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## Legislative Update

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TUESDAY, APRIL 21 2009

### **HOUSE UNVEILS NEW VERSION OF BIENNIUM BUDGET WITH MORE MONEY FOR HOSPITALS, NURSING HOMES**

House Democrats unveiled changes to the biennium budget measure Tuesday, with additional Medicaid spending among the major updates to Gov. Ted Strickland's original \$54.37 billion plan.

The new bill (HB 1) includes increased hospital Medicaid fees to generate a higher return for the institutions, changes aimed to appease nursing home interests, including a return to FY 2009 funding levels, and appropriations for numerous programs that have enjoyed state budget earmarks over the years.

The majority caucus said its plan increases general revenue fund spending by \$167 million in the first year and \$211 million in the second, and those increases are expected to draw down another \$211 million in federal match over the biennium. The updated substitute version of the bill was later posted on the Legislative Service Commission's website.

Democrats said the new measure is based on more optimistic LSC estimates for revenues and Medicaid caseloads. As a result, the caucus "was able to transfer funds from the Budget Stabilization Fund in FY 2011 to the GRF in FY 2010 and unclaimed funds to the GRF in both years of the biennium in order to cover the additional expenses," the Democrats' synopsis document states.

Other amendments included in the substitute measure include language to:

- Extend through FY 2011 the "hold harmless" provision for local governments affected by the phase-out of the Tangible Personal Property tax.
- Strengthen "claw back" provisions to recoup Department of Development incentives when recipient businesses fail to meet job creation promises.
- Restore funding to the OSU Extension.
- Reduce the House's budget by 10%, or more than \$2 million a year.
- Authorize county commissioners to adopt quarterly spending plans.
- Reestablish the Legislative Office of Education Oversight.
- Increase funding for the Public Library System (\$5 million over biennium), Ohio Arts Council (\$3.25 million), and Ohio Historical Society (\$1.5 million).
- Add a Buy American provision to channel as much federal stimulus money as possible to Ohio- and U.S.-based goods and services providers.
- Increase funding for public transportation by \$6 million a year.

The House restored numerous other earmarks in the plan, with examples ranging from \$25,000 per year for the Appalachian Country Magazine to \$250,000 for the Cleveland Zoo.

Rep. Vernon Sykes (D-Akron), the House Finance chairman, thanked Republicans for their input in the process, saying the minority caucus was especially effective in raising concerns and proposing improvements.

As if on cue, House Minority Leader Bill Batchelder (R-Medina) issued a statement shortly afterward saying it was a mistake to spend more money in the plan when tax revenues continue to lag estimates.

"The House version of the budget does not solve the sustainability problems arising from the use of one-time funds inherent in the governor's proposal. In fact it makes it worse by growing government," he said.

"It is difficult to have faith in the foundation of this budget proposal," Mr. Batchelder added. "Using a more optimistic revenue forecast when we are already below OBM projections leads one to believe that the numbers that this budget is built upon are wrong and will require further action in the near future."

House Speaker Armond Budish (D-Beachwood) said the changes align the state budget with key priorities of job creation, education reform, affordable college and the protection of vital services in a tough economy.

"This plan will help move Ohio's economy forward without leaving struggling Ohioans further behind," the speaker said. "It will create jobs and position Ohio for economic success. It will invest in education and keep college tuition affordable. And it will protect those who have been hardest hit by the economic storm that has been building for the last decade."

For their part, nursing home interests, represented by the Skilled Nursing Care Coalition, welcomed the House changes.

"We are very grateful to Speaker Armond Budish and his colleagues in the Ohio House," Victoria Gresh, executive director of the Ohio Academy of Nursing Homes, said in a news release. "The original budget bill would have devastated our ability to deliver quality care, but the House budget shows true concern for the people we serve."

Among the groups expressing the most disappointment were TANF program stakeholders who were concerned the substitute version only restored \$12.5 million a year of the \$62 million in prior annual allotments for child and adult protective services. Those interests are expected to testify to those concerns later this week.

Bill Wolfson, a spokesman for the Ohio Association of Career Colleges & Schools, ripped the budget plan, saying it unduly shifts financial assistance from proprietary school students to nonprofit private schools.

"This effectively guts the program," he said, adding that the impacted schools serve the kind of "non-traditional" students that Gov. Strickland wants to be educated. "We are shocked, dismayed that the most successful segment in higher education in Ohio is being chopped into oblivion."

Sen. President Bill Harris (R-Ashland) said he hadn't been briefed on the House changes before the new version was unveiled.

"It would certainly have been nice to have some discussion," he said, noting that the GOP-run legislature of last session communicated frequently with Democratic Gov. Strickland.

Still, Sen. Harris said his members have already started their review of the budget, if only in unofficial hearings. "We'll take it in stride and do the work we have to do," he said.

The House Finance & Appropriations Committee will hold further hearings on Wednesday and Thursday on the revised fiscal year 2010-2011 spending plan.

### **HUSTED CALLS FOR REPLACING OHIO'S 'HYPER-PARTISAN PROCESS' OF DRAWING CONGRESSIONAL, LEGISLATIVE DISTRICTS**

A Republican seeking his party's nomination for Secretary of State next year asked a Senate panel Tuesday to let voters in the Nov. 3 election decide whether to end Ohio's "partisan gerrymandering of legislative and congressional districts."

Sen. Jon Husted (R-Kettering) outlined a constitutional amendment (SJR 5) that would transfer responsibility for drawing district boundaries from the Apportionment Board and the General Assembly to a new, bipartisan redistricting commission.

"Ohio has used a hyper-partisan process of drawing districts for far too long," Sen. Husted told the Senate State & Local Government & Veterans Affairs Committee.

"The time is now for Ohio to adopt this proposal to end the partisan gerrymandering that serves political parties over the public," he said.

The former House Speaker said in sponsor testimony the current state system is one of the most partisan in the nation.

Voter approval of the amendment would create a seven-member redistricting commission. Each majority and minority legislative leader in the House and Senate would appoint one member, none of them legislators.

Those four members would then appoint the three additional members by unanimous vote.

In the event the four could not agree, each would submit one name to the governor. The governor, in public view, would randomly select the additional three members of the commission from the four names proposed.

Commission members could not hold state or federal elective public office, and could not be a candidate for office during the ten-year period in which the plan was in effect.

Sen. Husted said the proposal adds requirements for drawing congressional districts that are not in current law. Both congressional and legislative districts would be compact, composed of contiguous territory, and with boundaries that would be a single, non-intersecting continuous line.

The commission would be charged with making its best efforts to maximize the number of competitive districts, defined as those in which the average partisan index was not more than five percent apart.

He acknowledged that politics could not totally be removed from the process, referring to the commission as bipartisan, not non-partisan.

