

INTRODUCTION The proposed voter identification ballot measure to amend Article VII, Section 1 of the Minnesota Constitution will fundamentally change the state's election system. Few states, notably Georgia and Indiana, have implemented equally stringent identification requirements. Executing voter photo identification in Minnesota poses an unprecedented challenge in accommodating Election Day registration. In addition, state and local officials will face monumental tasks: influencing enabling legislation, drafting sound election rules and procedures, and effectively managing election costs. Lastly, with an implementation date of November 2013, time and resources will be extremely limited for effectively addressing all challenges.

ANALYSIS The proposed amendment requires four direct changes to state elections, each with its own implications:

A. All voters must present government-issued photo identification.

Policy leaders must define acceptable forms of identification ensuring maximum access and uniformity, ease of poll site verification, and limited disenfranchisement of discouraged voting-eligible populations.

B. The state must make photographic identification available to eligible individuals at no charge.

Driver's License Agents will process 87,600 voter IDs over four years, and if the state reimburses DLA offices \$5 per ID, local governments will bear \$303,360 of the total production costs. Voters without an ID in some Minnesota cities or nursing homes may have to travel 70 miles or more round-trip in order to obtain ID to have their ballot counted. This would require obtaining and paying for the proper documents to get an ID.

C. All voters must be subject to substantially equivalent state eligibility verification prior to casting or counting a ballot.

This will require: (1) Increased training for election workers; (2) More staff/personnel hours at the polling place; (3) Longer wait times at polling location. There may be liability concerns for election workers based on their ability to accept and reject voters based on the validity of the voter's identification or eligibility to vote.

D. Establishes a provisional ballot system for voters unable to provide appropriate identification.

A voter must return the county auditor's or municipal clerk's office within 7 days with proof of their identity and residence to file their ballot. If the voter fails to either return or provide proof, the ballot is not counted. Provisional balloting can be problematic if it is not used as the last resort for the voter. Similarly to the issue with obtaining the free voter ID card, it may also be a burden for eligible voters to provide proof. The amendment does not provide instruction for situations where someone votes in the wrong precinct.

The proposed amendment will also create indirect changes to state elections.

ELECTION JUDGES There will be an increase expense for training new and returning election judges. The complexity of the new laws may cause high levels of attrition. There may be the need for wage increases to either offset increased liability or to retain and attract election judges. To accommodate increased processing time, extra election judges will be needed. A minimum of two per polling place or four to six for high same-day registration sites.

POLLING PLACES Logistically, polling places will need to increase voting space to accommodate longer lines and new verification stations. Polling places must be able to accommodate CPU equipment with Wireless/LAN access. If local governments choose to use electronic poll books, the anticipated cost per work station would be \$4,293. A total of \$25,539,000 in computers is expected to be purchased.

PUBLIC EDUCATION/OUTREACH Previous proposals have allotted \$2.8M from the state for the purpose of educating the public on the new laws. Local precincts may have to rely on media outlets to assist in this.

VOTER TURNOUT According to the Secretary of State, roughly 700,000 eligible voters may be affected by the proposed amendment. This includes eligible voters who do not have current, valid IDs and voters who use Election Day registration.

RECOMMENDATIONS

- A. Encourage expanded parameters so as to include all federal, state and tribal issued photo identification including government employee, military, student IDs and passports.
- B. Advocate state financial support of electronic poll books as a component to eligibility verification at polling places.
- C. Create clear and consistent standards for casting and counting provisional ballots, as well as allow for ballots to be counted even if cast in the incorrect precinct.
- D. Collaborate with cities and townships to address increased training and staffing cost crucial to the implementation of a verification process.
- E. Consider alternatives such as encouragement of early voting, establishment of vote centers, and development of tools like real-time polling place wait time smartphone applications.

CONCLUSION Because a Minnesota Voter ID system will be wholly unique, it is likely that actual implementation costs may be much higher. Furthermore, many challenges remain unknown. Given the narrow time frame within which implementation must occur once the ballot measure is approved, it is critical AMC play a role in shaping the enacting legislation. Leaders must engage their local stakeholders to meet this challenge while ensuring election integrity.