

The League of Women Voters of Ohio



Agenda For Action 2011-2013

Introduction	3
Guidelines for Taking Action	4
Position Summaries	5
State Program 2011-2013	
GOVERNMENT	
Ohio Constitution	6
Apportionment/Districting	8
State Government Finance	9
SOCIAL POLICY	
Primary and Secondary Education	11
Higher Education	15
Juvenile Justice	16
Capital Punishment	19
NATURAL RESOURCES	
Water	21
Solid Waste	22
Hazardous Materials and Hazardous Waste	22
Land Use	24
Interbasin Transfer of Water	25
League Principles	28
Action	
State-Level Action Using State Positions	29
State-Level Action Using National Positions	36
Action Using League Principles	45
Federal Action Using State and National Positions	45
State Ballot Issues	47
Advocacy Coalitions	50
The Basics	51

INTRODUCTION

Agenda for Action is both a history and a guidebook. Written as an every-member reference, it is the main source of information about the state program of the League of Women Voters of Ohio (LWVO), including each position's history, outlook for the future and how it has been used for action.

Agenda for Action contains LWVO positions on state governmental issues that are the basis for League action at the state and local levels. This book describes LWVO positions only, but includes state-level and federal action based on the national positions.

Agenda for Action is a companion program publication to *Impact on Issues*, published by the League of Women Voters of the United States (LWVUS). The two publications should be used together to fully understand the basis for League action. The state League uses LWVUS positions for state-level action when applicable and appropriate. Sometimes LWVO acts using national positions alone, as in the successful campaign for Ohio's ratification of the Equal Rights Amendment; the continuing battle for campaign finance reform; and Ohio housing and health care legislation. Where both LWVO and LWVUS positions exist on the same items, such as hazardous materials, the positions supplement each other.

The LWVO publication *Taking Action* uses a game-like format. League members use it when considering whether to take action on local, state, or national positions. *Taking Action* may be purchased through the LWVO office, and a summary of guidelines for taking action is included on page 4.

Position Summaries

This edition includes a one-page summary of each LWVO position. While **the summary is no substitute for the actual language of the positions and should not be quoted when taking action**, this summary, found on page 5, serves as a quick guide to the issues. **Local Leagues are encouraged to copy this page and share it with members.**

Action Decisions

LWVO's president, Advocacy Committee, and lobbyists measure proposed legislation against these positions to decide which to support, oppose, or ignore. They decide the type and timing of any action. The state board determines LWVO stands on state ballot issues. LWVO does not take a stand on every piece of proposed legislation that falls within its positions. The significance of the legislation in terms of LWVO priorities, the possible impact of League action,

timing, and the demands of other League work are some of the factors weighed in these decisions.

Local Leagues may use LWVO and LWVUS positions for action on local issues within their own jurisdictions if members understand how the position is applicable to their issue.

Local Responsibility

LWVO sends Action Alerts to local Leagues when local lobbying can play a critical role. Local boards are expected to take the action requested in such alerts. In addition to official League responses, local boards should notify members so that they can respond as individuals. Local League support can prove very effective in lobbying based on League positions, which were developed initially from the study and consensus of local Leagues. **Action taken should be reported to the LWVO office.** If there is a reason a local board feels it cannot respond to the alert, this must be reported immediately to the state office. A local League may not take action in opposition to a LWVO position.

Action History

The section entitled "State-Level Action Using State Positions" is an outline of much of the action the League has taken in the past 10 years. This section gives a good but incomplete picture of total state action efforts. It does not list work on LWVO positions since they were dropped, nor does it record use of state positions by local Leagues in their communities. Other sections help to complete the picture of the work of LWVO by citing state League action using LWVUS positions (gun control, reproductive choice, etc.) at both the state and federal levels.

Much of the action listed involved testifying at formal hearings. It also included one-on-one lobbying, media conferences and news releases, public forums, speeches, letters, calls, editorials and letters to the editor, litigation, publications, and coalition efforts. Success depends on every-member participation to build support for changes favored by League.

League has not chosen easy goals, and the positions often pit us against formidable foes. However, the diversity of the League program means that adversaries on some issues are allies on others. Such is the fascination of political action!

This, then, is how a multi-issue, multi-level, informed-citizen organization participates in government—year after year, always with many irons in many fires. Action is the name of the game—the most exciting one in town!

GUIDELINES FOR TAKING ACTION

Taking action for the public good is not only a cornerstone of the League's mission to encourage the informed and active participation of citizens in government and to influence public policy through education and advocacy, it is also a good way to energize membership, achieve visibility in the community, and attract new members.

The League's principles and its positions at the local, state, and national levels are meant to be used. The principles are written broadly so that they will be applicable over time even as policy specifics change.

Action Not Requiring Consultation

Local Leagues wishing to take official League action on public policy matters do not need to consult with other levels of League under the following circumstances:

Action by a local League at the local level can be taken without consultation with the state or national League so long as

...the action is based on local, state, or national positions. The decision to take action on issues that affect *only* your League's geographic area rests with your local board.

...the action is taken in response to an action request from state or national League. These requests are most often in the form of e-mail Action Alerts from the state or national office, and they will be posted on the state and national Web sites, www.lwvohio.org and www.lwv.org respectively.

...the action regards legislation on which the state League has already taken action. All recent action—including written testimony, news releases, and action alerts—are listed in the "Advocacy" and "In the News" sections of the state Web site, www.lwvohio.org. You do not need to consult with the state League to contact your state legislator on any of the matters listed.

Action Requiring Consultation

Local Leagues wishing to take official League action on public policy matters must consult with the appropriate parties under these circumstances:

...action that would affect more than one League (such as those in your county, district, or region) requires consultation with the boards of the other Leagues in the area involved.

...action that would involve contact with state government officials (state senator or representative, the governor, etc.) where no action has been requested and no state action has been taken requires consultation with the state board. This can be as simple as a phone call to the state office, 1-877-LWV-OHIO.

...action that would involve contact with government officials at the national level (U.S. senator or representative, the President) where no action has been requested by LWVUS requires consultation with the national office. The state League would be happy to serve as a conduit for such a request.

The best rule of thumb is to consider, before taking action, if an elected official could possibly receive two conflicting messages from League on the same issue. If it's possible that more than one local League might respond to an issue of "local" concern, then consultation is a must. The League(s) being consulted must agree with the action, but need not join in the action. If agreement is not obtained, then action is not permissible.

Action on the Principles

The 1974 LWVUS Convention authorized action by local, state, and national Leagues on the basis of LWVUS principles. [Since the principles evolved from and incorporate former League positions, the authorization for action is not a radical departure from action taken under program positions.]

Parts of the LWVUS principles dealing with taxation, the economy, and international law are so general that action would require considerable member discussion. In these cases, specific action should only be taken in connection with League positions to which they apply.

Before using the principles as a basis for action, each League board will consider whether:

- a) members are informed;
- b) members agree with the proposed action;
- c) the action is appropriate in timing, need, and effectiveness; and
- d) other affected Leagues agree if the action results would extend beyond a League's own boundaries.

Action under the principles requires authorization by the appropriate League board.

Government

Constitution

Support a clear, flexible, organized, and internally consistent Constitution. Support specification that taxation is a General Assembly responsibility and that funding should be flexible. Support independence of judges, with preference for merit selection. Oppose term limits for the General Assembly.

Apportionment/Districting

Support an impartial districting process with opportunity for citizen participation. Support districts that are compact, contiguous, bounded by a non-intersecting line, and follow political boundaries as much as possible.

State Government Finance

Support taxation that is fair and equitable, provides adequate resources for government programs while allowing flexibility for financing future program changes, is understandable to the taxpayer and encourages compliance, and is easy to administer.

Social Policy

Primary and Secondary Education

Support the use of public funds only for public schools. Support an elected State Board of Education whose responsibility is policy making/planning. Support state education standards as a method of attaining a high-quality education. Support state funding for education that guarantees a realistic and equitable level of per-pupil expenditures, and support local school districts assuming a reasonable share of the financial burden.

Higher Education

Support funding by the state to ensure that all Ohio citizens have access to higher education that provides general education and job preparation. Support Board of Regents, appointed by the Governor with confirmation by the Senate, to be a planning, coordinating board with broad policy-making powers.

Juvenile Justice

Support community-based, least restrictive placement; rights and humane treatment of children who are juvenile offenders; alternative educational services; gender-specific treatment programs; unbiased treatment regardless of race or ethnicity; statewide uniform standards for dealing with juvenile records. Oppose holding children in adult jails.

Capital Punishment

Support abolition of the death penalty and a moratorium on use of the death penalty.

Natural Resources

Water

Support policies and procedures that provide for joint, cooperative planning and administration along watershed lines and across political boundaries; stringent water quality standards accompanied by strong enforcement and means of implementation; and adequate state financing, including incentives to local governments and industries for expediting water pollution abatement.

Solid Waste

Support the philosophy that solid waste, from generation to ultimate disposal, must be purposefully and systematically controlled by all levels of government in order to provide efficient service, protect the environment, and achieve successful resource recovery. Support measures to forestall depletion of our natural resources and to recover nonrenewable resources.

Hazardous Materials and Hazardous Waste

Support state policies and programs that emphasize the following hazardous waste management options in order of priority: waste reduction, toxicity reduction, and waste elimination; waste separation and concentration; energy/material recovery; waste exchange; and chemical, biological, physical, and thermal treatment.

Land Use

Support both urban revitalization and farmland preservation and the curbing of urban sprawl. Support the role of the state in providing authority and incentives for local governments to plan regionally and to exercise innovative planning and regulatory techniques such as suggested in the full position. Support use of eminent domain as a last resort under conditions specified in the full position. Support an enforcement system for appeals or arbitration where conflicts exist.

Interbasin Transfer of Water

Support diversion of water only after study of the ecological, economic, and social implications indicate that diversion would be sustainable and only after the development of a plan to protect the affected areas during all stages of development, operation, termination, and post-termination. Support public participation in the decision-making process. Support participation of all concerned governments in Great Lakes resource decision-making.

The following positions of The League of Women Voters of Ohio

Can also be found at www.lwvohio.org

National LWV positions can be found at www.lwv.org.

The positions on government deal with the philosophy, the structure, the procedures, and the operation of government. Since 1979 this umbrella heading has covered LWVO positions on the Ohio Constitution and Apportionment/Districting. In 1985, the State Government Finance position was included.

Also relevant are LWVUS government positions on agriculture policy, citizens' right to know/citizen participation, individual liberties, public policy on reproductive choices, Congress and the Presidency, D.C. self-government, apportionment, gun control, fiscal policy, campaign finance, election of the president, and voting rights. LWVUS positions in some of these areas can be applied and implemented at state and local levels. See Impact on Issues for complete LWVUS government positions.

GOVERNMENT: Ohio Constitution

Positions: Ohio Constitution

General Criteria (Adopted May 1968)

LWVO believes a constitution should be a clearly stated body of fundamental principles. It should provide for the flexible operation of government and be logically organized and internally consistent.

Taxation and Finance (Adopted March 1969)

LWVO supports constitutional revision that would:

Remove the fixed dollar debt limit and provide a flexible limit tied to some indicator of the state's economic wealth.

Specify that the power to levy state taxes and determine their uses resides in the General Assembly. This necessitates removal of constitutional provisions dealing with earmarking of taxes.

Judiciary (Adopted March 1973, amended May 2003)

LWVO believes that the selection and tenure of judges are fundamental matters and therefore should be provided for in the Constitution. LWVO supports policies that promote the independence of the judiciary. LWVO supports constitutional revision to provide for:

Nomination of judges for Appellate and Supreme Courts by judicial nominating commissions that are carefully balanced and broadly based. Commissions must be nonpartisan or bipartisan and must include both legal and lay members and not be dominated by the former.

Appointment of judges by the Governor from lists provided by a nominating commission.

The inclusion of constitutional provisions to require appointive judges to run against their own records in noncompetitive elections.

While an all-elective judiciary exists, LWVO supports provision for the nonpartisan election of judges in both

primary and general elections, public financing, stricter standards for recusal, enhanced reporting and transparency of contributions, and increased education of voters as to the role of the judiciary and the qualifications of candidates for judicial office.

Term Limits (Adopted May 1992)

The LWVO opposes term limits for members of the Ohio General Assembly.

Background: Ohio Constitution

Constitutional Convention

Ohio's Constitution provides that every 20 years voters must decide whether there should be a convention to amend the constitution. Anticipating that issue in 1972, LWVO in 1967 adopted a study to see if a constitutional convention would be warranted.