"Let's face it. The people that really understand this, they pay attention to politics," Sen. Husted said.

"Let's don't pretend that we can find seven completely uninformed people who understand how to do this and have no political interests whatsoever," he said.

Among other provisions in the amendment:

- Any Ohio resident could submit a plan for congressional or legislative districts.
- An enhanced, five-vote supermajority of the commission would be required in order to adopt any redistricting plan. At least one of the required five votes would have to come from each of the three groups represented on the commission.
- Congressional district lines could not be redrawn in mid-census. The Ohio Constitution already prohibits mid-census changes to General Assembly districts.
- All meetings, as well as redistricting data, must be open to the public.

During questioning, Sen. Ray Miller (D-Columbus) underscored the importance of having diversity on the commission.

Sen. Husted said he was open to suggestions, and noted there was a provision in the amendment that ensures protection of minority voting rights.

He said in response to question from Sen. Teresa Fedor (D-Toledo) that there are a number of different ways in which other states accomplish redistricting.

Sen. Husted said he had talked with such groups as the League of Women Voters, Common Cause and Citizen Action, and election law specialists from Ohio State University, in drafting the proposal.

He said the amendment reflects various ideas proposed in the past. "I have no pride in authorship here," he said.

Also pending in the Senate is a separate plan (SJR 4) that would add the four legislative majority and minority leaders to the existing five-member Apportionment Board.

The proposal that Sen. Kevin Coughlin (R-Cuyahoga Falls) introduced was referred to the same Senate committee on Tuesday. Sen. Coughlin is seeking the GOP nomination for governor in 2010.

### **SUPREME COURT RULES AGAINST NEWSPAPER IN PUBLIC RECORDS CASE; HOLDS THAT ONLY ODOT, NOT COURTS, CAN VACATE ROADS**

The Ohio Supreme Court on Tuesday denied a newspaper's request for an order that would grant it access to an investigative report that a private law firm prepared for a political subdivision.

Justices said in a 7-0 opinion that such reports are covered by attorney-client privilege and are not subject to disclosure under the state's public records law.

The decision came in a complaint that *The (Toledo) Blade* filed against the Toledo-Lucas County Port Authority.

In dispute was an investigative report that the port authority hired the Spengler Nathanson law firm to prepare.

Directors hired the private attorneys to analyze records in order to identify potential legal repercussions of an allegedly improper personal relationship between the port authority president and a lobbyist working for the agency.

*The Blade* filed suit in the Supreme Court to obtain access to the law firm's report, and to all the supporting documents. It also sought statutory damages and attorney fees.

Justices denied the request after finding that attorney-client privilege shielded the investigative report.

They also said, in an unsigned opinion, that the newspaper's request for other documents was moot because the port authority had already provided copies of all records the law firm had reviewed.

"(Most) courts that have expressly addressed the issue of whether an attorney's factual investigations are covered by the attorney-client privilege have determined that such investigations may be privileged," justices said.

They also said withholding of the report did not significantly deter the newspaper's reporting of the matter.

"The port authority responded to 18 public records requests by the Blade from mid-July 2008 until early August 2008, by making available to the Blade thousands of documents, including all public records reviewed by the attorneys in connection with the preparation of the investigative report. The Blade reported extensively about the matter," the court said.

Justices denied the request for damages and attorney fees after finding the newspaper's claim lacked merit.

**ODOT Land:** Separately, the court held in a 5-2 opinion that the director of the Ohio Department of Transportation has exclusive authority to vacate portions of the state highway system.

As a result, justices said a common pleas court has no jurisdiction to decide whether an easement for a section of highway has been abandoned.

The Ohio Department of Transportation had asked the Supreme Court to overturn an appellate panel's decision from last year. It would have let a private group cancel an easement for real estate that ODOT had not used for 21 years.

ODOT told justices that if the ruling was allowed to stand, it would threaten the agency's ability to maintain perpetual easements that underlie a highway system that is the seventh largest in the nation.

At the center of the litigation was a tiny - but potentially valuable - piece of real estate in the Village of Chesapeake in Lawrence County. A company called New 52 Project Inc. owns the two lots, but an ODOT easement runs through the site.

A common pleas judge dismissed the suit from New 52, but the 10<sup>th</sup> District Court of Appeals reversed. The panel held that state law provided one means, but not the exclusive means, to abandon a highway.

Justice Evelyn Stratton, writing for the majority, noted the original property owner granted a perpetual easement to ODOT in 1959 and was fully compensated.

(State law) gives the director of transportation the exclusive authority to abandon or vacate portions of the state highway system," she said.

"Therefore, a court of common pleas has no jurisdiction to decide whether an easement for a state highway has been abandoned," Justice Stratton said. The trial court judgment was reinstated.

Concurring were Chief Justice Thomas Moyer and Justices Maureen O'Connor, Terrence O'Donnell, and Robert Cupp. Justices Paul Pfeifer and Judith Lanzinger dissented.

"To reach its conclusion that the court of common pleas lacks jurisdiction over New 52's action, the majority adds language to the statutes being interpreted," Justice Lanzinger said.

"But if the General Assembly truly intended to give *exclusive* authority to the director of transportation to abandon or vacate state highway easements, it would have eliminated the second paragraph of (the statute), which specifically allows property owners to challenge the state's interest in their realty," she said.

### **SURVEY OF SMALL BUSINESS OWNERS FINDS MAJORITY SUPPORT BIGGER ROLE FOR GOVERNMENT**

A strong majority of Ohio small business owners say overhauling the health care system is key to resuscitating the economy, but respondents of a poll released Tuesday are more divided over the role of government in regulating the market.

The Small Business Majority and Small Business Network on Health Care survey found 73% of respondents believe "healthcare reform is important to getting the economy back on track," said Tom Scheid, coordinator for the Small Business Network on Health Care.

However, 51% of those surveyed believe the government should play a bigger role in regulating the healthcare market, while 43% disagree, according to the report. Business owners' positions on the subject are firmly held, with 34% strongly disagreeing versus 36% that strongly agree.

"The dichotomy of response to this question indicates that the role of government will need careful attention in any reform process," the report says.

The approach that garnered the most support from small business owners was to offer a national health insurance exchange that would offer a choice between public and private plans. The poll found 62% supported the idea, while 28% opposed it.

"Small business owners are facing many challenges in today's economy," Steve Millard, of the Council for Smaller Enterprises in Cleveland, said in a statement. "Health insurance coverage is one of their most urgent and pressing concerns."

