

U.S. Election Assistance Commission

Alternative Voting Methods

September 2008



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The U.S. Election Assistance Commission (EAC) is an independent, bipartisan commission created by the Help America Vote Act (HAVA) of 2002 to assist State and local election officials with the administration of Federal elections.¹ The EAC provides assistance by disbursing, administering, and auditing Federal funds for States to implement HAVA requirements; conducting studies and other activities to promote the effective administration of Federal elections; and serving as a source of information regarding election administration.

Section 241(b)(10) of HAVA requires the EAC to study “[t]he feasibility and advisability of conducting elections for Federal office on different days, at different places, and during different hours, including the advisability of establishing a uniform poll closing time and establishing – (A) a legal public holiday under section 6103 of title 5, United States Code, as the date on which general elections for Federal office are held; (B) the Tuesday next after the 1st Monday in November, in every even numbered year, as a legal public holiday under such section; (C) a date other than the Tuesday next after the 1st Monday in November, in every even numbered year as the date on which general elections for Federal office are held; and (D) any data described in subparagraph (D) as a legal public holiday under such section.”²

In 2006, the EAC commissioned two studies about alternative voting methods currently used in the United States. One study involved a national survey of voters regarding their opinions on matters such as changing the date of the Federal Election Day, instituting a uniform poll closing time, and increasing confidence in the voting system, among many others. The other study resulted in this publication, *Alternative Voting Methods*, which examines the experiences of selected States and/or

The Alternative Voting Methods study is meant to provide details about new and exciting ways of administering elections so that each jurisdiction can chart the future of its own system of election administration with the most information possible.

local jurisdictions with voting outside the traditional precinct-based polling place through early voting, vote-by-mail, and vote centers. Sections in this publication address the feasibility and advisability of conducting Election Day on a different day through weekend voting and declaring Election Day holidays. The final section reviews voting in Puerto Rico.

Each alternative voting method in this report is feasible in nearly every State because the changes to current election administration practices mostly require legislation at the local, State, and/or Federal level. Not every method would be successful in every jurisdiction, however, nor would every jurisdiction be able to handle the costs of implementing each alternative voting method. The *Alternative Voting Methods* study is meant to provide details about new and exciting ways of administering elections so that each jurisdiction can chart the future of its own system of election administration with the most information possible. States and localities will need to evaluate their own processes before any change in election administration is advisable.

¹42 U.S.C. § 15321 (2006).

²§ 15381(b)(10) (2006).

Early voting is traditionally defined as a process by which voters cast their ballots before Election Day at precinct-like polling stations throughout a jurisdiction. It requires no excuse from voters and is “virtually like voting on Election Day.” The use of early voting has expanded throughout the country over the past several election cycles. Texas has been administering early voting for more than 20 years, making it a good choice for a case study into the alternative early voting method.

Texas began to implement early voting in 1987, although the process was somewhat different from the early voting of today. At that time, absentee voting was expanded to provide the opportunity to all voters to cast a ballot before Election Day. Counties were required to offer “absentee voting in-person” to all voters at any one of their permanent election office branch locations. In 1991, Texas State law was changed to provide a minimum standard for the number of early voting locations incorporated within each county. The law also permitted the creation of temporary branch locations for the express purpose of conducting early voting.³

In Texas, registered voters may vote at any early voting location within their county between 4 and 17 days before Election Day. If the 17th day before a Federal general election falls on a weekend, Texas State law requires that the start of early voting occur on the first business day thereafter for an overall early voting period of 12 days.⁴

Early voting procedures are similar to those already conducted on Election Day. Officials’ clear procedures and forward planning has led to the success of early voting as supported by data showing an increasing proportion of voters that chooses to vote early. This section will provide information about the evolution of early voting in Texas by detailing the legislative history, reviewing the logistical issues surrounding the implementation

³*United States. Cong. House. Committee on Energy and Commerce. Subcommittee on Elections. Alternative Ballot Techniques. Hearing, 22 Sept. 1994. 103rd Cong., 2nd sess. Washington: GPO, 1994.*

⁴*Ibid.*

State Name:	Texas
Chief Election Official:	Hon. Roger Williams Texas Sec. of State Elections Division P.O. Box 12060 Austin, TX 78711-2060
Total Number of Registered Voters:	13,074,279 (in 2006)
Alternative Voting Method Used:	Early Voting
Implemented:	1987

of early voting, and examining the overall effect of early voting in the State of Texas.

A thorough study about how early voting is administered in Texas from the perspective of election officials has not occurred to date. With the limited amount of source material available, this case study was conducted using statutory references, personal interviews, and published statistics from the Texas Secretary of State’s office.

Implementation and Effect

Although voter participation data suggest that early voting does not increase overall turnout, election officials interviewed have seen clear benefits. An increasing percentage of voters take advantage of early voting with each successive Federal election. For local election officials, the lighter volume of voters on Election Day equates to shorter lines, fewer complaints, and a more efficient Election Day environment.

No empirical studies are available regarding election officials’ attitudes about early voting, but anecdotal evidence from throughout Texas suggests that it was greeted with general reluctance, which was to be expected with any unfunded mandate. More than 20 years after

implementation, however, local election officials have fully incorporated any extra costs associated with early voting into their budgets and reported that they favor the alternative voting method.

Since its inception in 1987, early voting in Texas has undergone significant changes to address matters pertaining to equal protection, accessibility, and inconsistencies within the Texas Election Code (TEC). All these changes put early voting practices and procedures on par with those used on Election Day.

Legislative History

1987

Texas House bill 612 is enacted, which creates “no-excuse” voting by personal appearance. Voters no longer need to provide a reason if they wish to vote in person before Election Day. Only a limited number of early voting locations are established, however, usually in the permanent branch offices of the county election official. Moreover, the State and local officials do not lead an aggressive public education effort to inform voters of the new alternative voting method. Local election officials are especially nervous about paying for the new form of voting for which the State provides no funding.

1988

The Committee on Elections of the Texas House of Representatives reviews the implementation of expanded absentee voting. It seems as if the new option is well received by both the general public and the local election officials implementing and administering it. Included in the committee’s report are the following findings:

- The success of the expanded in-person absentee voting program is reflected in an increase in the number of absentee votes cast,

⁵Texas. Committee on Elections, *Texas House of Representatives. Interim Report to the 71st Texas Legislature*. Austin: The Committee [1988]. pp. 3-6.

Major Milestones in the Evolution of Early Voting in the State of Texas

1988: The State of Texas permits no-excuse, in-person absentee voting.

1991: Requirements mandate early voting locations in counties with a population of at least 100,000 residents, expanded hours—including on weekends—for early voting, procedures, and noticing requirements. State law recognizes early voting as a distinct form of voting.

1993: Early voting legislation becomes effective statewide; all counties must establish temporary (early voting) branch locations beginning up to 20 days before an election.

1997: The Texas Legislature further defines the quantity and distribution of early voting locations in counties with populations of more than 120,000 and less than 400,000. The early voting period is shortened to 17 days before an election.

2003: All counties are required to begin early voting 17 days before an election.

which encourages the creation of more in-person absentee voting locations.

- The concerns about the ability of voters to cast more than one ballot during the early voting period appear unfounded; no data suggest that multiple voting occurs.⁵

These findings prove to be an impetus for subsequent changes to the TEC. One improvement is the adoption of technology and procedures—such as real-time connectivity between early voting sites and the central office poll book—meant to mitigate the threat of multiple voting.

1991

On May 26, 1991, Governor Ann Richards signs Senate bill 1234, which revolutionizes voting in Texas. The law amends the TEC to identify “early voting” as a separate and distinct voting method apart from “absentee voting.” Among the substantive changes are rules that require the following:

- Clerks’ offices must remain open on Election Day.
- Counties with more than 100,000 residents must establish temporary branch early voting locations, open early voting polling places 12 hours each day during the final week of early voting, and observe extended hours during the last weekend of early voting.
- Electioneering must take place outside larger boundaries near early voting locations to put procedures in line with Election Day electioneering.
- Clerks’ offices must establish uniform voting hours for all early voting locations.⁶

The 1991 legislation calls for an early voting period beginning 20 days before the election. Subsequent amendments narrow the early voting period to provide greater uniformity in the voting process. Today, the current period of early voting begins on the 17th day before a general election or the first business day thereafter if the 17th day before the election falls on the weekend.

Establishing Early Voting Locations

Early voting sites are not chosen at random. State law defines the formula for establishing early voting locations for State and Federal elections as follows:

⁶*Texas. Committee on Elections, Texas House of Representatives. Interim Report 1992. Austin: The Committee [1992]. pp. 5-8.*

⁷*Tex. Elec. Code Ann. § 85.062 (2003).*

⁸*Ibid.*

- Counties with populations of less than 100,000 are required to maintain early voting locations at the main office of the county election official and any permanent branch locations.
- Counties with populations between 100,000 and 120,000 are required to maintain one early voting location within each County Commissioner District if the county receives a request from within a particular precinct by 15 or more registered voters.
- Counties with populations between 120,000 and 400,000 are required to maintain one early voting location within each County Commissioner District plus a main early voting location (minimum of five locations).
- Counties with populations of more than 400,000 are required to maintain one early voting location within each State Representative District plus the main early voting location.
- The total number of permanent branch and temporary branch early voting locations in one County Commissioner District may not exceed twice the number of permanent and temporary polling places open at that time in another County Commissioner District.⁷

The County Commissioners Court, the governing body of each county, is the ultimate authority for the placement and use of early voting locations throughout the county. All decisions about the placement of early voting locations must be official actions of the court, which are posted on the agenda of their regular meetings. Furthermore, there are statutory requirements to ensure that the placement of early voting sites is fair and politically neutral.⁸

The current statutory requirement for the relatively equal distribution of early voting locations among County Commissioner Districts (not to exceed a ratio of 2:1) provides a valuable tool for maintaining a minimum level of equality in service because each County Commissioner District is required by law to have roughly the same population.

Although each county must achieve minimum compliance with the law, many pursue additional alternative methods allowable under the TEC. Some

counties have established “mobile early voting” locations. These locations are open for limited durations and are intended to serve particular areas. All mobile locations are subject to the same noticing requirements and procedures as stationary early voting buildings.⁹

Costs

Texas has not conducted a statewide review of the costs associated with early voting. Tarrant County, however, the third largest county in the State and home to the city of Fort Worth, estimates that the direct costs associated with conducting early voting during the Presidential election in November 2004 amounted to \$524,320; more than 57 percent of that expenditure is attributable to payroll and the hiring of additional clerks.

Tarrant County establishes 28 early voting locations for the duration of the early voting period and an additional 9 locations of limited duration. Because of its large population, Tarrant County is required to conduct early voting for a period of 12 hours per day (Monday through Friday) during the last week of early voting. During the 2004 general election, the county’s 307,246 early votes cast averaged a cost of \$1.70 per early voter according to interviews with the Tarrant County Elections Administrator.

In Harris County, the State’s largest county, with 1.9 million registered voters, the cost per early voter in the 2004 Presidential election was \$1.14. Total costs associated with the 32 early voting locations in Harris County totaled \$471,073, and an estimated 72 percent of that amount was for personnel expenses, according to interviews with the Harris County Clerk.

Other costs associated with early voting include telecommunication line installations, site rental fees, and transportation fees to transport voting equipment to and from early voting locations. The cost per early voter varies from election to election based on the level of turnout during early voting.

Personnel Costs

Payroll expenses account for a substantial percentage of the money required to conduct early voting in Tarrant and Harris Counties. To conduct “Election Day” over an extended period, local election officials must hire temporary employees, who are paid at a higher pay rate than that of standard Election Day poll workers.

In 2007, supervisors at an early voting location in Harris County earned \$8.49 per hour, while election clerks earned \$7.92 per hour. Election Day poll workers in Harris County earned \$7.50 and \$6.00 per hour, respectively, for the equivalent positions.

Technology Costs

With many early voting locations open and processing voters simultaneously, counties use modems and other telecommunication devices that provide real-time connectivity to the elections office to prevent multiple voting. The need for this technology was first identified when Texas expanded no-excuse absentee voting. At that time, the Texas Legislature wanted to ensure that voters could cast only one ballot during each election.

Early voting requires using off-the-shelf or internally developed election management software. The software offers a user-friendly interface for processing voters by election clerks while verifying a voter’s registration status. The voter is then given credit for voting. After given credit, the individual is unable to vote in another early voting location or on Election Day. Should this connectivity be lost for some reason during voting, emergency procedures are in place to verify voters via telephone so that no voters are turned away from an early voting location. The increased telecommunication requirement adds to the costs associated with early voting—approximately \$4,600 in Harris County, for example.

⁹Tex. Elec. Code Ann. § 85.067 (2003).

Administrative Challenges

The public expects reliable early voting each election, and local election officials continue to improve administrative practices and procedures to meet those expectations.

Counties are considering ways to inform the public during early voting about which sites are experiencing long lines and how best to redirect voters to alternate locations. Officials continue to examine the potential for more early voting locations and how best to rapidly verify a voter's eligibility, because the ability to process voters quickly is critical to the success of early voting in any jurisdiction.

Harris County has started using Geographic Information System software to analyze voter trends within service areas, identify gaps in service coverage, and anticipate the potential effect of moving early voting locations.

Voter Turnout

The Texas Legislature initially justified its approval of early voting with a supposition that providing greater ease and flexibility might yield higher turnout. Early voting is certainly more convenient for voters; sites are open for many more hours during the course of the election cycle than they would be if voting occurred only on Election Day. The voter makes the decision of when and where to vote based on his or her schedule. Early voting, however, appears to serve only as an alternative voting method for active voters who would have otherwise voted on Election Day. Overall turnout as a percentage of registered voters has not increased, so little evidence supports the

¹⁰The National Voter Registration Act of 1993, also known as Motor Voter, went into effect on January 1, 1995. Although the law improved access to voter registration and information, it made it more difficult for jurisdictions to remove voters from the voter registration list. With the added difficulty of removing voters from the list, it is not surprising that the turnout of registered voters has declined in certain elections since 1995.

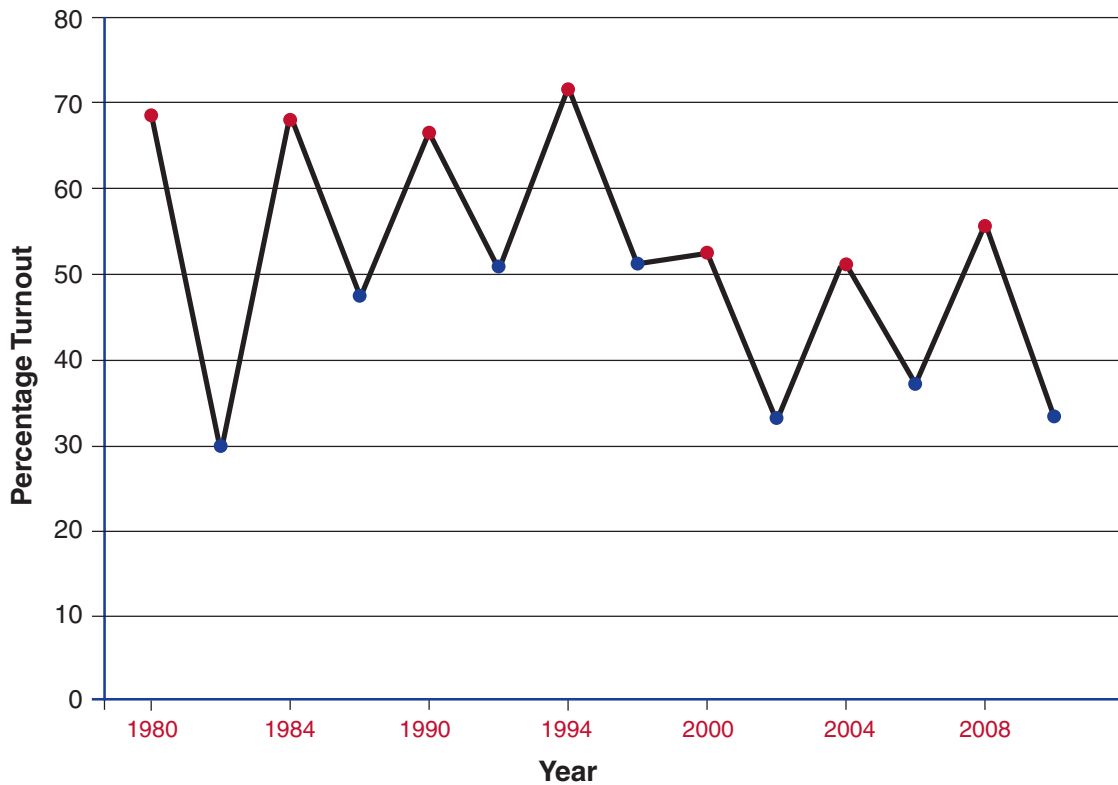
supposition that large proportions of previously nonvoting individuals are now participating because of the convenience provided by early voting. It is possible, though, that convenience is keeping some voters in the process that might otherwise have stopped voting without the alternative voting option.

Figure 1 illustrates the traditional ebb and flow of turnout associated with Federal elections. Presidential election years are usually the highest turnout elections. In Texas, the most noticeable trend in the data is the dropoff that occurred between the 1992 and 1996 Presidential elections—from a high of more than 70 percent in 1992 to 53 percent in 1996.¹⁰ Although 2004 showed a slight increase in turnout, the overall trend since early voting began reveals no dramatic increase in turnout. Instead, it has remained relatively stable at slightly more than 50 percent during recent Presidential election cycles.

Figure 2 illustrates the increasing proportion of overall voting in Texas that occurs during early voting. Although the level of overall turnout has remained the same, the percentage of those voters choosing to vote early continues to grow when similar elections are compared. In 2004, the proportion of early voters of overall turnout was more than 50 percent for the first time. One trend of particular note is the double-digit increase in the percentage of early voters from 2000 to 2004. Future elections will reveal whether the trend continues.

