

128th Ohio General Assembly

JANUARY 2009 » DECEMBER 2010

DAYTON AREA CHAMBER OF COMMERCE

Legislative Scorecard



public policy

DAYTON

Dayton Area
Chamber of Commerce

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The Dayton Area Chamber of Commerce is proud to present the 2009-2010 Legislative Scorecard for members of the 128th Ohio General Assembly – our review of the floor votes that state legislators from Montgomery, Greene, Miami, Warren, Butler, Clark, Preble, Darke, Shelby and Champaign Counties have cast on legislation deemed important to the regional business community. Several bills and ballot issues were highlighted by the Chamber during the 128th Ohio General Assembly, because of their significant and expected long-term economic impact on the business community.

Legislative Criteria

Prior to appearing on this legislative scorecard, the highlighted bills and issues were reviewed by one of three Chamber public policy committees and the Chamber's Executive Committee, then an official Chamber position was taken.

In coordination with the Legislative Scorecard, the Chamber publishes a Legislative and Regulatory Agenda that identifies our upcoming legislative priorities and initiatives. The Chamber promotes newly established legislative positions through various grassroots communications pieces, like letters, e-mails, press releases, and *Chamber Connection* to keep legislators and Chamber members updated of our positions.

The Chamber looks forward to working with the 129th Ohio General Assembly and encourages members to contact our public

policy team for more information regarding our advocacy efforts.

To maintain full disclosure, the Chamber has sent regular correspondence to the region's delegation to inform them of the positions taken in this scorecard.

Bills and Legislation:

House Bill 2

The Dayton Chamber advocated for the passage of **Ohio House Bill 2**, the FY10 operating budget for the Ohio Department of Transportation. Included in this bill was \$500,000 in operational support and project support for the Montgomery County Transportation Improvement District that the Chamber helped to achieve. This bill was approved by the Ohio Legislature in April 2009.

DACC Position: Support

House Bill 15

The Dayton Chamber supported an amendment to **Ohio House Bill 15**, the 2009-2010 operating budget for the Bureau of Workers' Compensation that was proposed by Senator Buehrer. This amendment would have made permanent the Safety Council Incentive Program, which is currently subject to yearly renewal by the BWC. In addition, the amendment also allowed for employers to combine BWC discount programs, including the Drug-Free Workplace discount, the Safety Incentive Program discount and the Group Rating program. Though passed by both the House and Senate, this amendment was ultimately vetoed by Governor Strickland, who stated

that the provisions “threaten the integrity and autonomy of the BWC Board of Directors”. The Dayton Chamber continues to advocate for workplace safety access and training on behalf of the Dayton/Miami Valley Safety Council which the Chamber has managed for over 50 years.

DACC Position: Support

House Bill 318

In November, 2009, The Dayton Chamber of Commerce opposed Ohio **House Bill 318**. H.B. 318 called for a freeze for the final state income tax reduction that was initially implemented in H.B. 66 of the 126th General Assembly. The Dayton Chamber endorsed H.B. 66 in 2005 and has continued to advocate on behalf of maintaining tax reform during subsequent state budget hearings over the past five years. The Dayton Chamber’s advocacy efforts stated that if the final state income tax cut were postponed, thousands of Ohio’s small businesses would be affected. Not only would they be paying additional taxes during the worst economic recession in 80 years, but those that were dependent on paying quarterly tax estimates throughout 2009 could have owed thousands more when they filed their taxes in 2010. It is clear that the 2005 reforms make it easier for businesses to come to Ohio, to stay here, to expand, and to retain and create jobs when the State of Ohio needs it most. The Dayton Chamber worked to defeat HB 318, however it was passed by the Ohio House and Senate and approved by the Governor on December of 2009.

DACC Position: Oppose

House Joint Resolution 12

House Joint Resolution 12 was strongly endorsed by the Dayton Area Chamber of Commerce Board of Directors and Executive Committee. HJR 12 authorized a constitutional amendment for a \$700 million, four-year renewal of the Third Frontier Program that would be placed on the May 2010 statewide ballot. The Conference Committee on HJR 12 adopted an amendment to the resolution reflecting the \$700 million, five-year bond issue proposal to be put on the May 2010 ballot. The six-member committee unanimously approved the conference report. The House and Senate both approved the conference committee report, and the renewal of the Third Frontier Program was placed on the May 2010 statewide ballot as Issue 1. Issue 1 was subsequently approved by Ohio voters.

