

If an Ohio public body chooses to meet electronically, and an Ohioans wants to speak on an issue, how does one make their voices heard? What can be done today to help make that happen?

To my State Senator Chairman Dolan, Vice Chairman Gaverone, Ranking Member Sykes, members of the Senate Finance Committee, and committee hearing guests, my name is Will Tarter. from Broadview Heights, Ohio. I'm speaking to you today to offer an answer to those questions and to restore the voices of Ohioans during electronic public meetings through public comment.

A quick disclaimer: I am speaking as a private citizen and not representative of my employer.

Earlier this year, Representative Sobecki and Representative Hoops introduced a bi-partisan bill, House Bill 43 which would extend the date for public bodies to meeting electronically until December 31, 2021. The bill language was ultimately was folded into House Bill 110. I'd like to call your attention to lines 82023-82073 in the bill. The language proposal for an amendment that I am sharing with you today, would add a Section 5 to the electronic public meeting section of the budget bill. You should have a copy of the conceptual legislative language.

Current Ohio public meetings law mandates public access for electronic meetings for the public to be able to listen and/or view. When it comes to public participation and public comment at a public meeting in a virtual environment, they typically fall into one of three categories:

- 1) They did not allow public comment at in-person meetings and they don't allow public comment at electronic meetings.
- 2) They allowed public comment at in-person meetings and they have adopted to provide a way for public bodies to allow verbal public comment. Sometimes its directly from citizens, while others allow written comments that are read aloud into the record by the Clerk, others both.
- 3) It's the third category, however, that is highly concerning. There are some public bodies that previously provided a way for public comment at in-person meetings, but during electronic meetings, prevent verbal comments from happening at all. This means that the public has an inconsistent expectation of being able to provide thoughts or feedback on a pending policy matter, depending on if it is an in-person meeting or a virtual meeting.

The new language for House Bill 110 simply says this: if a public policy permitted verbal public comment in a non-electronic environment, then they must develop a method for verbal public comment in an electronic environment. It's that simple.

Why is this important? Verbal public comment, spoken by the comments or read aloud by the Clerk, provides a way to provide thoughts and ask questions in real time that could be answered during the meeting by public officials. The comments are also included in the video record.

The new language provides flexibility to localities to develop policies in line with the virtual medium of their choice (Zoom, Microsoft Teams, Webex, etc.), as well as local control for development of procedures for public comment protocols, for example: allocating a time limit such as two or three minutes per person, allocating a total maximum time for public comment, requiring a witness form to testify, whether the citizen testifies vs. the secretary reading the comments aloud into the record, etc.

This language is not is a mandate that public bodies provide virtual comment opportunities at all meetings, as some entities permit verbal public comment during committee meetings, but not General Body meetings, as was stated earlier in my testimony.

This new language is bi-partisan. It's good for everyone. And, it's not a financial request.

With this new language, some Ohioans may still choose to provide written testimony, but the important thing is that they have the **choice** on how they can participate.

In conclusion, much like I am speaking to you today using my voice at a public meeting, let's make sure that a change in a public meeting medium, doesn't change the message delivery from the public.

I appreciate the opportunity to provide testimony today and respectfully ask for your support on this legislative language improvement. Let's help give Ohioans their voice back.