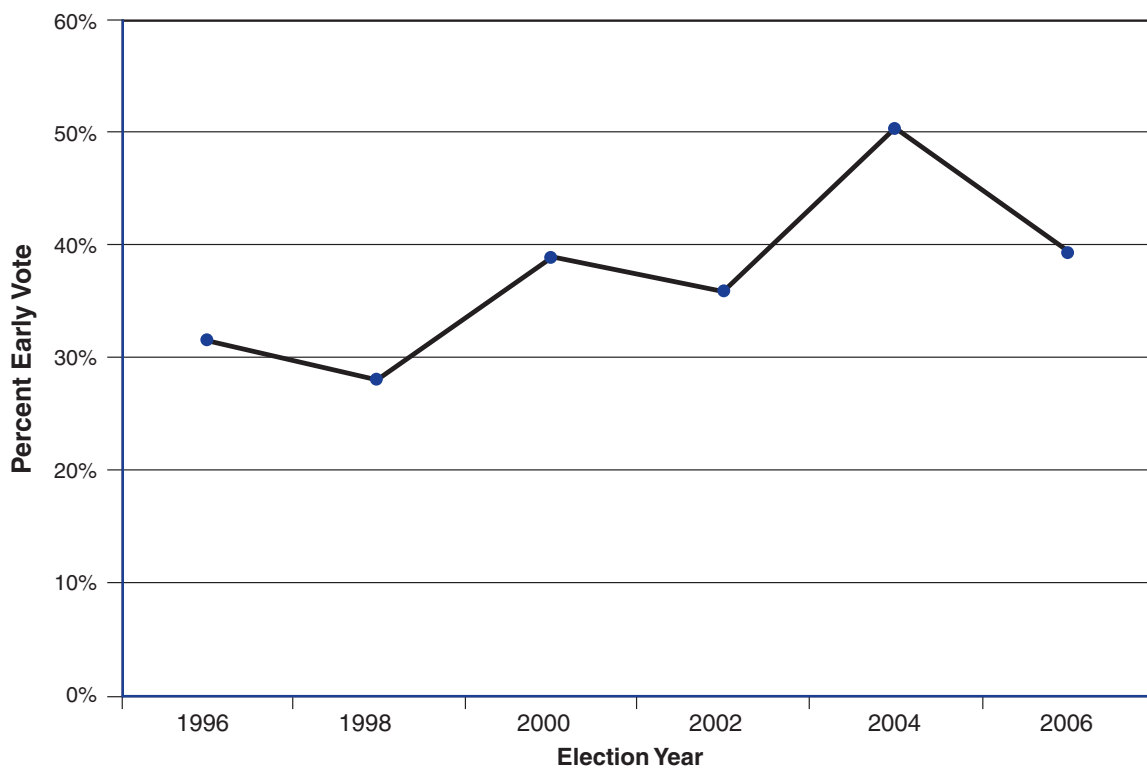
Figure 3 shows the daily turnout for the 15 most populous counties in Texas in the 2-week early voting period before Election Day. During the first week, early voting is limited to the 8-hour workday. During the second week of early voting, hours are extended to 12 hours per day in each of the 15 counties. The data show that for both the 2004 and 2006 general elections, a dramatic increase in turnout correlates with the expanded service hours during the second week of early voting. Local election officials should consider these data when implementing an early voting process. If 2 weeks of early voting proves too expensive, the same convenience voting effect may still be achieved in 1 week of early voting, because it appears that most voters decide to vote as close as possible to Election Day.

Figure 1. Overall Turnout (RV) for Federal General Elections (1980–2006)



Source: Texas Secretary of State, Elections Division, Election Results Archive, 2006.

Figure 2. Early Voting as a Percentage of Overall Turnout



Source: Texas Secretary of State, Elections Division, Election Results Archive, 2006.

Legal Challenges

Texas won its first early voting legal battle when the 5th U.S. Circuit Court of Appeals ruled that “because the election of federal officials in Texas is not decided until Texas voters go to the polls on federal election day, we conclude that the Texas early-voting scheme is not inconsistent with federal election laws.”¹¹

In 2003, the Mexican American Legal Defense and Education Fund (MALDEF) sued Bexar County (TX) election officials.¹² The election involved in this dispute was the Texas State Constitutional Amendment election scheduled for September 13, 2003. Because of low turnout expectations for this election, the number of early voting locations was decreased from the number used on a typical Federal Election Day. MALDEF claimed that the reduction of early voting locations happened in particular demographic areas that would be more likely to deny equal access for voters of some minority groups. The U.S. District Court ruled that the county had not properly secured preclearance through the U.S. Department of Justice under Section 5 of the Federal Voting Rights Act, which is required in some jurisdictions

**Day 6 represents a Saturday—the first voting day with 12 hours of voting. Day 7 represents a Sunday, with limited voting hours in many counties, which results in far fewer votes than the immediately preceding and succeeding days of early voting. Days 8–12 represent the second week of early voting, with 12 hours of voting each day.*

¹¹*The Voting Integrity Project, Inc. et al v. Elton Bomer*, 199 F.3d 773 (5th Cir. 2000).

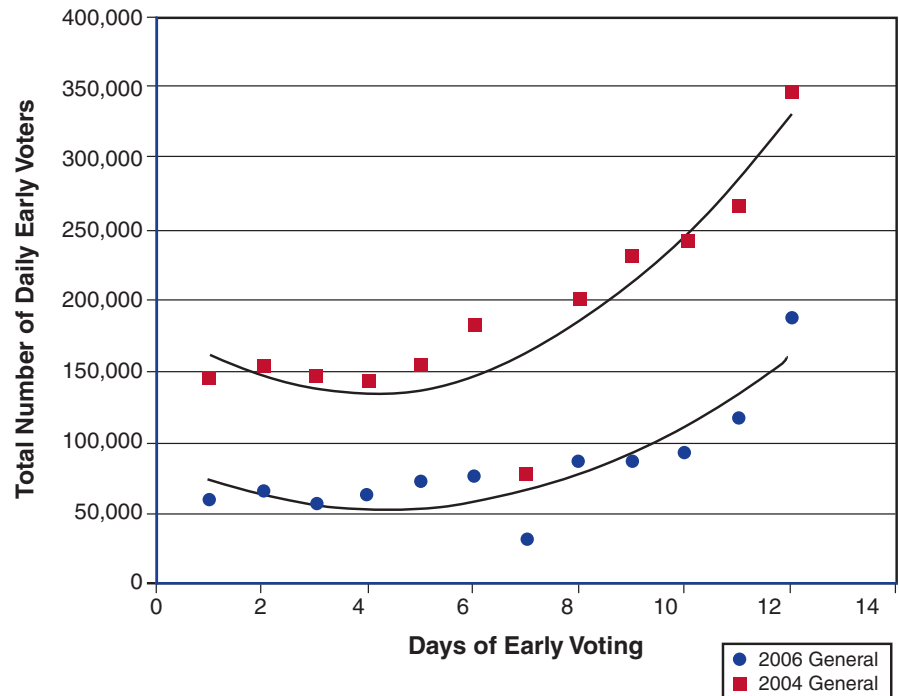
¹²*Miguel Hernandez Chapter of the Am. GI Forum v. Bexar County*, No. SA-03CA-816-RF (W.D. Tex. August 28, 2003).

¹³*Ibid.*

¹⁴*Ibid.*

¹⁵42 U.S.C. § 1973c (2006).

Figure 3. Daily Distribution of Early Voters 2006 versus 2004 General Elections*



Source: Texas Secretary of State, Elections Division, Election Results Archive, 2006.

before changing an election practice.¹³ In addition, the overall distribution and existing levels of access of early voting locations were deemed insufficient. Bexar County was required to establish an additional six early voting locations.¹⁴

In an effort to alleviate questions of equal access, the TEC now defines certain noticing provisions to registered voters regarding the schedule and locations for early voting. Any changes to early voting schedules or early voting locations must be submitted for Section 5 preclearance through the U.S. Department of Justice, as required by the Federal Voting Rights Act.¹⁵

Conclusion

The success of early voting in Texas can be attributed to its statutory foundation, distinct rules that establish minimum service requirements for voters, and defined operating procedures for local election officials. Key portions in the TEC and best practices used by election officials include the following:

- Clear rules for the uniform application of early voting hours and dates.
- Unambiguous minimum and maximum requirements for the quantity and distribution of early voting locations to ensure equal access within a county.
- Noticing provisions that inform the voting public about early voting locations, dates, and times and also inform them of any changes.
- Detailed procedures for processing voters during the early voting period.
- Technology that permits real-time connectivity for verifying early voters.

As the popularity of early voting increases, so does the number of challenges for election officials. They

must periodically reassess early voting service areas within their jurisdictions. As demand for early voting in one area increases, officials must respond by identifying and planning for new early voting locations as needed.

Despite the fact that early voting has not increased overall turnout in Texas, as was originally hoped, it has been embraced by both the public and election officials. Voters have the flexibility of choosing a convenient time and place to cast their ballots—something they may be unable or unwilling to do on Election Day—and long lines at polling places and resulting consequences become less likely for local election officials on Election Day. Continued increases in the proportion of the electorate choosing to use early voting signal that the alternative voting method has become an integral part of the election process by voters in Texas.

Election Day as a Holiday: Illinois and Maryland

In a national survey of voters conducted for EAC, 51 percent of individuals favored establishing an Election Day Federal holiday compared with 45 percent who opposed it. Many believe that an Election Day Federal holiday would result in more convenience for working individuals, which would result in higher turnout. There may also be some benefits for local election officials in the administration of elections on a holiday as opposed to on a regular Tuesday workday.

An Election Day holiday would not be new to voters in all States. As of 2006, nine States observed State holidays on Federal Election Days. The nine States are Delaware, Hawaii, Illinois, Indiana, Louisiana, Maryland, Montana, New Jersey, and West Virginia.¹⁶

EAC researchers interviewed State and local election officials in Illinois and Maryland, States with Election Day State holidays on Federal Election Days, for this section. Aside from collecting information about the pros and cons in administering elections on Election Day holidays, researchers gathered data about whether election officials believe that the holiday adds value to the election process as a whole—for election officials and voters.

Implementation and Effect

Assessing the effect of implementing an Election Day State holiday in Illinois and Maryland is difficult because of a lack of information. In Illinois, the State declared an Election Day holiday in 1943. In Maryland, Federal elections have been State holidays since 1882. Election officials in each State were unsure of the reasoning behind the statute, how long it took to implement the statute, and how costly the statute was to implement.

¹⁶"2006 Polling Place Hours by State." Chart. National Association of Secretaries of State. Nov. 2006. 14 Jul 2008 <http://nass.org/index.php?option=com_content&task=view&id=71&Itemid=217>.

¹⁷Cong. Rec. 7 May 1992: E1297.

State Name: Illinois
Chief Election Official: Dan White
Executive Director
Illinois State Board
of Elections
1020 S. Spring Street
Springfield, IL 62704
Phone: 217-782-1542

Number of Registered Voters: 7,320,000 (in 2006)

Implemented: 1943

State Name: Maryland
Chief Election Official: Linda Lamone
Admin. of Elections
151 West St. Ste 200
P.O. Box 6486
Annapolis, MD 21401

Number of Registered Voters: 3,142,812 (in 2006)

Date of Implemented: 1882

One of the most common arguments in favor of establishing an Election Day Federal holiday is that it would become significantly easier for individuals who must work on Election Day to vote. In 1992, then-Representative Ron Wyden from Oregon said, regarding H.R. 3681 Democracy Day Act, "one of the largest barriers to voting is the busy daily schedule of the American people. The demands of home, work and family life often make it extraordinarily difficult to find the time to make it to the polls to vote."¹⁷

It is not clear, however, that an Election Day Federal holiday would necessarily result in a more convenient voting experience for voters. In States

with Election Day State holidays, the U.S. Postal Service and all other Federal agencies remain open. Many businesses choose not to close. In some States, including Maryland, the local jurisdictions determine whether schools, libraries, and other municipal buildings will be open as usual. In short, a State holiday guarantees the closing of only State offices. The same would be true of an Election Day Federal holiday; the only guaranteed closures would be for Federal agencies.

The closing of State offices has some benefits for local election officials. Some jurisdictions recruit State employees to be poll workers for Federal elections on their days off. An Election Day State holiday may result in more options for local election officials in establishing polling places. Some States reported that more schools are available as polling places when the State declares an Election Day State holiday. Again, an Election Day Federal holiday would not mandate that schools or State offices close, so the potential effect of such a holiday is difficult to measure.

Additional costs are associated with establishing an Election Day holiday. The States that have declared Election Day State holidays must pay for the loss of 1 day's productivity for all State employees. The same would be true if the Federal government were to declare a Federal holiday. More than 2.4 million Federal employees would be given the day off with pay.¹⁸ Total payroll cost for poll workers is not likely to rise dramatically just because the Election Day

is a holiday. Local election officials and their staffs already receive overtime pay or compensatory time because of the long hours they work on Election Day.

Voter Turnout

Most arguments in favor of declaring an Election Day Federal holiday include an expected increase in voter convenience so that more individuals can participate in the electoral process. EAC researchers were able to identify data for Illinois regarding the number of votes cast for President in 1940 and 1944 as well as population estimates of voting age population (VAP). Similar data about the implementation of an Election Day State holiday in Maryland were impossible to locate because Census Bureau data about VAP are not available before 1940.

In 1940, the last Presidential election before Illinois moved to an Election Day State holiday, 4,217,935 votes were cast for Presidential electors.¹⁹ In Illinois, the civilian population age 21 and over (the legal voting age at the time) was 5,374,143.²⁰ Thus, the turnout of VAP in 1940 was 78.5 percent. Four years later, after the implementation in 1943 of the Election Day State holiday, votes cast by civilians for Presidential electors decreased to 3,873,805 out of 4,998,000 individuals in the VAP.²¹ Therefore, turnout decreased slightly to 77.5 percent in 1944 after the implementation of the Election Day State holiday.

EAC researchers compared turnout data from the past four Federal elections in Illinois and Maryland and the 7 additional States that have Election Day State holidays with the aggregated turnout data of the 41 States and the District of Columbia that do not have State holidays and to the national voter turnout. The data are included in Table 1. In Federal elections from 2000 and 2006, the aggregated turnout of States with Election Day State holidays was higher in two elections and lower in two elections than the turnout of the 41 States and the District of Columbia that do not have State holidays. For example, in 2000 the 9 States with Election Day State holidays had a turnout of VAP of 50.6 percent while the national turnout was 50.0 percent. In 2006, however, the 9 States had a turnout of 35.8 percent when the national turnout was 37.0 percent.

¹⁸United States. Bureau of Labor Statistics, U.S. Department of Labor. *Career Guide to Industries, 2008-09 Edition, Federal Government, Excluding the Postal Service.* [Washington, DC :] BLS, 2008. 14 July 2008 <<http://www.bls.gov/oco/cg/cgs041.htm>>.

United States. Bureau of Labor Statistics, U.S. Department of Labor. *Occupational Outlook Handbook, 2008-09 Edition.* [Washington, DC :] BLS, 2008. 19 August 2008 <<http://www.bls.gov/oco/ocos141.htm>>.

¹⁹United States. Cong. House. *Statistics of the Presidential and Congressional Election of November 5, 1940.* 15 Jan. 1941. 77th Cong., 1st sess. Washington: 1941. 14 Jul. 2008 <http://clerk.house.gov/member_info/electionInfo/1940election.pdf>.

²⁰United States. Bureau of the Census, U.S. Department of Commerce. *Current Population Reports Population Estimates.* [Washington, DC :] Bureau of the Census, 1948. 14 July 2008 <<http://www.census.gov/population/socdemo/voting/p25-015.pdf>>.

²¹Ibid.

Table 1. Turnout in Election Day State Holiday States, 2000, 2002, 2004, and 2006²²

2000 Presidential Election			
State	VAP*	Voters	Turnout (%)
Delaware	596,389	327,529	54.9
Hawaii	921,695	367,951	39.9
Illinois	9,218,881	4,742,123	51.4
Indiana	4,522,034	2,182,295	48.3
Louisiana	3,258,261	1,765,656	54.2
Maryland	3,974,596	2,025,480	51.0
Montana	678,630	410,986	60.6
New Jersey	6,359,586	3,187,226	50.1
W. Virginia	1,406,441	648,124	46.1
9 States w/ Election Day Holiday	30,936,513	15,657,370	50.6
41 States + DC without Election Day Holiday	179,783,669	89,718,116	49.9
United States	210,720,182	105,375,486	50.0

2004 Presidential Election			
State	VAP*	Voters	Turnout (%)
Delaware	629,012	375,190	59.6
Hawaii	980,145	429,013	43.8
Illinois	9,518,511	5,274,322	55.4
Indiana	4,635,693	2,468,002	53.2
Louisiana	3,358,475	1,943,106	57.9
Maryland	4,200,864	2,386,705	56.8
Montana	715,516	450,445	63.0
New Jersey	6,573,016	3,611,691	54.9
W. Virginia	1,430,277	755,887	52.8
9 States w/ Election Day Holiday	32,041,509	17,694,361	55.2
41 States + DC without Election Day Holiday	189,243,590	104,600,617	55.3
United States	221,285,099	122,294,978	55.3

2002 Midterm Election			
State	VAP*	Voters	Turnout (%)
Delaware	613,468	232,314	37.9
Hawaii	950,627	382,110	40.2
Illinois	9,375,151	3,538,883	37.7
Indiana	4,569,767	1,521,353	33.3
Louisiana	3,298,931	1,246,333	37.8
Maryland	4,095,794	1,704,560	41.6
Montana	695,012	331,321	47.7
New Jersey	6,473,660	2,112,604	32.6
W. Virginia	1,414,041	436,183	30.8
9 States w/ Election Day Holiday	31,486,451	11,505,661	36.5
41 States + DC without Election Day Holiday	184,520,406	66,867,802	36.2
United States	216,006,857	78,381,943	36.3

2006 Midterm Election			
State	VAP*	Voters	Turnout (%)
Delaware	650,932	254,099	39.0
Hawaii	991,442	344,315	34.7
Illinois	9,648,191	3,486,671	36.1
Indiana	4,758,146	1,666,922	35.0
Louisiana	3,138,364	902,498	28.8
Maryland	4,274,452	1,788,316	41.8
Montana	725,487	406,505	56.0
New Jersey	6,661,588	2,250,070	33.8
W. Virginia	1,427,746	459,884	32.2
9 States w/ Election Day Holiday	32,276,347	11,559,280	35.8
41 States + DC without Election Day Holiday	194,294,076	72,231,623	37.2
United States	226,570,423	83,771,171	37.0

²²Voter turnout figures were derived from the number of votes cast for the highest office and the voting age population (VAP), as reported by Dr. Michael McDonald and the United States Election Project. 17 Jul. 2008 <http://elections.gmu.edu/voter_turnout.htm>.

