

Testimony on SB 8, Election Law
Before the House Elections and Ethics Committee
Presented by Peg Rosenfield on behalf of the
League of Women Voters of Ohio
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I am Peg Rosenfield, Elections Specialist for the League of Women Voters of Ohio.

There are a number of issues on which Senate Bill 8 and House Bill 260 are in agreement, or that are so similar that simple compromises will satisfy all parties, or that are simply not addressed in one or the other bill. These include:

- * a purchasing program for boards of elections;
- * use of the Federal Write-In Absentee Ballot;
- * deadlines for ballot issues;
- * a time limit in voting machines;
- * availability of Uniformed and Overseas Citizens Absentee Voting Act ballots;
- * confirming absentee ballot application/envelope missing information;
- * permitting fewer judges at multiple-precinct locations;
- * requiring boards of elections to report various planning and statistical information;
- * clarifying National Voter Registration Act requirements;
- * clarifying wording on various election forms;
- * allowing split poll worker shifts;
- * clarifying number of poll workers from any party.

But there are also some differences between the two bills that are not so amenable to compromise. Some of the proposed changes would have the effect of depressing voter participation or of making administration more difficult, without preventing voter fraud.

Voter Registration. First, we should be able to register any voter securely electronically. We have set up a secure way to register military and overseas voters electronically, and those same measures can be used for voters located in Ohio. Secondly, it does not accomplish any useful purpose to ask people to register by political party when they can change their mind on primary election day. States that require such registration by party have to deal with ongoing accusations of "lost" registrations by partisan voter registration drives -- a bullet that Ohio has dodged because of our nonpartisan voter registration forms. Our voter registration form should be as brief and simple as possible, with all extraneous information in the instructions instead of on the form.

Identification. ID requirements have become unnecessarily complicated. Names and addresses are supplied with voter registration and its verification. Boards of Elections have voters' names and addresses and signatures in the poll book. A simple signature

will establish that you are who you say you are. Only if there is any doubt do we need some kind of ID -- and there are statutory grounds for challenging a voter in that case.

All of the complicated ID requirements have not prevented an ineligible person from voting and have not prevented people from double voting; but they have created frustration and confusion for voters and poll workers.

Provisional Voting. Too many voters are required to vote provisionally, the forms are too long and complicated, and too many provisional votes are not counted. Reduce the reasons for voting a provisional ballot; require only the barest minimum of information on the forms; give the provisional ballot the benefit of the doubt and count it.

Double Bubble. Resolve the concern about uncertainty over whether a write-in that matches a marked candidate should count. For example, rule that it counts only if it is an exact match; thus: Joe Smith & Bob Jones matches Joe Smith & Bob Jones; but Joe Smith & Bob Jones does not match Joe Smith & Dick Adams. The intent of the voter is clear in the first, but not in the second. Almost any rule will work so long as it is spelled out beforehand.

Jurisdiction. We are currently disenfranchising thousands of voters completely when they vote in the wrong precinct, even though they have often voted in the correct jurisdiction for 90% of the ballot. Ballots cast in the correct county should be counted for all offices for which the voter is eligible, or at least all statewide and countywide offices and issues.

Observers. Observers serve a vital function in protecting voters' rights; they are the best way of sounding the alert when proper procedures are not being followed at polling places. Instead of not allowing Observers to do anything, they should be given explicit written rules of behavior that include allowing them to communicate with the Presiding Judge at a polling place.

I recognize that we have not addressed all the issues that may be in contention in attempting to harmonize SB 8 and HB 260, but we believe that these are the most critical. We will be glad to work with you in any way we can help in protecting the rights of Ohio voters.

Thank you. I will be glad to answer any questions on these or other items in the bill.

The League of Women Voters of Ohio, a nonpartisan political organization, encourages Informed and active participation in government, works to Increase understanding of major public policy Issues, and Influences public policy through education and advocacy.