

MISSOURI STATE AUDITOR'S OFFICE FISCAL NOTE (10-17)

Subject

Initiative petition from Matt Cologna regarding a proposed amendment to Chapter 115 of the Revised Statutes of Missouri. (Received December 6, 2010)

Date

December 22, 2010

Description

This proposal would amend Chapter 115 of the Revised Statutes of Missouri.

The amendment is to be voted on in November, 2012.

Public comments and other input

The State Auditor's office requested input from the **Attorney General's office**, the **Department of Agriculture**, the **Department of Economic Development**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education**, the **Department of Health and Senior Services**, the **Department of Insurance, Financial Institutions and Professional Registration**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety**, the **Department of Social Services**, the **Governor's office**, the **Missouri House of Representatives**, the **Department of Conservation**, the **Department of Transportation**, the **Office of Administration**, the **Office of State Courts Administrator**, the **Missouri Senate**, the **Secretary of State's office**, the **Office of the State Public Defender**, the **State Treasurer's office**, **Adair County**, **Boone County**, **Callaway County**, **Cass County**, **Clay County**, **Cole County**, **Greene County**, **Jackson County Legislators**, **Jasper County**, **St. Charles County**, **St. Louis County**, **Taney County**, the **City of Kansas City**, the **City of St. Joseph**, the **City of St. Louis**, **Cape Girardeau 63 School District**, **Hannibal 60 School District**, **Rockwood R-VI School District**, **Linn State Technical College**, **Metropolitan Community College**, **University of Missouri**, **St. Louis Community College**, **St. Louis County Election Board**, **St. Louis Election Board**, **Kansas City Election Board**, **Platte County Board of Elections**, **Jackson County Election Board**, and **Clay County Election Board**.

Assumptions

Officials from the **Department of Economic Development** indicated there is no anticipated fiscal impact for their department.

Officials from the **Department of Higher Education** indicated that this initiative petition would have no direct, foreseeable fiscal impact on their department.

Officials from the **Department of Insurance, Financial Institutions and Professional Registration** indicated that this petition, if passed, will have no cost or savings to their department.

Officials from the **Department of Mental Health** indicated this proposed initiative petition should have no fiscal impact to their department.

Officials from the **Department of Natural Resources** indicated they would not anticipate a direct fiscal impact from this initiative petition.

Officials from the **Department of Social Services** indicated there will be no fiscal impact to their department.

Officials from the **Missouri House of Representatives** indicated the proposed initiative petition has no fiscal impact to the operations budget of their agency.

Officials from **Department of Conservation** indicated no adverse fiscal impact to their department would be expected as a result of this proposal.

Officials from the **Office of Administration (OA)** indicated this proposal will have no fiscal impact on their department. Budget and Planning defers to the Secretary of State's Office for statewide costs of election authorities.

They provided the following Technical Note:

The proposed amendment does not repeal or amend Section 115.639.1 RSMo, which requires employers to provide employees three hours away from their employment between the opening and closing of polls for the purpose of voting. However, if this section were repealed or is deemed unnecessary, there would be an estimated statewide savings of \$26,481 to \$54,106 per election.

$$\$32,592/2,080 = \$17.28 \times 1,690 = \$26,481$$

$$\$32,592/2,080 = \$17.28 \times 3,453 = \$54,106$$

\$32,592 average state employee salary (uniform classification and pay positions)

2,080 annual hours (to convert to hourly wage rate)

3,453 state employee voting leave with pay hours during the 2008 general election

1,690 state employee voting leave with pay hours during the 2010 general election

Officials from the **Office of State Courts Administrator** indicated there is no cost to the courts for this initiative petition.

Officials from the **Secretary of State's office** indicated their office is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. The appropriation has historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In fiscal year 2011, at the August and November elections, there were 6 statewide Constitutional Amendments or ballot propositions that cost \$1.02 million to publish (an average of \$170,000 per issue). Therefore, the Secretary of State's office assumes, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements.

