

Preliminary

Consolidated Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Lead Agency: **Secretary of State**
 Other Agencies:
 Administrative Hearings Attorney General
 Campaign Finance Board Human Services Dept
 Indian Affairs Council Legislature
 Minnesota State MNSure
 Public Safety Dept Revenue Dept
 University Of Minnesota

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Administrative Hearings	-	-	-	-	-	-
Administrative Hearings	-	-	-	-	-	-
Campaign Finance Board						
General Fund	-	16,440	19,746	19,779	23,708	
Minnesota State	-	-	-	-	-	-
General Fund	-	-	-	-	-	-
Public Safety Dept						
Restrict Misc. Special Revenue	-	492	383	383	383	
Revenue Dept						
General Fund	-	(7)	(3,600)	(3,108)	(3,603)	
Secretary of State						
General Fund	-	2,007	944	944	944	
University Of Minnesota						
General Fund	-	1	1	1	1	
State Total						
Administrative Hearings	-	-	-	-	-	-
General Fund	-	18,441	17,091	17,616	21,050	
Restrict Misc. Special Revenue	-	492	383	383	383	
Total	-	18,933	17,474	17,999	21,433	
Biennial Total			36,407		39,432	

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Campaign Finance Board					

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Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	2.5	5.5	6	7
Minnesota State	-	-	-	-	-
General Fund	-	-	-	-	-
Public Safety Dept					
Restrict Misc. Special Revenue	-	-	-	-	-
Revenue Dept					
General Fund	-	(.06)	(.9)	(.93)	(.9)
Secretary of State					
General Fund	-	5.8	-	-	-
University Of Minnesota					
General Fund	-	-	-	-	-
Total	-	8.24	4.6	5.07	6.1

Lead LBO Analyst's Comment

LBO Signature: **Date:**
Phone: **Email:**

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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2 Dollars in Thousands	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Campaign Finance Board					
General Fund	-	16,440	19,746	19,779	23,708
Minnesota State	-	-	-	-	-
General Fund	-	-	-	-	-
Public Safety Dept					
Restrict Misc. Special Revenue	-	492	383	383	383
Revenue Dept					
General Fund	-	(7)	(3,600)	(3,108)	(3,603)
Secretary of State					
General Fund	-	2,007	944	944	944
University Of Minnesota					
General Fund	-	1	1	1	1
	Total	-	18,933	17,474	17,999
			36,407		21,433
					39,432
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	40	-	-	-
Campaign Finance Board					
General Fund					
Expenditures	-	16,618	19,757	19,780	23,709
Absorbed Costs	-	(178)	(11)	(1)	(1)
Minnesota State	-	-	-	-	-
General Fund					
Expenditures	-	18	8	8	8
Absorbed Costs	-	(18)	(8)	(8)	(8)
Public Safety Dept					
Restrict Misc. Special Revenue	-	492	383	383	383
Revenue Dept					
General Fund	-	(7)	(3,600)	(3,108)	(3,603)
Secretary of State					
General Fund					
Expenditures	-	2,018	944	944	944
Absorbed Costs	-	(11)	-	-	-
University Of Minnesota					
General Fund	-	1	1	1	1
	Total	-	18,973	17,474	17,999
			36,447		21,433
					39,432
2 - Revenues, Transfers In*					
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	40	-	-	-

Preliminary

State Cost (Savings) = 1-2	Biennium			Biennium	
Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Campaign Finance Board					
General Fund	-	-	-	-	-
Minnesota State	-	-	-	-	-
General Fund	-	-	-	-	-
Public Safety Dept					
Restrict Misc. Special Revenue	-	-	-	-	-
Revenue Dept					
General Fund	-	-	-	-	-
Secretary of State					
General Fund	-	-	-	-	-
University Of Minnesota					
General Fund	-	-	-	-	-
	Total	40	-	-	-
	Biennial Total		40		-

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Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Agency: **Secretary of State**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	2,007	944	944	944	944
Total	-	2,007	944	944	944	944
Biennial Total			2,951			1,888

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	5.8	-	-	-
Total	-	5.8	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Blom **Date:** 1/28/2021 11:31:49 AM
Phone: 651-284-6542 **Email:** adam.blom@lbo.leg.mn

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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	2,007	944	944	944	944
Total	-	2,007	944	944	944	944
Biennial Total			2,951		1,888	
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund						
Expenditures	-	2,018	944	944	944	944
Absorbed Costs	-	(11)	-	-	-	-
Total	-	2,007	944	944	944	944
Biennial Total			2,951		1,888	
2 - Revenues, Transfers In*						
General Fund						
Total	-	-	-	-	-	-
Biennial Total			-		-	

Bill Description

HF9 is a wide-ranging bill with several major proposals impacting the operations of the Office of the Secretary of State (OSS) as well as local election officials. Not all provisions have a cost, but many will require expenditures.

The bulk of these provisions are found in Articles 1 and 2. The first provision of Article 3 makes an appropriation of HAVA Account dollars to OSS, which is not a general fund expenditure. The provisions of Article 4 applicable to OSS involve the issuance of the Democracy Dollars coupons, while the provisions of Articles 5 and 6 do not impact OSS at all.

The changes include:

Providing for the contingent registration of persons who are between the ages of 16 and 18 years of age.

Providing for OSS to allow organizations or individuals to have access to the online voter registration system for the purposes of enabling voters desiring to register through the web sites of those organizations or individuals to register online through those other web sites.

Changing the voter registration form to accommodate a choice by voters on that form to become part of the permanent absentee voting list.

Providing for automatic voter registration (with the option to opt out) upon the application of a person eligible to vote for:

- driver licenses, instructional (learner's) permits, state identification cards;
- medical assistance or Minnesota Care; and
- any benefits or services from participating state agencies.

Changing the time of restoration of voting rights for felons from the end of supervised release to the release from incarceration.

Providing for early voting during the 30 days prior to each election, instead of in-person absentee voting. Early

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voting is applicable to state, federal and county elections, and is optional for city elections. Early voting must be available during specified hours, and at a number of different, fairly distributed locations. Not all locations must be available for the entire 46 days of absentee and early voting.

Providing that registered voters signing up for the permanent absentee balloting list will automatically receive an actual absentee ballot instead of the absentee ballot application.

Providing for the receipt of absentee ballots returned by mail and postmarked on or before election day for up to seven days after election day.

Providing for absentee ballot drop boxes; rulemaking by OSS to establish standards is required.

Providing for absentee ballot instructions to be translated into languages other than English.

Providing that the names of persons who have applied for an absentee ballot are public.

Providing that persons whose absentee ballot has been accepted on or before the day before the commencement of early voting may not cast another ballot in that election. Accepted absentee ballots may start being opened and processed when early voting commences.

Requiring that OSS provide two coupons, each redeemable in the value of \$25, no later than March 1, to each person registered to vote on December 31 of the preceding year and must establish an option for the voter to request delivery of the coupons by electronic means. A person may request delivery to an alternate physical or electronic address; the alternate physical address must be in Minnesota. Persons eligible to vote but not automatically receiving the coupons, may request the coupons until July 1 of the coupon year and must receive the coupons by October 1 of that year.

Most of these provisions take effect August 1, 2021, with early voting provisions delayed until officials have certified that computerized systems can implement the provisions.