Other findings from the survey of small business owners include:

- 77% of those businesses not offering health insurance say they can't afford to do so, while 71% of those who are say they are really struggling to do so.
- 53% believe that businesses that don't offer health insurance should be required to pay something to cover their employees, and 30% of respondents said no contribution should be required.
- 43% believe that individuals should be required to obtain their own insurance, and 61% of respondents believe that if this is required, government should subsidize those who can't afford it.
- 57% support a Medicaid buy-in option, while 34% oppose the idea.
- Respondents are evenly split 43% to 43% on the question of whether the state should use a high-risk pool to provide insurance for residents with pre-existing medical conditions.
- 35% favor a single-payer system, in contrast with 56% who oppose it.

Lake Research Partners conducted the telephone poll of 300 randomly selected small business owners across the state. It has a 5.7% margin of error.

WEDNESDAY, APRIL 22 2009

### **BRUNNER CALLS FOR QUICK ACTION ON ELECTIONS PROPOSALS THAT WOULD SCRAP FEBRUARY, AUGUST SPECIAL ELECTIONS**

Special elections now held in February and August would instead coincide with regular primary or general election days under a plan that Secretary of State Jennifer Brunner outlined Wednesday.

Ms. Brunner, who is seeking the Democratic nomination for the U.S. Senate next year, delivered a 33-page report to Gov. Ted Strickland and the General Assembly that proposes a series of election system "enhancements."

The recommendations grew out of stakeholder meetings she held in December and March, and a report from Lawrence Norden of the Brennan Center for Justice.

"These suggestions came about as a bipartisan effort, as a comprehensive and inclusive effort, bringing in people from all levels and walks of election administration," Secretary Brunner said at a briefing.

"We're pleased that we were able to gain this type of consensus. (We) think that these suggestions are first and foremost voter centered and also where we can ... aimed to ease election administration headaches and also to cut costs overall," she said.

The report estimates that ending the February and August special elections would save an estimated \$2.7 million to \$5.4 million annually.

"Ohio voters express their 'election fatigue' in many ways - most frequently in the very low turnout for special elections held on days other than primary or general election days," it said.

Separately, Sen. Bill Seitz (R-Cincinnati), who already has introduced an elections measure (SB 8) of his own, indicated scrapping the special elections could be a tough sell.

"(I'll) tell you, it'll be difficult to do what she wants to do about eliminating special elections. We'd all like to do it, but the education community will have grave misgivings over that," Sen. Seitz said in an interview.

"I don't want to be seen as the defender of tax levies. But having been on a school board I will tell you that they often times have no choice but to go in February or August if they're running out of money. So that'll take some discussion," he said.

Recommended changes in campaign finance laws remain under review at the secretary of state's office. They are to be made in a separate report to the governor and legislators.

Secretary Brunner said she hoped the General Assembly would promptly enact the proposals.

"The quicker that this is completed the more time that boards of election are provided to prepare for this November's elections and the elections next year," she said.

Ms. Brunner said she was willing to work with legislators on incorporating the recommendations into Sen. Seitz's measure.

"The question of whether this is something that we take that bill that's already moving, and look to have many of these changes added to that bill, or start a separate bill, and move two bills, that's a question of logistics that we'll be happy to work with the legislature on," she said.

Sen. Seitz said later it appears that "most of the major moving parts" of his bill are contained in the secretary of state's report.

"I noticed with ironic amusement that she now wants this swiftly enacted when for the last six months she's been saying don't act swiftly," he said.

"So I guess now that she has two summits and a professor to write her a report she thinks it's an imperative. I thought it was an imperative six months ago," he said.

Sen. Seitz said there was not much difference between items in the report and the way his legislation deals with the same subjects.

### **GOVERNOR ORDERS MORE 'SPENDING CONTROLS' FOR STATE AGENCIES**

Gov. Ted Strickland ordered more spending cuts for state agencies Wednesday based on "the continuing impact of the national recession on the state's fiscal situation."

The executive order calls on state departments "to immediately adopt mandatory spending control strategies for fiscal year 2009 and for fiscal years 2010 and 2011" that include a 30% reduction in contracted services and supplies during the upcoming biennium.

The order did not include a targeted reduction figure for the current fiscal year, which ends June 30. Office of Budget and Management Director Pari Sabety was directed to conduct an analysis of the new spending restraints and report to the governor by May 10 on the amount of expected savings.

"Our commitment to live within our means has required difficult choices and belt-tightening in an already austere budget environment," Mr. Strickland said in a statement.

"But even after reducing the state workforce by more than 3,500 employees and undertaking nearly \$2 billion in spending cuts and reductions, the national recession continues to impact the state budget. I am ordering additional limits to general revenue fund spending immediately to ensure the state continues to meet critical financial obligations while concluding the fiscal year with Ohio's budget in balance."

Gov. Strickland ordered a reduction in mileage reimbursements and limits on procurement activities such as the purchase of additional services or supplies with general revenue funds. He also required agency directors to "personally review and approve any purchase orders that cost \$1,000 or more."

The governor's latest edicts come on the heels of the Office of Budget and Management's latest monthly revenue report, which found tax collections continuing to lag revised estimates.

The executive order also comes one day after House Democrats unveiled changes to the pending biennium budget plan (HB 1) that would, mostly because of increased Medicaid spending, increase all-funds appropriations for FY 2010-2011 by some \$1.5 billion. (*See separate story*)

### **LUCAS, FRANKLIN COUNTY OFFICIALS PUSH FOR ACTION ON FORECLOSURE BILL; JUDICIAL REPRESENTATIVE URGES CAUTION**

Elected officials from Franklin and Lucas counties urged lawmakers Wednesday to approve legislation that would halt home foreclosures for six months, while a representative of Ohio judges sounded warnings about workability of many of the bill's provisions.

Lucas County Commissioner Tina Skeldon Wozniak and Franklin County Treasurer Ed Leonard said their communities have been dealing with increasing foreclosure problems in recent years, and said a bill (HB 3) that imposes a six-month moratorium would give lenders and borrowers more time to work out acceptable financial arrangements.

The pair also said they are supportive of a proposed \$1,500 foreclosure filing fee and giving judges the ability to sign off on equitable loan adjustments that could help keep people in their homes.

The latter points, however, drew concerns from the director of the Ohio Judicial Conference, who raised concerns about constitutionality of the provisions and the workload that the changes would put on already busy judges.

OJC Executive Director Mark Schweikert said the proposed fee could threaten the state's "open courts" amendment that guarantees every Ohioan the ability to seek redress in the judicial system. He also said the fee violates the OJC policy against having courts serve as collectors for fees that aren't related to court operations.

"It would be more appropriate to tax the business of lending and writing mortgages than to penalize the filing of complaints," Mr. Schweikert said.

"Judges are sympathetic to the plight of homeowners who have been caught off guard by adjustable rate mortgages as well as the recent economic downturn that has negatively impacted many homeowners' personal finances," Mr. Schweikert said.