This measure will require the Secretary of State to reimburse local election authorities for increased costs. The measure will require the Secretary of State to reimburse local election authorities for operating satellite locations, including payment for election judges and the equipment necessary for federal elections.

Based on the current distribution of registered voters, the measure would require 48 satellite sites for early voting for 17 election authorities using the 50,000 registered voter formula – St. Louis City (4), St. Louis County (14), Kansas City (4), Jackson County (4) and the counties of Cape Girardeau (1), Christian (1), Cole (1), Buchanan (1), Franklin (1), Cass (1), Platte (1), Jasper (1), Boone (2), Clay (3), Jefferson (2), Greene (3), St. Charles (4). The fiscal note assumes that each early voting satellite voting location would be staffed by four election judges paid \$9 per hour for the 137 hours that they will be open for early voting - a total of \$236,736 per election. Election authorities could also incur ongoing costs for maintenance of the satellite locations, including rent, utilities, and broadband internet service, in the approximate amount of \$1,260 per satellite location for one month or a total of \$60,480 per election.

Local election authorities would incur one-time costs for the purchase of equipment necessary for early voting at the satellite locations, including accessible voting machines for disabled voters, laptop computers and printers:

- 1 accessible voting machine per satellite site= \$5,000

- 2 laptop computers per satellite site = \$1,600

- 1 ballot on demand printer per satellite site = \$7,500

- \$14,100 per satellite site multiplied by 48 satellite sites = \$ 676,800 initial start up costs, of which \$250,000 could be paid for with federal funds under the Help America Vote Act.

Early voting would take approximately half the time to process as walk-in absentees, therefore early voting at a central location should not result in increased costs to the

election authorities, as elections staff would already be available to process walk-in absentee voters.

FY 2015- November 2014 general election

Total cost for FY 2015- \$236,736-pollworkers

\$60,480-rent, utilities

+ \$676,800-initial start up cost

\$974,016

Officials from the **Office of the State Public Defender** indicated this initiative petition will not have any significant impact on their office.

Officials from the **State Treasurer's office** indicated there is no immediate fiscal impact to their office. Please defer to Office of Administration and Department of Revenue.

Officials from **Greene County** indicated costs would be \$91,036 based on the following analysis:

EARLY VOTING COSTS

Assumptions: Greene County expects half of voters in an election to cast early ballots. These votes will be cast over 15 business days, at five early voting locations (including the Clerk's Office).

Each location will be open eight hours per day for voting, with 4 bi-partisan workers at each site for the 1st week of early voting, and 6 workers at each site for the 2nd week, and 8 workers for the last week and each of the two Saturdays included in the period.

Judges will arrive an hour before the site opens, and leave an hour after the site closes. Each Judge will be trained 2 hours.

Each site will have four laptop computers connected in real time to the election official's office, to look up voter names and ballot styles. Each location will be provided a cell phone to call the election authority's office.

Each site will be equipped with 1 touch screen voting machine which produce a paper trail. Each site will also have every ballot style on a paper, optical scan ballot format and ballot counter.

Supervisory judges from each party will return voted ballots to the election authority at the end of each day where they will be locked in special cabinets.

EXTRA STAFF/ELECTION JUDGES

TRAINING:

40 judges, times two hours, times \$12 per hour =	960.00
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EARLY VOTING HOURS:

1st week: 20 judges times 4 days, times 10 hours per day, times \$12	9,600.00
2nd week: 30 judges times 6 days, times 10 hours per day, times \$12	21,600.00
3rd week: 40 judges times 5 days, times 10 hours per day, times \$12	24,000.00

OFFICE STAFF TIME: Processing and storing returned ballots.

