

# NAIOP

COMMERCIAL REAL ESTATE  
DEVELOPMENT ASSOCIATION

NAIOP OF OHIO

**NAIOP Weekly Legislative Report**  
**Prepared by: Law Offices of Matthew G. Kallner**  
**Report created on April 11, 2011**

## Supported Bills

- HB1**      **JOBOSHIO (DUFFEY M)** To authorize the Governor to create JobsOhio, a nonprofit economic development corporation.
- Current Status:* 2/18/2011 - **SIGNED BY GOVERNOR**; Eff. 2/18/2011
- All Bill Status:* 2/17/2011 - Sent to Governor for Signature  
2/16/2011 - Consideration of Senate Amendments; CONCURRED 60-35  
2/16/2011 - **PASSED BY SENATE**; Vote 31-2  
2/16/2011 - Bills for Third Consideration  
2/16/2011 - **REPORTED OUT AS AMENDED**, Senate Finance, (Fourth Hearing)  
2/15/2011 - Senate Finance, (Third Hearing)  
2/9/2011 - Senate Finance, (Second Hearing)  
2/8/2011 - Referred to Committee Senate Finance  
2/8/2011 - Senate Finance, (First Hearing)  
2/1/2011 - **PASSED BY HOUSE**; Vote 59-37  
2/1/2011 - Bills for Third Consideration  
1/27/2011 - **REPORTED OUT AS AMENDED**, House Finance and Appropriations, (First Hearing)  
1/26/2011 - Re-Referred to Committee  
1/26/2011 - **REPORTED OUT AS AMENDED**, House State Government and Elections, (Second Hearing)  
1/25/2011 - **SUBSTITUTE BILL ACCEPTED**, House State Government and Elections, (First Hearing)  
1/11/2011 - Referred to Committee House State Government and Elections  
1/11/2011 - Introduced
- HB10**      **REMEDICATION OF CONTAMINATED SITE (SEARS B)** To authorize refundable tax credits for the completion of a voluntary action to remediate a contaminated site and for the return of such sites to productive use, and to exempt persons through 2017 who have issued covenants not to sue under the Voluntary Action Program from certain fees and penalties for one year after the issuance of such a covenant.
- Current Status:* 4/13/2011 - House Veteran's Affairs, (First Hearing)
- All Bill Status:* 3/2/2011 - House Ways and Means, (Fifth Hearing)  
2/23/2011 - House Ways and Means, (Fourth Hearing)  
2/16/2011 - House Ways and Means, (Third Hearing)  
2/9/2011 - House Ways and Means, (Third Hearing)  
2/2/2011 - House Ways and Means, (Second Hearing)

1/26/2011 - House Ways and Means, (First Hearing)  
1/11/2011 - Referred to Committee House Ways and Means  
1/11/2011 - Introduced

**HB17**      **TAX CREDIT FOR HIRING UNEMPLOYED** (BAKER N) To authorize a \$2,400 income tax withholding credit for an employer that hires and employs a previously unemployed individual.

*Current Status:* 1/11/2011 - Referred to Committee House Ways and Means

*All Bill Status:* 1/11/2011 - Introduced

**HB18**      **TAX CREDIT - EXPANDING BUSINESSES** (BAKER N) To authorize a nonrefundable tax credit for a business that increases payroll and expands into a vacant facility.

*Current Status:* 2/23/2011 - House Ways and Means, (Fifth Hearing)

*All Bill Status:* 2/16/2011 - House Ways and Means, (Fourth Hearing)

2/9/2011 - House Ways and Means, (Third Hearing)

2/2/2011 - House Ways and Means, (Second Hearing)

1/26/2011 - House Ways and Means, (First Hearing)

1/11/2011 - Referred to Committee House Ways and Means

1/11/2011 - Introduced

### Oppose

**HB50**      **TYPE-II ANNEXATION** (SNITCHLER, T) To require that a political subdivision owner be included in determining the number of owners needed to sign a petition for an expedited type-II annexation.