In 1967, members agreed on the general criteria for a good constitution, and these were then used throughout the study. For the next five years we studied and reached consensus on taxation, finance, legislative, executive, local government, amendment, and judicial provisions.

In 1968, study focused on the public debt and the finance and taxation articles. The Leagues participating in consensus agreed unanimously that the \$750,000 debt limit was unrealistic and should be repealed.

LWVO supported the 1971 creation of a Constitution Revision Commission to recommend constitution changes to the legislature. From 1971 to 1977 this commission (whose membership included several League members) was an additional forum for LWVO lobbying and was instrumental in bringing many issues to the ballot.

LWVO did not support a 1972 or a 1992 constitutional convention, but in both cases provided pro/con

information to voters. Ohioans turned down a convention both times, as they had in 1932 and 1952.

In 2011 the legislature passed HB 188 which created a 32 member commission to explore needed changes to the Ohio Constitution. The commission is to begin its work on January 1, 2012 and issue its first report on January 1, 2013. The League did not take a position on the commission other than to urge that the commission begin its work sooner than January 1, 2012.

Selection of Judges

LWVO interest in appointing judges dates back to 1921. In 1938 we supported a successful initiative petition drive to put such an amendment on the ballot, but the issue failed by a two-to-one margin. In our 1947-52 Constitution Study we again adopted an appointive judiciary position. This was dropped by the 1969 Convention after legislatures in '53, '55, '57, '63, '65, and '67 failed to recommend this issue for the ballot. Readoption in 1973, following study of the judiciary article, showed member commitment to the concept.

In 1979, we again worked to reach the ballot with this issue via initiative petition, but the effort failed. In 1986 the League began collecting signatures as an active member of a coalition, and the issue ultimately reached the November 1987 ballot. LWVO campaigned strongly for its passage, but the issue failed 65 to 35 percent. During the spring of 1999, LWVO worked with other citizen groups to promote bipartisan commissions for the selection of judges. The Governor's office took this proposal under consideration, but there was no action.

In March 2002 the League's Education Fund hosted a national conference on judicial independence, and at Convention 2002 the League concurred with the addition of the statement regarding general support for policies that promote an independent judiciary. The new position was based on the recognition that voters were not likely to support merit selection and that the existing position offered little flexibility to support other reforms. Later that year, Chief Justice Thomas Moyer asked the League to be one of five conveners of a statewide summit on judicial election reform. The March 2003 summit, "Judicial Impartiality: The Next Steps," resulted in broad-based committees examining term lengths, qualifications, disclosure, voter guides, and public financing, with League members represented on each committee. Initial recommendations involved legislation on term length and qualifications, rules changes on disclosure at the Supreme Court, and voter guide publication.

In 2007, Governor Strickland formed the Ohio Judicial Appointments Recommendations Panel to screen candidates for judicial appointments made by the Governor. An LWVO Board member was appointed to the initial panel. The Panel did not continue under Governor Kasich.

In 2008 the LWVO board approved an eight-point plan clarifying the League's position on supporting policies that promote the independence of the judiciary.

In 2009 the LWVO began work with the Chief Justice of the Ohio Supreme Court and the Ohio State Bar Association to initiate change in the way judges are selected in Ohio, focusing on public financing and appointment/retention election. Following the unexpected death of the Chief Justice and the change in composition of the legislature and governor, the efforts to achieve these reforms slowed down. The League continues to explore public financing options, although recent U.S. Supreme Court decisions restrict the approaches which are permitted. The League is also interested in persuading the judiciary to adopt stricter recusal standards.

Term Limits

In 1992, anti-incumbent fever led to ballot issues across the country seeking to limit the number of terms that could be served by legislators. In Ohio there were actions to put the term limit issue on the ballot, both through initiative petition and through legislative resolutions. LWVUS has a position opposing term limits for members of Congress; however, the position did not extend to state offices. The state board adopted a position opposed to term limitations and, as an emergency program item, the statement was concurred with by delegates to 1992 State Council. Although the LWVO worked to oppose term limits, in 1992 voters passed three constitutional amendments: to limit terms of the members of the General Assembly; to limit terms of Ohio's U.S. senators and representatives (Term limits for both U.S. senators and representatives were ruled unconstitutional); and to limit terms of five statewide elected officials: lieutenant governor, secretary of state, treasurer, attorney general, and auditor. (The term for governor was already limited to two four-year terms.)

Outlook: Ohio Constitution

LWVO favors efforts to replace the \$750,000 debt limit with a flexible limit, but since the issue's defeat in 1977 no interest has surfaced. LWVO has worked to repeal current earmarking provisions and will oppose future efforts to earmark taxes in the Constitution.

Voters are increasingly concerned about the large sums of money raised for judicial campaigns. The time may be right for a reform in selection of justices for the Ohio Supreme Court.

Term limits for members of the General Assembly have changed the dynamics in the Statehouse: legislators no longer politely "wait their turn" for leadership positions. More legislators take extreme positions because they have little to lose—they will be gone in eight years regardless, and they are not in the legislature long

enough to learn how to compromise so that government can be run effectively. Some legislators express a hope for a repeal of term limits, but with public sentiment still favoring term limits, this is highly unlikely in the near future.

Most general elections feature proposed constitutional amendments on an issue important to a narrow interest group. Many of those proposed amendment contain so much specificity that they violate the LWVO principle that the Ohio Constitution should be a document of fundamental principles. LWVO will continue to oppose those types of amendments.

Position: Apportionment/Districting

(Adopted January 1980, amended May 2005)

LWVO supports an impartial districting process that may include, but is not limited to:

Districting for Congress and state legislature based substantially on population equality with a variance of no more than plus or minus 5 percent among districts.

Use of a bipartisan commission comprised of an odd number of members to determine congressional and state legislative district lines.

Congressional and state legislative districts that are compact, contiguous, bounded by a non-intersecting line and follow local political boundaries as much as possible.

Opportunity for citizen participation.

No more than 99 House districts and 33 Senate districts within the Ohio legislature.

Local application: Local Leagues may apply this position to local situations to support or oppose changes in existing districting procedures. (The first four points can apply, substituting the name of the local governing body in 1 and 3.) Boards that contemplate doing this should supply advance information to members in Voters or in meetings.

Caution: The position refers to the districting process and may not be used in communities that do not presently have a governing body elected by districts. It may not be used to establish a local position on the validity of districting at the local level. That requires the adoption of a local study and consensus.

Background: Apportionment/Districting

In the 1970s, LWVO Convention adopted a not-recommended study, "Evaluation of alternative standards and methods of districting for the state legislature, in preparation for action before 1981," which resulted in the positions we have today. In the

1980s, the LWVO board voted to support the Fair And Impartial Redistricting (F.A.I.R.) Amendment petition effort. In the first year, the amendment did not reach the ballot; the second F.A.I.R. Amendment went before the voters but was defeated.

Ohio's Congressional representation was reduced from 21 to 19 after the 1990 census. The state legislative districting plan, adopted by the Republican-controlled Apportionment Board in 1992, was challenged by the Democrats, and counter-suits were filed. The primary election was delayed until June, but both the General Assembly and the congressional delegation were elected according to the new districts.

In August 1995, a U.S. District Court ordered that eight Ohio state legislative districts be redrawn by November 1, 1995. Those districts had been drawn to be "packed" with African-Americans, but the court found that the Apportionment Board "lacked a compelling state interest for its racial gerrymandering," and concluded that the "House districts violate the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution." The case was appealed to the U.S. Supreme Court, which said the district court had used an incorrect legal standard in making its decision, and remanded the case to the district court. In August 1997, the district court reversed itself, and held that the districts were drawn constitutionally.

In the fall of 1998, before the general election that elected members of the Apportionment Board, League began an initiative petition drive to submit its nonpartisan, mathematical districting plan to the voters. In 1998-1999, we collected signatures and attracted 14 other organizations to join in coalition with us.

As our petition drive picked up steam, the Republican legislative leadership approached us in the summer of 1999 about pursuing a legislative solution to change the districting process, rather than our petition drive. Their plan, HJR 13, was introduced in January 2000. While substantially identical to League's initiative, there was one major difference: the effective date of the change would have been 2011 rather than 2001. Still this resolution had many of the elements of League's positions, and we testified in favor of it, while simultaneously pursuing the ballot initiative.

Both League's drive and HJR 13 failed, leaving the responsibility for drawing the district lines with the Apportionment Board. The new districts were adopted along party lines in the fall of 2001. Ohio lost another Congressional representative after the 2000 census, down to 18. Both the Congressional and state legislative districts were determined by the same partisan methods in 2001, although the Apportionment Board went through the motions of listening to public comment.

The 2005 Convention dropped the requirement for a nondiscretionary districting process, but left the primary criteria in place.

In 2005, pursuant to an initiative petition, the general election ballot included a proposed amendment to use an objective formula for drawing districts. The formula maximized the competitiveness of districts and used compactness only as a secondary criterion. It required an open process and members of the public could submit plans. LWVO endorsed the initiative but it was defeated by the voters.

In 2006, HJR 13, a proposed constitutional amendment, was introduced in the legislature. It provided for a bipartisan commission to draw the districts. Members of the public could submit plans. Compactness of districts was the primary criteria with competitiveness as a secondary criterion. LWVO supported many aspects of this resolution; however, it did not garner the requisite 60% vote of the House of Representatives and did not go to the ballot.

In 2009 LWVO and other good government organizations and interested citizens conducted the Ohio Redistricting Competition. The goal of the competition was to show that an open process involving the public and based on objective, measurable criteria can produce fair Congressional districts in Ohio. The maps were based upon 2000 Census data and were judged on four objective public-interest criteria: competitiveness, compactness, representational fairness and respect for political subdivisions.

All competition participants produced maps that were more compact, had many more competitive districts and

achieved better political balance than the map drawn by the General Assembly in 2001 based on that same 2001 data.

In September 2009, the Ohio Senate passed a redistricting reform measure and in May 2010, the Ohio House passed its own measure that was based in part on the criteria of the Ohio Redistricting Competition. LWVO testified before the committees hearing the redistricting resolutions and advocated for a reform measure of consensus. However, the House and Senate were not able to reach a compromise before the November 2010 general election. At that election, three Republicans were elected as the elected members of the Apportionment Board and the Republicans held a majority in both the Ohio House and Senate.

Outlook: Apportionment/Districting

If history is a guide, the general assembly districts as well as the Congressional districts will consist of safe seats gerrymandered to favor the Republican Party. In the summer of 2011 the LWVO and Ohio Citizen Action will sponsor the Ohio Campaign for Accountable Redistricting which will provide an opportunity for people to submit maps for the Ohio General Assembly Districts as well as Congressional districts. These will be submitted to the Apportionment Board and the General Assembly. Hopefully these maps will show a better way to draw districts and will improve the quality of government in Ohio.

Both major political parties have shown interest in redistricting reform, along with the media and concerned citizens. The LWVO will continue its efforts for reform.

GOVERNMENT: State Government Finance

Positions: State Finance

Criteria (Adopted July 1989)

LWVO supports the following tax principles as criteria to be used in evaluating individual taxes and the tax mix in Ohio. Taxes should:

1. Be fair and equitable;
2. Provide adequate resources for government programs while allowing flexibility for financing future program changes;
3. Be understandable to the taxpayer and encourage compliance; and
4. Be easy to administer.

Taxes on Business (Adopted July 1989; Revised December 2010)

LWVO supports taxes on business as a source of state revenue especially because businesses should help pay for services received.

Income Tax (Adopted July 1989)

LWVO supports a personal income tax as a source of state revenue because it meets fair and equitable tax principles. The state income tax rates should be graduated.

Property Tax (Adopted March 1983)

1. LWVO supports real property tax relief, financed by the state, in the form of the Homestead Exemption based on age, income, and disability income.
2. LWVO supports the elimination of the real property tax rollbacks, both across-the-board and for owner-occupied homes.

Sales Tax (Adopted March 1983; revised June 1989)

1. LWVO supports a change in the base rather than a change in the rate of the sales tax. We favor broadening the base by reducing the number of exemptions.
2. LWVO supports application of the sales tax to non-essential services, tickets for professional athletic and entertainment events, and prepared food purchased for on-or off-premise consumption.
3. LWVO supports exemptions for food, other than prepared food sold for off-premise consumption, prescription drugs, prosthetic and surgical devices, and items for direct use (components in manufacturing and agricultural use).

Tax Mix (Adopted July 1989; Revised December 2010)

If an increase in state taxes is needed, LWVO prefers the income tax as a source of revenue because it tends to be progressive rather than regressive. Applying means testing to state property tax-relief programs would increase the revenue generated by the tax and make the system more equitable by not unduly burdening low-income individuals and families. Taxes on alcohol and tobacco are another revenue source if needed. An increase in sales tax, although less desirable, is another possible revenue source.

