Legislative Fiscal Bureau

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April 16, 2009   Joint Committee on Finance   Paper #402

Supplemental GPR Operations Funding and Reimbursement of Certain Local Election Administration Costs (Government Accountability Board)

[LFB 2009-11 Budget Summary: Page 328, #4]

CURRENT LAW

The Government Accountability Board (GAB) has a sum sufficient GPR-funded appropriation to reimburse municipalities for additional costs incurred to adjust polling hours to begin at 7 a.m., at any election held after April 29, 2006. Only municipalities that maintained polling hours beginning later than 7 a.m., prior to April 29, 2006, are eligible to file claims to receive these reimbursements. Any municipal claim must be accompanied by substantiation of all costs incurred. The Board must audit the claim and provide reimbursement if the Board finds that: (a) the costs have been incurred by the municipality; and (b) the costs would not have been incurred but for the requirement to open polling places at 7 a.m. No municipal claim is payable unless the claim is filed with the Board, together with appropriate substantiation, within 60 days following the date on which the costs are incurred.

GOVERNOR

Amend current law to provide that the Board may, but is not required to, reimburse qualifying municipalities for the additional costs (or any portion of these costs) incurred to adjust polling hours to begin at 7 a.m., at any election held after April 29, 2006. Amend the election-related cost reimbursement GPR sum sufficient appropriation, which is utilized to make these payments to municipalities, by: (a) providing that the appropriation's expenditure authority may also be utilized for general program operations of the Board; (b) retitling the appropriation the "election-related cost reimbursement; general program operations" appropriation; and (c) converting the appropriation from a sum sufficient appropriation to a biennial appropriation. Specify that changes related to this municipal reimbursement program and the associated election-related cost reimbursement appropriation first apply with respect to

municipal claims filed in connection with elections held on or after the effective date of the bill.

DISCUSSION POINTS

1.   The provisions of 2005 Wisconsin Act 333 created this reimbursement program under GAB to reimburse municipalities for the costs incurred to adjust polling hours to begin at 7 a.m., for any election held after April 29, 2006. In order to ensure that municipal claims were fully reimbursed, the Legislature created the election-related cost reimbursement appropriation as a GPR sum sufficient appropriation. In 2007-08, GAB reimbursements to municipalities totaled $44,400, while in 2008-09 it is estimated that GAB will make reimbursements to municipalities totaling $100,000. Base funding in the GPR sum sufficient appropriation from which these payments are made, equals $160,000 GPR annually beginning in 2008-09.

2.   For the September, 2008, primary election the average reimbursement to a municipality under the program totaled $80, while the average reimbursement to a municipality for the November, 2008, general election totaled $60. A total of 382 municipalities participated in the program for the September, 2008, primary election, while 324 municipalities participated in the program for the November, 2008, general election. [There are a total of 1,851 municipalities across Wisconsin.]

3.   Under AB 75, GAB would no longer be required to reimburse municipalities for the full amount of their claims under the program. Instead, GAB would be granted discretion to determine the amount of reimbursement received, if any, by municipalities participating in the program.

4.   While AB 75 would retain $160,000 GPR annually in expenditure authority under the election-related cost reimbursement appropriation, the appropriation would be converted from a sum sufficient appropriation to a biennial appropriation. In addition, the language of the appropriation would be amended to permit the Board to utilize the expenditure authority of the appropriation "for the general program operations of the Board."

5.   The administration indicates that the intent of the recommendation is to permit the Board to assist local election officials primarily with voter data entry into the Statewide Voter Registration System. Board staff indicates that many local election officials are part-time employees with a range of computer skills. Permitting the Board to share data entry responsibilities with local election officials could expedite required data entry and provide some relief to local election officials.