*VAP = voting age population

When the turnout data from States with Election Day State holidays are compared with the turnout data from States without Election Day holidays and with the entire country, it is evident that an Election Day holiday does not increase voter turnout.

Election Day in Illinois

The Illinois State Board of Elections was created in 1974, but the Election Day State holiday was implemented 31 years earlier in 1943. The Board of Elections was unable to provide information about how long it took to implement the holiday or any costs involved with the implementation. Similarly, it could not comment about changes in the administration of elections in Illinois as a result of the implementation of the Election Day State holiday. EAC researchers interviewed local election officials in seven jurisdictions in Illinois: Champaign, DuPage, Jackson, Lake, Mason, Peoria, and Rock Island Counties.

The Election Day State holiday is not advertised. As one election official explained it, the holiday has “been around for so long that people just take it for granted.” Still, as only a State holiday, the U.S. Postal Service and other Federal agencies remain open during the day as do many private businesses. Assessing whether those private businesses might be more likely to close on an Election Day Federal holiday is not feasible.

Administrative Challenges

Illinois has a State law that requires all government buildings be made available to local election officials as polling places on Election Day. Local election officials, however, say they have had difficulty enforcing the law. Some school administrators are reluctant to allow their facilities to be used as polling places on Election Day because of security concerns for their students. The problem became more severe after September 11, 2001.

In Illinois, the decision to close schools on the Election Day State holiday is made at the county level. All seven counties represented in this study indicated that schools are open during the Election Day State holiday, which makes it difficult for local election officials to use those facilities. In addition, most of the counties cited parking problems at polling places located at open schools.

Illinois Law: (10 Ill. Comp. Stat. 5/17-25 2008).

5/17-25. Election days to be holidays: The days upon which the general elections for members of the House of Representatives of this State shall hereafter be held shall be holidays, and shall for all purposes whatever as regards the presenting for payment or acceptance and of protesting and giving notice of the dishonor of bills of exchange, bank checks and promissory notes and as regards days of grace upon commercial paper, be treated and considered as is the first day of the week, commonly called Sunday; provided, that no other election day shall be treated and considered as a holiday.

The increased availability of State and local government buildings on the Election Day State holiday does not necessarily provide local election officials with greater polling place options. Although State government buildings are closed, the consensus among local election officials in Illinois is that government buildings are not ideal polling sites. Many government buildings have space configurations that do not provide enough room for polling places. An election official from a county that has used a State government building as a polling place noted that it is more difficult to gain access to the building during holidays because the regular maintenance and security personnel are not on site.

Most election officials interviewed told EAC researchers that there was no increase in interest in becoming a poll worker simply because State employees have the day off. Only one election official from the seven jurisdictions in Illinois interviewed for this case study indicated that the jurisdiction was able to recruit State employees as poll workers as a direct result of the Election Day State holiday.

The administrative cost to run elections varies by county. Five of the seven county election officials interviewed told EAC researchers that local election officials in the jurisdiction get paid overtime.

Those election officials, however, receive overtime pay because they work more than the standard business hours on that day and not because of the State holiday. Costs would increase if the county government were closed for the holiday, which would mean the local election official and staff would receive either overtime pay or compensatory time off for working on the State holiday.

Possibly the biggest administrative benefit of an Election Day State holiday for local election officials is a side effect of the State closure unrelated to the actual administration of elections. County clerks are the election administrators in Illinois. Those clerks' offices are closed because of the Election Day State holiday, and local election officials can

focus their offices' efforts solely on the election in progress. Election officials use other personnel from the clerks' offices to help with election administration, as needed.

Voter Turnout

All seven county representatives whom the EAC interviewed agreed that the Election Day State holiday in Illinois does not result in higher voter turnout.

The turnout data of VAP in Illinois verify the election officials' beliefs that turnout in their State is not necessarily higher than it is in States without an Election Day State holiday. In 2000, 2002, and 2004, voter turnout in Illinois was slightly higher than voter turnout nationwide. In 2006, however, voter turnout in Illinois was about 1 percent lower than national turnout.

Election Day in Maryland

Election Day in Maryland has been a State holiday since 1882. Officials from the Maryland State Board of Elections were unable to provide EAC researchers information about the implementation of the holiday. Specifically, they did not know about the costs involved or how initial implementation affected voter turnout. EAC researchers interviewed local election officials in eight counties in Maryland: Allegany, Anne Arundel, Baltimore, Calvert, Carroll, Harford, Montgomery, and Washington Counties.

In Maryland, a State holiday requires the closure of only State government buildings. Counties, municipalities, and private businesses do not necessarily have to close because of the State holiday. Some counties and municipalities in Maryland have declared Election Day a county or municipal holiday but others have not.

Similarly, each school district has the authority to establish holidays in its jurisdiction. During the 2006 election cycle, 22 of the 24 school districts were closed for the primary and general elections. For jurisdictions in which schools are closed, local election officials attempt to make use of those facilities as polling places because they are generally accessible for voters with disabilities and have adequate parking.

Administrative Challenges

Schools are closed on Election Day in all of the eight counties that participated in this case study. In Carroll County, 32 of 33 polling places are in schools. In Montgomery County, 600 to 700 high school students work on Election Day at polling places, either as poll workers or helping in other ways during busy hours early in the morning and later in the evening. Election officials in a smaller jurisdiction also prefer using the closed schools as polling places.

The first statutory reference to Election Day as a legal holiday in Maryland was in 1882. Chapter 23 of the Laws of Maryland (1882) designated “all days of general and congressional elections throughout the State” as legal holidays. The law related to presenting for payment or acceptance of bills of exchange, bank checks, drafts, and promissory notes on the designated legal holidays.

Election officials interviewed from all eight counties say they have more poll workers when State offices are closed. In Harford County, for example, 15 to 20 percent of the 800 poll workers are State employees who have the day off. In 2006, Maryland Governor Robert Ehrlich used an incentive to recruit State employees to use their Election Day State holidays to serve as poll workers. Although State law provides 8 hours of administrative leave for State employees in addition to poll worker compensation on days during which the employees are normally scheduled to work, the Election Day State holiday for Federal elections renders the State employees ineligible to receive the administrative leave because they are not scheduled to work. In a September 22, 2006, letter to all State employees, the Governor declared all State employees eligible for the administrative leave in addition to the poll worker compensation irrespective of the State holiday.

Voter Turnout

Maryland has had a higher voter turnout rate than the national voter turnout rate in each of the last four Federal elections. During the 2002 and 2006 midterm Federal elections, Maryland recorded between 4.8 and 5.3 percent higher turnout than the national voter turnout rate. In fact, of States with Election Day State holidays, only Montana had consistently higher voter turnout rates than Maryland. This consistently higher turnout, though, is likely a reflection of greater civic interest than of the Election Day State holiday.

Conclusion

It is a commonly held belief that Election Day holidays result in higher voter turnout while providing local election officials with more polling places and poll workers. The data, however, do not reveal significantly higher turnout in States with Election Day State holidays. Moreover, the Election Day holiday results in some drawbacks for administrators.

There may be some benefits to the Election Day State holidays that may extend to an Election Day Federal holiday. In some Illinois jurisdictions, the county clerks offices are closed on the Election Day State holiday, which enables local election officials to focus their full attention on the election. The holiday does not necessarily help local election officials secure polling places, however, especially if the school districts decide against closing. Election Day State holidays have only minimally increased the number of State employees working as poll workers.

Maryland election officials interviewed had greater access to closed schools for polling places only because the individual counties decided to close on Election Day. The closures helped, because many school districts have security concerns about polling places in the buildings while schools are in session. Closing the schools also made it possible for several hundred students to work in the polling places on Election Day.

When comparing the nine States that have an Election Day State holiday with all the other States that do not have Election Day holidays, as well as with the United States as a whole, there appears to be no relationship between an Election Day holiday and higher voter turnout.

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A National Holiday

Just as with Election Day State holidays, an Election Day Federal holiday would not require that State, county, and local governments close nor would it require school closures. Some jurisdictions might follow the Federal government and close for the day. The only certainty with establishing an Election Day Federal holiday, however, would be the cost of paying for the day off for millions of Federal employees. At this time, the turnout data regarding Election Day State holidays do not reveal higher voter turnout. The benefits usually cited to justify the holidays are mostly anecdotal.

It is inadvisable at this time to establish a legal public holiday under section 6103 of title 5, United States Code, as the date on which general elections for Federal office are held until more research can be completed.

Oregon has a history of decentralized elections. Until the mid-1970s, local officials in the State's 36 counties could call for elections any time about any issue without coordinating with other electoral authorities in the State. As a result, there were frequent elections, and turnout in local contests steadily declined as voters suffered from "election fatigue."

For more than two decades, Oregon has conducted "vote-by-mail" elections. Originally, this alternative voting method was an attempt to reverse a decline in voter turnout. Now it is widely supported by the public for its convenience, and other jurisdictions and States have expressed interest in the method.

The alternative voting method began in 1981 when the Oregon Legislature approved vote-by-mail for local elections in which no candidates were on the ballot. The experiment has since evolved to include special elections, statewide elections, primaries, and Federal elections. Oregon election officials now administer all elections exclusively with vote-by-mail.

Implementation and Effect

Election officials quickly discovered a number of differences between traditional precinct-based and vote-by-mail elections. The administration of elections becomes less complicated when the pressures involved in recruiting, training, and managing poll workers are eliminated. Similarly, without in-person voting, officials have no need to secure numerous polling places. Oregon election officials claim that voter registration lists tend to be more accurate because the frequent mailing of nonforwardable ballots provides local election officials with updated information about the actual home addresses of the voters when mail is returned

State Name:	Oregon
Chief Election Official:	Hon. Bill Bradbury, Secretary of State 136 State Capitol Salem, OR 97310-0722
Number of Registered Voters:	1,994,320 (in 2006)
Alternative Voting Method:	Vote-by-Mail
Implemented:	1981

as undeliverable. Furthermore, some evidence indicates that vote-by-mail elections might cost less to administer than precinct-based elections and may increase voter turnout.

Voter participation declined to the single digits for some local elections during the 1970s. While looking for an alternative way of conducting elections that would reenergize the electorate in his county, then-Multnomah County Elections Director Bill Radakovich observed a vote-by-mail election in California. That experience led him to present the potential to use the alternative voting method to the Oregon Legislature and to then-Secretary of State Norma Paulus (1977–85).

In 1981, the Oregon Legislature debated and passed a bill that allowed local jurisdictions to experiment with vote-by-mail elections in which no candidates were on the ballot. Subsequent legislation rapidly expanded the use of vote-by-mail methods that led to the practices and procedures used for vote-by-mail elections in Oregon today.

History of Vote-by-Mail

Table 2. Oregon's Vote-by-Mail Timeline of Major Events²³

1981	The Oregon Legislature approves a test of vote-by-mail methods for local elections.
1987	Vote-by-mail is made permanent; most counties use it for local/special elections.
June 1993	First special statewide election by mail is held—39 percent turnout.
May 1995	Second special statewide election by mail is held—44 percent turnout.
Spring/Summer 1995	The Oregon Legislature approves a proposal to expand vote-by-mail to primary and general elections. The Governor vetoes the bill. A separate bill authorizes the use of vote-by-mail for the Presidential preference primary. The Governor signs the bill into law. ²⁴
December 1995	Oregon becomes the first State to conduct a primary election totally by mail to nominate candidates to fill a vacancy in a Federal office—58 percent turnout.
January 1996	Oregon becomes the first State to conduct a general election totally by mail to fill a vacancy in a Federal office when it selects Senator Ron Wyden to replace Senator Bob Packwood—66 percent turnout.
March 1996	Oregon holds the country's second vote-by-mail Presidential primary. (North Dakota held the first vote-by-mail Presidential primary just weeks before Oregon's election.)—58 percent turnout.
May 1998	Primary election at the polls. Of registered voters in Oregon, 41 percent are permanent absentee voters. Overall, the State posts a record low turnout at 35 percent. Absentee ballots represent nearly two-thirds of all ballots cast; Oregon becomes the first State to have more ballots cast by mail than at the polls during a polling place election.
June 1998	Supporters of expanding vote-by-mail to primary and general elections use the initiative to put the issue on the November general election ballot.
November 1998	Oregon voters decide to expand vote-by-mail to primary and general elections by a vote of 757,204 to 334,021.
November 2000	First vote-by-mail Presidential general election is held—79.8 percent turnout.
November 2002	Vote-by-mail general election is held—69 percent turnout.
November 2004	Vote-by-mail Presidential general election is held—86.5 percent turnout.
November 2006	Vote-by-mail general election is held—70 percent turnout.

²³Adapted from "A Brief History of Vote by Mail." Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/vbm/history.html>>.

²⁴Oregon. Senate. Senate Bills Vetoed by Governor after Adjournment 1995 Regular Session. Salem: The Senate [1995]. 14 Jul 2008 <<http://www.leg.state.or.us/95reg/pubs/svetocal.txt>>.

1981

Chapter 805, Oregon Laws 1981, SECTION 1. (1) As provided in this Act and notwithstanding any contrary provision of law, a county clerk may conduct, with the supervision of the Secretary of State, an election by mail in the county or in a city or a district defined in ORS 255.012. In deciding to conduct an election by mail, the county clerk may consider requests from the governing body of the county, city or district, and shall consider whether conducting the election by mail will be economically and administratively feasible.

(2) This Act applies to any election in which candidates are not listed on the ballot, other than an emergency election, held on any date other than the date of a primary or general election.

SECTION 2. (1) The Secretary of State may adopt rules governing the procedures for conducting an election under this Act. The rules shall provide for uniformity in the conduct of the election throughout the electoral district in which the election is held. The Secretary of State by rule may modify the provisions of ORS chapters 254 and 255 as necessary to implement this Act.²⁵

The first legislation authorizing vote-by-mail elections was very restrictive. If local election officials wanted to conduct a vote-by-mail election, the legislation required the elections division of the Secretary of State's office to first adopt an administrative authorization rule for the jurisdiction for that specific election. Still, the county clerk made the final decision about the method of voting for each local jurisdiction.

The administration of vote-by-mail elections in 1981 was notably different from the practices and

²⁵1981 Or. Laws Ch. 805.

²⁶1983 Or. Laws Ch. 199 Sec. 1.

procedures currently used. Vote-by-mail elections were allowed for ballot measures only (i.e., not for candidates), and the county clerk was the sole authorized official to administer vote-by-mail elections at the local level. At the time, vote-by-mail elections were conducted within a legislative framework designed for precinct-based elections. To resolve any questions about the allowable procedures for vote-by-mail elections, the Secretary of State had rulemaking authority to modify existing statutory provisions in the elections code in order to provide enough flexibility for local election officials to conduct successful vote-by-mail elections.

1983

Chapter 199, Oregon Laws 1983, SECTION 1 (2) [This Act applies] Sections 1 and 2, chapter 805, Oregon Laws 1981, apply to any election, [in which candidates are not listed on the ballot,] other than an emergency election, held on any date other than the date of a primary or general election.²⁶

The 1981 legislation was not made permanent. It expired at the end of the legislative session and needed to be reauthorized by subsequent legislation. Legislators were hesitant to permanently authorize vote-by-mail until more information was known about its effectiveness and costs. As a result, some local election officials were unwilling to commit resources for the necessary equipment and services to implement a successful vote-by-mail system because they were unsure about whether the voting method would be changed again in the near future. Furthermore, adapting operations and processes designed for precinct-based elections to those elections conducted with vote-by-mail proved cumbersome.

Voter acceptance and significant increases in voter turnout, however, were encouraging. Secretary of State Norma Paulus and her successor, Barbara Roberts (1985–91), continued to encourage the use of vote-by-mail.

1987

Chapter 357, Oregon Laws 1987, SECTION 4. Not later than January 1, 1989, every county in this state shall be certified by the Secretary of State as qualified to conduct an election by mail.

By the time the 1987 legislation passed, nearly all counties in Oregon were conducting some local elections with vote-by-mail. Although vote-by-mail was an optional method for use in local elections, the county clerk still made the final decision about which type of voting would be used for each election. Officials from political subdivisions of the county wanted to decide where, when, and how their elections would be conducted. This debate continued throughout the first decade of vote-by-mail.

The 1987 legislation made the option to use vote-by-mail permanent for all local elections, including elections with candidates. The law, however, specifically excluded statewide primary and general elections. In the same bill, the Oregon Legislature required all county clerks to be certified to conduct vote-by-mail elections.

1993

In June, then-Secretary of State Phil Keisling (1991–99) administered the first statewide election conducted entirely with vote-by-mail in Oregon. As with the local-level introduction of vote-by-mail more than a decade before, the first statewide vote-by-mail election did not include any candidates.

²⁷“A Brief History of Vote by Mail.” Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/vbm/history.html>>.

²⁸1987 Or. Laws Ch. 357 Sec. 4.

²⁹“A Brief History of Vote by Mail.” Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/vbm/history.html>>.

³⁰“Official Participation Summary by County Special U.S. Senate General Election January 30, 1996.” Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/jan3096/other.info/brsum.htm>>.

