

GO COMMITTEE #2
April 16, 2015

MEMORANDUM

April 14, 2015

TO: Government Operations and Fiscal Policy Committee
FROM: Amanda Mihill, Legislative Attorney *A. Mihill*
SUBJECT: **FY16 Operating Budget: Board of Elections**

Those expected to attend this worksession include:

Mary Ann Keeffe, President, Board of Elections
Nahid Khozeimeh, Secretary, Board of Elections
Margaret Jurgensen, Election Director, Board of Elections
Alysoun McLaughlin, Deputy Election Director, Board of Elections
Marjorie Roher, Management and Budget Specialist, Board of Elections
Helen Vallone, Senior Management and Budget Specialist, OMB

Relevant pages from the FY16 Recommended Operating Budget are attached on ©1.

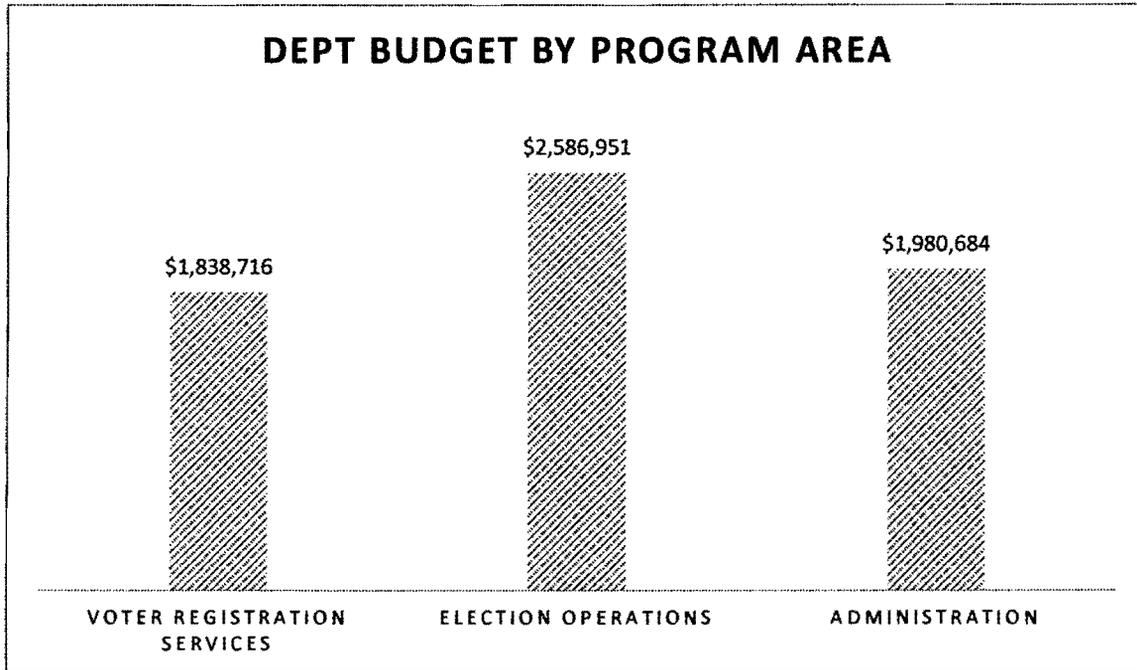
Budget Summary:

- Total recommended budget for the Board of Elections is \$6,406,351, which is a 4.7% decrease from the FY15 approved budget. The recommended operating budget does not include many items the Board deems necessary to conduct a smooth election with new voting equipment or the cost of the equipment itself.

Council Staff Recommendation:

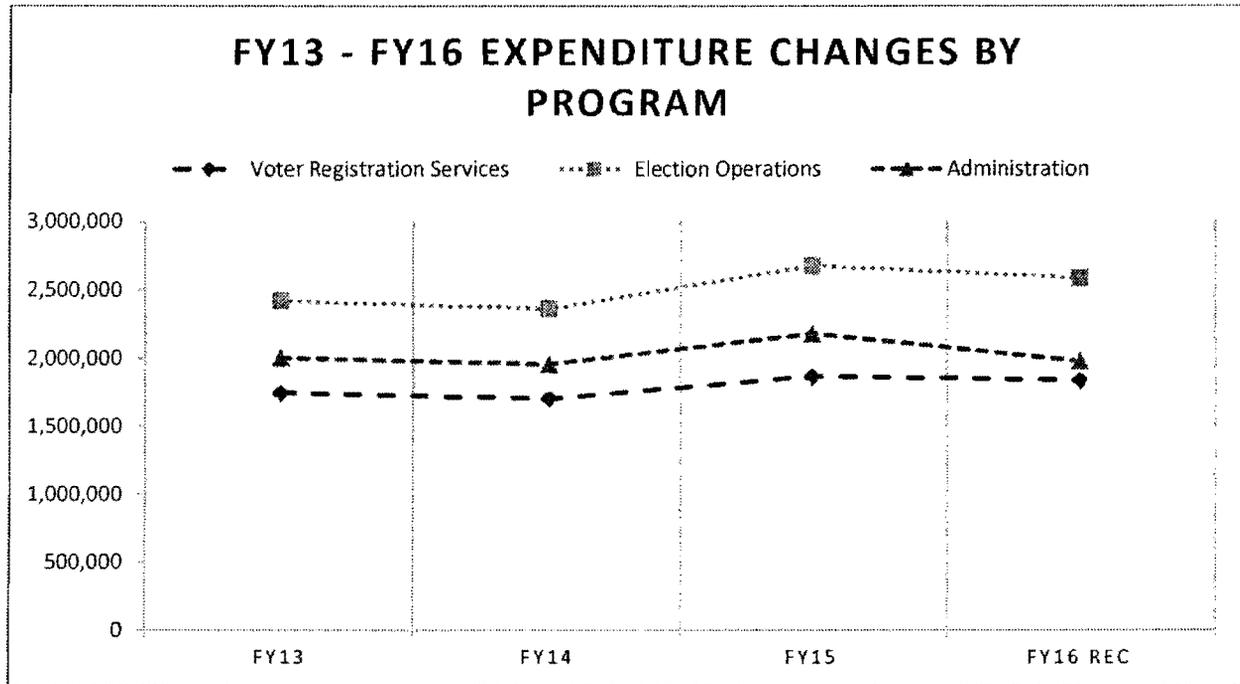
- Approve the Executive's recommended operating budget submission with the following additions to the reconciliation list: Outreach/advertising: \$237,295 (\$100,000, \$87,295, and \$50,000 increments); Staffing for new voting system: \$163,813 (\$100,000 and \$63,813 increments); Election judge training program: \$114,699.
- Inquire with Executive staff as to whether County staff can be used to implement the new voting equipment as was done in 2002 (for project implementation (DTS) and roamers on Election Day.

