



COUNTY OF LAKE

BOARD OF COUNTY COMMISSIONERS

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DANIEL P. TROY

Testimony of Lake County Commissioner Daniel P. Troy on Biennial Budget

House Bill 49

Ohio House Finance and Appropriations Committee's State

Government and Agency Review Subcommittee

March 22, 2017

Thank you Chairman Faber, Ranking Member Patterson, and honorable members of the Ohio House Finance Committee's Subcommittee on State Government and Agency Review for the opportunity to speak today regarding voting machine equipment.

I am Lake County Commissioner Daniel P. Troy, and I am a member of the Board of Directors of the County Commissioners Association of Ohio (CCAO), currently First Vice-President of CCAO, and a past-President (2008) of CCAO. I am also a former member of the Ohio General Assembly, having served 7 two year terms in the Ohio House late in our last century (the 115th through the 121st General Assemblies). I am also one of Ohio's 3 representatives on the Board of Directors of the National Association of Counties (NACO). I also served as the chair of one of these budget subcommittees for two successive biennial budgets.

No one can argue with the fact that our system of free and open elections is an integral part of our system of government. What takes place on Election Day (and now a lot of days preceding Election Day) is the very core of our democracy; that is, the periodic selection OF and BY the people of those individuals that are charged with carrying out the responsibilities of the government FOR the people.

We also certainly realize that "ground zero" of this process (from choosing township trustees to President of the United States) takes place at our 88 Boards of Elections offices in Ohio; and I and my colleagues in my association are all too well aware that the primary responsibility for funding the process rests with the Board of County Commissioners (or in 2 Ohio counties, the County Executive and Council). By and large, the members of our Association take that responsibility very seriously, and have done their best not to shortchange this basic component of our democracy.

But, we are now facing the daunting, and expensive, task of replacing elections machinery that is fast nearing the end of its reliability to perform its function. Article 1, Section 4 of the United States Constitution states that the Times, Places and Manner of holding Electionsshall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations... There is no mention of counties having responsibility for the “Manner” in which elections are conducted. Yet, we as county governments have historically in Ohio borne the lion’s share of the cost of conducting elections. What we are asking for, here today, is a true partnership between us to address this important issue. And such a partnership would not be unprecedented.

As many may recall, the state appropriated capital dollars earlier this century to help pull down the federal HAVA funding. Recently, the previous state budget included approximately \$12 million to help purchase electronic poll books. We in county government, commissioners and elections boards, thank you good folks, including Representative Faber, who as Senate President at the time was instrumental in establishing that partnership.

There were many positives in the electronic poll book purchasing program that we’d like to replicate in upgrading Ohio’s voting equipment. Specifically, the state took the lead in targeting an 85 state/15 local percent split in purchase costs. In the end, the arrangement came out a little bit closer to 80/20; nonetheless, the partnership was outstanding. The program allowed counties to secure equipment over a two year window, and then be reimbursed by the state. This allowed counties to obtain the equipment in conjunction with their strategic and budgetary plans. The program also reimbursed counties that had acquired poll books before the program, so as not to penalize them for moving quicker. And, the program allowed boards of elections to select the poll books from state term pricing lists, thereby receiving some economy of scale benefit.

We would be most appreciative if we could repeat this successful program with one exception. As Commissioner Lee noted, we have worked in conjunction with our partners in the OAE, the Secretary of State’s office, and DAS to negotiate with vendors at the front end. We believe this will result in an even more efficient

undertaking. As Commissioner Lee also noted, we are seeking some initial funding and structure and/or statement of intent in this operating budget, with the goal and hope that additional state funding could be provided in next year's capital budget bill.

And, we would like to note that the state funding could be a blend of dollars- largely capital dollars combined with operating dollars, so as to be able to repeat the practice of reimbursing that handful of counties who have started to replace equipment already because of pressing need.

Please know that we are all working together to achieve a fiscally responsible purchase program for the state and counties that will assure that equipment is available to all counties. We are looking for your help in securing some initial funding and a clear statement of our partnership going forward.

For those that might say, what's the hurry? The presidential election is several years away. The reality is, we have counties that need to upgrade or purchase equipment now. Therefore if we could have some statewide plan or road map of which we are all aware, it would be most helpful and very constructive in moving forward.

Thank you for the opportunity to testify today. I am certainly willing to answer any questions that you may have.