DACC Position: Support

Senate Bill 162

The Dayton Chamber supported **Senate Bill 162**, the Ohio Telecom Modernization Act. The bill outlined a revision to state-policy objectives for the provision of telecommunications service. SB 162 also

repealed the law governing alternative regulation of telephone companies and rescinded related Public Utility Commission of Ohio (PUCO) rules. This bill was approved by the Ohio Legislature and signed into law by Governor Strickland in June 2010.

DACC Position: Support

Ballot Issues and State Agency Advocacy:

Ohio State Issue 2: Livestock Care Standards Board

In October, 2009, the Dayton Chamber announced their support of State Issue 2, which proposed the creation of the Ohio Livestock Standards Board, a thirteen member board that would promulgate standards for livestock and poultry care in the State of Ohio and that take into account issues of food safety, local availability and affordability of food, and best farm management practices for animal well-being.

The Dayton Chamber’s endorsement of State Issue 2 would help ensure our agri-business community in the Dayton region remains vibrant and Ohio remains an agri-business friendly state to operate a business. State Issue 2 established a fair and diverse oversight board that could fairly review livestock standards to ensure that they are in the best interest of the agri-business community in the State of Ohio and the well being of the livestock. State Issue 2 was approved by Ohio voters in November 2009.

DACC Position: Support

Ohio State Issue 3: Four Casinos Initiative

In October of 2009, Dayton Chamber announced its opposition to State Issue 3. State Issue 3 proposed four full casinos to be located in four specific geographic locations in Cleveland, Columbus, Cincinnati and Toledo. Penn National Gaming and business owner Dan Gilbert were to have the sole development rights to the specific locations in the four proposes casino cities.

The Chamber’s opposition was based on the past history of the Dayton Chamber’s public policy positions on Constitutional issues and a fundamental belief that specific geographic locations for four new casinos that will be developed by a single developer should not be inserted into the Ohio Constitution. The Ohio Constitution is a sacred document that is designed to set the framework for state government and should not be used to provide unique privileges to individual businesses and specific geographic locations.

Identifying development strategies and casino locations should be considered by the Ohio legislature or through a competitive bidding process, if gambling authority is ultimately granted in the Ohio Constitution

The Dayton Chamber's opposition to the State Issue 3 was not an opposition to gambling in the State of Ohio or the related economic development benefits, but is an opposition to inequitable misuse of Ohio's Constitution and unfair deference given to a specific business and geographic locations in the Ohio Constitution. State Issue 3 was approved by Ohio voters in November 2009.

DACC Position: Oppose

Ohio Bureau of Workers' Compensation Group Rating Changes

The Dayton Area Chamber of Commerce opposed the BWC's plans to lower the maximum discount on group rating plans to eliminate the Drug-Free Workplace Program (DFWP) discounts for group-rated employers and reduce the maximum available discount under the BWC's group rating program from 85%-51% (including the "Break Even Factor", due to the immediate and negative impact it would have on Chamber members and Ohio's economy. The Chamber strongly believes that the BWC's group rating changes will have penalize Ohio's best performing employers and be counterproductive to the goal of promoting job growth in Ohio. The Dayton Chamber, along with a coalition of interested partners, will be working with the new leadership of the Ohio BWC to advocate on behalf of a workers' compensation system that benefits Ohio's business community.