*Current Status:* 3/1/2011 - House Local Government, (Second Hearing)

*All Bill Status:* 2/22/2011 - House Local Government, (Second Hearing)

2/15/2011 - House Local Government, (First Hearing)

2/1/2011 - Referred to Committee House Local Government

1/26/2011 - Introduced

### Monitoring

**HB134**      **CAPITAL GAINS INVESTMENTS** (SCHURING K) To reduce the income tax rate on capital gains reinvested in Ohio-based investments.

*Current Status:* 3/30/2011 - House Ways and Means, (Third Hearing)

*All Bill Status:* 3/23/2011 - House Ways and Means, (Second Hearing)

3/16/2011 - House Ways and Means, (First Hearing)

3/2/2011 - Referred to Committee House Ways and Means

3/1/2011 - Introduced

**SB89**      **LABOR REQUIREMENTS** (JORDAN K) To prohibit state agencies from requiring or prohibiting certain labor requirements as a condition of performing public works and prohibit the appropriations of state funds for public works when political subdivisions require or prohibit certain labor.

*Current Status:* 3/8/2011 - Referred to Committee Senate Joint Committee on Agency Rule Review

*All Bill Status:* 2/23/2011 - Introduced

**SB115**      **PROPERTY SALE GAINS** (KEARNEY E) To exempt from income taxation any gains from the sale of Ohio property used in a trade or business and held for at least two years.

*Current Status:* 3/24/2011 - Senate Ways & Means & Economic Development, (First Hearing)

*All Bill Status:* 3/15/2011 - Referred to Committee Senate Ways & Means &

**Bills Introduced Since 4/4/2011**

- HB185** **AGGREGATES AND INDUSTRIAL MINERALS** (CAREY, JR. J, O'BRIEN S) To designate the third week of July as "Ohio Aggregates and Industrial Minerals Awareness Week."
- HB186** **PROFESSIONAL EMPLOYER ORGANIZATION LAW** (ADAMS R) To establish certain financial capacity requirements for professional employer organizations, clarify rights and liabilities of professional employer organizations and client employers, and to make other changes to the professional employer organization law.
- HB187** **RESIDENTIAL MORTGAGE SERVICERS** (DRIEHAUS D, FOLEY M) To require registration of residential mortgage servicers, to regulate residential mortgage servicers, and to adopt civil and criminal penalties for violations of the bill's provisions.
- HB188** **OHIO CONSTITUTIONAL MODERNIZATION COMMISSION** (BATCHELDER W) To establish the Ohio Constitutional Modernization Commission and to make an appropriation.
- HB189** **BLUE STAR/GOLD STAR BANNER DISPLAYS** (COLEY II W, DEGEETER T) To prohibit condominium associations, neighborhood associations, and landlords from restricting the display of blue star banners, gold star banners, and other service flags, and to prohibit landlords from restricting the display of the United States flag.
- HB190** **OFFICIAL YOUTH LITERATURE NOVEL OF OHIO** (WINBURN R) To adopt the book M.C. Higgins, the Great, authored by Virginia Hamilton, as the official youth literature novel of the state and to designate Virginia Hamilton as the official youth literature author of the state.
- HB191** **MINIMUM SCHOOL YEAR** (HAYES B, PATMON B) To establish a minimum school year for school districts, STEM schools, and chartered nonpublic schools based on hours, rather than days, of instruction and to prohibit public schools from being open for instruction prior to Labor Day or after Memorial Day except in specified circumstances.
- SB141** **MEDICAL SERVICES FOR VISITING SPORTS TEAMS** (GILLMOR K) To authorize a licensed physician from another state to provide medical services to an out-of-state athletic team and accompanying individuals when the team is participating in a sporting event in Ohio.
- SB142** **MOTOR VEHICLE INSPECTION/MAINTENANCE** (GRENDALL T) To provide authority for the implementation of a decentralized motor vehicle inspection and maintenance program through June 30, 2017.
- SB143** **RECOVERY-FRAUD AGAINST THE STATE** (HUGHES J, OELSLAGER S) To provide for the recovery of damages and civil penalties for defrauding the state of money or property and to authorize private persons to bring qui tam civil actions in the name of the state to remedy the frauds.
- SB144** **PARENTAL RIGHTS** (SKINDELL M, GRENDALL T) To ensure that court orders and decrees that allocate parental rights and responsibilities with respect to the care of and access to children provide for equality between the parents except where clear and convincing evidence shows that equal legal and physical access would be harmful to the children.
- SCR7** **HONOR OHIO ANCESTORS-CIVIL WAR** (SEITZ B) To honor Ohio ancestors for the unrivaled contribution they made to winning the American Civil War and in observing the Sesquicentennial years of the War, 2011 through 2015, to urge Ohioans to draw inspiration from the courage, cooperation, and persistence that were displayed by their Ohio ancestors during the American Civil War.

