



Ohio Township Association

6500 Taylor Road, Suite A
Blacklick, Ohio 43004
(614) 863-0045 • FAX (614) 863-9751
www.ohiotownships.org
Michael H. Cochran, Executive Director
Heidi M. Fought, Director of Governmental Affairs

Legislative Update

Friday, November 9, 2007

MONDAY, NOVEMBER 5, 2007

NEW MAYOR'S COURT BILL WOULD GRANT LARGE TOWNSHIPS AUTHORITY TO FORM 'COMMUNITY' COURTS

A bill aimed at abolishing mayor's courts will take on a new twist this week but face the same old opposition from critics including the Ohio Municipal League.

A substitute version of Rep. Larry Wolpert's (R-Hilliard) bill (HB 154) is set for unveiling Wednesday in the House Judiciary Committee. The sponsor said the major changes include:

- Language allowing townships with 15,000 residents or more to have their own "community courts," the magistrate-led entities that are to replace mayor's courts across the state under the bill.
- A requirement for presiding judges to consult with mayors or city council before appointing a magistrate.

The substitute version will include several other mostly minor or technical changes, Rep. Wolpert said. The changes address some issues brought up in committee, but he acknowledged the new bill isn't likely to sway opponents of the as-introduced document.

"This bill will try and address some of the concerns," he said. "It still does not permit a village under 1,600 (population) to have a community court."

That limit remains a key concern for OML, Executive Director Sue Cave said Monday.

"We still don't like the cut-off on the population. That takes out of the equation the bulk of the poorer communities" with mayor's courts, she said.

Many of those communities fund one or two law enforcement officials with fines and eliminating their mayor's courts would place their jurisdictions under the purview of county sheriffs that may not be able to sufficiently cover the new ground or afford to do so, Ms. Cave said. "These communities shouldn't be thought of as less than anybody else."

OML believes that expanding community court authority to townships further "muddies the waters" of the legislation, Ms. Cave said. "The new community courts will give townships jurisdiction they didn't have before. That could be problematic."

Rep. Wolpert said large townships make a good case for deserving court coverage under the new system, as more and more people are moving to such bedroom communities. He said 880,000 people live in the largest 30 townships in the state.

Ms. Cave said she believes the township language and its extensive amount of proposed code changes are why the bill has grown to more than 700 pages.

"This is not a proposal that we like any better than the original proposal," Ms. Cave said. "There are just more pages not to like."

Supporters of the original version of the measure have thus far included Ohio Supreme Court Chief Justice Thomas Moyer and the Ohio State Bar Association.

TUESDAY, NOVEMBER 6, 2007

HEALY ELECTED CANTON MAYOR; WIDOWFIELD LOSES IN BID FOR LOCAL OFFICE

Democrats in the Ohio House will be looking for a successor for Rep. William Healy (D-Canton), who was elected Tuesday to serve as mayor of his hometown.

Mr. Healy ousted incumbent Republican Mayor Janet Weir Creighton by an estimated 53%-47% margin, according to results provided by the Stark County Board of Elections. With votes from just a few precincts yet to be tallied, Mr. Healy's lead over the mayor exceeded 1,000 votes.

In a separate race, Rep. John Widowfield (R-Cuyahoga Falls) was unsuccessful in his bid to serve as municipal court clerk in Cuyahoga Falls. Mr. Widowfield was defeated by incumbent Lisa Zeno Carano by a 55%-45% margin, according to results from the Summit County Board of Elections.

Ms. Creighton has been mayor since 2004, while Ms. Carano was appointed to fill an unexpired term in April.

LEGISLATORS, SECRETARY OF STATE PROPOSE CONSTITUTIONAL CHANGE TO END CONFUSION, SAVE MONEY ON BALLOT ISSUES

For the second November election in a row, Ohio voters Tuesday faced an issue that was disqualified too late to remove from ballots. Two legislators responded on Election Day with a proposed a constitutional amendment to avoid future such costly problems.

Reps. Dan Stewart (D-Columbus) and Jon Peterson (R-Delaware) – with the backing of Secretary of State Jennifer Brunner – said they would introduce a resolution to place before voters next year a plan to change deadlines for dealing with initiative and referendum petitions.