If a decrease in state taxes is called for, LWVO supports reducing the sales tax because it is regressive and less equitable. Tax relief for those at the lower end of the income scale should be considered if there is an increase in state taxes.

Background: State Finance

The state government finance study was recommended by the state board in 1981 on the basis of local League recommendations. The previous LWVO study of state finance, which focused on major services (education, welfare, mental health), was completed in 1969.

During 1981-83, we reached consensus on aspects of the sales tax and property tax. The 1985 Convention readopted the study for the 1985-87 biennium but modified the scope to focus only on two remaining major taxes: corporate franchise and income.

In 1994, a constitutional amendment to repeal the wholesale tax on soft drinks was opposed by LWVO, but was passed by the voters.

In 2007, LWVO appointed a study group to review and make recommendations to update the positions in light of the creation of the CAT tax and the phasing out of the corporate franchise and personal property taxes. LWVO's position on State Finance and Taxation was updated in December of 2010

The biennial budget for the years 2002-03 was balanced with one-time monies. Governor Taft introduced a

budget for 2004-05 proposing some changes in taxes, and the General Assembly appointed a Committee to Study State and Local Taxes. While the final 2004-05 budget did include some tax changes, it neither addressed the structural deficit nor reduced the tax equity gap.

The momentum for tax reform continued into 2005 with the development of the 2006-07 biennial budget. The major components of tax reform were to be phased in over five years and included repeal of the corporate franchise tax and the tangible personal property tax on business machinery and equipment, to be replaced by a new tiered Commercial Activity Tax (CAT) levied on gross receipts. This shifted much of the tax burden away from manufacturers and onto retail businesses. The reforms also set the permanent sales and use tax at 5.5% (a decrease of half a penny from the previous permanent rate). The legislature cut individual income taxes, increased excise taxes on cigarettes and other tobacco products, and authorized school districts to increase levies by 4% annually to offset inflation.

The League had serious reservations about the tax reform package as a whole and opposed its enactment.

In 2005, Governor Taft backed a constitutional amendment authorizing the state to issue bonds for funding the Third Frontier as well as improvements to Ohio's bridges and roads. The Third Frontier bonds are to nurture high-technology business in Ohio.

Another important development during 2005 was the introduction of two proposed state constitutional amendments, each proposing to limit state spending to a formula based on the rate of population growth and inflation. After analyzing the potential impact of a spending cap on the state's ability to collect adequate revenue and examining the impact of a similar measure in Colorado, the League adopted a position opposing spending limits. Efforts to pass a constitutional amendment were abandoned in favor of a statutory limitation.

The 2008-09 Executive Budget proposed no major new spending initiatives and continued the policy directions of the prior administration. It contained a \$25,000 local property tax exemption for all property owners aged 65 and over to be paid for by selling the state's rights to monies due from the tobacco lawsuit settlement. Initiatives in the Executive Budget funding more early childhood development programs and easing restrictions on the Passport Program were adopted. The legislature expanded on the administration's proposal to freeze undergraduate in-state tuition and added \$100,000,000 in grants to higher education to recruit students and scholars in the science, technology, engineering, math, and medicine (STEM2) disciplines.

Ohio Third Frontier Bond Renewal was approved by voters in May of 2010 authorizing the state to approve

an estimated \$700 million bond over four years designed to promote growth in the technology industries.

The 2010-11 budget reflected the economic problems faced by the entire country and the ever lessening tax revenues. After several continuation budgets in July the legislature approved a budget providing for no increase in any of the major taxes, and increased revenues by expanding gambling at race tracks, and increasing some fees. Social programs absorbed large decreases in funding. Education funding absorbed less of the shortfall, and the Governor's "evidence based" model of school funding was enacted.

The 2011-2013 budget was designed to address an \$8 billion deficit. Cities, townships and other local governments will receive \$1 billion less in state aid over the next two years through a combination of cuts to state funding and changes to the tax money they get, but the budget also includes a \$45 million grant program in the budget for local governments that share services. The budget eliminates the estate tax starting in 2013. Contributions to public employee pensions were reduced two percent, with the employees paying an additional two percent. The budget provides for the

sale of six prisons, permits the governor to pursue a long term lease of the Ohio Turnpike, and raises the threshold at which governments are required to pay union-scale wages. The evidenced based school funding model was eliminated and many school districts will face reductions in state funding. At the State Convention in May of 2011, the League adopted an action resolution endorsing continuation of the estate tax.

Prior to passing the budget bill, the legislature passed SB 5, which reduced public employee bargaining rights, with the explanation that this would enable school districts to save money. A referendum seeking to repeal SB 5 was to be submitted to the voters in the November 2011 election.

Outlook: State Finance

Economic problems continued throughout the country and in Ohio: a slump in the housing market, record high foreclosures on homes, a downward trend in wage and salary growth, and little, if any, growth in employment. However, some tax revenues are exceeding projections. Nevertheless, the future will hold challenges for Ohio.

SOCIAL POLICY positions pull together various program areas that concentrate on government services to people. LWVO's positions address primary and secondary education, higher education, juvenile justice, and capital punishment. In 1997, delegates to Convention dropped the LWVO children services position, working under LWVUS early intervention for children at risk positions instead. Other LWVUS positions are child care, equality of opportunity, health care, meeting basic human needs, gun control, urban policy, and violence prevention.

LWVO and LWVUS positions under social policy are used for both state and local action. See *Impact on Issues* for complete LWVUS social policy positions.

SOCIAL POLICY: Primary and Secondary Education

Positions: Primary and Secondary Education

State Board and Department of Education

(Adopted January 1983)

1. The League of Women Voters of Ohio supports the continuation of a State Board of Education which should be elected rather than appointed.
2. The primary responsibility of the State Board of Education should be policy making/planning.
3. The primary responsibilities of the State Department of Education should be administrative and regulatory.
4. The LWVO identifies two main areas of State Board of Education operations that need improvement: communications and management of responsibilities.

- a. Improved direct communication is needed between the State Board of Education and the public, educators, and the legislature to increase public awareness and State Board of Education visibility.
- b. State Board of Education responsibilities should be reduced and priorities set so that the Board can function effectively and efficiently as a policy making/planning body.

State Education Standards

(Adopted January 1984; updated May 1995)

LWVO supports:

1. The use of state education standards as a method of "requiring a general education of high quality."
2. Compliance with the same state standards by all chartered schools.

3. The establishment of guidelines for granting any exceptions to the state education standards by the State Board of Education for “good and sufficient reason.”
4. The development of a timely, open process for the evaluation and improvement of the state education standards. Standards should include appropriate multiple forms of assessment.
10. Tax revenue from commercial/ industrial/ mining/ public utility property should be distributed to compensate for variations in taxable wealth among school districts. (Adopted May 1991)
11. The General Assembly should establish a method to minimize fluctuations in state funding for elementary and secondary education programs. (Adopted May 1991)

Education Finance

LWVO supports the following principles as the role of the state in funding elementary and secondary education in Ohio:

1. LWVO supports a funding system for public elementary and secondary education that is accountable and responsive to the taxpayers. LWVO believes that public funds should be used only for public schools. (Adopted May 1994)
2. LWVO supports a guarantee by the state of a realistic level of per pupil expenditure in all school districts, including compensatory education programs where needed. (Adopted March 1969)
3. The equalizing function of the distribution formula for Foundation Basic Aid should be enhanced by decreasing the use of Basic Aid Guarantees. (Adopted January 1985)
4. Additional state education funding to school districts should be allocated primarily through Foundation Basic Aid, as these moneys are unrestricted in use. (Adopted January 1985)
5. State aid should be distributed to compensate for variations among school districts in their ability to raise local revenue to fund education. (Adopted May 1991)
6. The state aid formula should be calculated to reflect the effects of the tax reduction factor on the amount of revenue school districts can raise through property taxes. (Adopted May 1991)
7. The state aid formula should be calculated to reflect income wealth of school districts. (Adopted May 1991)
8. The state aid formula should be calculated to reflect:
 - a. the actual costs to school districts for state-mandated programs;
 - b. meeting the educational needs of the children within the district;
 - c. consideration of the economic/geographic characteristics of school districts statewide. (Adopted May 1991)
9. The state should be able to assist school districts in capital improvements and building construction to comply with appropriate codes in order to ensure health and safety. (Adopted May 1991)

12. The state share of the cost of pupil transportation should be separated into two budget line items: public and nonpublic. (Adopted January 1985)
13. The functions and operations of the county school system should be evaluated for possible action by the State Board of Education and/or the legislature. (Adopted January 1985)

LWVO supports the following principles for the role of the local community in financing elementary and secondary education in Ohio:

1. Individual school districts should be required to assume a reasonable share of the financial burden and should retain the option of increasing per pupil expenditure beyond this level through local taxes. (Adopted March 1969)
2. School districts should be participants in the decision-making process when tax abatements are being considered. (Adopted May 1991)

Background: Primary and Secondary Education

LWVO involvement and advocacy on education issues date back to the 1930s when LWVO supported the first state foundation program to fund schools. In 1967-69 LWVO studied education in a series on state financing of major services. Positions were reached on education standards, resource centers, district boundaries, and financing. These positions were reviewed in 1977 at Convention, and only the funding positions were retained.

The roles of the State Board of Education and the Department of Education were the focus of LWVO studies during the 1980s. At the 1983 Convention LWVO approved a study of state minimum standards and school finance. As a result of these studies LWVO adopted positions on an elected State Board of Education, state minimum standards, and school finance. The high number of local Leagues participating in these studies and three consensus efforts demonstrated strong member interest.

Delegates to the 1989 Convention voted to study the roles of state and local government in financing primary and secondary education. The two-year study produced *Financing Education in Ohio*, a highly acclaimed comprehensive book, which was used by League members to educate citizens and policy makers on this

subject. Member interest and participation were high, and in 1991 several new positions on school finance were adopted.

In 1994 local Leagues concurred with an emergency program measure to update a position stating that public funds should be used only for public schools that are accountable to the public. At the 1995 Convention LWVO positions on education standards were revised as a result of a two-year update. A statement that supports including multiple forms of assessment in state standards was added.

At State Convention in 2009 delegates approved a study of Education Finance. A statewide committee was formed to identify information for Leagues to use to update members about local and state school funding issues, and several Leagues created observer corps to cover boards of education meetings.

From the mid 1990s through 2011 LWVO has advocated for a constitutional system for funding preK-12 education; the elimination of education vouchers for private schools; changing charter school laws; and strengthening the accountability of all schools to the public. During this time the Ohio General Assembly approved legislation in support of four voucher programs and charter schools, which are privately operated public schools, and implemented some changes in school funding to address the directives of the Ohio Supreme Court in the four *DeRolph v State of Ohio* school funding decisions issued between 1997-2002.

Status of Financing Ohio's Schools

During the 1990s a coalition of education organizations joined together to form the Ohio Coalition for Equity and Adequacy for School Funding. This organization filed a lawsuit in 1991 in the Perry County Court of Common Pleas challenging the constitutionality of Ohio's system of funding schools. After a number of appeals and decisions, the Ohio Supreme Court in 1997 found the state's system to be unconstitutional in *DeRolph v State of Ohio* (DeRolph 1). In response to the decision in DeRolph I LWVO sponsored a series of statewide meetings on proposed school funding remedies, and partnered with WOSU in Columbus to present a statewide televised town meeting on school funding in Columbus in February 1998.

In 1999 and again in 2001 LWVO filed amicus briefs supporting the League's position that the state had not complied with the Ohio Supreme Court's directives in DeRolph I and DeRolph II (2000). Few changes were made by lawmakers to address the unconstitutional issues identified by the Court, even after the Supreme Court issued two other decisions in favor of the plaintiffs, DeRolph III (2001) and IV (2002).

LWVO was invited in 2002 to join a steering committee led by the Ohio School Boards Association to seek a

remedy to resolve the school funding issues. As this group was meeting Governor Bob Taft formed a Blue Ribbon Commission on Financing Student Success. This commission issued several recommendations regarding financing K-12 education, but only a few were implemented, and the controversy around school funding continued.

