

**Election Reform Commission**  
**Registration / SCORE Database Sub Committee**  
**Summary Report- January 15, 2009**  
 Sally Misare (Chair), Patti Nickell & Robert C. Balink (members)

Items discussed and re-affirmed as Committee's Preliminary Recommendations to Commission during January 2, 2009 Conference Call among Committee Members.

**SCORE Issues:** These items will likely NOT require legislative action, but should be given priority review and consideration in preparing for the next election.

- 1) Expand system to allow for verification of SS#'s
- 2) Improved Reporting Capabilities
- 3) Refinement / Development of Additional Modules
- 4) Technical issues

**Registration Issues:**

Legislative Recommendations for Improvement

- 5) Emergency Registration – C.R.S. 1.217.5 states “The elector applied to register to vote prior to the close of registration in a voter registration drive and is able either to show the receipt from the voter registration application that the elector submitted to the voter registration drive **or to provide the location of the voter registration drive and the approximate date of registration...**”

The Committee recommends consideration of amendment to the Statute to delete **highlighted provision, as this provision is currently tantamount to Election Day Voter Registration, rendering pre-Election registration deadlines meaningless.**

- 6) Consider legislation that requires voters to provide proof of citizenship when registering, since U.S. citizenship is an eligibility requirement per CRS 1-2-101. This will also ensure County Clerks comply with CRS 1-2-202 which states that they only register eligible electors. The current self-affirmation of citizenship on Voter Registration forms has enabled non-citizens to register to vote.
- 7) Consider legislation that requires voters to present a Photo ID when Registering to Vote. In 2008, the United State Supreme Court upheld the Indiana Photo ID law and stated it is NOT an unreasonable barrier to voting.

Administrative Recommendations for Improvement

- 8) Colorado Clerk's Association work with SOS to redesign Registration Form to clarify issues surrounding affirmative need to mark "check box" if voter does not have a Driver's License or State ID Number. Re-write instructions to clarify that a DL or State ID number is required if one has been issued, and SS # should only be used if the voter has not been issued the required documents. Consider using separate form for those voters currently registered who just need to change a name, address, party affiliation etc. Also, consider potential exemption from this requirement for those living in assisted living or nursing care facilities. Use SOS rules to ensure consistent application of regulations on this issue.
- 9) Encourage / Require SOS to make changes to the Voter Registration Drive training to include a requirement that each individual participating in a drive must go through training and hold those that conduct drives improperly to higher level of accountability (greater penalties?)
- 10) Encourage SOS to affirm voter ID information through coordination of SCORE and the Social Security Administration database, similar to what is currently done with the DOR Driver's License database.

**Other Issues for Consideration** (Identified as significant issues by the Committee).

- 11) Amend statutes to allow current 8 day post election signature verification period to be expanded to include provisions to allow for continued receipt of UOCAVA ballots (still requiring a 7 pm Election Day postmark), and for providing ID for voters who are ID deficient.
- 12) A National Voter Registration Database would eliminate the possibility of citizens registering to vote in more than one jurisdiction.

Submitted January 15, 2009

February 3, 2009

**Amendment to Election Reform Commission “Registration-Database Sub-Committee Report” dated January 15, 2009**

*(from Sally Misare, Chair; Patti Nickell; Robert C. Balink)*

**OVERVIEW**

With the advent of SCORE, a new level of cooperation between the Secretary of State and the County Clerks must be reached. By law, the Secretary of State is required to implement, maintain, and administer a statewide voter registration system (CRS 1-2-301). Also by law, County Clerks are required to maintain the registration information within the system. One cannot exist without the other. It is a cooperative, collaborative arrangement.

County Clerks are the state’s registration experts. They are not agents of the Secretary of State. They are statutorily authorized and responsible to be the counties’ Chief Elections Officers.

County Clerks currently participate in an advisory board for the state vehicle title and registration system, CSTARS. This board has had varying success over the years, dependent upon the cooperative spirit of the executive director. This undependable level of decision making ability is not what is needed for SCORE (“State of Colorado Registration and Election” system: the statewide Voter Registration database).

What is needed is a cooperative sharing of decision making between County Clerks and the Secretary of State; a board of directors, so to speak. The Secretary may be the ultimately responsible party. If so, let’s provide the Secretary with a higher level of authority among the board, such as the chair position with the power of veto.

If not a shared management of the system, then what will be in place? Who will decide what resources are dedicated to what projects? Who will decide when the system (or a component within) needs to be replaced and who will fund the replacement? Who will determine what is best for the system? Who can ensure that clerks will have an ongoing voice in the decisions that affect them so?

If counties are required to finance the system, they should undoubtedly have a say. No say, no pay. Currently, there is no source of funding for ongoing SCORE system maintenance.

**Summary**

**ONGOING GOVERNANCE OF SCORE**

Drafted by Russ Ragsdale (City-County Clerk, Broomfield, CO)

- The implementation of a statewide voter registration system (SCORE) necessitates many policy decisions such as:

- Should paper documents accompany a transfer of voter registration records from one county to another or will the electronic image suffice? This question leads to many more regarding the management of electronic vs. paper documents.
- Should a county be allowed to sell voter registration records resident in another county? Should there be a standard pricing structure for the sale of data?
- How much information in the election setup module should a clerk be required to enter?
- Many more policy decisions will arise as the system matures such as:
  - Will GIS integration be implemented and if so, how?
  - Which future application enhancements will be funded?
  - Where will the funding come from?
- As the Chief Election Official and as custodians of voter registration records in their respective counties, Clerk and Recorders require a voice in these decisions.
- As the Chief State Election Officer and having responsibility for the SCORE budget, the Secretary of State must be involved in policy decisions regarding the system.
- Many decisions that will be faced in the future will require changes in legislation. Legislative efforts will be more successful if they are cooperative between the County Clerks and the Secretary.

### **Recommendations**

- A board of directors will be established to provide oversight to the operations and direction of SCORE.
- The Board will first be established under directive of the Secretary of State. Legislation will be sought in the upcoming session establishing the board statutorily.
- The board will consist of the Secretary of State and a (to be determined) number of Colorado County Clerk and Recorders, length of terms to be determined.
- The board will be chaired by the Secretary of State.
- A charter will be developed detailing roles and responsibilities.
  - Board members and the chair will have equal voting weight.
  - The chair will have veto authority over any vote taken.
  - The board will meet no less than 4 times annually.