Overview



For FY16, the County Executive recommends total expenditures of \$6,406,351 for the Board of Elections, which is a 4.7% decrease from the FY15 Approved Budget of \$6,725,438. The Executive is not recommending a change in the number of full-time or part-time positions.

	<i>FY14 Actual</i>	<i>FY15 Approved</i>	<i>FY16 Recommended</i>	<i>% Change FY15 - FY16</i>
<i>Expenditures by fund</i>				
General Fund	\$5,848,845	\$6,725,438	\$6,406,351	-4.7%
<i>Expenditures by type</i>				
Personnel Cost	\$3,174,570	\$3,484,481	\$3,590,572	3.0%
Operating Expenses	\$2,674,275	\$3,240,957	\$2,815,779	-13.1%
<i>Total Expenditures</i>	\$5,848,845	\$6,725,438	\$6,406,351	-4.7%
<i>Positions</i>				
Full-Time	28	28	28	0%
Part-Time	0	0	0	0%
<i>FTEs</i>	0	0	0	0%



FY16 Expenditure Issues

Many of the Board’s services are mandated by federal and state election law. Section 2-203 of the Election Law Article of the Maryland Code requires the County to appropriate funds to the local Board of Elections to cover the necessary and reasonable expenses incurred in the performance of its duties as prescribed by law. On ©6-16 is a memorandum from the Board of Elections that identifies several areas that the Board believes it needs additional funds to successfully prepare for, and conduct, the 2016 elections.

1. Election Year Fluctuations (-\$378,782)

The BOE workload fluctuates according to the following four-year election cycle:

FY16-FY19 Election Cycle		
Year	Election	Fiscal Year
One	Presidential Primary	FY16
Two	Presidential General	FY17
Three	Federal, State, and County Primary	FY18
Four	Federal, State, and County General	FY19

The recommended FY16 Operating Budget reflects this cycle and contains several cost changes associated with election cycle changes. Additionally, the County Board is subject to State Election Law, which has imposed several unfunded mandates and the BOE must continue to follow ever-changing directives from the State Board of Elections. The table on the following page summarizes these election year fluctuations.

Item	Amount
Increase Cost: Electronic Poll Book Maintenance	\$65,000
Decrease Cost: Printing and Mail	-\$2,779
Decrease Cost: Cellular Phone Line Charges	-\$4,000
Decrease Cost: Sample Ballot Printing Contract	-\$5,000
Decrease Cost: General Office Supplies	-\$14,140
Decrease Cost: Facility Maintenance	-\$15,000
Decrease Cost: Polling Place Phone Lines	-\$15,000
Decrease Cost: Motor Pool Rate Adjustment	-\$18,282
Decrease Cost: Legal/Attorney Services	-\$25,000
Decrease Cost: Communication Circuits and Modems	-\$32,000
Decrease Cost: State Payment for Touchscreen Machines	-\$312,521
Net Election Year Fluctuations	-\$378,722

2. New Voting System (\$2,837,787 and \$53,350)

As Committee members are well aware, there will be new voting equipment deployed for the 2016 election cycle. These machines will be in place for the primary election in spring 2016. As Committee members are also aware, funding for the new equipment is a shared responsibility between the State and the counties: The State pays 50% and counties pay 50%. In a memorandum attached on ©12-13, the Board of Elections estimates that to date, the County's cost for the new voting equipment is \$2,837,787. (See also ©17 for a memorandum from Board staff providing the latest information on the cost estimate of the voting equipment.) This estimate includes the cost for the machines and other necessary accessories. Council staff notes that this is just an estimate and that the cost could increase. The Executive's recommended budget does not include any funding for the new voting equipment. Management and Budget staff indicate this is because the precise amount and timing of the payment requirement is still uncertain and that if the payment becomes due in FY16, it will be funded through a supplemental or a year-end adjustment.

In addition to the cost of the new voting system, the Board has identified an additional \$53,350 they are requesting for moving services to securely transport the ballots to and from polling places on Election Day and to refine the election judge module to accommodate new categories of election judges.

Council staff comments: The Committee could either place on the reconciliation list the amount that has already been identified as necessary (or some portion thereof) or work with the Executive to fund the system during the fiscal year as additional information becomes available.

3. Outreach/Advertising (\$237,295)

In the memorandum on ©8-9, the Board requests additional funding for outreach and advertising efforts. As the Board correctly notes, an outreach program to educate voters on the new voting system will be critical to running a smooth election and will also help with reducing wait times. The Board has estimated that it will need \$237,295 for outreach/advertising efforts. This amount includes advertising funding to purchase media spots on radio, cable, and print media (\$100,000), postage for a mailing to registered voters providing information on the new voting system (\$87,500), voting system demonstration coordinators (\$34,795), travel reimbursement (\$10,000), and overtime (\$5,000). See ©14 for a breakdown of proposed expenditures for advertising.

Council staff recommendation: Committee members have clearly stated that outreach efforts should be a priority for the Board. Council staff recommends placing \$237,295 on the reconciliation list in the following increments: \$100,000, \$87,295, and \$50,000.

4. Staffing for the New Voting System (\$174,400)

The Board is requesting funding for project implementation, equipment preparation, and equipment conversion (©9-10). Regarding project implementation, the Board noted that in 2002, the County provided the Board with a staff person from the Department of Technology Services for 3 months to assist to ensure that all phases of the implementation are included in the project plan. If a DTS employee is unable to assist in this regard, the Board is requesting \$10,588 for this purpose. The Board is also requesting \$137,639 for temporary staff to conduct logic and accuracy testing on the voting equipment before the equipment is used for outreach events or training. While there is funding for 13 employees to work a total of 18 weeks already included in the Executive's recommended budget, the Board believes that it needs to hire 6 of those temporary workers for an additional 26 weeks at the beginning of the fiscal year. Finally, the Board is requesting \$26,174 for logic and accuracy testing for equipment used at early voting centers to ready it for Election Day use.

Council staff recommendation: Committee members should inquire with Executive staff as to whether DTS is prepared to assist in the implementation for 3 months. If so, Council staff recommends placing \$163,813 on the reconciliation list in the following increments: \$100,000 and \$63,813.

5. Election Judges (\$486,405)

The Board is requesting to develop a training program. The memorandum on ©10-11 notes that the State Board will provide the training manual, but it is up to local boards to develop a program in an easy-to-learn format. Therefore, the Board requests \$114,699 for temporary workers (2 full-time and 1 part-time) to develop this training. In addition, the Board is requesting \$371,706 for additional funding for election judge stipends. The Board notes that County election judges have not received an increased stipend in many years (and during the recession, the stipend was reduced further) even as the demands of the positions have increased.