Then in 2006 a new consortium of education organizations called "Getting it Right for Ohio" formed. In February 2007 this consortium proposed a constitutional amendment on school funding, and started to gather signatures to place the amendment on the ballot. LWVO did not take any action on this proposal, which never reached the ballot, but continued to testify, issue action alerts, and inform the public of the merits of several proposed school funding plans, including a plan developed by the State Board of Education's Task Force on School Funding,

Beginning in 2008 LWVO participated with other education/child welfare organizations in discussions about financing Ohio's schools and reforming Ohio's education system led by Governor Ted Strickland. Several LWVO members attended Governor Strickland's statewide "Conversations on Education" and recommended ways to improve funding for schools based on LWVO positions. These discussions led to the development of Governor Strickland's education financing and reform plan called the Ohio Evidence-Based Model (EBM).

The EBM included a comprehensive revision of state law regarding school funding; teacher preparation, licensure, and tenure; state academic content standards; student graduation requirements and state assessments; and new spending and reporting requirements for schools and school districts. LWVO issued resolutions at the 2009 State Convention and action alerts supporting the EBM provisions that aligned with our positions.

However, due to the lack of funds lawmakers were not able to include all of the EBM provisions in the 2010-11 budget bill, Am. Sub. HB 1, but directed that the plan be phased-in over the next ten years to delay its cost. In fact, declining state revenues, as a result of the changes in Ohio's tax structure in 2005 and the 2008-9 recession, led to a budget crisis in July 2009. LWVO adopted a resolution at the 2009 State Convention and joined other statewide organizations to urge lawmakers and Governor Strickland to consider tax increases to raise revenue to balance the state budget and support needed state government services, including education. The General Assembly eventually approved a controversial budget on July 13, 2009 (Am. Sub. HB1), but many of the provisions included in the EBM were not fully funded.

Republican victories in the 2010 election led to Republican control of the governor's office, Ohio House, and Ohio Senate. The new administration, led by Governor John Kasich, steered through the General Assembly in July 2011 a balanced state budget (Am. Sub. HB153), that addressed a projected budget deficit of \$6-8 billion, and reduced overall funding for schools by \$780 million. The budget bill eliminated the Evidence-Based School Funding Model, establishing a temporary school funding formula for FY12, with the intent to develop another new school funding formula for FY13. The budget bill also scaled-back for two years the reimbursements that schools were receiving for revenue lost when the tangible personal property taxes and kilowatt hour taxes were eliminated, and made a number of changes that expanded voucher programs and charter schools.

Am. Sub. HB153 also included significant changes in Ohio's accountability system for schools by creating a new ranking system for schools and consequences for low-ranking schools, and a new pilot program to evaluate teachers based, to some extent, on student achievement. The State Board of Education was also required to develop standards to determine how schools rank according to how they spend money for instruction, administration, and operations.

Public Funds for Public Schools

In 1995, the League joined the Coalition for Public Education (CPE), a group of education and citizen groups opposed to diverting public funds for education to nonpublic entities. The CPE filed a lawsuit the same year that challenged the constitutionality of the Cleveland Scholarship Program. This program allows eligible students in the Cleveland Municipal School District to attend private schools using public funds to pay tuition. The program was found constitutional by the Ohio Supreme Court, but unconstitutional in December 2000 by the U.S. District Court for the Northern District of Ohio and by the 6th U.S. Circuit Court of Appeals in March 2001 (*Zelman v. Simmons-Harris*). The federal court found that the program violated the First Amendment, which prohibits the establishment of religion by the State. This decision was appealed to the U.S. Supreme Court, which found the program constitutional on June 27, 2002.

Even with this set back, the League and other proponents of public education have continued to oppose the use of public funds to support private schools. In addition to the Cleveland Scholarship and Tutoring Program, the League opposed the use of public funds for auxiliary services and reimbursement of nonpublic schools administrative costs; the Autism Scholarship Program, the Educational Choice Scholarship Program, and the Special Education

Scholarship Program, which became law in 2011.(Am. Sub. HB153)

In 2001 the League also joined in a lawsuit, *Ohio Congress of Parents Teachers, et. al. v State Board of Education, et. al.*, challenging the constitutionality of charter schools, which are known as community schools in Ohio. This lawsuit was filed in the Franklin County Court of Common Pleas by the Coalition for Public Education (CPE) in May 2001. The lawsuit alleged that the state's community school program violated the state constitution because community schools were not held to the same standards as public schools; were not administered by elected boards of education; and local property taxes were diverted to private operators without voter approval. The suit also alleged that the state has failed to enforce current law governing community schools' contract obligations, and had allowed private schools to convert to community schools in violation of state law.

After several lower court rulings, the case was appealed to the Ohio Supreme Court. In a 4-3 decision the Justices ruled on Oct. 25, 2006 that the state law authorizing establishment and operation of community or "charter" schools is constitutional, but left open several other legal challenges before the lower courts regarding the compliance of charter schools with current law and rules.

Efforts to improve the accountability of charter schools (both academically and financially) have continued over the past twelve years. The League has testified on several bills to strengthen laws pertaining to charter schools, and at least one provision, which authorized the Ohio Department of Education to have oversight over all charter schools sponsors, has become law.

Outlook: Primary and Secondary Education

The League will continue to advocate individually and with coalitions when appropriate for a constitutional school funding system, and laws to eliminate vouchers for private schools, create an all-elected State Board of Education, improve charter school accountability, and support a stable school funding system that doesn't change from year to year.

As policy makers explore ways to make schools more efficient and effective, questions have been raised about consolidating Ohio's 613 school districts, expanding the role of Educational Service Centers to improve school operations, privatizing the Ohio Lottery, increasing the number of video slot machines to raise funds for schools, and more. The complexity of these issues and other education issues provides the League with opportunities to inform and engage citizens, and to work with policy-makers, stakeholders, and the public

on ways to improve communication about Ohio's education system, and on ways to improve Ohio's laws to ensure that all children have access to the highest

quality of educational opportunities to prepare them for careers, life, and citizenship.

SOCIAL POLICY: Higher Education

Positions: Higher Education

LWVO believes that: (adopted May 1997)

1. The Board of Regents should be a planning and coordinating Board with broad policy-making powers.
2. The Board of Regents should be appointed by the Governor with confirmation by the Senate. The legislature should establish appropriate criteria for board members to ensure that the Board can function effectively and efficiently as a policy-making/planning body.
3. The state should provide funding to ensure that all Ohio citizens (meeting given institutional academic standards) have access to higher education that provides general education and job preparation. Ability to pay should not determine admission. (Amended May 2005)
4. In order of priority a state funding system for public higher education should be to: (Amended May 2005)
 - a. provide a basic level of support to all public institutions of higher education,
 - b. provide partial funding for capital improvements and maintenance, and
 - c. provide scholarships.

Background: Higher Education

The 1995-1997 member study of higher education focused on the role of the Ohio Board of Regents, Boards of Trustees, the Governor and the state legislature, and outlined the revenue sources for higher education in Ohio.

After the study, the League published a monograph on higher education, titled *Before the Students Arrive* (LWVOEF, 1998). The basic information from the 1998 monograph has been periodically updated. In May 2005, LWVO revised its original positions to clarify its priorities and to strengthen its advocacy posture.

The State of Ohio's need for a well-educated populace may be widely recognized, but this need has been only perfunctorily addressed in recent legislative actions. The \$51.2 billion, two-year budget passed in June 2005 continued to short-change higher education. It provided almost no extra money while it established tuition caps at 6 per cent annually. According to the Ohio Board of Regents (March 2005), state appropriations for higher education have been cut by \$344 million since 2001.

The 37 state campuses covered about 25% of that "lost" revenue through cost reductions and then used tuition increases as the primary source for funding the difference.

A national study rating the 50 states on several higher education issues gave Ohio an "F" on affordability in fall 2004. An Ohio student paid about 48% of the total cost of attending a public college or university in 2004-05, compared to a national average of about 31%.

In 2005, the percentage of Ohio residents with bachelor's degrees still lagged the national average (21% in Ohio compared to 24% nationally). Ohio ranked 39th among the states in the percentage of adults with at least a four-year degree.

Legislation introduced in the 125th and 126th General Assembly displayed a scatter-shot approach to higher education issues. Affordability was not addressed on a wide scale, although special scholarship programs were approved for special groups, such as Iraq war veterans and their dependents, and for safety forces and their dependents.

Ohio's Tuition Trust Authority (OTTA), a federally sanctioned "529 Plan," marked 15 years in operation in 2004 and continued to improve and expand its college-savings offerings. Other federal policies have complicated affordability and accessibility. In 2005 changes to eligibility rules for Pell Grants resulted in reduced awards to many students and ineligibility for others. Private educational-loan firms have been allowed to collect federal government subsidies in excess of their costs, using dollars that could have expanded the Pell Grant program or other education aid.

A new sense of optimism surfaced in the higher education community with the passage of Ohio's FY 08 and FY 09 operating budget, indicating that higher education is widely viewed as a key element in the state's economic well-being. Several budget items addressed affordability head-on, one by freezing undergraduate tuition and fees for both FY08 and FY09, and others that increased scholarships.

At the same time there were major shifts in the workings of the Ohio Board of Regents (OBOR) by:

1. establishing the Chancellor position as a gubernatorial appointment with cabinet status;
2. prescribing the Chancellor's duties and fixing the Chancellor's compensation;

3. making the Chancellor appointment a five-year term, subject to the Senate's consent, with possible reappointment;
4. specifically making OBOR an advisory board to the Chancellor;
5. transferring authoritative control of the OBOR staff agency to the Chancellor;
6. shortening the term length for members of the OBOR- from nine to six years; and
7. specifying that the OBOR meet at least quarterly.

Scholarship funding received a substantial boost in the FY08-FY09 budget. The legislature created a \$100 million scholarship program designed to increase and encourage students majoring in the fields of science, technology, engineering, math, and medicine (STEMM) and established other funding to enhance institutional efforts to recruit students and scientists in STEMM fields.

Although the FY08-FY09 state budget provided a stronger level of state support for higher education than it had in decades, there are concerns to be addressed. Foremost is the worry that the state's income may not meet projected needs, forcing diminished support for the several worthy initiatives. It will take some time for

the massive change in the governance of higher education to fall fully into place and to assess the benefits (and pitfalls) of having the Chancellor report to the governor. Many new working relationships need to be forged.

In 2011 the General Assembly passed the biennial budget bill and included provisions for state universities to apply to become "enterprise universities." Under the plan, the state would reduce certain mandates and regulations such as enrollment limits, laws about construction programs, and permit financing options such as lease-back agreements. The university would be required to limit its tuition increases to 3.5% per year for the period of the two year budget.

Outlook: Higher Education

The League of Women Voters of Ohio will continue to encourage a strong governance arrangement for higher education that can provide broad access to higher education for academically qualified Ohioans. Wherever it can, the League will join in requests for a widely affordable, highly accessible public higher education system in Ohio.

SOCIAL POLICY: Juvenile Justice

Positions: Juvenile Justice

The LWVO supports the following principles and policies: (Adopted May 2003)

1. The LWV of Ohio supports the principle that children under the age of 18 are not adults and that their treatment within the juvenile justice system should relate to their stage of development. (Amended May 2005)
 - a. Children should not be held in adult prisons or detention facilities.
 - b. Unruly children should not be placed in secure facilities (defined as those with architectural barriers).
2. The LWV of Ohio supports rehabilitation as the purpose of the juvenile justice system.
 - a. Development and use of local diagnostic and treatment/resources are desirable alternatives to large centralized institutions.
 - b. Development and use of local social service programs to provide appropriate treatment for unruly and delinquent children and their families are preferred.
 - c. Development and use of a variety of alternatives to secure facilities within a child's own community are preferred. Alternatives

could include group homes, foster homes, drop-in shelters, and other non-secure programs.

- d. County Juvenile Courts and the Ohio Department of Youth Services are responsible for providing positive, individualized, humane treatment for children.
- e. Each case should receive individual evaluation before the court. Judges should use their discretion to find the best resolution of each case.
- f. The "least restrictive" option should determine placement of children awaiting court action as well as after adjudication. A child should not be detained in, or committed to, any facility or program that would physically restrict him/her beyond the degree of restriction needed to assure the child's safety, the safety of others, or the child's appearance at a scheduled court hearing.
3. The LWV of Ohio supports the protection of children's legal rights.
 - a. If adjudicated not guilty, children have the right of expungement of all juvenile records pertaining to that case and the right of state-mandated written notification of eligibility for expungement review.

