

# State Notes

## TOPICS OF LEGISLATIVE INTEREST

Fall 2015



### **Special Elections and Presidential Primaries** **Cory Savino, Fiscal Analyst, and Joe Carrasco, Jr., Fiscal Analyst**

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When an election is called by the State and occurs outside of the regular election schedule, the State is required to reimburse local and county clerks for all costs related to that election. The requirement applies to special elections for ballot questions proposing constitutional amendments and presidential primaries. This article provides an overview of the process and procedure for special election and presidential primary reimbursements and analyzes the costs from the May 5, 2015, special election.

#### **Background**

Section 487 of the Michigan Election Law (MCL 168.487) requires the State to reimburse counties, cities, and townships for the cost of conducting a special election to submit a proposed constitutional amendment to the voters. Section 624g of the Michigan Election Law (MCL 168.624g) requires the State to reimburse counties, cities, and townships for the cost of conducting presidential primaries. Under both sections, the State reimburses for the cost related only to the special election; thus, if a local unit were to add a local election to the special election, the local unit would be reimbursed only for the costs associated with the special election and not the additional costs of the local election.

The issue of special election costs occurs every four years for the presidential primary while special elections for ballot questions are rarer, since most ballot proposals are presented to the voters during general election schedules. Counties, cities, and townships have 90 days after a special election to submit a reimbursement request to the State, and the State has 90 days after receiving the request to verify it and provide reimbursement. While the Elections Bureau within the Department of State verifies and approves the reimbursement requests, the funding for those reimbursements is appropriated in the budget for the Department of Treasury. The Department disburses the funds because it already has an efficient process in place for issuing funds to local units of government.

The costs eligible for special election reimbursement are listed in [Table 1](#). The list comes from the differentiation between the costs of an actual special election that is mandated by the State and the regular operational costs of a local unit of government. The items that are not eligible to be reimbursed include those that can be used for more than that election, as they are seen as capital improvement and fall under the clerk's general operations budget. The pay for regular employees during their regular shift also is not included, since they would be working regardless of the election. Finally, since voter registration is part of the standard duties of the clerk's office, costs related to voter registration also are not reimbursed, even if there is an increase in registrations leading up to a special election.

The major costs related to a special election or a presidential primary are for renting polling sites, producing ballots, and paying wages or per diem amounts to temporary election workers. In the past, the total cost of a special election or a presidential primary to the State has been approximately \$10.0 million. Since counties, cities, and townships have 90 days to submit the reimbursement request and the State has 90 days to review and issue the reimbursement, the true costs of the election are not known until well after it takes place. When costs exceed the amount that is allocated, the State still has the obligation to ensure that those payments are made, either



within existing appropriations in the Department of Treasury or with additional appropriations approved by the Legislature in a supplemental appropriation act.

**Table 1**

<b>Special Election Reimbursable Costs</b>	
<b>Cities/Townships</b>	<b>Counties</b>
<ul style="list-style-type: none"> <li>• Rental charges for polling sites</li> <li>• Supplies and postage</li> <li>• Fees for janitorial services</li> <li>• Cost of publishing public notices</li> <li>• Travel and transportation expenses associated with the special election</li> <li>• Fees for equipment rentals</li> <li>• Wages or per diem payments made to precinct inspectors and temporary employees</li> <li>• Election overtime or extra compensation paid to regular employees or officials if it is standard practice</li> <li>• Any other miscellaneous expenses associated with the special election</li> </ul>	<ul style="list-style-type: none"> <li>• Ballot production</li> <li>• Supplies, shipping, postage</li> <li>• Costs of publishing public notices</li> <li>• Travel and transportation expenses associated with the special election</li> <li>• Fees for equipment rentals</li> <li>• Wages or per diem payments to canvassers and temporary employees</li> <li>• Election overtime pay to regular employees or officials if it is standard practice</li> <li>• Any other miscellaneous expenses associated with the special election</li> </ul>
<b>Nonreimbursable Costs</b>	
<ul style="list-style-type: none"> <li>• If a local election is conducted in conjunction with the special election, any expenses that are attributable to the local election.</li> <li>• Compensation paid to regular employees and officials (except overtime pay due to the special election)</li> <li>• The cost of new equipment (capital outlay)</li> <li>• The cost of reusable supplies or equipment</li> <li>• Any cost associated with the registration of voters</li> <li>• Any cost associated with the establishment of a "permanent absentee voter" mail list</li> </ul>	