"Although judges want to be a part of the solution, what is currently proposed in House Bill 3 poses constitutional and practical problems that will delay implementation and make application of the law uneven across the state."

Ms. Wozniak said her county has been hard hit by growing foreclosure problems, many of which can be traced illnesses and job losses that aren't the fault of borrowers.

She noted that Lucas County is on pace to exceed last year's foreclosure filings by 5%, noting that the problem has reached 10% of the county's housing stock.

"It's not just a personal crisis," she said. "It's also a neighborhood crisis and a community crisis."

Ms. Wozniak said the moratorium would give those facing foreclosure more time to consider their options, noting that people are unlikely to pursue mortgage adjustments when they face imminent foreclosure.

She said the foreclosure filing fee would deter "frivolous" filings and encourage lenders to first review the possibility of working out the issue. Giving judges the ability to create modifications in the "most egregious" loans, she said, would offer fairness for both borrowers and lenders.

The commissioner noted that the county has established a related filing fee that helps cover costs of personnel charged with attempting to mediate mortgage loan issues. "In Lucas County, trust me, we have tried it all," she said, adding that it still feels like officials are "nibbling around the edges."

Rep. Tracy Heard (D-Columbus) said more lawmakers could be persuaded to support the bill if backers can supply estimates about a projected number of loan work-outs that might be possible with a moratorium in place.

Similarly, Mr. Leonard said the moratorium would provide "breathing space" for involved parties, and could also provide borrowers time to stabilize their financial situations. Further, he said a delay could give new federal assistance programs time to take root.

The treasurer said he feels that Franklin County's judges would be "thoughtful and judicious" with any loan changes they make, and that the filing fee would help support related activities.

Mr. Leonard told Rep. Peter Stautberg (R-Cincinnati) he couldn't commit to a position about whether property tax rates should be reduced in neighborhoods that have experienced significant foreclosure problems.

While noting that Franklin County offers taxpayers the ability to pay delinquent property taxes through a long-term a payment program, Mr. Leonard said the county doesn't offer a six-month moratorium on tax payments due of homes in foreclosure.

He said, however, that people entering payment programs receive a "de facto moratorium."

Rep. Nan Baker (R-Westlake) said all parties should help borrowers overcome fear they might feel at the beginning of a process, adding that early efforts should also focus on job retraining assistance.

"If they're not working, six months isn't going to make a difference if they're still not employed," she said.

Mr. Schweikert said the bill's judicial modification provisions present some of the most notable concerns, saying they allow courts to adjust contracts without providing standards or guidelines for stepping in.

He said the language would force judges to spend a significant amount of time on the cases, a change that would push over civil cases further down court dockets. "This would be a tremendous increase in workload," he said. "The general result is going to be delay throughout the system."

Mark Seifert, executive director of Empowering and Strengthening Ohio's People, testified in support of the moratorium and filing fee.

He said his group has secured loan modification agreements with a number of lenders, which have helped keep many Ohioans in their homes. Because of those up-front agreements, he said his organization is able to produce efficient, streamlined and cost-effective adjustments that make loans more affordable.

He noted that the ESOP was once considered a "fringe group," but said it has been recognized as a leader in helping avoid foreclosure actions. Mr. Siefert noted, however, that while the need for similar services is increasing, the entity will cease to exist unless it gets funding to continue operations into next year.

He said the filing fee would force lenders to stop filing actions with "reckless abandon" and direct them to recognize that the market has changed.

#### **INTRODUCED IN THE HOUSE**

HB 141 HOUSEHOLD SEWAGE (Dodd) To revise the Household Sewage and Small Flow On-Site Sewage Treatment Systems Law, and to declare an emergency. Am., En. & Rep. 711.05, 711.10, 3718.01, 3718.02, 3718.03, 3718.04, 3718.05, 3718.06, 3718.09, and 6117.51; 3718.011, 3718.023, 3718.024, 3718.025, and 3718.041; 711.05 and 711.10 of the Revised Code, which are scheduled to take effect on July 1, 2009; Section 120.05 of Am. Sub. H.B. 119 of the 127th General Assembly; and Sections 120.01 and 120.02 of Am. Sub. H.B. 119 of the 127th General Assembly

HB 143 TRAFFIC MONITORING (Combs) To prohibit the use by the State Highway Patrol, counties, and townships of traffic law photo-monitoring devices. Am. & En. 4511.094 and 4511.095

#### **HOUSE COMMITTEE HEARING**

##### **Finance & Appropriations**

HB 1 STATE BUDGET (Sykes) To make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of state programs. (Public testimony related to Human Services and Higher Education)

CONTINUED

##### **Ways & Means**

HB 61 ESTATE TAXES (Hottinger, Grossman) To reduce the estate tax by increasing the credit amount, to authorize townships and municipal corporations, or electors thereof by initiative, to exempt from the estate tax and any estate property located in the township or municipal corporation, and to distribute all estate tax revenue originating in a township or municipal corporation that does not exempt property from the tax to the township or municipal corporation. (1st Hearing-Sponsor)

CONTINUED

Reps. Hottinger and Grossman co-presented the bill noting that Ohio's estate tax threshold of just over \$338,000, unchanged since 2002, does nothing to attract people to either come to the state or stay here. They explained the bill upon enactment would immediately raise that figure to \$362,000 indexed to the consumer price index to keep pace with inflation. Additionally, the bill would allocate the state's current 20% share of the estate tax to the local unit of government where the estate is located and give those local units the choice as to whether or not they want to continue levying the tax.

Rep. Grossman said the estate tax is levied against accumulated assets and depending upon the asset, the estate tax could be the second, third or even fourth time it is taxed. She added that Ohio is one of only 23 states still levying the death tax with the highest rate and the smallest deduction. She declared that over the years, Ohio has sat back and watched some of its strongest entrepreneurs leave the state because of the estate tax.

Asked about the Department of Taxation's view of the bill, Rep. Hottinger said he had not spoken to department representatives about it specifically, but he would imagine they are not liking it because it removes some revenues they believe are their dollars. However, he said because of the way the Ohio estate tax is structured, it is a tax on the middle class due to the low threshold of \$338,000 compared to a federal threshold of \$3.5 million that could go as high as \$5-10 million based on anticipated congressional action. Mr. Hottinger said the proposal amounts to an economic tool in that it gets people to move here and stay here.

THURSDAY, APRIL 23 2009

### **SPLIT SUPREME COURT REJECTS CHALLENGE TO WATERSHED CONSERVANCY LAW**

By the most narrow of margins, the Ohio Supreme Court has effectively upheld the constitutionality of a 70-year-old law that provides for a unique judicial panel to oversee operations of watershed conservancy districts.

