

BEFORE THE STATE OF OHIO BALLOT BOARD

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In the Matter of the :  
Examination of Ohio Crime :  
Victims Bill of Rights :  
Proposed Constitutional :  
Amendment to Determine :  
Whether It Contains Only :  
One Constitutional :  
Amendment. :

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PROCEEDINGS

before Secretary of State Jon Husted, Chair; Senator Jay Hottinger; Senator Michael J. Skindell; Mr. William N. Morgan; and Representative Kathleen Clyde, Ohio Ballot Board, at the Ohio Statehouse, 1 Capitol Square, Finan Finance Hearing Room, Columbus, Ohio, called at 3:06 p.m. on Wednesday, February 8, 2017.

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1 Wednesday Afternoon Session,  
2 February 8, 2017.

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4 SECRETARY HUSTED: Good afternoon. I'm  
5 Jon Husted, the Ohio Secretary of State and Chair of  
6 the Ohio Ballot Board. Carry Kuruc, the Senior  
7 Elections Counsel, will serve as the secretary for  
8 the Ballot Board today.

9 The record -- a record of these  
10 proceedings will be transcribed by a court reporter  
11 from Armstrong & Okey; and the Ohio Channel will be  
12 live streaming the meeting where -- on their website,  
13 and it will also be archived there.

14 The first order of business today is to  
15 swear in the Board Members who -- for their newly  
16 commencing terms. This is in accordance with  
17 3505.061 of the Ohio Revised Code. The Speaker of  
18 the Ohio House has reappointed Mr. Morgan, so welcome  
19 back. And -- and that term is ending February 1,  
20 2021. And the House Minority Leader has reappointed  
21 Representative Clyde to a term ending February 1,  
22 2021. And the President of the Senate has appointed  
23 Senator Hottinger to a term ending February 1, 2021.

24 So at this time I would like to  
25 administer the oath. If each of you who I just

1 addressed would raise your right hands, please.

2 (Mr. Morgan, Representative Clyde, and  
3 Senator Hottinger were sworn in.)

4 SECRETARY HUSTED: Thank you very much  
5 and welcome -- welcome back to two of you and welcome  
6 to one of you.

7 So we'll start with the roll. If I could  
8 ask the secretary to please call the roll.

9 MS. KURUC: Secretary Husted.

10 SECRETARY HUSTED: Here.

11 MS. KURUC: Mr. Morgan.

12 MR. MORGAN: Here.

13 MS. KURUC: Senator Hottinger.

14 SENATOR HOTTINGER: Here.

15 MS. KURUC: Representative Clyde.

16 REPRESENTATIVE CLYDE: Here.

17 MS. KURUC: Senator Skindell.

18 SENATOR SKINDELL: Here.

19 SECRETARY HUSTED: We have a quorum  
20 present. Let the record reflect that.

21 And the purpose of today's Ballot Board  
22 meeting is to examine a citizen-initiated  
23 constitutional amendment to determine whether each  
24 contains one proposed constitutional amendment. If  
25 the Ballot Board deems that the proposal contains

1 more than one proposed amendment -- excuse me -- it  
2 must divide the proposal into two separate amendments  
3 and certify it back to the Attorney General.

4           Petitioners would then need to submit to  
5 the Attorney General general summaries of each  
6 separate ballot initiative proposal. Should the  
7 Attorney General find those newly submitted summaries  
8 to be fair and truthful, petitioners would need to  
9 collect signatures for each petition individually in  
10 the amount equal to 10 percent of the total vote cast  
11 for Governor in 2014.

12           A text and summary of the proposed  
13 amendment were provided to the Ballot Board Members  
14 in advance of the meeting but there are also copies  
15 at the front of the room and each Ballot Board  
16 Members' folder. Each copy -- well, as I said, extra  
17 copies are available up front.

18           Today's proposed amendment concerns --  
19 concerns crime victims' rights. So at this point we  
20 will take public comment regarding the ballot --  
21 regarding the proposal. And if you're called to  
22 speak, please make sure that you recognize -- or you  
23 identify yourself and the name of the organization  
24 you represent.

25           Do we have anybody here who wishes to

1 address the Ballot Board?

2 MS. WELL: Yes, Mr. Secretary.

3 SECRETARY HUSTED: Okay. Could -- could  
4 you please step forward and state your name, please.

5 MS. WELL: My name is Elizabeth Well, and  
6 I am representing the committee.

7 SECRETARY HUSTED: Okay.

8 MS. WELL: I want to keep it very brief.

9 Thank you very much for having us here,  
10 Secretary and Members of the Board. As this Board is  
11 well aware, what we're looking at today concerns the  
12 Supreme Court's ruling in the State, ex rel. Wilke  
13 versus Taft, and the test the Supreme Court laid out  
14 there.

15 Our position, of course, is that this is  
16 one provision and one amendment and should not be  
17 separated. The test is that each subject has to bear  
18 a reasonable relation -- relationship to a single  
19 general purpose, and I think in this case the title  
20 really says it all. This is the Ohio Crime Victims  
21 Bill of Rights. It's expanding on the Bill of Rights  
22 that we currently have in the Ohio Constitution, and  
23 each provision is related to that general purpose.

24 And then also there are, of course, the  
25 provisions necessary to effectuate the amendment.

1 SECRETARY HUSTED: Okay. Are there any  
2 questions? Any questions?

3 Okay. Thank you very much.

4 MS. WELL: Thank you.

5 SECRETARY HUSTED: Okay. Is there any  
6 discussion by the Members of the Board?

7 Hearing none, do we have a motion?

8 SENATOR SKINDELL: Mr. Chair.

9 SECRETARY HUSTED: Senator Skindell.

10 SENATOR SKINDELL: Sure. I would move  
11 that the Ballot Board approve the proposed  
12 constitutional amendment known as Ohio Crime Victims  
13 Bill of Rights as it contains only one proposed  
14 amendment.

15 SECRETARY HUSTED: Okay. We have a  
16 motion. And do we have a second?

17 SENATOR HOTTINGER: Second.

18 SECRETARY HUSTED: Senator Hottinger  
19 seconds.

20 Is there any further discussion?

21 Hearing none, then, secretary, would you  
22 please call the roll.

23 MS. KURUC: Secretary Husted.

24 SECRETARY HUSTED: Yes.

25 MS. KURUC: Mr. Morgan.

1 MR. MORGAN: Yes.

2 MS. KURUC: Senator Hottinger.

3 SENATOR HOTTINGER: Yes.

4 MS. KURUC: Representative Clyde.

5 REPRESENTATIVE CLYDE: Yes.

6 MS. KURUC: Senator Skindell.

7 SENATOR SKINDELL: Yes.

8 SECRETARY HUSTED: Okay. Thank you. By  
9 a vote 5 to 0 the motion carries.

10 Is there any other business to be brought  
11 before the Board?

12 Hearing none, we stand adjourned.

13 (Thereupon, at 3:12 p.m., the meeting was  
14 adjourned.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Wednesday, February 8, 2017, and carefully compared with my original stenographic notes.

*Karen Sue Gibson*

Karen Sue Gibson, Registered Merit Reporter.

(KSG-6314)

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