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NAIOP Weekly Legislative Report
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Supported Bills

- 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:* 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 10/17/2011

- HB347 NONCHARTERED VILLAGE (ANIELSKI M)** To authorize the legislative authority of a statutory nonchartered village to be composed off five instead of six members and to authorize the terms of office to be nonstaggered.
- HB348 DIVISION OF MARITAL PROPERTY (PELANDA D)** To change the definition of marital property, to replace spousal support awards with compensatory spousal support awards with compensatory spousal support awards, and to create presumptions for circumstances under which a compensatory spousal support award should be made and standards for the length and duration of compensatory spousal support awards.
- HB349 UNIFORM TRAFFIC CONTROL DEVICES (MCGREGOR R)** To make changes in certain provisions relating to road signs and traffic signals for purposes of the Ohio Manual of Uniform Traffic Control Devices.
- HB350 TAXPAYER CONTRIBUTION - AMERICAN RED CROSS (HACKETT R, GROSSMAN C)** To allow taxpayers to make contributions to the American Red Cross Ohio Disaster Response Readiness Fund through their income tax returns.
- HB351 WELL STIMULATION/BRINE DISPOSAL (ANTONIO N, FEDOR T)** To establish requirements governing well stimulation, brine disposal and water that is used in the drilling/operation of oil and gas wells, including a requirement that oil and gas permittees pay a seven per cent overriding royalty for each well that is stimulated.
- HB352 DANGEROUS EXOTIC ANIMALS (PHILLIPS D)** To prohibit the future acquisition of a dangerous exotic animal, to require a person owning a dangerous exotic animal, on the act's effective date to register it with the Division of Wildlife, and to declare an emergency.
- HB353 HOSPITAL PERFORMANCE REPORTING REQUIREMENTS (SEARS B)** To repeal certain hospital performance reporting requirements.
- SB237 TAXPAYER VOLUNTARY CONTRIBUTION FUND (BURKE D)** To create the Taxpayer Voluntary Contribution Fund for the purposes of receiving contributions to be used for transportation purposes or other general purposes of the state.
- SB238 ETHICS LAW STATEMENTS (LEHNER P)** To require persons who are elected or appointed to, or who are candidates for, an office of a township with a population of five thousand or more to file statements under the Ethics Law.
- SB239 STATE BOARD OF EDUCATION DISTRICTS (SAWYER T)** To establish state board of education districts based on the 2011 plan of apportionment.
- SB240 COUNTY SUCCESSION (BURKE D, LEHNER P)** To establish certain requirements to be followed by a county adopting/amending a charter that provides for the succession by the county to the rights, properties, and obligations of any municipal corporations or townships wholly located in the county.
- SB241 NEW COMMUNITY AUTHORITY LAW (COLEY W)** To make changes to the New Community Authority Law.

Week in Review

Friday, October 21, 2011

ABORTION

The anti-abortion forces in Ohio continued to divide over HB125 (Wachtmann), legislation that would ban abortion if a fetal heartbeat could be detected. Ohio Right to Life Board of Trustees member Mary Clark resigned in response to the opposition of the group's executive director, Mike Gonidakis, to the bill. She said he had been lobbying for defeat of the bill despite the board's urging him not to oppose it. She said the board has never taken a vote to oppose the bill.

Democrats for Life of Ohio (DFLO) issued a news release Thursday reminding Ohioans that with HB78's (Uecker-Roegner) becoming effective that day, "Abortions performed after the unborn child can survive outside of the mother are illegal in Ohio. They are fourth degree felonies."

AGRICULTURE

Confidential

State directors from the Ohio departments of agriculture (ODAg), natural resources (ODNR), and the Environmental Protection Agency (Ohio EPA) announced ongoing efforts towards reducing agriculture-related phosphorus from loading into the western basin of Lake Erie at a news conference at Maumee Bay State Park. They also encouraged farmers to immediately adopt updated best management practices for fertilizer application. In addition, the three agencies agreed, based on recommendations from a diverse working group to encourage farmers to adopt production guidelines known as 4R Nutrient Stewardship that are effective in reducing soluble forms of phosphorus from affecting waterways across the state.

ATTORNEY GENERAL

Ohio Attorney General Mike DeWine joined with representatives of the U.S. Drug Enforcement Agency (DEA) and the Outdoor Advertising Association of Ohio Monday to unveil an electronic billboard campaign to urge Ohioans to dispose of unused and expired medications on National Drug Take Back Day, Oct. 29.