Council staff recommendation: A robust training program for election judges will be important to pave the way for a smooth election. Council staff recommends placing \$114,699 on the reconciliation list for these temporary workers. Council staff understands the request for an increase in the election judge stipends and agrees that at a future time, this issue should be reconsidered. However, because of the many additional demands on the budget, Council staff is not recommending funding for election judge stipends be added to the reconciliation list.

6. Election Day Staffing (\$77,112)

In 2002, when the touchscreen voting machines were implemented, certain County employees were detailed to the Board of Elections (and paid from their home department budgets) to serve as roamers on Election Day. Once election judges became more knowledgeable about the equipment, the program was phased out. If the County is unable to provide these roamers on Election Day, an additional \$77,112 is requested for this purpose (©11).

Council staff recommendation: Committee members should inquire with Executive staff regarding whether this program could be instituted once again.

7. Overtime (\$105,687)

As Committee members are aware, the County Board is required to perform tasks in order to meet legally mandated deadlines. Often information is received late in the process and require staff to work overtime in order to meet these deadlines. The Board is requesting \$105,687 for this purpose (©11-12).

Council staff recommendation: Council staff at this time does not recommend adding additional overtime funds to the reconciliation list. It is likely that with ever-changing directives from the State, this funding will be required.

However, staff recommends monitoring this throughout the year and, if appropriate or necessary, provide additional funding through a supplemental appropriation or end-of-year transfer.

FY16 Revenue Issues

Revenues for the Board are calculated based on publication sales. State law mandates the fees charged for election publications, and sales are expected to produce \$10,000 in FY16.

Council Staff Recommendation

Council staff recommends approving the Executive's recommended operating budget submission with the following additions to the reconciliation list:

- Outreach/advertising: \$237,295 (\$100,000, \$87,295, and \$50,000 increments)
- Staffing for new voting system: \$163,813 (\$100,000 and \$63,813 increments)
- Election judge training program: \$114,699

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Board of Elections

MISSION STATEMENT

The mission of the Board of Elections is to register voters, conduct elections, assist persons seeking elective office with candidate filings and campaign fund reports, assist citizens seeking to place questions on the ballot, and preserve election data.

BUDGET OVERVIEW

The total recommended FY16 Operating Budget for the Montgomery County Board of Elections is \$6,406,351, a decrease of \$319,087 or 4.7 percent from the FY15 Approved Budget of \$6,725,438. Personnel Costs comprise 56.0 percent of the budget for 28 full-time positions, and a total of 50.98 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 44.0 percent of the FY16 budget.

LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

- ❖ **A Responsive, Accountable County Government**
- ❖ **Vital Living for All of Our Residents**

DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below, with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY15 estimates reflect funding based on the FY15 approved budget. The FY16 and FY17 figures are performance targets based on the FY16 recommended budget and funding for comparable service levels in FY17.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ **EARLY VOTING:** *Montgomery County increased the number of Early Voting Centers from five to nine in 2014. To increase convenience for the voters, and provide greater geographic coverage, these new centers were located in Damascus, Bethesda, Gaithersburg, and Wheaton. The Centers ran smoothly and the voters expressed an appreciation for the opportunity to choose the time and location for their voting experience.*
- ❖ **RECYCLING EFFORTS:** *The Board of Elections partnered with the Division of Solid Waste Services to minimize the amount of recycling materials that are left at the Early Voting Centers and the Election Day Polling Places. Additional recycling containers were provided at Early Voting Centers and Polling Places on Election Day to encourage paper recycling.*
- ❖ **SAME DAY VOTER REGISTRATION:** *The Maryland Legislature expanded Early Voting for the 2014 election cycle and then offered same day voter registration for the 2016 elections. Beginning in 2016 at the Early Voting Centers, voters will be able to register then vote immediately.*
- ❖ **NEW VOTING SYSTEM:** *The State of Maryland will be replacing its statewide voting system before the presidential primary election in 2016. The Montgomery County Board of Elections will implement training programs for Election Judges and a countywide voter education effort.*
- ❖ **Productivity Improvements**
 - **PAPERLESS CALL TRACKING:** *The Board of Elections receives 1,500 calls from voters and Election Judges seeking technical support. In 2014, the Board of Elections eliminated paper call tickets in favor of a web-based call tracking system to achieve cost savings and improve the quality and timeliness of information available for analysis and problem solving. The department intends to expand the use of this platform for the 2016 presidential election.*

PROGRAM CONTACTS

Contact Margaret A. Jurgensen of the Montgomery County Board of Elections at 240.777.8523 or Helen P. Vallone of the Office of Management and Budget at 240.777.2755 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Voter Registration Services

The Voter Registration Services program provides clerical and administrative support to register new voters and maintains the currency of information in the official registry. The Federal Help America Vote Act mandated the establishment of a statewide voter registration database (MDVOTERS) that occurred in 2006 moving the County voter registration database to a statewide platform under the aegis of the State Board of Elections. In addition, this program processes all changes of name, address, and party affiliation and maintains a delete file, removing voters for reasons of death, felony conviction, ineligibility for jury duty, moving out of the jurisdiction, and other valid legal reasons. The program provides legally-required training for volunteer registrars; responds to various voter and candidate requests for voter registration applications, listings, and CDs of registered voters; verifies nominating or referenda petitions submitted; and issues and canvasses absentee and provisional ballots. Implementation of the National Voter Registration Act of 1993, on January 1, 1995, requires all motor vehicle and State social service agencies to solicit voter registration applications and information changes from every client or customer resulting in an increase in the number of applications and changes received for processing, many of which require research to clarify inaccurate or incomplete information. The program also tracks returned mail and sends a second mailing in order to accurately maintain the database.

Program Performance Measures	Actual FY13	Actual FY14	Estimated FY15	Target FY16	Target FY17
Number of absentee ballots requested (000s) (Active registered voters)	45	8	17	30	60
Number of absentee ballots voted/returned (000s)	40	6	14	20	40
Number of Active Registered Voters (000s)	620	630	635	698	768
Number of provisional ballots issued on election day(s) (Active registered voters)	14000	2460	6553	9000	18000
Number of Voter Registration Transactions (000s)	600	620	650	680	700

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	1,869,232	18.10
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-30,516	0.00
FY16 CE Recommended	1,838,716	18.10

Election Operations

The Election Operations program provides administrative, clerical, and technical support for the conduct of local, State, and Federal elections. The Election Operations program assists individuals seeking elective office with candidate filings; provides information, guidance, and monitoring of required campaign committee filings and financial report submissions; delineates and maintains accurate precinct boundaries; prepares and produces various district and precinct maps; administers the results of redistricting; acquires and maintains required polling places; surveys and monitors compliance of handicapped accessibility at all polling places; obtains and provides all polling place supplies and logistics to properly equip the polling places for voting; and develops training materials, recruits, and trains election judges to staff the polling places. In 2010, the State of Maryland mandated the implementation of early voting in all jurisdictions. Montgomery County is required to provide staffing and supplies for nine early voting centers, open ten hours per day, for eight days prior to each election.