Ballots in Franklin and an undetermined number of other counties Tuesday reflected a referendum on a new law (SB 16) imposing more strict regulations on strip clubs and other sexually oriented businesses.

However, the referendum was disqualified as a result of an Ohio Supreme Court ruling last Thursday. The decision, in response to a last-minute lawsuit that opponents of the law filed, came too late to remove the question from the ballot or to avoid the expenditure of \$329,000 on legal advertising.

“This is the second election in as many years in which voters will see an issue on the ballot, but the votes won't count because petition signatures had not been confirmed by the time ballots were printed,” Rep. Stewart said.

In the November 2006 election, a referendum on portions of a workers' compensation law (SB 3) was disqualified because of a similar lack of valid signatures. However, it still appeared on ballots.

Rep. Stewart said the proposed amendment, which would require voter approval if the General Assembly agrees to submit it, would “eliminate any voter confusion and save the hundreds of thousands of dollars spent on advertising and printing.”

Rep. Peterson said the amendment would also relieve “a great strain on our county elections workers,” and provide for smooth and orderly balloting.

“This is a bipartisan effort. The process of elections in the state of Ohio is too important to be caught up in partisan bickering,” Rep. Peterson said during a news conference at the Franklin County Board of Elections.

“Notably the co-sponsors that you'll see in the next day or two consist of some of the most formidable members, in my opinion, of the General Assembly, including on my side of the aisle the highest ranking Republican Party official in the House, Rep. (Kevin) DeWine,” he said.

Secretary Brunner said legislators transferred to her office from individual county election boards the responsibility for placing newspaper legal advertising for statewide ballot issues.

“We must by the Constitution and legal precedent advertise in the most widely distributed newspaper in each county. Our office was extremely conservative in holding back and waiting as long as we possibly could to advertise,” Ms. Brunner said.

“But even with the advertisements that we had no choice but to place we have spent \$322,000 of funds that we will be going to the Controlling Board to seek reimbursement for,” she said.

Secretary Brunner said many of the newspapers required payment up front, and many required their checks to be sent by express mail.

The secretary of state's office also delayed as long as possible printing of a statutorily required ballot issues report, but the document ultimately was produced at an additional cost of \$7,000.

Currently, groups that want to place an initiative or referendum on the ballot must collect and file signatures 90 days prior to Election Day. Under the proposed amendment, the petitions would be submitted 125 days prior to an election.

Attorney Donald McTigue, whose practice concentrates on election law, said the time period for referendums would remain unchanged. Opponents would still have 90 days before a law takes effect to gather signatures.

As for initiatives, advocates under the proposed amendment would have to start 35 days earlier in their planning.

"What we built in was more time for (election) boards to accomplish what they need to do and for the courts that (hear) protests to be resolved," Mr. McTigue said.

Secretary Brunner said the amendment also would require challenges to petitions for initiatives and referendums to be filed with her office. Currently, they may be filed at county election boards, with appeals heard by county common pleas courts.

Under the amendment, all protests would be filed with the secretary of state, and any resulting lawsuits would go directly to the Ohio Supreme Court.

As currently drafted, justices would have 10 days to rule on a challenge. Secretary Brunner believes the amendment should be changed to allow 20 days for the court to act.

"It's a de facto deadline," Secretary Brunner said. In the absence of a ruling within that time frame, a petition would constitutionally be deemed valid.

In the event of a referendum such as the current Issue 1 on strip clubs, the revised timetable could mean that a new law would remain on hold for a year before it reached the ballot.

"The petition filers have so many days from the day that the law was filed with the Secretary of State to actually get their petition filed if it's a referendum," Secretary Brunner said.

"If that 90th day happens to be closer to the election than 125 days then, assuming that it meets all the requirements of law, it will automatically be on the ballot the following year," she said.

"Now on an initiative it's a question of when they file. So they have control over that situation," she said.

The resolution, which may be introduced this week, would ask the General Assembly to submit the amendment to voters at the March 4, 2008 primary.

BWC TO CLOSE HAMILTON, BELMONT COUNTY OFFICES

The Ohio Bureau of Workers' Compensation is set to close customer service offices in Bridgeport and downtown Cincinnati by the end of the year, the agency announced Tuesday.