Assumptions

Substantial computer programming is required for the Statewide Voter Registration System to comply with many of the provisions described above. In addition, it is highly unlikely that the computer programming required to implement many provisions effective August 1, 2021 will be completed by that date.

With respect to the removal of the witness requirement and the extension of the deadline to accept absentee ballots, this note assumes changes to the statewide voter registration system to remove option to mark a ballot rejected due to witness errors and to remove programming that produces an error message when a ballot is marked as accepted after election day.

With respect to the weekly publication of the absentee ballot rejection report, this note assumes that the process would be automated and there are programming costs with automating the report.

With respect to drop boxes, this note assumes that drop box locations would be input into the statewide voter registration system, similar to the recording of polling places. This will require additional programming within SVRS to capture this information. This note also assumes that drop boxes would be displayed in pollfinder results. Both assumed changes require additional programming costs. With respect to automatic voter registration, it is not known how many state agencies will wish to participate in this program, or the compatibility of their computing systems with SVRS.

With respect to Democracy Dollars costs, there were a total of approximately 3.85 million voters on the most recent election day, including all pre-registered voters and all voters who registered on election day. As OSS will have few or no requests to start with for electronic delivery, printing and postage will be necessary for all of these voters, each of whom will receive two Democracy Dollars vouchers. The lowest postage rate available would appear to be the standard walk-sequence rate of \$.172 per piece per ounce. This mailing is a one-way mailing weighing substantially less than one ounce.

The mailing would require an envelope with the voter's name and address printed on the front, as well as the Democracy Dollars vouchers themselves and an explanatory generic letter.

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Several sections of the bill require rulemaking, either explicitly or implicitly through providing that the secretary shall establish a standard or criteria, but OSS regularly conducts rulemaking, and so the costs of this additional rulemaking can be included in the standard costs OSS would already incur in the periodic rulemaking process. This bill explicitly requires rulemaking in relation to drop box standards, automatic voter registration and for the administration of early voting by local election officials.

OSS periodically conducts rulemaking and will combine the rulemaking for the drop box standards and the automatic voter registration into that rulemaking. The early voting rulemaking is authorized to use a separate procedure which would be in addition to the normal rulemaking, and there is a cost for that procedure, estimated at approximately \$11,000 in the current Minnesota Rulemaking Manual 'Appendix cost-inf', which will be absorbed by OSS.

Computer development costs are charged at \$85/hour.

Expenditure and/or Revenue Formula

Computing Expenses

ARTICLE 1

1. **Pre-registration for people 16 and older**

Election Division (ED) Business Analysis (60 hours)
OSS Information Technology (IT) (80 hours)
Quality Assurance (QA) Testing (60 hours)
Total Hours: 200 Hours

200 hours @ \$85/hour = \$17,000

2. **3rd Party Electronic Voter Registration Submissions to SVRS**

ED Business Analysis (160 hours)
OSS IT (3500 hours)
QA (300 hours)
Total Hours: 3960 hours

3960 hours @ \$85/hour = \$336,600

3. **Tribal Voters Address Issue: Tribal Voters without a USPS recognized address using Tribal Council Headquarters address for voter registration**

ED Business Analysis (20 hours)
Total Hours: 20 hours

20 hours @ \$85/hour = \$1,700

4. **Public Information List Changes**

ED Business Analysis (5 hours)
OSS IT (20 hours)
QA (10 hours)
Total Hours 35 hours

35 hours @ \$85/hour = \$2,975

5. **Automatic Voter Registration**

ED Business Analysis (640 hours)
OSS IT (1500 hours)
QA (650 hours)
Total Hours: 2790 hours

2790 hours @ \$85/hour = \$237,150

ARTICLE 2

1.

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Felony Voter Rules and Language Changes

ED Business Analysis (240 hours)
OSS IT (80 hours)
QA (100 hours)
Total Hours: 420 hours

420 hours @ \$85/hour = \$35,700

2. Early Voting

ED Business Analysis (520 hours)
OSS IT (350 hours)
QA (500 hours)
Total Hours: 1370 hours

1370 hours @ \$85/hour = \$116,450

3. Multi-Language Voting Instructions

ED Business Analysis (10 hours):
OSS IT (40 hours)
QA (20 hours)
Total Hours: 70 hours

70 hours @ \$85/hour = \$5,950

4. Permanent Absentee Voting Opt-In

ED Business Analysis (250 hours)
OSS IT (300 hours)
QA (250 hours)
Total Hours: 800 hours

800 hours @ \$85/hour = \$68,000

5. AB Changes: To include removal of witness requirement, new timing rules of when ballots will be accepted (post marked on or before election, received within 7 days), weekly public AB report with accepted ABs and reject breakdown.

ED Business Analysis (40 hours)
OSS IT (160 hours)
QA (30 hours)
Total Hours: 230 hours

230 hours @ \$85/hour = \$19,550

6. Ballot Drop Box Locations

ED Business Analysis (100 hours)
OSS IT (300 hours)
QA (100 hours)
Total Hours: 500 hours

500 hours @ \$85/hour = \$42,500

ARTICLE 4

Democracy Dollars

Computing

ED Business Analysis (200 hours)
OSS IT (1000 hours)
QA Testing (400 hours)
Total Hours: 1600 hours
1600 hours @ \$85/hour = \$136,000

Total Computing = \$1,019,575

\$1,019,575 (FY22)

Non-Computing Expenses:

Democracy Dollars *Printing*

3.85 million 8.5 x 11-inch sheets
3.85 million addressed/printed size #10 envelopes

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Total printing per year = \$281,259.50

\$281,259.50 (FY22)
\$281,259.50 (FY23)

Total Biennial Printing = \$562,519

Mailing

3.85 million registered voters @ \$.172 postage per piece = \$662,200 each year

\$662,200 (FY22)
\$662,200 (FY23)

Total Biennial Mailing = \$1,324,400

Translation of Absentee Ballot Instructions

Print / electronic \$2000

Audio-visual:

Production of a video version of instructions (animated with voiceover in native language) \$3300 per language.

11 languages + ASL @ \$3300/language = \$36,300

Production of an audio version of instructions \$500 per language.

11 languages @ \$500/language = \$5500.

Total Translation = \$43,800

\$43,800 (FY22)

Rulemaking

Cost of a noncontroversial/procedural rule amendment:

\$10,750

Long-Term Fiscal Considerations

While the great majority of the costs are one-time programming changes, the Democracy Dollars mailing will occur each year. The costs may reduce incrementally as voters file requests to receive their coupons electronically, however, it is unclear how quickly those costs will trend down.

Local Fiscal Impact

Many provisions in the portions of this bill covered by this fiscal note have costs to county and local election administrators. There will be added printing and postage costs for permanent absentee balloting because the ballot packages incur greater costs than the single sheet absentee ballot application. Local election officials will now also be required to provide drop-boxes, complete with video, line of sight or other security surveillance, and more than one drop box will be required in a number of counties and municipalities. There may be multiple polling places required for early voting, although the bill has not specified the ratio of residents to polling places.

References/Sources

Preliminary

Bibi Black

651-201-1326

Mailing and Printing Costs from Minncor.

I have reviewed the content of this fiscal note and believe it is a reasonable estimate of the expenditures and revenues associated with this proposed legislation.

If Information Technology costs are included, my agency's Chief Information Officer has reviewed the estimate.