An example of a four-year election cycle, is shown below.

- Year One: Federal Primary Elections (FY12)
- Year Two: Federal General Elections (FY13)
- Year Three: Federal, State and County Primary Elections (FY14)
- Year Four: Federal, State and County General Elections (FY15)

Program Performance Measures	Actual FY13	Actual FY14	Estimated FY15	Target FY16	Target FY17
Number of designated polling places per general election.	261	291	291	291	291
Number of election judges recruited, trained, and placed per general election	3186	2253	2416	3200	3200
Percent of election judge compliance with chain of custody procedure	100%	100%	100%	100%	100%
Percent of polling places opening on time	100%	100%	100%	100%	100%
Percent of provisional ballots that were issued because of a clerical error	0.1%	0.1%	0%	0%	0%

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	2,676,242	20.23
Decrease Cost: Printing and Mail	-2,779	0.00
Decrease Cost: Cellular Phone Line Charges	-4,000	0.00
Decrease Cost: General Office Supplies	-14,140	0.00
Decrease Cost: Communication Circuits and Modems	-32,000	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY15	-46,456	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	10,084	-1.00
FY16 CE Recommended	2,586,951	19.23

Administration

The Administration program of the Board of Elections includes budget development; fiscal control; administration of personnel and contractual issues; procurement; program planning and evaluation; and coordination and cooperation with Federal, State, and local government agencies, elected officials, and political organizations. This includes ensuring that the requirements of Section 203 of the Voting Rights Act are met by providing all election related materials in both English and Spanish languages. The program is also responsible for providing accessible voting for all registered voters and coordinating all technology needs and activities with the State and County technology systems. Finally, the program is responsible for programming and coordinating resources for a voting system comprised of voting machines, express poll books, and printers and required peripheral equipment for deployment to polling places and early voting centers within Montgomery County.

Program Performance Measures	Actual FY13	Actual FY14	Estimated FY15	Target FY16	Target FY17
Number of electronic poll books prepared and used on election days	995	943	995	995	995
Number of voting units prepared and used on election days	3000	2948	2948	3000	3000
Percent of required voting units per precinct that were operable on general election day	100%	100%	100%	100%	100%
Total ballots cast (000s) (Active registered voters)	460	111	247	300	500

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	2,179,964	12.65
Increase Cost: FY16 Compensation Adjustment	105,402	0.00
Increase Cost: Electronic Poll Book Maintenance	65,000	0.00
Increase Cost: Group Insurance Adjustment	8,148	0.00
Increase Cost: Retirement Adjustment	2,664	0.00
Decrease Cost: Sample Ballot Printing Contract	-5,000	0.00
Decrease Cost: Annualization of FY15 Personnel Costs	-10,123	0.00
Decrease Cost: Polling Place Phone Lines	-15,000	0.00
Decrease Cost: Motor Pool Rate Adjustment	-18,282	0.00
Decrease Cost: Legal/Attorney Services	-25,000	0.00
Decrease Cost: Payment to the State for voting machines is completed	-312,521	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	5,432	1.00
FY16 CE Recommended	1,980,684	13.65

BUDGET SUMMARY

	Actual FY14	Budget FY15	Estimated FY15	Recommended FY16	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	2,573,181	2,803,615	2,805,243	2,892,248	3.2%
Employee Benefits	601,389	680,866	777,453	698,324	2.6%
County General Fund Personnel Costs	3,174,570	3,484,481	3,582,696	3,590,572	3.0%
Operating Expenses	2,674,275	3,240,957	3,151,465	2,815,779	-13.1%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	5,848,845	6,725,438	6,734,161	6,406,351	-4.7%
PERSONNEL					
Full-Time	28	28	28	28	—
Part-Time	0	0	0	0	—
FTEs	31.35	50.98	50.98	50.98	—
REVENUES					
Other Charges/Fees	9,613	2,500	10,000	10,000	300.0%
County General Fund Revenues	9,613	2,500	10,000	10,000	300.0%

FY16 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY15 ORIGINAL APPROPRIATION	6,725,438	50.98
Other Adjustments (with no service impacts)		
Increase Cost: FY16 Compensation Adjustment [Administration]	105,402	0.00
Increase Cost: Electronic Poll Book Maintenance [Administration]	65,000	0.00
Increase Cost: Group Insurance Adjustment [Administration]	8,148	0.00
Increase Cost: Retirement Adjustment [Administration]	2,664	0.00
Decrease Cost: Printing and Mail [Election Operations]	-2,779	0.00
Decrease Cost: Cellular Phone Line Charges [Election Operations]	-4,000	0.00
Decrease Cost: Sample Ballot Printing Contract [Administration]	-5,000	0.00
Decrease Cost: Annualization of FY15 Personnel Costs [Administration]	-10,123	0.00
Decrease Cost: General Office Supplies [Election Operations]	-14,140	0.00
Decrease Cost: Facility Maintenance	-15,000	0.00
Decrease Cost: Polling Place Phone Lines [Administration]	-15,000	0.00
Decrease Cost: Motor Pool Rate Adjustment [Administration]	-18,282	0.00
Decrease Cost: Legal/Attorney Services [Administration]	-25,000	0.00
Decrease Cost: Communication Circuits and Modems [Election Operations]	-32,000	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY15 [Election Operations]	-46,456	0.00
Decrease Cost: Payment to the State for voting machines is completed [Administration]	-312,521	0.00
FY16 RECOMMENDED:	6,406,351	50.98

PROGRAM SUMMARY

Program Name	FY15 Approved		FY16 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Voter Registration Services	1,869,232	18.10	1,838,716	18.10
Election Operations	2,676,242	20.23	2,586,951	19.23
Administration	2,179,964	12.65	1,980,684	13.65
Total	6,725,438	50.98	6,406,351	50.98

FUTURE FISCAL IMPACTS

Title	CE REC.			(S000's)		
	FY16	FY17	FY18	FY19	FY20	FY21
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY16 Recommended	6,406	6,406	6,406	6,406	6,406	6,406
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	22	22	22	22	22
These figures represent the estimated annualized cost of general wage adjustments, service increments, and associated benefits.						
Subtotal Expenditures	6,406	6,429	6,429	6,429	6,429	6,429

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Member
David Naimon
Substitute Member
Jacqueline Phillips
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Board of Elections**

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MEMORANDUM

April 14, 2015

TO: George Leventhal, President
Montgomery County Council

Nancy Navarro, Chair
Government Operations Committee
Montgomery County Council

FROM: Mary Ann Keefe, President *Mary Ann Keefe/ma*
Montgomery County Board of Elections

SUBJECT: FY16 Operating Budget

On behalf of the Members of the Board of Elections, this memorandum provides information on necessary expenditures for the 2016 Presidential Primary Election, other than payments to the State of Maryland for the lease of the new voting system and related expenditures, which were not included in the County Executive's Proposed FY16 Operating Budget.

