

NAIOP

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NAIOP OF OHIO

NAIOP Weekly Legislative Report
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Supported Bills

- HB10** **REMEDIATION 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:* 3/2/2011 - House Ways and Means, (Fifth Hearing)
 All Bill Status: 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:* 9/27/2011 - House Ways and Means, (First Hearing)
 All Bill Status: 1/11/2011 - Referred to Committee House Ways and Means
 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:* 9/27/2011 - House Ways and Means, (Sixth Hearing)
 All Bill Status: 2/23/2011 - House Ways and Means, (Fifth Hearing)
 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: 6/21/2011 - House Local Government, (Fifth Hearing)
All Bill Status: 6/14/2011 - **BILL AMENDED**, House Local Government, (Fifth Hearing)
5/24/2011 - **SUBSTITUTE BILL ACCEPTED**, House Local Government, (Fourth Hearing)
3/1/2011 - House Local Government, (Second Hearing)
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: 6/1/2011 - House Ways and Means, (Fourth Hearing)
All Bill Status: 5/11/2011 - House Ways and Means, (Third Hearing)
3/30/2011 - House Ways and Means, (Third Hearing)
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
- HB198 PROPERTY TAX COMPLAINTS (COLEY II W)** To permit property tax complaints to be initiated only by the property owner.
Current Status: 5/12/2011 - House Financial Institutions, Housing and Urban Development, (Second Hearing)
All Bill Status: 5/4/2011 - House Financial Institutions, Housing and Urban Development, (First Hearing)
4/12/2011 - Referred to Committee House Financial Institutions, Housing and Urban Development
4/12/2011 - 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 & Economic Development
3/9/2011 - Introduced

Bills Introduced Since 9/26/2011

NONRENEWABLE DRIVER'S LICENSE (YOUNG R) To establish, under certain circumstances, a grace period and prorated fees when a temporary resident applies for a nonrenewable driver's license.

Confidential

ELECTRONICALLY TRACKED PSEUDOEPHEDRINE (JOHNSON T, BUBP D) Regarding the participation of pharmacies, retailers, and the Attorney General in electronically tracking pseudoephedrine and ephedrine product sales through a national exchange.

SEXUAL/GENDER DISCRIMINATION (ANTONIO N, MCGREGOR R) To prohibit discrimination on the basis of sexual orientation or gender identity.

OHIO WORKS FIRST/SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (UECKER J) To terminate an individual's eligibility for the Ohio Works First program or Supplemental Nutrition Assistance Program for three years on conviction of a felony that has as an element the possession, use, or distribution of a controlled substance.

COMMERCIAL DRIVERS' LICENSES (ROSENBERGER C) To make changes in the law governing commercial drivers' licenses, including hazardous material endorsements, medical certification requirements, disqualifications, conviction records, establishing testing while driving as a serious traffic violation, and licenser of private commercial driver's license test administrators, and to exclude certain components from the prohibited length dimensions of specified types of vehicles.

SEXUAL/GENDER DISCRIMINATION (SKINDELL M, TAVARES C) To prohibit discrimination on the basis of sexual orientation or gender identity.

COMPREHENSIVE SEXUAL HEALTH EDUCATION (SKINDELL M) To establish statutory standards for comprehensive sexual health education and HIV/AIDS prevention education in public schools and to designate section 3313.6011 of the Revised Code as the "Act for Our Children's Future."

HEALTH INSURERS (OELSLAGER S) To limit copayments health insurers impose for physical therapy services and to make changes in the law governing health insurers and intermediary organizations.

Week in Review

Friday, September 30, 2011

ABORTION

Legislation tightening up the procedures governing court hearings regarding consent for a pregnant minor to have an abortion, HB63 (Young-Slaby), passed the Senate by a vote of 23-8. It must now go back to the House for concurrence with the Senate amendment.

AGRICULTURE

Comprehensive livestock standards created by the 13-member Ohio Livestock Care Standards Board went into effect Thursday, Sept. 29 when Ohio Department of Agriculture Director Jim Zehringer signed the final administrative order at a special ceremony in Fort Recovery. This concluded two months of outreach efforts by the department and Ohio's farm organizations to inform Ohioans raising or caring for livestock about the new rules.