4 Deputy Clerks times 16 days, times 2 hours, times \$12	1,536.00
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Subtotal	<u>57,696.00</u>
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EQUIPMENT AND TECHNOLOGY

VOTING MACHINES:

Program, test and deliver 1 DRE machine to each of 5 locations.	1,000.00
Program, test and deliver 4 Optech machines to each of 5 sites.	2,000.00

COMPUTER AND OTHER EQUIPMENT:

Rent 20 laptop computers at \$20	400.00
Install four Internet routers at \$200	800.00
Pay IS Department for set-up and installation	600.00
Purchase 2 lockable storage cabinets for returned ballots	2,000.00
Purchase 80 ballot box/transfer cases at \$200 each	16,000.00
Cell phones	640.00

Subtotal	<u>23,440.00</u>
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MISCELLANEOUS COSTS

Polling Place rent (4 locations at \$100 per day for 15 days)	6,000.00
Miscellaneous supplies	1,500.00
Reprogramming and testing DRE's prior to election day	2,000.00
Additional judges on election day to process early votes	400.00

Subtotal	<u>9,900.00</u>
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Grand Total:	\$91,036.00
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Officials from **Jasper County** indicated most of the proposed provisions in this petition are already being practiced by their County Clerk in the Elections Division. Therefore, in most cases the county would not have additional costs in excess of what is being paid now in the elections process. The only additional costs noted by our County Clerk would be to hire an additional individual representing one of our political parties during the last 20 days preceding a major election. The officials estimated these costs at \$2,500.

Officials from **St. Charles County** indicated they estimate their cost for this proposal to result in a cost of \$334,600 for the first election held and \$289,600 for each subsequent election held under this proposal.

FIRST ELECTION

Additional site locations rent:	\$ 28,800.00
Judges:	\$100,000.00
Van rental/workers to Deliver ballots:	\$ 8,800.00
Computers:	\$ 15,000.00
Software programming to provide on site lists for voters wanting to know who has already voted in advance. 115.276.1 Sub Section 10, including Election Authority staff time:	\$ 20,000.00
Internet:	\$ 2,000.00
Ballots:	\$147,000.00
Secure Storage at satellite sites:	\$ 10,000.00
Saturday & Sunday Overtime:	\$ 3,000.00
TOTAL:	\$334,600.00

EACH ADDITIONAL ELECTION

TOTAL:	\$289,600.00
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Officials from **Taney County** indicated their estimated cost would be:

1. Addition of two temporary judges - 2 person x 80.00/day x 15 working days = \$2,400.00
2. Eight hrs. of additional work for two temps on Saturday and Sunday = \$640.00
3. Costs of paper (.10/sheet) and CD's (\$10/each) for Public Service Requests (PSR) for Early Voter lists that are requested.
4. Possible additional roster printing for signing by the voters, and/or the cost of labels to print a roster using our electronic poll books. Estimated 3,000 early voters (based on number of absentees in previous election). 3000 x .0119 = \$35.70
5. Total estimated cost increase = \$3,075.70, not including the unknown factor of PSR fees.

Officials from **St. Louis County Election Board** indicated:

This amendment creates a system to allow voters to cast Early ballots at central voting locations and satellite sites. The Early voting period will be twenty days prior to Election Day and shall be conducted during regular business hours and will conclude the Friday prior to the election. The election authority shall consider factors including geographic location and demographics of the registered voters from the previous election to ensure nondiscrimination and provide adequate notice of the central locations and the satellite sites that are chosen.

Assumptions: This Amendment does not require paper ballots, and only requires advance voting for federal elections. The intent of this note is to delineate all direct costs (one-time, startup and recurring) to the LEA. Costs are calculated assuming 1 central location and 12 satellite sites will be utilized.

