

**Columbus Office:**

Vern Riffe Center  
77 S. High Street, 10<sup>th</sup> Floor  
Columbus, Ohio 43215-6111  
(614) 466-5786  
Brigid.Kelly@OhioHouse.gov



**Brigid Kelly  
State Representative**

**Committees:**

Finance  
State and Local Government  
Government Oversight

Chairman Wilkin, Vice Chair White, Ranking Member Sweeney, and members of the Ohio House Government Oversight Committee, thank you for the opportunity to provide testimony on House Bill 55, which would permit committees to meet (and therefore accept testimony) virtually during the time of emergency as declared by the Governor.

Over the last year, many entities including businesses (big and small), organizations (including local governments), educational institutions, and many others (including the State of Ohio) have continued telework policies as a measure to mitigate the impact of COVID-19. While we contemplate the most appropriate action to take on behalf of the folks in our state, it is critical that we find ways in which Ohioans can more easily weigh in on important policy decisions that impact their lives every single day.

The issue of allowing virtual committee meetings should not be Republican versus Democrat or rural versus urban or anyone against anyone else. It should be about making the people's house and the people's government more accessible to the people we represent.

Testifying in Columbus isn't always easy. People have to take time off work, get to Columbus, pay for parking, and wait around for committees in order to finally have an opportunity to testify about how our decisions will affect them and their families. With the added danger of COVID-19, a highly transmissible infectious disease, it's even more difficult for those with health difficulties and disabilities to visit the statehouse safely. At this time, many Ohioans are still taking additional steps to stay healthy, including the avoidance of large public gatherings. The risk of attending committees in person is prohibitive for too many. However, the impact of our decisions on their lives remains.

Meeting virtually, and permitting citizens to testify virtually, would also help to mitigate the impact of potential exposure on legislators and staff by preventing additional people from all around the state from gathering at the Capitol and then returning to their homes while still providing, or even improving, access to testify in committees. It means that Ohioans who have preexisting conditions (or loved ones who do), who are educating their kids from home, or who spend much of their time searching for employment, are better able to participate in their government.

If committees were allowed to be virtual, many things would still remain the same. Legislative leaders already complete many tasks and have to send notifications, compile witness lists, and organize the committee meetings. The only change under this legislation is that witnesses would be able to participate in a virtual hearing room. There are already other legislative committees and government work groups who meet virtually on a regular basis. An example of which is the Economic Recovery Taskforce, which successfully met via video conference and had its proceedings televised on the Ohio Channel. The Controlling Board also regularly meets virtually. Moreover, Committee Rooms are already outfitted with the necessary equipment to broadcast our meetings and special exceptions have been made in the past so that people may testify via video. As you can see, we've already done this successfully and there's no reason that we can't do this on a larger scale.

**31<sup>st</sup> House District:**

Amberley - Avondale - Clifton - Columbia Twp. - Corryville - CUF - East Walnut Hills - Evanston  
Hyde Park - Madisonville - Mt. Auburn - Northside - Norwood - Oakley - Silverton - St. Bernard - Walnut Hills

*Printed in house.*

In states around the country, and all across Ohio, local boards and governments have made changes in order to more easily accommodate virtual meetings while maintaining transparency and accountability to the public. In fact, we passed a law in the 133<sup>rd</sup> General Assembly that would permit public bodies to meet virtually during the time of emergency, and affirmed that option by extending it last December. Additional bipartisan legislation has been introduced that would permit public bodies to continue to meet via teleconference or video conference during a declared public health state of emergency like the one we are in. Another cosponsor request to continue virtual meetings on a permanent basis noted that “these public bodies meet virtually with massive success.”

According to a recent analysis<sup>1</sup> by the Council of State Governments:

- Eighteen state legislatures specifically mention teleconference, telephone, or audio as an acceptable form of remote participation.
- Seventeen state legislatures mention the allowance of remote participation by “electronic means” or “other electronic means” besides audio and video.
- Fifteen state legislatures have indicated they are interested in remote participation but are undecided as to how they will do so or have not yet provided details.
- Twelve state legislatures specifically mention videoconference or other video means as an acceptable form of remote participation.
- Six state legislatures allow votes by proxy.

Attached to this testimony is a state-by-state list from NCSL giving examples of chamber rules or legislation relating to remote proceedings during 2021 legislative sessions. Utah<sup>2</sup> has also created the option for constituents to participate in the legislature’s virtual committee meetings by providing testimony virtually; an example of the instructions is attached.

Again, the issue of making available virtual committee meetings should not be divisive. This is an issue that should bring us together so that we can work on behalf of the people we represent, many of whom have been asking for virtual testimony months.

Here are some examples of the organizations and agencies, representing millions of Ohioans, who are requesting virtual testimony.

AARP, on behalf of their 1.5 million members:

*“While written testimony remains the only safe option for participating in the legislative process, AARP members and other 50-plus Ohioans lack the opportunity to engage in discussion with legislators regarding the real-life impact of funding and policies upon which they rely. Unlike the written testimony, an option for virtual hearings allows all Ohioans who wish to participate the opportunity to testify in real-time safely, to respond to questions and concerns as they arise during a hearing and as our elected representatives consider their vote(s) on important legislation.”*

Advocates for Ohio’s Future, a nonprofit, nonpartisan coalition of over 500 state and local health and human services policy, advocacy, and provider organizations:

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<sup>1</sup> <https://web.csg.org/covid19/2020/07/14/state-action-to-enable-remote-legislative-activity/>

<sup>2</sup> <https://le.utah.gov/Documents/VirtualMeetingInstructionsV5.pdf>

*“Allowing for real time, virtual participation in committees permanently will help Ohioans who have historically faced barriers accessing the legislative process. Older adults and people with disabilities are often unable to provide testimony due to transportation, employment, and finding care givers to support their needs. Allowing more access to this process through virtual testimony and live captioning would allow more older advocates and those with disabilities to be engaged on legislation impacting their lives.”*

The Ohio Lobbying Association, representing over 350 professionals and millions of Ohioans:

*“The members of the OLA and the groups our members represent have found the availability of streaming committees invaluable. We believe it is the logical next step to also allow for some form of virtual testimony during the state of emergency. While we acknowledge that citizens have the option to submit written testimony, that does not replace the value of live testimony. A virtual platform would allow organizations and individuals the opportunity to present views in real time and answer questions from committee members as they would in person.”*

Seventy-six organizations signed on to a joint letter:

*“With a keen understanding of just how much impact the actions of the Ohio General Assembly have on Ohioans, the issues we care about and the communities where we live, we want to ensure that engaging with the legislature is indeed safe and accessible for all who wish to do so.*

*Given, however, that we are in the midst of an ongoing public health crisis with COVID-19, participating in person at the Ohio Statehouse is not a safe or accessible option for many Ohioans - despite their sincere interest in doing so through the committee process. Many Ohioans have a valid concern about the safety of attending legislative hearings in person, but they still want to participate in legislative deliberations that impact their lives.”*

Instead of forcing people to come from all corners of the state during a time of public health crisis, we should be making it safer, and easier, for legislators, staff, advocates, and others to continue to do the important work with which we are tasked. We cannot continue to force people to choose between their health and participating in their government. We must operate transparently, inclusively, and in a way that can keep people healthy and safe, while still allowing them to take part in the legislative process.

Thank you again for the opportunity to offer testimony today and I will be glad to answer any questions.