## Week in Review

Friday, April 8, 2011

### AGRICULTURE

The Ohio Livestock Care Standards Board decided Wednesday to reinsert the "turn around" language into its veal standard rules after some debate among Ohio agriculture organizations and animal activists. The Ohio Farm Bureau Federation supported this change.

The Ohio Soybean Council Foundation announced Thursday a technical-assistance opportunity for select small businesses in northern Ohio that manufacture or distribute soy-based bioproducts. As a result of 128-SB131 and the U.S. Department of Agriculture's (USDA) BioPreferred Program, an increasing number of government entities are seeking bio-based options to replace the chemical-based products that they currently use, creating market opportunities for bioproduct manufacturers and distributors in Ohio.

### ATTORNEY GENERAL

Ohio could get a larger share of payouts in state-federal Medicaid fraud settlements, and business insiders with knowledge of wrongdoing could get job protection and a share in the payouts, too, under proposed legislation supported by Attorney General Mike DeWine. DeWine said Thursday he is backing adoption of a state False Claims Act sponsored by Sens. Jim Hughes (R-Columbus) and Scott Oelslager (R-Canton) and Reps. Ross McGregor (R-Springfield) and Dennis Murray (D-Sandusky). DeWine also announced Thursday he will add seven people to the staff of his Medicaid fraud unit.

Attorney General Mike DeWine, the Ohio Department of Agriculture (ODA) and Ohio Environmental Protection Agency (Ohio EPA) announced Thursday that they have settled a case against Ohio Fresh Eggs LLC. The consent order was filed on April 6 with the Licking County Common Pleas Court. It resolves 71 allegations and violations by the Croton-based egg farm's facilities in Licking, Hardin and Wyandot counties.

### FY12-13 BUDGET

Hearings continued -- and concluded -- this week in the five subcommittees of the House Finance and Appropriations Committee on the proposed FY12-13 budget as they moved to accepting public testimony on the various proposals. Now, attention shifts to the full committee which will hold four days of public testimony the week of April 11.

A comparison of the new school funding formula with the old evidence-based model in budget testimony Friday was complicated by the fact that, at the moment, there is nothing that can be genuinely described as the Kasich school funding formula. His newly appointed education finance hawk, Barbara Mattei-Smith, acknowledged as much in testimony before the House Primary and Secondary Education Subcommittee, where she described Kasich's current K-12 budget as a stop-gap proposal until a fully restructured model of school funding can be completed by 2012.

Testimony by Ohio Department of Health Director Dr. Ted Wymyslo and Department of Aging Director Bonnie Kantor-Burman indicated Friday that many of the major policy efforts of the Kasich administration are still "works in progress" even as they presented their departments' budgets to the House Health and Human Services Subcommittee. For health, that means the state has yet to define "accountable medical home" while for aging that means they are beginning discussions on what performance measures will be used in the new quality incentive formula for the state's nursing homes.

