

The Vermont Legislative Research Service

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3

Election Day Registration

Election Day Registration (EDR) Same day registration does more than just register previously unregistered voters; it also allows people who have moved recently or whose information otherwise is out of date, the ability to vote by providing them the opportunity to update their registration status with their current information.

2

Even with this HAVA in place, there has been much debate in recent years over EDR because some maintain the belief that it could give one party an advantage in election. There are also questions of voter fraud. Proof of residency is a key requirement in all states that offer EDR and the voter must also provide identification.

Turnout Effects

In a study published in *Political Analysis*, the authors looked at web searches of “voter registration” both before and after registration deadlines in various states³ This study equated these web searches to interest into voting in the following election, the 2012

¹ “Help America Vote Act,” Election Assistance Commission, 2010, accessed April 15, 2015, http://www.eac.gov/about_the_eac/help_america_vote_act.asp

² Government Accountability Board staff, “Final Report on the Impacts and Costs of Eliminating Same Day Registration in Wisconsin,” February 18, 2013, accessed April 17, 2015, http://www.gab.wi.gov/sites/default/files/publication/65/final_edr_report_02_18_2013_pdf_86368.pdf

³ Alex Street et. al, “Estimating Voter Registration Deadline Effects with Web Search Data,” *Political Analysis*, March 2015, Volume 23, no 2, p 225-241, accessed April 22, 2015, <http://pan.oxfordjournals.org/content/23/2/225>.

Presidential election. The results of this study showed that if EDR was available in all states for the 2012 election, then voter turnout would have increased by roughly three to four million voters.⁴ This result was based on interest in voting, internet searches, in the days following the deadline to register to vote. It also considered the websites that most searchers clicked on following their search, which were mostly official government sites.

A study conducted by Barry Burden and John Niehiseil, professors in the University of Wisconsin-Madison Political Science Department, revealed that studies have often overstated the effect of Election Day Registration on voter turnout⁵. They say that the usual range for percent increase in turnout is three to six percent. The results of this more sophisticated statistical study, a regression using instrumental variables to control for state

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The Variable Effects of EDR

The study by Burden and Neiheisel

Currently, 11 states have legalized same day registration (SDR): Colorado, Connecticut, District of Columbia, Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, Wisconsin, and Wyoming. California, Hawaii, and Illinois are all working toward enacting Election Day Registration!¹⁰

Vermont

individual must register at least two business days prior to an election¹⁵. Supporters of this change believed that it would help cut down registration fraud and Election Day mistakes. The other faction says that it is a “blatant” attempt to prevent citizens from voting¹⁶. The change in the Election Day registration law that required registration 2 days in advance was overturned by a poll question in 2011 elections. Maine was the first state to legalize SDR and in 2008 and 2010 November elections 70,000 citizens registered on election days.¹⁷ This is around 5 percent of the population of the state. You are eligible to vote in Maine if you are a resident and are of at least 18 years of age. Individuals must be able to prove residency and provide identification at voting sites. In order to prevent voting fraud the state has implemented a system of “challenged ballots” which are provisional ballots whose validity will not be determined unless it affects the results of an election¹⁸.

New Hampshire

In 1996 New Hampshire enacted legislation that legalized same day voter registration. Voters must live in the state and be of at least 18 years of age or older on Election Day. In 2012 the state’s voter ID laws were changed to limit the IDs an individual could present,

Wisconsin has three different times when a person can register: up to 20 days before an election through a number of methods, 19 days until the day before the election through a clerk's office, and Election Day through same day registration. This process has allowed Wisconsin to have one of the highest rates of voter participation in the country.²² According to the Wisconsin Government Accountability Board, 15.3% of voters in the state made use of EDR in order to either register, or to update their registration in the last presidential election.²³

Minnesota

In the 1998 Gubernatorial Election, EDR had a profound impact on voter turnout. The winner of the election, Jesse Ventura, "was able to stage a last-minute surge in support as people who typically vote at low rates...were able to register on Election Day." Dean Lacy and Quin Monson found that EDR accounted for a full 7 percent increase in voter turnout. They suggest that the reason for this large increase was a result in this surge of support for Ventura close to Election Day. It is believed that Ventura would have won the election without the individuals that registered on election day, however, the increase in voter turnout due to his campaigning is significant and provides reason to believe that EDR can have a major impact on election day outcomes.²⁴

Voter Fraud

"Voter fraud occurs when individuals cast ballots despite knowing that they are ineligible to vote, in an attempt to defraud the election system."²⁵ No state or federal agency compiles comprehensive statistics on reported voter fraud cases. Academic research as a whole estimates the number of the voter fraud cases as not large enough to affect election results. Maryland's Office of Policy Analysis says, "elections officials in states with [Election Day registration] report that incidents of fraud are very rare, according to the 2006 report of the Attorney General and State Administrator of Elections. For example, the New Hampshire Attorney General reported after making "a major effort" to investigate allegations of voter fraud cases in the 2004 general election that "there are very few instances of wrongful voting" in New Hampshire EDR state."²⁶

²² Government Accountability Board staff, "Final Report on the Impacts and Costs of Eliminating Same Day Registration in Wisconsin," February 18, 2013.

²³ Government Accountability Board staff, "Final Report on the Impacts and Costs of Eliminating Same Day Registration in Wisconsin," February 18, 2013.

²⁴ Dean Lacy and Quin Monson, "Anatomy of a Thrift Victory: Electoral Support for Jesse Ventura in 1998 Minnesota Gubernatorial Election," Ohio State University Department of Political Science, April 28, 2000, accessed May 8, 2015, <http://www.polmeth.wustl.edu/media/Paper/lacy00b.pdf>

²⁵ Justin Levitt, "Truth About Voter Fraud," Brennan Center For Justice, November 2007, accessed April 20, 2015, <https://www.brennancenter.org/sites/default/files/analysis/The%20Truth%20About%20Voter%20Fraud.pdf>

²⁶ Stanford Ward and Theodore King, "Election Day Registration," Maryland Department of Legislative Services Office of Policy Analysis, December 12, 2008, accessed 20, 2015, http://dls.state.md.us/data/polanasubare/polanasubare_intmatnpubadm/ElectionDayRegistration.pdf

States that have Election Day Registration have created steps to better insure that people

Conclusion

In conclusion, same day registration has the potential to slightly increase voter turnout (around 3 percentage points) This is not surprising given the magnitude of the other problems with the U.S. electoral system¹. In recent years, many states have enacted legislation to allow same day registration. Identification is required by all states, however, the form of ID varies state to state. No state has reported high incidence of Voter Fraud that would impact the outcome of elections.

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