

HAMILTONCOUNTY ELECTION COMISSION
MINUTES OF MEETING
September 14, 2011

Call to Order:

Upon notice duly given, Chairman Walden called to order a regularly scheduled meeting of the Hamilton County Election Commission at 8:10 am on September 14, 2011 at the office of the Hamilton County Election Commission, 700 River Terminal Road, Chattanooga, Tennessee

Invocation: Commissioner Braly

Pledge of Allegiance: Chairman Walden

Present at Meeting:

Commissioners Walden, Braly, Summers, Crangle and Attorney Clem were present at the meeting, as well as staff of the Election Commission, members of the media and public. Commissioner Anderson was not in attendance.

Approval of Minutes:

Secretary Summers made a motion to approve the minutes with the word now removed
Commissioner Braly seconded.

New Business:

Administrator Mullis-Morgan gave out a map of the current districts and the satellite locations.

Commissioner Braly stated that the redistricting wouldn't be for the March election but would be for the August election is that correct?

Administrator Mullis-Morgan stated that yes for August election.

Secretary Summers asked if we were going to have a primary one way and the general another?

Administrator Mullis-Morgan stated that yes the lines will not change for the March Election but they will be changed for the August election. That the redistricting has to be finished on January 1st and we will have the information before the March election.

Attorney Clem asked if there would be any commission districts on the ballot in August.

Administrator Mullis-Morgan stated that only one would be and that was commission district 3.

Attorney Clem asked when will Commission Dist 3 have their primary?

Administrator Mullis-Morgan stated it would be in March.

Attorney Clem stated that he thought the county commission would have their lines passed by the end of the year and certainly before the march election.

Secretary Summers stated that I hope so because there could be a real problem if they were not passed before the March election.

Attorney Clem stated he did agree but that was more of a question for the County Commission and not us (the Election Commission).

Commissioner Braly asked if they had to be drawn and passed by January 1, 2012 is that going to give you time for the March election?

Administrator Mullis-Morgan stated that yes it would.

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Paul Smith asked if the qualifying deadline for Commission Dist 3 seat is Dec. 8th and they began taking petitions for office on Sept 9, 2011, and they begin qualifying the end of this month and the lines won't be drawn until January 1st how is the candidate going to know where their line are to qualify? How is either party going to know how to qualify a candidate if the lines are going to change? We would hope you can give us a satisfactory answer on how to get someone who lives within the district.

Chairman Walden stated that we have no authority to do anything. Once the legislature draws their lines and the county draw theirs then we do our job. We have no say as to how they draw their lines we just put on the elections.

Administrator Mullis-Morgan again stated that we would have the information before the March election

Stephen Harper stated that the current commission dist 3 person could be involved with the drawing of the lines and possibly draw their opposition out of the boundaries

Attorney Clem stated that he was correctly analyzing it but that we have no control over this.

Chairman Walden stated that elections have consequences when they are redrawing the district lines.

Paul smith stated that he wanted the public to be very aware of that.

Legal Matters:

Attorney Clem stated that the appeals were argued a month ago and we would find out when something was in the mailbox when the decision has been made. It could be any day or a month away.

Paul Smith stated that he wanted to address the Photo ID law. We are very concerned about that. Some have said the Attorney General has said it is unconstitutional, some are saying criminal legislation, deliberate act to slow down the voting of the elderly, students or handicapped. It is your responsibility to get the equipment to take these pictures. The Election Commission is the only body of government the County Commission has to fully fund, they cannot turn you down.

Stephen Harper stated that we need the photo equipment at all of the polling locations to take the photos. That the responsibility shouldn't be on the voter it should be on the election commission.

Sandra Hale stated that she received a form that said she could do one of three things.

1.get a new picture 2. Go with old picture or 3.go without a picture. She stated that she went with the old picture and when I received my license it had no picture on it. So I have to go and stand in line to get a picture. The signature is the same so they had to have the old one.

Administrator Mullis-Morgan stated that she could use the old License with the old picture on it.

Sandra Hale stated that it wouldn't be valid.

Administrator Mullis-Morgan stated that part didn't matter as long as it was a state issued ID.

Sandra Hale then stated that other people do not realize that.

Administrator Mullis-Morgan stated that we are doing everything we can to get the word out about it.

Sandra Hale stated that she thought it should be put on the form that without a picture ID they will not be able to vote.

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Chairman Walden stated that maybe we could have the media run PSA's to make sure people knew. Our job is to make sure we have fair elections and abide by state law but the legislature passed this and all we can do is follow the law.

Secretary Summers stated that Representative Favors and the City Council is joining in and talked about voting on a resolution to the general assembly that it wait 2 yrs before it takes effects so the elderly can acquire a photo ID and county or corporate cards pass as photos He further stated that this is a legitimate issue and won't be ignored, but that someone in the state will challenge this. Especially if the State Attorney General says it's unconstitutional. He also stated that it was his personal opinion but that this will go forward as is.

Commissioner Braly stated that the way she understood it was that citizens who do not have a picture ID are able to vote by absentee and you can also vote provisional and have two days after the election to bring in your photo ID.

Chairman Walden stated that the Election is not certified for 14 days.

Sandra Hale stated that before the voter registration we sent out was good enough to vote with and now it isn't and you (the election commission) should provide one that is accepted with the photo on it.

Chairman Walden stated that when law mandates it we will do it, until then we don't and even if we did do it, we are not on the accepted list of IDs so they wouldn't be accepted.

Representative Brown stated she represents a number of senior Citizens, students and a great proportion of people of color and this is a deterrent factor.

Secretary Summers asked if Attorney Clem could get the Attorney General's opinion and the Indiana opinion by the next mtg.

Attorney Clem stated that he had the Indiana Opinion but not the State Attorney General.

Administrator Mullis-Morgan stated that we (Election Commission) are doing all that we can and if they (citizens) call us then we can send them an absentee ballot.

Paul Smith stated that Administrator Mullis-Morgan has been very accommodating and helpful.

Sandra Hale stated that we feel the respect but we want you to speak up for us.

Chairman Walden stated that he wanted to welcome Tommy Crangle to the Commission.

Administrator Mullis-Morgan stated that anyone can use the redistricting software but it is at a cost to them, and they have to pay the GIS department.

Adjournment:

Commissioner Braly made a motion to adjourn.

Secretary Summers seconded

The next meeting is Wednesday October 12, 2011 @ 8:00 am.

APPROVED;

Jerry Summers Secretary

Michael S. Walden Chairperson

Ruth Braly Commissioner

James Anderson Commissioner

Tommy Crangle Commissioner