DACC Position: Oppose

Bureau of Worker's Compensation 2+2% Incentive Program:

The Dayton Area Chamber of Commerce fully supported the decision by Ohio Bureau of Workers' Compensation (BWC) Administrator Marsha Ryan to renew the Safety Council incentive program in March of 2009 and again in March of 2010. The incentive has been a huge success locally among members of the Dayton/ Miami Valley Safety Council. As a result of this program, Dayton Area employers received over \$1 million in workers' compensation premium savings

for the FY09 and FY10 program years. It is important to note that the Dayton Chamber did not support the decision by Administrator Ryan to eliminate the "stacking provision" which allowed companies to take advantage of multiple discount and safety training programs offered through the BWC. The Chamber and the Dayton/ Miami Valley Safety Council Executive Board is continually working with the BWC for the continuation of the Safety Council Incentive

program at current levels, and has been notified that the program will continue unchanged for FY11, which began on July 1, 2010

DACC Position: Support

Ohio State Issue 1 – May 2010: Third Frontier Program Renewal

In February of 2010, the Dayton Chamber of Commerce endorsed State Issue 1, the Ohio Third Frontier Program renewal. The Chamber strongly supported the continuation of the Third Frontier Program as vital for continued economic development in the Dayton region and across the State of Ohio. Since 2003, organization in the greater Dayton region have received over \$123 million in Third Frontier Program investments. These investments helped businesses create over 48,000 jobs statewide and encourage millions of dollars of private investment in the State of Ohio. State Issue 1 was approved by Ohio voters in May 2010.

DACC Position: Support

Ohio 3C&D Rail Corridor Initiative

In May of 2009, the Dayton Chamber announced its support of Governor Strickland's efforts to seek federal funding for the 3C&D Rail Corridor Initiative. While the Chamber supported the Governor's efforts to seek federal funding for a statewide rail corridor, the Chamber also submitted a list of provisions to the Governor's office to be considered while the 3C&D Rail initiative was still in the planning stages. First and foremost, the Chamber's support was coupled with a request that plans include a "high speed rail accession plan", as well as a consideration for local transportation development at the planned city stops. In addition, the Chamber also asked that the passenger rail line improvements also benefit the freight rail system currently in place in Ohio. Finally, the Chamber also asked that the business community be included in discussions on the future financial sustainability of the passenger rail system. In January of 2010, the State of Ohio was awarded \$400 million in federal stimulus money to support the development of the 3C&D passenger rail system. Governor Strickland moved forward with preliminary plans for the rail system, however, when Governor Kasich took office in January of 2011, he announced that he would be ending the 3C&D rail project and returning the \$400 million in awarded funds to the federal government. The project is currently tabled for the foreseeable future.

DACC Position: Support

Legislative Scorecard

Dist.	Senator	HB 2	HB 15	HB 318	HJR 12	SB 162	Pro- Biz Percentage
10	Chris Widener	+	+	NV	+	+	100%
4	Gary Cates	+	+	+	+	+	100%
6	Jon Husted	+	+	+	+	+	100%
12	Keith Faber	+	+	+	+	+	100%
5	Fred Strahorn	NV	+	-	-	+	60%
7	Shannon Jones	NA	NA	+	+	+	100%
	Bill Status	Passed	Passed	Passed	Passed	Passed	

KEY
(+) Support DACC position
(-) Oppose DACC position
(*) Bill was not voted upon/ died in committee
(NV) Not voting
(NA) Not applicable

Dist	House Representative	HB 2	HB 15	HB 318	HJR 12	SB 162	Pro-Biz Percentage
78	John Adams	-	+	+	-	+	60%
55	Bill Coley	-	+	+	+	+	80%
54	Courtney Combs	+	+	+	+	+	100%
70	Jarrold Martin	-	+	+	+	+	80%
79	Richard Adams	+	+	+	+	+	100%
37	Peggy Lehner	+	+	+	+	+	100%
67	Peter Beck	NA	NA	+	+	+	100%
39	Clayton Luckie	+	+	-	+	+	80%
72	Ross McGregor	+	+	-	+	+	80%
35	Ron Maag	+	+	+	+	+	100%
36	Seth Morgan	+	+	+	-	+	80%
40	Roland Winburn	+	+	-	+	+	80%
53	Timothy Derickson	+	+	+	+	+	100%
38	Terry Blair	+	+	+	+	+	100%
84	Bob Hackett	+	+	+	+	+	100%
	Bill Status	Passed	Passed	Passed	Passed	Passed	