The Montgomery County Board of Elections is the agency responsible for conducting elections according to federal and state laws, and there are legally mandated expenses that are passed on from the State, as well as other expenses which address Federal and State mandates, which cannot always be anticipated or controlled. An example of this is the State Board of Elections' implementation of a new voting system.

The County Executive's Proposed FY16 Operating Budget does not include costs associated with implementing the new voting system, many of which are shared with the state and will be billed to the county by the state. At this time, however, the Board of Elections must begin making preparations for hiring temporary personnel and meeting other costs early in the fiscal year. Accordingly, this memorandum discusses funds for costs associated with the new voting system to be borne entirely by the county, including temporary personnel to implement the voting system and conduct necessary

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outreach, engagement and education. It also includes costs for outreach and training to introduce one-stop registration at early voting.

The State of Maryland is replacing its direct recording electronic voting system with a paper-based precinct scanning digital ballot. It is also providing a new window of opportunity for voters to register at early voting sites. A comprehensive outreach program will be essential to introducing this new system for many reasons including:

- First, academic research reaching as far back as 2001 suggests there exists measureable difficulties in marking an optical scan ballot that are encountered by voters, which include voters marking their ballots in a manner that invalidates their choice, or requiring assistance to make their choice that they are uncomfortable requesting. These difficulties can be overcome through outreach.¹ ⁱⁱ
- Second, voters who are confused or uncomfortable at any stage of the voting process, including requesting the use of a ballot marking device at the check-in table or dropping the voted ballot in the tabulating ballot box, will increase the likelihood of longer wait times during early voting and on Election Day.
- Third, voters who hear through the grapevine that Maryland has "same-day registration" will be disappointed if they try to register to vote on Election Day, or if they are already registered but try to change their political party on Election Day. The Board of Elections will need to aggressively get the word out about the nuances of Maryland's law.

The Board recommends investing in outreach and education in FY16. Board members believe that the requested increases in advertising, temporary staffing for education and outreach, election judge staffing, additional resources for Election Day, and overtime are not only critical to ensuring the success of the 2016 presidential election in Montgomery County, but must be made in advance of the start of the fiscal year to allow for proper planning by staff.

The Board of Elections has a track record of careful fiscal management and is committed to prudent stewardship of taxpayer funds, especially in the current fiscal climate, but has no choice but to request additional funds at this time since the State of Maryland has decided to move forward with procuring the new voting system. The Board of Elections is required to conduct elections in Montgomery County according to state and federal mandates that often impose unanticipated and nondiscretionary costs, which result in overtime and the need for additional temporary personnel. Many of the funds requested for FY16 are for one-time expenditures or are associated only with the two fiscal years encompassing the presidential election year.

The Board's commitment to stewardship of taxpayer funds is evident in our modest request for funds for voter outreach. The Montgomery County Board of Elections has a vibrant community of volunteers, including students who earn SSL credits for participating in our voter outreach and Election Judges who serve as ambassadors to the community, which dramatically lowers the costs to the county of conducting outreach at community events. However, we will need to supplement these volunteer efforts and those of our permanent staff with at least two dedicated temporary employees to train volunteers to properly reach voters in the months leading up to the election.

We also intend to leverage the support of an ad agency hired by the State of Maryland to develop outreach materials. However, limited placement of paid advertising will be essential in the local media market, particularly as Montgomery County is the only county in the state subject to federal requirements for outreach to minority language communities. This will be critical not only for introducing the new voting

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system to voters, but also educating county residents about their options for one-stop voter registration and changes of address at early voting.

The Board does not employ sufficient full-time technicians to support the testing and deployment of voting equipment nor full-time Election Judge trainers; rather, full-time personnel coordinate temporary staff. For FY16, we will need to hire some technicians earlier to conduct acceptance testing and initial implementation of the new equipment and some trainers earlier because the curriculum will be changing dramatically, to make sure that they are properly trained on the new equipment before they train our Election Judges.

Introducing new equipment and one-stop registration at early voting will place an additional strain on early voting sites and polling places in a state that historically has among the longest lines in the country in a presidential election. To avoid even longer lines and make sure that introducing the new system goes as smoothly as possible in the presidential primary election, we will need to dedicate the resources itemized below that were originally requested by the Board of Elections, but not included in the County Executive's requested operating budget for FY16.

OUTREACH/ADVERTISING

It will be imperative to conduct a comprehensive outreach program to educate voters on the new voting system in advance of the Presidential Primary Election. As you know, the Montgomery County Council's Right to Vote Task Force also identified outreach as critical and this implementation only increases the need for outreach and advertising.

Voting System Demonstration Coordinator: The Board of Elections currently has one full-time voter outreach coordinator, who is assisted by our Election Judge recruiters and a vibrant community of volunteers recruited through our Future Vote Program. When the current system was implemented in 2002, one full time temporary employee was hired to train and coordinate election judges and volunteers who met with civic organizations, homeowner associations, and other groups in order to demonstrate the voting system. In 2002 our voter population was under 400,000 and today it is over 600,000. The Board of Elections estimates that it will take two employees six months to supplement the work of our existing personnel in conducting a comprehensive outreach program.

Two Election Aide II temporaries, entry level Grade 10, rate estimated at \$15.54/hour, at 50% time, would cost **\$34,795.92**, including FICA. **Funds needed in FY16 and FY17 only.**

Travel Reimbursement: Employees are entitled to reimbursement for mileage expense associated with approved county functions when using their private vehicles. This covers estimated costs for staff attending outreach events as well as delivering voting equipment to various locations throughout the county.

Staff estimates an additional **\$10,000** will be required. **Funds needed in FY16 and FY17 only.**

Overtime: Most community events are held during evening and weekend hours which will require additional overtime funding to comply with current Human Resources and MCGEO policies. Flex time will be utilized and the workload shared among personnel when possible to reduce overtime hours; however, particularly in the months leading up to the election, additional overtime funding will be needed.