- b. There should be statewide uniform standards for maintaining, disseminating, and/or inspecting juvenile records. These standards should be designed to protect the offender, as child and as adult, from unnecessary consequences of criminal behavior and the taint of criminality. Expungement procedures should be easy for a youth and his/her family to access.
 - c. Children have the right to bodily safety and integrity; freedom from physical and mental abuse; mental and physical care; drug and alcohol treatment; an education appropriate to the child's intellectual, emotional, and physical capacities; access to the courts for enforcement of rights; and periodic review of placement and treatment.
4. The LWV of Ohio supports the development, establishment, and enforcement of state standards for detention and treatment facilities. These standards should be continually reviewed for improvement. Standards for facilities used for detention or disposition should meet the following minimum requirements:
- a. Protection of the rights of youth to personal possessions, privacy, freedom of and from religion, personal communications, limitations and procedural requirements for discipline, grievance and appeal mechanisms, bodily safety, and periodic review of placement.
 - b. Program requirements should include: initial physical, mental, and psychological evaluation; medical and dental care; recreation and exercise; education designed to meet individual needs; vocational training; psychiatric and psychological services; and aftercare.
 - c. Facilities should be required to maintain a minimum ratio of staff to youth; staff should have appropriate qualifications for working with youth; and standards for staff supervision and accountability should be maintained.
5. The LWV of Ohio supports the development within each county or multi-county region of a comprehensive system of children's services for the prevention and treatment of children at risk, as well as juvenile offenders; and a system that utilizes the resources of the extended community to give each individual child a *continuum of care*. A comprehensive system would require the intentional collaboration of the court, families, schools, and community agencies and organizations to create a holistic system for the benefit of the children.
6. The LWV of Ohio supports the provision of public innovative *alternative educational services*, K through 12, to address the specific and individual needs of children who do not perform successfully in, or face expulsion from, the traditional public school setting.
7. The LWV of Ohio supports the philosophy of a *restorative system of justice* for children as a dispositional option for juvenile court judges. A restorative justice approach to delinquency requires the voluntary participation of three essential groups: the offender, the victim, and the community. Key components are restitution to the victim and the community, offender self-improvement, and possible mediation with the victim. If successful, the offender would assume responsibility and take action to repair the damage caused. If the offender recidivates, traditional rehabilitation alternatives would be available at the discretion of the judge.
8. The LWV of Ohio supports the development and utilization of *gender-specific treatment* programs.
- a. Treatment programs should meet the specific needs of each individual.
 - b. Research-based gender-specific services should be available for both boys and girls.
 - c. Research on effective services and treatment for girls is needed. It should be encouraged and funded.
9. The LWV of Ohio supports the right of juveniles to *unbiased treatment* regardless of race or ethnicity.

Background: Juvenile Justice

The LWVO was one of the first groups to study unruly children and to consider the rights of children in the juvenile justice system. Positions adopted in 1973 affirm the development of local programs, as alternatives to centralized institutions, for unruly and delinquent children. In 1974 the LWVO adopted support for 1) statutory responsibility of the courts and Department of Youth Services (DYS) to provide positive, individualized and humane treatment, and the protection of the legal rights of juvenile offenders, 2) development of uniform standards for maintaining, disseminating, and inspecting juvenile records (standards designed to protect the offender, as child and adult, from unnecessary consequences of criminal behavior and the taint of criminality), and 3) the expungement of all juvenile records, and mandated written notification of eligibility for expungement review.

The 1977 Convention decided to study and develop standards for all juvenile facilities and for determining who should be placed in secure facilities. The 1979 positions reflect member interest in limiting use of secure facilities and developing community services and non-secure facilities as alternatives. Also adopted were: 1) individual evaluation of each case; 2) "least restrictive" concept in determining placement while awaiting court action and after adjudication; 3)

development of alternatives to secure facilities within the child's community; 4) establishment of minimum standards for secure facilities, including protection of the rights of youth; staff qualifications and ratio of staff to youth, and 5) services designed to meet the physical, mental, and psychological needs of youth. The 1979 positions opposed holding any children in adult jails and holding unruly children in secure facilities. The 1987 Convention amended the position to clarify that it does support drug and alcohol treatment for addicted youth. A 1993 update did not result in any new positions.

The 2001 Convention again voted to update the position, and the 2003 Convention voted to add to and amend the positions as follows:

During the 1990s, the public focus on violent juvenile crime brought about by gang activity and the shootings in Columbine shifted the pendulum toward punishment and public safety. The prior statutory goal of protecting the child from the "taint of criminality" was removed and the goal of the juvenile system was changed to public safety and accountability.

The philosophy of the position was retained:

1. Children are not adults and treatment should relate to their stage of development;
2. Rehabilitation is the purpose of the juvenile system;
3. Children's legal rights should be protected; and
4. State standards for detention and treatment facilities should be enforced.

However, the right to expungement of all juvenile records was amended to the expungement of records only for those children adjudicated not guilty.

New positions were added:

1. Support for a comprehensive system of services using the resources of the entire community;
2. Support for the development of alternative educational services, K through 12, for children who are not successful or face expulsion from the traditional school;
3. Support for the development of gender-specific treatment and programming;
4. Support of the right to unbiased treatment regardless of race or ethnicity; and
5. Support of the philosophy of a restorative system of justice as a desirable disposition option.

In 2004 the LWVO invited local Leagues to conduct studies of their county juvenile courts. Recommendations resulting from the fourteen county courts studied are listed in the following section.

At the 2005 Convention, the term "*children*" was defined to mean "under the age of 18."

Outlook: Juvenile Justice

Public perception of rampant juvenile drug abuse and serious crime will likely continue without regard to the numbers of youths actually involved, and elected officials will likely continue to advocate for more restrictive laws. Serious juvenile offenders clearly need intervention and programs that provide structure and supervision, and develop social and personal controls. Programs of this type may be offered within the juvenile system, but are not found in the adult system. The League's long-held position requiring individual evaluation of each case would certainly provide a tool to oppose mandatory sentences.

Concerns about drug abuse, violence, sexual offenses, and the availability of firearms have led to some systemic changes in Ohio. Local Leagues should determine what programs are available in their communities and whether they are effective in rehabilitating offenders. Several counties operate drug courts. Sex offenders are now required to register with the county sheriff. Schools are expected to develop programs to stem truancy.

The 2002 Bench-Bar Conference focused on the need for different and appropriate treatment modalities for girls in the juvenile justice systems. Local Leagues should keep abreast of the developing research and follow their local court's interest and activities in this area.

Restorative justice is a relatively new concept in the juvenile justice area and should be encouraged. The traditional treatment for both children and adults is punishment – the retributive method. The restorative mediation model with the support of the community can result in a positive learning experience for youth. The new purpose clause of the ORC may be interpreted to support the restorative concept. Leagues should keep abreast of model restorative programs and encourage their county courts to use the restorative approach.

To assist local Leagues with these efforts, and to improve its own advocacy at the state level, LWVO designed a juvenile justice project for local Leagues in 2003. Local Leagues were invited to conduct studies of their local county juvenile courts. Fourteen county courts were studied, resulting in the following recommendations:

State level recommendations that would require additional study:

1. Review of the qualifications for juvenile judge;
2. Evaluation of the effectiveness of the new laws on recidivism and rehabilitation;
3. Reassessment of expungement and evaluation of the impact of a juvenile record on the youth's future;
4. Review of how Ohio funds its courts; and

5. Study of the issue of juvenile competency and quality of legal defense.

Recommendations for action at both state and county levels:

1. Support for collaboration among youth-serving agencies;
2. Support for continuing education for all persons who work with juveniles;
3. Support for adequate funding for prevention and early intervention, gender-specific, mental health, drug, and sex offender treatment programs;
4. Support for adequate funding for county juvenile courts; and
5. Encourage local Leagues to monitor their local courts and juvenile facilities and to take action when appropriate under LWVO positions.

During 2004-2005 conditions at Ohio's juvenile correctional institutions were under scrutiny by state and national advocacy groups and the U.S. Department of Justice. Reports of abuse of youth, inadequate legal representation, and lack of adequate medical, mental health and education services were investigated and several former employees of the Department of Youth Services were indicted on charges of abuse and rape. The LWVO through its participation in the Juvenile Justice Coalition of Ohio advocated for legislative oversight resulting in legislation that gives the Ohio Institutional Inspections Commission the responsibility for inspecting youth as well as adult detention facilities.

The Coalition is now working to educate the Commission as to the needs of incarcerated youth and the importance of quality staffing and programming.

RECLAIM Ohio was enacted in 1993. It gives local judges more options by providing state subsidies for local programs. It has been successful in reducing the population of the Department of Youth Services (DYS) facilities and in assisting counties in developing community-based programs. Local Leagues with DYS institutions located in their counties are encouraged to learn more about what is happening inside the walls. Local Leagues should also monitor the implementation of RECLAIM Ohio in their counties. If RECLAIM is successful, then the number of youth sent to state institutions will be reduced, and their rehabilitation is more likely to occur.

Most recently, the 2011-2012 session of the General Assembly wrestled with the issue of teen "sexting." Sexting is the taking, sending, receiving, or displaying of nude images by cell phone, email, or other online communication. Sexting may result in felony charges and the Adam Walsh Act may label a teen, who sends, receives, or shares nude photos, as a sex offender. The child pornography laws were not designed for this situation. A lesser offense is needed to show teenagers how serious the situation is without leaving them with a felony record. In the age of digital photography and the internet, teens who sext could end up with lifelong marks on their records. Hopefully, the issue will be resolved soon.

SOCIAL POLICY: Capital Punishment

Position: Capital Punishment

The LWVO supports the following:

(Adopted 2005)

1. Abolition of the death penalty.
2. A moratorium on use of the death penalty.

Background: Capital Punishment

Following an 18-month statewide study and consensus process, LWVO adopted a position on the death penalty in 2005 calling for its abolition and a moratorium on its use. The study is available at www.lwvohio.org/possummary.htm. Violations of due process, bias against minorities, the unequal quality of representation for capital crime defendants, and the cost of the death penalty process led League members to the conclusion that Ohio's death penalty should be abolished. In 2007 LWVUS adopted a national position calling for the abolition of the death penalty with LWVO as a co-sponsor of the position. According to studies of the death penalty:

- The death penalty is inherently flawed, and no amount of reform can make it an appropriate sentencing option anywhere.
- Due process of the accused is often violated.
- Capital punishment is systematically biased against minorities.
- Over 100 persons on various state death rows have been wrongfully convicted and subsequently exonerated—including six in Ohio.

A 2010 poll by Lake Research Partners found that a clear majority of voters (61%) would choose a punishment other than the death penalty for murder, including life with no possibility of parole with restitution to the victim's family (39%), life with no possibility of parole (13%), or life with the possibility of parole (9%).

On March 9, 2011, Illinois Governor Pat Quinn signed legislation repealing the death penalty in Illinois. This makes Illinois the 4th state in the country to repeal

the death penalty since 2005, following New York, New Jersey, and New Mexico. As Adam Liptak noted (*New York Times*, January 4, 2010), the American Law Institute concluded that the death penalty system is broken and cannot be fixed. This is particularly significant because the prestigious organization of judges, lawyers and law professors was the original source of the intellectual foundation for using the death penalty that the U.S. Supreme Court basically adopted when it reinstated capital punishment in 1976. According to Liptak, “A [2009] study commissioned by the [American Law Institute] said that decades of experience had proved that the system could not reconcile the twin goals of individualized decisions about who should be executed and systemic fairness. It added that capital punishment was plagued by racial disparities; was enormously expensive even as many defense lawyers were underpaid and some were incompetent; risked executing innocent people; and was undermined by the politics that come with judicial elections.”

A botched attempt in September 2009, during which prison guards spent two hours trying to find an inmate’s vein suitable for his lethal injection, raised numerous constitutional questions, including whether a second attempt would constitute “cruel and unusual punishment” prohibited by the 8th Amendment. On November 30, 2009, Ohio became the first state in the country to adopt a one-drug protocol for lethal injections.

In 2010—for the eighth year in a row—the number of new death sentences handed down in the United States dropped. Ohio set an Ohio record for executions in a year, with nine scheduled for 2010— three of which were commuted to life in prison without parole. Both Gov. John Kasich and Attorney General Mike DeWine continue to support the death penalty.

On July 8, 2011, federal judge Gregory Frost delayed the July 19, 2011 execution of Kenneth Smith. He ruled that Ohio’s death penalty procedures are enforced haphazardly. If appealed and upheld, Frost’s decision would allow Smith to argue in an upcoming

trial that the state violates the federal Constitution with its uneven application of its rules for executing inmates. Frost did not rule on whether Ohio’s death penalty is constitutional. There are still nine more executions scheduled for 2011-2012.

Outlook: Capital Punishment

In January, 2011, Ohio Supreme Court Justice Paul Pfeifer, who was a member of the General Assembly that reinstated the death penalty in 1981, stated that the system is so flawed that the death penalty needs to be abolished. Terry Collins, former Director of the Ohio Department of Rehabilitation and Corrections, supported Judge Pfeifer’s statement, further stating the death penalty is expensive, inefficient, and time-consuming and did not put the worst offenders on death row.