BWC Administrator Marsha Ryan said the closings will save the state more than \$836,000 over the rest of the biennium.

"Many factors weight into this difficult decision, including staff retirements, financial savings and our ability to maintain substantial services for our customers," Ms. Ryan said. "BWC will provide the same level of quality service, and we anticipate these consolidations will be seamless for our staff and customers."

Of the 15 employees at the Cincinnati office, four are expected to retire and 11 will be given the option to relocate to another BWC office in Hamilton County. The three employees currently working at the Bridgeport Customer Focus Center will be able to relocate to a customer service office in Cambridge.

WEDNESDAY, NOVEMBER 7, 2007

ENERGY BILLS RETURN TO FOREFRONT; LAWMAKERS LEND SUPPORT FOR WIND POWER

The House kicked off formal proceedings on a high-profile electric regulation bill Wednesday with the goal of having the measure ready for a vote early next year.

The first hearing on the regulation measure (SB 221) began after a separate House panel received additional testimony on another comprehensive energy-related bill (HB 357).

Also Wednesday, a bipartisan coalition of House members promoted policies that support the development of the wind energy industry in the state, saying the changes would offer benefits for farmers and manufacturers and help Ohio boost its energy independence.

Sen. Bob Schuler (R-Cincinnati), sponsor of the regulation measure, told the House Public Utilities Committee that the bill responds to a 1999 law that sought to open the state's electric industry to competitive forces – an effort that he said “just didn't work.”

He said the bill represents a balanced approach to providing affordable, reliable electric service after most utility rate stabilization plans expire next year by providing for the creation of Electric Security Plans or market-based rates if they are reasonable.

The sponsor said the bill sets the electric prices in effect on Feb. 1, 2008 as the starting point for rates that will be subject to changes through proceedings at the Public Utilities Commission of Ohio. He also noted the bill also establishes objective criteria that utilities would have to show exist in order to switch to a market rate.

Sen. Schuler also noted that the Senate retained Governor Ted Strickland's goal of having at least 25% of the state's power generated by advanced fuel sources by 2025, noting that the standard puts Ohio in line with other states that have made similar changes. He noted that senators added a 3% cap on allowable rate increases tied to the new fuel sources.

The senator fielded questions from several members who touched on varying aspects of the bill.

Rep. Fred Strahorn (D-Dayton) focused on the 3% alternative energy cost cap, asking how those costs would be measured if progress-related benchmarks were removed, and how those requirements might be addressed if costs exceed the ceiling.

Sen. Schuler said the cap was installed as a protection for consumers, noting that a study committee will also report to lawmakers on the matter.

Mr. Strahorn also questioned whether stranded, or transition costs, will be embedded in new ESP prices at the beginning of 2009. Additionally, Rep. Jennifer Garrison (D-Marietta) asked how lawmakers are to be sure that current RSP rates are fair for both consumers and utilities.

Rep. Jay Hottinger (R-Newark) raised concerns about the selection of the Feb. 1, 2008 date as the baseline price. Sen. Schuler said there was no intent to advantage or disadvantage any party because of the date, but said it was selected to produce a “true '08 rate.”

Mr. Hottinger also said he was cautious about providing too much authority to the PUCO to determine whether a competitive electric market exists. “To me, that seems like a central crux,” he said. The sponsor responded that putting too much in law wouldn't allow for short-term adjustments. “The market is kind of a movable thing,” he said.

Rep. Shannon Jones (R-Springboro) also questioned why a market option should be left open at all.

Responding to Chair John Hagan (R-Alliance), Sen. Schuler said the panel should take a closer look at issues pertaining to hospitals and net metering and may also want to review standards for a competitive market. “There are a lot of areas in there where we really struggled on language,” he said.

Mr. Hagan said his panel is scheduled hear presentations on the history of electric deregulation, the law that restructured parts of the industry and the current status facing the state next week.

Alternative Energy: In Rep. Jim McGregor's (R-Gahanna) House Alternative Energy Committee, three witnesses discussed key issues with an eye toward proceedings in Mr. Hagan's committee.

Jack Shaner of the Ohio Environmental Council praised many "very, very positive" provisions that he said will help develop a wide range of new energy sources, and particularly stressed the importance of the bill's energy efficiency language.

