

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

MONDAY, FEBRUARY 24, 2014

**Monday, February 24, 2014, 7:00 o'clock p.m.**

The hour having arrived for the meeting of the two houses in joint convention, in the Medina Performing Arts Center, Medina, Ohio, for the purpose of listening to the address of The Honorable John Kasich, Governor of the State of Ohio, before the joint convention.

The members of the Senate and House, preceded by the President, Speaker and Clerks thereof, appeared within the hall.

The President of the Senate called the joint convention to order.

Senator Widener and Representative Huffman announced a quorum of each house, respectively, was present.

The Medina County Sheriff's Office Honor Guard presented the colors, followed by the Pledge of Allegiance to the Flag and the posting of the colors.

The Governor was escorted to the podium by the committee appointed where he addressed the joint convention.

On motion of Senator Widener, the joint convention was dissolved.

CLERK'S NOTATION

MEMORANDUM

TO: Brad Young  
FROM: Members of the House Democratic Caucus  
DATE: February 21, 2014  
RE: Protest of Amended Senate Bill 238

Pursuant to Article II, Section 10 of the Constitution of the State of Ohio which states, "Any member of either house shall have the right to protest against any act, or resolution thereof; and such protest, and the reasons therefor, shall, without alteration, commitment, or delay, be entered upon the journal," we file the following protest to be entered upon the journal:

We the undersigned State Representatives protest the Ohio House's decision to end debate, refusal to consider amendments, and haste in passing Amended Senate Bill 238.

Our state's objective should be to increase and improve Ohioans' access to the ballot box. Instead, the proposed law change in Am. S.B. 238 will make it harder for Ohioans to vote by creating barriers and limiting opportunities to exercise their fundamental right.

Am. S.B. 238 will reduce Ohio's only period of same day registration, a measure that is one of the only proven ways to increase voter participation. Roughly 59,000 people used this week of voting in 2012. The bill also unnecessarily cuts a week from the beginning of mail absentee voting. There is no difference in the verification process between a voter who registers and votes on the 31st day before the election and a voter who registers on the 31st day and votes on the 29th day before an election. Neither ballot are counted until the voter's registration is verified. Consequently, these proposed restrictions are without reason or necessity.

Further, the impact of Am. S.B. 238's cuts to early voting will fall disproportionately on women, low-income voters, minority voters and elderly voters. For example, during the 2012 and 2008 elections in Cuyahoga County, African American voters were 20 times more likely than white voters to utilize in-person early voting and 75 percent of in person early voters were African American.

All of the available data strongly suggest that any reduction in in-person voting opportunities in Ohio will disproportionately affect African-American voters. House Democratic members had amendments prepared to soften this unfair impact. However, in a rarely used and extraordinarily offensive procedural move, floor debate on this bill was abruptly ended. These amendments were never given the opportunity for proper consideration. The amendments are included with this protest.

For the aforementioned reasons, we protest the House's decision to silence debate and the refusal to consider amendments to Amended S.B. 238, as well as the House's decision to pass Amended S.B. 238.

Minority Leader Tracy Maxwell Heard  
Rep. Debbie Phillips  
Rep. Michael Ashford

Rep. Mike Foley  
Rep. Kathleen Clyde  
Rep. Sandra Williams  
Rep. Armond Budish  
Rep. Nickie J. Antonio  
Rep. Connie Pillich  
Rep. Chris Redfern  
Rep. Denise Driehaus  
Rep. John Patrick Carney  
Rep. Robert F. Hagan  
Rep. Alicia Reece  
Rep. Ronald V. Gerberry  
Rep. Jack Cera  
Rep. Nicholas J. Celebrezze

Rep. Matt Lundy  
Rep. Tom Letson  
Rep. Steve Slesnick

**AM1817**

**Am. S.B. 238**  
**As Reported by H. Policy and  
Legislative Oversight**

**Topic:** Board of elections branch offices

\_\_\_\_\_ **moved to amend as follows:**

In line 3, after "sections" insert "3501.10,"; after "3509.01" insert a comma

Between lines 4 and 5, insert:

**"Sec. 3501.10.** (A) The board of elections shall, as an expense of the board, provide suitable rooms for its offices and records and the necessary and proper furniture and supplies for those rooms. The board may lease such offices and rooms, necessary to its operation, for the length of time and upon the terms the board deems in the best interests of the public, provided that the term of any such lease shall not exceed fifteen years.

Thirty days prior to entering into such a lease, the board shall notify the board of county commissioners in writing of its intent to enter into the lease. The notice shall specify the terms and conditions of the lease. Prior to the thirtieth day after receiving that notice and before any lease is entered into, the board of county commissioners may reject the proposed lease by a majority vote. After receiving written notification of the rejection by the board of county commissioners, the board of elections shall not enter into the lease that was rejected, but may immediately enter into additional lease negotiations, subject to the requirements of this section.

The board of elections in any county may, by resolution, request that the board of county commissioners submit to the electors of the county, in accordance with section 133.18 of the Revised Code, the question of issuing bonds for the acquisition of real estate and the construction on it of a suitable building with necessary furniture and equipment for the proper administration of the duties of the board of elections. The resolution declaring the necessity for

issuing such bonds shall relate only to the acquisition of real estate and to the construction, furnishing, and equipping of a building as provided in this division.

(B) The board of elections in each county shall keep its offices, or one or more of its branch registration offices, open for the performance of its duties until nine p.m. on the last day of registration before a general or primary election. At all other times during each week, the board shall keep its offices and rooms open for a period of time that the board considers necessary for the performance of its duties.

