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Panel supports Blackwell on voter registration rules

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BLADE COLUMBUS BUREAU

COLUMBUS - A legislative committee yesterday refused along party lines to kill rules written by Secretary of State Ken Blackwell's office that have added fuel to allegations the GOP gubernatorial candidate is trying to suppress voter registration.

"They're making it harder, harder, harder to register," said Senate Minority Leader C.J. Prentiss (D., Cleveland).

Republicans, in turn, accused Democrats of trying to make political hay against Mr. Blackwell during an election year for writing rules based on a law passed by the General Assembly.

"I've been among the first to find fault with [Mr. Blackwell] when it's deserved, but this is on us," said Sen. Jeff Jacobson (R., Vandalia). "I did draft [the law], so I know what I intended to do."

Those compensated to register voters - and not those writing the checks - would be required to submit the cards they gather to county election boards or the secretary of state's office. They could not submit them to any other drop-off location like the Bureau of Motor Vehicles available to those seeking to register themselves.

Groups such as the League of Women Voters of Ohio contend failure of the rules to define "compensation" will have a "chilling effect" on volunteer efforts. They argue volunteers will fear that accepting transportation, soft drinks, T-shirts, or some other undefined compensation might make them guilty of election falsification, a fifth-degree felony punishable by six to 18 months in prison.

Allan Sowash, an attorney in the secretary of state's office, said there was no definition in state law to be incorporated into the rules.

"Compensation is going to have to be decided on a case-by-case basis," he said.

"That's frightening to me," said Sen. Kimberly Zurz (D., Uniontown).

The Republican-controlled Joint Committee on Agency Rule Review could not have rewritten the rules, but it could have rejected them outright if it found they conflicted with lawmakers' intent or overstepped the secretary of state's authority.

It voted 6-4 against two Democrat motions to send the rules back to the drawing board.

Passed earlier this year, House Bill 3 sought to crack down on instances in 2004 in which some paid registrars submitted fraudulent cards, dropped huge numbers of applications

on county election boards at the last moment, or submitted them after the deadline passed.

Among numerous other provisions, the law requires registration cards to be submitted for processing within 10 days of completion.

As part of an online training manual written by Mr. Blackwell's office as required by the law, paid registrars must personally submit or mail the cards they gather for processing. That would prevent the organizations paying them from taking custody of the cards, reviewing them for completeness, and submitting them themselves.

Part of the dispute is over the interpretation of the word "person" when referring to a paid registrar. The law does not define the word, but Ohio law elsewhere defines it to include not only an individual but also an association or corporation. The rules written by Mr. Blackwell's office interpret it to be "an individual human being."

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