BALLOT ISSUES

Anti-abortion group Personhood USA submitted about 2,000 signatures to the attorney general and secretary of state to start a campaign for an amendment to the Ohio Constitution that would ban abortion by changing the definition of a person. The attorney general has until Monday, Oct. 24 to determine whether the issue summary of this "personhood" amendment is "fair and truthful." However, the coalition Healthy Families Ohio has filed a legal challenge with the AG, asking that he reject the summary because it is not "fair and truthful" as required by state law. The coalition called the summary "incomplete" and "confusing" and said it "fails to address the far-reaching consequences of how the amendment would affect countless Ohio laws."

Attorney General Mike DeWine certified summary petition language for a medical-marijuana constitutional amendment campaign for the "Ohio Alternative Treatment Amendment." The Ohio Ballot Board will meet Friday to decide if backers of a constitutional amendment allowing for medical marijuana should have one or multiple issues on the ballot. If the amendment is approved as one issue, supporters must gather 385,253 valid signatures by 120 days before the November 2012 election in order to qualify for the ballot.

Controversy over pro-Issue 2 group Building a Better Ohio's re-cutting anti-Issue 2 commercial footage to make it seem the woman takes the opposite argument prompted Rep. Tracy Heard (D-Columbus) to promise new legislation requiring campaigns using images originally used by another candidate or campaign to credit the original source of the material.

Opponents of Issue 3, the proposed constitutional amendment designed to pre-empt parts of the federal Affordable Care Act, announced Monday the formation of their official political action committee, Vote No on Issue 3.

We Are Ohio, teachers and a Columbus School Board member held a news conference near the Statehouse to highlight negative effects in education they believe will result if Issue 2 is not defeated, saying collective bargaining has enabled teachers to strengthen schools.

The Columbus Dispatch and *The Plain Dealer* both endorsed passage of Issue 2, the referendum on collective bargaining changes in SB5 (Jones). Meanwhile, *The Dispatch* endorsed a "no" vote on Issue 3, the proposed constitutional amendment intended to pre-empt the federal health care law.

As part of an ongoing effort to support their argument that the current collective bargaining system works and reform law SB5 (Jones) is not needed, opponents of Issue 2 Tuesday released a report, "Shared Sacrifices," commissioned by Protect Ohio Protectors, a coalition of Ohio police and fire unions. It outlined the concessions made by Ohio public unions during the recent recession, which they said have totaled \$1.06 billion since 2008.

In response, Building a Better Ohio said there would be no debate if concessions alone could fix the financial problems local governments and school districts face, calling the savings claimed in the report "phantom savings because government workers have just yielded future wage increases."

A new poll released by Democratic pollster Public Policy Polling (PPP) shows Issue 2 going down to defeat by a 20-point margin.

In addition, PPP found that, by a 55-24 margin, voters say if the election was today they would support Issue 3, which is basically meant to counteract President Barack Obama's health care plan. Republicans support it by a 70-12 margin, and so do independents, 58-21. However, Democrats also say right now that they'd vote for it 41-35.

CORRECTIONS

The Ohio Poverty Law Center and the Ohio Legal Assistance Foundation have launched a free, online tool to help Ohioans determine if they are eligible to expunge (or "seal") past Ohio criminal convictions. The expungement eligibility tool employs a step-by-step question and answer format featuring an automated guide, Ayla, to help users determine whether they qualify to expunge their criminal records. At the end of the interview, the program gives users instructions on how and where to file for expungement if they do qualify.

CRIMINAL JUSTICE

The General Assembly and the Ohio Criminal Sentencing Commission (OCSC) are weighing substantive changes to HB86 (Blessing-Heard) even as the corrections overhaul goes into effect this month. Concerns voiced by the Ohio Supreme Court, Ohio Department of Rehabilitation and Correction (DRC), trial judges, law enforcement, and other interested parties since its passage in June range from technical discrepancies with major repercussions to larger constitutional questions around separation of powers and rights of the accused.

ECONOMIC DEVELOPMENT

The National Association of Seed and Venture Funds announced it will move its headquarters to the campus of Lorain County Community College and convene its next annual conference in Cleveland.

EDUCATION

Gov. John Kasich signed an executive order creating the position of "Early Education and Development officer" in his Office of 21st Century Education to "elevate the importance of the education of young children in the state and seek to improve kindergarten readiness results in Ohio."