He said efficiency technologies are universally recognized as more cost effective than building more generating capacity, and said new systems allow consumers to enjoy the same level of comforts with lower usage.

Mr. Shaner also lent support for the bill's renewable energy portfolio, and particularly praised language that excludes nuclear sources from that standard. He further raised concerns about provisions that allow for natural resource drilling in state public lands.

Mr. Shaner urged lawmakers to completely prohibit such activities in state nature preserves and said a process – including a cost-benefit analysis, public comment and an inventory of natural and historic features – should be completed before park drilling is allowed. Additionally, he said the state – not a proposed oil and gas board – should have the final sign-off on drilling projects.

David Fein, vice president of Midwest energy policy for Constellation Energy, said his company supports the provisions of the bill that create a renewable portfolio standard and call for energy efficiency, noting that the issues are both also included in Sen. Schuler's bill.

"We really need to look at both issues together," he said.

Mr. Fein said Constellation and other marketers are prepared to provide electric supply packages to Ohio consumers that meet proposed renewable standards, but said lawmakers need to take steps that affirmatively open Ohio's electric market to competition to help that happen.

The witness noted that his company is involved in a large-scale wind farm in Illinois, where lawmakers recently created a renewable standard.

Mr. Fein added that the other measure allows utilities to collect additional costs that might be tied to renewables, but said competitors won't be able to simply add those costs to the rate base. "It's a different kind of equation," he said.

David Maywhoor, executive director of the Buckeye Forest Council, also welcomed some positive aspects, but raised concerns about provisions that would allow for natural gas drilling on state-owned lands.

He said lawmakers should not open the public resources up to private development, saying the drilling would have a long-term negative impact on preserved areas without providing any notable benefits in terms of energy supply. He further noted that drilling activities could ruin the experiences of school groups and others who intended to visit solitary sites.

Members expressed an interest in better defining what areas of parks might be open to development, with Rep. Dan Dodd (D-Licking Twp.) suggesting that access could be limited to areas covered by concrete, asphalt or gravel.

Mr. Maywhoor said that limitation "would be a good start" in addressing his concerns.

Mr. McGregor questioned whether teachers leading groups to state parks might be able to use drill or well sites to instruct students about the continued need to produce fuel to meet the state's energy needs.

Mr. Maywhoor said there are plenty of other sites available where such lessons could be taught. "I just can't figure out for the life of me why they need to use parkland and forests," he said.

Wind Power: Rep. John Adams (R-Sidney) said wind could produce 10% of the state's energy needs within the next ten years. "It's time for Ohio to put the pieces together and get this show on the road," he said at a Statehouse news conference where he was joined by other supportive lawmakers.

Mr. Adams said legislators are raising the issue as the House begins formal discussions on the electric regulation bill and a related measure that focuses more on alternative energy sources. "Those are all pieces of the puzzle that need to be worked on," he said.

Mr. Adams noted that he would like to see a 10% threshold met within 10 years, but said other lawmakers may have different views on that issue. He said, however, backers are issuing support for wind power as those discussions begin.

"A lot of people are using the word 'mandate,'" Rep. Cliff Hite (R-Findlay) said. "I believe this is a policy."

Rep. Joseph Uecker (R-Miami Twp.) said Ohio is better-suited to generate power from wind than from other renewable fuel sources.

The coalition of wind power backers includes at least 22 members who signed a letter to Governor Ted Strickland, House Speaker Jon Husted (R-Kettering) and Senate President Bill Harris (R-Ashland).

Backers of the concept said an increase in wind power could help the state create 13,000 manufacturing jobs while producing additional revenue for farmers who might lease their land for the construction of wind turbines.

House Speaker Jon Husted (R-Kettering) said he's supportive alternative energy technologies, adding that the matter has been under review in Mr. McGregor's committee.

"I believe that we need to pursue alternatives to our current energy policies," he said after session. "I am supportive of alternative energy."

Mr. Husted said he's uncertain which alternative technology – whether wind, solar, fuel cells, or something else is best for Ohio, but said market forces may help identify the best option. "I'm certainly willing to listen to all of the alternative energy proposals that will be coming forward," he said, adding that Senate actions on the energy bill "weakened" earlier proposals. "I know were going to revisit whether or not it needs to be strengthened."