The initiative on the ballot, however, about urban renewal bond payments, an issue that historically had generated very low voter interest, attracted a 39 percent turnout.²⁷

1995

Oregon Laws 1995 Chapter 712 SECTION 64. ORS 254.465 is amended to read:

. . . A presidential preference primary election described in section 1 of this 1995 Act shall be conducted by mail in all counties, under the supervision of the Secretary of State.

Except as provided in subsection (1) of this section, an election held on the date of the biennial primary or general election shall not be conducted by mail.

A state election not described in subsections (1) or (2) of this section may be conducted by mail. The Secretary of State by rule shall direct that a state election authorized to be conducted by mail under this subsection be conducted uniformly by mail or at polling places . . .²⁸

A second statewide vote-by-mail election was conducted in May 1995. The initiative on the ballot addressed district residency requirements for legislators and the use of lottery revenue for education; it garnered a turnout of 44 percent.²⁹

The State conducted its first statewide election with a candidate on the ballot in 1995. Although primary and general elections were still not allowed to be conducted with vote-by-mail, Secretary of State Phil Keisling authorized the use of vote-by-mail in the primary “special election” to fill the vacancy created by the resignation of Senator Bob Packwood. Now-Senator Ron Wyden was subsequently elected to fill the vacancy in a general special election in January 1996. The election recorded a 66 percent turnout of registered voters.³⁰

1996

During the regular legislative session of 1995, the Oregon Legislature attempted to require all primary and general elections to be conducted with vote-by-mail. Although the House and Senate passed legislation with such a provision, Governor John Kitzhaber vetoed SB 319.³¹

During the same session, however, the Governor signed SB 928, an omnibus election law bill, which included a change in the date of the Presidential preference primary and authorized that it be conducted with vote-by-mail.³² The State's first Presidential primary using vote-by-mail attracted 58 percent turnout.³³

1998

The Secretary of State decided to conduct the 1998 statewide primary election as a precinct-based election. By Election Day, 41 percent of voters had requested absentee ballots, which was an increase of 300 percent over the number requesting ballots in 1992. Overall turnout for the primary election was 35 percent. Absentee ballots represented nearly two-thirds of all ballots cast, and Oregon became the first State to have more ballots cast by mail than at the polls during a precinct-based election. Turnout among individuals requesting an absentee ballot was 53 percent.³⁴

The 1998 primary was a precinct-based election with an extraordinarily high rate of voting by mail. Election officials needed to pay both the costs of

An increasing number of voters were applying for absentee ballots for the primary and general elections even though Oregon did not have a no-excuse absentee voting law. It became evident to local election officials that a growing majority of voters preferred vote-by-mail over precinct-based elections.

providing fully staffed precincts on Election Day and of processing a high number of absentee ballots. Under Oregon law, counties pay all election costs, and county election administrators estimated that an election conducted exclusively with vote-by-mail would cost about half the amount of a precinct-based election with a high rate of absentee voting.

Almost two decades after the passage of the first bill authorizing vote-by-mail, legislation to extend the provisions to all elections remained deadlocked in the Oregon Legislature. In an attempt to bypass the legislature, a group of vote-by-mail supporters qualified an initiative for the November 1998 ballot that would require that primary and general elections be conducted exclusively with vote-by-mail.

An increasing number of voters were applying for absentee ballots for the primary and general elections even though Oregon did not have a no-excuse absentee voting law. It became evident to local election officials that a growing majority of voters preferred vote-by-mail over precinct-based elections. The public was accustomed to using vote-by-mail in most elections and was frustrated at not being able to do so in primary and general elections.

³¹*Oregon. Senate. Senate Bills Vetoed by Governor after Adjournment 1995 Regular Session. Salem: The Senate [1995]. 14 Jul 2008 <<http://www.leg.state.or.us/95reg/pubs/svetocal.txt>>.*

³²*Oregon. Senate. Senate Bills. Salem: The Senate [1995]. 14 Jul 2008 <<http://www.leg.state.or.us/95reg/pubs/senmh.txt>>.*

³³*"Official County Participation Summary Oregon Presidential Preference Primary March 12, 1996." Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/mar1296/other.info/coparsum.htm>>.*

³⁴*"Official Voter Participation Statistics May 19, 1998 Biennial Primary." Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/may191998/other.info/totreg.htm>>.*

In November 1998, Measure 60 passed by a vote of 757,204 to 334,021 (69.4 percent “yes” to 30.6 percent “no”).³⁵ The passage of this initiative meant that the entire 2000 Presidential election cycle would be conducted with vote-by-mail.

Establishing Uniform Vote-by-Mail Procedures

In preparation for the 2000 Presidential primary and general elections, the Secretary of State, in conjunction with the Oregon Association of County Clerks, developed the “Vote-by-Mail Procedures Manual” for election officials. County clerks had been administering statewide vote-by-mail elections since 1993 and had run a Presidential primary with vote-by-mail 4 years earlier. The goal of this first administration manual was to standardize processes and identify best practices from across the State. The manual is updated periodically, usually following biennial sessions of the Oregon Legislature.³⁶

Table 3 (on the next page) highlights major events during the election cycle.

All steps in the vote-by-mail process are open for public observation. These steps include inserting blank ballots into envelopes for mailing, receiving voted ballots, verifying signatures for determining voter eligibility, inspecting ballots, and tallying votes. Before the beginning of voting, counties must file a security plan with the Secretary or State’s office that describes security measures at ballot dropoff sites and for the transport of voted ballots to the central office for counting. The security plan also

³⁵“Official Results November 3, 1998 General Election State Measure 60.” Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/nov398/other.info/m60.htm>>.

³⁶Oregon. Secretary of State. *Vote By Mail Procedures Manual*. Salem: Secretary of State [2008]. 14 Jul 2008 <http://www.sos.state.or.us/elections/vbm/vbm_manual.pdf>.

³⁷“Measure No. 60.” Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/nov398/guide/measure/m60.htm>>.

The text of Measure 60 on the 1998 General Election ballot provided:

REQUIRES VOTE BY MAIL IN BIENNIAL PRIMARY, GENERAL ELECTIONS

RESULT OF “YES” VOTE: “Yes” vote amends existing law to require vote by mail in biennial primary, general elections.

RESULT OF “NO” VOTE: “No” vote retains current law prohibiting vote by mail in biennial primary or general elections.

SUMMARY: Current law prohibits vote by mail for biennial primary or general elections. This proposal eliminates the prohibition and requires vote by mail for biennial primary or general elections. The proposal does not affect existing law permitting the Secretary of State and county clerk to conduct other elections either at the polls or by mail.

ESTIMATE OF FINANCIAL IMPACT: County government expenditures are estimated to be reduced each Primary and General Election year by \$3,021,709.³⁷

must include off-premises sites used during the administration of the vote-by-mail election, including the locations of vendors where the ballots are assembled and mailed.

Returning the Voted Ballot

Oregon election officials spent considerable time developing procedures for the return of hundreds of thousands of voted ballots—either via the mail or at dropoff sites in each county.

Election officials focused first on ensuring ballot secrecy. Most counties use a three-envelope system for each blank ballot sent out that includes a secrecy envelope, a return-mail envelope, and the

Table 3. Election Day Timeline³⁸

60 days before Election Day	Cutoff for ballot content
45 days before Election Day	Overseas ballots are mailed
21 days before Election Day	Registration closes for previously unregistered voters.
14 to 18 days before Election Day	All eligible voters in election mailed a ballot. Ballot “drop sites” throughout the county may open on the day ballots are mailed.
14 days before Election Day until 8:00 pm on Election Day	Voters can return ballots to any elections office in the State in person, by mail, or via authorized ballot drop sites. Signatures on return ballot envelopes are verified against the signatures on the voter record.
7 days before Election Day	Election officials can begin opening ballot envelopes, removing and inspecting ballots, and preparing them for vote tally.
Election day	Election officials can begin tallying ballots any time during election day.
Election Day (8:00 pm)	Polls close. All ballots received by 8:00 p.m. are accepted.

original mail-out envelope, which includes the other two envelopes and the blank ballot. After the voter makes his or her selections on the ballot, he or she seals it in the secrecy envelope, which contains no information with which an individual could ascertain the voter’s identity. The voter then places the secrecy envelope into the return-mail envelope on which the voter has provided identification information and a signature to prove his or her voting eligibility.

The voter then delivers the return-mail envelope to the local election office either via the U.S. Postal Service or through ballot dropoff sites. After the local election office receives the return-mail envelope, officials check the information on the envelope and validate the voter signature by signature match. After approving the signature, officials separate the ballot in the secrecy envelope from the return-mail envelope so that it cannot be associated with the voter’s identification information.

A key element in the successful implementation of vote-by-mail in Oregon is the cooperation election officials receive from the U.S. Postal Service. Officials from the U.S. Postal Service help with preplanning the mass mailings of ballots. Together, the local election officials and postal officials set schedules so the volume of ballots received in any one day is not overwhelming. On Election Day, postal officials provide facility “sweeps” of mail at 8:00 p.m. and allow election officials to pick up those returned ballots, which otherwise would not be delivered until the day after the election and would not be counted, because they must be received by the election office by the close of voting on Election Day.

Voters may also return voted ballots at ballot drop sites located throughout the counties. Most of these sites are in public buildings (e.g., city halls and libraries), where local election officials can provide supervision of the voting process. Counties are required by law to provide voting booths for voters wishing to fill out their ballots at county election offices and ballot drop sites. The election offices

³⁸Compiled from Oregon revised statutes, administrative rules, and vote-by-mail procedures.

and drop sites remain open until 8:00 p.m. on Election Day, at which point local election officials collect all the ballots for validation and counting.

Counting the Voted Ballot

After receiving a voted ballot at the election office, the voter's eligibility must be established before the ballot can be cast and counted. Oregon's identification procedures include the comparison of the signature on the return-mail envelope with the voter's signature on file with the county clerk. Signature verifiers in election offices, who are trained periodically in handwriting analysis by the Oregon State Police, perform verification on all ballots returned. Voters whose signatures are considered "not matching" are notified that they have until the 10th day after the election to remedy a discrepancy before their ballots are invalidated.

A significant number of ballots are returned to election offices before Election Day and are ready for vote tally before the close of the polls. Starting 7 days before Election Day, officials can begin opening return-mail envelopes, removing and inspecting ballots, and preparing them for the vote tally. Election officials can begin tallying ballots any time during Election Day. As a result, the initial vote totals released on Election Day evening contain a larger portion of the results than is typical in a precinct-based election, which would not include any absentee vote totals.

Administrative Challenges

The move to vote-by-mail for all elections presented new difficulties for local election officials. Most of the statewide elections conducted with vote-by-mail by 2000 were relatively low-turnout contests. Election officials learned that higher voter turnout elections exhibit a different trend in ballot return. During the earlier statewide elections conducted with vote-by-mail, voters tended to return their ballots early, sometimes as many as 50 percent within the first few days after receiving their blank ballots. Officials also observed a notable spike on the last 2 days of the election.

The general election ballot in 2000 included Federal, State, and local races as well as a large number of ballot measures. Election officials learned that a larger number of contests and issues equates to voters taking a longer amount of time to return their ballots. The larger number of ballots returned later in the process created a backlog for election officials. Statewide, 45 percent of the ballots returned in the 2000 general election were returned during the last 2 days of voting. The data are presented in Table 4 and Figure 4.

The move to vote-by-mail is not without potential problems. Many opponents of vote-by-mail contend that a greater chance for fraud exists than for elections conducted in polling places. People are transient and do not always cancel their voter

Table 4. Statewide Daily Ballot Returns, November 2000 Presidential Election³⁹

Date	23-Oct	24-Oct	25-Oct	26-Oct	27-Oct	30-Oct	31-Oct	1-Nov	2-Nov	3-Nov	6-Nov	7-Nov	Total
No. of Ballots Returned	20,579	65,907	57,381	60,158	55,884	96,720	149,872	106,891	104,894	138,136	327,480	374,986	1,558,888
Ballots Returned as Percent of Total Ballots Cast	1.3	4.2	3.7	3.9	3.6	6.2	9.6	6.9	6.7	8.9	21.0	24.1	

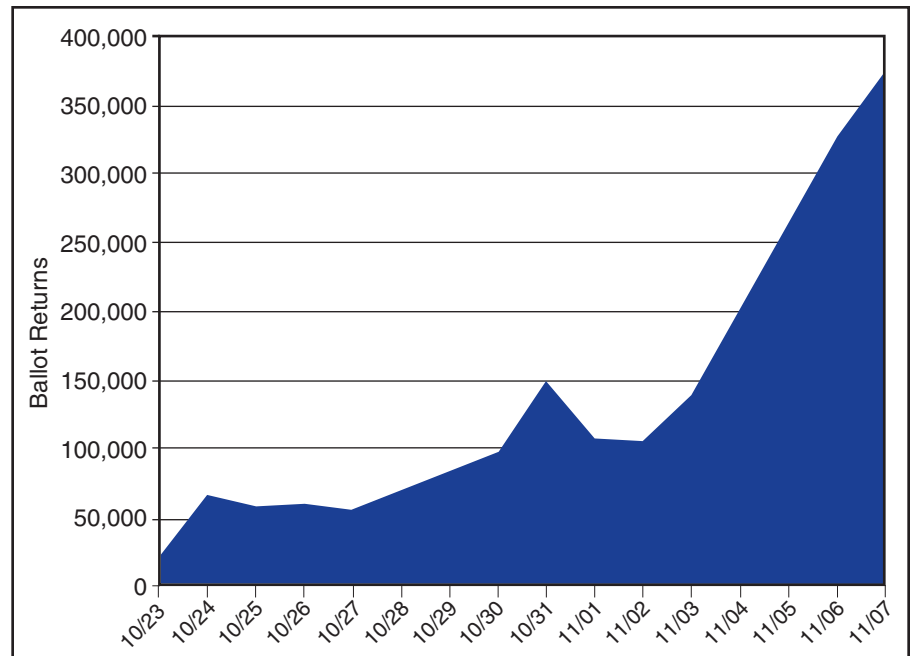
³⁹"Ballot Return History 1996 General Election to Current." Chart. Oregon Secretary of State. 14 Jul 2008 <http://www.sos.state.or.us/elections/ballot_return_history.pdf>.

registrations when they move, which allows for the possibility of ballots being sent to addresses at which voters no longer live. Also, no polling place protections, such as a private voting experience or the ability to ask for help from a poll worker trained to administer elections, are in place. Proponents of the practice believe that there are ways to eliminate fraud from the process. In Oregon, all ballots are put through a signature verification process. If the signature on the absentee ballot secrecy envelope does not match the signature on file with the election official, the ballot is rejected.

The early iterations of vote-by-mail laws in Oregon required the Secretary of State's office to investigate instances of fraud, particularly in the area of voter intimidation. Concerns focused on problems ranging from forged signatures to coercion, including "ballot parties," where individuals were forced to vote a certain way, and family members influencing the votes of other family members. Then-Secretary of State Norma Paulus commissioned a number of polls on voter fraud and intimidation, but none returned any significant evidence of a problem.

During the 1990s, election officials became much more efficient in administering vote-by-mail elections. Most counties converted from punchcard systems to optical scan ballots. Instead of hand-stuffing the ballots to be sent out individually, some counties contracted the work to third parties or purchased machinery to label and insert ballots for distribution. Voter registration systems were upgraded to allow for scanning registration records. Scanning facilitates electronic access to the registrar's database of voters' signatures for validation so that individual voter cards need not be used to conduct signature verifications. Finally, voter ID barcodes were

Figure 4. Cumulative Statewide Ballot Returns, November 2000 Presidential Election



added to labels to facilitate more rapid ballot accounting and signature validation.

Voters With Disabilities

The Help America Vote Act requires that all voting systems be accessible for individuals with disabilities. This requirement results in a unique problem for administering an all vote-by-mail election. Oregon has developed a number of practices designed to meet this challenge.

For voters with vision impairments, Marion County election officials developed a ballot encased in a sleeve that contains tactile markings. While filling in the ballot, an accompanying audio tape describes the entire ballot to the voter based on the individual's appropriate ballot style. The tape also includes instructions for navigating the tactile markings.⁴⁰

In 2004, the Secretary of State experimented with a telephone voting system for voters with disabilities, which has since been implemented in all Oregon counties. The Assistive Ballot Marking System enables voters with disabilities to mark their ballots independently using a telephone and fax machine at

⁴⁰Marion County (Oregon). *Audio Voter Pamphlet*. [Salem, Oregon:] Department of Elections [2008]. 14 Jul 2008 <<http://www.co.marion.or.us/CO/elections/may2008avp.htm>>.

the county clerk's office. It was used statewide for the first time in 2006. The Secretary of State also used an HTML ballot for some voters with disabilities. Voters using this technology could download their ballots from the Secretary of State's Web site. The voter could then fill in his or her ballot on the computer, print it out, and cast it using the return ballot envelope as would any individual using vote-by-mail.⁴¹

Voter Turnout

The Oregon Legislature initially authorized vote-by-mail elections as an attempt to reverse a decrease in turnout for local elections. The belief then was that the added convenience of voting through the mail would increase turnout. Now that vote-by-mail is used for all elections in Oregon, it is reasonable to evaluate the effect of vote-by-mail on overall turnout.

A survey completed in 1996 shows that Oregon voters overwhelmingly supported vote-by-mail elections. The results also suggested, however, that voter turnout was likely to remain at levels consistent with regular precinct-based elections. In 1996, individuals choosing to cast their ballots by mail tended to resemble traditional voters rather than nonvoters; it appeared that such individuals seemed to want an easier, more convenient way to vote.

Voter turnout data from more recent elections show a different trend in participation. Turnout of regis-

⁴¹Oregon. Secretary of State. "Last Day to Safely Mail Ballot is Here." Press Release. 3 November 2006. 14 Jul 2008 <<http://www.sos.state.or.us/executive/pressreleases/2006/1103.html>>.

⁴²"Official Election Participation Statistics November 5, 1996 Biennial General Election." Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/nov596/other.info/totbycty.htm>>.