1ST YEAR (2012) RECURRING FIXED COSTS (Annual):

Satellite Site Costs

Site Lease (21 days continuous) \$250 per day x 12 sites x 2 elections....	\$126,000
Equipment set-up, delivery, pick-up, storage, truck rental fees	
\$2,000 per site x 12 sites x 2 elections.....	\$48,000
High-Speed internet MIFI monthly fees 12 months @\$60/mo x 12 sites....	\$8,640
Travel/mileage Reimbursement \$.55 per mile x 30 miles average	
per FTE x 2 per site x 12 sites x 13 working days x 2 elections.....	\$10,296
24 hr. security \$240 per day x 12 sites x 21 days x 2 elections.....	\$120,960
Office supplies, pens, paper, and etc. \$20 per site x 12sites x 2 elections.....	\$ 480
Legal Review \$125 per hr. x 6 hrs per site x 12 sites.....	\$9,000
Total Recurring Satellite Site Costs:	\$323,376

Full-time Labor

Thirty (24) additional FTEs ("full-time equivalents"), (2 per site), (12 sites)	
@ \$32,000 per year.....	\$768,000
Benefits (\$11,729 x 24).....	\$281,496
Trainers (\$16.00 per hr. x 12 hrs. x 2 sessions x 2 trainers).....	\$768
Site Research and Setup (\$18.00 per hr. x 1000 hrs.).....	\$18,000
Total Full-time labor costs:.....	\$1,068,264

Part-time Labor

Ninety (72) additional PTEs ("part-time equivalents"), (6 per site), 12 sites @
\$10.00 per hr. x 10 hrs. Per day x 12 days per election x 2 elections..... \$172,800
Benefits (\$410 x 72 x 2 elections)..... \$ 59,040
Training (\$10.00 per hr. x 6 hrs. x 72 PTEs)..... \$43,200
Total Part-time labor costs:..... \$275,040

Total Annual year labor Costs: \$1,343,304

Miscellaneous Costs

Software License Maintenance/Upgrades
96 DREs @ \$159 each per year (8 per site), (12 sites)..... \$15,264
PC Laptop Software Maintenance/Upgrades
48 Laptops @ \$250 per year (4 per site), (12 sites)\$12,000
Informational Postcards for advance voting
447,275 households x .20 x two (2) elections\$178,910
Processing fees for providing voter lists
Paper, CD's, mailing fees, personnel time\$18,312
Total Recurring Miscellaneous Costs..... \$224,486

Total Recurring Annual Costs: \$1,891,166

NON-RECURRING, START UP COSTS

Equipment

48 laptop PCs @ \$1,000 each (4 per site) x 12 sites..... \$48,000
96 DREs @ \$3,500 each (8 per site) x 12 sites..... \$336,000
24 SSTs (Security, Transport, Storage) Carts @ \$570 each
For DREs (2 per site) x 12 sites..... \$13,680
12 High-Speed internet MIFI cards @ \$300.00 per card \$3,600
Tables, chairs, signs, posters cell phones \$400 per site x 12..... \$4,800
Training manuals..... \$2,200
Total non-recurring equipment costs:\$408,280

Labor

One (1) additional FTE,
@ \$32,000 per year for 3 months for site research and setup \$16,000
Benefits\$5,330
One (1) additional FTE,
@ \$43,000 per year for 6 months for programming changes \$43,000
Benefits\$15,762
Total non-recurring labor costs:..... \$80,092
Total non-recurring Costs: \$488,372

Officials from the **St. Louis Election Board** indicated they would expect that the cost to implement the "vote early balloting" being proposed by Mr. Cologna in the City of St. Louis would equal, if not exceed, a \$75,200.00 estimate computed in 2002. That estimate is detailed in the following computations:

LOCATIONS

Advance voting will be conducted in the City of St. Louis, Missouri at the office of the Board of Election Commissioners (BEC), which is located at 300 North Tucker Boulevard in downtown St. Louis, and at four (4) additional locations that will be situated generally as follows:

1. South City.
2. Southwest City.
3. Northwest City.
4. North City.

The intent will be to have the five (5) locations spaced out such that each is readily accessible to approximately twenty percent (20%) of the registered voters in the City of St. Louis.