STATE APPROVES AT&T LICENSE FOR WIDE-SCALE VIDEO SERVICE

The Ohio Department of Commerce has granted AT&T Ohio's request for a license to sell its video services across its statewide market, making it the first company to take advantage of a new law that allows the broad certification process.

Director Kimberly Zurz has issued the company a ten-year authorization allowed under SB 117 that largely eliminated video companies' need to negotiate franchise agreements with local governments.

Under the certificate, the company will be able to sell its video services in additional areas after it notifies the commerce director and impacted local communities.

Backers of the law said the change would provide Ohioans with access to next-generation video services while helping encourage the build-out of high-speed networks. Opponents argued the measure sidestepped local control and set the stage for a reduction in funding for local public access programming.

Applications for statewide licensing have also been filed by Time Warner and Cincinnati Bell.

AT&T said its licensing would result in a \$500 million in-state investment within the next several years.

PASSED IN THE HOUSE

SB 36 LIMITED HOME RULE (Schuler) To permit townships with a population of less than five thousand in its unincorporated territory to adopt a limited home rule government under certain conditions. 96-0 (Earlier amended and reported from committee)

INTRODUCED IN THE HOUSE

HB 385 TOWNSHIP GREENSPACE (Hottinger) To permit land acquired by a board of township trustees for the purpose of protecting or preserving "greenspace" to be used for recreational purposes. Am. 5705.19

HOUSE COMMITTEE HEARINGS

Local & Municipal Government & Urban Revitalization

SB 36 LIMITED HOME RULE (Schuler) To permit townships with a population of less than five thousand in its unincorporated territory to adopt a limited home rule government under certain conditions. REPORTED-AMENDED (No testimony)

Prior to reporting the measure unanimously, members adopted an amendment that Chairman Wolpert described as a technical correction. The previous budget bill (HB66, 126th General Assembly) authorized "transportation improvement districts," however made no reference to the 127th General Assembly, he explained, saying the rider corrects that omission.

HB 244 CABLE RELOCATION (Brinkman) To authorize townships to relocate underground overhead cables, wires, and appurtenant equipment upon petition; to pay for a relocation by assessing abutting and otherwise specially benefited properties; to collect interest on unpaid assessments for an underground relocation project or an artificial lighting district project; and to exempt townships from liability for outages or other damage caused by a relocation project, and to exempt the owners of the cables, wires, and appurtenant equipment from liability, unless the outage or other damage was caused by the owner's negligence. CONTINUED (No testimony)

Alternative Energy

HB 357 ENERGY DEVELOPMENT (McGregor, J.) To modify and expand the laws governing energy development and supply in the state. CONTINUED

Public Utilities

SB 221 ENERGY POLICY (Schuler) To revise state energy policy to address electric service price regulation, new bonding authority for advanced energy projects, advanced (including renewable) energy portfolio standards, energy efficiency standards, and greenhouse gas emission reporting and carbon control planning requirements. CONTINUED

Judiciary

HB 256 PUBLIC RECORDS (Wagoner) To establish the office of Public Access Counselor in the Court of Claims to receive complaints and issue advisory opinions concerning the Public Records Law and Open Meetings Law. CONTINUED (No testimony)

HB 154 MAYOR'S COURTS (Wolpert) To abolish mayor's courts and to create community courts and to modify the compensation of municipal court judges in territories having a population of more than 50,000. CONTINUED (No testimony)

Chairman Blessing provided copies of a proposed substitute version of the measure and supporting documentation for panelists to review. (House GOP Synopsis)

"We're not voting on this bill anytime soon," he said. "Maybe the best thing to do is digest this for a few weeks."

The changes include a provision extending community courts to large townships.

SENATE COMMITTEE HEARING

Judiciary-Criminal Justice

SB 219 PUBLIC OFFICIAL MISCONDUCT (Schuring) To make the period of limitation for the criminal prosecution of a person for an offense directly related to misconduct in office of a public servant the same as the period of limitation for the criminal prosecution of that public servant for the offense involving the public servant's misconduct in office. CONTINUED

The Ohio Ethics Commission endorsed the legislation. David Freel, executive director, said the bill would apply the same stay in the statute of limitations for prosecuting misconduct in office by public officials that currently exists to those who offer the improper incentives and illegal inducements. "(The bill) equalizes the amount of time the ethics commission or any other investigative agency or prosecutor can hold accountable not only those in public service, but also those otherwise involved, for serious ethics law and other criminal violations," Mr. Freel said. He said the commission was unaware of any opposition to the measure. "Our office has also been advised that Governor Strickland supports the legislation," he said.

