

A RESOLUTION REPORTING THE INITIAL RESULTS OF THE GENERAL REGISTRAR ELECTORAL BOARD (GREB) WORKGROUP COMMISSIONED BY THE VIRGINIA STATE BOARD OF ELECTIONS TO CONSIDER THE DUTIES OF THE ELECTORAL BOARDS AND GENERAL REGISTRARS IN THE COMMONWEALTH OF VIRGINIA

WHEREAS, elections are an essential part of government; and,

WHEREAS, Virginia's conduct and administration of elections in accordance with the 1971 Constitution of Virginia has served as a preeminent example of the highest standards of integrity and fairness towards all candidates and voters; and,

WHEREAS, the Virginia State Board of Elections, under the Code of Virginia, has a fundamental role in interpreting the law, setting policy where the law is unclear and ensuring that elections are conducted fairly and impartially and efficiently in accordance with law; and,

WHEREAS, the Commissioner of the Virginia Department of Elections is the chief administrative officer of the agency and serves, in part, to implement the policies and directives of the Virginia State Board of Elections as well as participating in ensuring uniformity, legality and purity in the conduct of elections; and,

WHEREAS, the duties of general registrars and electoral boards have not been reviewed since the 1992 JLARC study; and,

WHEREAS, both the Voter Registrars Association of Virginia and the Virginia Electoral Board Association resolved it was time for another study; and

WHEREAS, the Virginia State Board of Elections unanimously adopted a resolution on May 14, 2014, establishing a General Registrar and Electoral Board (GREB) Workgroup to study and evaluate the duties of the general registrars and electoral boards members, the effects of increases in population and number of registered voters, the impact on the workload caused by changes in how votes are cast, and the increased educational requirements, qualifications and training of general registrars and electoral board members and compensation schedules associated with the office; and,

WHEREAS, the GREB Workgroup has determined that the duties required of Electoral Boards and General Registrars have significantly increased and become more complex in the past 20 years, due in part to the National Voter Registration Act, the Help America Vote Act of 2002, and the continued passage of additional new legislation by the United States Congress and the Virginia General Assembly; and,

WHEREAS, the GREB Workgroup survey analysis shows that the number of elections in the Commonwealth has increased in the past 20 years: 907 elections for the period 2009 through 2012 compared with 687 elections for the period 1996 through 1999 – a 32% increase; and,

WHEREAS, the GREB Workgroup survey of general registrars and electoral board secretaries shows that many of the duties assigned by the Code of Virginia to the Electoral Boards are in fact being performed by the General Registrars, most of these duties relating to elections and voting, and many due to the introduction of technology that specifically excludes Electoral Board participation; and,

WHEREAS, this is the first empirical data that confirms that general registrars work above and beyond the specifications in the Code of Virginia; and,

WHEREAS, a new four-year term for all general registrars of the Commonwealth begins July 1, 2015, it is a highly appropriate time to redefine certain duties and responsibilities; and,

WHEREAS, the execution of these election duties and the formal responsibility and accountability are essential to the high standard of uniformity and integrity of elections in Virginia;

NOW, THEREFORE BE IT RESOLVED on this 17th day of November 2014, by the GREB Workgroup that the following recommendations are made to the State Board of Elections regarding the duties of Electoral Boards and General Registrars:

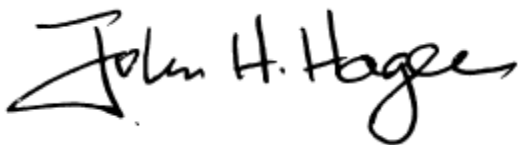
1. The General Registrar should be designated as “Director of Elections” for the locality being served — this can be accomplished by an amendment to §24.2-114(18), adding language to the effect that “The general registrar shall serve as Director of Elections for the locality”.
2. The Code of Virginia should be modified to reassign duties associated with absentee voting and campaign finance reporting to the General Registrar in the role as Director of Elections, Chapters 7 and 9 respectively in §24.2.
3. The compensation for the General Registrar/Director of Elections should be adjusted to reflect the duties now being formally re-assigned with all due responsibility and accountability. The duties of General Registrar/Director of Elections require a constant availability and service to the population of the locality, accompanied by peak workloads leading up to and following an election. The job requires adherence to complex laws and procedures to ensure integrity and accountability. Such a job pattern is remarkably similar to that of a locality Treasurer: constant service with peak periods during the year and specific legal requirements and guidelines to ensure integrity and accountability. Notwithstanding that Treasurers are elected and General Registrars are appointed, the GREB Workgroup recognizes that the similar work pattern and essential service to the locality are more alike than different and therefore recommends that the salary and population brackets for General Registrar/Director of

Elections be the same as that of the Treasurer, including the additional compensation for completing a subject specific certification program as part of continuing education.

4. The General Assembly should be requested to resume 100% reimbursements through the Department of Elections for general registrar and electoral board salaries as provided for by statute 24.2-108 and 24.2-111

And, NOW BE IT FURTHER RESOLVED that the GREB Workgroup recommends to the State Board of Elections that their resolution be continued during the ensuing year with a final report to the Governor, Secretary of Administration, State Board of Elections and Commissioner of Elections, on or before December 31, 2015, directing the Workgroup to:

1. Work with the appropriate authority in the implementation of the recommendations contained herein;
2. Further evaluate the roles and responsibilities of Electoral Board members to make certain their historically important role of checks and balances is maintained and emphasized;
3. Examine and recommend state funding mechanisms for voter registration and elections for the localities;
4. Evaluate staffing of the general registrars' offices;
5. Establish standards for continuing education needs and recognition for advanced studies; and
6. Analyze and review minimum funding and staffing levels of the Department of Elections to ensure a robust, efficient and responsive agency capable of conscientiously serving the more than 5 million voters registered in the Commonwealth today.
7. Study other areas as deemed necessary.



The Honorable John H. Hager,
Co-Chair



The Honorable Jean R. Jensen,
Co-Chair