Agency Contact: Julie Strother, 651-201-1342

Agency Fiscal Note Coordinator Signature: Juin Charnell

Date: 1/28/2021 8:08:05 AM

Phone: 651-201-6870

Email: juin.charnell@state.mn.us

Preliminary

Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Agency: **Administrative Hearings**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Administrative Hearings	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Administrative Hearings	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Joe Harney **Date:** 1/27/2021 6:48:33 PM
Phone: 651-284-6438 **Email:** joe.harney@lbo.leg.mn

Preliminary

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2 Dollars in Thousands	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Administrative Hearings	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Administrative Hearings	-	40	-	-	-
Total	-	40	-	-	-
Biennial Total			40		-
2 - Revenues, Transfers In*					
Administrative Hearings	-	40	-	-	-
Total	-	40	-	-	-
Biennial Total			40		-

Bill Description

HF9 provides for modifications to voter registration and establishes several new programs administered by the Campaign Finance Board (CFB) and the Office of the Secretary of State (OSS).

The legislation also authorizes the CFB and the OSS to conduct rulemaking to implement the provisions of

- 203B.31 to 203B.35, Art. 2, Sec. 25(a)(2) Early Voting; Applicability (SOS)
- 10A.305, Art. 4, Sec. 11, Subd. 6, Small Donor Contribution Match Program; Rulemaking (CFB)
- 10B.03, Art. 4, Sec. 17(a), Form of Coupon; Rulemaking (CFB)
- 10B.10, Art. 4, Sec. 24, Return of Proceeds; Rulemaking (CFB)
- 211B.04, subd. 3a, Art. 5, Sec. 4, Subd. 3a, Certain electronic communications and advertisements (CFB)

Assumptions

OSS assumes a program of this size will require one medium rulemaking at \$133,376 in FY2022. Based on past practices, OAH assumes that a medium rulemaking under chapter 14 will require an estimated 50 hours of ALJ time for activity related to rulemaking procedures. Of the estimated rulemaking amount of \$133,376, \$10,750 is for the estimated 50 hours of ALJ time for a medium rulemaking.

CFB assumes that the four programs requiring rulemaking activities could be combined into one large rulemaking for purposes of this fiscal note at \$310,248. Based on past practices, OAH assumes that a large rulemaking under chapter 14 will require an estimated 135 hours of ALJ time for activity related to rulemaking procedures. Of the estimated rulemaking amount of \$310,248, \$29,025 is for the estimated 135 hours of ALJ time for a large rulemaking.

OAH currently bills ALJ time for rulemaking at the MMB-approved billable rate of \$215 per hour (see Minn. Stat. § 16A.126, subd. 1 (2020)).

Expenditure and/or Revenue Formula

Billed to OSS:	Estimated 50 hours of ALJ time @ \$215/hr = \$10,750	For the requirements related to implementing
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		<ul style="list-style-type: none">• Art. 2, Sec. 25(a)(2) Early Voting; Applicability
Billed to CFB	Estimated 135 hours of ALJ time @ \$215/hr = \$29,025	For the requirements related to implementing: <ul style="list-style-type: none">• Art. 4, Sec. 11, Subd. 6, Small Donor Contribution Match Program; Rulemaking• Art. 4, Sec. 17(a), Form of Coupon; Rulemaking• Art. 4, Sec. 24, Return of Proceeds; Rulemaking• Art. 5, Sec. 4, Subd. 3a, Certain electronic communications and advertisements

Long-Term Fiscal Considerations

The costs associated with the rulemaking activities are a one-time occurrence.

Local Fiscal Impact

References/Sources

Agency Contact: Denise Collins

Agency Fiscal Note Coordinator Signature: Denise Collins

Phone: 651-3617875

Date: 1/27/2021 6:33:42 PM

Email: denise.collins@state.mn.us

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Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Agency: **Campaign Finance Board**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	16,440	19,746	19,779	23,708	
Total	-	16,440	19,746	19,779	23,708	
Biennial Total			36,186			43,487

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	2.5	5.5	6	7
Total	-	2.5	5.5	6	7

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Blom **Date:** 1/28/2021 10:27:19 AM
Phone: 651-284-6542 **Email:** adam.blom@lbo.leg.mn

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State Cost (Savings) Calculation Details

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Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025	
General Fund	-	16,440	19,746	19,779	23,708	
Total	-	16,440	19,746	19,779	23,708	
			36,186		43,487	
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund						
Expenditures	-	16,618	19,757	19,780	23,709	
Absorbed Costs	-	(178)	(11)	(1)	(1)	
Total	-	16,440	19,746	19,779	23,708	
			36,186		43,487	
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	
Total	-	-	-	-	-	
			-		-	

Bill Description

This fiscal note relates only expenses that will be incurred by the Campaign Finance Board under Articles 4 and 5 of HF 9. Sections of Articles 4 and 5 that have an impact on Board operations are listed below.

Article 4

Sections 1 through 4 provide modifications to definitions used in chapter 10A and clarify that the Board's general rulemaking authority extends to chapter 10B.

Section 5 creates a new type of political committee and political fund. The "Small Donor" committee or fund may only receive contributions from individuals in amounts not to exceed \$200 in an election cycle. A small donor committee or fund is limited in how much it can contribute to candidates, party units, and other registered committees and funds during an election cycle, and may make certain types "Grassroots campaign" in-kind contributions to a candidate that do not count against the candidate's campaign spending limit.

Section 6 provides that anonymous contributions cannot be used to qualify for Democracy dollar coupons.

Section 7 adds new reporting and compliance requirements for political committees and funds, candidate committees, and political party units. The additional information required in this section is needed to verify qualification for matching payments and the Democracy coupons established in other sections of the bill.

Sections 8 and 9 provide that certain campaign activities are not counted as campaign expenditure, and therefore not limited by 10A.25 for candidates or small donor committees and funds.

Section 11 establishes a small donor contribution match program in which the Board issues payments (a state match) to qualified candidates for contributions received from individuals. The state match will be six times the amount of a contribution of up to \$100 if the donation was made by an individual who lives within the district, and up to three times the amount for a contribution of up to \$100 which was donated by an individual who lives outside the district. The state central committee of a major or minor political party is eligible for a state match of donations of one time the amount for contributions received from individuals who reside in the state. The section limits the amount that a donor can contribute to a candidate or party unit if the candidate or party unit requests matching funds based on the contribution. The section also sets the maximum amount a candidate or party unit may receive in state matching funds in an election cycle.

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Section 11 also directs the proceeds from the existing political party check-off on individual and property tax forms as the source of funding for the state match of contributions. The amount designated to parties through the political party check-off program is the maximum amount that the Board can payout as matching funds for small donor contributions. The Board administers the state match program. This includes verifying that campaigns and party units are eligible for the matching funds, and issuing the matching funds to the extent they are available within 30 days of application. The Board is required to adopt administrative rules for the program.

Section 12 eliminates the payments made to candidates and the central committee of political parties under the current public subsidy program refund program. A candidate who signs the campaign spending agreement (public subsidy agreement) is eligible to participate in the small donor match program.

Section 13 modifies the affidavit of contributions requirement to participate in the small donor program to count the first \$100 of a contribution from an individual.

Section 14 places chapter 10B (created by this legislation) under the Board's jurisdiction for investigation and enforcement of violations.