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Staff estimates an additional \$5,000 will be required. **Funds needed in FY16 and FY17 only.**

Advertising: The ability to purchase media spots on a wide range of radio and television channels will be critical to ensuring that all citizens in Montgomery County receive information about the outreach and educational opportunities that will be provided. The Washington Metropolitan Area is an expensive media market and a substantial increase to the advertising budget was requested so that a variety of stations, reaching all demographics, could be included. In addition to our federal mandate to reach out to the Hispanic population, the Board of Elections identified stations and newspapers which reach the Asian, Korean, African American, and senior populations in the county.

Studies have shown that Limited English Proficient (LEP) communities generally have less access to information and are uncomfortable asking for language assistance. While the BOE currently has bilingual Election Judges at all polling places, including Election Judges who speak a wide variety of languages, materials are currently only translated into Spanish in accordance with our Department of Justice mandate, and existing funding is not sufficient to reach out to other LEP communities in the County. Information must be available to non-Spanish speaking LEP communities in order to provide sufficient details on deadlines, ballots, polling places, and voting equipment.

The Maryland State Board of Elections (SBE) will be hiring an advertising firm to create messaging, logos, PSAs, posters, and other materials. Until such time as the firm is hired and information is received regarding the type of support the local Boards of Election (LBEs) can expect, it is unclear whether the BOE will require funding for the development and production of PSAs and training videos.

Staff is requesting additional advertising funding to purchase media spots on radio, cable, and the print media in the amount of \$100,000. (See Attachment A for an outline of proposed Advertising expenditures.)

The Board has requested that staff send a special mailing to all registered voters providing information on the new voting system and how they may contact us for more information or to arrange an outreach event. The Department of General Services was contacted to provide an estimated cost to produce and mail a post-card to all registered voters.

Cost for the additional postage was estimated in the amount of \$87,500. **Funds needed in FY16 and FY17 only.**

Total additional funding requested for Outreach/Advertising	\$237,295.92
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STAFFING FOR THE NEW VOTING SYSTEM

Project Implementation: When the current voting system was implemented in 2002, the County provided the Board of Elections with a staff member from the Department of Technology Services (DTS) for a period of three months to assist staff in ensuring that all phases of the implementation are included in the project plan. Numerous temporary personnel are hired for every election, as described below, to assist the permanent staff with the various testing and preparation steps for the voting system. For the voting system implementation, however, additional temporary personnel versed in project management will be required to assist with monitoring how long it takes to perform the various steps, calculating workforce requirements and ensuring that all elements of the project plan are included in the implementation.

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Should DTS be unable to provide an employee on loan to the BOE, the cost to hire a full time temporary employee for this task, at the current Election Aide II level, mid-point Grade 10, estimated rate of \$20.49/hour for three months would be **\$10,587.59**, including FICA. **This is a one-time cost.**

Equipment Preparation: Once the new equipment is delivered to the BOE it will be necessary to learn how it operates and conduct Logic and Accuracy testing before it can be sent out for outreach events or prepared for training and election operations. The recommended budget contains funding for thirteen workers to begin work partway through the fiscal year. Of those thirteen, six individuals will need to be hired at the beginning of the fiscal year for an additional twenty-six weeks to support initial acceptance testing and implementation of the equipment and to be trained as team leaders to prepare the voting equipment for the primary election.

Six Election Aide II temporaries, mid-point Grade 10, estimated rate of \$20.49/hour for twenty-six weeks would cost an additional **\$137,638.80**, including FICA.

Equipment Conversion: Equipment used at Early Voting Centers, including electronic pollbooks, new pollbook printers, and the voting machines themselves must be maintained and logic and accuracy testing performed prior to being deployed to Election Day Polling Places. This work must be done within a 24 hour period and usually takes approximately 19 hours. Current practice is to utilize staff from other county departments who charge their overtime hours to the Board of Elections. The average overtime wage for these employees is \$68.88/hour. Currently the Board utilizes five employees leaving the need for an additional 20. This is consistent with the level of assistance requested of other departments when the previous voting system was implemented.

Twenty (20) employees at an average overtime rate of \$68.88 for nineteen hours would cost an additional **\$26,174.40** in overtime funding.

Total additional funding requested for staffing the new voting system is **\$174,400.60**

ELECTION JUDGES

Training: The entire election judge training manual and class outline will need to be redesigned. While our expectations are that the SBE will provide the actual election judge training manual, it will be up to the local boards of elections to develop a training program that provides the information to election judges in an easy-to-learn format. The Board of Elections currently does not employ any permanent trainers but relies entirely on temporary personnel for this purpose. As a result, prior to the start of election judge training, we will need a team of two full time individuals and one part-time individual to assist the permanent staff of the department in reviewing the new election equipment and integrating its operation with the regulations and SBE election judge manual in order to then develop a class syllabus that meets SBE requirements and addresses the learning styles of adults serving as Montgomery County election judges.

Two Election Aide II temporaries, mid-point Grade 10, estimated rate of \$20.49/hour would cost an additional **\$91,759.14**, including FICA. **This is a one-time cost.**

One part-time Election Aide II, mid-point Grade 10, estimated rate of \$20.49/hour would cost an additional **\$22,939.78**, including FICA. **This is a one-time cost.**

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Stipends: Election judges are a critical part of the election process. They are the face of the County that is present during Early Voting and on Election Day to manage lines, assist voters, and ensure that they have a pleasant voting experience. Montgomery County Election judges have not received an increase in their stipend since 2006 and the demands of the position have increased each year. In addition, during the recession, election judge stipend funding was reduced which, in turn, reduced the number of election judges that could be hired. An open Presidential Primary Election will have a fairly large turnout and sufficient election judges will be needed to minimize lines and provide efficient service to the voters. The new voting system will require additional election judges for line management not only at the check-in table, but now at the scanner as well, to ensure that the voters in Montgomery County are not subjected to waiting in long lines to cast their ballot. During Early Voting, there will also be a need for additional election judges to provide assistance for voters requesting same day voter registration. A detailed breakdown of the election judge stipend request was included in our Future Fiscal Impact statement and is attached to this memorandum as Attachment B for reference.

Additional funding for election judge stipends is requested in the amount of **\$371,706.**

Total additional funding requested for election judges is **\$486,404.92**

ELECTION DAY STAFFING

In addition to the specific funding noted above, additional staffing assistance is required. When the current voting system was implemented in 2002, information technology savvy employees were detailed to the Board of Elections to serve as roamers on Election Day. These employees were paid out of their home department budget and were of tremendous assistance to the Board of Elections. This program was phased out once the election judges became knowledgeable of the equipment.

