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SENATE JOINT RESOLUTION NO. 68

Offered January 13, 2010

Prefiled January 12, 2010

Establishing a joint subcommittee to study the administration of Virginia's voter registration and election system. Report.

Patron—Martin

Referred to Committee on Rules

WHEREAS, in 1970 Virginia initiated a central voter registration system, strengthened the role of the State Board of Elections, and provided for a general registrar in each county and city; and

WHEREAS, the basic administrative structure of the registration and election system has not changed in the last four decades, while the demands on the system have grown exponentially in volume and complexity; and

WHEREAS, approximately five million voters are registered today, as compared to only 1.8 million at the time the central registration system was initiated; and

WHEREAS, implementation of the National Voter Registration Act and other federal initiatives, accompanied by fundamental changes in means of communication, have radically altered the voter registration process; and

WHEREAS, while at one time most voters registered in person before a registrar, today the largest number of voters are registered through DMV facilities, mail registration and other forms of registration are used extensively, and only a small percentage of registrations are made in person; and

WHEREAS, Virginia has responded to an increasingly mobile population by expanding the availability of absentee voting, and federal laws aimed at facilitating voting by military and overseas personnel and their families have likewise required a variety of changes, resulting in approximately a half million absentee votes being cast in the 2008 presidential election; and

WHEREAS, over 60 years have elapsed since the creation of a separate State Board of Elections, and the original structure of a part-time board with one of its members designated as the Secretary to direct and administer the entire system may no longer provide the level of professional direction needed in today's registration and voting environment; and

WHEREAS, the complexity of today's registration and voting system and additional challenges that can be anticipated require that initiatives be identified to better place the State Board of Elections in a position to ensure the efficiency, effectiveness, uniformity, and integrity of the system into the future; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the administration of Virginia's voter registration and election system. The joint subcommittee shall consist of eight legislative members appointed as follows: three members of the Senate to be appointed by the Senate Committee on Rules and five members of the House of Delegates 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. The joint subcommittee shall elect a chairman and vice-chairman from among its membership.

In conducting its study, the joint subcommittee shall consider (i) measures that might be necessary or desirable in enhancing the authority of the State Board of Elections to establish and enforce uniform administration of state and federal laws by local election officials; (ii) methods by which the State Board might improve the training of local election officials and verify that local officials have participated in the appropriate level of training; (iii) measures to promote stability and reduce turnover among those responsible at the state level for administering the voter registration and election system; (iv) the desirability of establishing the position of professional agency director for the Board of Elections; and (v) any other matters that might promote the efficiency, uniformity, and integrity of the administration of the voter registration and election processes.

Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2010 interim and four meetings for the 2011 interim, and the direct costs of this study shall not exceed \$16,000 without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint

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59 resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

60 No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members
61 or a majority of the House members appointed to the joint subcommittee (i) vote against the
62 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
63 joint subcommittee.

64 The joint subcommittee shall complete its meetings for the first year by November 30, 2010, and for
65 the second year by November 30, 2011, and the chairman shall submit to the Division of Legislative
66 Automated Systems an executive summary of its findings and recommendations no later than the first
67 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
68 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a
69 report of its findings and recommendations for publication as a Senate or House document. The
70 executive summaries and reports shall be submitted as provided in the procedures of the Division of
71 Legislative Automated Systems for the processing of legislative documents and reports and shall be
72 posted on the General Assembly's website.

73 Implementation of this resolution is subject to subsequent approval and certification by the Joint
74 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
75 delay the period for the conduct of the study, or authorize additional meetings during the 2010 and 2011
76 interims.