Chancellor Jim Petro pressed the case for the Kasich administration's higher education budget before the Higher Education Subcommittee. That plan includes (1) charter or "entrepreneurial" universities, (2) reduced academic remediation, (3) three-year bachelors' degrees, (4) increased faculty teaching loads, (5) reduced program redundancy, (6) construction reform, and (7) research commercialization. However, he ran into skepticism even from Republican members of the subcommittee.

Confidential

Subject to Attorney-Client Privilege

Page 4

4/11/2011

John McCarthy, the state Medicaid director, and Greg Moody, director of the Office of Health Transformation, went through the administration's proposed changes in the state Medicaid program for members of the House Health and Human Services Subcommittee with subcommittee chair Rep. David Burke (R-Marysville) saying he was pleasantly surprised with the plan to secure \$1.4 billion in savings in the program.

The House Finance and Appropriation's Transportation and Justice Subcommittee heard from a variety of witnesses regarding criminal sentencing reforms that are included in the proposed FY12-13 budget. Again, the Ohio Prosecuting Attorneys Association's John Murphy pressed their opposition to some of the provisions, commenting that the budget bill is not the place to make substantial changes in sentencing.

Reps. Debbie Phillips (D-Athens) and Matt Lundy (D-Elyria), members of the Primary and Secondary Education Subcommittee that is hearing testimony on Gov. John Kasich's education budget proposals, made a public records request of his administration Wednesday demanding more data on the budget's effect on school districts. The request was sent to Robert Sommers, director of the governor's Office of 21st Century Education. They said the move was due to frustration that administration staff have been unable to answer their questions during testimony.

Gov. John Kasich's proposed budget could lead to the loss of 51,000 jobs in school districts, universities and state and local government agencies, according to a report released Thursday by Innovation Ohio. That calculation is based on an assumption that 75 percent of proposed cuts would be filled with personnel cuts, because public employee compensation is generally the largest share of local governments' costs. The group made an exception for cuts to state personnel lines, where 100 percent of money goes to compensation.

## **COLLECTIVE BARGAINING**

Secretary of State Jon Husted said Friday that his office had received the signed copy of SB5, the overhaul of the state's collective bargaining law, so that its effective date will be July 1 and the deadline for filing the referendum petitions is June 30.

Opponents of the collective bargaining overhaul in SB5 (Jones) Monday delivered initial petition signatures to the secretary of state's office in their drive to force repeal of the new law at the ballot. This first petition needs at least 1,000 valid signatures to put the law on hold pending a larger signature collection effort, which will need about 231,000 valid signatures to make the November 2011 ballot. Opponents filed two different petitions.

## **CORRECTIONS**

The Ohio Ethics Commission said recently that it sees no conflict of interest in Ohio Department of Rehabilitation and Correction Director Gary Mohr's role in overseeing the agency as the state prepares to sell five prisons to private entities. Rep. Matt Lundy (D-Elyria) raised the issue because Mohr has for the last several years worked for a private prison management company.

Ohio Department of Rehabilitation and Correction Director Gary Mohr told a House subcommittee that it plans to open the request for proposal process to sell five state prisons to private entities this week. The five facilities being sold include Grafton Correctional Institution, North Coast Correctional Treatment Facility, Lake Erie Correctional Institution, North Central Correctional Institution, and the now closed Marion Juvenile Correction Facility.

## **DEATH PENALTY**

Gov. John Kasich said Thursday he will not grant clemency to Clarence Carter, who was convicted of killing a fellow inmate while in jail awaiting sentencing for murdering a man with whom he'd dealt drugs. Kasich's denial follows a 9-0 recommendation from the Ohio Parole Board that Carter not receive clemency.

## **ECONOMIC DEVELOPMENT**

Lt. Gov. Mary Taylor announced Wednesday that she is accepting applications to fill five seats on the nine-member Small Business Advisory Council established in state law as part of CSI Ohio: The Common Sense Initiative. The nine-member Small Business Advisory Council was established in SB2 (Hughes), which Gov. John R. Kasich signed into law on March 4. The council will meet at least quarterly and is charged with advising the governor, lieutenant governor and CSI Ohio on the impact government rules and regulations have on small businesses.

