

Fiscal Estimate Narratives

ELB 10/24/2005

LRB Number	05-2128/4	Introduction Number	SB-396	Estimate Type	Original
Description					
The deadline and procedure for voter registration and the determination of residency for voting purposes.					

Assumptions Used in Arriving at Fiscal Estimate

This legislation abolishes polling place registration on election day and changes the deadline for registering to vote from 13 days before the election to 14 days before the election. Residency for voting purposes is changed from 10 days before the election to 14 days. The legislation also eliminates registration in the office of the municipal clerk between the close of registration and election day.

Wisconsin has 6 scheduled elections in a two-year election cycle. Turnout for the November general election (45-50%) is significantly higher than the spring primary (10%), spring election (20-25%) or September partisan primary (20-25%). In presidential years the turnout for the spring primary/presidential preference election (35-45%) and general election is significantly higher than non-presidential years (65-75%). Between 10 and 20% of all voters register to vote at the polling place on election day depending on the election turnout. This includes registered voters who change their name or address.

Municipal clerks will save the cost of utilizing extra election officials to assist with registering voters at large turnout elections. This may mean not having to add 1, 2 or 3 special registration deputies to assist with registering voters at the general election in even numbered years and the spring primary/presidential preference election in presidential election years.

However, if election day registration is eliminated, the state will be subject to the requirements of the National Voter Registration Act of 1993 (NVRA) and the provisional ballot requirements of the Help America Vote Act of 2002 (HAVA). This will add significant administrative costs for local and state election officials that are hard to quantify. It will also add significant administrative costs for other state agencies that are difficult to quantify.

The NVRA requires states to offer voter registration to all citizens who appear at motor vehicle offices to complete routine transactions and at public welfare offices to apply for or receive routine services. The state must also designate other public agencies such as job centers and institutions of higher education as locations where citizens appearing for routine services must be offered the opportunity to register to vote.

A public employee must have the voter registration form available, must ensure that it is properly completed and must make a record of instances where the individual declined to register to vote. The completed forms, including declinations, must be forwarded to the appropriate election official in a timely manner to ensure that the individual is properly registered. Presently, this is the municipal clerk. Once the Statewide Voter Registration System (SVRS) is up and running, the forms can be forwarded to the State Elections Board (SEB).

This will add as much as 5% to the workload of staff at public agencies. It will also add to the workload of state and local election officials who must enter this information into SVRS. Based on the anecdotal experience of other states, a significant number of these voter registration forms will need follow up because they are not properly completed. Also a significant number of these voter registration forms will not be forwarded to the appropriate election official in a timely manner leading to an increased number of provisional ballots on election day.

HAVA requires poll workers to provide a provisional ballot to voters who appear at the polling place and discover their name is not on the poll list if the voter claims to be registered. A provisional ballot is also required if the poll workers question an individual's qualifications to vote. Under current law, the only time a provisional ballot is issued to a Wisconsin voter is if the voter is unable to meet the identification requirements for first-time voters who registered by mail.

When a provisional ballot is issued, it is not counted until the local election official determines if the voter was properly registered or qualified to vote. This requires a methodic search of municipal records and office space to determine if the voter is properly registered. Under current Wisconsin law, this is done by 4 pm the

day following the election. In 2004, only 374 provisional ballots were issued in Wisconsin to individuals who did not meet the identification requirements for first-time voters. According to the U.S. Election Assistance Commission (EAC) 1,901,591 provisional ballots, 2.56 of the ballots cast at polling places, were cast at the 2004 presidential election.

States with similar populations reported the following numbers of provisional ballots: Maryland (48,936), Missouri (8,813), and Tennessee (8,778).

Long-Range Fiscal Implications

See above