THURSDAY, NOVEMBER 8, 2007

STRICKLAND, DANN, MOYER OUTLINE NEW FORECLOSURE MEASURES AFTER LENDERS' REFUSAL TO SIGN COMPACT

With no subprime lenders signing onto Gov. Ted Strickland's proposed "compact" to prevent home foreclosures, the governor said Thursday his administration would pursue a more aggressive policy toward the companies.

Attorney General Marc Dann, Ohio Supreme Court Chief Justice Thomas Moyer, and Commerce Director Kimberly Zurz joined the governor in outlining a new approach to the foreclosure crisis that involves new administrative rules for lenders, more aggressive legal enforcement, and efforts to increase mediation through the court system.

The administration previously sought to enlist the state's 20 largest subprime mortgage servicing firms individually, but only received a counter proposal from the Ohio Mortgage Bankers Association that Gov. Strickland described as "an inadequate response."

While the association's plan entailed no specific actions, the governor's compact, among other things, would have encouraged companies to increase staffing to work out loans with delinquent borrowers.

"Unfortunately, nothing very meaningful was shared with this office, as far as their willingness to work with the administration in a truly substantive manner," Gov. Strickland said at a Statehouse news conference. Instead, the OMBA said it was working with the national association on a nationwide proposal.

"While I believe that our country needs strong federal action dealing with this matter, that is not enough for our state in my judgment," he said, noting Ohio has one of the highest foreclosure rates in the nation. "We need measurable and specific actionable steps taken by individual servicers in Ohio, and I believe we need that response now."

Attorney General Dann said his office was working with DOC and would soon issue more than a dozen civil investigative demand subpoenas to subprime lending companies.

"That investigation involves possible violations of antitrust laws, civil rights laws, and the Consumer Sales Practices Act," he said. "In addition, the information we gather may enable us to use our common law authority to investigate and prosecute civil fraud."

In addition to a civil predatory lending taskforce, Mr. Dann said he also established through the organized crime commission several teams charged with addressing criminal lending throughout the state.

He estimated more than 25% of current foreclosures are due to fraudulent lending practices "where Main Street's understanding of what a mortgage loan ought to be about was totally disconnected from Wall Street's understanding of what a mortgage loan ought to be about."

Ms. Zurz said the Division of Consumer Finance was drafting rules that would incorporate some provisions contained in the compact. The measures would include a requirement that debt servicers provide borrowers six months notice before their adjustable rate mortgages (ARMs) reset to higher monthly rates and include a toll-free information number.

The agency would also implement a more thorough enforcement and auditing process for servicers, she said. "With the number of foreclosures continuing to grow, we have no choice but to take more aggressive action."

Faced with projections of 81,000 new foreclosure filings in Ohio by the end of the year, Chief Justice Moyer said he was launching an effort to encourage borrowers and lenders to resolve their disputes through mediation before property enters the foreclosure process.

He described pilot programs where the presiding judges in Cuyahoga, Franklin, and Montgomery counties' common pleas courts would request volunteer mediators through local bar associations.

Mediation works because lenders usually don't want the delinquent property, he said. "So if the borrower can prove that he or she is able to rearrange the loan and now be able to repay the loan based on accurate facts about income... there's a resolution of the dispute."

Delinquencies and foreclosures on ARMs are expected to increase as an estimated 150,000 to 200,000 loans valued at about \$14 billion reset to higher rates throughout 2008, according to the administration

OMBA didn't return a request for comment in time for deadline, however lenders have generally opposed measures to address the foreclosure crisis with individual states, instead preferring a national approach.

HEALTH INSURANCE APPEALS SAVED OHIOANS \$2.4 MILLION, ODI REPORTS

A 1999 law that created a mechanism for Ohioans to appeal decisions made by their health insurance companies resulted in individuals obtaining almost \$2.4 million in additional health services, according to a new Ohio Department of Insurance report.