COST

The Board estimated that implementing an advance voting system in the City of St. Louis will have a total fiscal impact of approximately \$75,200.00. The breakdown of that cost is as follows:

- | | | |
|----|------------------------------|-------------|
| 1. | Extra staff/election judges: | \$63,380.00 |
| 2. | Equipment and technology: | \$ 5,000.00 |
| 3. | Miscellaneous | \$ 6,820.00 |

St. Louis Board of Election Commissioners

ADVANCE VOTING PLAN DETAIL

The permissible advance voting period (the "AVP") begins 14 days prior to the election and ends at 5:00 P.M. on the Wednesday before the day of the election. This plan anticipates that each satellite location will be open during the BEC's normal business hours (8:00 A.M. to 5:00 P.M.) every day during the AVP, including Saturday but not on Sunday (for a total of 8 days). The plan also anticipates that each location (including the main office) will be staffed with 10 election judges – i.e., 4 Supervisors (2 Dem. and 2 Rep.), 4 Judges (2 Dem. and 2 Rep.), and 2 Specialists (required by the Consent Decree entered into with the Department of Justice [DOJ] in August, 2002); that there will be two teams of Roving Deputies assisting at the satellite locations as necessary; and that there will be a "pool" of alternate election day workers at the BEC's main office in the event a scheduled worker is unable to work on a given day.

Staffing

	<u>Position</u>	<u>Number</u>	<u>Cost</u>
1.	Advance Voting Deputy Assistant (6 mos.) – to monitor and coordinate all advance voting activities	1	\$12,500.00
2.	Temporary Workers – To assist with inputting data from advance voters; filing records; verifying data from satellite locations; preparing ballots for tabulation (2 per location)	10	\$ 6,000.00
3.	Election Judges -- To process the advance voters at each location (\$90/Supervisor/day; \$75/Judge and Specialist/day)	50	\$32,400.00
4.	Alternates (4 Supervisors, 4 Judges, 2 Specialists)	10	\$ 6,480.00
5.	Roving and Special Deputies (\$125/Deputy/day)	6	<u>\$ 6,000.00</u>
	Total		\$63,380.00

Equipment and Technology

Under the terms of the Consent Decree entered into with the DOJ, the BEC has committed to providing laptop computers and printers in every voting precinct by the August, 2004 federal primary election, and training its election judges to be proficient in the use of this computer technology, and the City of St. Louis, which provides funding for the BEC, has committed to ensuring that the City's annual budget allocation to the BEC will enable it to meet that commitment. As a result, we do not anticipate incurring any extraordinary costs for equipment and technology specifically to implement this Advance Voting Plan. Nevertheless, we have included \$5,000.00 in the Plan to cover the expense of any unanticipated miscellaneous equipment or licensing costs.

Miscellaneous

	<u>Description</u>	<u>Cost</u>
1.	Material and supplies	\$ 2,000.00
2.	Polling place rental (\$75/site/day)	\$ 2,400.00
3.	Training of election day workers	\$ 2,100.00
4.	Tables and chairs	\$ 200.00

5.	Delivery costs	\$ <u>120.00</u>
	Total	\$ 6,820.00

Officials from the **Kansas City Election Board** indicated they estimate that it would cost Kansas City between \$65,000 and \$95,000 to implement.

Officials from the **Platte County Board of Elections** indicated their local government estimates the fiscal impact of the above-referenced bill for fiscal years 2012, 2013 and 2014 to be as follows:

Revenues: (explain amount per fiscal year and source or reason for increase)

None

Savings: (explain amount per fiscal year, reason for savings and area where savings will occur)

None

Costs:(explain what type of costs will be incurred, amount per fiscal year and reason)

Office/Central Location Expenses:

4 Election Judges @ \$100/each/per day X 20 days of advance voting period	\$8,000
1 Touch Screen Tech @ \$100/day X 20 days advance voting period	\$2,000
FICA (7.65% x salaries)	\$459
Workers Comp Ins.	\$ 200
Optical Scan Ballots 10,000 x \$.30/each	\$3,000
Shipping	\$ 100
Provisional Ballots 200 x \$.30/ each	\$ 60
Shipping (included in optical scan above)	
Sub-Total for one election	\$13,819