## **EDUCATION**

Former State School Board of Education Martha Harris has dropped the lawsuit she filed against Gov. John Kasich and other state officials after Kasich replaced her when it was discovered her paperwork was never properly submitted for confirmation by the Senate.

The Senate agreed to remove its amendments from HB36 (Kozlowski-Carey), the bill which extends the number of calamity days available to school districts from three to five, so it can become effective for the current school year upon the governor's signature. Senate President Tom Niehaus (R-New Richmond) said the other issues including requiring public school districts to provide transportation for charter school students making up calamity days and allowing for more online classes to replace missed school days did not have "the urgency" that the calamity days did and could be dealt with later.

Following his appointment of State Board of Education member Tammy O'Brien to the Summit County Court of Common Pleas, Gov. John Kasich named former state Rep. Bryan Williams to her District 7 seat on the board.

## **ELECTIONS**

Reps. Bob Hagan (D-Youngstown) and Mike Foley (D-Cleveland) announced legislation Wednesday that would set up a recall process for statewide officeholders and legislators. It would allow for a recall ballot if a petition is signed by 15 percent of registered voters statewide who voted in the previous gubernatorial election in the case of a statewide officeholder, or 15 percent of registered voters who voted for a particular legislative seat in the last General Election. They admitted that the idea is driven by their displeasure with Gov. John Kasich and his support of SB5 (Jones), the collective bargaining bill that is headed towards a referendum. They expect to formally introduce the bill next week.

Secretary of State Jon Husted told the League of Women Voters of Ohio Thursday he believes many of the problems in the voter ID debate can be resolved by requiring a full nine-digit Social Security number as one of the "unique identifiers" when voting by mail or provisionally. He said he believes he has a better plan and that he is hoping to convince state legislators that it is a compromise between the concerns cited by both sides in the debate over HB159 (Mecklenborg-Blessing).

Secretary of State Jon Husted said his office will be offering a free campaign finance webinar to local candidates April 18. The webinar is being offered for the benefit of local candidate campaign committees to help ensure compliance with Ohio's campaign finance use and disclosure laws. The timing of the webinar is set to help in preparation for the pre-primary filing deadline of April 21 and will cover the topic of "Basic Campaign Finance for Local Candidates." In addition to instruction on reporting and disclosure, it will also cover proper contribution sources and permitted expenditure uses.

## **ENERGY**

State Reps. Denise Driehaus (D-Cincinnati) and Stephen Slesnick (D-Canton) asked Attorney General (AG) Mike DeWine to join their call to restore funding to the Ohio Consumers' Counsel FY12-13 budget. OCC, an arm of the AG's office, was cut in Kasich's proposed budget by over 52 percent.

## **ENVIRONMENT**

The state has begun the second set of pilot testing of alum treatment at Grand Lake St. Marys. A contractor hired by the Ohio Department of Natural Resources (ODNR) began work in the Kozy Marina channel on Tuesday and is working at the lake through Friday. Three locations have been chosen for different types of treatment. The Kozy Marina channel received a granular alum treatment.

The state plans to ask the U.S. EPA to officially recognize that air quality in the Portsmouth and Columbus areas meet the 1997 federal fine particulate standard. Ohio EPA public hearings to take comments on the requests will be held on April 21. The hearing on the Columbus request will begin at 1:30 p.m., at Ohio EPA's Central Office, 50 W. Town St., Lazarus Government Center, Columbus. The hearing on the Portsmouth request will begin at 1:30 p.m., at the Portsmouth City Health Department, first floor conference room, 605 Washington St., Portsmouth.