⁴³"2000 General Election Statistical Summary." Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/nov72000/other.info/genstats.pdf>>.

⁴⁴"Statistical Summary 2004 General Election." Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/nov22004/g04stats.pdf>>.

⁴⁵"2000 General Election Statistical Summary." Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/nov72000/other.info/genstats.pdf>>.

⁴⁶"Statistical Summary 2004 General Election." Chart. Oregon Secretary of State. 14 Jul 2008 <<http://www.sos.state.or.us/elections/nov22004/g04stats.pdf>>.

Table 5. Voter Turnout by Political Party, 2000 and 2004

Year	2000 ⁴⁵	2004 ⁴⁶
Democrats	82.9	88.8
Republicans	85.6	89.7
Nonaffiliated	67.4	78.9
Other	60.7	76.1
Total	79.8	86.5

tered voters has increased in each of the last two Presidential elections. During the 1996 Presidential election, which was the last one conducted as a precinct-based election, 71.3 percent of registered voters cast ballots.⁴² The percentage increased to 79.8 percent during the 2000 Presidential election, which was the first election conducted exclusively with vote-by-mail.⁴³ The second Presidential election conducted with vote-by-mail saw another sizeable increase in percentage of turnout to 86.5 percent.⁴⁴ The 2008 election turnout figure will be useful data for evaluating the continuing effect of vote-by-mail on turnout.

Some debate by party officials and political scientists throughout the 25 years Oregon has used vote-by-mail has centered on whether a political party might gain an advantage with vote-by-mail elections as compared with traditional precinct-based voting. It appears that the increases in turnout seen in the past three Presidential elections, though, were bipartisan. The turnout in the 2000 Presidential election was the highest the State had seen since 1964, and each major party showed similar levels of increase. Turnout among nonaffiliated and third-party voters increased the most, by nearly 14 and 16 percent, respectively.

Legal Challenges

The most significant legal dispute over Oregon's vote-by-mail elections was a lawsuit in Federal court challenging the State's authority to expand voting in Federal elections beyond Election Day. The Voting Integrity Project's position was

that the U.S. Constitution provides that the first Tuesday after the first Monday in November is established "...as the exclusive day throughout the United States for balloting for United States Representatives, United States Senators, and Presidential Electors." Thus the argument was that the election was taking place before Election Day.

In upholding the District Court's ruling against the plaintiffs, the 9th Circuit found that "the Supreme Court has provided the device for reconciling the federal election day statute and the federal absentee voting statute: a definition of 'election' that treats election day as the 'consummation' of the process rather than any day during which voting takes place. Given that definition, and the force of the absentee voting statute, Oregon is in compliance with the federal election day statute. Although voting takes place, perhaps most voting, prior to election day, the election is not 'consummated' before election day because voting still takes place on that day."⁴⁷

Academic Studies

The special election in 1996 to fill the vacancy in one of Oregon's seats in the U.S. Senate was one of the first statewide vote-by-mail elections to include candidates. Shortly after the election, three academic studies were released about various aspects of the vote-by-mail alternative voting method. The studies covered a range of topics, including the attitudes about vote-by-mail, the demographics of individuals using vote-by-mail as compared with precinct-based voters, the method of ballot return, and the presence or absence of fraud and intimidation in vote-by-mail elections.

⁴⁷*The Voting Integrity Project, Inc. et al v. Phil Keisling, Secretary of State of Oregon*, 259 F.3d 1169, 1176 (9th Cir. 2001).

⁴⁸Southwell, Priscilla L. "Final Report, Survey of Vote-By-Mail Senate Election." Presented to the Vote-by-Mail Citizen Commission, Oregon, 3 Apr. 1996. 14 Jul 2008 <<https://scholarsbank.uoregon.edu/dspace/bitstream/1794/1268/5/VBM+Full+Report.pdf>>.

⁴⁹Michael W. Traugott and Robert G. Mason. "Preliminary report on the characteristics of the Oregon electorate participating in the special general election for the U.S. Senate on January 30, 1996." Technical report, University of Michigan and Oregon State University, 30 May 1996.

Vote-by-mail is an alternative voting method that has attracted much national attention. An overwhelming majority (76.5 percent) of the 1,225 respondents to Southwell's survey favored vote-by-mail elections over polling place elections.

Priscilla L. Southwell of the University of Oregon completed a survey about the demographics of vote-by-mail voters. According to Southwell's data, vote-by-mail voters tend to resemble traditional voters rather than nonvoters, meaning that vote-by-mail would be unlikely to increase the turnout of new voters. It appears that those using vote-by-mail are traditional voters who want an easier, more convenient way to vote.

Vote-by-mail is an alternative voting method that has attracted much national attention. An overwhelming majority (76.5 percent) of the 1,225 respondents to Southwell's survey favored vote-by-mail elections over polling place elections. Her research, however, also suggests that the consequences of vote-by-mail are far less dramatic—with lower increases in voter turnout and fewer party advantages—than others had suggested.⁴⁸

Michael W. Traugott of the University of Michigan and Robert G. Mason of Oregon State University focused their study on election administration. Eighty-five percent of voters reported mailing in their ballots, and 15 percent indicated they dropped off their ballots. Traugott and Mason noted that women were more likely to mail their ballots than were men. Voters cited four main reasons for dropping off their ballots: (1) it was more convenient (42 percent); (2) they had no time to mail the ballot (23 percent); (3) it saves postage (16 percent); (4) it ensures the ballot arrives safely (8 percent).⁴⁹

David Magelby of Brigham Young University researched the return of voted ballots. Specifically, his research focused on the timeliness of the return of voted ballots. He identified three periods during the ballot return window: January 10–17, January 18–23, and January 24–30. Magelby asked three questions: (1) Does vote-by-mail create an advantage or disadvantage for a particular candidate or party? (2) Is one political party more able to mobilize voters early in the process? (3) How many days should be given to voters to return their mail ballots?

The most important conclusion to be drawn from Magelby’s data is that the results within each time period do not significantly differ from the final result. The final election result would have remained the same even if voting had ended on January 17 or January 23. With this information, it appears that neither party had an advantage during any part of the extended campaign process. Supporters of both candidates behaved similarly in all three time periods, and the results favored the eventual winner at the end of all three time periods. Administrators might be able to use this initial assessment to justify shortening the voting period by several days without altering the outcome of an election in order to save on election administration expenses.⁵⁰

Conclusion

It is possible that vote-by-mail increases turnout; however, other benefits to vote-by-mail are unassociated with voter turnout. For example, local election officials do not need to spend any time securing traditional polling places. They do not need to recruit, train, and retain poll workers

The most important conclusion to be drawn from Magelby’s data is that the results within each time period do not significantly differ from the final result.

from election to election. Without these tasks, election officials can direct their focus toward ballot production, distribution, and counting. Specifically, some administrators cite the top benefit as improved oversight of the election, because most of the process occurs within the elections office or a vote processing facility instead of in hundreds of precincts staffed by poll workers.

Former Multnomah County Election Director Vicki Ervin believes that vote-by-mail has benefited her county. Vote-by-mail removes some of the traditional barriers to voting, such as inaccessible polling places and arranging transportation to and from polling places. She notes that voters have a more thorough understanding of the issues because the ballot is provided early enough in the process for the voter to study it along with any explanatory materials provided.

Vote-by-mail is widely supported by both the public in Oregon and election administrators across the State. It may increase participation for both low- and high-turnout contests, and it is likely to expand in the future election cycles.

⁵⁰Magelby, David. “An Initial Assessment of Oregon’s Vote-by-Mail.” Presented to the Vote-by-Mail Citizen Commission, Oregon, 3 Apr. 1996.

Vote centers are an alternative method of voting that provides additional convenience to voters on Election Day. Instead of using traditional neighborhood precincts, voters choose to vote in any one of the larger, strategically located polling sites throughout the county on Election Day.

More than 20 counties in Colorado have used the vote center model in at least one election. This section examines the implementation of vote centers in two counties: Larimer and Denver. In 2003, Larimer County effectively established vote centers and has used them in subsequent elections. Denver County's first experience with them in 2006, however, was less successful. Even so, in 2008 Denver County plans to use "super precincts," which differ from vote centers because voters are assigned to them and are not able to choose for themselves the most convenient location at which to vote. In essence, they are the aggregation of many precincts into one large polling place.

Although only a small number of elections have been administered with vote centers, preliminary research points to potential increases in turnout. The concept is so new that it will take time for policymakers to determine where it is best used and where it is least desirable. More research is necessary to determine the effect of vote centers, but the new concept seems to have more positive than negative consequences.

Implementation and Effect

According to data collected during the 2004 and 2006 Federal elections, finding a polling place is one of the biggest difficulties faced by a voter on Election Day.⁵¹ Small precincts are sometimes located in places with which some voters are unfamiliar. Alternatively, vote centers are located in high-profile, major-traffic areas rather than in neighborhood schools or churches. Each voter decides for himself

⁵¹University of Pennsylvania. Fels Institute of Government. "MyVote1 National Election Report: Voice of the Electorate 2006." [Philadelphia, PA :] Penn, 2007. pp. 6. 15 July 2008 <http://www.fels.upenn.edu/Projects/myvote1_report_8_20_07.pdf>.

State Name:	Colorado
Alternative Voting Method:	Vote Centers
Larimer County Chief Election Official:	Scott Doyle
Active Registered Voters:	154,540 (in 2006)
Precincts	153
Vote Centers	30
Implemented:	2003
Denver County Chief Election Official:	Wayne Vaden
Active Registered Voters:	287,839 (in 2006)
Precincts	423
Vote Centers	55
Implemented:	2006

or herself where it would be most convenient to vote that day. This new method of voting could reduce the number of provisional ballots needed each election, because any registered voter can choose to vote in any vote center.

The 2000 Presidential election was a turning point for election administration. Election officials across the country began assessing their systems and planning for the future. In Larimer County, ideas were already being developed for a voting experiment that would enable citizens to vote at any one of many polling sites located in high-profile, major-traffic areas. It was in this context that a new alternative to traditional voting methods emerged—the alternative was called a "vote center."

Vote centers are easier for local election officials to administer than are a multitude of smaller polling places. First, there are fewer Americans with Disabilities Act (ADA)-compliant polling locations to find and manage. Fewer polling locations

equates to fewer administrative hurdles for local election officials. Administrators can recruit the most efficient poll workers to serve on Election Day when they do not need to staff hundreds of small, individual precincts. Second, fewer provisional ballots need to be issued, because a registered individual cannot vote in the “wrong” polling place, which increases the likelihood that ballots will be counted correctly as individuals vote with regular ballots. Finally, the larger polling locations also benefit from economies of scale, leading to more adequate parking logistics and a more effective deployment of resources.

The success or failure of the vote center concept begins with the planning and preparation before Election Day. Vote centers require significantly more training—and more specialized training—for staff and poll workers. For example, Larimer County poll workers are required to complete 8 hours of training before working in a vote center. Poll workers are also trained for the specific job function they will fulfill on Election Day.

To closely estimate the amount of supplies and/or number of voting machines for each vote center, administrators must predict where voters will vote. No concrete formula is available to help an administrator determine the best allocation of electronic poll books, voting machines, paper ballots, and poll workers throughout his or her county. In Larimer County, the practice has been to overestimate what is needed and to have extra resources ready to be delivered to vote centers as necessary throughout Election Day.

If vote centers are to be successful, the county must use an electronic poll book, which tracks real-time voter information and benefits both administrators and candidates. Administrators see where more resources might be necessary because of higher turnout in one vote center over another. The political parties and candidates receive electronically generated lists created throughout the day, enabling them to alter their get-out-the-vote efforts.

⁵²¹ *Colorado Revised Statutes § 5-102.7.*

Colorado Voting Options

Permanent Mail-In Balloting

Thirty days before Election Day, ballots are mailed to voters who have requested them. The voted ballots must be returned to the elections office before the close of the polls on Election Day.

Early Voting

Early voting in Colorado begins two weeks before Election Day; early voting sites are open from 8:00 a.m. to 5:00 p.m., weekdays.

Election Day

Larimer County uses 30 vote centers instead of 153 precincts. The five early voting sites convert to vote centers on Election Day, when polls are open from 7:00 a.m. to 7:00 p.m.

Legislative History

After Larimer County successfully completed its first vote center election in 2003, election officials approached the Colorado Legislature about permitting the use of the vote center model in general election years. At the time, Colorado law did not allow for the combining of precincts for general elections. The Colorado Legislature passed Senate bill 04-153, which permitted the use of vote centers in general elections, but only if the State’s other voting procedures were not affected.

There are other legal considerations for election officials using vote centers in Colorado. The vote centers must be equipped with secure electronic connections for the poll book. The county clerk is required to consult with all of the major and minor parties during site selection and must have one vote center for every 10,000 voters.⁵²

Larimer County Launches Vote Centers

Larimer County Clerk and Recorder Scott Doyle and his staff began planning for the use of vote centers in early 2003, and the model was used for the first time in the November 2003 election. Colorado law at that time already allowed precincts to be combined in off-year elections.

Costs

One of the first issues to address was the cost of implementing vote centers and figuring out how to cover the expense within the existing 2003 budget. Larimer County elections staff developed a business plan that identified all financial components of a vote center election and included a contingency amount of roughly 5 percent to allow for unforeseen problems. Vote centers require larger polling locations than do traditional precincts; however, the economies of scale created by using the vote center model mitigate some of the costs of administering an election, and local officials need fewer poll workers, sites, and machines.

One new expense stemming from the vote center model is the electronic poll book. In 2003, Larimer County made an additional expenditure of \$165,000; however, the extra expense for the electronic poll book technology is a one-time cost.

Educating the Public

Early in the process, local officials contracted with an outside public relations expert to address the voter education challenges of the project. Because vote centers represented a major change to the traditional voting process, it was deemed necessary by election officials to develop a comprehensive plan for systematically informing voters of, and preparing them for, the new system of voting on Election Day.

The elections office conducted several mailings. The first mailer, which went to all county voters in May 2003, contained a letter from the county clerk addressing the change and explaining what it would mean to voters. As an added convenience, an absentee ballot request form was included for voters wishing to avoid the new system. A second mailer sent to all voters in September 2003—timed to encourage early voting—included a signature card that voters were encouraged to bring to the vote center to expedite the voting process.

A key element of the public relations campaign was to direct all voters to the county clerk's elections Web page.⁵³ Other traditional methods, however, were also used. With the help of the outside public relations expert, the elections office compiled a contact list of media organizations. The county clerk wrote editorials for local newspapers. The elections office purchased advertising in affordable media and distributed fact sheets and fliers depicting the vote center experience to the public. The clerk's

Key Elements in Larimer County Vote Centers

- Each vote center is designed to accommodate more voters than are reasonably expected. For example, if the highest expected usage is 3,500, the center is designed to handle 5,000.
- The electronic poll book is designed to process a voter every 30 seconds.
- Each center is equipped with enough electronic poll books to serve the number of voters expected. Large turnout sites begin the day with 8 to 10 poll books.
- Vote centers allow for the use of paper ballots or electronic voting.
- The ballot station is set up to handle a paper or electronic voter every 10 seconds.
- Based on estimated turnout volume and the type of voting equipment used, 2 to 20 electronic voting machines and 5 to 40 voting booths are located at each vote center.

⁵³<http://www.larimer.org/elections>

office developed a newsletter in house and sent it out electronically each quarter to those who expressed interest. This newsletter continues to provide an ongoing outlet for important election dates and events.

Technology and Logistics

Each vote center is unique and requires a different setup to operate efficiently. In heavily populated areas, vote centers are configured to process up to 5,000 voters on Election Day. The successful use of vote centers requires choosing an adequately large site, having appropriate technology and ballots in place, and ensuring judges are adequately trained. Less populated areas of the county require smaller vote centers.

Most Larimer County vote centers are 1,500 to 2,500 square feet, with some as large as 3,000 square feet. Parking for at least 80 cars is suggested, and each vote center must comply with the ADA according to the U.S. Department of Justice's guide for polling places.⁵⁴

Larimer County purchased and installed T-1 lines (cables capable of quickly transferring electronic data), routers, and switches in vote center locations. Officials tested all electronics before Election Day to ensure the system functioned properly.

The computers used to check voters in at vote centers came from various county departments that had upgraded their computer systems. These surplus computers had been scheduled for replacement by other departments, so no cost was associated with their procurement. Today, computers are cycled out as "new" retired units become available from other departments of the local government.

Larimer County already had six servers that could handle the load of data on Election Day. The

electronic poll book developed in house included a reduced amount of voter registration data to allow fast operation and easy training for judges. The entire system runs parallel to the Internet and allows for secure sockets layer, which is the same security used in online banking worldwide. With this real-time technology, a voter checks in at a vote center and receives instant credit for voting on the master poll book.

The electronic poll book has many benefits. First, it enables election staff to monitor vote center operations from the elections office as the day progresses to determine the ballot supply needs at the vote centers. This enhanced management tool is extremely useful for keeping voters moving through the process. Also, candidate and party poll watching is simplified with electronic poll book technology. As the day progresses, the county clerk develops an electronic list of who has voted. The elections office supplies the list to any campaign or party requesting the information, which enables get-out-the-vote campaign phone workers to use it immediately.

Before the use of vote centers, poll workers in Larimer County picked up precinct equipment and supplies early on Election Day morning and returned them after the polls closed. With vote centers, much of the workload occurs the day before and the day after Election Day. The day before an election, a moving company delivers equipment and supplies to vote centers. A team of technology experts arrives just after the moving company and arranges the center as specified in a predesigned site plan. The team wires and tests all technology at that time to ensure proper operation.

Larimer County attempted to identify all issues that might arise on Election Day by calculating how long it takes to serve one voter, multiplying that time by the number of voters expected, and then factoring in "what if" scenarios. It is difficult to identify all that might go wrong during an election, but Larimer County's vote center model contains contingency measures that can be implemented if needed. In addition, one key to success is the rigorous testing and retesting of all systems.

