment Program (EMAP) Symposium 2004 will be a 3 1/2 day symposium, jointly sponsored by EPA’s Office of Research and Development, The Council of State Governments (CSG), and the National Oceanic and Atmospheric Administration (NOAA).

This Symposium will:

- Explain how advances in monitoring and assessment are targeted to meet emerging state and tribal needs;
- Illustrate examples of research and technology transfer that have led to more efficient, less expensive, and more scientifically rigorous monitoring and assessment programs.

Information regarding registration, program agenda, and submissions of abstracts can be found on the EMAP Symposium’s Web site at www.csg.org (keyword: EMAP).