



League of Women Voters of Minnesota Records

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THE LEAGUE OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (612) 224-5445

March 5, 2001

To: Member of the House Government Operations Committee
From: Judy Duffy, President, League of Women Voters MN
Kay Erickson, Action Chair, League of Women Voters MN

The League of Women Voters has a long history both of studying election laws and offering services to voters. One of our basic tenets is the improvement of such laws in order to facilitate the participation of all qualified voters. We supported the original Omnibus Registration Bill of 1973 centralizing responsibility for registration rules and regulations with the Secretary of State. We have worked consistently to promote voter turnout and it is our belief that Minnesota has an enviable record both in voter participation and in the methods that have been advanced over the years to make this a process that is fair, accessible and is trusted by the voters. However, we know that no system is perfect and we are always eager to support improvements in the voting systems of our state.

You are considering two bills of significant interest to the voters of Minnesota:

HF 857 requires each voter (whether previously registered or not) to produce picture identification at the polls. It also would require the last four digits of social security numbers be provided for all new voter registrations. We question the necessity for these changes. The only reasons heretofore given for such strictures seem to be vague allegations of improper voting procedures that have not been validated. This state has a history of empowering voters and not looking for unnecessary limitations on voting rights. This "era of suspicion" is a new and unexplained phenomenon in government circles.

Voters desire a voting experience that is easy to understand, efficient and accessible. Voters may complain about election judges that are misinformed or lines that are too long or lack of information about polling places and last minute changes of polling places. These are the items of voting procedures that need to be addressed. We do not hear charges of corruption or fraud when our phones are ringing off the hook prior to, during and after election day.

HF479 does not require registered voters to submit picture identification at the polls nor new registrants to submit Social Security numbers. It does require picture identification for election day registration as proof of identity in addition to the already required proofs of residence. While this may seem a minor restriction it does pose another hurdle to election day registration and the need has not been demonstrated.

We would applaud the attempt to develop a revolving loan fund for voting equipment purchases by local units of government that wish to upgrade their voting systems.

If the legislature has serious doubts about the current voting system then it would make sense to pursue Section 3 directing the legislative auditor to conduct an audit of resources to determine the specified questions of fraud, voting by felons on probation and noncitizens. We are not sure of the intent of "identifying populations served by the practice of vouching." What does this phrase mean? Does the legislature really want to identify populations for purposes of voter registration? Could this be construed as discriminatory? Until it is explained we are extremely uncomfortable with this idea.

Might we suggest an alternative legislative audit that would concern adequate resources to promote voter ease and accessibility and improvement of voter turnout. Let's recognize that the experiences of other sections of the country are not ours and we have a unique and estimable environment for voting in Minnesota that we should cherish and refine only if necessary to expand voting rights not to retract for unspecified fears.

Kay Erickson

From: "Mason C. and Gwen S. Myers" <salmyers@ix.netcom.com>
To: <sen.linda.scheid@senate.leg.state.mn.us>
Cc: <kerickson@visi.com>
Sent: Monday, May 14, 2001 1:21 PM
Attach: Hottinger election bills 5.2.doc
Subject: Secretary of State's Election Reform Bills
May 14, 2001

Dear Senator Scheid,

My name is Gwen Myers and I am with the League of Women Voters. The League has been following the three bills (S.F. 503, 1103, 1508) encompassing the Secretary of State's ideas on how our voting system can be "improved." The League opposes all three bills for reasons which follow and we hope you share our concerns. At this point, we are wondering what the best procedure would be to make the Senate aware of the League's opposition to major provisions in each law should one or more of these bills be offered as amendments on the floor or inserted in Conference. We need advice.

The League has serious concerns about all three of these bills as each contains either increased requirements to qualify to vote or an increased penalty for making a mistake in voting. The effect of each bill would be to discourage voters, particularly unsophisticated voters, from exercising their franchise. The League has a history of working to ensure that the voting process is fair and accessible; these bills fail on both counts.

Attached you will find the letter League President Judy Duffy sent to Senator Hottinger explaining our position more fully.

If you do share our concerns, we have three questions: 1. Should we prepare a letter to senators to be delivered in the event one or more of these bills make an appearance as amendments to scheduled bills? 2. If so, would you be willing to distribute such a letter? 3. Is there any way to predict in what Conference Committee these bills might appear, if they are not offered on the Senate floor?

I will call your office later this afternoon and leave my phone number if you are out. This letter explains our concerns and if it is easier for you to respond by e-mail, please do so.

Thank you for your attention to this matter.

5/22/2001



THE LEAGUE
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (651) 224-5445 FAX (651) 290-2145

March 30, 2001

The Honorable Ellen Anderson
120 Capitol
75 Constitution Avenue
St. Paul, MN 55155-1606

The Honorable Matt Entenza
261 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1206



Dear Senator Anderson and Representative Entenza:

The League of Women Voters of Minnesota believes that SF 1565 and HF 1701 meet a real need in the state of Minnesota and we would like to lend our full support for its passage.