Section 16 establishes a "Democracy Dollars Coupon" program in which two \$25 coupons are sent to each registered voter in the state each year. The coupons may be given to qualified candidates and political party units, which then redeem the coupons with the Board for payment. The Office of the Secretary of State is responsible to provide the coupons to all registered voters, and eligible non-registered voters who request the coupons. The Office of the Secretary of State must provide the coupons in an electronic format if requested. This section is listed for clarity, the Board is not involved with the mailing or electronic delivery of coupons or the costs associated with the delivery of the coupons.

Section 17 requires that the Board adopt administrative rules that set the information that is provided on the coupons, and what information is needed to redeem the coupons electronically.

Section 18 details how Democracy Coupons are assigned to a candidate or party unit, and delivered to the Board for processing. The section requires that the Board provide a method to electronically submit the coupons through a secure application on the Board's website. The section also provides that a coupon sent to a registered voter becomes invalid if the voter becomes ineligible to vote in Minnesota prior to redeeming the coupon. This section also provides that Chapter 325L applies to the electronic redemption of coupons.

Section 19 provides that Democracy coupons have no cash value to the holder of the coupon.

Section 20 provides that the Democracy coupons may not be assigned or transferred for cash or other consideration.

Section 21 provides what a candidate committee or political party must do in order to qualify for participation in the Democracy Dollar coupon program. The section limits program eligibility to candidates for the legislature and constitutional office. Candidates for judicial office are not eligible. All major and minor political parties are eligible.

Section 22 limits the amount of Democracy Dollar Coupons that may be deemed by the Board in a calendar year. The coupon program starts in calendar year 2022. The maximum aggregate value for the coupons redeemed in 2022 is 8% of the total value of coupons issued by the Office of the Secretary of State in 2022. If the value of coupons redeemed in 2022 exceeds 75% of the possible maximum then the maximum aggregate value available for coupon redemption increases by another 2% of the total value of coupons issues at the next odd numbered year (for example, the maximum value of the coupons that may be redeemed would increase to 10% of all coupons issued in 2023 if 6% of the total value of the coupons issued in 2022 was redeemed). This evaluation occurs at the end of each even numbered year, with a percentage cap of 16% of the value of total coupons issued available if the 75% threshold is met or exceeded in subsequent 2-year periods.

Section 22 further provides that all Democracy Dollar coupons must be submitted to the Board for redemption. The section provides four validation steps that the Board must use in order to redeem a coupon, and provides that the Board may require additional documentation from candidates or party units for the verification process. The Office of the Secretary of State is required to verify that the individual who is assigning the coupon is still eligible to vote in Minnesota. The Board is required to contact individuals if the coupon cannot be verified for redemption, and if appropriate, provide direction to the individual how to reassign the coupon. The Board may develop a method to electronically distribute the payment of coupons to candidate committees and political parties.

Section 22 also provides that the value of a redeemed coupon is a contribution to the candidate committee or party unit

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from the individual who assigned the coupon. The candidate's committee or party unit must include the proceeds from the coupon to determine the aggregate contributions received the individual, and the maximum contributions that may be accepted from the individual and whether the aggregate contributions require itemization of the individual on reports of receipts and expenditures filed with the Board.

Section 22 further provides that the Board must verify coupons and distribute contributions to candidate committees and party units at least two times a month, except that distribution must occur once a week during the 60 days prior to a state primary or general election. Funding for the coupon program is appropriated annually from the general fund to the Board.

Section 23 limits the use of proceeds from the Democracy Dollar Coupons to campaign expenditures and noncampaign disbursements.

Section 24 provides that candidates who have received contributions through the Democracy Dollar Coupon program, and then subsequently lose eligibility as provided in the section, must return unused contributions from the program to the Board. The Board is required to adopt administrative rules to insure compliance with the section.

Section 25 provides that the Board may conduct investigations or audits in order to enforce the requirements of chapter 10B.

Sections 26, 27, and 28 repeal sections of chapter 290, which is administered by the Department of Revenue.

Section 29 sets the timeframes in which the Department of Revenue will honor political contribution refund receipts issued in 2020 and 2021.

Section 30 is the list of repealed statutes. The sections repealed in chapter 10A will eliminate the current public subsidy payments to candidates and political party units.

Section 31 provides that the effective date is January 1, 2022. However, the Board may begin administrative rulemaking the day following enactment.

Article 5

Section 1 expands the definition of "expressly advocating" to include communications that taken as a whole have no reasonable interpretation other than an appeal to elect or defeat a candidate. The express advocacy definition is used to determine if a communication is an independent expenditure for or against a candidate. Independent expenditures for or against state candidates are reported to the Board by registered committees or funds. Communications that do not use words of express advocacy as currently defined, and which are not done in coordination with candidates, are not independent expenditures, and therefore are not reported to the Board.

Section 2 modifies the campaign disclaimer required for independent expenditures to include the top three contributors to the fund, committee, or party unit making the independent expenditure. The top three contributors are the individuals or associations that made the largest contributions to the fund, committee, or party unit making the independent expenditure within the 12 months prior to the first publication of the independent expenditure.

Sections 3 and 4 eliminate the current requirement for the campaign disclaimer displayed on online banners and similar electronic advertisements and requires the Board to adopt administrative rules that will regulate campaign disclaimers on small electronic advertisements and social media.

Assumptions

The "Democracy Dollars Coupon" portion of the bill is similar to the "Democracy Voucher Program" that is used in Seattle. Although there are significant differences in scale, the voucher program in Seattle also send \$25 vouchers to registered voters who in turn submit them to the Seattle Ethics and Elections Commission for verification and payment of funds to qualified municipal candidates. To the Board's knowledge the Seattle voucher program is the only example of vouchers or coupons being provided to all registered voters to financially support candidates with public funds. Seattle has developed a website portal for the public to use in assigning vouchers to candidates (identical to the requirement in this bill) and has experience with the staffing needed to process and verify vouchers mailed to the agency for payment. This fiscal note assumes that the costs experienced in Seattle in developing a website portal are instructive when estimating

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the cost for a similar function required under this legislation, and that other administration costs experienced by Seattle to process paper vouchers can be used as a reference while estimating the staffing and related costs needed to process paper Democracy Dollar Coupons.

The funding available for the Democracy Dollars Coupons is based on a formula that considers the number of register voters in the state. This estimate uses the number of registered voters in Minnesota at the end of the 2020 state general election, which was 3,848,000 (rounded). This number is used for the calculated payments for all fiscal years. A significantly higher number of registered voters would result in a significantly higher maximum amount of payments available through this program. This fiscal note assumes that the coupon program will be popular, and that the escalators in the bill that increase the maximum available funding for the program will occur every two years to the final cap on spending provided in the legislation. The bill provides that eligible residents of the state who are not registered voters may also apply for coupons. This note assumes that non-registered voters will not significantly increase the maximum funding available for the program because of the high percentage of the population that are already registered to vote in Minnesota, and because it is unlikely that a significant number of individuals who are not motivated to register to vote will now be motivated to apply for coupons. Note that the maximum aggregate payments available for the Democracy Dollars Coupon program is determined by a formula that uses calendar years, and not on fiscal years. This fiscal note assumes that the funds for the Democracy Dollar Coupon payments will be transferred to the Board during January of the appropriate fiscal year, and that funds will remain available through the end of the appropriate calendar year.