It will be necessary to place an IT person in each polling place to assist the election judges with the set-up, operation, and take down of the new voting equipment. This will require them to attend a one day training class, Monday evening set up, and to be in the polling place from 6 a.m. – 9 a.m. and again from 7 p.m. to 10 p.m. on Election Day for a total of approximately 14 hours. Should the County be unable to provide this level of staffing to the BOE; additional funds will be required to hire temporary employees for this task.

The approximate cost of temporary employees would be \$21.60/hour. For coverage in 255 polling places this would require an addition of **\$77,112** to the temporary employee allocation. **Funding is needed in FY16 and FY17 only.**

Total additional funding requested for Election Day staffing is **\$77,112**

OVERTIME

The Montgomery County Board of Elections is legally required to adhere to the policies and procedures outlined in the Maryland Election Law and developed by the Maryland State Board of Elections (SBE). Staff is dependent on receiving information from the SBE in order to perform our tasks and conduct the election in accordance with legally mandated deadlines. Many times policies are changed and information is received late in the process requiring staff to work additional overtime hours to ensure that everything is in place when election judge training and voting begins. Office of

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Management and Budget (OMB) Analyst Rachel Silberman, in her future fiscal impact statement, recommended that OMB "restore fiscal 2014 reduction to overtime expenditures" by adding \$200,687 to that line item." Board staff reduced that recommendation to \$105,687 during discussion with Ms. Silberman.

Additional overtime funding requested is **\$105,687**.

Total additional funding requested for overtime is **\$105,687**

In an effort to streamline overtime costs, the Board of Elections utilizes middle and high school students, participating in our Future Vote Program, to assist with a variety of administrative, Election Day, and outreach efforts. The students receive Student Service Learning credits for their service in lieu of money. In the 2014 General Election the total savings in staff, overtime, and election judge funds was \$51,441.09.

NEW VOTING SYSTEM

Throughout this memorandum we have referenced costs associated with the new voting system. This new system is paper based, and will require Election Day voters to fill out ovals on a paper ballot and then place that ballot on a scanner which will scan, tabulate, and retain the paper ballot. There are several costs associated with the new voting system: moving services for the paper ballots, modifications of the election judge module, and, of course, the cost of the voting system itself.

Moving Services: The new voting system will require the secure transportation of ballots to and from polling places on Election Day. Election Judges will not be able to perform this task. Staff has discussed this with the company under contract with the SBE to deliver voting equipment and anticipates that the additional cost for delivering and retrieving ballots from the polling places will be \$26,500.

An additional **\$26,500** is requested for moving services.

Election Judge Module: The new voting system will require additional election judges to ensure that voters are moved rapidly through this new process to minimize lines in the polling place. While the cost of election judge stipends was included previously, the election judge module will need to be refined to accommodate new categories of election judges. The Department of Technology Services estimates that an additional \$26,850 will be needed for these refinements.

An additional **\$26,850** is requested for Election Judge Module maintenance and enhancements. **This is a one-time cost.**

Voting System: The State Board of Elections continues to provide updates to the LBEs regarding the cost of the new system. The exact equipment allocation is still being modified and there are several peripheral items that have not been fully identified. All of these items are mandated by the SBE and must be utilized by the Montgomery County Board of Elections. Cost information is provided to the Office of Management and Budget and Council staff as soon as it is received at the BOE. The latest estimate from the SBE is \$2,837,787.02 and does not include the cost of carts for equipment transport and other peripherals. The BOE will continue to update all parties as figures are modified by the SBE.

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The Board understands that these mandated costs are likely to be handled via supplemental appropriation as the invoices are received from the SBE.

Total additional funding currently requested for voting system related costs – does not include the cost of the equipment itself. **\$53,350**

Total additional funding currently requested for the new voting system - including currently known equipment costs. \$2,891,137.02

CONCLUSION

The Montgomery County Board of Elections respectfully requests reconsideration of the items listed above, in the amount of **\$1,134,250.63 (\$3,972,037.65 would include the cost of the voting equipment)**. FY16 is not the time to reduce costs. In order to effectively implement a legally mandated new system, the Board of Elections must have the resources – advertising, election judge staffing, Election Day resources, overtime, and the cost of the new equipment – necessary. Without appropriate resources we are likely to see extremely long lines at polling places and confusion among the voting public.

During a previous Council Worksession, Councilmember Riemer requested information on what other jurisdictions were spending on advertising and other costs. Attached to this memorandum as Attachment C is a spreadsheet showing the comparison of several of the larger jurisdictions in Maryland.

The Board of Elections remains committed to providing excellent service to the voters of Montgomery County in a fiscally prudent manner. History and research urge the development of an appropriate plan and to prepare for this significant change we need to know that resources are available. Staff will need to reduce current plans to conform to the budget allocation and the impact will be at the polling place with lines of voters confused and not prepared for the new voting equipment. We will continue to work with the County Council to provide information and respond to requests for information. Thank you for your consideration of this request. If you would like to discuss any portion of this submission in greater detail please feel free to contact me directly.

CouncilFY16:MAK:MMR (041015)

Attachments

ⁱ How Does Voting Equipment Affect the Racial Gap in Voided Ballots?
Michael Tomz, Stanford University
Robert P. Van Houweling, University of Michigan
American Journal of Political Science, Vol. 47, Issue 1, pages 46-60, Jan 2003

ⁱⁱ Community Voice: Improving Access to Voting for California's Limited English Communities (2015)
The Greenlining Institute
Joshua Alegado, Zainab Badi, Michelle Romero

Future Advertising Request

Comcast: Currently appropriate \$10,235, would increase 200% to allow more spending on internet banner ads and a longer campaign	\$30,000
CBS Radio El-Zol: Currently appropriate ~\$3,000 for all Hispanic media, would more than triple that to \$10,000 to be divided between radio & TV	\$ 10,000
Univision: Currently appropriate ~\$3,000 for all Hispanic media, would more than triple that to \$10,000 to be divided between radio & TV	\$ 10,000
Asian/Korean Radio: Currently no funds appropriated, there is one radio station in Fairfax, VA that could be contacted*	\$ 2,500
Asian/Korean Television: Currently no funds appropriated, there are numerous TV stations in the area that could be contacted*	\$ 5,000
Asian/Korean Newspapers: Currently no funds appropriated, there are several newspapers in the metropolitan area that could be contacted, especially The Epoch Times*	\$ 5,000
* Additional funds would be required to cover the cost of translation services as well as voice over since there is no in-house staff person who could perform these tasks	\$ 2,500 (?)
Radio One: African American media both television, radio, and on-line; able to target online viewership. Would create video for YouTube within this price point.	\$10,000
Gazette: Mandated ads regarding accessible polling places and election judge recruitment	\$ 7,500
Washington Post: Currently no funds appropriated, this would allow the placement of several ads in the Thursday Living Section	\$7,500
Beacon: Place ads in the senior newsletter which has wide circulation	\$ 2,500
Google Adwords: This method was used in the past and costs approximately \$1 every time someone clicks on our ad	\$ 5,000
Montgomery County Department of Recreation Guide Two page ad illustrating use of new voting equipment	\$2,500
TOTAL EXPENDITURE	\$100,000