⁵⁴United States. Department of Justice. *Americans with Disabilities Act ADA Checklist for Polling Places*. [Washington, DC:] DOJ, 2004. 15 Jul 2008 <<http://www.ada.gov/votingprt.pdf>>.

Vote Center Staffing

Each vote center is staffed with a supervisor, troubleshooter, and judges.

- The **supervisor** is a specially trained staff member of the clerk's office or an election judge who has gained experience in a supervisory capacity during the previous 2 weeks of early voting. The supervisor is responsible for all Election Day activities at his or her assigned vote center. Supervisors assist troubleshooters and judges and are responsible for overseeing all processes at the vote center. The supervisor is equipped with a cell phone so that he or she can establish contact quickly with the clerk, election director, or main election office when needed.
- In many cases, a **troubleshooter** is a staff member from the clerk's office. Troubleshooters are responsible for traffic flow through the vote center and for identifying technology issues that arise. The troubleshooter reports directly to the vote center supervisor.
- **Election judges** are recruited and chosen for vote centers in several ways. Political parties supply most of the judges in Larimer County, and the clerk's office staff and other county employees are recruited to assist as needed. A "student judge" program has been developed using students from area high schools.

A well-balanced mix of judges is necessary. Although a direct need exists for qualified judges who can handle technology issues, there are many other activities to be accomplished within a vote center. Judges less familiar with technology are put to work greeting voters, handing out ballots, and seeing voters out after they complete voting.

Judges are trained for the specific job function they will be expected to accomplish on Election Day. Currently, the Larimer County election staff trains judges in house, but election officials have considered using an outside trainer for future election cycles. General training lasts 3 hours in the morning, and the afternoon is spent training

to perform the specific job function the staffer will handle on Election Day.

The Physical Layout of a Vote Center

Each vote center consists of multiple "stations" (see Figure 5). Greeters welcome voters, electronic poll book judges check them in, ballot judges provide the voter with the proper ballot, escorts help voters to the voting booth or digital recording electronic (DRE) voting machine, ballot deposit judges oversee the scanning and deposit of ballots, and judges stationed at the provisional ballot table help voters with provisional ballots.

Greeter

Upon arrival, a greeter welcomes the voter, asks if the person brought the personal signature card that was mailed the previous week, and checks the voter's identification. The voter is asked to fill out a signature card (if he/she did not bring the preprinted form) and is then routed to the next station. Each vote center is designed so that lines move at a rate of 100 feet every 30 minutes.

Computer Station

The next station is the electronic poll book where the voter shows the proper identification and signature card. Vote centers have multiple electronic poll book stations, and each is designed to process a voter in 30 seconds or less. (Many voters finish their experience at this station within as little as 15 to 20 seconds.) The voter is given credit for voting on the master poll book and routed to the next station.

Provisional Ballot Table

If a voter experiences a problem (e.g., not listed in the poll book or not having appropriate ID), the

person is routed to the provisional ballot table. At the provisional ballot table, the voter provides the required information, signs an affidavit, receives an appropriate ballot, and is routed to the voting booth/DRE to vote the ballot.

Ballot Station

Voters at the ballot station are provided with the appropriate ballot style.

Voting Booth

From the ballot station, the voter is directed to a voting booth/DRE and left alone to vote.

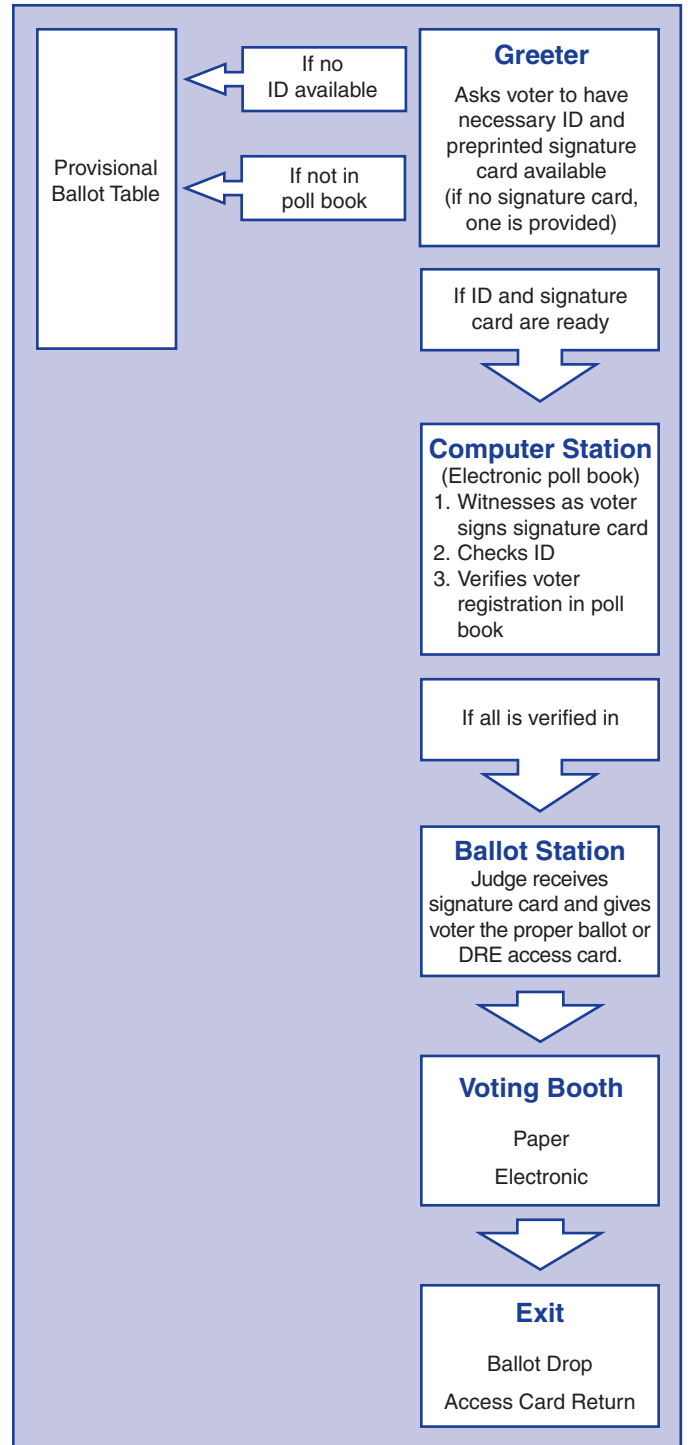
Exit

After voting is complete, the voter deposits the paper ballot or DRE voter access card with the judge located near the exit door.

Impact of Larimer County Vote Centers

According to Larimer County Clerk Scott Doyle, the use of vote centers has significantly improved access to voting. Instead of many small precinct-based polling locations, a fewer number of large vote center facilities are used, and voters simply choose the one that is most convenient for them. In a culture where home, work, and recreation facilities may be distributed all across a metropolitan area and where extensive commuting is the norm, it makes sense to do what retailers have done for decades—provide multiple convenient locations for mobile Americans. Administratively, vote centers are easier to manage, improve overall efficiency, and reduce Election Day issues for election officials if they are properly planned and implemented.

Figure 5. Vote Center Stations



Voter Turnout

Total voter turnout has increased following the introduction of vote centers, as demonstrated in Table 6. Although the implementation of vote centers coupled with early voting, absentee voting, and the decrease in provisional voting for individuals attempting to vote out of precinct on Election Day contributed to higher turnout, voting on the actual Federal Election Day did decrease from 2000 to 2004 after the implementation of vote centers. EAC researchers will need to follow the vote center concept over several more

election cycles to evaluate the effectiveness of the alternative voting method to increase voter turnout.

Poll Workers

The use of vote centers decreased the number of Election Day judges needed by 50 percent compared with the number needed when the county used the precinct-based model of voting. From a practical perspective, the use of vote centers means election administrators have fewer facilities to manage and fewer poll workers to recruit, train, retain, and pay.

Table 6: Larimer County Election Year Totals

Election	Year	Total Registered	Early Voted				Total Early Voted	Vote Center or Precinct Voting	Total Voted	%
			Early Voting	Absentee						
		Poll Book		Mail	Walk-out	Total Absentee				Total Voted / Reg
General	2004	199,129	45,718	46,941	174	47,115	92,933	52,481	147,112	78.88
General	2002	188,168	8,325	35,651	1,584	37,235	45,560	48,919	95,276	50.63
General	2000	191,124	13,769	40,355	7,278	47,633	61,402	57,582	119,201	62.37
General	1998	166,700	10,969	13,877	5,524	19,401	30,370	56,484	86,875	52.11

Denver's Vote Center Experience

Colorado law allows any county to the vote center model, and 20 have done so with few problems.⁵⁵ Douglas County encountered issues the vote center model for the first time in the November 2006 general election, but those issues were likely an underestimation of resources needed and the way those resources were allocated.

The 2006 primary and midterm elections in Denver did not go smoothly. An investigative review panel formed by the Mayor of Denver, John Hickenlooper, reported the following issues with Denver's vote center model:⁵⁶

Check-in:

Electronic poll books did not work efficiently, which made it difficult to move voters to the next step expeditiously.

Voting Equipment:

Lines formed because not enough electronic voting machines were available to handle the volume of voters.

Ballots:

A shortage of provisional (paper) ballots contributed to the long lines.

Educating the Public

Denver may have benefited from hiring an outside consultant to develop a comprehensive communication plan for advertising and explaining

⁵⁵According to counties implementing vote centers (in their comments to Larimer County Clerk Scott Doyle)

⁵⁶Denver (Colorado). Election Commission Investigative Panel: Findings and Recommendations. [Denver, Colo.:] The City [December 2006].

⁵⁷Ibid.

vote centers. Larimer County spent considerable time and resources on this step during its implementation of the alternative voting method. The Larimer County elections officials explained to voters how a vote center works and that alternative voting options such as absentee and early voting were available.

Vote Center Design and Setup

Denver complied with the law governing the minimum number of vote centers—at least one per 10,000 voters. It is not clear is how Denver estimated voter turnout and whether Denver's contingency measures addressed larger than normal turnout.

Even if the poll book technology had worked well in Denver, trouble may still have occurred at voting machines. Denver estimated that each voter would need to minutes to access and vote the ballot, but the 2006 ballot was Colorado's longest ballot in a century—resulting in slower voting and longer lines.

Technology

It was reported that the electronic poll book had problems during the absentee voting period; however, the poll book was not tested before Election Day.⁵⁷ As was demonstrated in Larimer County, routine testing and monitoring of equipment, software, and network performance is crucial to the success of the vote center model.

Contingency Measures

Denver had contingency measures in place, but it is not clear whether they were activated within a reasonable window of time. An ideal response would be the deployment of staff to any given location within minutes. Denver had no manual backup in place to guide voters through the voting process.

Academic Study

Professor Robert M. Stein of Rice University studied vote center use in Larimer County to test the hypothesis that Election Day vote centers positively influence turnout among nonhabitual voters.⁵⁸

Stein suggests that the cost of voting is largely tied to the time and inconvenience associated with the act of voting. Previous electoral reforms, such as early voting and absentee voting, may not have effectively addressed this aspect of the cost of voting. As such, these reforms may have failed to remedy the inconvenience of voting and may have benefited only those who would have voted anyway. Stein's study examines the convenience afforded by vote centers and the effect on turnout.

Stein's study indicates that a change in polling locations has two effects:

1. Transportation effect resulting from change in distance.
2. Disruption effect resulting from information required to locate a voting site.

Together, these findings may suggest that the convenience and accessibility of a voter's Election Day voting location is a significant factor in whether or not he or she will vote. Stein reports that the reported popularity of early voting

suggests that many voters prefer the convenience afforded by accessible voting locations, short lines, and assistance in using new, unfamiliar voting technologies. Therefore, it is reasonable to assume that voter turnout may increase if more voter convenience is introduced into Election Day balloting through vote centers.

Although Stein's research includes data from only a few elections administered with vote centers, the aggregate-level findings suggest that Election Day vote centers may account for an increase in overall turnout in Larimer County.

Conclusion

Vote centers have had mixed success in Colorado. Larimer County has used the alternative voting method successfully, but Denver has decided not to use it in 2008. When local election officials administer vote centers correctly, it appears that vote centers have a positive effect on overall turnout. Although overall turnout increased, actual voting on Election Day decreased from 2000 to 2004 in Larimer County. Moreover, it is still not known if the increase in overall turnout seen so far is sustainable.

The use of vote centers is popular when everything works efficiently, and it is advisable to explore further the alternative voting method for its effectiveness and use in future elections and for its expansion to other jurisdictions.

⁵⁸Stein, Robert M. and Greg Vonnahme. "Election Day Vote Centers and Voter Turnout." Prepared for presentation at the 2006 Annual Meetings of the Midwest Political Science Association, Chicago, IL, April 20-23. 15 Jul 2008 <<http://www3.brookings.edu/gs/projects/electionreform/20060418Stein.pdf>>.

Weekend Voting

Federal law requires that elections for Federal office occur on the first Tuesday after the first Monday in November. Yet, the traditional Tuesday Election Day is predicated on the needs of an agrarian society and may not still be the most optimal day on which Americans should vote. Weekend voting has been used as an alternative voting method with the belief that it might provide more convenience to voters and increase voter turnout.

Weekend voting for Federal elections is not without potential drawbacks. For example, it may make it more difficult for some local election officials to recruit sufficient poll workers and to find suitable polling places. Voting on a weekend might cost more because most States require overtime pay for employees on the weekends. Although weekend voting may result in higher turnout for some State and local elections, the added benefits of weekend voting when compared with Tuesday Election Day for Federal elections are less clear.

EAC researchers chose Louisiana, Texas, and Delaware to highlight for this case study. In each of these States, jurisdictions either currently conduct or have conducted some form of weekend voting. Federal elections cannot be conducted exclusively on weekends under current law. Therefore, it is impossible for researchers to gather good comparative data about the effect of weekend voting on Federal elections. It is still possible, however, to explore the potential benefits and drawbacks of a possible move to weekend voting by looking at the election administration of weekend voting for State and local elections.

It should also be noted that jurisdictions have different conceptions of weekend voting. The studies of Louisiana and Delaware reflect only a Saturday Election Day. The most recently introduced related legislation in the Senate, the Weekend Voting Act, as well as almost all Federal legislation to move Election Day to the weekend, would establish a new Federal Election Day as the “first Saturday and Sunday after the first Friday in November.”⁵⁹ EAC considers “weekend voting” to be a 2-day Election Day that takes place on both Saturday and Sunday.

⁵⁹S. 2638, 110th Cong. (2008).

Jurisdiction Name:	East Feliciana Parish, Louisiana
Chief Election Official:	Hon. Debbie D. Hudnall East Feliciana Parish Clerk of Court P.O. Drawer 599 Clinton, LA 70722
Number of Registered Voters:	13,371
Alternative Voting Method:	Weekend Voting
Implemented:	1959

Jurisdiction Name:	Harris County, TX
Chief Election Official:	Beverly Kaufman, County Clerk 1001 Preston Avenue Houston, TX 77251
Number of Registered Voters:	1,804,641
Alternative Voting Method:	Weekend Voting
Implemented:	1975

Jurisdiction Name:	New Castle County, Delaware
Chief Election Official:	Elaine Manlove, Director of Elections 820 N. French Street New Castle, DE 19801
Number of Registered Voters:	358,705
Alternative Voting Method:	Weekend Voting
Implemented:	1978

Implementation and Effect

The studies provide useful data about turnout in local and State elections on Saturdays. In Louisiana, all elections except Federal contests occur on Saturdays. In the past, Delaware conducted its primaries on a Saturday. The Texas study, however, may be the most instructive when evaluating the efficacy of moving Federal Election Day from Tuesday to weekend voting. The weekend voting in the Texas study represents the portion of the 12-day early voting period that occurs on Saturdays and Sundays. Still, an evaluation of voting patterns during the entire Texas early voting period reveals no rise in voting on Saturdays and Sundays when put in context with the other days during the early voting period. It is impossible to determine from the data whether turnout would have been the same if voting had taken place on Saturday and Sunday exclusively.

Some differences between Tuesday Election Day and weekend voting that can be examined are the administrative costs and challenges. A rough cost comparison between Tuesday Election Day costs and weekend Election Day costs can be made by local election officials of any additional costs that might be incurred if Federal elections were moved to the weekend. The studies indicate that some additional costs are incurred related to holding Saturday Election Days versus Tuesday Election Days. Saturday elections are likely to cost more per day because of higher weekend pay for facility maintenance and security personnel, overtime pay for election staff, and the increased cost to rent polling places. The cost could increase substantially if the 1-day Tuesday Election Day is changed to 2 days of weekend voting. In addition, some costs associated with a 2-day election are not incurred during a 1-day election, such as overnight ballot and polling place security.

Voter convenience is usually the main argument in favor of moving Federal Election Day to weekend voting. For example, because most of the workforce works during the regular business week, weekend

Weekends are not necessarily more convenient than Tuesday Election Days for all voters. Both Saturday and Sunday are religious days for groups of voters. Any organized push to weekend voting is likely to be met with strong opposition from Jewish and Christian groups.

voting could make it easier and, presumably, more likely for voters to go to the polls. Similarly, without voting on a traditional workday, there might be less of morning and evening rush voting periods that result in long lines. Although local election officials interviewed thought that weekend voting might reduce wait time at the polls, there were no data with which to evaluate the hypothesis.

Most arguments against the implementation of weekend voting stem from the added administrative challenges for local election officials. Ballot integrity and polling place security measures must be rewritten to account for the new 2-day Election Day. Keeping ballots and polling places secure overnight is not an issue that most local election officials deal with during Tuesday Election Day voting if they do not use early voting. After devising secure systems, local election officials would likely have to pay for the additional security costs without Federal or State help.