## **GAMING**

Officials from a gambling-machine testing lab Wednesday briefed the Ohio Casino Commission on the ins and outs of computer systems that will help the commission keep a watchful eye on casinos. Members must decide whether to use a central control system to monitor machines and activity at the four planned casinos. Lawmakers left the decision up the commission when passing casino legislation in the previous General Assembly.

## **GENERAL ASSEMBLY/STATEHOUSE**

The House State Government and Elections Committee reported out HB145 (Weddington-Derickson) which revises the makeup and duties of the Ohio Commission on Fatherhood; the House Health and Aging Committee reported out HB148 (Letson-Anielski) which designates March as Macular Degeneration Awareness Month; the House Transportation, Public Safety and Homeland Security Committee reported out the speaker's HB174 naming the new bridge in Cleveland for former governor and U.S. Sen. George Voinovich; the Senate Civil Justice Committee reported out SB117 which adopts the Uniform Power of Attorney Act; and the Senate State and Local Government and Veterans Affairs Committee reported out SB120 (Beagle) which clarifies that the county prosecuting attorney is the legal advisor of all tax-supported public libraries.

Senate President Tom Niehaus (R-New Richmond) told reporters following Wednesday's floor session that Sen. Bill Seitz (R-Cincinnati) has been replaced as chair of the Senate Government Oversight and Reform Committee as "a message to Seitz and other committee chairmen" that he wants members to work closely not only with members of the committees but also with bill sponsors. At issue was the acceptance of a substitute version of SB3, the pension reform bill, without communicating that with the bill sponsor. Coincidentally that sponsor, Sen. Keith Faber (R-Celina), is the new chair of the oversight committee.

The Capitol Square Foundation (CSF) announced Wednesday the launch of a new website to serve as a "rich-media" planning resource for Statehouse visits. The website can be found at <http://capitolsquarefoundation.org/visitstatehouse>.

## **GOVERNOR**

First Lady Karen Waldbillig Kasich Wednesday presented \$5,000 to the Capitol Square Foundation in support of educational programming at the Ohio Statehouse. Kasich selected the Capitol Square Foundation as one of the charitable organizations to receive funds remaining from her husband's inaugural committee, Kasich-Taylor New Day Committee, Inc.

The status of four appointees of former Gov. Ted Strickland remains in limbo after a deadline passed without their proving that their paperwork had been properly submitted to the Senate. The appointees include James Carney of Westlake, a Sept. 20, 2010 appointee to the Ohio Athletic Commission; Edwin D. Niehaus of Strongsville, a Nov. 26, 2010 appointee to the State Board of Orthotics, Prosthetics and Pedorthics; George S. Rusiska Jr. of Mansfield, an Aug. 29, 2009 appointee to the Ohio Medical

Transportation Board; and Rori Herman Zoldan of Canfield, an Aug. 13, 2010 appointee to the Ohio Arts Council.

Gov. John Kasich appointed State Board of Education member Tamara A. O'Brien of Akron to serve as judge of the Summit County Court of Common Pleas, General Division. O'Brien will assume office on April 11 and must run in November 2012 in order to serve out the remainder of the unexpired term ending Jan. 1, 2015

Gov. John Kasich this week signed SB4 (Schaffer), legislation requiring performance audits of state agencies and local governments. It also creates the Leverage for Efficiency, Accountability and Performance Fund (L.E.A.P. Fund), a revolving loan fund, to help local governments cover the costs of the audits.

## **HEALTH & HUMAN SERVICES**

The Governor's Office of Health Transformation Friday released updated estimates on the federal health care law's impact to Ohio, predicting that an additional 935,977 Ohioans will join the Medicaid rolls beginning in 2014 thanks to the provisions expanding eligibility. That means the state's share for these additional Medicaid recipients will cost more than \$247 million beginning in 2014 and grow to \$611 million in 2019. In total, the expansion will cost the state \$2.3 billion over that timeframe and \$34 billion when federal funding is factored in.