Legislation has been introduced over the past few years to both assess Ohio’s death-penalty system and to make the killing of a judge or magistrate punishable by death; no legislation has gotten out of committee. On March 15, 2011, Representatives Ted Celeste and Nickie Antonio introduced HB 160 to abolish the death penalty. It has been referred to the House Criminal Justice Committee. It has 14 co-sponsors, two of which are Republican. On April 13, 2011, sponsor testimony was heard by the committee.

The number of death sentences imposed in Ohio is decreasing as more juries in capital-crimes cases choose “life without parole.” Three death sentences were handed down in Ohio in 2008, two fewer than in 2007. Nationally, the use of the death penalty has declined by 12 percent and the number of death sentences imposed in 2008 hit the lowest level in 32 years (A. Johnson, *Columbus Dispatch*, and December 11, 2008). However, the Death Penalty Information Center reported Ohio was the only state outside the southern U.S. to carry out an execution in 2008. There were 5 in 2009, 8 in 2010, 4 executed and 4 more scheduled for 2011, and 7 scheduled for 2012. Ohio is second only to Texas in the number of scheduled executions.

NATURAL RESOURCES

Natural Resources is the heading for positions covering water, solid waste, hazardous materials and hazardous waste, land use, and interbasin water transfers. It also covers LWVUS positions on resource management, environmental protection and pollution control, public participation, water, air, solid waste, land use, energy, and the criteria for hazardous and nuclear waste storage and disposal. These state and national positions augment and complement each other and are to be used together for state and local action. See *Impact on Issues* for complete LWVUS positions.

Unlike the other program areas, which pull together independent program items under a consolidating title, this area has grown like a tree, with branches spreading from a trunk. Beginning with water, it has expanded to include other natural resources, and the problems and management which are intertwined in the environment.

NATURAL RESOURCES: Water

Positions: Water

LWVO supports policies and procedures that provide for:

1. Joint, cooperative planning and administration along watershed lines and across political boundaries. (Adopted 1961)
2. Stringent water quality standards accompanied by strong enforcement and means of implementation.
3. Adequate state financing, including incentives to local governments and industries for expediting water pollution abatement. (Adopted 1967)

Background: Water

The LWVO has covered the waterfront—from septic tanks and flood plains to lake drilling, megafarms, and scenic rivers.

1955: LWVO studied Ohio Department of Natural Resources (then six years old).

1956: LWVUS four-year study of federal water management. Consensus reached in 1958 and 1960.

1960: LWVO one-year study of Ohio's water development and management problems.

1965: LWVO Convention adopted not-recommended two-year study of water pollution control policies, programs, and laws. Consensus announced in 1967.

1967: LWVUS announced consensus on financial incentives to industry to abate water pollution.

2005: LWVO Convention adopted a resolution requesting that the General Assembly support a moratorium on new permits for megafarms in Ohio.

For the last 20 years the League has monitored the Great Lakes Governors and Premiers in their development of a set of principles included in the Great Lakes Charter to guide them in developing, maintaining, and strengthening the regional management regime for the waters of the Great Lakes Basin. The "lake area" Leagues have closely followed

Annex 2001, an amendment to the Great Lakes Charter of 1985, developed to update the Great Lakes regional water management system and ensure that the Great Lakes are protected, conserved, restored and improved for future generations. League members have continued to voice on-going concerns regarding the damage to the Great Lake Basin from pollution, environmental disruptions, and unsustainable water resource management that may individually and cumulatively alter the hydrology of the Great Lakes ecosystem. The League also has closely monitored legislation that could directly and indirectly affect the health of Ohio's vast number of streams, rivers, and lakes. In 2008, the Ohio legislature approved The Great Lakes Compact, an agreement between eight states and two Canadian provinces that would prevent future diversions of Great Lakes water out of the Great Lakes basin. Congress also approved the Compact. In a compromise to gain passage of the Great Lakes Compact in Ohio, the legislature also placed a constitutional amendment on the ballot that claimed to assure that private property owners retained their rights. The League opposed the proposed amendment because it did not rise to the level of belonging in the Ohio Constitution. The amendment passed.

In July of 2011 Governor Kasich vetoed HB 231 relating to Ohio's withdrawal of water from Lake Erie, stating that the bill lacked clear standards for conservation and withdrawals.

Outlook: Water

Water quality has improved from Lake Erie to the Ohio River, but problems of both surface water and groundwater quality and management continue. As population shifts make unbearable demands on the arid southwestern U.S., water may be recognized as essential for Ohio's people and economy—agriculture, industry, and tourism. However, agriculture and the megafarms, industry and deregulation, and tourism and increasing population will be issues that will need continuous monitoring of state offices and legislation that affect water. This increased awareness of water as

one of Ohio's greatest resources will call for strong protection and management efforts, including conservation and education. The League will continue its support of the Great Lakes Water Quality Initiative, Annex 2001, and the Great Lakes Compact. It will

continue in its efforts to strengthen protection of the waters of the Great Lakes and its basin, including guarding against drilling in Lake Erie, and maintaining and improving water quality in lakes and streams.

NATURAL RESOURCES: Solid Waste

Positions: Solid Waste

(Adopted March 1973)

LWVO supports:

1. The philosophy that solid waste, from generation to ultimate disposal, must be purposefully and systematically controlled by all levels of government in order to provide efficient service, protect the environment, and achieve successful resource recovery.
2. The strengthening, expansion, and enforcement of state solid waste laws. The state should encourage reclamation and volume reduction.
3. Measures to forestall depletion of our natural resources and to recover nonrenewable resources.
4. Financing of solid waste facilities by a variety of methods, including user fees, or a combination of fees and/or taxes with state and federal aid; the use of private capital whenever possible.

Background: Solid Waste

Separate state consensus questions were asked as part of the LWVUS 1972-73 study of solid waste. Fifty-seven Leagues participated in developing these LWVO positions. LWVO's 1977 Convention dropped portions of the position statement covered by the LWVUS solid waste position.

In 1974, a constitutional amendment was passed authorizing industrial revenue bonds for disposal of solid waste. LWVO took no position.

LWVO worked with a coalition in the late 1970's to enact a mandatory bottle deposit law. Local Leagues played a major role. The initiative failed. However, the Office of Litter Control was established in the Ohio Department of Natural Resources. Lack of landfill

space brought on the passage of 117-HB 592 in 1988, reducing reliance on the use of landfills by establishing new objectives for solid waste reduction, recycling, reuse, and minimization.

Most of Ohio's Solid Waste Management Districts have operated very successfully under 117-HB 592 and revisions that have been made. However, situations developed in a few districts that prompted legislators in 1997 to once again look at the solid waste law. Legislation was introduced but died in committee.

The Ohio 2006-07 budget bill, HB 66, reduced funding going to recycling programs through the Ohio Department of Natural Resources Division of Recycling and Litter Prevention. HB 66 also placed a moratorium on new Construction and Demolition Debris (CDD) landfills and formed a committee of business leaders, legislators, and the public to review the aspects of how CDD disposals are regulated in Ohio and make recommendations to the General Assembly. The committee's report resulted in legislation: 126- HB397, 126-HB417, 126-SB224, 126-SB234. LWVO commended Governor Taft and the 126th Legislature on the deliberate method used to construct this legislation.

Under direction by Governor Taft, the Legislature and the Ohio EPA continued to establish rules for disposal and beneficial use options for residential, industrial and manufacturing waste.

The 2009 State Plan for the Ohio EPA outlines direction for the reduction, reuse, and recycling of solid waste including the new use technologies for energy-from-waste. The LWVO will continue to follow resulting legislation and advocate for legislation that supports our solid waste positions.

NATURAL RESOURCES: Hazardous Materials and Hazardous Waste

Positions: Hazardous Materials and Hazardous Waste

(Adopted June 1981; amended May 200; amended May 2007)

1. LWVO supports state policies and programs which emphasize the following hazardous waste management options *in order of priority*:
 - a. Waste reduction, toxicity reduction, and waste elimination;
 - b. Waste separation and concentration;

- c. Energy/material recovery;
 - d. Waste exchange;
 - e. Chemical, biological, physical, and thermal treatment.
2. **Roles:** LWVO supports private-sector ownership and operation of hazardous waste management facilities. Federal, state, and local government should all be involved in monitoring and surveillance. (Amended May 2005)
 3. **Siting:** Decisions on siting of hazardous waste management facilities should be made by the state, with local government representation in the decision-making process. Eminent domain should be exercised by the state as a means of acquiring land for hazardous waste management facilities only after all other methods of acquisition fail. LWVO does not support use of eminent domain by the private sector, which includes public utilities, for hazardous waste siting. (See Land Use for other eminent domain positions.)
 4. In Ohio, siting of nuclear waste disposal or storage facilities should not take place in areas:
 - a. where natural resources exist that are passed on to consumers with minimal processing or change; and
 - b. where oil and gas exploration and/or development has occurred.
 (See also LWVUS *Impact on Issues* for additional siting criteria.)
 5. **Responsibility:** Generators should bear primary responsibility and liability for hazardous waste. Transporters and waste facility owners and operators should also handle wastes in a responsible manner and be held liable if negligent. The League supports measures to assure financial responsibility (such as insurance and performance bonds) by all parties involved, from generation to final disposition of wastes. Hazardous waste management is a responsibility to be shared by generators, transporters, waste facility owners, operators, and the public.
 6. **Costs:** Generators should bear the major share of direct costs for hazardous waste management. Adjacent property owners, residents, and users of surface and ground water should not bear the burden of improperly managed hazardous materials. (Adopted September 1988)
 7. For hazardous materials transportation, LWVO supports, in order of priority:
 - a. Strict enforcement of container regulation;
 - b. Mandatory reporting to state and local authorities of spills of reportable quantities, including those involving intra-state carriers;
 - c. Strict enforcement of placarding, labeling, and documenting requirements;
 - d. Permits for trucking companies carrying hazardous materials with ability to suspend or revoke such permits;
 - e. Routing requirements for certain selected extremely hazardous materials, including:
 - i. the specification and/or the disapproval of some routes for some shipments;
 - ii. requirements for an escort for some shipments; and
 - iii. pre-notification for some shipments.
 - f. State-regulated training for drivers and loaders and
 - g. Collection, coordination, and analysis of data.
 8. For right-to-know/emergency response, LWVO supports:
 - a. Strong enforcement of laws and regulations; and
 - b. More concentration on prevention of accidents involving hazardous materials.

Background: Hazardous Materials and Hazardous Waste

GENERAL. The 1979 Convention voted to study the entire hazardous materials area, from transportation of raw hazardous materials to disposal of hazardous waste. However, since the subject of hazardous waste alone was found to be sufficient for one year's study, the 1981 study covered only this aspect. Sixty Leagues participated in the consensus reached in March 1981 and approved in its entirety at the 1981 Convention. LWVO's 1983 Convention dropped portions of the state position.

The 1987 Convention voted to complete the study. The 1988 consensus covered the remaining topics of hazardous materials transportation and community right-to-know. In September 1988, the LWVO board approved the new position and changed the title of this section from "Hazardous Substances" to "Hazardous Materials" to correspond with current usage. The title was further changed at the 2003 Convention to "Hazardous Materials and Hazardous Waste."

During the LWVO study, the legislature enacted Ohio's first hazardous waste management laws. In 1984, industries in Ohio joined a hazardous waste exchange, and a more stringent hazardous waste law was passed. Emergency response/community right-to-know legislation was enacted in 1988.

At the 2005 Convention, the position was modified to drop a statement regarding federal ownership and nuclear waste facilities.

At the 2007 Convention, the position was modified to drop a statement regarding underground injection and land disposal.

LOW-LEVEL RADIOACTIVE WASTE. LWVO considers that radioactive waste comes under the Hazardous Materials and Hazardous Waste position. Ohio is an “agreement state,” meaning that the Department of Energy allows the Ohio Department of Health (ODH) to do its own inspection and licensing of any radioactive materials used in Ohio. The ODH is also responsible for supervising low-level radioactive waste. Responding to a statutory requirement, ODH established a Radiation Advisory Council and a Radioactive Waste Committee to help develop the necessary rules for handling low-level radioactive waste. League members served on both bodies until public participation rules were put in place to allow local monitoring of proposed licenses for facilities that generate and store radioactive waste in the state of Ohio. Rules for final disposal of low-level radioactive waste have been approved. All of the administrative rules are in agreement with LWVO positions, particularly those embodied in ORC 3747 and 3748, the statutes governing radioactive waste.

