



Lawmakers disagree over path to take toward election reform

by David Moss

Since the 2000 federal elections, and that year's historically close, controversial presidential race, 3,500 pieces of state legislation have been introduced to reform in some way the nation's system of voting. Almost 450 bills have been drafted in the Midwestern region, with 70 of them having been enacted into law.

And while the issue is no longer receiving the widespread scrutiny it did two years ago, election reform remains a priority for policymakers, as the activity this year in states such as Wisconsin, Iowa and Ohio underscores.



States in the Midwest are considering various pieces of legislation to improve voting systems and procedures.

Wisconsin Assembly Bill 113 commanded national attention when it passed that state's lower chamber earlier this year. The measure would direct all county clerks and local election officials to withhold election results for the offices of president and vice president until 10 p.m. Central Standard Time on election night. It is believed no such law currently exists in the country.

"People can be less inclined to vote when they think they know the outcome already," explains Republican Rep. Stephen Freese, author of the legislation.

His bill is an attempt to eliminate a repeat of what many people saw as a problem with the presidential election of 2000: final returns in one state affecting turnout in another when early projections were made pronouncing a winner.

"Lower voter turnout was a direct result from this, and that led me to sponsor this bill," says Freese, a Republican from Dodgeville and speaker pro tempore in the Assembly.

In 2001 congressional testimony, former California Secretary of State Bill Jones told federal lawmakers that many of his state's voters during the 2000 presidential election received word from the media that Al Gore had won the election before polls had closed. This news could have persuaded some not to vote, Jones believes.

Intrastate election results also might be affected if a state has more than one time zone. For example, Gore was the projected winner in Florida at around 7:30 p.m. Eastern Standard Time, while polls were still open in the western part of the state.

As of late April, Freese's bill still needed to pass

the Wisconsin Senate and receive gubernatorial approval. Opponents have said it would place unreasonable constraints on the news media and withhold valuable information from the public, adding that they suspect early election results have little effect on voting behavior.

The National Association of Secretaries of State has been watching the issue carefully.

That organization first passed a resolution in 1983 to curb all exit polling data until all precincts were closed across the United States. "NASS encourages this type of legislation, within First Amendment limits, because it ensures the integrity of an

election," says Kay Albowicz, communications director for the association.

The Wisconsin measure also is one of 35 recommendations made last year by the Midwestern Legislative Conference Elections Task Force and approved by the full MLC. Freese served as co-chair of the task force (the group's final report is available on the special publications page of www.csgmidwest.org).

States mull ID requirements

Proposed changes to voting measures have led to a partisan battle in the Iowa Legislature this year. The state's Republican-led House passed a bill earlier this year as part of efforts to conform with the Help America Vote Act (compliance is needed in order to secure federal dollars). Several proposals in the legislation have been met with resistance by many Democrats, including measures that would: close polls one hour earlier; reduce the time frame for requesting absentee ballots; and transfer election duties from the secretary of state's office to a nonpartisan ethics board.

Perhaps the most contentious measure is a proposal that would require all individuals to show identification before voting. Opponents have said some of the measures are unnecessary and will lower voter turnout.

"There has not been one single case of voter fraud prosecuted in the 20 years I've been in the state Legislature," argues Senate Democratic Minority Leader Michael Gronstal of Council Bluffs.

Opponents also say the ID portion — which would deny provisional ballots to individuals without identification and not on registration lists — is inconsistent with federal provisions

and could jeopardize the state's chances of receiving federal funds. As of late April, it appeared as though Iowa Democratic Gov. Tom Vilsack would veto the election reform measure.

Like Iowa, other Midwestern states are considering the enactment of broader identity requirements. The Kansas Legislature passed such a measure earlier this year, only to have it vetoed by Democratic Gov. Kathleen Sebelius. In Wisconsin, a bill would require voters to present a driver's license or any other picture ID at their polling place. Reported irregularities during the 2000 election in Milwaukee provided the impetus for introduction of the legislation. That year, it was reported that deceased individuals' names had been presented at polling places and that some felons were able to vote.

The ID proposal passed Wisconsin's lower chamber earlier this year, despite the objections of those who believe it would unequally reduce the voting of seniors, poor people and certain minority groups.

Complying with federal mandates

While some states' efforts have been spurred primarily by internal concerns about their current voting systems, others are a response to the Help America Vote Act. Signed into law in October 2002 by President George Bush, the legislation authorizes \$3.9 billion in federal funding to the states, which must replace punch card and lever voting systems, ensure polling access for the disabled and implement various other federal election standards.

For example, by 2004, states must be able to provide provisional ballots to voters who do not appear on the necessary registration lists. By 2006, every state must computerize its voter registration database to make it accessible statewide.

States not complying with the various election standards risk losing federal dollars. As a result, election officials and lawmakers are busy developing workable plans to meet the federal mandates. Last month, a 13-member Election Reform Planning Committee in Ohio released a draft of the state's proposal to implement various election reform measures.

One of Ohio's most pressing needs is to replace voting equipment. Currently, 69 of its 88 districts use the outdated punch card election system. As a result, electronic-based voting devices must be installed throughout the state. The committee is recommending that the changes be complemented by a statewide voter education program along with training for poll workers and election officials.

Election officials also want the state to establish a "provisional voting hot line" and to have voting systems with audit capacity and alternative language accessibility. 