



## Elections are NOT Priceless: Three Experts Speak

### Inside this issue:

- Election Challenges **2**
- Colorado Case Study **3**
- National Popular Vote **4**
- One Big Number **4**
- Worth Noting **5**
- Election Team **5**

*Can States Stage Efficient Elections?* That’s the question NCSL asked panelists to address during its Legislative Summit in August. Two common themes arose. First, we shouldn’t think of elections as a “priceless” commodity any longer—there are real costs involved, and they can and should be tallied. Second, collecting and evaluating election data can be tricky, but must be done to run accurate, fair and efficient elections.

In brief, here’s what our panelists had to say:

Zachary Markovits, senior associate with the [Pew Center on the States](#), defined what costs, outputs and efficiency mean in relation to conducting elections.

Doug Lewis, executive director of the [National Association of Election Officials](#), weighed in on stumbling blocks local officials face. (No surprise, these tend to have a financial compo-

nent.)

Allan Wallis, professor of public policy at the [University of Colorado, Denver](#), provided a real-world review of election reform options for Colorado and their associated costs.

Below is the “speed-dating version” of these three experts’ comments; the full presentation is available as a [webcast](#). You can also view five-minute video interviews with [Lewis](#) and [Markovits](#) online.

### 1: Zachary Markovits on Efficiency in Elections

**can•vass** (n.)  
 Compilation of election returns and validation of the outcome that forms the basis of the official results by a political subdivision.  
 —*U.S. Election Assistance Commission*

“Efficiency” is defined by a simple equation: efficiency = costs/output. In cars, efficiency means miles/gallon. In a factory, efficiency might mean widgets/hour. And if elections are under consideration? Efficiency means...hmmm. What are the costs and outputs in elections?

Markovits said that costs are

“extremely important but can be hard to get.” One reason is that in any given state, costs are spread among state and local jurisdictions, and even among several departments within jurisdictions. Some states are better at collecting cost data than others. In a few states—Georgia, Illinois, Minnesota, Missouri, North Da-

kota, Ohio, Texas, Utah, Washington, West Virginia and Wisconsin—laws allow or mandate that the chief election officer systematically collect cost data. Markovits would like to see all states collect better data, and he has ideas on how to do that. He says that states can start with existing data from their own backyards, or by extrapolating



# Efficiency in Elections

<< From 1



*“Costs are extremely important but can be hard to get.”*  
—Zach Markovits

from other states’ experiences.

Markovits pointed to a few across-the-board trends. First, the cost per vote in small jurisdictions can be 10 times more than in big ones. Second, the distribution of voter information can eat up more than 10 percent of an election budget. And last, recounts are surprisingly costly.

As for outputs, Markovits said the entire election process offers plenty of options. Polling place wait times, the prevalence of provisional ballots, and the number of over- and under-votes are just a few of the metrics that can be (and should be) collected and studied at the state level.

Where to look for these costs and outputs? Markovits says that “both costs and outputs have their data issues.” (This

begs the question, are bad data better than no data?) One place to look is in the U.S. Election Assistance Commission’s [Election Administration and Voting Survey](#), which has been conducted every two years since 2004. Another is the U.S. Census’ [Voting and Registration Supplement](#) to their Current Population Survey, a good source of consistent elections data since 1964. “It is one of the longest running sets of data collected over time about voting and voter registration in America,” said Markovits. And yet, he added, it is under-used. Some states are doing their own studies as well, and their findings may be applicable elsewhere. [Alaska](#), [Colorado](#), [New Mexico](#) and have done so this year.

Markovits acknowledged that

every state has its own election laws and its own elections culture, and that it wouldn’t be appropriate to have a “one-size-fits-all” approach to elections. However, he did offer three broad-brush messages to legislators:

1. Good data do exist to measure the efficiency of elections; they simply need to be captured and used.
2. Where good data do not exist, states could adopt policies to encourage their election agencies to begin collecting and recording it.
3. Legislators can use existing data, imperfect though they may be, to drive election legislation so that policy supports better outputs and reduced costs—or, in other words, greater election efficiency.