Satellite Location Expenses

4 Election Judges @ \$100/each/day x 20 days	\$8,000
1 TS Tech @ \$100/day	\$2,000
FICA (7.65% x salaries)	\$ 459
Workers Compensation Insurance	\$ 200
Optical Scan Ballots 5000 x \$.30/each	\$1500
Shipping	\$ 100
Provisional Ballots 200 x \$.30/each	\$ 60
Shipping (included in Opt. Scan shipping above)	
Office/location rent and CAM fees for one month	\$7000

Utilities for one month	\$ 450
Telephone setup/monthly fee	\$ 275
DSL Line setup/monthly fee	\$ 325
Sub-Total for Satellite location for one election	\$20,369

One-Time Expenses:

Workstation & Monitor	\$3000
Printer	\$ 500
Cables	\$ 100
Sub-Total for Satellite location one-time expenses	\$3600

Total per federal/state elections \$41,388.00

Losses:(explain why revenue losses would be expected and amount per fiscal year)

None

Officials from the **Jackson County Election Board** indicated Oversight of Advanced Voting would require at least one person to coordinate all aspects of the operation.

Annual Cost for Coordinator: \$35,000.00

Other related 1 (one) time cost:

6 Additional Precinct Ballot Counters	\$59,100.00
60 Additional Voting Booths	\$15,000.00
6 Laptop Computers	<u>\$ 5,400.00</u>

Total one time cost: \$79,500.00

COST PER ELECTION:

Jackson County Election Board had 234,109 registered voters. Based on the formula of 1 satellite site per 50,000 voters, board officials estimated they would have to use 6 locations due to the logistics of the jurisdiction to insure nondiscrimination in the representation of registered voters.

Site Rental based on current real estate rates:

6 locations	\$63,000.00
Internet Cable Connection to Missouri	
Central Voter Registration Data Base:	
6 locations	\$ 1,800.00
Misc. Supplies and expenses	\$ 5,000.00
Election Services Fund	\$ 9,623.00
Ballot Printing	\$ 1,000.00
Ballots	<u>\$12,903.00</u>
Total	<u>\$93,326.00</u>

Legal Public Notice	\$20,735.00
Election Judges for 6 locations 20 days	\$92,460.00
Election Assistant/Technician 6 locations 20 days	<u>\$18,210.00</u>
Total	<u>\$110,670.00</u>
ONE TIME COST	\$ 79,500.00
ONGOING COST	\$ 35,000.00
GRAND TOTAL FOR ONE ELECTION	\$224,731.00
GRAND TOTAL FOR ALL 3 COUNTY-WIDE ELECTIONS	\$674,193.00

Officials from **Linn State Technical College** indicated that based on the information presented, there appears to be no fiscal impact to their college.

Officials from **Metropolitan Community College** indicated this petition would have no direct fiscal impact on their college.

The State Auditor's office did not receive a response from the **Attorney General's office**, the **Department of Agriculture**, the **Department of Elementary and Secondary Education**, the **Department of Health and Senior Services**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety**, the **Governor's office**, the **Department of Transportation**, the **Missouri Senate**, **Adair County**, **Boone County**, **Callaway County**, **Cass County**, **Clay County**, **Cole County**, **Jackson County Legislators**, **St. Louis County**, the **City of Kansas City**, the **City of St. Joseph**, the **City of St. Louis**, **Cape Girardeau 63 School District**, **Hannibal 60 School District**, **Rockwood R-VI School District**, **University of Missouri**, **St. Louis Community College**, and **Clay County Election Board**.

Fiscal Note Summary

It is estimated state government entities would reimburse election authorities for incurred costs of at least \$974,016 in fiscal year 2015 (one-time costs of \$676,800 and on-going costs for each federal election of \$297,216). Those costs may be higher depending on the compensation, staffing and planning decisions of affected election authorities.