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**HOUSE JOINT RESOLUTION NO. 648**

Offered January 10, 2007

Prefiled January 9, 2007

*Establishing a joint subcommittee to study processing absentee ballots before election day. Report.*

Patron—Watts

Referred to Committee on Rules

WHEREAS, federal and state laws have increased the numbers of persons eligible to vote absentee; and

WHEREAS, approximately five percent of votes are cast absentee in Virginia elections with federal offices;

WHEREAS, statistics maintained by the Virginia State Board of Elections show increasing numbers of absentee voters, particularly in presidential election years such as 2004 when 222,059 voters voted absentee; and

WHEREAS, the State Board reports that 131,745 absentee ballots were requested for the November 7, 2006, election; and

WHEREAS, news reports indicate high concentrations of absentee ballots disproportionately burden election officials in certain areas such as Northern Virginia where absentee ballots in November 2006 reportedly tripled the number used in 2002; and

WHEREAS, an Investigative Panel on Elections in Denver, Colorado is considering problems with counting optically scanned absentee votes experienced in the November 7, 2006 election, including insufficient qualified personnel, oversized envelopes and ballot length; and

WHEREAS, the National Conference of State Legislatures reports that other states allow early voting and processing absentee votes prior to election day; and

WHEREAS, the National Conference of State Legislatures reports that Virginia is one of 26 states requiring voters to submit verification in the form of a witnessed or notarized signature to validate an absentee ballot; and

WHEREAS, all local electoral boards in Virginia currently provide in-person absentee voting beginning approximately 45 days before the election, either at the office of the general registrar or other approved locations; and

WHEREAS, waiting until election day to process large volumes of mailed absentee ballots increases the potential for human error and delays determination of results, particularly in close elections; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study processing absentee votes before election day. In particular, the joint subcommittee shall study procedures for evaluating the required voter verification, marking voters on pollbooks, and counting absentee ballots. The joint subcommittee shall have a total membership of 11 members that shall consist of eight legislative members and three nonlegislative members. Members shall be appointed as follows: five members of the House Privileges and Elections Committee to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate Privileges and Elections Committee to be appointed by the Senate Committee on Rules; and three nonlegislative members who shall be general registrars to be appointed by the Speaker of the House of Delegates upon consideration of the recommendation, if any, of the Voter Registrars Association of Virginia. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice chairman from among its membership who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall examine the following: (i) the practices of other states that allow processing absentee votes before election day; (ii) the experience in other states that accept absentee ballots without signature verification and electronically; (iii) the advantages and disadvantages of expediting procedures; and (iv) whether Virginia should authorize local election officials to implement procedures to expedite processing absentee ballots before election day.

Administrative staff support shall be provided by the Office of the Clerk of the House. Legal,

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59 research, policy analysis, and other services as requested by the joint subcommittee shall be provided by  
60 the Division of Legislative Services. Technical assistance shall be provided by the State Board of  
61 Elections. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this  
62 study, upon request.

63 The joint subcommittee shall be limited to four meetings for the 2007 interim, and the direct costs of  
64 this study shall not exceed \$9,200 without approval as set out in this resolution. Approval for  
65 unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the  
66 joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is  
67 agreed to, written authorization of both Clerks shall be required.

68 No recommendation of the joint subcommittee shall be adopted if a majority of the House members  
69 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the  
70 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the  
71 joint subcommittee.

72 The joint subcommittee shall complete its meetings by November 30, 2007, and the chairman shall  
73 submit to the Division of Legislative Automated Systems an executive summary of its findings and  
74 recommendations no later than the first day of the 2008 Regular Session of the General Assembly. The  
75 executive summary shall state whether the joint subcommittee intends to submit to the General  
76 Assembly and the Governor a report of its findings and recommendations for publication as a House or  
77 Senate document. The executive summary and the report shall be submitted as provided in the  
78 procedures of the Division of Legislative Automated Systems for the processing of legislative documents  
79 and reports and shall be posted on the General Assembly's website.

80 Implementation of this resolution is subject to subsequent approval and certification by the Joint  
81 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or  
82 delay the period for the conduct of the study, or authorize additional meetings during the 2007 interim.