(C) The board of elections may maintain permanent or temporary branch offices at any place within the county, ~~provided that, if the~~ A board of elections ~~permits~~ may permit electors to ~~vote~~ cast absent voter's ballots in person at a ~~branch office, electors shall not be permitted to vote at any other branch office or any other office~~ one or more offices or branch offices of the board of elections."

In line 104, after "sections" insert "3501.10,"; after "3509.01" insert a comma

In line 1 of the title, after "sections" insert "3501.10,"; after "3509.01" insert a comma

In line 2 of the title, after "voting" insert "and to permit a board of elections to establish more than one branch office for in-person absent voting"

**The motion was \_\_\_\_\_ agreed to.**

**AM1818X1**

Am. S.B. 238  
As Reported by H. Policy and Legislative Oversight

**Topic:** Secretary of State study

\_\_\_\_\_ moved to amend as follows:

After line 107, insert:

**"Section 4.** The Secretary of State shall conduct a study to determine the

impact of reducing the days for in-person absent voting on women, minorities, various age groups, individuals of various income levels, and individuals who reside in various precincts. The study shall incorporate the findings of other reputable studies and shall determine the demographic characteristics of precincts in which the most electors cast absent voter's ballots in person for recent general elections held in even-numbered years.

Not later than September 1, 2014, the Secretary of State shall submit a report of the study's findings to the President and the Minority Leader of the Senate and to the Speaker and the Minority Leader of the House of Representatives."

In line 2 of the title, after "voting" insert "and to require the Secretary of State to conduct a study concerning the impact of reducing the days for in-person absent voting"

The motion was \_\_\_\_\_ agreed to.

CLERK'S NOTATION

MEMORANDUM

TO: Brad Young  
FROM: State Representative Kathleen Clyde  
DATE: February 21, 2014  
RE: Protest of Amended Senate Bill 238

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Pursuant to Article II, Section 10 of the Constitution of the State of Ohio which states, "Any member of either house shall have the right to protest against any act, or resolution thereof; and such protest, and the reasons therefor, shall, without alteration, commitment, or delay, be entered upon the journal," we file the following protest to be entered upon the journal.

I, State Representative Kathleen Clyde, of House District 75, protest the Ohio House's decision to end debate, refuse to consider amendments, and rush to pass Amended Senate Bill 238.

Because I, along with many of my colleagues, was not recognized on the floor of the House to speak out against Am. S.B. 238, I include here with this protest the speech I had planned to deliver.

Senate Bill 238 makes it harder to vote and solves no real problems. The bill cuts early voting by six days and it eliminates Same Day Registration in Ohio.

Early voting is important. 59,000 Ohioans voted during the "Same Day Registration" week in 2012.

Early voting was enacted after Ohio was the laughingstock of the country in 2004 for the 4 to 10 hour long lines Ohioans waited in to vote in the November 2004 election. Now, over 30% of Ohioans vote early, which has lessened the demand on Election Day. Lines have gone down. We have gotten better.

The bi-partisan Presidential Commission on Election Administration headed by President Obama's campaign lawyer and Mitt Romney's campaign lawyer, recently recommended that early voting should be expanded -the opposite of what is being done here- and that expanding early voting results in shorter wait times for voting.

Being able to register and vote on the same day is also important. Same Day Registration increases voter turnout. States that allow Same Day Registration consistently lead the nation in voter participation. Four of the top five states for voter turnout in the 2012 presidential election all offered Same Day Registration. Average voter turnout was over 10 percentage points higher in Same Day Registration states than in other states.

Same Day Registration assists geographically mobile, lower-income citizens, young voters and voters of color. And it greatly reduces the need for provisional balloting.

So why would we take away Ohioans' ability to register and vote on the same day? Why take early voting days away? There is no reason.

The original reason promoted by the bill sponsor - to prevent voter fraud - is false, and even the sponsor, Senator LaRose, admitted it.

Elections officials are not asking for this legislation. They don't have problems administering Same Day Registration Week. They do not support this bill.

And, the bill doesn't save the Boards of Elections any money - they are open for business on these days anyway.

To list as a reason that Democrats voted for this proposal five years ago is ridiculous. First, every single Republican voted against that proposal. Second, the proposal then was part of a package of

proposals, known as House Bill 260. House Bill 260 had common sense error correction for absentee ballots, common sense provisional ballot rules, and -had the Republicans supported it- the 47,000 ballots that were thrown out in the November 2012 election would have been counted. Third, since when does the majority caucus care what we think about voting? I'm noticing that it's only to mock us and to cover up for your own lack of policy reasons for this bill.

Like all of the election bills we have seen from the GOP this General Assembly, this bill solves no problem in Ohio elections. The bill will actually create problems. Counties have responded to the increase in the number of Ohioans voting early by reducing polling places and precincts. As we lessen the number of days to vote early like in this bill, we will potentially be setting ourselves up for long lines on Election Day. We also miss the opportunities to reduce provisional ballots and clean up our voter registration database that Same Day Registration affords us.

The only reason to take away early voting days and same day registration in Ohio is to make it harder for people to vote. Harder for people of color. Harder for lower income people. Harder for students. This is voter suppression, folks. Plain and simple.

I am offended by this voter suppression legislation. You all should be offended by this legislation and this majority's relentless attack on the right to vote in Ohio.

I urge defeat of Senate Bill 238.

I would have preferred to deliver this speech to my colleagues on the floor of the House and I reiterate my protest against the decision to cut off debate from elected members of the Ohio General Assembly.

/s/KATHLEEN CLYDE

State Representative Kathleen Clyde

Attest:

BRADLEY J. YOUNG,  
Clerk.