

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** HB 1074 (Third Edition)

**SHORT TITLE:** Butner Advisory Council

**SPONSOR(S):** Representative Crawford

**FISCAL IMPACT**

	<b>Yes (X)</b>	<b>No ( )</b>	<b>No Estimate Available ( )</b>		
	<b><u>FY 2003-04</u></b>	<b><u>FY 2004-05</u></b>	<b><u>FY 2005-06</u></b>	<b><u>FY 2006-07</u></b>	<b><u>FY 2007-08</u></b>
<b>EXPENDITURES</b>					
DHHS	\$5,233.75	--	--	--	\$5,894.92

**There is no General Fund impact.**  
**[DHHS is to reimburse the Granville and Durham county boards of elections from a source other than General Fund appropriations or federal funds.]**

**PRINCIPAL DEPARTMENT(S) &**

**PROGRAM(S) AFFECTED:** Granville County Board of Elections; Durham County Board of Elections; and Department of Health and Human Services (DHHS)

**EFFECTIVE DATE:** Act is effective when it becomes law.

**BILL SUMMARY:** This bill revises the existing statutory provision for the election of members to the Butner Advisory Council (Council). The Council's seven members are to be elected in a nonpartisan election to be administered by the Granville County Board of Elections in the first odd-numbered year after pre-clearance under section 5 of the Voting Rights Act of 1965 is obtained. The bill directs that all members of the Council be elected at large in one multi-seat race and serve four-year terms. The candidate-filing fee for at least the first election is to be set at ten dollars (\$10.00) per candidate. The Secretary of the Department of Health and Human Services, with advice of the Council, will determine whether to authorize absentee voting by qualified voters residing in the Council territory. New subsection (d1) of G.S. 122C-413 requires that DHHS reimburse the Granville County Board of Elections (GCBE) and, if necessary, the Durham County Board of Elections (DCBE), for the actual cost of administering the election of the Council, but not from General Fund appropriations or federal funds.

## ASSUMPTIONS AND METHODOLOGY:

The following assumptions apply to determine the actual cost of the election incurred by GCBE and DCBE:

- When this legislation is enacted, the Granville County Board of Elections and the Granville County attorney will submit the appropriate form to the US Department of Justice to seek and obtain pre-clearance under section 5 of the Voting Rights Act of 1965. Generally, it takes the Justice Department 60 days to review and pre-clear a submission.
- It is highly probable that GCBE will have to change the dates of the candidate-filing period as allowed in the bill as the statutory filing period begins July 4, 2003. However, GCBE will operate under the assumption that the pre-clearance will be obtained in time for the Council election to be held in November 2003.
- GCBE does not anticipate or have planned any countywide election or statewide special election during the fall of 2003.
- Assume the Secretary of DHHS will authorize absentee voting for qualified voters.
- These assumptions for 2003 are assumed to hold true for the 2007 election. The estimated Council election cost for 2007 includes the application of inflation to the entire sum by Fiscal Research Division staff: FY 2004-05 (2.4%); FY 2005-06 (2.5%); FY 2006-07 (2.4%); and FY 2007-08 (2.3%). It is assumed that the election would be held in November 2007.<sup>1</sup>
- For the first election, the fee is set at \$10 and is to be paid to the Granville County Board of Elections. The number of candidates cannot be determined prior to the candidacy filing date, so it is assumed that revenue generated from the filing fee cannot be determined at this time.

Granville County Board of Elections determined that the actual cost for conducting an election, based on current cost factors, for the Butner Advisory Council would be \$5,233.75<sup>2</sup> in 2003. This cost would be reimbursed by DHHS to GCBE (\$5,153.55) and DCBE (\$80.20) from a source of funds other than General Fund appropriations or federal funds. The cost estimate includes the expenditure for the three required precincts (salaries for poll workers); postage for absentee ballots<sup>3</sup>; advertising for required legal notice; coding the computer chips for ballot counter machines and memory pack preparation; ballot printing; mailing notices to qualified

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<sup>1</sup> If pre-clearance is not obtainable in time for an election to be held during 2003, then it is to be assumed that an election would be held in 2005, the first odd-numbered year after pre-clearance is obtained. Using all the same assumptions as set out in this Fiscal Note for a 2003 election, and using the same inflation rates, the cost for an election in the fall of 2005 is estimated to be \$5,627.32.

<sup>2</sup> Granville County Board of Elections also estimated an alternative election cost of \$4,658.75, using current cost factors. This lower cost calculation is based on the cost of coding memory packs at \$150, instead of the \$725 cost included in the actual cost estimate used in this Fiscal Note. The decision to use the higher of the two figures is based on the assumption that no other countywide or special election is anticipated or planned in Granville County during that time. If only this election will be conducted in November 2003, the memory packs would be submitted by GCBE at a separate time from other memory packs to be programmed and require the \$700 memory pack programming fee and the \$25 FedEx shipping cost.

<sup>3</sup> GCBE had to estimate the number of total voters from 1996 with the addition of new areas developed since then as the detailed map information is not available to GCBE at this time. The cost for mailings and absentee ballots is therefore estimated for both Durham and Granville counties. Travel costs for the GCBE were calculated by GCBE using Granville county mileage rate of \$.28 cents per mile; this rate may increase.

Durham County residents about election; and travel. Durham County Board of Elections' cost covers postage for mailings and absentee ballots and travel cost.

There are no anticipated fiscal impacts to the agency operations of the Department of Health and Human Services or the Department of Crime Control and Public Safety as a result of this legislation.

**SOURCES OF DATA:** Granville County Board of Elections; Durham County Board of Elections; State Board of Elections; Department of Health and Human Services; and Department of Crime Control and Public Safety.

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**DATE:** June 6, 2003



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