Gov. John Kasich, addressing the state summit on Ohio's opiate epidemic Tuesday, announced \$36 million in new funds to help Ohioans addicted to prescription drugs get the treatment they need so they can get back into the workforce. The funding and program is a collaboration among the Department of Alcohol and Drug Addiction Services, Rehabilitation Services Commission, Department of Mental Health, Cardinal Health and the Ohio Association of County Behavioral Health Authorities.

Gov. John Kasich expressed his displeasure at the inaction of the state medical board in dealing with a presumed "pill mill" doctor in Portsmouth after a raid of his offices last month by the attorney general and Bureau of Workers' Compensation. He said the board could at least "suspend the doctor's license for probable cause."

## **HIGHER EDUCATION**

Ohio State University's President E. Gordon Gee's compensation of \$1.3 million is the highest of any public university president in the nation, the annual salary survey by the *Chronicle of Higher Education* found. Gee was also first in "total cost of employment," a new metric in this year's survey which includes all money a university and state set aside for a president. Gee's total cost of employment was \$1.8 million.

Cleveland State University named John Parry athletic director. He had been serving as interim director since May 2010.

Gov. John Kasich reappointed the Limited's Les Wexner to the Ohio State University Board of Trustees for a new term beginning May 14, 2011 and ending May 13, 2020.

Chancellor Jim Petro laid out the governor's top priorities for higher education in his first meeting of the Board of Regents Wednesday, telling members that the state can do more to create a student-centered P-16 system that actively promotes college-level coursework for high school seniors, provides a formal path to three-year college degrees, and allows gifted and other non-standard K-12 learners to achieve at their own pace.

U.S. House Speaker John Boehner (R-West Chester) will be the speaker for Ohio State's spring commencement, the university announced on Wednesday. The commencement ceremony will be held at noon on Sunday, June 12 in Ohio Stadium. About 8,500 graduates are expected to receive their degrees at the ceremony.

The presidents of Columbus State Community College and Ohio State University Tuesday unveiled the Preferred Pathway Program, a collaboration that will provide qualified Columbus State students a guaranteed, guided route to an Ohio State baccalaureate degree.

## **JUDICIAL**

In a 5-2 decision, the Ohio Supreme Court has agreed to take up *Jackson v. Bartec, Inc.*, a case challenging Ohio's indoor smoking ban and the Ohio Department of Health's (ODH) efforts to enforce it. Chief Justice Maureen O'Connor and Justice Paul Pfeifer were the dissenters from the decision to take up the appeal of a Columbus bar that is fighting a number of fines for violating Ohio's Smoke Free Workplace Act.

## **NATURAL RESOURCES**

The Ohio Department of Natural Resources said Friday that the company managing its state parks online reservation system had a data breach that might have exposed credit card information, but said a forensic investigation showed information necessary for identity theft wasn't part of the breach.

Spring wild turkey hunting opens in all 88 Ohio counties on Monday, April 18 and continues through Sunday, May 15.

The Ohio Department of Natural Resources announced that Joan Oliveri had been selected chief of the office of human resources.

The Ohio Department of Natural Resources Division of Wildlife said it will be creating a workgroup to study the issues and concerns regarding the ownership and sale of dangerous, wild and exotic animals in the state even as this administration is letting expire a Strickland administration executive order and emergency rules banning the sale and possession of such animals.

Hunting and trapping regulations for 2011-12 seasons were recently adopted by the Ohio Wildlife Council. A proposed change to move Fayette County from Deer Zone B to Zone A was approved. A rule to eliminate the requirement for all packages of deer meat produced during the butchering process to be marked with the tag, seal or certificate number was also passed. The tag, seal or certificate must be maintained until the entire deer has been consumed, but the package no longer needs to be marked.

## **PEOPLE**

Rep. Rex Damschroder (R-Fremont) was released from Toledo Hospital on Friday following quadruple bypass surgery on March 23.

Former state Rep. Todd Book (D-McDermott) was appointed by Gov. John Kasich to the State Racing Commission for a term running from April 1, 2011 through March 31, 2015.