BALLOT ISSUES

The Controlling Board approved \$2.1 million for ballot-issue advertising costs, \$1.6 million of that from an emergency fund to supplement the \$475,000 budgeted to Secretary of State Jon Husted's office this year for such advertising. Douglas Lumpkin, Husted's chief operating officer, said the office was able to bring costs down from an earlier projection of \$4 million to \$5 million by negotiation with newspapers as a group rather than individually. He said most of the cost resulted from the need to print all of SB5 (Jones) as part of advertising for Issue 2, the referendum on the collective bargaining overhaul.

Opponents of Issue 3, a constitutional amendment barring Ohioans from being required to purchase health insurance or participate in a health care system, among other provisions, have launched a website, www.votenoissue3.com, which will outline what they say are the unintended consequences of the issue, such as affecting workers' compensation, COBRA, mental health and developmental disability levies and disease tracking.

Progressive think tank Innovation Ohio (IO) revived criticisms Wednesday about political leaders' not sharing in the pay and benefit sacrifices of public employees under collective bargaining changes in SB5 (Jones), contrasting pro-SB5 cost-savings rhetoric with the pay and benefits for those in Gov. John Kasich's administration and the General Assembly. The think tank noted that while SB5 eliminates automatic pay increases for government workers, by law Kasich's salary increases yearly by the lesser of three percent or the growth in the consumer price index.

FY12-13 BUDGET

The Ohio Board of Deposit, which tracks Ohio's treasury deposits and investments, met Thursday after a month of rising consumer prices and flat returns, noting inflationary pressures in August, in line with projections earlier this year, though the state chief investment officer said inflation overall continues to trail normal levels for healthy growth.

DEATH PENALTY

Gov. John Kasich commuted the death sentenced of condemned inmate Joseph Murphy to life in prison Monday, following a unanimous recommendation he do so from the Ohio Parole Board. Kasich cited Murphy's youth at the time of the crime, his "brutally abusive upbringing," and late Chief Justice Thomas Moyer's dissent in the 4-3 Ohio Supreme Court case upholding Murphy's sentence, in which Moyer wrote that no other inmate whose case he'd reviewed "was as destined for disaster as was Joseph Murphy."

Members of the House Criminal Justice Committee, together with Reps. Nickie J. Antonio (D-Lakewood) and Ted Celeste (D-Grandview), sponsors of legislation abolishing the state's death penalty, HB160, toured Ohio's Death Row at the Ohio State Penitentiary in Youngstown to see firsthand what it means to be on Death Row.

ECONOMY

According to the Ohio Department of Job and Family Services (ODJFS), the index of leading economic indicators for Ohio held steady in August at 90.9. This indicates that employment, on a seasonally adjusted basis, will show little or no growth through the coming autumn. Still, the number of initial claims for unemployment compensation fell this month, while average weekly hours in manufacturing and total valuation of residential housing permits both rose. The national composite index of leading economic indicators rose 0.3 percent in August to 116.2.

EDUCATION

The Obama administration unveiled the details of its plan to give states waivers from No Child Left Behind requirements in exchange for meeting other standards, an idea state Superintendent Stan Heffner previously has said the Department of Education is interested in reviewing.

The Ohio Ethics Commission (OEC) Monday resolved a legal question on state-funded community schools that has been before the commission since early 2010, setting a high bar for district administrators who wish to serve in the same or similar capacity at conversion schools, either as district employees or dual, district/charter school employees.

Ohio's Educator Standards Board moved forward with a teacher performance pilot in 126 district and community schools.

The Ohio Suicide Prevention Foundation (OSPF) announced that it will use Kognito Interactive's online, interactive At-Risk for High School Educators as a key element of its "Campaign for Hope," a three-year youth suicide prevention campaign funded with a \$1.4 million grant from the federal Substance Abuse and Mental Health Services Administration (SAMSHA).

The Ohio Department of Education (ODE) began taking applications this week for state-sponsored community schools operating with the "highest academic standards and fiscal transparency and integrity," in accordance with new charter school provisions in HB153 (Amstutz).

The Ohio Department of Education (ODE) published online effectiveness reports for more than 200 providers of tutoring services for students in low-performing schools as part of a comprehensive plan to improve the performance of the Supplemental Educational Services (SES) program. A recent internal audit identified areas in which both ODE and local school districts can improve their management of SES.