The maximum number of coupons that can be paid during a year impacts the maximum number of coupons that the Board must process during a year. In calculating the number of coupons to be processed by the Board the fiscal note assumes that the maximum number of coupons that can be redeemed for payment will be submitted to the Board. The fiscal note assumes that 17% of all coupons approved for payment will be submitted through the website portal, and the remaining 83% will be redeemed through paper coupons mailed or delivered to the Board office. The 17% electronic and 83% paper redemption rates are the percentages experienced by Seattle in 2019. The city of Seattle holds elections in odd number years, the last Seattle election with complete information on the processing of coupons is 2019. In 2019, the busiest month for processing coupons was July, with approximately 27,000 coupons processed. To process 27,000 coupons in a month Seattle required 3 staff members full time. That translates to each staff member processing approximately 410 coupons each working day. The Seattle program is only available to local candidates, HF9 provides that political party units can receive the coupons as well. The Board assumes that political parties will be aggressive in requesting individuals to redeem coupons on the parties behalf, particularly in odd numbered years when the parties are attempting to build up reserves for the election year and before candidates start their push for funding during an election year. Because there is a cap on the total funding available for the coupon program this note also assume that both candidates and political parties will attempt to secure coupons from individuals as early in the year as possible in case the funding cap is reached. In total, this note assumes that the number of coupons submitted to the Board for redemption will be relatively consistent on a month to month basis, with the only variation related to the number of coupons distributed to registered voters.

This note assumes that Board will need additional staff to process paper Democracy Coupons submitted to the Board. The Board will need 2.5 additional staff in FY 22 when the first distribution of coupons occurs in early calendar year 2022, and the Board will need additional staff each fiscal year as the number of coupons redeemed by the Board increases. A total of eight additional staff should be sufficient to meet the processing requirements for paper coupons through calendar year 2027. The staffing cost worksheet addendum is provided with this fiscal note, as is a separate worksheet entitled HF9 CFB FTE Estimate which shows the relationship between the staffing increase and the number of coupons submitted to the Board.

The legislation provides that the Board validate the coupons before issuing payments, and further, that the Board will contact individuals who submitted the coupons if the candidate or party unit indicated on the coupon is not eligible to receive funding through the program. This note assumes that the job tasks associated with the processing of coupons, and the need to contact members of the public if a submitted coupon cannot be redeemed, will require staff knowledge and skills best exemplified in the Administrative Specialist Intermediate classification. This conclusion was reached in consultation with the human resources specialist assigned to the Board through the SmART program. Additionally, supervision of the six individuals in this classification will be provided by one Office Services Supervisor 1 position.

The new contribution and expenditure regulations for small donor committees and funds, and the programming needed to verify eligibility for the state matching funds and Democracy Dollar program will require re-programming of the board's internal and public facing software applications during FY 22 and FY 23. This programming will be accomplished by Board employees. The cost, estimated at \$10,000 per year, will be absorbed by the deferral of other programming tasks of lower priority.

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This fiscal note assumes that the Board will need to contact 2% of the individuals who assign coupons to candidates or party units. Contacting the individual is required in Article 4, section 22, if the candidate identified on the coupon is not eligible to receive a contribution through the Democracy Dollar Coupon program. Additionally, this fiscal note assumes that in some cases the writing on the coupons may not be legible, or that the candidate name written on the coupon is not sufficient to identify a specific candidate. The cost of first-class postage is currently 55 cents, and that postage rate is used for all fiscal years. The fiscal note assumes a first-class mailing to each individual. The cost of envelopes and other mailing costs (approximately \$1,000 per year) will be absorbed by the Board.

The provisions of the bill will require updates to forms, handbooks, and training materials. Updates are routinely done by the agency and incorporating the new provisions into the materials will not have a separate identifiable fiscal impact.

The Board is required to adopt administrative rules for the small donor matching program, the democracy coupon program, and for the campaign disclaimers used on electronic communications. Collectively, the administrative rules are assumed to be between a "Medium Rule" and a "Major Rule" as defined in the Minnesota Rulemaking Manual estimated costs for rulemaking (as revised in 2020). The Board assumes that the rules will be controversial, will require the establishment of an advisory committee for the rules, will require consultation with the Office of the Secretary of State that may extend the rulemaking process, and that the rules will require a hearing by the Office of Administrative hearings. The staff costs to draft and adopt the rules are significant, an estimated 6 months of time for a legal analyst position to draft the rules, and additional significant time commitments from other staff members to review and help administer the rulemaking process. However, the Board has three attorneys on staff, including a staff member that is experienced with the rule making process. The Board assumes that additional staffing will not be needed to develop and adopt the rules. The Board will absorb the estimated \$167,000 in staffing costs for the rules. The estimated costs for review of the rules and a hearing conducted by the Office of Administrative Hearing (\$29,025), the publication of a notice of intent to adopt rules (\$5,375), and other miscellaneous mailing and duplication costs (\$2,000) cannot be absorbed by the Board.

The Board does not have the IT resources needed to build and deploy the web-based portal for electronically submitting Democracy Coupons, as required in the bill. The portal and associated database must comply with the standards for electronic transactions provided in Chapter 325L. This note assumes that the Board will issue a request for proposal and select a private vendor to develop the portal. This fiscal note assumes that the development cost for the web-based portal and secure database used in Seattle will be similar to the cost of development in Minnesota. The web-based portal used in Seattle was built by a private vendor in 2018 and 2019 for a cost of \$460,000. The secure database used by the portal cost an additional \$300,000. Total cost for developing a secure web-based application for Seattle was \$760,000, which is assumed to be the cost for a similar system in Minnesota.

The note assumes that the processing of Democracy Coupons, whether submitted through the web-based portal or paper coupons, will require a dedicated database and server. This note assumes that the Board will contract with MNIT for a dedicated server, SQL database, and for MNIT staff support in an enterprise data center. The yearly cost for the technology support is \$24,567, based on the current contract rates posted at <https://mn.gov/mnit/government/services/rates/>

Expenditure and/or Revenue Formula

Formula for Democracy Dollar Coupon Program

Calendar Year	Fiscal Years	Number of registered voters	Coupons issued to each registered voter	Total coupons issued per calendar year	Value of each coupon	Value of coupons issued per calendar year	Maximum percentage of coupons that can be redeemed	Maximum amount paid through the program
2021	FY21 and FY22	3,848,000	0	0	0	0	0	0
2022	FY22 and FY23	3,848,000	2	7,696,000	\$25	\$ 192,400,000	8%	\$ 15,392,000
2023	FY23 and FY24	3,848,000	2	7,696,000	\$25	\$ 192,400,000	10%	\$ 19,240,000
2024	FY24 and FY25	3,848,000	2	7,696,000	\$25	\$ 192,400,000	10%	\$ 19,240,000

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2025	FY25 and FY26	3,848,000	2	7,696,000	\$25	\$ 192,400,000	12%	\$ 23,088,000
2026	FY26 and FY27	3,848,000	2	7,696,000	\$25	\$ 192,400,000	12%	\$ 23,088,000
2027	FY27 and FY28	3,848,000	2	7,696,000	\$25	\$ 192,400,000	14%	\$ 26,936,000
2028	FY28 and FY29	3,848,000	2	7,696,000	\$25	\$ 192,400,000	14%	\$ 26,936,000
2029	FY29 and FY30	3,848,000	2	7,696,000	\$25	\$ 192,400,000	16%	\$ 30,784,000
2030	FY30 and FY31	3,848,000	2	7,696,000	\$25	\$ 192,400,000	16%	\$ 30,784,000