However, we have a major concern with Section 5, lines 3.1-3.7 describing the methods of obtaining arguments for and against a constitutional amendment. The bill states that the "secretary of state shall select the most persuasive statement against the amendment."

The League feels that this gives one individual enormous power over the opposition's argument. The fact that the individual is a partisan office holder makes this an even more serious problem.

On March 19 we sent each of you copies of the Washington state statutes covering this delicate matter. At first reading these appear to be excessively cumbersome, but we felt they suggested that formulating a process that is fair to all sides is more difficult than the present bill recognizes. In addition, there may be procedures in these statutes that could be simplified and included in SF 1565 and HF 1701.

A state voter's guide would be a real service to the people of Minnesota. With the exception noted, we can offer our support for this legislation.

Sincerely,

Judy Duffy, President
League of Women Voters MN



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OF WOMEN VOTERS
MINNESOTA

550 Rice Street • Saint Paul, Minnesota 55103
Phone 612-224-5445 • Fax 612-292-9417
lwv@freenet.msp.mn.us
<http://freenet.msp.mn.us/ip/pol/lwvmn>

Date: June 23, 2000

To: Local League Presidents, 10-Minute Activists, Members

From: Kay Erickson, LWVMN Action Chair

Re: Proposed Election Rules Changes

1919

A VOICE

FOR CITIZENS,

A FORCE

FOR CHANGE

1994

The Secretary of State has proposed several election laws rules changes that the League opposes. The proposed rule change would make it more difficult for people to register at the polls on Election Day. **We have until 4:30 p.m. June 29th** to send comments and/or request a hearing by an administrative law judge. A hearing will be held on July 11 if 25 or more persons request it.

Please write or e-mail: J. Bradley King, Director, Elections Division, Office of the Secretary of State, 180 State Office Building, 100 Constitution Avenue, St. Paul, MN 55155-1299 or elections@sos.state.mn.us. **In your letter ask for a public hearing to be held on the proposed election law rule changes and cite the following section: 8200.5100 Election Day Registration.**

The Secretary of State has proposed a number of changes in the election rule, some to clarify language, some to improve the process. But the proposed changes we are concerned about deal with Election Day registration. These provisions would require a voter to present a government issued photo identification card along with a receipt for a driver's license or MN identification card in order to register on Election Day, thus significantly changing the current requirement. (Current law allows someone who has obtained a receipt for a driver's license, learner's permit or MN identification card to present the receipt at the polls as a valid proof of identity.) A notice of late registration also allows someone to register on Election Day. No photo identification is required. Students would have to have a Minnesota student identification card with a photo. The proposed rule change would require anyone who wants to vote to have a photo identification card.

This constitutes a policy shift; it is not a technical or "housekeeping" change. It restricts the ability of people to vote by requiring them to purchase a photo identification card, thus imposing a cost for voting. Not everyone has the time or money to expend to meet this requirement.

The proposed changes also include a provision that eliminates having a valid registration in the same precinct as a proof of residence for registering on Election Day. Anyone who has moved within the precinct or moved within an apartment has a new address and therefore would be required to re-register with a photo identification card.

We oppose making it harder for people to register at the polls on Election Day. These changes voting more difficult for the elderly, students, those in health care facilities and nursing homes, and anyone who has recently moved. There is no discernible fraud. The system has worked well for over 20 years. These changes only put obstacles in the way of people trying exercise their right to vote.



THE LEAGUE
OF WOMEN VOTERS

MINNESOTA

550 RICE STREET ST. PAUL, MN 55103 PHONE (651) 224-5445 FAX (651) 290-2145

July 18, 2000

The Honorable Barbara Neilson
Office of Administrative Hearings
100 Washington Square, Suite 1700
Minneapolis, MN 55401-2138

Dear Judge Neilson:

The League of Women Voters of Minnesota appreciated the opportunity to testify on the Secretary of State's proposed rules changes on July 11. In addition to comments made then, we would like to make additional comments regarding Part 8200.2900.

We agree with the recommendation made during the hearing that instructions to county auditors, stating exactly what should take place in the case of a deficient or late registration, should be retained in the rules. The instructions in the rules provide county auditors with specific steps to take if a voter sends in a deficient or late registration, leaving no room for doubt and ensuring that the rules are carried out consistently across the state.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads 'Kay Erickson'.

Kay Erickson
Action Co-Chair

ACTION



THE LEAGUE
OF WOMEN VOTERS
MINNESOTA

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Phone 612-224-5445 • Fax 612-292-9417
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1919

A VOICE
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FOR CHANGE

1994

LLW ofc

Testimony

Public Hearing on Secretary of State's Proposed Election Administration and Registration Rules Changes July 11, 2000

I am Kay Erickson, Action Co-Chair of the League of Women Voters of Minnesota. The League is a non-partisan, grassroots organization that influences public policy through education and advocacy. For more than 80 years the League has worked to ensure voting rights for all citizens. We appreciate the opportunity today to comment on the proposed rules changes.