Ohio educators will be brought up to speed this month on efforts by the Legislature and State Board of Education to bring high school standards in line with the realities of higher education. Superintendent of Public Instruction Stan Heffner announced that regional briefings will be held around the state for Ohio's High School and Higher Education Alignment Project. The project, a joint effort of the Ohio Department of Education (ODE) and the Ohio Board of Regents, will bring secondary and post-secondary professionals together to jump start changes begun with the state's adoption of new K-12 academic standards and participation in the national Common Core, and regents' development of College Readiness Expectations under the previous administration that were revised this year to align with Common Core standards and Ohio's federal Race to the Top (RttT) award.

Former Superintendent William Zelei of the South Euclid-Lyndhurst School District has resigned and accepted the position of associate superintendent for accountability and quality schools with the Ohio Department of Education.

State Superintendent Stan Heffner joined Highway Patrol Superintendent John Born in announcing National School Bus Safety Week, Oct. 17-21, an opportunity to remind students to be cautious any time

they are crossing the street. This year's theme, "Be Aware -- Know the Danger Zone," recognizes that drivers do not always stop until buses have fully loaded and unloaded, and may attempt to pass while children are crossing.

State Superintendent Stan Heffner announced that more than half of Ohio's counties are home to Schools of Promise, demonstrating that students in disadvantaged communities and demographic groups can succeed at the highest levels. Appalachia led the state with six Schools of Promise in Logan-Hocking Local School District in Hocking County, followed by Cleveland Metropolitan School District in Cuyahoga County, Columbus City Schools in Franklin County, Steubenville City Schools in Jefferson County, Claymont City Schools in Tuscarawas County, Piqua City Schools in Miami County, and Gallia County Local Schools, which each placed three schools apiece.

The House Health and Aging Ad Hoc Subcommittee recommended a substitute version of youth sports-concussion legislation HB143 (Stinziano-O'Brien) after meeting over the summer to hammer out a compromise on the proposals. According to Rep. Michael Stinziano (D-Columbus), a bill sponsor, the sixth substitute version of the bill maintains the educational component but leaves the decision of who is authorized to return a concussed student to play to local schools and athletic organizations.

School Choice Ohio said that more than 100,000 students who attend 226 school buildings in 29 districts located across the state are eligible to apply for an EdChoice scholarship for the 2012-2013 school year, based on information from the Ohio Department of Education. The number of available scholarships increases to 60,000 next year.

ELECTIONS

House Democrats on the State Government and Elections Committee urged Secretary of State Jon Husted to instruct county boards of election to stay open for early in-person voting until the day before the election, citing confusion over provisions in HB224 (Stinziano-Dovilla) that require in-person voting to end the Friday before the election. A similar provision in HB194 (Mecklenborg-Blessing) is on hold because of a pending referendum.

ELECTIONS 2012

Responding to the disruption to Ohio's 2012 election cycle caused by the Democrats' pending referendum on HB319, which drew Ohio's 2012-2022 congressional district lines, Senate Republicans Thursday opted to set a second primary date in 2012 for president and U.S. Congress, leaving the March date in place for a primary for the General Assembly and U.S. Senate in amendments to HB318. Deadlines for filing for all the offices remains Dec. 7, 2011, with the potential of a March 2012 deadline for candidates to file for U.S. Congress.

HB318 also eliminates the August special election, instead permitting "a political subdivision or taxing authority to conduct a special election on the day of the June primary election."

Former U.S. Rep. Charlie Wilson is taking steps to position himself for a 2012 congressional run, having filed a statement of candidacy and contributed \$150,000 to his campaign, the *Youngstown Vindicator* reported. Wilson was defeated in his 2010 re-election bid by U.S. Rep. Bill Johnson (R-Marietta).

Reflecting the rest of the nation, a new poll by Public Policy Polling (PPP) shows former Godfather's Pizza CEO Herman Cain surging to the front of the Republican presidential primary pack in Ohio, while Texas Gov. Rick Perry has fallen.

Rep. Michael Stinziano (D-Columbus) said he will run for re-election in the new 18th House District that he was drawn into under the reapportionment process along with Rep. Ted Celeste (D-Grandview Heights). He said he is optimistic that there will not be a primary against Celeste, who is looking at a run for the new 3rd Congressional District in Franklin County.

Mike Curtin, who has served as a reporter, editor, president and associate publisher of the *Columbus Dispatch*, has expressed interest in the 17th House District but said he would not run if Stinziano moved there.

