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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/27/08  
 SPONSOR Campos LAST UPDATED 2/13/08 HJM 24/aHVEC  
 SHORT TITLE Study Bipartisan State Elections Commission SB \_\_\_\_\_  
 ANALYST Wilson

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY08	FY09	FY10	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
<b>Total</b>		\$0.1			Non- Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Attorney General's Office (AGO)

Department of Finance and Administration (DFA)

### SUMMARY

#### Synopsis of HVEC Amendment

The House Voters and Elections Committee amendment adds deputy county clerks as an alternative to appointment of county clerks.

#### Synopsis of Original Bill

House Joint Memorial 24 requests the governor and legislature to establish a bipartisan committee to study the establishment of an independent state elections commission as recommended by both the governor's task force on ethics reform and the ethics subcommittee of the legislative council.

The committee will consist of sixteen members who are appointed as follows:

- six members shall be appointed by the governor, but not more than three of whom are of the same political party;
- three members of the house of representatives shall be appointed by the speaker of the house of representatives and

- three members of the senate shall be appointed by the committees' committee of the senate or, if the senate appointments are made during the interim, by the president pro tempore of the senate after consultation with and agreement of a majority of the members of the committees' committee.
- four county clerks shall jointly be appointed by the governor, the president pro tempore of the senate and the speaker of the house of representatives.

The secretary of state and other election officials will provide testimony to the committee and the legislative council service and the governor's office will provide staff and support for the committee. The committee is charged with concluding its work by December 1, 2008 and making recommendations and drafting legislation, if necessary, to implement the recommendations for consideration by the first session of the forty-ninth legislature in 2009.

### **FISCAL IMPLICATIONS**

DFA notes the committee will require staff and support from both legislative council services and the governor's office. Based on a large increase in the budget of legislative council services for FY09 relative to FY07 actuals, no additional budget impact for this agency is assumed. The governor's office may have a slightly more restrictive budget which could possibly result in a reprioritization of some staff.

The creation of a state elections commission will have recurring fiscal impact based on the recommendations of the committee and the legislation brought forward in 2009.

### **SIGNIFICANT ISSUES**

DFA provided the following:

The establishment of the committee and the anticipated creation of a state elections commission is designed to restore public confidence in the election process, election results and election officials.

Requiring a study to be conducted in a bipartisan manner will enable recommendations to be made that are agreeable to both major political parties. Including appointees from the governor and both houses of the legislature should result in buy-in, meaningful to passing legislation in 2009 based directly on the recommendations of the committee. Including county clerks in the process will enable administrative implications of election reform to be considered.

### **ADMINISTRATIVE IMPLICATIONS**

DFA states there will be minimal administrative implications to the governor's office and legislative council services.

DW/mt