ELECTIONS

Fair Elections Ohio, a coalition led by former Secretary of State Jennifer Brunner, submitted 318,460 signatures to the secretary of state's office Thursday to put a referendum on HB194 (Mecklenborg-Blessing) on the 2012 ballot. The group said the law signed by Gov. John Kasich in early July will make it harder for Ohioans to vote. Not only does the group need 231,147 valid signatures, it also needs valid signatures equal to at least 3 percent of the 2010 gubernatorial vote in 44 of the state's 88 counties.

ELECTIONS 2012

Rep. Mark Okey (D-Carrollton) told *The Repository* he won't seek a fourth term so he can spend more time with his family and continue to recover from knee surgery.

Nick Owens, a former aide to U.S. Rep. Jean Schmidt (R-Cincinnati), announced that he is running for the Republican nomination in the new 66th Ohio House district.

ENERGY

Environmental and conservation groups expressed hope following Gov. John Kasich's energy summit that his vision for new energy policies in Ohio includes support for renewable sources.

Pew Charitable Trust released its latest study, "From Barracks to Battlefield: Clean Energy Innovation and America's Armed Forces," which outlines steps the U.S. Department of Defense (DOD) is taking to ramp up clean energy use and efficiency in three areas: vehicle efficiency, advanced biofuels and energy efficiency in buildings, including the use of renewables.

American Electric Power Ohio's (AEP) rate proposal before the Public Utilities Commission of Ohio (PUCO) is opposed by the Office of the Ohio Consumers' Counsel (OCC) and FirstEnergy Solutions, according to filings made Tuesday. OCC said electricity refunds and rate reductions that AEP customers are entitled to would be eliminated if the PUCO approves the proposal, while FirstEnergy Solutions' (FES) said AEP's proposal would effectively prevent more than 50 communities -- including more than 300,000 households -- from receiving the benefits of governmental aggregation programs that are currently on the November ballot.

The U.S. Chamber's Institute for 21st Century Energy and Midwestern business leaders launched the "Partnership to Fuel America," (www.fuelingus.org) in Ohio and six other states, a new initiative designed to build a stronger foundation for the U.S.-Canadian energy partnership, including the approval of the TransCanada Keystone Coast Expansion pipeline project.

ENVIRONMENT

Environment Ohio released a new report showing that the Cleveland area ranks as the 14th smoggiest large metropolitan area in the country, despite applications to the U.S. Environmental Protection Agency (USEPA) to receive an attainment rating for reducing its pollutant levels.

A state-sponsored alum treatment at Grand Lake St. Marys in June successfully reduced the intensity of harmful algal blooms in the lake this past summer, according to a recent report by Tetra Tech Inc. The report revealed that the alum treatment exceeded expectations by reducing phosphorous levels in the

center of the lake by 56 percent -- the target had been a 50 percent reduction. There was similar positive data for areas of the 13,000 acre lake not treated directly, with phosphorus levels decreasing between 20 and 30 percent.

The Ohio Environmental Protection Agency (Ohio EPA) is holding a hearing Monday, Oct. 17 on proposed updates to rules that govern grants awarded to schools for retrofitting buses to reduce diesel emissions. Changes include the addition of county boards of developmental disabilities as eligible recipients for the grants and updating the model years of school buses that would be eligible for retrofits to the years 1996 through 2006.

Ohio EPA is also taking comments on its draft plan to demonstrate to U.S. EPA that Ohio effectively regulates air quality for lead emissions. These recommendations are outlined in a State Implementation Plan (SIP). In addition, a public hearing is set for Tuesday, Oct. 11.

GAMING

The Controlling Board approved the Ohio Lottery Commission's request for nearly \$17 million to pay gaming vendor Intralot to install a central system to manage video lottery terminals at racetracks, and to pay gambling consultants hired by the Kasich administration.

GENERAL ASSEMBLY/STATEHOUSE

Following a review prompted by significant turnover in his caucus, Senate President Tom Niehaus (R-New Richmond) announced a committee shakeup Monday. Separate committees on civil and criminal justice were merged into a single Senate Judiciary Committee, to be chaired by Sen. Mark Wagoner (R-Ottawa Hills). Sen. Bill Coley (R-West Chester) was made chairman of the Senate Government Oversight and Reform Committee, replacing Sen. Keith Faber (R-Celina), the Senate president pro tempore. Sen. Jim Hughes (R-Columbus) was appointed to the Senate Finance Committee.

