

Ohio Association of Election Officials

Legislative Committee Meeting

January 16, 2015

The legislative committee of the Ohio Association of Election Officials met on Friday, January 16, 2015 at approximately 10:45 AM at the end of conference in the Knox Room in the Hyatt at the end of conference. Tim Ward and Ken Terry were both present today. Ken Terry presided. Aaron Ockerman, executive director of the Ohio Association of Election Officials was also present and assisted with the lead when asked.

Peggy Byers called the roll. Present were: Curt Braden, Penny Brooks, Peggy Byers, Bruce Carter, Kathi Creed, Brad Cromes, Steve Harsman, Karla Herron, Kathy Jones, Faith Lyon, Lyn McCoy, Kathy Meyer, Jeanette Mullane, Deborah Reiter, Brian Sleeth, Ken Terry and Tim Ward.

There were some visitors today as some election officials want to get appointed to this committee.

Ken Terry mentioned four (4) goals he feels our association needs to take up this year:

1. Online registration
2. Precinct Count Optical Scan for Absentees
3. Special fund for electronic poll books
4. Post office issues, particularly postmark issues, no postmark or postmark not clear

Some precinct optical scan counties shared that their voters object to all the paperwork when they come in to do absentee vote in person. Since those ballots at this time have to be folded to go in to an envelope, there is often a problem with those ballots going through the scanner. Ken mentioned that if these absentee voters could put their ballot through the scanner rather than in an envelope, this segment of voters would have true second-chance voting, an opportunity that DRE voters already enjoy. Election Officials remarked about voters who ask where the officials are storing their ballots. Are the votes even being counted? Aaron Ockerman shared there is a draft of this bill which he will share with our committee. He wants our committee to provide input to be sure the bill is well written. DRE counties are interested in this issue because this change will require some kind of poll book. Ken Terry says Triad is already saying they have the capability to provide a solution for this now. Aaron says that Representative Blessing (R-Cincinnati) plans to introduce this legislation. Representative Blessing plans to ask Representative Curtin (D – District 17) to co-sponsor the bill so the hope is there will be good bi-partisan support for the bill.

Funding for electronic poll books was a topic of conversation and it is hoped this will be supported at the state level. Many counties just do not have the funding in their budgets to provide these.

Ken explained that there was a tray of absentee ballots from their initial mailing for the November 2014 election that just went missing after they were turned over to the post office. Ken mentioned that the elimination of the third shift at all sorting centers for the post office will definitely have an impact on many of our mailings that are time sensitive. The group felt the post office issues were so grave it might be to our benefit to use Matt Masterson's with the Election Assistance Commission to recognize this issue with that commission. It was noted that all of our election materials are identified as election material so the mail should be able to be handled correctly. There is no consistency with the post office; every post office seems to operate differently. Dale Fellows reported that Lake County did some tracking with their election mail in a recent election and discovered that 38% of their mail did not have a post mark. They had their postmaster hold a regional meeting for postmasters to address this issue. Postmarks were not an issue in

November 2014 in Lake County. We all realize this is not critical until the deadlines approach, but some voters may very well be disenfranchised because if postmarks as the deadlines approach. Aaron Ockerman shared that it was the hope of the conference committee to get Senator Sherrod Brown and Senator Rob Portman to sit on a panel at conference with a representative from the post office. This just did not come together. Aaron said there is now hope to get this done with the legislative committee and the trustees in the very near future. It was suggested that the Secretary of State's office include the number of late postmarks or mail with no postmarks in future surveys so these numbers are readily available.

As a revenue fund for new equipment appears to becoming an ever more important issue, the legislative committee talked about exchanging members between our conference and the county commissioners. There was some discussion about a webinar that was shared with the commissioners. It was obvious that not all members of the legislative committee had seen this. Some counties have put money aside for new equipment. Should this become mandatory for all counties? Should we move the timetable up for this meet? Aaron expressed that many commissioners do not believe in a special revenue fund. Aaron talked about the exchange program we used to have with the commissioners. It was felt we might want to have a commissioner panel at our next conference. We should probably share with their conference also. Richland county commissioners set up the special fund several years ago so it was suggested they be included in any panel we develop.

Ken Terry suggested we set up some smaller committees to start discussions about moving toward the vote center models discussed at conference.

There was a discussion about some elected officials who do not want to run for office. They do not want to spend the money to take out a petition, nor do they want to appear on the ballot. Oftentimes in villages, this is the procedure. They wait for the election to take place and when the entity reorganizes, they are just reappointed to the position. Sometimes there is no action at all. Business just goes on as usual. The issue for Boards of Election is that the Board of Elections is often left out of the loop so they don't even know what activity has taken place. Many of us have an elected official list on our websites that is totally outdated. With little correspondence, unexpired terms are not triggered. Terry said he would email the code section to all of us on this matter.

Brad Cromes brought up the address protection program for victims of domestic violence. Brad thinks the association could play a major role in this program. There are just a lot of holes in this program that need to be addressed. Aaron says he believes there will be address protection legislation introduced in the next session, but he believes there will be conflicting versions. Aaron believes we should weigh in appropriately at that time.

Brad also brought up the matter of conflicting deadlines for elections in the state of Ohio. We need uniform dates and deadlines in the state of Ohio. Brad suggested he has read and believes that would be allowable with the current code. This is the year when this matter hits us so Brad believes the matter is worth exploring.

Franklin County asked Aaron to have our committee discuss the ongoing and increasing problem where residents in a nursing home do not possess any of the valid forms of identification for Ohio. Is this an issue you see in your county? Have you found a way around this? Kathy Meyer shared that her county sends out absentee applications so the resident can use the last four of their social security number to remedy this. The discussion then expanded to whether we are violating the law in Ohio now that the laws have changed on absentee voting. Could we be deemed to be soliciting absentee votes with our procedures when we go to the nursing homes or the Veteran hospitals? The thought was this is a can of worms that needs to be addressed. We then all need to do the same thing.

Many of the counties shared that they print a list of birth dates and social security numbers before they send their poll workers to the nursing homes. The poll workers then can then suggest the numbers are not the same as those we have on our list. This often results in an immediate resolution of this problem.

George Munro from Democracy Live was in the room today. Peggy Byers shared that Democracy Live did a pilot in Washington County in two polling locations during the November 2014 election. One building housed five precincts and the other building had three precincts. This pilot was done with Microsoft equipment which is very similar to the screens and keyboards we use every day. Peggy talked about the number of voters who tried the equipment. She talked about those who did not have a disability, but wanted to try to use the equipment. State Representative, Andrew Thompson, voted his ballot on the equipment and was impressed with the ease of use. There were poll workers in each building who adapted very easily to the equipment and enjoyed working with it. Democracy Live came in to the county the evening before the election to be sure the poll workers would feel comfortable with the equipment and sent two employees to each location on Election Day to be sure there would be no glitches. All went well, and the employees indicated their services were not really needed. Peggy indicated the one problem that day was that the ballot printed out on something like adding machine paper and had to be transferred to a real ballot. Washington County indicated to Democracy Live that this would not be a long-term solution. George indicated they have already addressed that problem and are working toward a solution where their equipment would be made available to any voter. As we all continue to look at new solutions for voting, Peggy suggested any county might benefit by taking a look at the equipment provided by Democracy Live.

Kathy Jones made a motion that the group adjourn. Kathy Meyer seconded the motion. The motion passed.

Respectfully submitted,

Peggy Byers

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