ENERGY

The FirstEnergy Corp. and Boich Companies subsidiaries that jointly own the Signal Peak coal mine in Montana announced that Pinesdale LLC, a fully owned subsidiary of commodity trader Gunvor Group, Ltd., has purchased a one-third interest in the venture for \$400 million. As part of the transaction, FirstEnergy will receive nearly \$260 million of the proceeds. Additionally, the transaction will reduce the company's debt by approximately \$360 million due to deconsolidation and will result in an estimated gain for FirstEnergy of \$390 million due to revaluation of the asset.

Representatives of American Electric Power (AEP), Duke Energy, Dayton Power & Light (DP&L) and FirstEnergy all testified before the House Public Utilities Committee regarding their recommendations and views on the good, bad and ugly of 127-SB221 (Schuler) -- Ohio's energy policy passed in 2008 that created a standard service offer approach to setting rates through an electric security plan (ESP) and a market rate offer (MRO) through a retail electric auction.

Baard Energy backed away from plans to build a coal-to-liquid refinery in Columbiana County.

FEDERAL

A group of Ohio small business owners who sell their goods over the Internet, traveled to Washington, D.C. on Wednesday to meet with members of the Ohio Congressional delegation and join U.S. Rep. Steve Womack (R-AR) for the introduction of a new states' rights e-fairness bill.

A group of 37 state and territorial attorneys general sent a letter to the U.S. Senate backing the nomination of former Ohio Attorney General Richard Cordray as director of the Consumer Financial Protection Bureau, saying they believe Cordray is "very well qualified to carry out the responsibilities of this position." However, Ohio's Attorney General Mike DeWine, who defeated Cordray last November, did not sign, telling *The Plain Dealer* that, as a former member of Congress, he is reluctant to write his former colleagues and tell them what to do. He said he believes Cordray is well-qualified and would do an excellent job.

U.S. Sen. Rob Portman (R-OH) told reporters Thursday that the bipartisan deficit reduction committee that is charged with cutting \$1.5 trillion out of the federal deficit over the next 10 years is "making some progress" and said he remains hopeful a deal will be reached. He would not share details of the negotiations, but continued to say that he believes any agreement is the first step to reducing the federal deficit.

GAMING

The Kasich administration pressed forward with plans to allow installation of video lottery terminals (VLTs) at Ohio's seven racetracks. Gov. John Kasich signed two executive orders in the space of a week authorizing the Ohio Lottery Commission and Ohio Racing Commission to issue emergency rules setting licensing and application requirements for track owners, minimum spending thresholds for new VLT facilities and a process for track owners to move their permits to a different location. Casino operators own some tracks and are considering moving them farther from casino sites to avoid competing with themselves.

Meanwhile, two groups announced intentions to try to block the VLTs, at least in the manner Kasich is trying to authorize them. Long-time anti-gambling advocates at the Ohio Roundtable and American Policy Roundtable filed a lawsuit in Franklin County Common Pleas Court, alleging a host of legal and constitutional violations, including the argument that the 1973 constitutional amendment creating the lottery does not authorize racetrack slots. Also, the Mahoning Valley Development Group, which wants a

license to run a new, eighth racetrack in the Youngstown area, said it was considering legal action or a ballot-issue campaign to set out a more competitive process for awarding VLT licenses.

The Casino Control Commission opted Wednesday to hire the Bureau of Criminal Identification and Investigation (BCII) instead of the State Highway Patrol to temporarily police gambling floors, but likely for a shorter period than originally discussed.

Also Wednesday, doubts surfaced as to whether the first casinos will be able to open in early spring as planned because of lingering questions about which investors must disclose information to the commission as part of the casino operator licensing process.

GENERAL ASSEMBLY/STATEHOUSE

Rep. Ron Young (R-Leroy) and former Rep. Jamie Callender are among 13 who've applied for the vacancy created when Sen. Tim Grendell (R-Chesterland) was appointed a Geauga County judge. Other applicants are Walter Claypool of Chesterland; John Eklund of Chardon; Colleen O'Toole of Concord; John Advay; Mark Saric of Chesterland; Wayne Clough of Madison; Charles Stevens of Chesterland; Becky Lynch of Mentor; Ted Peterson of Munson Township; and Michael Petruziello. Interviews are tentatively set for Nov. 2.

Reps. Mike Foley (D-Cleveland), Bob Hagan (D-Youngstown), Teresa Fedor (D-Toledo) and Michael Ashford (D-Toledo) announced that they are filing a complaint with the Ohio Ethics Commission regarding JobsOhio Chief Investment Officer Mark Kvamme. They claim there are potential conflicts of interest between Kvamme's current roles for the state of Ohio and for venture capital firm Sequoia, where Kvamme has served as a partner.