MNIT Support Costs

	Monthly		Yearly
Charges for support of SQL Server production database	\$390.00		\$4,680.00
Charges per user for the application that allows your organization to have secure remote connections to a virtual desktop (VDI), server, application, or roaming profile.	\$17.30		\$207.60
Charges for a physical MNIT-managed server dedicated for a single organization's use, located in an enterprise data center.	\$1,640.00		\$19,680.00
		Total Per Year	\$24,567.60

Staff Processing of Paper Democracy Dollar Coupons

Total Coupons by Calendar Year	Fiscal Year	Fiscal Year Coupon Total	Coupons Daily	Coupons per Staff	Staff per day	FTE
511,014	2022	255,507	2,044	410	5.0	2.5
638,768	2023	574,891	2,300	410	5.6	5.5
638,768	2024	638,768	2,555	410	6.2	6.0
766,522	2025	702,645	2,811	410	6.9	7.0
766,522	2026	766,522	3,066	410	7.5	7.5
894,275	2027	830,399	3,322	410	8.1	8.0
	2028					

Administrative Rules

	Major Rule	HF 9 estimated	Medium Rule
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		cost	
Staffing Costs			
Program staff (\$40 w/fringe)	124,800	80,000	62,420
Rules staff (\$40 w/fringe)	124,800	80,000	41,600
Clerical support (\$26 w/fringe)	8,320	6,700	5,200
**Office of Attorney General			
Legal fees (\$133/hour)	11,438	0	7,182
**Office of Administrative Hearings			
Admin. Law Judge (\$215/hour)	29,025	29,025	10,750
Filing Fee	50	50	50
**State Register (\$135/page)			
Request for Comments	270	0	270
Notice of Intent to Adopt Rules (with rule text published)	7,560	5,375	3,375
Notice of Adoption (without rule text published)	60	60	60
Miscellaneous			
Mailings	925	775	694
Duplicating	1,500	1,125	825
Transcripts	1,000	0	750
Committee costs, outstate meetings	500	100	200
TOTAL Estimated Costs	\$310,248	203,229	\$133,376

Long-Term Fiscal Considerations

The maximum amount available for payment to candidates and political party units continues to increase through FY30.

Local Fiscal Impact

None

References/Sources

Seattle Ethics and Elections Commission 2019 Report on the Democracy Voucher Program - http://www.seattle.gov/Documents/Departments/EthicsElections/DemocracyVoucher/2019_Biennial_Report.pdf

The Campaign Finance and Public Disclosure Board is not covered by the MNIT consolidation (per Minn. Stat. § 16E.16), therefore a signoff by MNIT on estimated IT costs is not required.

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Preliminary

Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Agency: **Indian Affairs Council**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Blom **Date:** 1/19/2021 9:45:31 AM
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Preliminary

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2 Dollars in Thousands	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-
Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Total	-	-	-	-	-
Biennial Total			-		-
2 - Revenues, Transfers In*					
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

The bill modifies provisions for voter registration including allowances for felon voter access. The bill also allows tribal band members to use tribal governmental issued ID recognized by the BIA that contains their name, address, signature, and picture as proof on application for voter pre-registration, registration and as proof at polls. It further allows on reservation tribal members that do not have a residential address recognized by the U.S. postal service to use an address of either the tribal council or an address approved by the secretary of the tribal council.

Assumptions

The bill does not impact MIAC's operational budget. Although MIAC works with the tribal nations in the state, MIAC does not have fiscal responsibility or authority in regards to the tribal nations.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

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Preliminary

Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Agency: Legislature

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Adam Blom **Date:** 1/26/2021 11:16:55 AM
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Preliminary

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2 Dollars in Thousands	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-
Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Total	-	-	-	-	-
Biennial Total			-		-
2 - Revenues, Transfers In*					
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

Article 6 of the bill provides redistricting principles, that requires the geographic areas and populations counts used in district maps, tables and description by the legislature to be those used by the Geographic Information Services (GIS) Office of the Legislative Coordinating Commission (LCC), and that the GIS Office must make the database available to the public on its website. Redistricting plans considered for adoption by the House or Senate must be submitted to the GIS Office and posted to its website.

The bill further indicates that the Legislature intends that any legislative redistricting committee established should conduct at least one public hearing in each of the existing congressional districts, post preliminary drafts of district plans and associated reports on the committee's website two weeks prior to consideration of adoption of the plan, and for public comments regarding posted plans prior to adoption.

Assumptions

1. As a part of their operations, the House, Senate and LCC have planned for projected redistricting work for their committees and offices. The GIS team within the LCC is currently tasked with providing administrative support to the redistricting process as indicated in section 2 of Article 6.
2. With the use of "the legislature intends" in Article 6, section 2, subd. 5, it is unclear whether the House and Senate redistricting committees would be mandated to follow each of the items listed. For the purposes of this fiscal note, we assume existing House and Senate staff and operating budgets would suffice for the publishing of information to their websites and the collection of public comments. There could be costs associated with conducting hearings in each of the congressional districts; however, it is not anticipated that additional resources would be needed to cover this cost although that may depend on the priorities of the legislature and staff time required for competing projects.

Expenditure and/or Revenue Formula

This bill has no fiscal impact on the Legislature.

Long-Term Fiscal Considerations

N/A

Local Fiscal Impact

Preliminary

N/A

References/Sources

Barb Juelich, House of Representatives

Bill Marx, House of Representatives

Patrick McCormack, House of Representatives

Tom Bottern, Minnesota Senate

Cal Ludeman Minnesota Senate

Betty Myers, Minnesota Senate

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Preliminary

Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Agency: **Minnesota State**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

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Preliminary

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025	
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund						
Expenditures	-	18	8	8	8	8
Absorbed Costs	-	(18)	(8)	(8)	(8)	(8)
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
General Fund						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

Section 2 of the bill amends Subdivision 2 of M.S. 135A.17 to require that all postsecondary institutions that enroll students accepting state financial aid must prepare a current list of students enrolled in the institution and residing in the institution's housing or within 10 miles of the institution's campus. The list shall contain each student's current address, be certified and sent to the appropriate county auditor or auditors for use in election day registration. Under section 9, subdivision 3b, the postsecondary institution submits to the county auditor no later than 60 days prior to the election a written agreement that the postsecondary educational institution will certify for use at the election an accurate updated residential housing list and an updated residential housing list must be certified to the county auditor no earlier than 20 days prior to each election.

Assumptions

Minnesota State is a system composed of thirty-seven colleges and universities and the system office. This fiscal note applies to all campuses of Minnesota State and the system office.

Policy changes

To comply with the bill's requirement and the Family Educational Rights and Privacy Act (FERPA), all 30 colleges and 7 state universities would need to update their limited student directory information policy to allow for the data in question to be transmitted to the local county auditor. Each campus has its own process for making changes to policy and procedure, but all require formal review and consultation by relevant stakeholders before being approved and posted. Policy and procedure review is a standardized, ongoing process on each campus and the time spent for consultation would be absorbed by the system.