Weekends are not necessarily more convenient than Tuesday Election Days for all voters. Both Saturday and Sunday are religious days for groups of voters. Any organized push to weekend voting is likely to be met with strong opposition from Jewish and Christian groups. Delaware legislators and election officials witnessed this backlash from the Jewish community regarding Saturday primary elections. The Delaware Legislature eventually decided to move the primaries back to Tuesdays.

Even though a voter may not be working if Election Day is conducted during the weekend, it is unclear whether that scenario means that voting becomes a priority for the individual. Weekends are often spent on leisure time, and no evidence exists to indicate that voting would become a priority during weekend voting if it is not already a priority to an individual on traditional Tuesday Election Days. Such a move to weekend voting may instead lead to an increase in demand for absentee ballots, but only 31 States currently offer no-excuse absentee voting.⁶⁰

Local election officials interviewed reported mixed experiences about locating enough polling places for weekend voting. Some reported no added difficulty in finding enough polling places. Others found it difficult to secure polling places on weekends because

facilities and maintenance staff are required to be on site in public buildings used as polling places, and local elections officials do not control those staff members. Churches and synagogues previously used for voting would likely no longer be available. Some community centers use their facilities more on the weekends than they do during the week, which may result in their unavailability to serve as polling places for weekend voting.

No information supports the conclusion that more poll workers are available for weekend voting than for Tuesday Election Day. Election officials noted that they would recruit poll workers from a different pool for weekend voting. For example, teachers would be available to work on weekends, but not on Tuesdays, unless the jurisdiction observes an Election Day holiday.

⁶⁰"Absentee and Early Voting Laws." Chart. The Early Voting Information Center at Reed College. Feb. 2008. 15 Jul 2008 <<http://www.earlyvoting.net/states/abslaws.php>>.

Weekend Voting in Louisiana

Saturday Election Day was introduced in Louisiana in 1959 for gubernatorial primaries and extended to gubernatorial general elections in 1975. In both cases, the move away from a Tuesday Election Day to a Saturday Election Day was meant to benefit the voters in the workforce.

Louisiana election officials believe that conducting non-Federal elections on Saturday is a benefit, because it makes voting more convenient for the individual voter. It may also be a benefit because voters feel less rushed in the polling place, being that they have fewer concerns about work schedules on the weekends. A local election official interviewed believes that Saturday voting results in fewer poll worker errors, because voting is spread out during the day without the “crunch times” experienced on Tuesday Election Days before work, during the lunch hour, and after work.

Administrative Challenges

Local election officials have been recruiting poll workers for Saturday Election Days for decades. Most elections in Louisiana take place on Saturdays; only Federal elections are conducted on a Tuesday Election Day. Some parish clerks explained that it makes little difference to them whether they are conducting elections on Tuesdays or Saturdays because the same number of poll workers is required. In fact, some parish clerks indicated that they find it slightly more difficult to recruit individuals to work as poll workers for Tuesday Election Days than for Saturday Election Days.

⁶¹18 Louisiana Revised Statutes § 533.

⁶²“State Wide Post Election Statistical Report Election Date 11/07/2000.” Chart. Louisiana Secretary of State Elections Division. 15 Jul 2008 <http://www400.sos.louisiana.gov/stats/Post_Election_Statistics/Statewide/2000_1107_sta.txt>.

“State Wide Post Election Statistical Report for Election of 11/02/2004.” Chart. Louisiana Secretary of State Elections Division. 15 Jul 2008 <http://www400.sos.louisiana.gov/stats/Post_Election_Statistics/Statewide/2004_1102_sta.txt>.

2006 Elections Calendar

Saturday, January 21: propositions only.

Saturday, April 1: municipal primary.

Saturday, April 29: municipal general.

Saturday, July 15: propositions only.

Saturday, September 30: open primary.

Tuesday, November 7: open general/ congressional.

Saturday, December 9: congressional runoffs.

Note: La. Rev. Stat. Ann. § R.S. 18:402(G) (2008) prohibits elections from being conducted on certain Jewish holidays.

Furthermore, Louisiana law requires that all public buildings be available to host a polling place on Election Day without any cost to the parish.⁶¹ Local election officials report that this law makes it easier for them to secure polling place facilities than it is for their counterparts in other States that do not have such a law. Most polling places are in public buildings, such as schools, fire stations, and town halls, and the officials make only limited use of private buildings, including churches. Therefore, Saturday Election Day does not significantly affect the local election officials’ ability to find sufficient space for polling places.

Voter Turnout

Voter turnout depends on the type of election being conducted. Federal elections result in higher turnout than do State and local elections. In 2000 and 2004, statewide turnout for the Presidential elections on Tuesdays was 63.5 percent and 66.9 percent, respectively.⁶² The statewide gubernatorial elections of 1999, 2003, and 2007—all conducted on Saturdays—showed wide variations in turnout

from between 26.4 and 50.9 percent.⁶³ Local election officials interviewed believe that there would be no difference in turnout if a Federal election were conducted on a Saturday as opposed to a Tuesday. Similarly, they did not believe

that there would be a difference in turnout for a gubernatorial election if it were to be conducted on a Tuesday instead of a Saturday. They believed that turnout depends on the measures and/or candidates on the ballot.

⁶³*“State Wide Post Election Statistical Report Election Date 11/17/2007.” Chart. Louisiana Secretary of State Elections Division. 15 Jul 2008 <http://www400.sos.louisiana.gov/stats/Post_Election_Statistics/Statewide/2007_1117_sta.pdf>.*

“State Wide Post Election Statistical Report for Election of 11/15/2003.” Chart. Louisiana Secretary of State Elections Division. 15 Jul 2008 <http://www400.sos.louisiana.gov/stats/Post_Election_Statistics/Statewide/2003_1115_sta.txt>.

“State Wide Post Election Statistical Report for Election of 11/20/1999.” Chart. Louisiana Secretary of State Elections Division. 15 Jul 2008 <http://www400.sos.louisiana.gov/stats/Post_Election_Statistics/Statewide/1999_1120_sta.txt>.

Weekend Voting in Harris County, Texas

Weekend voting in Texas is used for both Federal and non-Federal elections. A few non-Federal elections take place on the second Saturday in May. That day is set aside for general elections for cities and schools. Although Federal elections, by law, occur on Tuesdays, the Texas law that created early voting in 1987 led to a *de facto* introduction of weekend voting for Federal elections. The 12 days of early voting in Texas must include one weekend.

Administrative Challenges

According to local election officials, early voting does affect their ability to recruit a sufficient number of poll workers. To conduct early voting for 12 days, Harris County local election officials need to hire poll workers as temporary employees at higher rates than they pay Election Day poll

Harris County conducts 12 days of early voting, which spans two weekends. Because the hours of operation at early voting locations fluctuate during the early voting period, it is difficult to make comparisons between weekday and weekend voting turnout.

First Saturday in period: 1:00 p.m.–6:00 p.m.

First Sunday in period: 1:00 p.m.–6:00 p.m.

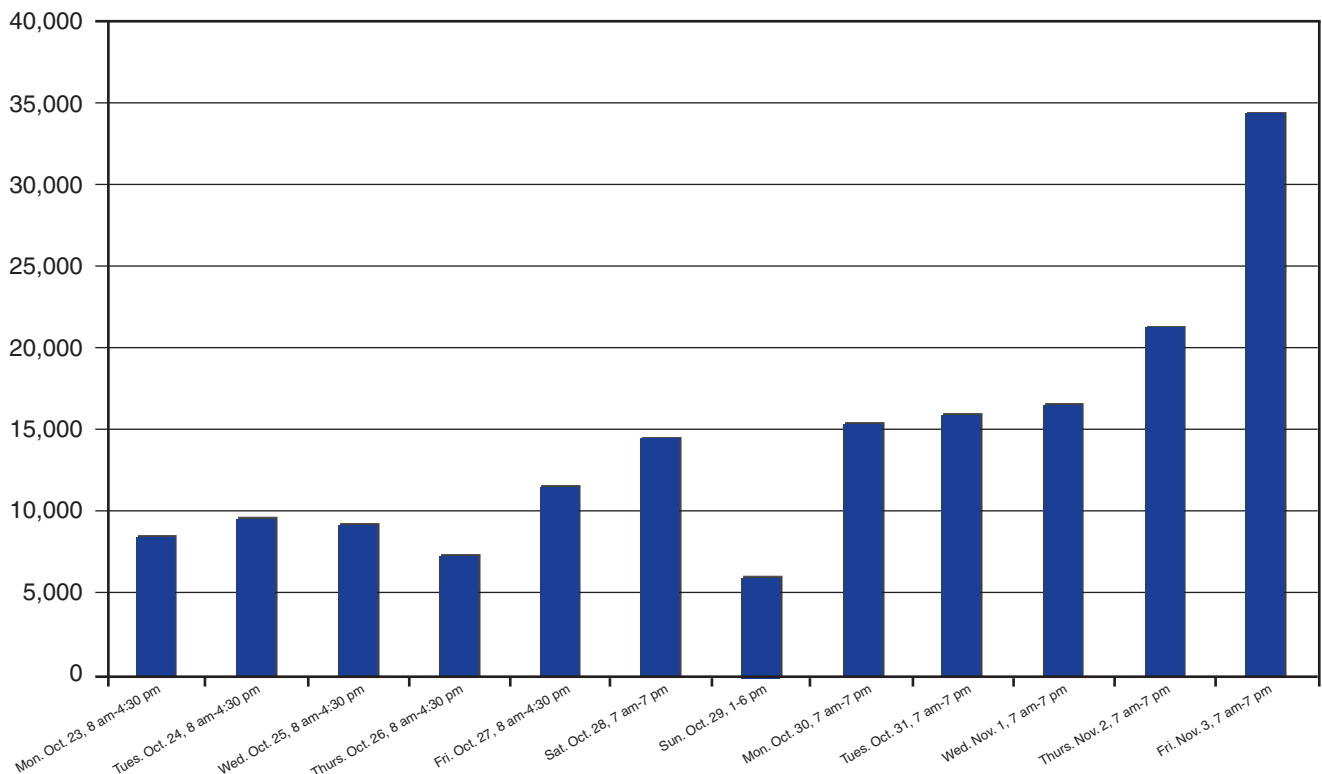
Monday through Friday: 8:00 a.m.–4:30 p.m.

Second Saturday in period: 7:00 a.m.–7:00 p.m.

Second Sunday in period: 1:00 p.m.–6:00 p.m.

workers. Should Texas move away from a process that includes both a period of early voting and a Tuesday Election Day to a system of just weekend voting, however, it is unclear if the higher pay would be necessary.

Figure 6. Daily Voter Turnout in Harris County, Texas, November 2006



It costs local election officials more to rent polling places for Saturday voting because State law allows the owner of a polling place to charge an additional fee for overtime and administrative overhead on top of the base rate. The average extra cost for a polling place on a Saturday is \$250 according to the local election officials interviewed. Polling place availability, though, is not a problem for the weekend days of early voting. City and county buildings, libraries, and community centers are secured for the entire early voting period.

Voter Turnout

Harris County election officials believe that voter turnout depends on the type of election and on the measures and candidates on the ballot rather than on the day on which the election is held.

- Tuesday, November 7, 2006, general election turnout: 31.59 percent.
- Tuesday, November 8, 2005, municipal election turnout: 17.96 percent.
- Tuesday, November 2, 2004, Presidential election turnout: 58.03 percent.

Harris County election officials believe that voter turnout depends on the type of election and on the measures and candidates on the ballot rather than on the day on which the election is held.

- Saturday, May 15, 2004, city of Houston special bond election turnout: 8.81 percent.

Although turnout during the November 2006 general election spiked slightly on Saturday, October 28 (see Figure 6), it is the general expectation that more people will vote each day of early voting as Election Day approaches. The dip in voting on Sunday, October 29, could be attributed to the relatively fewer number of hours during which the early voting sites are open compared with the number of hours on the other days of early voting.

Weekend Voting in New Castle County, Delaware

Delaware has used a Saturday Election Day for local elections and Presidential primaries. Over the past two election cycles, however, the State has moved all primary elections back to the traditional Tuesday Election Day. From 1978 through 2006, local elections, including primaries, were held on Saturdays. The State's first Saturday Presidential primary was in 1996.

Election officials often justify the move to voting during the weekends by claiming an added convenience to voters. In Delaware, Jewish voters did not find it more convenient to vote on Saturdays exclusively. The State's 2002 primary election fell on Rosh Hashanah (the Jewish New Year), and Saturday primaries always coincided with the Jewish Sabbath. In 2004, the Presidential primary was moved to a Tuesday, and, beginning in 2006, the State primary was moved to a Tuesday Election Day.

Administrative Challenges

New Castle County election officials reported that they did not have a problem recruiting enough poll workers. They did note, however, that they were hiring different poll workers for Saturday Election Day than for Tuesday Election Day. Teachers are the most common replacements on Saturday Election Days for traditional Tuesday Election Day poll workers.

Election officials in New Castle County did have a harder time securing enough polling places for Saturday voting. They reported that fewer churches and community centers are available to use as polling places because those facilities are not always available during the weekends.

Voter Turnout

Moving a non-Presidential Federal primary election from Saturday to Tuesday did not appear to substantially affect turnout.

- Tuesday, September 12, 2006: 45.76 percent.
- Saturday, September 7, 2002: 43.42 percent.
- Saturday, September 12, 1998: 37.32 percent.

As reported by local election officials in other States and jurisdictions, election officials in New Castle County reported that voter turnout is directly linked to the candidates and measures on the ballot and not to the day of the week on which the election is conducted.

Conclusion

EAC's study of weekend voting is limited because only a few States allow some form of the alternative voting method and no State is allowed to conduct Federal elections on weekends exclusively. Based on the turnout data in State and local elections from the three States studied, the measurement of voter turnout seems to be affected very little by weekend voting. It is impossible, however, to extrapolate from those turnout data to make predictions about how a move to weekend voting for Federal elections might affect turnout.

The only real certainty is that the cost of administering the election will be higher. Interviews with local election officials reveal that Saturday Election Day usually costs more than Tuesday Election Day. If Congress changes the Federal Tuesday Election Day to 2-day weekend voting, the cost of the election is likely to increase substantially.

With very little data to support a positive effect on turnout and likely higher administrative cost, it is inadvisable at this time for EAC to recommend a move from Tuesday Election Day to weekend voting for Federal elections.

General elections in Puerto Rico for all levels of government coincide with the U.S. Presidential election. The different levels of government are elected using three separate ballots. The first ballot includes the races for Governor and for Resident Commissioner. Although the Federal Resident Commissioner is Puerto Rico's delegate to the U.S. Congress, the race appears on the State ballot. The second ballot is used for choosing members of the Puerto Rico Legislature. The third ballot is used for contests in each of Puerto Rico's 78 municipalities. In Puerto Rico, Election Day is designated as a State holiday.

The Puerto Rico Elections Commission (Comisión Estatal de Elecciones or CEE)—an independent body consisting of a representative of each political party—is responsible for all aspects of election administration in Puerto Rico. In addition to governing traditional voting on Election Day, the CEE governs Puerto Rico's alternative voting methods. This section examines the implementation and effect of Puerto Rico's use of alternative voting methods.

Implementation and Effect

Puerto Rico's election officials use some of the alternative voting methods employed on the U.S. mainland, but they have also used innovative options not established anywhere else in the United States. All of Puerto Rico's alternative voting methods are restricted to specific groups of people. For example, an absentee voter must have a specific excuse—usually related to employment—for voting by absentee ballot. These excuses include employment as a police officer, firefighter, student, and so forth. Puerto Rico also has alternative voting procedures for incarcerated felons, hospitalized individuals, and bedridden voters.

For decades, Puerto Rico has used some of its alternative voting methods, such as absentee voting and early voting. Other methods have been used only in the most recent election in 2004. See Table 7 for the dates of implementation of all of Puerto Rico's alternative voting methods. None of the

Territory:	Commonwealth of Puerto Rico
Chief Election Official:	Lic. Ramon E. Gomez Colon, President Puerto Rico Elections Commission 550 Arterial B. Ave. Hato Rey San Juan, PR 00919-5552 Phone: 787-777-8675
Number of Registered Voters:	2,178,956 (in 2006)
Alternative Voting Method:	Alternative days, times and places to vote
Implemented:	2004

Table 7: Introduction of Voting Methods in Puerto Rico

Voting Method	Implementation
Absentee and Early Voting	Election law of 1974
Provisional Voting	Decision by the local Supreme Court of 1988 (122 DPR 490)
Prisoner Voting	Decision by Tribunal Special Committee (Junta Revisora) in 1980
Hospital Voting	Elections Commission decision in 2004
Domicile/Bedridden Voting	Elections Commission decision in 2004

alternative voting methods in Puerto Rico disrupts Election Day procedures because they are designed to occur before Election Day. Each alternative voting method has restrictive eligibility requirements, which results in most people voting in traditional precinct-based polling places on Election Day.

Absentee and Early Voting

The CEE must receive all absentee voting requests at least 60 days before the election, and only a small group of citizens is eligible to apply. This group includes active-duty National Guard personnel, Merchant Marines, Department of Labor personnel, members of the diplomatic or foreign aid service, students, commercial airline crews, and essential public servants (e.g., firefighters, police officers, and judges). An eligible voter in one of the preceding categories who is unable to vote in his or her assigned precinct on Election Day may request an absentee ballot and cast the vote by mail.

Puerto Rico also permits some individuals to vote absentee in person before their local elections commissions, usually on the day before Election Day. This process is similar to early voting in some States. Eligible citizens include those individuals working in essential positions on Election Day such as officials of the Correctional Administration (e.g., prison guards), CEE officials, and police officers.

Provisional Voting (Añadidos a Mano)

Since 1988, the CEE has administered a provisional voting and canvassing process called *Añadidos a Mano* (AM). On Election Day, multiple precincts vote in the same polling location. If a voter claims to be registered but does not appear in the precinct's poll book, he or she is permitted to vote in a provisional precinct within the polling place. This provisional precinct is similar to an absentee ballot precinct; no voter is regularly assigned to a provisional precinct, but the votes are tallied there on Election Day for reporting purposes. A voter in a provisional precinct signs an affidavit swearing that he or she is a registered voter in the jurisdiction and casts a ballot, which is placed in an envelope to be verified by CEE staff after Election Day.