Justices voted 4-3 not to accept a case in which opponents of a multi-million dollar assessment on property owners in an eastern Ohio district contend the special court violates the separation of powers doctrine.

The Tripodi Trust, owner of four parcels in the district, was trying to appeal a lower court decision that cleared the way for the district to begin implementing a \$10.3 million annual real estate assessment.

Money raised will be used to maintain and rehabilitate a system of dams and reservoirs.

The Supreme Court vote means the lower court ruling stands.

Attorney Joseph Tripodi of New Philadelphia had argued that the Flood Control Act of 1939 setting up the conservancy court to oversee the district also made it the arbiter of exceptions that residents file to policies.

"The statutory scheme embroils the conservancy court to serve more than two masters. The court ... acts as executive body, a legislative body, and is to also function as a judicial body," Mr. Tripodi said.

Justices said this week they had voted 4-3 not to accept the case for review.

Voting against hearing the appeal: Justices Evelyn Stratton, Maureen O'Connor, Terrence O'Donnell, and Robert Cupp.

Dissenting - voting to consider the constitutional challenge to the law - were Chief Justice Thomas Moyer and Justices Paul Pfeifer and Judith Lanzinger.

### **LAWMAKER PONDERES PUBLIC RECORDS FEE FOR HISTORICAL PRESERVATION**

The Ohio Historical Society found some sympathy for its budget plight Thursday among senators, including a Republican who suggested a new fee on public records requests to cover document storage costs.

Sen. Bill Seitz (R-Cincinnati) was rebuffed in his original attempt to include a one cent-per-page fee in public records legislation enacted three years ago (HB9, 126<sup>th</sup> General Assembly).

Given the funding squeeze facing OHS, and the fact that the biennium budget plan (HB 1) already includes well over a hundred fees, the time may be ripe for revisiting the concept, said Sen. Seitz. He expressed frustration that OHS has seen its state funding shrink by more than 20% since 2001.

The Society "has been taking it in the shorts for eight years and it's not right," he declared.

The lawmaker's comments followed budget testimony from OHS Executive Director Bill Laidlaw, who outlined several challenges faced by the Society for members of the Senate Finance & Financial Institutions Committee.

Among programs on the chopping block is the "Timeline" publication, he said. OHS also needs more money to maintain historical sites around the state so they are more attractive to potential local partners that being sought for the long term.

In unveiling the substitute version of the budget this week, the House added \$950,000 a year to Gov. Ted Strickland's original allotment, bringing the proposed spending to about \$12.3 million a year. Mr. Laidlaw said the Society needed \$1.2 million more annually for historical site and museum operations.

"It's not going to get us all the way there, but it will help us a lot," he said of the House's infusion.

Mr. Laidlaw said state archives and collections, while "absolutely core to our operations and to preserve our state's history," have been one of the Society's harder-hit budget areas over the past decade. As a result, he said, years of documentation have been lost for good.

"Once something is gone, it's gone forever," he said. "If it can't be collected, it can't be saved."

Noting government entities at all levels are required to submit documents to OHS for potential preservation, Sen. Seitz said it makes sense to allow them to charge an additional fee for public records requests in order to fund document storage.

"I think it's legitimate and directly related to the open records law," he said. "If you want records, they have to be kept. It is truly a user fee."

Responding to a question from Sen. Keith Faber (R-Celina), the OHS director acknowledged that the Society's set-aside for marketing - about 1.5% of its total budget - considerably lacks the 7% spent by similar entities in other states.

Sen. Faber suggested OHS could help its bottom line and attract more visitors to historic sites around Ohio by better getting the word out, adding that it was a chore to finally get the state to provide a road sign for Fort Recovery.

"I would encourage you to look at your overall marketing plan," Sen. Faber said.

Sen. Tom Niehaus (R-New Richmond) asked whether OHS has considered partnering with Ohio journalism schools to save the Timeline publication. The director said they had sought other types of partnerships, such as donated paper and printing services, to no avail.

### **OHIO EPA TO SPEND \$278 MILLION IN U.S. STIMULUS MONEY; FUNDING FOR ODOT PROJECTS, PARKS AND AIRPORTS NOTED**

The Ohio Environmental Protection Agency said Thursday it would seek federal approval to spend \$278 million in economic stimulus money to help pay for pollution control and drinking water projects in over 200 communities.

Director Chris Korleski said the additional federal funding would provide jobs while improving the state's worn water infrastructure.

"Stimulus money will be combined with the state's existing assistance funds to spread economic recovery and improvements to as many Ohio communities as possible," Mr. Korleski said at a news conference.

The department released lists of proposed funding for water projects in the state that rely in part on federal stimulus funding.

Most of the stimulus money, \$220 million, will help finance 255 water pollution control projects in 164 communities. When combined with existing loan programs, the total awards will reach \$950 million.

Another \$54.8 million will help pay for 69 drinking water projects in 52 communities. Total awards will amount to \$140 million when the federal money is combined with existing loan programs.

In each case, the number of projects funded statewide represents a fraction of applications received from communities and public water systems.

There were 1,609 proposals for pollution control, and 1,694 for drinking water projects.

Ohio EPA said it issued draft Intended Use Plans for the work. The agency will hold a public meeting May 7 to take comments on the plans. Approval of the plans is needed from the U.S. EPA prior to the funds being awarded.

The draft plans describe how the Ohio agency intends to distribute the stimulus money, administer the funds, and assign priority to projects.

**Parks-Airports:** Gov. Ted Strickland on Thursday welcomed word from President Barack Obama's administration that the economic recovery law includes at least \$42 million for renovations at national parks and airports in Ohio.

The U.S. Department of Interior said \$17 million was set aside for projects at the Cuyahoga Valley National Park, Hopewell Culture Historic Park and Perry's Victory and International Peace Memorial.

Meanwhile, the U.S. Department of Transportation said the law included \$24 million for construction projects at Cleveland-Hopkins International Airport and Findlay Airport.

Funding for Ohio includes:

- \$7.7 million for several upgrade and maintenance projects at Cuyahoga Valley National Park.
- \$7.6 million for the first phase of renovations of Perry's Victory and International and Peace Memorial.
- \$2 million for construction of a museum collection facility at Hopewell Culture National Park.
- \$20 million for construction of a taxiway and apron at the Cleveland-Hopkins International Airport.
- \$4.9 million for construction of a taxiway at Findlay Airport.

"I am grateful to President Obama for his decision to invest these resources that will help improve our parks and airports while also creating jobs in Ohio," the governor said in a news release.

**ODOT Stimulus:** Separately, the Ohio Department of Transportation said its first 15 projects through the federal stimulus law have been authorized for funding.

Certification for spending a combined \$12.8 million moves the projects closer to the start of construction.