“This important report reminds Ohioans they have a right to appeal many coverage and contractual decisions, including appeals based on medical necessity decisions, made by their health insurer,” ODI Director Mary Jo Hudson said.

The report shows that over the course of 2006, 156 external reviews were completed, with denials in 54 cases being reversed. Sixty-four percent of denials were affirmed.

ODI said 90% of the award reversals involved claims for surgery and hospitalization, while 7% of reversals covered drugs and testing.

The benefits were obtained through a process created in H.B. 4, known as the Patient Protection Act. Since 1999, Ohioans have obtained nearly \$9 million in benefits that had been previously denied.

INTRODUCED IN THE SENATE

SB 252 COURT OPERATIONS (Coughlin) To abolish mayor's courts and to create community courts, to convert three part-time municipal court judgeships into full-time judgeships and to modify the compensation of municipal court judges in territories having a population of more than 50,000. Am. & En. 109.42, 109.572, 109.60, 120.03, 120.14, 120.15, 120.16, 120.18, 120.24, 120.25, 120.26, 120.28, 120.33, 120.36, 309.08, 341.23, 341.33, 503.44, 503.46, 504.04, 504.05, 504.06, 504.08, 504.15, 705.14, 705.55, 733.40, 733.44, 733.51, 733.52, 743.14, 753.02, 753.021, 753.04, 753.08, 925.31, 955.99, 1901.021, 1901.024, 1901.026, 1901.04, 1901.08, 1901.11, 1901.181, 1901.31, 1905.29, 1907.012, 1923.01, 1923.02, 1923.10, 2152.021, 2152.03, 2152.16, 2152.18, 2152.21, 2152.41, 2325.15, 2335.06, 2335.08, 2335.09, 2743.51, 2743.60, 2743.70, 2901.01, 2903.04, 2903.06, 2903.08, 2903.212, 2903.213, 2903.214, 2907.24, 2907.27, 2907.28, 2907.41, 2913.01, 2915.01, 2917.11, 2917.41, 2919.25, 2919.251, 2919.26, 2919.271, 2921.25, 2921.51, 2921.52, 2929.142, 2929.21, 2930.01, 2931.01, 2933.02, 2933.03, 2933.04, 2933.05, 2933.06, 2933.10, 2935.01, 2935.03, 2935.13, 2935.14, 2935.17, 2935.27, 2935.33, 2935.36, 2937.08, 2937.221, 2937.23, 2937.46, 2937.99, 2938.02, 2938.04, 2941.51, 2945.17, 2947.23, 2949.02, 2950.01, 2951.041, 2953.02, 2953.03, 2953.07, 2953.09, 2953.31, 2953.36, 3113.31, 3301.88, 3313.662, 3319.20, 3319.31, 3327.10, 3345.23, 3375.50, 3375.51, 3397.41, 3397.43, 4112.02, 4113.52, 4301.252, 4501.11, 4503.13, 4503.233, 4503.234, 4506.07, 4506.15, 4506.18, 4507.02, 4507.06, 4507.091, 4507.164, 4509.33, 4509.35, 4510.01, 4510.03, 4510.031, 4510.032, 4510.034, 4510.036, 4510.038, 4510.04, 4510.05, 4510.07, 4510.11, 4510.12, 4510.13, 4510.14, 4510.15, 4510.16, 4510.161, 4510.17, 4510.22, 4510.31, 4510.41, 4510.43, 4510.53, 4510.54, 4511.01, 4511.181, 4511.19, 4511.191, 4511.192, 4511.193, 4511.194, 4511.195, 4511.196, 4511.197, 4511.203, 4511.211, 4511.512, 4511.63, 4511.69, 4511.75, 4511.76, 4511.761, 4511.762, 4511.764, 4511.77, 4511.79, 4511.81, 4513.263, 4513.35, 4513.37, 4521.01, 4549.17, 4730.31, 4731.223, 4760.15, 4762.15, 4999.06, 5104.09, 5123.081, 5126.28, 5309.54, 5321.05, 5502.61, and 5503.04; 1901.42, 1905.41, 1905.42, 1905.43, 1905.44, 1905.45, 1905.46, 1905.47, 1905.48, 1905.49, 1905.50, 1905.51, 1905.52, 1905.53, 1905.54, 1905.55, 1905.56, 1905.57, and 1907.25; to repeal sections 1905.01, 1905.02, 1905.03, 1905.031, 1905.032, 1905.033, 1905.04, 1905.05, 1905.08, 1905.17, 1905.20, 1905.201, 1905.21, 1905.22, 1905.23, 1905.24, 1905.25, 1905.26, 1905.28, 1905.30, 1905.31, 1905.32, 1905.34, 1905.35, 1905.36, 1905.37, 2933.07, 2933.08, and 2933.09

