

Ohio Association of Election Officials

Legislative Committee Meeting

May 20, 2013

The legislative committee of the Ohio Association of Election Officials met on a conference call on Monday, May 20, 2013 at 1:00 PM. Ken Terry and Adam Booth presided.

Aaron Ockerman introduced Peggy Byers as the new secretary for the group.

Peggy Byers called the roll. Present were: Adam Booth, Curt Braden, Penny Brooks, Peggy Byers, Kathi Creed, Tom Gerrity, Steve Harsman, Karla Herron, Sarah Kneuss, Sharon Locke, Faith Lyon, Llyn McCoy, Chuck Miller, Jeanette Mullane, Carla Patton, Brian Sleeth, Shantiel Soeder, Ken Terry, Lisa Welsh, Dale Whitt, and Kim Zurz.

House Bill 118 (requires more of the language and details to be on the ballot for bonds and levies) was discussed in great detail. The requirements could add something like 40% more volume to the language on the ballot. Adam Booth started the discussion by saying this was not our fight to fight; let the school boards and legislature work this one out. Carla Patton continued that any shorter language should be supported by election officials just because of the cost. The present method used by Boards of Elections allows Boards to use the condensed language and post the full text in the polling place. Adam Booth read the bill while we were on the call and did not find anything that will prohibit this practice in the future. Ken Terry raised questions about what was prudent for our group. Second and third pages to ballots just cause more errors. Extending the ballot usually equates to more costs for Boards of Election to absorb. David Kniffen brought up the unfunded mandate issue. Steve Harsman pointed out that Boards of Elections cannot recoup the costs under current law. Kim Zurz pointed out that chargebacks go back to her county and not to their Board of Elections. It was the Board of Elections who was forced to spend more of their budget to print more pages on the ballot. This raised some discussion that separate funds for the chargebacks should be established. Penny Brooks mentioned that Athens does not put chargebacks in a special fund either. Shantiel Soeder reminded us that Cuyahoga County must do a bilingual ballot which raised their costs even further. Whether it is a 17-inch ballot or more pages, this creates a logistical nightmare. Aaron Ockerman, Ken Terry and Adam Booth will investigate further and raise our concerns on this entire issue. Brad Cromes moved a motion to suggest to the trustees that the OAEO officially supports shorter ballot language and cautions against anything that makes ballot language longer. Penny Brooks seconded the motion. The motion passed.

On Senate Bill 109 (double bubble amendment), Aaron reported he suspected the first hearing on this bill would be on Tuesday, May 21. The legislative committee has already voted to support this bill. Among the comments today were that the election official was concerned that more votes will not be counted. There is concern about the double standard between early voters and Election Day voters. Those voting in the polling place do have second chance voting as the machine indicates to them that there was a problem. The voter can then respond to the prompts as they please. In this situation if there was a stray mark on the ballot or any other situation occurred which would make the double bubble pop up, the voter then has the opportunity to respond to the situation themselves. On the other hand, those voters who mail in their ballot or vote at the county's early voting location do not know there was a problem because they were not putting their ballot through the machine. Steve Harsman pointed out that the double bubble could be a bigger problem than we are aware of because of the situations when we do not do a double check on the ballot; just accept it as presented. Kim Zurz made a comment that she will try to talk reasonably with her legislators. This bill also has some language to verify that observers have the opportunity to observe during the absentee voting period. There is a proposal to change the names for the jobs for judges of elections.

The presiding judge position will now be called the voting location manager and all other positions will be precinct election officials.

Butler County has already bought electronic poll books. Their Senator Coley is planning to introduce legislation to make state funds available going forward for electronic poll books and to reimburse counties who have already purchased them. The thought is to encourage all counties to use electronic poll books so technology will proliferate the state and provide more uniformity. The League of Women Voters and other advocacy groups are already on board.

There was some discussion about whether we want to support legislation that would allow counties to reduce the number of poll workers to two in special elections. This would not occur in single precinct locations. Champaign County reported they had a 3% turnout for an election in May 2013 so this would have been a helpful option. Summit County reported this option would be helpful to them as they have so many splits. This gets very expensive so Summit would appreciate the opportunity to make this call. Kathy Meyer moved a motion that we again support SB 109. Scott Daisher seconded the motion. Motion passed.

Online voter registration is still being considered. This brought our group to discuss the recent release of data from the Bureau of Motor Vehicles that was not released until Boards of Election were already within the 14-day window when we are not supposed to do any more updating to our voter registration databases before an election. Aaron assured the group that the Secretary of State has heard the frustrations, remedies are being sought, and we will hear much more about this issue at the summer conference.

House Bill 59 addresses getting rid of the requirement of one voting machine for every 175 voters. The committee appears to support the removal of this provision.

Aaron was going to prepare a letter in support of in-service days in schools to the The Honorable Dale Mallory. This has become much more of an issue for Boards of Elections after the recent school shootings.

There was a short discussion about how counties get their Clerk of Courts to routinely release the list of convicted felons in their county to the Board of Elections (3503.18).

Steve Harsman moved a motion the meeting be adjourned and Penny Brooks seconded the motion. Motion passed.

The next meeting of the legislative committee will be held on June 27 at the summer conference. Aaron will send an email about the time.

Respectfully submitted,

Peggy Byers

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