HIGH-LEVEL RADIOACTIVE WASTE. A Federal responsibility, this waste is generated by the two nuclear reactors in Ohio. Currently it is stored at the reactors, but had been scheduled to be sent to the Yucca Mountain repository in Nevada. The location of the site was approved by Congress in mid-2003 (LWVUS opposed this legislation). In 2009, President Obama announced a plan to terminate the Yucca Mountain program, leaving the disposition of Ohio’s nuclear waste unclear.

Outlook: Hazardous Materials and Hazardous Waste

GENERAL. Eliminating pollution at its source, drastically reducing the amount of waste generated, and properly disposing of such waste will continue to be the goals of both industry and the Environmental Protection Agency for the next few years. Such programs have the potential for making real contributions toward improving environmental quality.

The possibility of greatly increased oil and gas production in Ohio is a matter of concern because of the potential for significant air and water pollution.

LWVO will use its positions, including transportation and right-to-know, to improve current law and practices whenever feasible. Right-to-know legislation ensures that citizens can find out what hazardous materials exist in their communities, and the nature and amounts of toxic substances released into the environment. Local Leagues can monitor local situations to see if the laws are implemented and enforced.

LOW-LEVEL RADIOACTIVE WASTE. Presently radioactive materials are being used in more than 200 places across Ohio. Low-level radioactive waste from Ohio is sent to sites in Utah and Idaho. It is unlikely that any disposal site will open in Ohio, since other states have either less-strict administrative rules or have not yet formulated any rules.

HIGH-LEVEL RADIOACTIVE WASTE. It appears that high-level radioactive waste will continue to be generated and stored at the two Ohio reactors since Yucca Mountain will not open and there is no out-of-state facility to store it.

NATURAL RESOURCES: Land Use

Position: Land Use

(Adopted May 1999; amended May 2003)

1. LWVO supports both urban revitalization and farmland preservation and the curbing of suburban sprawl.
2. The State of Ohio should provide authority and incentives for local governments to plan together regionally as well as to exercise innovative additional land use planning and regulatory techniques such as land banking, planned unit developments, purchase and transfer of development rights, limited development ordinances, scenic easements, agricultural districts, cluster development, conservation reserves and land trusts, urban enterprise zones, environmental impact assessments, impact fees, tax abatement, and zoning efforts.

3. There should be an enforcement system that includes a method of appeal or arbitration where conflicting land use needs exist.

(Adopted March 1977)

4. Eminent domain shall be used by the appropriate governmental or “quasi” governmental body as a means of acquiring land for the following purposes, providing that good land use planning and decision-making procedures have been instituted and provided that such application is used only after all other methods of acquisition fail:
 - a. highways and railroads;
 - b. parks and open spaces;
 - c. utility corridors;
 - d. power siting;

- e. public developments (i.e., schools and hospitals);
- f. urban renewal;
- g. transportation terminals; and
- h. areas of critical concern such as fragile or historical lands.

Background: Land Use

League interest in land use first developed as members realized how much land use figured in both our human resource and environment concerns.

The positions above include portions of the specific LWVO consensus reached in 1975 and 1977. During the 1972-75 LWVUS study of land use, state-related material was sent to local Leagues, and there were LWVO and LWVUS consensus questions. Sixty Leagues took part in consensus. The state positions originally announced incorporated provisions from the LWVUS consensus to make them more comprehensive. In 1977 part of the duplicate language was dropped. The 1983 Convention dropped additional portions of the positions.

To clarify member attitudes toward eminent domain, the 1975 Convention approved further study of the issue. The position was adopted in 1977. At Convention 1997, delegates voted a two-year expansion study of our land use positions. We expanded our position in 1999.

In 2003, a clarification was added to the positions to emphasize the need for state support for regional planning.

Outlook: Land Use

Ohio's long, strong commitment to local control makes increasing the state's role in land use planning and growth management difficult. Furthermore, as in much of the country, Ohio is struggling with financial problems and there is less concern about environmental than economic issues.

The Clean Ohio Fund (available since 2000) continues to provide help for bikeways, trail improvements, brownfield remediation, agricultural easements, greenspace conservation.

Land use topics of current interest to the LWVO include (i) concentrated animal feeding operations (CAFO) controversies; (ii) increase of nutrients in water bodies from runoff contributing to more algal growth and dead zone reappearance; (iii) fracking and the use of public lands for drilling for energy; (iv) Lake Erie related issues including the consumption of oil and gas found under Lake Erie, the Great Lake Compact, shoreline controversies, public vs. private use of shoreline, spread of alien species, and the

demand for more water by thirsty cities and agriculture.

After a powerful farm lobby helped pass a constitutional amendment that created an Ohio Livestock Care Standards Board in 2009, no bills about CAFOs appeared.

In June of 2009, the Compact with Ohio Cities Task Force created by HR20 started the process of more regional cooperation between political subdivisions, one of LWVO's land use goals, and submitted a Jan 2010 report calling for more help and fairer treatment by the state.

In the 2011-12 legislative session, little proposed legislation directly addressing land use has been introduced. A brief summary of current bills related to land use which passed include:

HB229, Agriculture, was passed reducing the opportunity for local authorities re infrastructure concerns about industrial agriculture.

HB133, Oil and Gas Leasing/Drilling on State Land, which was signed into law on June 30, 2011, creates a board which can enter into leases on land owned or controlled by a state agency for the purpose of funding that agency.

The toxic pollution of Grand Lake St. Marys and the state's so-far failed and expensive attempts (using aluminum sulfate) to remedy it provide a cautionary tale about possible effects from agricultural runoff and the state's reluctance to deal with likely causes. A parallel case is the increasing algal problems in Lake Erie and its reappearing dead zones. The OEPA is greatly hampered by loss of funding.

Newer on the horizon is drilling for natural gas, a process called hydraulic fracturing ('fracking'), which describes the use of high pressure water containing undisclosed chemicals to break up the shale deposits a mile or more below ground. There is a big land use footprint in this process. The Ohio legislature passed a measure (HB133) to allow drilling on public lands, including state parks but excepting nature preserves (June 2011). We await a detailed study of fracking by the US EPA.

Hopes for high speed rail transportation, which could have a positive impact on land use, received a setback early in 2011 when Gov. Kasich returned the Federal stimulus money that was to be used to get it rolling.

Many Ohioans may become more short-sighted when they feel financially stressed, so it behooves the League to be more watchful, champion the long-term view and try even harder to protect our environment.

NATURAL RESOURCES: Interbasin Transfer of Water

Positions: Interbasin Transfer of Water

(Adopted May 1987)

Interstate and interbasin transfers of water have been made in the past to serve municipalities, industries, energy development, and agriculture. However, approval of those transfers was based on less complete information about their effects on aquatic ecosystems than is now available. It is inevitable that requests for such transfers will be made in the future and will require carefully considered responses. However, construction costs of large-scale water transfers are high, and economic losses in the basin of origin may also be high.

Environmental costs of water transfers may include quantitative and qualitative changes in lake levels, wetlands, and related fisheries and wildlife, diminished aquifer recharge, and reduced stream flows.

Lowered water tables may affect ground water quality and cause land subsidence.

Therefore, any diversion plan:

Must include an understanding of the fragility and the incomplete knowledge of the ecological, economic, and social nature of the area of origin, the area through which the water must pass, and the receiving area; and

Must contain methods for reviewing and adapting the plan to protect the affected areas during all stages of development, operation, termination, and post-termination of the interbasin transfer.

As we look to the future, water transfer decisions will need to incorporate the high costs of moving water, the limited availability of unallocated water, and impacts on the affected ecosystems.

LWVO believes that the criteria for evaluating both the decision-making process and the suitability of a proposed interbasin transfer of water should include:

1. Ample and effective opportunities for informed public participation in the formulation and analysis of proposed projects;
2. Evaluation of all economic, social, and environmental impacts in the basin of origin, the receiving area, and any area through which the diversion must pass, so that decision makers and the public have adequate information on which to base their conclusions;
3. Examination of all short- and long-term economic costs including, but not limited to, construction, delivery, operation, maintenance, and market interest rate;

4. Examination of alternatives including, but not limited to, supply options, water conservation, water pricing, and reclamation;
5. Participation and review by all affected governments;
6. Accord with international treaties;
7. Procedures for resolution of intergovernmental conflicts;
8. Responsibility for funding to be borne primarily by the user with no federal subsidy, loan guarantees, or use of the borrowing authority of the federal government unless the proposal is determined by all levels of League to be in the national interest; and
9. An enforceable intergovernmental agreement with supervision separate from implementation and with assurances that any mitigation offered to alleviate any adverse impacts be financed.

As the waters of the Great Lakes basin are interconnected, the present and future condition of the Great Lakes' ecosystem should be a primary consideration when weighing the water needs of other areas. LWVO recommends that:

1. Water conservation should be a goal of all concerned governments in the Great Lakes Region,
2. All concerned governments in the Great Lakes Region should have water accounting systems and should adopt water use plans as a basis for prudent management of the Great Lakes;
3. The Great Lakes Compact bans diversions of Great Lakes water to points outside the Great Lakes basin, with limited exceptions, and requires the use of conservation programs within the basin. The Great Lakes basin is defined by the five lakes and land that drains into them. Eight states and two Canadian provinces have land in the basin.
4. Canadian interests must be considered in Great Lakes resource decision making. At a minimum, existing mechanisms for these international discussions, such as the International Joint Commission, and ad hoc technical task forces should be strengthened;
5. Because the Great Lakes are international, future investment and development in the region should include cooperative United States-Canadian management of the water resource; and
6. Since the Great Lakes' waters are currently used for multiple and competing purposes, any proposals for additional diversion decisions must take into account the potential impact on ecological, economic, aesthetic, navigational, energy

generation, national security, and general welfare values.

Background: Interbasin Transfer of Water

Lake Michigan Inter-League Group (LMILG) asked LWVO to concur with its position on Interbasin Transfer of Water in April 1986. Since LWVO cannot concur without more than 50 percent of our Local Leagues concurring, a study packet was sent to our local Leagues. At least 79 percent of our Leagues participated and unanimously concurred with the LWVUS (from *Impact on Issues* 1986-88) and LMILG positions on Interbasin Transfer of Water. The group is currently called the Lake Michigan League of Women Voters and is focusing on The Great Lakes Compact.

Outlook: Interbasin Transfer of Water

This position is a natural extension of our water position developed in the 1960s and further recognizes water as essential for life and Ohio's economy. The League will continue to support and monitor the Great Lakes Charter and its companion Annex 2001 and the Great Lakes Compact to achieve the following objectives:

- Ban the diversion of water to areas outside the Great Lakes Basin with limited exceptions. See Great Lakes Compact discussed above.
- Establish new, consistent standards for the review of proposed uses of Great Lakes water.
- Strengthen technical data collection and sharing among the states and provinces to assist in decision-making.
- Require current and future water-users to practice improved conservation measures.
- Encourage lasting economic development while making sure withdrawals do not damage the Great Lakes.
- Commit to an ongoing process that allows for public involvement.

Implementation of the Compact is going slowly, in part due to tough economic times and new governors in 2010 for six of the eight states. Ohio is one of the states that have only met part of the reporting deadlines.

League Principles

The League maintains a set of governmental standards and policies from which all activities and action derive. The League believes:

- In representative government and in the individual liberties established in the Constitution of the United States;
- That democratic government depends upon the informed and active participation of its citizens and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings, and making public records accessible;
- That every citizen should be protected in the right to vote; that every person should have access to free public education which provides equal opportunity for all; and that no person or group should suffer legal, economic, or administrative discrimination;
- That efficient and economical government requires competent personnel, the clear assignment of responsibility, adequate financing, and coordination among the different agencies and levels of government;
- That responsible government should be responsive to the will of the people; that government should maintain an equitable and flexible system of taxation, promote the conservation and development of natural resources in the public interest, share in the solution of economic and social problems that affect the general welfare, promote a sound economy, and adopt domestic policies that facilitate the solution of international problems; and
- That cooperation with other nations is essential in the search for solutions to world problems, and that the development of an international organization and international law is imperative in the promotion of world peace.

Whatever the issue, the League believes that government policy, programs, and performance must meet these criteria:

- competent personnel with clear responsibilities,
- coordination among agencies and levels of government,
- adequate financing,
- effective enforcement and
- well-defined channels for citizen input and review.