6.   Board staff also indicates that as a result of voter registration drives, hundreds of thousands of voter records may be sent directly to GAB during a major election period. Under the recommendation, instead of sorting and forwarding these records to local election officials to be processed, GAB would retain limited-term employees to increase its ability to process these records internally on behalf of local election officials. It should be noted, however, that GAB staff indicate that $160,000 GPR annually would likely be insufficient to permit the Board to completely process

the voter records submitted directly to GAB. As a result, under the recommendation, GAB and local election officials would need to continue to partner to process the submitted voter records.

7.   If the Committee approves of granting the Board discretion in its administration of the municipal reimbursement program, and further approves of the utilization of base funding for the program to provide increased resources to process submitted voter records, the Committee could consider approving the recommendation.

8.   As the expressed intent is primarily to assist local election officials to process voter records during peak election periods, the Committee could consider narrowing the expanded utilization of expenditure authority under the election-related cost reimbursement appropriation to processing voter records. This modification of the appropriation language would preclude the Board from utilizing the expenditure authority for other general program operation costs of the Board. On the other hand, as GAB has been subject to GPR funding reductions, the broader language of the appropriation would allow the Board more discretion in its utilization of the funding to carry out its agency responsibilities.

9.   Under current law, it is primarily a responsibility of local election officials to enter voter data into the Statewide Voter Registration System and ensure its accuracy. As a result of this consideration and limited state revenues, the Committee could also consider deleting the provision.

10.   As indicated earlier, for the September, 2008 primary election the average reimbursement to 382 municipalities under the municipal reimbursement program totaled $80, while the average reimbursement to 324 municipalities for the November, 2008 general election totaled $60.

11.   Given the modest value of the average reimbursement to a municipality under the program and the number of requests that must be processed by GAB, the Committee could conclude that the administrative burden of the program outweighs its benefit to individual municipalities and delete the program. This alternative could either provide additional resources to GAB to process voter records, or decrease the draw on general fund revenues. On the other hand, the Committee could conclude that municipalities should be given more time to adjust to the polling hour change and should continue to receive state funding to offset their increased costs.

12.   If the Committee elects to maintain the municipal reimbursement program but delete the other recommendations under AB 75, the Committee could re-estimate required funding under the election-related cost reimbursement appropriation to reflect 2007-09 experience. As GAB expended $44,400 in 2007-08, and estimates expending $100,000 in 2008-09, to make reimbursements to municipalities under the program, the Committee could reduce base expenditure authority of $160,000 GPR annually by $115,600 GPR in 2009-10, and by $60,000 GPR in 2010-11.

ALTERNATIVES

1.   Approve the Governor's recommendation to amend current law to provide that the Board may, but is not required to, reimburse qualifying municipalities for the additional costs (or any portion of these costs) incurred to adjust polling hours to begin at 7 a.m., at any election held after April 29, 2006. Amend the election-related cost reimbursement GPR sum sufficient appropriation, which is utilized to make these payments to municipalities, by: (a) providing that the appropriation's expenditure authority may also be utilized for general program operations of the Board; (b) retitling the appropriation the "election-related cost reimbursement; general program operations" appropriation; and (c) converting the appropriation from a sum sufficient appropriation to a biennial appropriation. Specify that changes related to this municipal reimbursement program and the election-related cost reimbursement appropriation first apply with respect to municipal claims filed in connection with elections held on or after the effective date of the bill.

2.   Adopt alternative #1, but delete the municipal reimbursement program. Modify the appropriation to reflect this change and specify that the Board may only utilize the appropriation for its costs in managing data for the Statewide Voter Registration System.

3.   Delete the provision. In addition, delete the municipal reimbursement program and the election-related cost reimbursement; general program operations appropriation.

ALT 3	Change to Bill
	Funding
GPR	**-** $320,000

4.   Delete the provision. Reduce the estimated expenditure authority provided to the GPR sum sufficient election-related cost reimbursement appropriation by $115,600 GPR in 2009-10, and by $60,000 GPR in 2010-11, to reflect reimbursement experience during the 2007-09 biennium.

ALT 4	Change to Bill
	Funding
GPR	**-** $175,600

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