**May 5, 2015, Special Election**

Table 2 shows the reimbursement amounts that have been submitted and verified to date for the May 5, 2015, special election on Proposal 15-1 (which pertained to road funding). The table is divided into three columns: the first shows the reimbursement amount for counties, the second column shows the reimbursement amount for the cities and townships within each county, and the third column shows the total reimbursements verified. The total statewide amount that has been verified is \$10,134,795.44, with 27.7% going to the counties and 72.3% to cities and townships. There are still a number of reimbursement requests for cities and townships being processed and the Department of Treasury estimates another \$100,000 will be verified in addition to the total amount verified to date. This means that the Department needs an estimated \$250,000 in addition to the original \$10.0 million appropriated for FY 2014-15. The Department will be able to absorb the additional amount by using unspent funds in the Personal Property Tax Reform line item if a legislative transfer request (included in Request 2015-6) is approved. The use of these additional funds will ensure that all the local units of government across the State are reimbursed for their costs of the May 5, 2015, election without the need for additional appropriations to the Department.



**Conclusion**

Under the Michigan Election Law, the State is required to reimburse counties, cities, and townships for the costs of administering State special elections on constitutional amendments and presidential primaries. The Elections Bureau in the Department of State processes and approves reimbursement requests, while the Department of Treasury issues the funds. The May 5, 2015, State special election is estimated to cost \$250,000 more than the original \$10.0 million appropriation. The Department of Treasury will be able to cover the additional cost by using unspent funds from the Personal Property Tax Reform line item and will not need additional appropriations if a transfer request is approved. For the 2016 presidential primary and future State special elections, keeping track of the eventual reimbursement amount will ensure that the reimbursements can be covered by the amount appropriated.

**Table 2**

<b>May 5, 2015 Special Election Reimbursements Verified to Date</b>			
<b>County</b>	<b>County</b>	<b>Local</b>	<b>Total (County &amp; Local)</b>
Alcona	\$8,546.47	\$16,004.05	\$24,550.52
Alger	6,104.69	10,203.22	16,307.91
Allegan	33,747.91	43,640.09	77,388.00
Alpena	14,340.59	19,904.22	34,244.81
Antrim	13,612.83	16,800.90	30,413.73
Arenac	10,987.09	12,339.43	23,326.52
Baraga	4,411.53	9,546.72	13,958.25
Barry	16,657.58	34,362.63	51,020.21
Bay	38,172.69	58,180.00	96,352.69
Benzie	16,452.42	12,346.93	28,799.35
Berrien	35,868.61	97,049.36	132,917.97
Branch	28,236.37	31,995.40	60,231.77
Calhoun	66,636.58	79,440.27	146,076.85
Cass	24,688.39	24,219.03	48,907.42
Charlevoix	17,651.08	17,647.32	35,298.40
Cheboygan	16,046.30	20,064.34	36,110.64
Chippewa	11,899.12	19,990.36	31,889.48
Clare	23,592.05	21,831.76	45,423.81
Clinton	43,052.70	37,051.39	80,104.09
Crawford	17,325.43	8,966.41	26,291.84
Delta	11,311.17	19,157.51	30,468.68
Dickinson	14,597.26	14,766.83	29,364.09
Eaton	60,931.59	86,807.49	147,739.08
Emmet	15,905.88	26,234.72	42,140.60
Genesee	74,020.18	272,228.09	346,248.27

