



COUNTY OF LAKE

BOARD OF COUNTY COMMISSIONERS 105

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TROY

Testimony of Lake County Commissioner Daniel P. Troy

-SENATE FINANCE COMMITTEE- May 31, 2017

Thank you Chairman Oelslager, Vice Chair Manning, Ranking Member Skindell, and honorable members of the Ohio House Finance Committee 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 Elections shall 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. We are asking the state to create a true partnership between us to address this important issue. 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, have found the electronic poll book purchasing program to be quite successful and wish to thank the Legislature for crafting this program of partnership. We are asking the Legislature to replicate this program to provide for the upgrading of Ohio's voting equipment. Specifically, the state took the lead in targeting an 85 state/15 local percent split in purchase costs. 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.

The House included language that generally provides a capital appropriation to be used to reimburse counties that have entered into agreements for new voting equipment on or after January 1, 2014 and a statement of intent that the General Assembly intends to provide additional funding to counties for voting equipment by SFY 19. CCAO and OAEO appreciate the addition by the House of funds to reimburse counties who have had to purchase voting equipment and respectfully ask the Senate further refine the House provision by:

- Increasing the appropriation to \$7 M - which would fully reimburse forward thinking counties who have already replaced their voting equipment.
- Providing a partnership ratio between the state and counties that reimburses counties closer to 85% of their acquisition cost of the elections equipment– the ratio that was used for the electronic poll books – because, given the total cost of operation for the equipment over its life span, the 85/15 split averages out to about 50/50 share in those costs.
- Clearly pronouncing the intent of the General Assembly to complete replacement of all elections equipment prior to the 2020 presidential election and commit funding for this replacement over a several year period that most effectively accomplishes this goal.

You have a difficult task in analyzing and crafting a final budget bill for this state with limited resources. I certainly understand that, having experienced that management of competing interests vs. finite budget revenue for 11 years as a member of the House Finance and Appropriations Committee. But, as I stated earlier, is there anything more central to our system of civilization in this country than the correct and proper conduct of our elections. We definitely need some help to insure that that effort is not compromised nor carried out haphazardly.

Unfortunately, we don't have a lot of time to deal with this. The reality is, we have counties that need to upgrade or purchase equipment now. Therefore, we would appreciate it if we could have some statewide plan, some road map, some concrete sense of direction between us and you, our partners. This would be extremely helpful and constructive for county leaders and boards of elections in moving forward on this important matter.

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