Provisional votes must be authenticated before being counted. To safeguard voters' privacy rights and the election's integrity, provisional ballots are kept separate from other ballots when they are sent from the polling places to the local elections commission's office. Provisional ballots that can be authenticated are counted and tallied for the correct precinct. All voters who cast provisional ballots can

verify whether their votes were counted by calling a toll-free number or by visiting the local elections commission's office.

Prisoner Voting (Voto de los Confinados)

Since 1980, Puerto Rico has allowed felons and prisoners in State custody to vote. These voters are subject to a two-tier system. If prisoners want to vote in the State, legislative, and municipal elections, they must submit a request in writing using a special absentee voting form at least 60 days before Election Day. If incarcerated voters do not make the request at least 60 days before the election, they may still vote through the AM process. These voters, however, are eligible only for the State ballot and cannot vote in the legislative and municipal elections because they may be incarcerated outside their home jurisdictions and may not have given the CEE enough time to supply the appropriate ballot style.

The CEE conducts penal institution voting on the Sunday before Election Day. Voting on this day allows for sufficient time to transport the votes to the appropriate local elections commissions for adjudication on Election Day. Voting also occurs on Sunday so that it does not interfere with Saturday prison visitation hours.

In the November 2004 election, 5,102 prisoners cast votes. The CEE validated 4,384 of the voters as registered and counted those votes.

Hospital Voting (Voto en Hospitales)

During the general election of 2004, Puerto Rico conducted a pilot program that allowed registered voters who were hospitalized on Election Day to vote outside of their traditional precinct-based polling place. As with some prisoner voting procedures, however, the patients were presented State ballots only and were not permitted to vote in legislative and municipal races, because they may be located outside their home jurisdictions.

It was more difficult for the CEE to determine how to allocate resources for hospital voting than it was for prisoner voting. Patients are much more

transient than prisoners and cannot be expected to register their statuses more than 60 days in advance of Election Day. By October 29, 2004, 3 full days before Election Day, each participating hospital's administration submitted to the CEE updated statistics of admitted patients and information about the number of them expected to remain hospitalized on Election Day. The CEE then installed electoral precincts accordingly in public areas inside the hospitals and used mobile precincts for voters who, because of their medical conditions, could not leave their rooms to vote.

Voting in the hospital precincts occurred on the day before the general election. Polls were open during the same hours that traditional precinct-based polling places were open and followed the same procedures that are used on Election Day. Unlike the officials at a regular precinct, however, hospital precinct officials did not count the cast ballots when the polls closed. Instead, after the polls closed, poll workers sent the cast ballots to the corresponding local elections commission's office and then to the CEE's main operations center to be counted along with the ballots cast on Election Day.

The CEE provided hospital voting in approximately 70 hospitals. Hospitalized voters cast 2,673 ballots. The CEE identified 2,438 of those voters as registered and counted their votes.

Domicile/Bedridden Voting (Voto en el Domicilio)

The CEE also conducted a pilot program for bedridden individuals during the 2004 election. Eligible voters with physical impediments, unable to leave their homes on Election Day to vote, could request no later than 45 days before the election, via a person of confidence or the Internet, to vote by this alternative voting method. Unlike hospitalized or prisoner voters, domicile voters were presented ballots for legislative and municipal elections along with the State ballot.

Poll workers carried ballots to those individuals eligible to vote from their homes on the day before Election Day. Votes were cast in the poll worker's

presence. Poll workers then certified the cast ballot, sealed it in an envelope, and delivered it to the local elections commission's office to be counted with the votes of its corresponding home precinct on Election Day.

Costs

In Puerto Rico, all poll workers are volunteers representing their respective political parties and are trained by the local elections commissions. Political parties were responsible for selecting and recruiting poll workers who administered Puerto Rico's two pilot programs in 2004. Puerto Rico's election officials were able to keep some costs from rising because they were not recruiting and paying the additional poll workers to conduct hospital and domicile voting. Furthermore, officials reported no noticeable increases in cost to the local elections commissions for registration materials, because most individuals using the alternative voting methods were already registered to vote. Part of the cost associated with the two pilot programs for personnel, training, and administrative expenses was covered by the general election administration budget. The costs associated with absentee and early voting as well as prisoner voting were already included in the general election administration budget.

Additional expenses paid outside the general election administrative budget include the rent for vehicles to transport elections officials to the hospitals or domiciles in which voting took place, and costs to develop, print, and distribute posters and purchase radio and television time to inform voters of the new alternative voting methods. Approximately \$70,000 was spent on the information campaign to promote hospital and domicile voting.

Administrative Challenges

The implementation of the prisoner, hospital, and bedridden alternative voting methods did not affect other voting procedures in place on Election Day. To avoid any possible problems, the alternative voting methods were designed to be

administered on dates before Election Day. This pre-Election Day method made the administrative challenge of matching legislative and municipal ballots to their appropriate precincts for counting considerably easier.

Most voting in Puerto Rico takes place on the Tuesday Election Day. In 2004, hospital and domicile voting took place 1 day before Election Day, on Monday, November 1. By avoiding weekends during the voting process, there was minimal impact on religious groups. Only prison voting is conducted on a weekend in Puerto Rico. Sunday was chosen to avoid disrupting visitation hours on Saturday.

Voter Turnout

The goal of Puerto Rico's alternative voting methods is to include groups of people in the elections who otherwise could not have voted. Each alternative voting method has a highly restrictive eligibility requirement, which means most of the electorate must still vote on Election Day in traditional precinct-based polling places. Having individuals vote by one of the alternative voting methods could only have resulted in higher overall turnout for the 2004 election than would have been achievable without the options, because those voters would not have been able to vote before the implementation of the various alternative voting methods.

The CEE created an administrative absentee vote board (*Junta de Administracion del Voto Ausente*) to manage all absentee voting in Puerto Rico, which includes all its alternative voting methods. The board uses the name and voter identification number (Tarjeta de Identificacion Electoral) on each envelope to verify the voter's eligibility. Ballots from voters whose eligibility cannot be verified are not counted. During the 2004 general election, 22,267 individuals voted by one of the alternative voting methods. Of those ballots, 12,610 were counted; 9,657 ballots were rejected.

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Conclusion

The CEE is responsible for the design, organization, structure, and supervision of all procedures and practices used in Puerto Rico elections. It is also responsible for periodically evaluating its election procedures and adopting any new alternative voting methods. All new provisions must be approved unanimously by the Puerto Rico Elections Commission members at least 4 months ahead of Election Day.

The CEE did not hastily move from one voting method to another. Instead, the CEE included alternative voting methods to supplement its current precinct-based elections to assist underserved groups within the population. It took approximately 6 months to develop and establish the procedures by which the two most recent alternative voting methods were put in place. These innovative practices have been successful to date and could be used in jurisdictions across the United States.

HAVA Section 241(b)(10) requires a discussion of the “advisability of establishing a uniform poll closing time.” A uniform poll closing time would ensure that voters on the west coast are not affected by the announced election returns from the east coast. In some cases, projections have been made about the outcome of the race based on those east coast returns while hours of voting remained in other parts of the country; research shows that knowledge of these projections can influence voters.⁶⁴

Congress has attempted to address the problem of early projections many times. In 1960, Senator Barry Goldwater from Arizona introduced legislation that would have prohibited all media outlets from announcing any election results until after midnight eastern standard time (EST). Although the legislation to limit the ability of the media to make election projections did not make it through Congress, there is another way to combat the controversy regarding election night returns. All polling places in the continental United States could close at the same time.

In 1985, the House of Representatives first passed legislation that would have established a uniform poll closing time, and several bills have been in

⁶⁴Crespin, Michael H. and Ryan J. Vander Wielen. “The Influence of Media Projections on Voter Turnout In Presidential Elections from 1980-2000.” Prepared for presentation at the 2002 Annual Meeting of the Midwest Political Science Association. pp. 2-3.

Jackson, John E. “Election Night Reporting and Voter Turnout.” *American Journal of Political Science* 27.4 (November 1983): 615-635. pp. 633.

⁶⁵Swift, Al. Letter. *New York Times*. 20 Dec. 1988. 11 Jul. 2008 <<http://query.nytimes.com/gst/fullpage.html?res=940DE5DF133BF933A15751C1A96E948260>>.

⁶⁶H.R. 3525, 99th Cong. (1986); S. 628, 101st Cong. (1989); H.R. 18, 101st Cong. (1989); H.R. 1554, 103rd Cong. (1993); S. 3287, 106th Cong. (2000); H.R. 5678, 106th Cong. (2000); and, S. 50, 107th Cong. (2001).

⁶⁷S. 136, 101st Cong. (1989); S. 571, 105th Cong. (1997); and, S. 175, 107th Cong. (2001).

⁶⁸H.R. 3153, 105th Cong. (1998); H.R. 668, 106th Cong. (1999); and, H.R. 1666, 107th Cong. (2001).

⁶⁹H.R. 96, 101st Cong. (1989).

⁷⁰U.S. Constitution. Article I, Section 4 and Article II, Section 1.

In 1985, the House of Representatives first passed legislation that would have established a uniform poll closing time, and several bills have been in both the House of Representatives and the Senate as recently as 2002 to do the same.

both the House of Representatives and the Senate as recently as 2002 to do the same. As former Representative Al Swift from Washington, one of the most ardent proponents of a national uniform poll closing time, has argued, “[a]nything that erodes the integrity of the voting process weakens our democracy. Projecting a Presidential winner before all the polls have closed adversely affects us all, but the problem can be easily solved...”⁶⁵ By closing all polls at the same time, each individual’s vote remains free from the outside influence of knowing the outcome.

Among the several different proposals for a federally mandated uniform poll closing, the most common proposals, and the only ones to pass in the House of Representatives, mandate a 9:00 p.m. EST poll closing. They also amend the Uniform Time Act of 1966 to extend daylight saving time in the Pacific Time zone in Presidential election years to the Sunday after Election Day.⁶⁶ Other proposals mandate 10:00 p.m. EST poll closing⁶⁷ or 11:00 p.m. EST poll closing,⁶⁸ and some leave the exact time of uniform poll closing open ended.⁶⁹ The most unlikely option floated by some academics would be to establish a single time zone across the country.

The Constitution reserves to the Congress the power to regulate the time, place, and manner for holding Federal elections.⁷⁰ A congressional mandate for a 9:00 p.m. EST poll closing would affect the poll closing time in 40 States. Thirty

States, mostly in the East, and the District of Columbia would have to extend polling place hours by as many as 3 hours. Nine States in the West would have to reduce polling place hours by as many as 2 hours.⁷¹ Six States in the East would have polling places open for 15 hours and most other eastern States would have them open for 14 hours, while the maximum a western State could reasonably have its polling places open would be for 12 hours.

The States would likely resist any Federal mandate to change polling place hours. Projections of election results in eastern States

may affect voters in the West, and it is reasonable to have serious discussions about how to fix the problem. A uniform poll closing, however, is not an advisable solution. Although the alternative voting methods in this report are all intended to expand the ease and convenience of voting, a uniform poll closing would present a huge inconvenience for many voters in the West, who would lose the opportunity to vote after work. Likewise, local election officials in the East would need to keep polls open even longer than they do now. At this time, the negative side effects of a uniform poll closing time are greater than a fix to the early election projection problem.

⁷¹"2006 Polling Place Hours by State." Chart. National Association of Secretaries of State. Nov. 2006. 11 Jul 2008 <http://nass.org/index.php?option=com_content&task=view&id=71&Itemid=217>.

The administration of elections is evolving. According to the EAC's 2006 Election Administration and Voting Survey, more than one in five ballots was cast during early and absentee voting during the 2006 midterm elections.⁷² As more States move to no-excuse absentee voting and expand early voting, there will likely be a rise in the percentage of ballots cast before Election Day.

Administrative procedures on Election Day itself are also changing. Vote centers enable individuals to vote at many different locations on Election Day instead of a traditional polling place. There are no polling places at all in Oregon because all ballots are cast by mail. Some States consider Election Day to be a holiday and others conduct non-Federal elections on the weekends. The feasibility of the alternative voting methods in this report will be determined by different levels of legislative bodies: local, State, and Federal. The advisability of each of the alternative voting methods in this report varies depending on the jurisdiction. Local and State election officials must take into consideration their jurisdictions' population density, culture of voting, ability to recruit poll workers, and so forth before making any decision to implement a new alternative voting method.

Early Voting

Early voting is traditionally defined as a process by which voters cast their ballots before Election Day at precinct-like polling stations throughout a jurisdiction. Texas has used this process for two decades and other States have been gradually implementing it. The benefits to early voting, as opposed to other convenience voting, include convenience to the voter and security of the ballot. Early voting, however, comes with a high cost, because personnel and facilities must be coordinated for many days in addition to Election

⁷²United States. U.S. Election Assistance Commission. *The 2006 Election Administration and Voting Survey*. Washington: EAC, 2007. 11 Jul. 2008 <<http://www.eac.gov/files/Eds2006/eds2006/edsr-final-adopted-version.pdf>>. pp. 14.

⁷³"Absentee and Early Voting Laws." Chart. *The Early Voting Information Center at Reed College*. Feb. 2008. 11 Jul 2008 <<http://www.earlyvoting.net/states/abslaws.php>>.

Day. Early voting truly is an alternative voting method. It is used mostly by those voters who would alternatively vote on Election Day if it was the only option. Overall, turnout has not significantly increased during the early voting era in Texas. Still, it is advisable for other States to consider the successes of this method of convenience voting.

Election Day Holidays

Some States have declared Election Day State holidays for Federal elections. Advocates of an Election Day Federal holiday often argue that such a holiday would result in higher turnout because individuals would be given the day off from work. Yet, an analysis of the States with Election Day State holidays during Federal elections does not reveal a higher level of turnout. Over the past four Federal elections, the aggregated turnout of States with holidays showed insignificant differences in turnout than States without holidays. The implementation of an Election Day Federal holiday would be accompanied by some costs for the Federal government, because more than 2 million employees would be given a paid day off. It is unclear how many State governments and private businesses would close as a result of the Federal holiday, which advocates say results in more convenience for voters. Finally, it is unlikely that a Federal holiday would positively affect voter turnout when a State holiday does not. Until more research can be completed about the positive effects of Election Day holidays to counter the inevitable drawback of higher administrative cost, it is inadvisable at this time to establish a legal public holiday on the Federal Election Day.

Vote-by-Mail

Absentee voting has been around since the Civil War. It was originally intended for soldiers who were away from home on Election Day. Today, absentee voting has expanded to all States, of which 31 allow no-excuse absentee voting for all individuals.⁷³ Oregon has moved one step further and created an all vote-by-mail system. Officials there claim clear benefits for both local election officials and voters.

Election officials do not need polling places or poll workers in a vote-by-mail system. Voter registration lists tend to be more accurate because the frequent mailing of nonforwardable ballots provides updated information on the actual home addresses of voters. Furthermore, some evidence supports the supposition that vote-by-mail elections might be less costly to administer than precinct-based elections and may increase turnout. Voters have the convenience of voting from home and can choose to mail the ballot back to the election office or drop it off at conveniently located sites around the jurisdiction. Although Oregon has additional concerns about ballot integrity, the State believes it has solved the problem with its 100 percent signature match procedures. This alternative voting method works well in Oregon, which already had a history of higher than average absentee voting. Officials in other jurisdictions considering a move to a vote-by-mail method are advised to evaluate the current methods of voting that their citizens use most before instituting any changes to their election systems.

Vote Centers

Even the traditional precinct-based election is evolving. There was a time when the poll workers knew all the voters in their given precincts. In smaller jurisdictions with smaller precincts, this is still sometimes the case. As precincts have become larger, however, the administration of elections has become less of a neighbor-to-neighbor experience. Small neighborhood precincts often are not the most convenient places for individuals to vote today, because the voters are not near their residences as much during normal polling place hours. First attempted in Colorado, vote centers are an alternative voting method in which individuals choose to vote in any one of larger, strategically located polling sites throughout the county on Election Day. This added convenience for voters has been well received, and local election administrators enjoy the benefits of economies of scale. Only two Federal elections have been conducted with vote centers, however, and it is unclear to what extent vote centers can be credited with raising overall turnout (including absentee and early voting) when voter turnout on the actual Election Day declined after the change from traditional precincts to vote

centers. Jurisdictions interested in vote centers are advised to consider all the planning that Colorado did before implementing vote centers and to look at the data on voter turnout and administrative costs after the 2008 Presidential election in jurisdictions using vote centers.

Weekend Voting

Federal law requires that elections for Federal office occur on the first Tuesday after the first Monday in November. Yet, the traditional Tuesday Election Day is predicated on the needs of an agrarian society and may not still be the most optimal day on which Americans should vote. Weekend voting as an alternative voting method might provide more convenience to voters and increase voter turnout, although election officials' experiences with some State and local elections conducted on the weekends have shown some drawbacks in recruiting poll workers and finding appropriate polling place locations, as well as pushback from religious groups. With very little data to support a positive effect on turnout and likely higher administrative costs, it is inadvisable at this time for EAC to recommend a move from Tuesday Election Day to weekend voting for Federal elections.

Voting in Puerto Rico

Puerto Rico has been very innovative with its system of election administration. Some of Puerto Rico's alternative voting methods, such as absentee voting and early voting, have been used for decades. Others have been used only in the most recent elections in 2004. None of the alternative voting methods in Puerto Rico disrupts Election Day procedures, because they were designed to occur before Election Day. Each alternative voting method has highly restrictive eligibility requirements, which results in voting by most people in traditional precinct-based polling places on Election Day. Specifically, programs are in place for prisoner voting, hospital voting, and domicile/bedridden voting. The EAC recommends further research into how some of these unique programs could be implemented in other jurisdictions.

U.S. Election Assistance Commission

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