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<b>County</b>	<b>County</b>	<b>Local</b>	<b>Total (County &amp; Local)</b>
Gladwin	18,288.07	11,275.57	29,563.64
Gogebic	9,172.58	8,337.34	17,509.92
Grand Traverse	32,139.43	75,690.60	107,830.03
Gratiot	28,341.20	17,550.13	45,891.33
Hillsdale	26,919.08	20,533.41	47,452.49
Houghton	13,079.53	37,369.46	50,448.99
Huron	43,573.48	28,128.39	71,701.87
Ingham	75,222.67	224,163.70	299,386.37
Ionia	34,937.31	29,833.31	64,770.62
Iosco	9,432.31	19,883.41	29,315.72
Iron	7,524.74	16,293.97	23,818.71
Isabella	30,123.27	22,251.41	52,374.68
Jackson	38,713.35	78,562.29	117,275.64
Kalamazoo	96,692.98	137,046.13	233,739.11
Kalkaska	11,428.68	24,079.61	35,508.29
Kent	95,196.11	305,950.01	401,146.12
Keweenaw	2,329.61	10,808.48	13,138.09
Lake	9,835.80	24,522.60	34,358.40
Lapeer	69,031.95	52,949.53	121,981.48
Leelanau	15,298.57	17,610.18	32,908.75
Lenawee	27,839.08	53,166.64	81,005.72
Livingston	63,632.86	175,626.17	239,259.03
Luce	2,832.00	2,510.74	5,342.74
Mackinac	6,856.80	12,876.87	19,733.67
Macomb	138,959.64	671,360.30	810,319.94
Manistee	17,934.77	20,027.43	37,962.20
Marquette	20,796.15	52,539.26	73,335.41
Mason	18,661.22	16,820.10	35,481.32
Mecosta	23,572.19	27,926.14	51,498.33
Menominee	20,164.57	13,185.34	33,349.91
Midland	55,158.44	43,536.93	98,695.37
Missaukee	16,813.12	16,060.53	32,873.65
Monroe	38,071.92	99,412.95	137,484.87
Montcalm	28,387.02	29,593.68	57,980.70
Montmorency	7,459.74	9,149.65	16,609.39
Muskegon	41,543.60	68,958.32	110,501.92

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<b>County</b>	<b>County</b>	<b>Local</b>	<b>Total (County &amp; Local)</b>
Newaygo	43,767.98	24,965.23	68,733.21
Oakland	173,406.68	990,861.95	1,164,268.63
Oceana	18,932.47	21,842.56	40,775.03
Ogemaw	27,341.64	21,920.11	49,261.75
Ontonagon	7,976.95	9,643.82	17,620.77
Osceola	19,607.95	27,728.86	47,336.81
Oscoda	5,768.16	5,663.46	11,431.62
Otsego	9,926.56	11,558.28	21,484.84
Ottawa	76,260.96	177,876.21	254,137.17
Presque Isle	12,235.00	13,575.25	25,810.25
Roscommon	15,338.63	13,730.52	29,069.15
Saginaw	46,070.77	111,367.55	157,438.32
St. Clair	62,193.08	77,653.23	139,846.31
St. Joseph	12,720.28	24,726.94	37,447.22
Sanilac	37,518.39	35,144.21	72,662.60
Schoolcraft	4,944.73	9,187.28	14,132.01
Shiawassee	26,203.46	35,443.07	61,646.53
Tuscola	26,542.14	31,206.89	57,749.03
Van Buren	32,588.29	36,409.83	68,998.12
Washtenaw	56,528.68	257,602.21	314,130.89
Wayne	255,736.01	1,887,270.77	2,143,006.78
Wexford	15,477.73	15,201.27	30,679.00
<b>Total</b>	<b>\$2,807,846.89</b>	<b>\$7,326,948.55</b>	<b>\$10,134,795.44</b>
	<b>27.71%</b>	<b>72.29%</b>	<b>100%</b>
<b>Avg. (Per Unit)</b>	<b>\$33,829.48</b>	<b>\$4,820.36</b>	