HEALTH & HUMAN SERVICES

U.S. Department of Health and Human Services (HSS) Secretary Kathleen Sebelius Friday notified Congress that the department has been unable to figure out how to implement an actuarially sound Community Living Assistance Services and Supports (CLASS) program -- a part of the Affordable Care Act (ACA) championed by the late Sen. Ted Kennedy that was to create better long-term care options for Americans.

There was good news and there was bad news at Wednesday's Statewide Summit on the Ohio Department of Job and Family Services' (ODJFS) IMPROVE program -- the Implement Medicaid Programs for the Reduction of Avoidable Visits to the Emergency Department (ED). The good news was actually twofold: the 18-month trial took the right tack by focusing on diagnoses rather than the broader "frequent ED users" and the results showed reductions in emergency department visits ranging from 27 to 66 percent. The bad news: Sample sizes were very small and the approach was found to be "resource intensive."

HIGHER EDUCATION

Case Western Reserve University (CWRU) President Barbara R. Snyder publicly kicked off the school's \$1 billion fundraising campaign, "Forward Thinking: The Campaign for Case Western Reserve University."

Chancellor Jim Petro announced the designation Thursday of three new Centers of Excellence at Wright State University, the University of Cincinnati and Miami University. Wright State's Center for Collaborative Education, Leadership and Innovation in the Arts (CELIA) was named a Center of Excellence in Cultural and Societal Transformation, as were Cincinnati's Center for Design and Innovation and Miami University's Institute for Entrepreneurship.

JUDICIAL

The Ohio Supreme Court heard oral arguments Wednesday in a Columbus tavern's challenge to Ohio's statewide indoor smoking ban on the basis that it's an unlawful taking of private property rights.

The Supreme Court of Ohio published 56 pages of proposed rule amendments Friday as part of its annual review of judicial rules governing appellate, criminal, civil and juvenile procedure, as well as rules of evidence. Major changes would allow civil service by email or fax; conform court rules with legislative changes in civil protection orders for domestic violence, stalking and sexually oriented offenses; clarify jurisdiction in juvenile bind-over cases; and adopt recommendations of the American Civil Liberties Union (ACLU) and Ohio Public Defender's Office on extra protections for juveniles waiving their right to counsel.

The Ohio Supreme Court acted Monday to block the proliferation of Internet-based debt settlement companies that are soliciting Ohioans faced with foreclosure and debt collection, charging such out-of-state law firms with the unauthorized practice of law.

In a case likened by some to the Enron/Arthur Andersen scandal, the Ohio Supreme Court ruled Tuesday that the state of Ohio, through its superintendent of insurance, has no duty to arbitrate claims of professional malpractice and "fraudulent transfer" against accounting giant Ernst & Young -- accused of collusion with the defunct American Chambers Life Insurance Company (ACLIC) of Cleveland.

The Ohio Court of Claims may not second-guess decisions by the attorney general's office granting attorney's fees to lawyers representing claims against the Ohio Crime Victims Compensation Fund, a divided Ohio Supreme Court ruled this week. The 4-3 majority found that while the Court of Claims has jurisdiction over the victim's appeal of offered compensation, it has no power to review the lawyer's application for attorney's fees, which are paid by the attorney general.

An advisory opinion recently issued by the Board on the Unauthorized Practice of Law of the Supreme Court of Ohio outlines the activities non-attorneys can and cannot engage in concerning Medicaid benefits. According to Opinion UPL 11-01, non-attorneys may review documents, prepare and file Medicaid applications and attend state hearings on behalf of an individual "to the extent that those activities are authorized by federal law."

The opinion draws the line for non-attorneys at performing "Medicaid planning" for current and prospective nursing-home patients and/or their families regarding qualification for Medicaid benefits "if it requires specialized legal training, skill, and experience."

NATURAL RESOURCES

A group of Lake Erie property owners who have been battling the Ohio Department of Natural Resources (ODNR) over where their property ends and the public's right begins said Friday that it will ask the Ohio Supreme Court to force the state to pay for attorney's fees in that fight.