ODOT said the list of construction work includes:

- \$1.2 million for improvements along I-75 in Hancock County.
- \$1.6 million for improvements along I-77 in Guernsey County.
- \$1.4 million for resurfacing 13 miles of Ohio 39 in Carroll and Columbiana counties.
- \$1.6 million to resurface 14 miles of U.S. 22 in Perry County.
- \$510,000 to resurface 4.5 miles of Ohio 571 near the Darke/Miami County line.
- \$500,000 to replace twin 10-foot arch bridges on Ohio 61 near Berlin Heights in Erie County.

At the same time, ODOT is seeking U.S. Department of Transportation certification of the next list of projects for stimulus funding.

Included are requests for 69 projects Gov. Strickland announced last month, 65 local projects the state's Major Metropolitan Planning Organizations identified, and 142 grants for the state's rural transit systems.

### **WORKERS' COMPENSATION COUNCIL TO RECOMMEND REVISION TO BWC REVIEW REQUIREMENT**

Caught between a statutory mandate and concern over spending up to \$650,000 for a redundant study of the workers' compensation system, an oversight panel has agreed to seek legislative approval for a less extensive review.

With the recent release of a review of the Bureau of Workers' Compensation's financial health by Deloitte Consulting, Inc., a separate analysis by actuarial consultant Oliver Wyman, and the state auditor's regular investigation of BWC finances, members of the Workers Compensation Council generally agreed Wednesday that another full-blown study was unnecessary.

During a previous hearing, members disagreed over whether they should pursue a more intensive independent actuarial analysis.

BWC chief actuary John Pedrick told council members that they could save a substantial sum by hiring an actuarial firm to review the other studies and determine whether the conclusions were based on sound data.

Rep. Tom Letson (D-Warren) asked whether the option would be permissible under legislation enacted last year (HB100, 127<sup>th</sup> General Assembly).

Mr. Pedrick said the language appears to require a complete actuarial analysis. "The law requires you hire an independent firm at significant cost that will be paid for of course by employers... The question is: do you want to seek to have that law changed?"

The panel answered affirmatively with unanimous approval of a motion from Sen. Keith Faber (R-Celina), who said he would seek an amendment in the pending BWC budget (HB 15) that would allow for a more limited actuarial analysis and would push back the September deadline for completion.

However, with uncertainty surrounding the legislative process, the council will begin the contracting process immediately in order to comply with the statute, he added.

The panel also unanimously adopted a \$650,000 budget for the biennium that includes \$471,200 in staff salaries and benefits. BWC staff said the bureau could transfer additional funds to cover expenses related to the actuarial study.

Speaking after the hearing, Chairman Steve Buehrer (R-Delta) said members recognized the language requiring the independent analysis was "a pretty broad mandate in terms of what type of review we must perform."

Sen. Faber "and other General Assembly members are going to work together to have a discussion to narrow that scope to perhaps do more of a review-type actuarial study," he said.

### **THIRD FRONTIER SPURS \$3.5 BILLION IN PRIVATE INVESTMENTS, 7,700 JOBS, STATE REPORT SAYS**

Ohio's Third Frontier job and business development program has spurred \$3.5 billion in private investment since it was started in 2002, Lt. Governor Lee Fisher announced.

The fund, which has helped create, attract and fund more than 500 companies, has drawn \$9 in private funds for each \$1 in public money spent.

"Ohio Third Frontier is a visionary and bipartisan commitment to Ohio's future prosperity that is paying substantial dividends even in these challenging times," Lt. Governor Fisher said as he announced the release of the fund's annual report at the Ohio Innovation Summit.

Interim State Development Director Mark Barbash said the program has been more successful than expected. "Opportunities like the Ohio Innovation Summit nurture our state's entrepreneurial eco-system, creating new partnerships that strengthen Ohio's industry portfolio and enhance our standing in the global market place," he said.

The report notes that the program has helped create or retain 7,757 jobs, which pay an annual average salary around \$65,000. The cost per job is just below \$52,000, according to the report.

Among other sectors, Third Frontier funds have been awarded in the biomedical, advanced energy, advanced materials, advanced propulsion and instruments, controls and electronics fields.

State officials are pondering a return to the ballot to authorize additional bonds for the program.

### **INTRODUCED IN THE HOUSE**

HB 146 DAS HEALTH PLAN (Hagan) to allow counties to participate in a state employee health insurance plan sponsored by the Department of Administrative Services. Am. 124.82 and 305.171

HB 148 911 UPGRADES (Miller) To require certain technological improvements and updates for 9-1-1 systems in Ohio. Am. & En. 4931.40 and 4931.55

Friday, April 24, 2009

### **SENATE GOP LEERY OF EXECUTIVE AUTHORITY, COLLECTIVE BARGAINING PROVISIONS IN BUDGET**

They don't have the budget bill yet from the House, but majority Senate Republicans already plan changes to a handful of provisions they view as executive branch power grabs.

Also likely headed for the chopping block in the Senate's version of the biennium spending plan (HB 1) are statutory expansions of collective bargaining for home healthcare workers, childcare providers, community corrections and court employees.

The House is expected to pass its version of the \$54 billion measure next week.

Sen. John Carey (R-Wellston), chairman of the Senate Finance & Financial Institutions Committee, said his caucus has already taken a dim view of budget language that gives the Office of Budget and Management additional leeway to manipulate funding.

Among the budget provisions the GOP views as executive overreaching, he said, is language giving the budget office new authority over encumbrances, appropriations of additional federal stimulus money and spending adjustments related to accountability and efficiency.

"It's the legislature's responsibility to appropriate and they're trying to expand their authority to limit that duty," Sen. Carey said.

Gov. Ted Strickland's administration also proposes to allow OBM to charge other departments for services rendered, ala the Department of Administrative Services, according to the GOP. And Senate Republicans also object to allowing the Board of Regents chancellor to alter tuition rates at two-year colleges over the biennium.

Republican lawmakers in both chambers raised a red flag over a provision deep in the voluminous budget under the heading of "Fiscal Stabilization and Recovery."

The language, which includes a "notwithstanding any law to the contrary" clause, gives the administration authority to accept and appropriate any additional federal stimulus money that becomes available without prior legislative review.

Strickland spokeswoman Amanda Wurst said an example of when the provision could come into play is if Ohio picks up funds that another state refuses. "We will be able to pull down those resources and use them in Ohio," she said.

Nevertheless, the administration would not be opposed to requiring such funding to first be approved by the Controlling Board, she said.

The Senate majority's leering over granting the chancellor the ability to set tuition rates was echoed in House testimony by institutions and trustees.

Chancellor Fingerhut said the additional purview, which would be granted for two years under the bill, is being sought in the name of affordability.