Tickets are now on sale for the "Haunted Statehouse Tours" which take place on Friday and Saturday, Oct. 14 and 15; and Friday and Saturday, Oct. 21 and 22. Tickets are \$12 per adult and \$6 per child under the age of 12 and must be pre-ordered.

Both the House and Senate have cancelled the "if needed" sessions set for Tuesday and Wednesday, Oct. 4 and 5, bearing out Senate President Tom Niehaus' (R-New Richmond) statement that he expects the Senate to have a light legislative agenda in October as his members "are home, getting acquainted with their new districts."

The Senate passed SB114 (Seitz), which establishes the conditions for operation of certain specialized motor vehicles, including low-speed and under-speed vehicles, scooters, cab-enclosed motorcycles and mini-trucks, by a vote of 31-0.

The House passed four bills this week: HB267 (McKenney) to adopt the Revised Uniform Unincorporated Nonprofit Association Act; SB124 (Bacon) to make changes relative to the state's probate code; SB38 (Hughes), to designate May as "ALS Awareness Month"; and HB302 (Adams) to make the clerk of courts of Miami County the clerk of the Miami County Municipal Court.

Rep. Danny Bulp (R-West Union) let the cat out of the bag in his House Judiciary and Ethics Committee by wishing Rep. Todd McKinney (R-Akron) well as he leaves the General Assembly to take a judgeship. The governor has yet to make that official.

Reps. Nickie J. Antonio (D-Lakewood) and Ross McGregor (R-Springfield) announced the re-introduction of the Equal Housing and Employment Act (EHEA), HB335, to extend employment and housing protections to include sexual orientation under Ohio's civil rights law.

Committees this week reported out the following bills and resolutions: HB326 (McClain-Hill) to prohibit a person from using public funds for specified purposes; HB250 (Hackett) to establish requirements and

procedures for issuing portable electronics insurance; SB117 (Seitz-Schiavoni) to adopt the Uniform Power of Attorney Act; HB232 (Letson-O'Brien) to expand the authority of a county facilities review board; SR69 (Wagoner) to urge Congress to support continued and increased importation of oil from Canada and to ask the U.S. secretary of state to approve the TransCanada Keystone Coast Expansion pipeline project; and SR115 (Kearney) to recognize the importance of Ohio's county fairs.

GOVERNOR

Gov. John Kasich appointed former Secretary of State Jennifer Brunner to the Ohio Cultural Facilities Commission for a term running through 2013.

HEALTH & HUMAN SERVICES

Innovation Ohio released a report touting the one-year anniversary of some provisions of the federal Affordable Care Act, such as guaranteed coverage for children with pre-existing conditions and tax credits to help small businesses offer health plans. The think tank also criticized Lt. Gov. Mary Taylor for her incessant criticisms of the new law, accusing her of "intellectually dishonest" attacks.

The Center for Community Solutions announced the schedule for its Human Services Institute, set for Thursday, Oct. 13, with a planned keynote address from Peter Edelman, co-director of the Georgetown University Center on Poverty, Inequality and Public Policy.

The Ohio Department of Job and Family Services (ODJFS) finalized a corrective action plan designed to bring Ohio's cash assistance program in line with federal welfare-to-work requirements, avoid more than \$130 million in federal penalties, and put more Ohioans back to work. An element of the plan is the launch of a new, temporary program, Ohio Works Now, that will provide a small additional TANF food assistance benefit to eligible working families with children, allowing those families to be counted in the state's work participation rate. Ohio Works Now does not provide cash assistance benefits.

HIGHER EDUCATION

Ohio State University announced the creation of its Subsurface Energy Resource Center, which is intended to provide research and guidance as development of shale gas reserves ramps up in the state.

The University of Toledo announced the signing of a one-year labor contract extension with the Communications Workers of America Local 4319 that keeps wages flat and calls for increasing employees' share of health care costs.

Officials at Cincinnati State Technical and Community College (CSTCC) said Monday arrangements had been made to cover classes taught by striking members of the American Association of University Professors (AAUP) although teachers were expected to return to classes by Friday, but still without a contract.