2016 Primary Election (FY16)
Election Judge Stipend Estimate

New Voting System in use								
Position/Item	# Required	Proposed Service Pay (\$)	Current Pay (\$)	Proposed Training Pay (\$)	Current Training (\$)	Proposed Total Pay/Position (\$)	Current Total Position (\$)	Proposed Total (\$)
Chief Judges (2/precinct*)	470	\$225.00	\$200.00	\$50.00	\$50.00	\$275.00	\$250.00	\$129,250.00
Closing Judges (2/precinct*)	470	\$75.00	\$75.00	\$50.00	\$30.00	\$125.00	\$105.00	\$58,750.00
Voting Operation Judges (Avg 11/pct*)	2585	\$175.00	\$150.00	\$30.00	\$30.00	\$205.00	\$180.00	\$529,925.00
Opener Judges ^	150	\$50.00		\$30.00		\$80.00		\$12,000.00
Greeters ^	5	\$50.00		\$10.00		\$60.00		\$300.00
Line Management Judges ^	80	\$50.00		\$10.00		\$60.00		\$4,800.00
Roamers	60	\$275.00	\$250.00	\$50.00	\$50.00	\$325.00	\$300.00	\$19,500.00
Technicians	25	\$75.00		\$30.00		\$105.00		\$2,625.00
EV Chief Judges (2/site/day)	144	\$225.00		\$0.00		\$225.00		\$32,400.00
EV Voting Operation Judges (Avg 12/site/day)	864	\$175.00		\$0.00		\$175.00		\$151,200.00
EV Runners (2/site/day)	144	\$100.00		\$0.00		\$100.00		\$14,400.00
EV Line Management Judges (2/site/day)	72	\$75.00		\$0.00		\$75.00		\$5,400.00
EV/ED Closing Judges (@BOE)	16	\$150.00		\$0.00		\$150.00		\$2,400.00
Consolidated Precinct Training (CHF & CLS)	92	\$0.00		\$10.00		\$10.00		\$920.00
						\$0.00		\$963,870.00
Other Costs						\$0.00		
Standby Chief Judges *	50	\$50.00		\$50.00		\$100.00		\$5,000.00
Standby Judges (non-Chief) *	230	\$50.00	\$50.00	\$30.00	\$30.00	\$80.00	\$80.00	\$18,400.00
EV Standbys (1/site/day)	72	\$50.00		\$0.00		\$50.00		\$3,600.00
Warehouse Runners (if needed)	6	\$100.00		\$0.00		\$100.00		\$600.00
Auditing Judges	25	\$160.00		\$40.00		\$200.00		\$5,000.00
								\$32,600.00
* Based on 235 precincts w/ 23 Consolidated						Grand Total		\$996,470.00
^ Selected Precincts Only								
Standbys = 10% of required workforce								

\$25 - 50 stipend increase is suggested - \$25 increase for most positions included in this estimate (M.Roher 7/18)

law 07/17/2014

Revised: M. Roher 7/18/14

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BUDGET COMPARISON - LOCAL JURISDICTIONS

JURISDICTION	# REGISTERED VOTERS	FY16 BUDGET	PER VOTER	VOTING SYSTEM?	TEMPS ?	ADVERTISING	PER VOTER	EJ STIPENDS
Howard County	193,791	\$2,700,000	\$13.93	Y	Y	\$30,000	\$0.16	Chief - \$220 + \$45 Regular - \$165 + \$30
Baltimore City	362,358	\$7,100,000	\$19.59	Y	Y	N/A	N/A	Chief - \$200 + \$20 Regular - \$150 + \$20 Voting Machine - \$400 + \$20
Baltimore County	522,304	\$6,043,766	\$11.57	Y	Y	N/A	N/A	Chief - \$225 + \$40 Regular - \$162.50 + 40
Prince George's County	541,991	\$3,395,700	\$6.27	N	Y	\$5,000	\$0.01	Chief - \$300 + \$50
w/36% reduction restored & NDA	541,991	\$6,766,600*	\$12.49	N	Y	\$5,000	\$0.01	Roamer - \$300 + mileage
Montgomery County (w/SBE)	635,475	\$6,406,351	\$10.08	Y	Y	\$20,000	\$0.03	Chief - \$200 + \$50
@ original departmental request	635,475	\$8,495,391	\$13.37	Y	Y	\$150,000	\$0.27	Voting Ops - \$150 + \$30 Closer - \$75 + \$30 Standby - \$50 + \$30 Roamers - \$250 + \$50

* - FY16 budget is 36% less than the FY15 estimated actual.'

In all cases except Prince George's, outreach is handled by staff. Prince George's will be utilizing Board Members during outreach events in FY16.



**Montgomery County
Board of Elections**

Post Office Box 4333
Rockville, Maryland 20849-4333

MEMORANDUM

April 8, 2015

TO: Montgomery County Board of Elections
FROM: Marjorie M. Roher, Management & Budget Specialist *M. Roher*
SUBJECT: Implementation of New Voting System – Mandated Costs - Update

At the last Board meeting, Margaret provided you with a third document from the State Board of Elections (SBE) which detailed additional costs related to the new voting system. I have compared that document to the second document you were provided with and discovered that some of the costs were already included, at least partially.

- Thumb Drives for OS Units: \$65,635.77 (*New item*)
- ExpressPass Printers: \$332,532.20 (*\$35,340 included in previous information leaving a net additional cost of \$297,192.20*)
- Ballots: \$57,680.70 (*\$112,651 included in previous information leaving a net credit of \$54,970.30*)
- Privacy Sleeves: \$3,608.22 (*New item*)
- EMS Support: \$49,637.50 (*New item*)

The total for these additional costs is \$361,103.39; *not the \$509,094.39* indicated on the March 9 spreadsheet. This amount, when added to the previous total of \$2,476,683.63, brings the current cost for the new voting system to \$2,837,787.02.

We anticipate additional estimates from the State will increase this amount. I will continue to keep you updated on additional information as it is received from the SBE. If you have any questions on any of these items please let me know.

NVSCosts.MMR:032415