FRIDAY, NOVEMBER 9, 2007

PATROL STUDY TABS COMMUTE TIMES AS MOST DANGEROUS; THREE-STATE COMMERCIAL VEHICLE INITIATIVE NETS 550 CITATIONS

One in five fatal crashes from 2005 through the first of November 2007, a total of 730, occurred during morning and evening rush hours, the Ohio Highway Patrol found.

An analysis of the data, issued in a report released Thursday, found commercial trucks were involved in a greater percentage of the fatalities during commute times as compared to other periods, the patrol reported.

“This study illustrates that morning and evening commute times are among some of the most dangerous times on Ohio roads, Patrol Superintendent Col. Richard Collins said in a news release.

“With more vehicles on the roads and motorists frequently in more of a hurry or distracted while driving during those times, hopefully the results of this study will draw drivers’ attention back to the most important thing: focusing on safely operating their motor vehicles.”

The report’s release came a day after OHP joined with agencies in Indiana and Kentucky in conducting a one-day enforcement initiative in which 555 citations and 345 warnings were issued involving commercial motor vehicle operation.

OHP said a total of 1,091 inspections were conducted in the three states and the reviews uncovered 1,434 equipment violations and found 288 violations that led to vehicles being ordered off the roads until repaired. A total of 496 driver violations were noted, and 117 drivers were cited for speed.

“Recent fatal crashes involving commercial vehicles underscore the need for a continued focus on traffic enforcement efforts, especially in the heavily traveled commercial vehicle corridors,” Col. Collins said.

COMMITTEE SCHEDULE FOR WEEK OF NOVEMBER 12
WEDNESDAY, NOVEMBER 14

House Public Utilities, (Chr. Hagan, J., 466-9078), Rm. 313, 10 a.m.

SB 221 ENERGY POLICY (Schuler) To revise state energy policy to address electric service price regulation, new bonding authority for advanced energy projects, advanced (including renewable) energy portfolio standards, energy efficiency standards, and greenhouse gas emission reporting and carbon control planning requirements. (2nd Hearing-History of deregulation, S.B. 3 and status of current situation-Panelists by invitation)

Senate Judiciary-Criminal Justice, (Chr. Grendell, 644-7718), North Hearing Rm., 10 a.m.

SB 219 PUBLIC OFFICIAL MISCONDUCT (Schuring) To make the period of limitation for the criminal prosecution of a person for an offense directly related to misconduct in office of a public servant the same as the period of limitation for the criminal prosecution of that public servant for the offense involving the public servant's misconduct in office. (3rd Hearing-All testimony-Possible vote)

House Alternative Energy, (Chr. McGregor, J., 644-6002), Rm. 122, 11 a.m.

HB 357 ENERGY DEVELOPMENT (McGregor, J.) To modify and expand the laws governing energy development and supply in the state. (3rd Hearing-All testimony)

Senate State & Local Government & Veterans Affairs, (Chr. Cates, 466-8072), S. Hearing Rm., 11 a.m.

SB 192 HEALTH DISTRICTS (Gardner) To permit the board of health of a health district to enter into a contract with a board of county commissioners to authorize the county building department to inspect plumbing in any type of building for which the county department is certified and to permit the board of health of a health district to enter into a contract with the board of health of another health district for the inspection of plumbing within the first board's district. (3rd Hearing-All testimony-Possible amendment or substitute & vote)

Ohio Transportation Task Force, (Chr. Reinhard, 644-1798), Rm. 313, 4 p.m.

- Review of statutes and rules impacting transportation of freight, including weight and permit requirements
- Recommendations due to chair's office by 5 pm on Nov. 28

Reprinted with permission of Gongwer News Service, Inc.