Attorney, professor and pundit Bob Fittrakis injected himself into the ongoing fiscal problems of Wilberforce University Tuesday, filing a petition with the Ohio Attorney General's Office against the university's Board of Trustees on behalf of Concerned Citizens of Greene County, asking the AG to find the board "has violated its fiduciary duties to the university through malfeasance and gross negligence."

Chancellor Jim Petro took his pitch for creating "enterprise universities" that shed some state oversight but also get fewer tax dollars to a Columbus Metropolitan Club forum Wednesday. Petro also stressed his view that the major obstacle to significant economic growth in Ohio is a relatively low degree-attainment rate that leaves business leaders unsure if they can find enough skilled workers in the state.

Chancellor Jim Petro named Ohio State University's urban and regional development programs as the institution's sixth state-designated "Center of Excellence." It was the 47th such designation across the state since the project of officially identifying strong programs started in the Strickland administration, but Thursday's event added something previous designees didn't get: a plaque.

The Cincinnati State Board of Trustees approved a financial plan that could pave the way for a Middletown campus whereby Boston-based Higher Education Partners (HEP) will be responsible for build-out of the campus, lease and operating payments, equipment purchases and other operational details, while Cincinnati State would have primary responsibility for programming and curriculum development, staffing and academic operations.

Ron Erickson has been restored as head of Hocking College after being stripped of his presidency in June. The June vote had been 7-1. Two trustees resigned since then and two retired, however, leaving four appointees of Gov. John Kasich to join board Chairman Mike Brooks Tuesday in rehiring Erickson 5-4.

INSURANCE

The U.S. Department of Health and Human Services (HHS) awarded a \$4,091,507 Affordable Care Act (ACA) grant to the Ohio Department of Insurance (ODI) to improve its capacity to scrutinize health insurance premium hikes. Ohio was among 28 states and the District of Columbia receiving a portion of \$109 million in grant money allocated to review premium increases. This grant follows on the heels of new rate review regulations effective Sept. 1, which require ODI to add some new components to its rate review process.

After several years of relatively modest premium increases, annual premiums for employer-sponsored family health coverage increased to \$15,073 this year, up 9 percent from last year, according to the Kaiser Family Foundation/Health Research & Educational Trust 2011 Employer Health Benefits Survey released Tuesday. Family premiums increased only 3 percent in 2010. On average, workers pay \$4,129 or nearly 28 percent of the premium, and employers pay \$10,944 toward those annual premiums.

JUDICIAL

A divided Ohio Supreme Court denied the state's appeal seeking to pursue manslaughter charges against Caitlin DeMastry, niece of a former Fairfield County sheriff, in a pedestrian-death case where the Fifth District Court of Appeals found DeMastry's suspended license did not qualify as a predicate offense in support of manslaughter charges.

The Toledo Municipal Court has received the inaugural Innovative Court and Practices Award of the Ohio State Bar Association (OSBA) for two technology initiatives. The court's probation department manages both efforts. The Kiosk Program, begun in 2008, allows non-violent offenders to use one of five kiosks located throughout Lucas County to report in, including a photo identification check, to reduce the need for probation officers. The Alternatives Program, begun in 2010, permits first-time and low-risk offenders to complete an online educational course designed to reduce recidivism.

Ohio Democratic Party Chairman Chris Redfern under the banner of Ohioans for Fair Districts filed suit in the Ohio Supreme Court seeking an order that a new congressional map in HB319 (Huffman) is subject to referendum despite Republican assertions to the contrary. Not only did Republicans attach a \$2.75 million appropriation to HB319 to help local boards of election prepare for the new maps, asserting the money short-circuits any referendum attempts, but they also added language stating the bill's not subject to referendum and that "it is the intent of the General Assembly that the congressional districts ... take immediate effect." But simply stating that doesn't make it so, the Democrats argue.

The Ohio Supreme Court ruled that motorists involved in accidents should sue their auto policy for underinsurance coverage before they have determined they are underinsured -- that is, if they don't wish to run afoul of policy language limiting such claims to a specific period. Dissenting Justice Paul Pfeifer, joined by Justice Yvette McGee Brown, called the opinion a "waste of time" for the courts of Ohio and a "waste of money" for all involved.