The release of 56 exotic and dangerous animals, including 18 Bengal tigers and eight bears, by a man in the Zanesville area who then committed suicide led to national and even worldwide attention on Ohio as local law enforcement officers were forced to shoot all but six of the animals to protect the community. This came after Gov. John Kasich had allowed a Strickland-era executive order restricting ownership of exotic wild animals to expire and before his own people had put a new policy in place. Kasich has maintained the governor did not have the authority to do what Strickland had done.

The Humane Society of the United States' (HSUS) Wayne Pacelle said the tragedy involving the escape and ultimate deaths of the exotic animals has put "an exclamation mark" on their aggressive position to ban ownership and trade in Ohio of exotic dangerous animals. He then called for immediate action by the governor on the ban before more animals are placed at risk and before any more law enforcement officers and Ohioans are placed in the situation Muskingum County Sheriff's Office deputies faced.

PEOPLE

Cincinnati business leader Carl Lindner Jr., who founded American Financial Group and United Dairy Farmers and invested in a slew of other high profile businesses, died late Monday at age 92, the financial company announced in a statement.

Monsignor Kenneth Grimes, a Catholic priest who was chaplain for the Ohio House for 22 years under Speaker Vern Riffe, died from cancer over the weekend at age 80.

Charlotte B. Hickcox has joined the Ohio Chamber of Commerce as director of energy and environmental policy.

POLLS/STUDIES

President Barack Obama continues to remain unpopular among Ohioans, and his lead over potential challengers Mitt Romney and Herman Cain has narrowed into a virtual tie, a new poll from Public Policy Polling (PPP) found. In addition, PPP found Gov. John Kasich remains the most unpopular governor in the nation in the pollster's surveys.

REDISTRICTING/REAPPORTIONMENT

The Ohio Supreme Court unanimously sided with Democrats in ruling Friday that a new congressional map in HB319 (Huffman) is subject to referendum, leaving Republicans scrambling to react. Democratic Party Chairman Chris Redfern said he's prepared to wage a full signature campaign and is asking the Supreme Court to re-start the 90-day window for collection, but said the party is willing to negotiate a new map with Republicans instead.

STATE GOVERNMENT

The Ohio Department of Job and Family Services (ODJFS) announced that the state will receive more than \$12 million in federal grants for job training and employment initiatives designed to help get more Ohioans back to work. One of the grants -- for nearly \$3 million -- will target adults and youth with disabilities. The other two grants -- totaling more than \$9 million -- will help unemployed Ohioans learn the skills they need to find jobs in specialized information technology (IT) and health care fields.

After nearly 22 years in the same location, the Ohio Department of Alcohol and Drug Addiction Services (ODADAS) will move to the William Green Building at the northwest corner of Spring and High streets in downtown Columbus, effective Monday, Oct. 31. Its new address will be as follows: ODADAS; 30 W. Spring St., 6th Floor, Columbus, OH 43215. The relocation will not affect phone numbers and email addresses of staff.

In addition, ODADAS Director Orman Hall and Ohio Department of Mental Health (ODMH) Director Tracy Plouck announced that they have forged an agreement that will merge the fiscal operations of ODMH and ODADAS into a combined team "to maximize collaboration and consistency between the two agencies," a release said.

TAXATION

Focus on Ohio's Future, a research entity backed by the Ohio Council of Retail Merchants in partnership with the Alliance for Main Street Fairness, Tuesday released a new study conducted by the University of Cincinnati's (UC) Economics Center that suggested Ohio could gain 11,000 jobs if Ohioans paid sales tax on their Internet purchases. The study found that Ohioans not paying sales and use tax on Internet purchases cost state and local governments \$200 million in 2011 and \$1.1 billion over the past six years.

TRANSPORTATION

A new report from Transportation for America, a coalition of housing, business, environmental, public health and transportation groups, found that nearly 10 percent of bridges in Ohio are deficient and in need of repair. It went on to say that of Ohio's 27,963 bridges, 2,743 are deficient, or 9.8 percent. The report also noted that 6.2 percent of Ohio's daily bridge traffic travels on those deficient bridges.

Tolls on the Ohio Turnpike are scheduled to increase on Jan. 1 under a plan previously approved by the Ohio Turnpike Commission. Under the plan, tolls will rise about 10 percent for cars and trucks.

UTILITIES

The process to make it easier for states to cooperate in citing electric transmission lines got underway in Washington, D.C. on Oct. 6-7. A team of state legislators, federal agency representatives and other key stakeholders met for the first time to begin drafting an electric transmission line citing compact.

Representing Ohio on the initial advisory drafting team was Michael Weinstein, a regulatory consultant for American Electric Power (AEP).