## 2: Doug Lewis on Election Challenges

Doug Lewis told the NCSL audience to expect to face notable elections “oopses” in 2012, and even more in 2014 and beyond if we stay on today’s course. Lewis, who has been at the heart of the election administration community for three decades, boiled down the complicated world of election challenges to just three:

- 1) Budget cuts have been deep enough that we may see problems in 2012, some relating to understaffed polling places or Election costs are driven in large measure by federal and state laws and regulations; states’ recent focus on complying with the Military and Overseas Voter Act of 2009 has reduced time and energy for other election

legislation.  
2) Technology and voting equipment are money sinks.  
After three consecutive years of belt-tightening in every nook and cranny of governmental budgets, elections will begin to show the effects, says Lewis. Between the increased turnout expected in a



## Election Challenges (*Doug Lewis*)

<< From 2

presidential year and reduced budgets, the result will likely be longer wait times at the polls in 2012—something all elected officials will hear about.

3) As for federal laws, the Military and Overseas Voters Empowerment Act of 2009 and the earlier Help America Vote Act of 2002 (HAVA) continue to influence state legislative action. These laws may indeed serve laudable purposes, but they force states to play “catch up.”

Many states last bought new equipment somewhere in the early 2000s with federal money made available through HAVA funds, Lewis reported. Now, much of that equipment needs to be replaced and no new federal money is in the offing. Lewis predicts that most jurisdic-

tions will limp through 2012, but 2014 could be disastrous, with spare parts and equipment simply unavailable, no matter the price.

Complicating matters further, much of the existing equipment is too complex for medium and small jurisdictions to maintain, so they contract with vendors. This has proved more expensive than the original purchase in some jurisdictions.

What can states do to help? Lewis proposed that they offer greater technical support to local elections officials, and cited Georgia as a place where this idea is working well. He noted, too, that “technology can cut two ways.” States that overcome the complications inherent in adapting to new technology can save real money by using

online voter registration, electronic poll books and electronic distribution of voter information, thus freeing up money for other needs.

Keeping up with these and other technological advances does not mean putting the gadget-of-the-year into state law. Instead of locking down election details in statute, Lewis recommends that legislatures offer general guidance. And, he proposes that new laws should seek to increase stability and good performance, not fix last year’s elections goof.



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*“If you want elections to run well, pass fewer laws—not more.”*

—Doug Lewis, director of  
The Election Center

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## 3: Allan Wallis on a Colorado Case

Professor Wallis co-authored (along with Peggy Cuciti) [Changing the Way Colorado Votes: a Study of Selected Reforms](#), commissioned by the state’s Best Practices and Vision Commission.

Wallis told the NCSL audience that between 2004 and 2008, election costs rose by

42 percent, and have continued to go up. The cost of running elections is driven by two categories: 1) equipment and its maintenance, and 2) labor. He also noted that Colorado’s county clerks are increasingly “having trouble finding people who can run a modern election.”

The study looked at the po-

tential for all-mail voting in terms of both political acceptance and financial viability. The study predicted Colorado would save money by switching to all-mail voting. However, a bill to permit Colorado counties to use all-mail voting was withdrawn by its sponsor before the committee could vote on it. Wallis offered these closing words: “Political reality can wipe out rationality very, very quickly.”





## National Popular Vote



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### NPV States:

*California*  
*District of Columbia*  
*Hawaii*  
*Illinois*  
*Maryland*  
*Massachusetts*  
*New Jersey*  
*Washington*

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In August, California became the eighth state to enact legislation to join the “National Popular Vote” (NPV) compact.

What is NPV? It is a plan to change how we elect the president. Instead of the current method, where all of a state’s electors are committed to the candidate who won the popular vote in that state (except in two states, Nebraska and Maine where electors are awarded by congressional district), states would agree to award the electors to the candidate who garners the most popular votes nationwide. Under this scheme, presidents could not be elected without also winning the most votes overall.

The compact would go into effect if states representing 270 electoral votes pass similar legislation to join the compact. California brings

the tally up to 132 electors. It would not require an amendment to the U.S. Constitution because the electoral college would continue.