Ohio State University asked the Ohio Supreme Court to suspend an expedited briefing schedule for the university's public-records dispute with ESPN and instead send the parties to mediation. ESPN is to respond to the request by noon Monday.

PENSION FUNDS

Three Cuyahoga County Republican lawmakers are seeking to add two felonies to the list of crimes that would cost guilty public officials their state retirement or disability benefits: extortion and perjury. The bill, HB323, is sponsored by Reps. Mike Dovilla (R-Berea) and Marlene Anielski (R-Walton Hills). Rep. Nan Baker (R-Westlake), a co-sponsor, joined them at a press conference Monday in Cleveland to urge passage of the bill.

PEOPLE

Sean Logan, a former state legislator and director of the Ohio Department of Natural Resources (ODNR) under former Gov. Ted Strickland, has joined the Muskingum Watershed Conservancy District (MWCD) as chief of conservation.

Anne Hall, daughter of Thomas A. Luken and sister of Charles Luken, both former Democratic congressmen from Cincinnati, died Wednesday at Kobacker House at the age of 58. The wife of Franklin County Common Pleas Court Judge John Connor, she was a lobbyist for Bank One for 17 years and a member of the Columbus School Board for four years.

POLLS/STUDIES

Ohio voters still have a sour opinion when it comes to Gov. John Kasich and SB5 (Jones), the collective bargaining law up for referendum as Issue 2 on the November ballot, a new poll from Quinnipiac University found. But the poll also found their fortunes rising, as Kasich's approval ratings are up 5 percent from a July survey, while those favoring a repeal of SB5 fell 5 percentage points.

In addition, Quinnipiac found that U.S. Sen. Sherrod Brown (D-OH) continues to get good marks in his bid for re-election, while President Barack Obama's ratings continue to sink among Ohioans. The latest survey showed Brown leading Ohio Treasurer Josh Mandel 49 percent to 36 percent and former state Sen. Kevin Coughlin 53 percent to 32 percent. Mandel has gained two percentage points on Brown since a July survey, while Coughlin's support has stayed the same. Ohio voters also gave Brown a positive approval rating of 52 percent to 31 percent, and 50 percent say he deserves another term in office, compared to 34 percent who say he does not.

PUBLIC SAFETY

Ohio Department of Public Safety Director Tom Charles (ODPS) announced the promotion of Ohio State Highway Patrol Capt. Richard Baron to executive director of Ohio Homeland Security (OHS) and the reassignment of Robert Glenn, current OHS director, to a new position within Ohio Emergency Management.

REDISTRICTING/REAPPORTIONMENT

In the space of six days, the Apportionment Board unveiled, discussed and approved new General Assembly maps for the next decade, but the board was set to reconvene Friday just before its constitutional deadline to squeeze in last minute changes. Wednesday's vote to approve the maps featured miscommunication and confusion among board members and the Ohio Legislative Black Caucus, with proposed changes to Senate Districts 21 and 25 dropped after House Minority Leader Armond Budish (D-Beachwood), the board's sole Democrat, said the changes weren't in line with the wishes of the black caucus president, Rep. Sandra Williams (D-Cleveland). But Williams later responded that she had requested the changes Budish objected to, which would have shuffled House districts between the two Senate districts, making the 21st District majority minority, rather than the 25th. Gov. John Kasich scheduled a new board meeting to address Williams' concern at the urging of House Speaker Bill Batchelder (R-Medina), although the respective incumbents in the 21st and 25th Senate Districts, Sens. Shirley Smith (D-Cleveland) and Nina Turner (D-Cleveland), objected to Williams' proposal. Batchelder's

statement calling for a new meeting said the board could also take up "some technical amendments" at the Friday meeting.

Amid all the contentious debate, Secretary of State Jon Husted got an I-told-you-so moment, chiding both parties for failing to agree on constitutional apportionment reforms in the previous General Assembly and announcing an agreement from Batchelder and Senate President Tom Niehaus (R-New Richmond) to allow hearings on reform proposals again.

The maps combined a few pairs of neighboring House Democrats into one another's districts, while also drawing a few Democratic incumbents into more conservative-leaning districts with neighboring Republicans. Sens. Jason Wilson (D-Columbiana) and Joe Schiavoni (D-Austintown) also were combined into a single district. During Wednesday's vote, the board approved a few changes to the maps unveiled Sept. 23, mainly shuffling counties and townships among Southeast Ohio districts.