"It is my intention to use it to help accelerate the process of making an associate degree readily available and affordable to every Ohioan in this time of economic change," Mr. Fingerhut said.

Also drawing objections from some community-based correction facility operators during House hearings is the proposed elimination of the collective bargaining law exemption for their employees.

House Democrats took a step further on the contract negotiation front by inserting pro-union language to codify Gov. Strickland's executive order granting bargaining rights to home health care and childcare workers. In the caucus' substitute bill overview, the change is noted with other items under a section titled "Supporting Ohioans at a time of increased need."

The House majority also included in its substitute version of the bill a provision to extend collective bargaining to court employees across the state.

Mr. Strickland's executive order on home care workers prompted a showdown over the last capital budget (HB562, 127<sup>th</sup> General Assembly), when the GOP-controlled legislature, after arguing that it circumvented federal restrictions, included a clause to limit the governor's authority in that regard. The governor vetoed the language.

### **BWC TO INCREASE MONITORING OF THE GROUP-RATING PROGRAM SPONSORS**

The Bureau of Workers' Compensation will require organizations that sponsor groups to get recertified as part of its effort to overhaul the premium discount program, Administrator Marsha Ryan said.

Testifying before the Workers' Compensation Council this week, Ms. Ryan said the bureau was going to step up its oversight of organizations and third parties that administer the program, which offers participating companies reduced premium rates.

"We have plans in place to monitor sponsors far more vigorously than we have in the last 15 years," she said.

While many sponsors perform a good service for members and help improve worker safety, "Others do, shall we say, a much more marginal job," she said.

Administrator Ryan told council members that the changes were necessary to achieve actuarial soundness, equity among employer premiums, and stability in rate increases. Employers have long decried volatility in workers' compensation costs from year to year.

"Much of the dysfunction within rates has been traced to the way that the group rating systems in Ohio have functioned," she said, citing a recent study by Deloitte Consulting, Inc.

"Some groups perform close to okay but other groups are paying a very small percentage of the actual risk their groups present to the system," she said.

The effort is part of several recent changes to the group-rating program, including a reduction in the maximum premium discount from 85% to 77% and a 25% cut in rates for non-group employers.

Ms. Ryan said those changes were based on assessing non-group employers the appropriate risk they actually present to the workers' compensation system. "They are no longer - and I put this in quotations - 'subsidizing' those in the group."

New rules for group-rating sponsors may require organizations to change their business model, she said, adding the regulations will ultimately benefit Ohio's employers. "I am not ignorant of the fact that the change in group has an effect on the associations that are group sponsors."

Sen. Steve Buehrer (R-Delta), chairman of the Workers' Compensation Council, called the group rating program "one of the central issues right now at the bureau."

Recent changes to the system have caused "some consternation" among Ohio's employers, he said in an interview.

"Although the administrator is touting the cuts that people who are in base rates are going to see, there's also going to be increases for people in group and there are a number of employers in the state that are not happy about that," he said.

The panel of legislators and workers compensation stakeholders will likely review the issue in future hearings, Sen. Buehrer said.

Tony Fiore, director of labor & human resources at the Ohio Chamber of Commerce, said he didn't think the new sponsoring regulations would be onerous for organizations that legitimately exist for reasons other than securing premium discounts through the group-rating program.

"We want to make sure that the right folks are in the group-rating program and they're not a fly-by-night type group," he said.

### **LAWMAKERS VOICE OBJECTIONS TO INMATE WORKERS AT STATEHOUSE; DEMOCRATS QUESTION CAPITOL SQUARE BOARD'S BUDGET**

So far rebuffed by the House, the Capitol Square Review and Advisory Board took its request for additional funding to the Senate this week only to face concerns over plans to use prisoners to clean and maintain the grounds of the Statehouse.

Facing a budget squeeze along with other state agencies, boards and commissions, CSRAB last week approved the plan to bring in crews from a central Ohio state prison that also supplies inmate labor for the Governor's Residence in Bexley.

Initially suggested by Rep. Kathleen Chandler (D-Kent), the move prompted the Ohio Civil Service Employees Association to file a grievance.

In testimony on Thursday before the Senate Finance & Financial Institutions Committee, CSRAB Executive Director William Carleton asked the panel to provide an additional \$150,000 a year to the board's budget for maintenance and repairs. The first series of changes made by the House to the budget measure (HB 1) included no additional funds above Gov. Ted Strickland's allotment of about \$2.62 million a year.

"Until funding to our GRF can be reinstated so that we can return to the minimum conservative number of 71 employees, we are going to work with the Pickaway Correctional Institution to utilize non-violent offenders to work with our grounds department and housekeeping staff," Mr. Carleton said. "This program is not intended to replace OCSEA union jobs but will simply allow us to fulfill our agency's mandate to maintain Capitol Square."

Sen. Thomas Patton (R-Strongsville), president of Treasurers and Ticket Sellers Local 756 and a delegate to the AFL-CIO, questioned the plan's impact on the board's labor force and asked the director for information on how many other states use prison laborers at their Statehouses.

Democrats also voiced objections to the use of inmates and questioned the breakdown of union and non-union positions at the agency.

"It would seem to me that in order to make sure that we protect an asset of this historical quality that we would want to use employees with experience in taking care of these kinds of facilities," Sen. Dale Miller (D-Cleveland) said.

Mr. Carleton said the prisoners, who would be carefully selected from a pool with less than six months remaining in their sentencing, would be closely monitored and assigned menial tasks. "They will not be left alone," he said. "They will be used more as helpers."

Sen. Shirley Smith (D-Cleveland) found it ironic that such a policy was being pursued when she could not get a hearing last session on "second chance" legislation to allow qualified, non-violent criminals who had served their time and stayed out of trouble to get their records sealed (SB197, 127<sup>th</sup> General Assembly). "But yet we can bring prisoners into the Statehouse

The lawmaker peppered Mr. Carleton with questions over the policy.

Would they wear orange jumpsuits, she asked, and would the public be alerted to their presence? "Are we going to place signs that say, 'Prisoners at work,' or 'Your life is at risk?'" Sen. Smith said. Citizens "should know they are among people who are currently doing time in prison."

Mr. Carleton said the prisoners working on the grounds would be wearing bright green vests but otherwise would don regular khaki uniforms.

On the subject of CSRAB full-time staff, Sen. Dale Miller questioned why the board, which plans to drop from 68 to 52 employees under the governor's allocation levels, has 24 employees considered administrators. He said the structure appeared "top heavy" with management versus front-line workers.

Mr. Carleton said he's unsure why those workers are non-union under the classification system he inherited. Many of the employees considered administrators are in revenue-producing jobs involving events, the gift shop and the parking garage, he said.

