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To: Michigan House of Representatives, Committee on Ethics and Elections
From: Jocelyn Benson, Asst. Professor of Law, Wayne State University Law School
Re: Online Voter Registration in Michigan
Date: December 7, 2009

ONLINE VOTER REGISTRATION: The Right Solution for Michigan

I am honored to come before you today and speak in strong support of Representative Liss's legislation to enable online voter registration in Michigan.

As you no doubt recall, controversy raged in Michigan this past fall regarding the submission of false registration forms from third party organizations. While several solutions exist to minimize the problems associated with this controversy in the future, one solution that several states are considering is to allow eligible citizens to register to vote online.

Online voter registration allows states' citizens to register to vote or change their registration address through a secure internet site, just as they would pay a bill or renew their license plate online.

Both Arizona and Washington accept voter registration forms online, and have done so for years. In both states, if a citizen already has a signature on file with the government (i.e., in the DMV file) then it can be linked to their voter registration record. Indiana has also recently enacted this reform, and Secretaries of State and legislators in California, Kansas, Minnesota, South Dakota, and other states are also considering ways to implement online voter registration.

Many of the problems associated with third party registration in Michigan would diminish with online voter registration. The policy would eliminate the danger of third-party groups losing registration forms or submitting them after the registration deadline. It also ensures that third-party groups would not be able to selectively destroy registration forms filled out by would-be voters who identified themselves as affiliated with an opposing political party. In fact, under this reform, third-party groups would not need to handle the registration forms at all. They would simply facilitate their completion and submission by the new registrants.

This reform saves money too. Clerks' receipt of these registration forms would be instantaneous. The newly registered voter would receive an immediate email reply confirming that they are registered to vote. This cuts costs associated with printing, transmitting, and manually entering paper registrations.

The major concern regarding online voter registration is security and accuracy. The Washington Secretary of State, charged with implementing the program, addresses that issue by requiring local election officials to review the applications and remove any duplicates or false submissions.

This is a simple, common sense solution that has worked in other states to make voter registration more accessible and easier for everyone involved. I urge the committee to support it.

http://seattlepi.nwsourc.com/local/347217_voterregistration14.html

**Washington starts up online voter registration
More than 1,600 applications already filed**

Monday, January 14, 2008

By GREGORY ROBERTS

Would-be voters in the state now can seek to enter their names on the voter rolls over the Internet, with Washington last week joining Arizona as the only states to offer online voter registration.

"This is a dramatic step forward," Secretary of State Sam Reed said.

Reed, the state's chief elections officer, pushed the Legislature to approve a bill allowing online registration, and the measure was approved in the 2007 session.

"People do so much business now online that this is kind of a normal way many people want to transact their business, including with government and voter registration -- and this is particularly true with young people," Reed said. "I think this is going to be very, very helpful in making it possible to get more people in the system by getting them registered."

In its first three days, the system recorded 1,634 online applications, Reed said.

Reed's initial attempt to win legislative approval of online registration failed in 2006. Support from lobbyists representing the state's college students helped push the bill through last year, he said.

The system does not allow prospective voters to actually register; instead it enables them to apply to be registered. But if the applications satisfy the county officials who will review them, the voters will be registered.

Online voter registration is restricted to applicants who hold either a Washington driver's license or a state-issued identification card. Computer images of the signatures on those documents are stored electronically in state databases, and those images will be used to validate signatures on mail ballots, the voting method used by the overwhelming majority of Washington voters.

Initially, the state will print out the completed applications and mail them to county elections officials for processing. Once the necessary technology is in place, the applications will be transmitted electronically to the counties.

The penalties for providing false information on a voter registration application will apply to electronic registration: up to five years in jail and a \$10,000 fine.

Ironically, Washington rolled out online registration the same week that Arizona experienced its first notable problem with the service since its debut in 2002, Arizona officials said. The system sputtered Jan. 7, delaying and possibly preventing some voters from registering on the last day to sign up to participate in Arizona's Feb. 5 presidential primary.

The registration system in Arizona is linked to the state's database of driver's licenses, and it was problems with that network that fouled up the voter-registration software, Arizona Deputy Secretary of State Kevin Tyne said.

Nonetheless, 16,573 Arizonans filled out online registrations Jan. 7, a single-day total eclipsed only by the more than 20,000 who signed up on the final day to register for the 2004 presidential election, Tyne said. Overall, more than six of 10 new registrations are filed online, he said.

Still, Reed said, "Any time you are relying on technology, there's a risk of something going down."