Technical changes

Minnesota State would need to modify a current student report and use software currently owned by Minnesota State to determine a 10 mile radius of that residence and determine which county the residence lies within. The report created would include the data points as required by the proposed statute amendment. It is anticipated to take 60 hours of a developer's time to complete this task. The time spent on the development of this tool would be absorbed by the system.

Agreement and transmittal of data

Each college and university would need to submit a written agreement with the respective county auditor and transmit an

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updated certified residential housing list prior to each election. The time spent on the development of this agreement and creating the certified housing list would be absorbed by the system.

Expenditure and/or Revenue Formula

Policy changes - one-time costs in FY2022

111 hours X \$53 per hour = \$5,883

Technical Change one-time costs in FY 2022

60 hours X \$65 per hour = \$3,900

Agreement and transmittal of data. Cost for each election.

74 hours X \$53 per hour= \$3,922

\$5,883 + \$3,900 + \$7,844 = \$17,627 first year cost

Assuming most years will have a primary and a general election, the annual cost would be \$7,844

Long-Term Fiscal Considerations

Costs related to creating the agreement and transmittal of the data will continue into the future and will be dependent on the number of elections held in each year within the county.

Local Fiscal Impact

References/Sources

Brent Glass, Associate Vice Chancellor for Student Affairs and Enrollment Management

Mari Payton, Director of Engineering and Data

Agency Contact: Steve Ernest (651-201-1710)

Agency Fiscal Note Coordinator Signature: Steve Ernest

Phone: 651-201-1710

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Preliminary

Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Agency: **MNsure**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2021	FY2022	FY2023	FY2024	FY2025
Total	-	-	-	-	-	-

LBO Analyst's Comment

LBO Signature: **Date:**
 Phone: **Email:**

Preliminary

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

This bill permits preregistration to vote for certain individuals who are at least 16; modifies proof of residency requirements for eligible voters; provides for individuals convicted of a felony to have the civil right to vote restored; makes modifications to absentee and early voting procedures; prohibits voter intimidation, interference, and deceptive practices; modifies certain campaign finance requirements; and establishes new redistricting principles and processes.

Art. 1 sec. 12 provides for automatic voter registration through certain existing applications, an option for applicants to decline registration within 20 days of submitting an application, and a voluntary option for the commissioner of any state agency and administrative heads of local units of government and federally recognized Indian tribes to make any form or application into a voter registration application.

Specifically, subd. 4 directs the Department of Human Services (DHS), in consultation with the secretary of state, to ensure the application for medical assistance and MinnesotaCare serves as a voter registration application for any applicant on the application whose citizenship has been identified. The bill requires DHS to submit a daily report electronically to the secretary of state on any individual whose citizenship has been identified, and a monthly report identifying the total number of people applying for services through applications that qualify for voter registration.

Assumptions

MNsure assumes there will be no cost related to Section 12 of the bill because MNsure will not be able to implement the provision in accordance with federal requirements.

Expenditure and/or Revenue Formula

N/A

Long-Term Fiscal Considerations

N/A

Local Fiscal Impact

N/A

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References/Sources

Minnesota Department of Human Services- METS eligibility application requirements

Agency Contact: Anna Burke (651-539-1332)

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Preliminary

Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Agency: **Public Safety Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
Restrict Misc. Special Revenue	-	492	383	383	383	383
Total	-	492	383	383	383	383
Biennial Total			875			766

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Restrict Misc. Special Revenue	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Laura Cecko **Date:** 1/20/2021 12:28:15 PM
Phone: 651-284-6543 **Email:** laura.cecko@lbo.leg.mn

Preliminary

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2 Dollars in Thousands	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Restrict Misc. Special Revenue	-	492	383	383	383
Total	-	492	383	383	383
Biennial Total			875		766
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Restrict Misc. Special Revenue	-	492	383	383	383
Total	-	492	383	383	383
Biennial Total			875		766
2 - Revenues, Transfers In*					
Restrict Misc. Special Revenue	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

Modification to the Help America Vote Act, modifying provisions related to voter registration. Modifying prescribed formats for voter registration application intake, requiring all license, Minnesota identification cards, and instruction permits to be automatic voter registration forms. Sets new parameters for automatic voter registration on a license application, as well as required language prescribed by the Secretary of State (SOS).

Assumptions

Article 1, Section 1

Assume any applicant information received from a driver's license, identification card, or learners permit is transferred to the SOS based on SOS eligibility.

Article 1, Section 10

Assume the department will amend driver's license in-office intake form to adhere to prescribed language per SOS. Assume that the cost of updating the in-office form will cost \$45,000 (\$0.06 per intake form x 750,000 intake forms = \$45,000).

Article 1, Section 12

Assume the department will need programming completed to capture citizenship information during the application process, eligibility determination, letter notification of opportunity to decline automatic voter registration, and monthly reporting to SOS. Assume that 320 programming hours will be needed to implement automatic voter registration and that total programming cost is \$64,000 (\$200 per hour x 320 hours = \$64,000).

Assume the department will need to send by mail to all applicants of their option to decline automatic voter registration. Assume that based on the department's annual card issuance of 1.5 million cards, half of the individuals (750,000) will need to submit proof of citizenship, be at least 16 years of age, and only have their residential address listed. Assume that the current rate for a single letter enveloped metered mail is \$0.51 per envelope. Assume that the total annual cost to send the letter to decline automatic voter registration would cost \$382,500 (750,000 opt out letters x \$0.51/metered mail = \$382,500).

Assume the department must submit to SOS a monthly report of how many applicants meet the voter registration eligibility requirements compared to how many were transmitted to SOS.

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Assume that the necessary programming must be implemented no later than June 1, 2022.

Expenditure and/or Revenue Formula

FY2022

Special Revenue Fund - Driver and Vehicle Services Technology Account

Programming costs = \$64,000

Special Revenue Fund - Driver Services Operating Account

Application cost = \$45,000

Postage cost = \$382,500

Total FY 2022 Special Revenue Fund (DVS Technology Account and Driver Services Operating Accounts) = \$491,500

FY 2023 and beyond

Special Revenue Fund - Driver Services Operating Account

Postage cost = \$382,500

Long-Term Fiscal Considerations

As Minnesotans ramp up conversion to a REAL ID compliant credential the department would anticipate to see an increase in applications that will qualify to be registered to vote. If continuing under with the assumption that of the 1.5 million cards issued 750,000 individuals would qualify, over the next card cycle (4 years) the department would anticipate 3,000,000 individuals would need a letter mailed to notify them of their ability to decline automatic voter registration. Assuming the metered mail rate does not increase over the next 4 years the cost of sending this notification would cost the department \$1,530,000 in postage alone for notification.

