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## HOUSE JOINT RESOLUTION NO. 621

Offered January 10, 2001

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*Establishing a joint subcommittee to study the application of current and developing technologies to voting procedures.*

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Patrons—Drake and Byron

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Referred to Committee on Rules

WHEREAS, the closeness of the popular vote and subsequent disputes over the counting of the vote in Florida and several other states at the November 2000 presidential election have highlighted questions related to ballot design, methods of casting and recording votes, equipment accuracy and reliability, standards for counting and recounting ballots, and numerous other issues in the conduct of elections; and

WHEREAS, it would appear that many of these problems stemmed from reliance on antiquated technology and ambiguous standards; and

WHEREAS, the right of the individual to vote and to have that vote counted, the sanctity of the secret ballot, and the confidence of the citizenry in the integrity and accuracy of the reported results of the election are core elements of a democratic system; and

WHEREAS, voting systems should ensure that all those who are entitled to vote, and only those so entitled, are able to do so; and

WHEREAS, voters have a right to expect ballot designs and methods for casting and counting ballots that are easily understood, simple to operate, and free from the risk of voter error; and

WHEREAS, voting equipment and procedures should generate confidence that the voter's ballot will be recorded and counted and that the results of elections will be tabulated and reported accurately; and

WHEREAS, ballots and voting devices should minimize, and preferably eliminate, the necessity or opportunity for election officials or agents for individual interests to seek to interpret the intent of voters by examining the ballots they cast; and

WHEREAS, while Virginia did not experience election uncertainty on the scale of that revealed elsewhere in 2000, the Commonwealth has seen a recount for statewide office as recently as the 1989 gubernatorial election and in the last decade alone several state legislative contests and local elections have involved recounts or questions about the conduct of the vote; and

WHEREAS, the Commonwealth and its citizens will be well served by a thorough study and evaluation of the existing standards and devices currently used in casting ballots and ascertaining the results of elections, and in particular by identification and evaluation of new or emerging technologies that might be applied to improve them; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the application of current and developing technologies to voting procedures. The joint subcommittee shall consist of 18 members, which shall include 10 legislative members and eight nonlegislative and ex officio members as follows: six members of the House of Delegates, to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; four members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; four members to be appointed by the Speaker of the House of Delegates, two of whom shall be county or city voter registrars and two of whom shall be members of county or city electoral boards; two members to be appointed by the Senate Committee on Privileges and Elections, one of whom shall be a county or city voter registrar and one of whom shall be a member of a county or city electoral board; and the Secretary of Technology or his designee and the Secretary of the State Board of Elections or her designee to serve ex officio with full voting privileges. The members required to be voter registrars or electoral board members may be appointed from a list of names submitted by the Voter Registrars' Association of Virginia and the Virginia Electoral Board Association respectively.

In conducting its study, the joint subcommittee shall evaluate the various voting systems and other technologies now used across the Commonwealth, and examine new and developing technologies that might advance the goals of better determining voter eligibility, ensuring voter privacy, enhancing the ability of voters to cast accurate and legal ballots, promoting the accuracy of ballot counting, and reducing the potential for election officials and individual interests to seek to interpret the intent of voters from the ballots cast. The study shall include, but not be limited to, the development of a secure system to facilitate the use of the Internet for voting and other procedures involved in the voter registration and voting process, and shall examine new advances such as biometrics, passcodes, and

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59 other appropriate devices.

60 The direct costs of this study shall not exceed \$15,000.

61 The Division of Legislative Services shall provide staff support for the study. Technical assistance  
62 shall be provided by the State Board of Elections. All agencies of the Commonwealth shall provide  
63 assistance to the joint subcommittee, upon request.

64 The joint subcommittee shall complete its work in time to submit its written findings and  
65 recommendations to the Governor and the 2002 Session of the General Assembly as provided in the  
66 procedures of the Division of Legislative Automated Systems for the processing of legislative  
67 documents.

68 Implementation of this resolution is subject to subsequent approval and certification by the Joint  
69 Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the  
70 study.