The Ohio State Medical Association (OSMA) elected ophthalmologist Charles J. Hickey, M.D., president, and Dayton surgeon Deepak Kumar, M.D., president-elect.

Mike Jessee will serve as the president of the Ohio Association of Meat Processors for the next year. Marion Pacula will serve as vice president; Jim Tucker, director at large; and Tina Buchanan is the past president.

Former Ohio Gov. Ted Strickland will not become the new Democratic National Committee chairman, coming in second to U.S. Rep. Debbie Wasserman Schultz. The slot opened up after former chair Tim Kaine resigned to run for the U.S. Senate from Virginia.

The deputy director of the Ohio Municipal League and former state senator, John Mahoney, died this week at the age of 61. A funeral Mass has been set for 10 a.m. Saturday, April 9, at St. Raphael Catholic

Church in Springfield. Memorial donations in his memory can be made to the Sisters of Mercy Financial Office, 5900 Delhi Rd., Mount St. Joseph, Ohio, 45051.

The American Red Cross of Greater Columbus said it has hired Gregory Phelps as its government relations director. He most recently worked as a legislative aide to Rep. Bill Patmon (D-Cleveland).

The Ohio Legal Assistance Foundation (OLAF) Board of Trustees recently elected new officers. They include H. Ritchey Hollenbaugh, partner, Carlile, Patchen & Murphy LLP, president; Jim Petro, chancellor of the Ohio Board of Regents and former Ohio auditor and attorney general, vice president; and Kathy Burke, former commissioner of the Ohio Lottery, secretary. Joseph Mas, partner, 330 Lawyers Group, was re-elected treasurer.

Fred Previts has been appointed archivist for the State Archives of Ohio, Burt Logan, executive director and CEO of the Ohio Historical Society, announced Wednesday. Previts comes to the position after serving as assistant state archivist since July 2009.

## **STATE GOVERNMENT**

The exhibit "Controversy: Pieces You Don't Normally See," which showcases items such as the electric chair from the Ohio Penitentiary and a Ku Klux Klan robe and hood, opened at the Ohio Historical Center.

House Speaker William Batchelder (R-Medina) introduced legislation Wednesday to create an Ohio Constitutional Modernization Commission that would examine Ohio's Constitution and make recommendations on potential changes. Batchelder said the commission would involve members of the General Assembly and others from the public named to help do the work. The bill includes a \$750,000 appropriation, which would go to the Legislative Service Commission, which would serve as the fiscal agent for the commission. Members of the commission would be unpaid and only compensated for out-of-pocket expenses.

## **TRANSPORTATION**

The Ohio Department of Transportation released an analysis of crash data in work zones showing that a crash was more likely to happen on a dry and sunny August afternoon than any other time of year.

The Ohio Turnpike Commission raised the speed limit on the turnpike to 70 miles per hour.

House Speaker William Batchelder (R-Medina) said Wednesday he has concerns about language in HB153 (Amstutz) allowing the director of the Office of Budget and Management to move forward on privatizing some state functions without the input of the Legislature, particularly when it comes to leasing the Ohio Turnpike. "It is my opinion that one cannot convey real estate without legislation," Batchelder told reporters. "And I say that as the former chairman in my second term of the House Subcommittee on Real Estate Conveyance." He said he thinks the language in the bill can be tweaked.

## **VETERANS**

The Ohio Department of Veterans Services launched a new outreach to find military veterans through Facebook, Twitter and email. The department's website, [dvs.ohio.gov](http://dvs.ohio.gov), now offers a link to a Facebook page containing key messages of interest to veterans in Ohio. A Twitter account offers more frequent, short updates. Veterans' services is also offering an email listserv sign-up that will provide a monthly newsletter of items of interest to Ohio's veterans.

## **WORKERS COMPENSATION**

Regular visitors to the Industrial Commission regional and district offices may now opt to have security ID badges issued to them for expedited electronic check-in. A schedule has been set up for applying for the photo ID by office.