Local Fiscal Impact

References/Sources

Agency Contact: Alice Emma Corrie 651-201-7580

Agency Fiscal Note Coordinator Signature: Rita Wurm

Phone: 651-201-7016

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Preliminary

Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Agency: Revenue Dept

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
Dollars in Thousands					
General Fund	-	(7)	(3,600)	(3,108)	(3,603)
Total	-	(7)	(3,600)	(3,108)	(3,603)
Biennial Total			(3,607)		(6,711)

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	(.06)	(.9)	(.93)	(.9)
Total	-	(.06)	(.9)	(.93)	(.9)

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Joe Harney **Date:** 1/25/2021 1:27:54 PM
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Preliminary

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025	
General Fund	-	(7)	(3,600)	(3,108)	(3,603)	
Total	-	(7)	(3,600)	(3,108)	(3,603)	
Biennial Total			(3,607)		(6,711)	
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	(7)	(3,600)	(3,108)	(3,603)	
Total	-	(7)	(3,600)	(3,108)	(3,603)	
Biennial Total			(3,607)		(6,711)	
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	
Total	-	-	-	-	-	
Biennial Total			-		-	

Bill Description

The bill repeals the political contribution refund (PCR) in M.S. 290.06 subd. 23 for political contributions made after calendar year 2021. The Department of Revenue (DOR) must continue to pay refunds for political contributions made in calendar year 2020 (for claims filed by 04/15/21) and calendar year 2021 (for claims filed by 04/15/22).

The bill also repeals M.S. 10A.31, subdivisions 5, 5a, 6, 6a, 7, 7a, 7b, 10, and 11; 10A.315; 10A.321, which is part of the political checkoff. The formula for computing the checkoff is repealed, but the actual checkoff is not.

Assumptions

The Department of Revenue (DOR) assumes administrative savings would be incurred as a result of the changes in this bill.

Political Checkoff Impact

Due to the repeal of the political checkoff formula (but not the actual checkoff activity), DOR's Tax Research Division would no longer need to allocate political checkoff dollars to the candidates and associated work necessary due to redistricting would not be needed as a result of this bill. While Tax Research would need to do part of it, the part that tells us how to divide the money is removed. The formulas for dividing the money are complicated. It is based on votes totals by county and district. Since the next round of activity is a census year, everything needs to be adjusted for re-districting. The certification is done every two years, not annually, and includes two years in a certification, so savings vary by year.

PCR Impact

M.S. 290.06, Subd. 23 (g) provides for an appropriation to DOR for the PCR. This would be eliminated beginning in FY23 under this bill. Per the November 2020 forecast, the appropriation is \$3.5 million in FY23, \$3.0 million in FY24 and \$3.5 million in FY25. These numbers could change based on the Feb 2021 forecast.

Savings of approximately 0.57 FTE would also be incurred as a result of DOR no longer processing over 48,000 returns and refunds associated with the Political Campaign Refund (PCR) each year. Mailings for an estimated 10% of the refunds would no longer be needed, beginning in FY23. Minimal savings would be incurred from no longer doing the minor forms updates annually, and from a small decrease in the number of questions from taxpayers (approximately 0.29 FTE). Minimal costs would be incurred to stop the PCR system processes after the end date of 4/2022.

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PCR Returns Processed in 2016 2020:

Year	Number of Returns Processed
2016*	2,567
2017	21,965
2018	45,650
2019	30,566
2020	50,031

*The tables were updated in 2016, so not all information is available.

Expenditure and/or Revenue Formula

This bill may have an impact on state tax revenues. An estimate of revenue impact is not included in this fiscal note. The Department of Revenue prioritizes revenue estimate requests for bills before Tax Committee and will provide one for this bill when it is before Tax Committee.

Administrative Impact

Administrative Costs (Savings)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Employees		\$(7,248)	\$(89,240)	\$(93,492)	\$(89,240)
Systems Analysis & Testing		\$350	\$(1,401)	\$(1,401)	\$(1,401)
Mailing				\$(3,113)	\$(3,113)
Paper Refunds			\$(9,730)	\$(9,730)	\$(9,730)
Total Administrative Costs (Savings)		\$(6,898)	\$(100,371)	\$(107,736)	\$(103,484)

Expenditure Impact (for Section 3 Table):

In 000's	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Administrative Savings		\$(7)	\$(100)	\$(108)	\$(103)
Appropriation			\$(3,500)	\$(3,000)	\$(3,500)
Total Expenditures		\$(7)	\$(3,600)	\$(3,108)	\$(3,603)

Long-Term Fiscal Considerations

The administrative impact noted would be ongoing.

Preliminary

Local Fiscal Impact

References/Sources

Department of Revenue staff provided information for this Fiscal Note.

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Preliminary

Fiscal Note

2021-2022 Legislative Session

HF9 - 0 - Voter Registration Changes

Chief Author: **Emma Greenman**
 Committee: **State Government Finance and Policy**
 Date Completed:
 Agency: **University Of Minnesota**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	1	1	1	1	1
Total	-	1	1	1	1	1
Biennial Total			2		2	2

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Alyssa Holterman Rosas **Date:** 1/26/2021 10:00:01 AM
Phone: 651-284-6439 **Email:** alyssa.holterman.rosas@lbo.leg.mn

Preliminary

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2 Dollars in Thousands	Biennium			Biennium	
	FY2021	FY2022	FY2023	FY2024	FY2025
General Fund	-	1	1	1	1
Total	-	1	1	1	1
Biennial Total			2		2
1 - Expenditures, Absorbed Costs*, Transfers Out*					
General Fund	-	1	1	1	1
Total	-	1	1	1	1
Biennial Total			2		2
2 - Revenues, Transfers In*					
General Fund	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-

Bill Description

HF9-0 requires all postsecondary institutions that enroll students accepting state financial aid must prepare a current list of students enrolled in the institution and residing in the institution's housing or within ten miles of the institution's campus.

An updated residential housing list must be certified to the county auditor no earlier than 20 days prior to each election. The certification must be dated and signed by the chief officer or designee of the postsecondary educational institution and must state that the list is current and accurate and includes only the names of persons residing as of the date of the certification.

Assumptions

Each campus would provide their student housing lists.

Students currently self-report their local addresses in the student information system via MyU. Students are able to update their address if it changes, but this is not required. Misspellings, inaccurate addresses, PO Boxes, and missing data will affect the list's accuracy.

This fiscal note estimates two elections per fiscal year (one primary and one general); however local, county, and special elections vary year to year.

Expenditure and/or Revenue Formula

Cost of student housing lists

UMC: 1 hour of Director of Institutional Effectiveness at \$36/hour = \$36

UMD: 1 hour of Housing Assistant Director at \$40/hour = \$40

UMM: 1 hour of Director of Residential Life at \$43/hour = \$43

UMR: 1 hour of Registrar at \$60/hour = \$60

UMTC: 1 hour of UMTC Housing Associate Director of Operations at \$60/hour = \$60

Total cost: \$239

Cost of using geocoding and GIS to generate a list of students residing within 10 miles not in student housing

Upload the housing lists to Oracle: 2 hours of Analyst 3 at \$62.80/hour = \$125.60

Code all students addresses excluding housing records: 1 hour of Analyst 3 at \$62.80/hour = \$62.80

Geocode the data: 5 hours of Research Support Manager 3 at \$44.83/hour = \$224.15

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GIS calculations to determine distances from campus: 8 hours of Research Support Manager 3 at \$44.83/hour = \$358.64

Finalize the list with 10-mile filters: 2 hours of Analyst 3 at \$62.80/hour = \$125.60

Total cost: \$896.79

Annual total cost based on two elections per fiscal year: \$1,135.79

Long-Term Fiscal Considerations

The costs are ongoing varying year to year by the number of elections.

Local Fiscal Impact

None.

References/Sources

John Kellogg, Analyst, Office of Institutional Research

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