Also responding to Sen. Miller, the director said the remaining work on the new Statehouse museum is all funded privately through donations to the Capitol Square Foundation, and so halting the project at this point would not save any taxpayer money.

### **COURT BRIEF: LOCAL COURTS LINK TO NEW STATEWIDE NETWORK**

The Ohio Supreme Court said Friday that 16 municipal and county courts have connected to a restricted-access, statewide database that enhances background searches of defendants appearing before judges.

The Ohio Courts Network is a centralized warehouse of case-related data.

It enables courts and other agencies to share information such as criminal history reviews, warrant and protection order searches, pre-sentence investigations, background checks, handgun pre-purchase reviews, and pre-custody reviews.

Participating local court management systems send data nightly to the Supreme Court, which then integrates and securely stores the information and makes it available to other courts and justice system partners.

Robert Stuart, the court's information technology director, said the database is not a public Web site.

"Through the OCN, the flow of information between local courts and justice system partners is improved because of the availability of current, accurate and centralized data," Mr. Stuart said in a news release.

"Judges know more about the person charged with a crime who's standing before them, and state agencies can access case disposition data as soon as the court has entered it into the local system. Because of this, judges make better decisions based on the additional information," he said.

Among courts connected to the network:

- Butler County Area Courts I, II and III.
- Crawford County common pleas court, domestic relations and general divisions.
- Franklin County common pleas court, domestic relations, general, juvenile, and probate divisions.
- Girard Municipal Court
- Hamilton County Probate Court
- Hamilton Municipal Court
- Hocking County common pleas court, domestic relations and general divisions.
- Miamisburg Municipal Court.
- Morgan County common pleas court, domestic relations, general, juvenile, and probate divisions.
- Shaker Heights Municipal Court.
- Sidney Municipal Court.
- Union County common pleas court, domestic relations and general divisions.

The Supreme Court said "many other" local courts are in various stages of connecting to the network.

### **GOVERNOR'S APPOINTMENTS**

**Clean Ohio Council:** Gwen McFarlin, of Cincinnati, currently serves as the director of behavioral health services at Christ Hospital and is a Springfield Township trustee in Hamilton County.

The council is charged with reviewing and approving applications and entering into an agreement with the applicant to award a grant or make a loan for the applicant's brownfield cleanup project.

**COMMITTEE SCHEDULE FOR WEEK OF APRIL 27**

**MONDAY, APRIL 27**

**House Finance & Appropriations**, (Chr. Sykes, 466-3100), Rm. 313, 1:30 p.m.

HB 1 STATE BUDGET (Sykes) To make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of state programs. (Possible amendments & vote (if needed))

**TUESDAY, APRIL 28**

**Senate Finance & Financial Institutions**, (Chr. Carey, 466-8156), Finance Hearing Rm., 9:30 a.m.

--Budget testimony from Department of Education - Deborah Delisle

HB 1 STATE BUDGET (Sykes) To make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of state programs. (6th Hearing)

**House Finance & Appropriations**, (Chr. Sykes, 466-3100), Rm. 313, 1:30 p.m.

HB 1 STATE BUDGET (Sykes) To make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of state programs. (Possible amendments & vote (if needed))

**Senate Finance & Financial Institutions**, (Chr. Carey, 466-8156), Finance Hearing Rm., 2:30 p.m. or after session

--Continuation of budget hearings from Adjutant General, Ohio Veterans' Organizations, AMVETS Ohio, Executive Medicaid Management Administration

**WEDNESDAY, APRIL 29**

**House Agriculture & Natural Resources**, (Chr. Domenick, 466-3735), Rm. 018, 9:30 a.m.

HB 42 BEAVER DAMS (Evans) To establish requirements and procedures for the removal of beaver dams and beavers as ordered by boards of township trustees. (1st Hearing-Sponsor)

**Senate Finance & Financial Institutions**, (Chr. Carey, 466-8156), Finance Hearing Rm., 9:30 a.m.

--Budget testimony from Attorney General, Secretary of State, Ohio Ballot Board, Elections Commission, Board of Tax Appeals

HB 1 STATE BUDGET (Sykes) To make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of state programs. (7th Hearing)

**House Local Government/Public Administration**, (Chr. Chandler, 466-2004), Rm. 114, 10 a.m.

HB 86 LAND USE (Hagan) To authorize in certain counties the creation of a land reutilization corporation to facilitate the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property and to authorize in those counties the use of the expedited, nonjudicial foreclosure procedure for abandoned lands. (1st Hearing-Sponsor)

**Senate Environment & Natural Resources**, (Chr. Schaffer, 466-5838), North Hearing Rm., 11:15 a.m.

SB 110 HOUSEHOLD SEWAGE (Niehaus) To revise the Household Sewage and Small Flow On-Site Sewage Treatment Systems Law, and to declare an emergency. (1st Hearing-Sponsor)

SB 100 HOUSEHOLD SEWAGE (Grendell) To revise the Household Sewage and Small Flow On-Site Sewage Treatment Systems Law, to establish the Household Sewage Treatment System Revolving Loan Program and the Household Sewage Treatment System Grant Program in the Department of Health, to make appropriations, and to declare an emergency. (1st Hearing-Sponsor)

**House Finance & Appropriations**, (Chr. Sykes, 466-3100), Rm. 313, 1:30 p.m.

HB 1 STATE BUDGET (Sykes) To make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of state programs. (Possible amendments & vote (if needed))

**House State Government**, (Chr. Gerberry, 466-6107), Rm. 017, 2:30 p.m.

HB 58 FRAUD REPORTING (McGregor) To require the Auditor of State to establish a fraud-reporting system for residents and public employees to file anonymous complaints of fraud and misuse of public funds by public offices or officials. (1st Hearing-Sponsor)

**Senate Finance & Financial Institutions**, (Chr. Carey, 466-8156), Finance Hearing Rm., 2:30 p.m. or after session

--Continuation of budget testimony from Department of Rehabilitation & Correction, Correctional Institution Inspection Committee, Department of Youth Services, Rehabilitation Services Commission

**THURSDAY, APRIL 30**

**Senate Finance & Financial Institutions**, (Chr. Carey, 466-8156), Finance Hearing Rm., 9:30 a.m.

--Budget testimony from Auditor of State, Judiciary/Supreme Court of Ohio, Ohio Housing Finance Agency, Manufactured Homes Commission, Department of Veterans Services

HB 1 STATE BUDGET (Sykes) To make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of state programs. (8th Hearing)  
**Senate Finance & Financial Institutions**, (Chr. Carey, 466-8156), Finance Hearing Rm., 1:30 p.m.

--Continuation of budget testimony from Department of Aging, Department of Health, Board of Sanitarian Registration, Department of Mental Retardation & Developmental Disabilities, Department of Mental Health, Commission on Minority Health

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