A Monday hearing of the Apportionment Board on the General Assembly maps included lengthy debate on their adherence to the Ohio Constitution, the federal Voting Rights Act and the subjective principle of fairness. The Ohio Campaign for Accountable Redistricting, League of Women Voters of Ohio and others argued the map would only exacerbate partisan polarization. But Senate Republican fundraiser Ray DiRossi, board co-secretary and one of two primary authors of the map, said addressing significant population shifts within legal guidelines required major changes to the map. "You should not be surprised that, in some cases, our constitutional framework can actually conflict with itself," said DiRossi.

STATE GOVERNMENT

Inspector General Randy Meyer's office released a report finding a Department of Development energy specialist incurred travel expenses without authorization and misused grant money by seeking reimbursement directly from department vendors.

Jumping off their joint proposal for an overhaul of Ohio's tax code, three policy organizations with often disparate philosophies are planning a conference in search of agreement on how to address the state's broader problems. The conference, titled "Across the Spectrum: The Future of Ohio and the Path to Prosperity," will run all day Dec. 8 at the Renaissance Hotel in downtown Columbus. The three groups, the Buckeye Institute for Public Policy Solutions, the Greater Ohio Policy Center and the Center for Community Solutions, came together during budget season to urge a comprehensive review of state tax expenditures to determine which are still effective and necessary, a task the Senate Ways and Means and Economic Development Committee plans to begin in November. Big-name speakers lined up for the December event include well-know supply-side economist Arthur Laffer, Clinton-era federal budget director Alice Rivlin and foreign policy scholar Walter Russell Mead, who will the deliver the dinner keynote address.

A number of bills went into effect Friday, Sept. 30 including the following:

- HB86 (Blessing-Heard) revises Ohio's criminal sentencing laws.
- HB92 (Martin-Beck) allows for the adoption of an adult if the adult is the child of the spouse of the adoptive petitioner and the adult consents to the adoption.
- HB133 (J. Adams) establishes procedures to allow drilling for oil and gas on state-owned lands.
- HB163 (Balderson) makes changes to the state's coal mining laws.
- SB17 (Schaffer) allows those with carry-concealed permits to take weapons into places serving liquor as long as the permit-holder doesn't drink any liquor. The bill also removes restrictions on the way firearms must be transported in vehicles.
- SB22 (Schaffer) requires the Ohio Environmental Protection Agency to work within guidelines granted by the federal law to consider local financial impacts when issuing permits for sewage and long-term storm water control projects.

A seventh bill, HB194 (Mecklenborg-Blessing), election law reform, was due to become effective but is currently on hold with the filing of referendum petitions Thursday.

TAXATION

The Ohio Department of Taxation (ODT) said it has begun mailing the first major batch of invitations to more than 200,000 businesses encouraging them to take advantage of the state's first use tax amnesty. The amnesty will run from Oct. 1, 2011, until May 1, 2013, as approved in the state FY12-13 budget, HB153 (Amstutz).

TRANSPORTATION

The Ohio Department of Transportation pared from 14 to five the list of consulting firms it will consider for help in pursuing a potential lease of the Ohio Turnpike. Moelis and Company, which already has a contract to advise the Kasich administration on gambling policy, did not make the cut.

UTILITIES

In the opening hearing of a review of Ohio energy policy, House Public Utilities Committee members were given the layman's version, although still extensive and complex, crash course in Ohio's electric utility legislative policy and regulatory framework by Public Utilities Commission of Ohio (PUCO) staff. Hot points included a historical perspective of electric regulation and rate structure from 1999 under 123-SB3 (Johnson) to the passage of 127-SB221 (Schuler) and an overview of the current status of where the state is on policy rules, energy benchmarks for renewables, energy efficiency, current rate cases and the basic understanding of generation, distribution and transmission.

WORKERS COMPENSATION

The Ohio Bureau of Workers' Compensation (BWC) Board of Directors approved the selection of two firms to oversee the selection and management of qualified minority- and/or women-owned (MWBE) firms to manage State Insurance Fund invested assets. Attucks Asset Management and Leading Edge Investment Advisors were selected as Managers-of-Managers (MoM) following a Request for Proposals search and evaluation process. Both are minority-owned firms.