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SENATE JOINT RESOLUTION NO. 48

Offered January 11, 2006

Prefiled January 10, 2006

Establishing a joint subcommittee to study the administration of the election process by local electoral boards and registrars. Report.

 Patron—O'Brien

 Referred to Committee on Rules

WHEREAS, there is a perception of political bias in the conduct of elections in this Commonwealth; and

WHEREAS, the public interest is served by the unbiased administration of elections by qualified individuals; and

WHEREAS, certain provisions of Title 24.2 of the Code of Virginia need to be updated; and

WHEREAS, Article II of the Constitution of Virginia and Title 24.2 need to be reviewed to assure the independence of local electoral boards and registrars; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the administration of the election process by local electoral boards and registrars. The joint subcommittee shall have a total membership of eight members that shall consist of legislative members. Members shall be appointed as follows: three members of the Senate to be appointed by the Senate Committee on Rules; 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, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall: (i) examine the functions of the local electoral boards and the registrars and make recommendations to assure their separation and independence; (ii) evaluate the compensation, benefits, and protections against political retaliation accorded to employees of the local electoral boards and general registrars; and (iii) evaluate the potential for conflicts of interests for employees of the local electoral boards and general registrars and the need for disclosure of their economic interests.

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. Technical assistance shall be provided by the State Board of Elections. 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 2006 interim, and the direct costs of this study shall not exceed \$ 8,000 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 Clerk of the Senate. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

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

The joint subcommittee shall complete its meetings by November 30, 2006, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2007 Regular Session of the General Assembly. The executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2006 interim.

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