We want to thank the Secretary of State's office for withdrawing the some of the rule changes that were first proposed. Our major concerns dealt with new restrictions on election day registration, which we felt went beyond technical, housekeeping changes and were contrary to legislative intent. (Our letter to Bradley King, Director of Elections is attached.)

However questions remain about four items.

First, Section 8200.1100 deletes wording that specifies that voter registration cards will be included in tax booklets and available at state agencies. Being specific enables anyone looking at the rules to understand where voter registration cards are available. We would suggest retaining the current language.

Second, Section 8210.0500, which deals with Instructions for Absentee Voters, has not been specifically withdrawn. Because the section pertaining to election day registration has been withdrawn, one might assume that this section, which is related, has also been withdrawn, but this needs to be clarified.

Third, Section 8220.2050 which identifies the hours that vote-tallying systems are to be isolated should be clarified to reflect that there is no access to computer systems either during the hours that voting is occurring or when the system is tabulating results. It would seem prudent to restrict access during any part of the voting process.

Fourth, is the question of timing. Because any rules changes will go into effect in August, election officials will have to make changes in the middle of the election cycle. Any change is difficult enough but to change the rules in the middle of the process does not allow time for election officials to understand the changes, to put processes in place or to provide adequate training for staff. It creates undue confusion for everyone involved. Because there is no pressing need that we are aware of to make any of these changes immediately, we would suggest that the proposed rules be postponed until after January 2001. Implementing them at this time only creates confusion for election officials and ultimately the voters.

June 23, 2000

J. Bradley King
Director, Elections Division
Office of the Secretary of State
180 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1299

Dear Mr. King,

The League of Women Voters of Minnesota has reviewed the proposed changes in the rules pertaining to elections. Because we have some serious concerns about the changes, we respectfully request that a public hearing be held. Our concerns are as follows:

Section 8200.5100 ELECTION DAY REGISTRATION (p. 5)

Our most serious concerns pertain to Election Day registration (8200.5100). This section changes current law in several ways that will limit Election Day registration. By changing intent, the rules go beyond technical, "housekeeping" changes. In addition they are contrary to legislative intent. Measures to restrict Election Day registration were expressly removed in committee during the last session.

Current law allows a person registering on Election Day to prove residence by presenting a receipt for a driver's license or MN identification card. The proposed changes (Subpart 1, pp. 5, 6, 7) require a voter to present a government issued photo identification card along with a receipt, thus requiring everyone registering on Election Day to have a photo ID card, something not everyone can afford or take the time from work to acquire.

Students would also be required to have a "current Minnesota student identification card" with the student's picture. Under the present system, students can register to vote on Election Day with a current student identification card with a valid address in the precinct, or a current fee statement or student registration card with the student's valid address in the precinct. A Minnesota photo identification card would now be mandatory.

The proposed change to eliminate having a valid registration in the same precinct as a proof of residence (line 14, p. 6) which allows someone who has moved to another house or apartment within the precinct to vote without re-registering affects the elderly, the homeless, those in health care facilities and nursing homes - anyone who has recently moved, because it requires them to re-register with a photo identification card. A notice of late registration mailed by the county or city clerk (line 15, p. 6) would also require a person to re-register with photo identification.

Changing the list of acceptable photo identification to "an identification card issued by the United States government, the state of Minnesota, a Minnesota post secondary education institution, or a Minnesota county or municipality," (p. 6, line 25; p. 7, lines 1,2,3) makes the language broader but may increase confusion at the polling place about what constitutes valid identification. The previous listing was very clear. The more general statement leaves the determination about what constitutes valid identification open to the interpretation of election officials and may differ from official to official.

8210.0200 ABSENTEE BALLOT APPLICATION (p. 22)

Under Section 8210.0200 (p. 22, lines 22 and 23) the rule change requiring the Secretary State to authorize the form of absentee ballot application denies the auditor or municipal clerk discretion in accepting letters, faxes or other kinds of voter requests for absentee ballots. It would seem reasonable to allow the auditors and municipal clerks some leeway in this area as voters are simply requesting an absentee ballot.

8210.0500 INSTRUCTIONS TO ABSENTEE VOTER (pp. 24, 25)

The concerns about requirements for picture identification under section 8200.5100 above also apply to this section.

8220.2050 ISOLATION OF VOTING SYSTEM (p. 46)

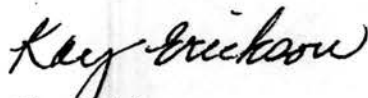
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REPEALER (p. 62)

The provision for the emergency voting card should not be repealed. While not often used, occasionally after redistricting a voter is accidentally placed in the wrong precinct. With this provision a judge can look at a map and send the voter to the correct precinct. A voter should not be deprived of the right to vote because of a technical mistake.

While many of the proposed rule changes are helpful, we would like to retain the open, accessible system of same day registration that has enabled many more Minnesotans to vote by registering on Election Day. The system we have now has worked well and without discernible fraud for more than 20 years. Voting is a right that should be open to all who are qualified without the additional hurdle of obtaining a photo identification which requires time and money.

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