

# Factsheet on HAVA Title II funds for North Carolina

In 2008, the State Board of Elections used more than \$1 million in federal funds to expand Early Voting opportunities across North Carolina. The money came from Title II funds that NC received under the Help America Vote Act (HAVA) to improve election systems. In addition to \$1 million-plus for grants to add scores of Early Voting sites, the State Board of Elections used \$3 million of Title II money to pay the maintenance fees for the counties' voting machines.

Today, there is still over \$4 million of HAVA Title II money in a NC bank account. But Republican leaders in the General Assembly have frozen the HAVA account and won't let the State Board of Elections use it to make sure North Carolina doesn't become the next Florida.

Ironically, Congress passed HAVA in 2002 to prevent another Florida fiasco. The law establishes minimum standards for election administration and voter registration. There are different pots of HAVA money – e.g., to ensure access to voting for people with a disability. The biggest pot (Title II) is for computerized, statewide voter registration/record systems, purchasing and maintaining compliant voting machines, and improving central office and poll-site election administration.

To ensure that Title II funds are not just used to replace existing state funding, HAVA requires states to maintain their core election budgets at no less than their 2000 level. HAVA funds can only be used if the state appropriates its Maintenance of Effort (MOE) level of funding.

The MOE for North Carolina – the core budget of the State Board of Elections – is \$3.46 million per year. But the General Assembly purposely went below that level by funding the MOE with only \$2.79 million for each year of the 2011-2013 biennium – or about \$660,000 less than the MOE requires. The legislature also adopted a provision in the state budget (Section 26.1) saying the Board of Elections can not use HAVA Title II funds until the MOE funds “are appropriated.”

North Carolina is a battleground state for 2012; turnout will be high. The new districts and large number of split precincts further complicate election administration. Counties are setting their election budgets now, including their Early Voting plans. A weak EV plan will push more voters, problems, and stress onto Election Day. Bartlett's memo below shows how HAVA funds can help.

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**From:** Bartlett, Gary [Executive Director, State Board of Elections]

**Sent:** Monday, November 07, 2011 12:20 PM

**To:** 'Rep. David Lewis' [House Elections]; Sen. Peter Brunstetter [Senate Judiciary I]

**Subject:** Elections

Four crucial areas in which the State can assist counties in the 2012 elections are as follows:

- 1) Provide funding for training and testing of voting equipment;
- 2) . . . for primary and general election day support;
- 3) . . . for licenses and maintenance of voting equipment;
- 4) . . . for additional one-stop absentee voting sites to cut down on excessive lines on election day.

All the items above can be paid for through unfreezing Title II Help America Vote Act (HAVA) and appropriating sufficient Maintenance of Effort (MOE) funds. It is my understanding that approximately \$670,340 [updated to \$663,936] is needed to meet MOE requirement to utilize the remainder of the HAVA Funds. This appropriation would allow us to expend \$4 million+ HAVA funds. It seems prudent to ultimately expend all HAVA funds in FY 2011-2012 to improve the administration of elections. . . .