

# Ohio Association of Election Officials

## Legislative Committee Meeting

### June 27, 2013

The legislative committee of the Ohio Association of Election Officials met at noon on Thursday, June 27, 2013 at the end of the summer conference for Ohio election officials. Aaron Ockerman directed this session. There was no roll called today.

Chris Redfern, Chair of the Ohio Democratic Party and Matt Borges, Chair of the Ohio Republican Party were the special guest speakers today.

Chris Redfern is currently serving as a state representative. The Ohio Legislature was in session this day. Chairman Redfern revealed that there is not much substantive legislation on the table at this point that will make any great changes to elections. Chris continued his discussion by revealing he is a former county commissioner from Ottawa County. He said he felt he could speak to the issues that Board of Elections encounter and are challenged by every day. As chairman of the Ohio Democratic Party and someone who believes firmly in the franchise, he does not want to see Boards of Elections make their decisions based on their budget. Chairman Redfern expressed very strongly that decisions related to the right to vote should not be made to please the county commissioners or the budget. This is a reckless approach in assuring the right to vote; especially in those counties that are challenged financially. Chairman Redfern went on to express his support for a full 35 days of early voting. We should be insuring the process is as open and unencumbered as possible.

Matt Borges pointed out that this was his first month on his new job as Chairman of the Ohio Republican Party. Matt said he noted his responsibility to uphold the Constitution and he was happy to take part in activities like this. He noted that he and Mr. Redfern are on the front lines of their parties; doing the things they need to do to support their candidates. Matt said all voters should have access to the ballot. All Ohioans have the right to vote. We should support policies that encourage voting and we should work to increase access to the ballot. He expressed gratitude to those who work in elections for their time and efforts to properly administer elections. We need to focus on our mission and continue doing things that encourage people to vote. Each person should have one vote, it should be easy to vote, and the votes should be counted fairly and accurately. He noted that in-person absentee voting and early voting by any means are privileges we have in Ohio. Michigan, Pennsylvania and Rhode Island do not have any methods available to their voters for early access to the ballot. Matt remembered the complaints about the long lines in 2004 that prompted the Ohio Legislature to now allow for 35 days of early voting in Ohio. The sad reality is that voter turnout has gone down since 2004. Some factions continue to push this message, but Ohio should not be proud of this.

The question and answer session then started. A board member immediately asked about the politicizing of the Boards of Elections in Ohio. I understood the question to mean that since Boards of Elections are made up of people from each political party and would logically do the practices that their party prefers, how do we keep discrimination out of the practices when it comes to the right to vote? Matt answered first that he was appalled at the innuendos that paint a broad brush about unfair handling of the Right to Vote. These are categorically false accusations. A Republican Secretary of State sent out absentee applications to every registered voter in the State of Ohio. We need practices that are fair and equitable to all. We need to eliminate the undue, unfair advantages over others when voters are voting. We need elections that are as fair as we can make them. Tamping down the message from the political parties when it is absolutely not accurate, that could be our contribution to the cause.

Mr. Redfern started his response with, 'Heavy is the burden of those who accept the challenge.' State Law mandates the selection of Boards of Election and its leadership. Until the constitution or an amendment changes that, this is what we have. Mr. Redfern stated his job is to assure that Boards of Elections get a budget that reflects the obligations you are saddled with. Mr. Redfern stated he really doesn't believe that local Boards of Elections always have the tools that they need. The law says 35 days for early voting, not half the Sundays in October. Jon Husted made his decision to mail absentee applications to every voter in Ohio after Ed Fitzgerald in Cuyahoga County declared he was going to be sure every voter in his county had an absentee application. We are stewards of the public. We need to think of the single mother with 2 or 3 kids, who has no public transportation, or note that the parking lot is full when she arrives at her polling location. Sometimes there is no free parking. We can't have voters waiting in the rain. We need to tell our county commissioners we need the tools to remedy these situations. We can't put the single location for early voting in remote areas of a county. We need the easiest access to the polls. On the subject of uniformity, Mr. Redfern noted that in Tuscarawas County, a state representative race was decided by provisional ballots. Some of the reasons the ballots were rejected in Tuscarawas County, were accepted on ballots in other counties with the same type of errors. We need to consider voter intent. Sometimes exceptions do make sense. Comparing 2012 to 2004 is insulting on its face. Mr. Redfern pointed to the exception on North Bass Island in Ottawa County where polls may close once the voters have voted. More early voting by mail may be an idea whose time has come. It appears to be working very well in Washington State. Whatever increases voter turnout is an idea we need to explore. Mr. Redfern responded to a comment made by Mr. Borges that Democrats voted against early voting when it was first suggested. Mr. Redfern wanted to remind Mr. Borges that there were many other items slipped in to that legislation and Democrats were concerned with the cost at that time. How we get the votes does matter. There is really very little voter fraud. Only seven cases of fraud were prosecuted in the state last year. If we find the system is broken, we need to provide the tools to fix the system.

Matt suggested we look at the tax dollars that are spent on early voting. We need to look at the system we have right now. It is not irrelevant that fewer people are early voting. There is no one showing up in the first two weeks of early voting. It makes sense for all of us to see how we can improve the process. Why are college age students who do not live in Ohio voting in Ohio? Only six people voted at one precinct on the OSU campus. Redfern interjected that all registered voters should have access to the vote. Matt responded that every registered voter does have access to the vote. Matt spoke that we should look at what makes more sense. We need to maximize our resources. Dale Fellows remarked that Boards of Elections are turning out as many people to vote and continue to register many people to vote. Dale pointed out that the resource we need is the expertise to run a good election. Dale wants the speakers to listen to the Ohio Association of Election Officials and accept their recommendations as something that will work. Reference was then made to the Senator Smith survey results that were never made available. It was implied that the survey wanted to get rid of golden week and the last three days of early voting so election officials could do a better job of preparation for Election Day. Matt then stated that people who vote more than once is an issue that has to be addressed.

Kim Zurz, Deputy Director of the Summit County Board of Elections, then asked about chargebacks. She was particularly concerned that the revised code says that chargebacks 'may' be given back to the Board of Elections in a revenue account instead of the word 'shall'. In Summit County, the chargebacks go back in to the General Fund, and Ms. Zurz says the Board of Elections finds their BOE fighting for funds if they want to do anything extra each year. Ms. Zurz commented that persons voting in person in their county often stand in the rain. If we could use chargebacks, we could address these issues and more properly prepare for an election. Chris Redfern responded that this is an issue that needs bipartisan support. While the window for early votes has opened up, Boards of Elections are not always given the resources. Similar to teachers, Boards of Elections are often times given more work; but not more resources.

The next question from the group referred to all the items that were left hanging before the presidential election. The speaker said we went on and on, waiting for decisions, and we were not sure what the outcome was going to be in a presidential year. Mr. Redfern started the response to this by saying that we knew what we wanted for weekend hours. The Republicans wanted no weekend hours. Mr. Redfern's comment was that consistency was not necessary. We need to pay more attention to what is happening in practice. Matt responded that the impropriety was not necessarily there.

Mr. Redfern stated in his wrap up that our obligation is to the constituents that we serve. We will fight for every Ohioan to have access to the franchise.

Mr. Borges made reference in his wrap up that the President and Supreme Court made decisions that went against us when what we were seeking was uniformity. We need the same access to the same ballot for everyone in Ohio.

Chris Redfern made reference to the fact that the other sessions we had attended in the last few days probably paled compared to this session. Both speakers agreed that they would do a session similar to this again.

The next meeting of the legislative committee is presently set for August 19. Aaron will be sending an email to confirm this.

Respectfully submitted,

*Peggy Byers*

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