Proponents say that it only makes sense for the candidate with the most votes to win; four times presidents have been elected without winning the overall popular vote, frustrating and confusing citizens. Advocates also predict this system would cause candidates to campaign more nationwide and not just in “battleground” states, spreading campaign spending around, too. For more information on this perspective, contact [National Popular Vote](#).

Opponents say that tradition should not be overturned lightly. They argue that if NPV went into effect, it wouldn’t broaden campaigns as much as change their tar-

gets; candidates could focus on only their “base” voters (such as urban voters) instead of on a wide geographic cross-section. In the event of a recount, it could be a national nightmare because each state has its own set of procedures. For more information on this perspective, contact the [Center for Competitive Politics](#) or the [Cato Institute](#).

This year, legislation was introduced in 38 states; it passed in [California](#) and [Vermont](#). The District of Columbia, Hawaii, Illinois, Maryland, Massachusetts, New Jersey and Washington have already passed laws to join the compact. [Georgia](#) and [New Mexico](#) created NPV study commissions this year. For more details, see NCSL’s [National Popular Vote webpage](#).

## One Big Number: 878,360

That’s how many poll workers were needed for the 2008 presidential election. This doesn’t include the nation’s poll watchers and election observers. Nearly half the nation’s jurisdictions had at least “some difficulty” obtaining them, according to the U.S. Election Assistance Commission’s Election Administration and Voting Survey of 2008.





## Worth Noting

—**Home rule in action:** [Marana, Ariz.](#), is doing away with precincts for local elections and using mail-only ballots instead.

—**Fake IDs** are getting better all the time; ask anyone in the 18- to 20-year-old demographic. The [Washington Post reports](#) that high-quality IDs are primarily desired by underage drinkers. Could fake IDs be used for voter fraud as well?

—In August, the U.S. [Election Assistance Commission](#) held a roundtable called “**Design Counts in Elections**,” NCSL’s Wendy Underhill joined a panel of local elections officials and experts on usability, “plain language” initia-

tives and accessibility to talk about guiding principles and real-life examples of good ballot and polling place design. The [webcast](#) is available to one and all.

—NCSL has just released a **LegisBrief** on pre-Election Day voting. This is an easy-to-read, concise analysis of early in-person voting and no-excuse absentee voting. [LegisBriefs](#) are free for NCSL members, and \$5 for all others.

—**Point/Counterpoint:** The Heritage Foundation’s Hans von Spakovsky weighs in on voter ID with [Voter Photo Identification: Protecting the Security of Elections](#). And Dan Tokaji, professor at the Ohio State University Moritz College of Law, offers an opinion on this year’s legislative action on election pol-

icy in [The Right To Vote: Bending Toward Justice or Backsliding?](#) Listen to a [debate](#) between von Spakovsky and Tokaji recorded at the 2011 National Election Law Seminar.

—**Federal Update:** As we go to press, the U.S. Senate is holding a hearing on “New State Voting Laws: Barriers to the Ballot?” Get the details from the [Senate Judiciary Committee](#).

**Bookmark this:** Doug Chapin’s new [blog](#). Chapin, who left the Pew Center on the States to become the director of the Humphrey School of Public Affairs’ Program for Excellence in Election Administration, is writing almost daily about our favorite topic (elections). His posts are pithy, instructive and sometimes funny. And, he always includes excellent images. This deserves notice because we at The Canvass know how hard it can be to find images to illustrate election news.

## From NCSL’s Elections Team

For many legislators, September kicks off the season of planning. Because most legislatures are not in session, the fall is a nice opportunity to meet with constituents and form a legislative agenda for the upcoming year.

Which issues will you tackle?

What bills will you introduce? Where will you get your information?

Please feel free to ask us for data, trends, experts to interview, or access to bills from other states —basically anything that may be of use to you as you craft legislation

for 2012. Contact us by [email](#) or by phone at 303-364-7700.

**Thank you.**

Jennie Bowser, Tim Storey and Wendy Underhill



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William T. Pound,  
Executive Director

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[TheCanvass@ncsl.org](mailto:TheCanvass@ncsl.org)

NCSL Elections Staff: Jennie  
Drage Bowser,  
Susan Parnas Frederick, Tim  
Storey and  
Wendy Underhill