Advisories:

Please Read Before You Speak on Any Position or Principle

- Local Leagues may *never* take action in opposition to a state or national League position. If your League disagrees with a position statement, you should remain silent.
- Leagues may contact their own representatives at the state and national levels, and leadership in the legislature, regarding local issues.
- Generally, the president or her designee speaks for the League. The rest of us speak as constituents supporting this particular League position on this particular legislation.
- Local Leagues should send copies of all communication with state officials to the state League; copies of communications with federal officials should be sent to the national office.
- Always notify the state League and the national League concerning contacts with the respective officials.

State-Level Action Using State Positions

The following is a summary of action taken on state positions. See Action on LWVUS Positions for action taken under the national positions.

Government

GA = General Assembly

Ohio Constitution

2003 **125th GA**

- Issued press release citing more than 100 budget items with no fiscal impact (violation of single-subject rule). Received wide publicity but no legislative action.

2006 **126th GA**

- Testified on HB 685 opposing legislative intrusion into administrative rulemaking.
- Action Alert on HB 685 opposing legislative intrusion into administrative rulemaking.

2007-09 **127th/128th GA**

- Opposed constitutional amendment protecting private property water rights.
- Opposed constitutional amendment proposing a casino in Clinton County.

2009-2011 **128th/129th GA**

- Opposed constitutional amendment to create the Ohio Livestock Care Standards Board.
- Opposed constitutional amendment to allow one casino each in Cincinnati, Cleveland, Columbus and Toledo.
- Supported constitutional amendment to extend the Ohio Third Frontier Program by authorizing the issuance of additional general obligation bonds.

Taxation

2002-03 **124th/125th GA**

- Sent letter to Secretary of State Blackwell opposing his proposal to repeal penny tax increase.
- Issued press release urging caution in repeal of penny increase in sales tax.
- Issued press release opposing repeal of penny increase in sales tax.

2005 **126th GA**

- Issued "FYI" on Taxpayer Bill of Rights (TABOR) proposal
- Testified on HB 1 before House Ways and Means Committee, raising concerns over

governor's tax reform package.

- Issued press release re: Statehouse Day and opposition to Taxpayer Bill of Rights.
- Proffered testimony to Senate Finance and Financial Institutions Committee against Tax and Expenditure Limitation (TEL) amendment.

2006 **126th GA**

- News release Action Alert and letter to House Finance and Appropriations Committee Chair regarding TEL amendment.
- Action Alert in support of HB 149, Historic Building Preservation Tax Credit.

2009-2011 **128th/129th GA**

- Letter to editor supporting Governor's decision to delay implementation of income tax cut in order to address budget shortfall.
- Press release supporting delay in last cut of 5 year tax reduction plan.
- Submitted written testimony in support of HB 318, delaying the last tax cut of 5 year tax reduction plan
- Sent template letter to the editor to local Leagues supporting continuation of estate tax.

Judiciary

2002-03 **124th/ 125th GA**

- Worked with coalition to organize a judicial forum that addressed a wide spectrum of concerns about judicial independence. League members joined all four working committees that followed up on those concerns.
- Testified before Senate State & Local Government Committee on SJR 7 in favor of merit selection bill.

2003-2004 **125th GA**

- Testified on HB 181 before the Senate Judiciary supporting government accountability. Enacted.

2005 **126th GA**

- Sent letter to Senator Jacobsen explaining grant funds used for Judicial Independence project.

2007 **127th GA**

- Sent letter to the editor to statewide newspapers supporting Governor Strickland's creation of Judicial Appointments Recommendations Panel.

2007-09 **127th/128th GA**

- Sent a letter to Rep. Lou Blessing (Chair, Ohio House Judiciary Committee) in support of the

judicial appointment review commission that would be established by HB 173.

- Sent a letter to the Ohio Supreme Court’s Task Force on the Code of Judicial Conduct advocating for stricter standards for judicial recusal relative to campaign contributors in the Proposed Ohio Code of Judicial Conduct
- Commented to the Ohio Supreme Court on proposed revisions to the Code of Judicial Conduct.
- Worked with Chief Justice Moyer of the Ohio Supreme Court to design a fall 2009 conference on judicial impartiality and fairness.
- In conjunction with the Ohio State Bar Association and the Chief Justice met with a variety of key Ohio stakeholders (e.g., legislative, political, business and good-government leaders) about the need for judicial reform, in conjunction with the Ohio State Bar.
- Participated in distribution of Midwest Democracy Network/Justice at Stake brochure on campaign conduct guidelines for judicial candidates.
- Endorsed the Ohio State Bar Association’s (OSBA) Law and Leadership Institute that seeks to increase diversity on the bar and bench and ensure impartial and fair administration of justice.
- Worked with the OSBA to provide local Leagues with Town Hall Meetings on the importance of judicial independence, impartiality and fairness, and alternatives to electing judges.
- Sent letter to the editor regarding Caperton decision and the need for reform of selection process for judges to local Leagues for publication.

2009-2011

128th/129th GA

- Cosponsor with Ohio State Bar Association and Chief Justice Moyer of conference on judicial reform.
- Met with editorial boards and with key decision makers to promote judicial reform. Participated in Judicial Forum on with Chief Justice, Ohio State Bar Association, LWVOEF and politicians, community leaders, etc. to address reform.
- Ohio Plan for judicial reform prepared, but did not advance following death of Chief Justice.
- LWVO President appointed to Ohio State Bar Association Judicial Campaign Advertising and Monitoring Committee.

Term Limits

2002-2011

124th-129th GA

- No action taken, though there were periodic informal inquiries about whether it was time to revisit the issue in the legislature or on the ballot.

Apportionment/Districting

2001-02

124th GA

- Testified on redistricting at several public hearings in support of an equitable plan, but the outcome was not affected.

2006

126th GA

- Testified before the House Rules and Reference Committee on HJR 13 concerning redistricting reform.
- Action Alert, press release and testimony on HJR 13 urging support.

2007

127th GA

- Convened a meeting in conjunction with Ohio Citizens Action featuring speakers from the Brennan Institution.
- The Board approved an Eight Point Criteria for Redistricting.
- Passed an Action Resolution at Convention urging the General Assembly to place redistricting reform on the ballot.
- Local Leagues held Town Hall meetings to educate Ohioans on redistricting reform.

2007-09

127th/128th GA

- Sent letter to the Columbus Dispatch about redistricting
- Testified on S.J.R. 6 before the Senate State and Local Government and Veterans Affairs Committee on redistricting.
- Was the lead sponsor of a redistricting competition to reform Ohio’s redistricting process.
- Held a press conference with Secretary of State Brunner announcing winners of the competition.
- Made visits to editors of leading newspapers in the state to familiarize them with the results of competition and several editorials followed.
- Met with SOS working group to develop ballot language for an amendment to the Ohio Constitution on redistricting.

- Participated in meetings with Sen. Husted to discuss LWVO's position on a redistricting proposal.
- Passed Action Resolution at Convention supporting a constitutional amendment to reform redistricting.

2009-2011

128th/129th GA

- Numerous meetings with legislators, Secretary of State, Governor's office and others to discuss redistricting
- Participated in press conference on introduction of HJR 15, House redistricting reform, and testified in support before House Elections and Ethics Commission
- Issued press releases urging redistricting reform.
- Sent letters to GA urging support for League's Eight Point process for redistricting that does not give either political party an advantage
- With Citizen Action launched "Draw the Line Ohio", which sponsored a redistricting competition.
- Local league members testified at regional hearings held by the Redistricting Commission and at regional hearings conducted by Apportionment Board. Also testified in committee hearings and before Apportionment Board.
- Participated in meetings to draft constitutional amendment to change process.

State Government Finance

2001-02

124th GA

- Sent letter to the Committee to Study State and Local Taxes outlining LWVO's positions on taxes and encouraging consideration of increasing income to the state.

2003

125th GA

- Testified at budget hearings on schools, human services, housing, and health, urging increased taxes if necessary to provide sufficient funds for these services.
- Questioned inclusion of nonfiscal items in budget, in letter to the governor urging line-item vetoes.
- Sent letter to governor outlining LWVO's positions on taxes.
- Issued press release supporting increasing taxes to remedy budget woes.

- Testified before the House Human Services Subcommittee supporting funding for human services.
- Sent letters to the House Ways and Means Committee supporting funding for human services.
- Issued Action Alerts to members urging support for the Emergency Campaign to Protect Ohio's Future, a diverse coalition working to restore cuts to human services programs through tax revenue.
- Passed Action Resolutions at Convention calling on legislators to structurally balance Ohio's tax system, provide stable and sufficient resources to support state services, and restore the compact between Ohio's government and its citizens.

2003-2004

125th GA

- Issued Action Alert urging members to contact legislature to support senate version of budget, HB 95.
- Sent letters to Conference Committee urging senators and representatives to vote for senate version of budget bill. Senate version enacted.
- Testified on HB 95 before the Senate Finance Committee supporting health and human services. Passed Senate
- Sent letter of thanks to Senate Finance Chair for restoring funding for health and human services and schools in HB 95, the budget bill. Cuts to vital services restored.
- Sent out "FYI" on state budget briefings alerting members to meetings across the state.

2005

126th GA

- Testified on HB 66, House Finance and Appropriations Committee, opposing cuts to human services programs, Medicaid and Disability Medical Assistance in the budget.
- Issued Action Alert on budget urging contact with state representative to protest cuts to health care and local government, and expansion of vouchers in budget.
- Testified on HB 66 before the House Finance and Appropriations Committee with input on funding for Ohio education programs before Primary and Secondary Education Subcommittee.
- Letter to conference committee supporting a balanced state budget.

2007

127th GA

- Passed an Action Resolution at State Convention urging the General Assembly to provide an adequate state base cost per pupil to assure a high quality education program.
- Passed an Action Resolution at Convention to urge the General Assembly to direct limited state dollars to support public schools.

2007-09

127th/128th GA

- Sent two Action Alerts urging restoration of the Ohio income tax to 2005 levels as part of a plan to ensure adequate social, human, and government services for the citizens of Ohio.

2009-2011

128th/129th GA

- Sent letter to members of the House supporting balanced approach to budget to include enhanced revenue as well as cuts.

Social Policy

Primary and Secondary Education

2001-02

124th GA

- Issued press release opposing school funding plan in Am. Sub. HB 94.
- Testified before House Education Committee supporting provisions in HB 364 that strengthen community schools and opposing provisions that will not improve accountability or responsiveness to the public; the bill was enacted with numerous amendments.
- Testified before and sent letters to House Education Committee supporting HB 446, which calls for the election of all members of the State Board of Education; the bill died in committee.
- Issued Action Alert urging members to contact legislators and oppose HB 364, which did not address LWVO issues of accountability and expansion of community schools; the bill was enacted.

2003-04

125th GA

- Testified before House Subcommittee on Primary and Secondary Education and the Senate Education Committee supporting funding for primary and secondary education in HB 95, the budget bill.
- Testified before State Board of Education recommending changes in the draft rules for community schools per HB 364.
- Passed Action Resolutions at Convention calling for specific changes to HB 95, the budget bill, to ensure that all students in Ohio

are provided a high quality education program that meets their educational needs and to remove funding for vouchers.

- Passed Action Resolutions at Convention calling for the General Assembly to adopt legislation requiring all schools to be accountable to taxpayers.

2005

126th GA

- Issued news release: "Keep the Cap," news conference remarks re charter schools cap.
- Passed Action Resolutions at Convention urging the General Assembly to amend HB 66, biennial budget bill, to ensure that all students in Ohio are provided a high quality education program; and to eliminate the Cleveland Scholarship program, the Educational Choice Scholarship Program, and the voucher program for autistic children from HB 66.
- Passed Action Resolution at Convention urging the General Assembly to adopt legislation that supports accountability and responsiveness to taxpayers of community schools in compliance with "Operating Standards for Ohio Schools."
- Participated with the Coalition for Public Education on June 8, 2005 in a letter to the Conference Committee on HB 66 urging conferees to limit the number of charter schools and impose stronger accountability measures.
- Participated in a press conference on August 17, 2005 with the Coalition for Public Education regarding the performance of charter schools on the Local Report Card.
- Participated in a news conference on November 30, 2005 following oral arguments in the Supreme Court case/*Ohio Congress of Parents and Teachers v. State Bd. of Edn.*

2006

126th GA

- Participated with the Coalition for Public Education on May 5, 2006 in a press release regarding research conducted by the Braddock Organization on community schools.
- Participated with the Coalition for Public Education on August 16, 2006 in a press conference regarding the performance of charter schools on the Local Report Card.
- Participated with other statewide organizations in September 2006 in discussions regarding the formation of the Institute on Women, Gender, and Public Policy at The Ohio State University.
- Participated with the Columbus Coalition for the Homeless and others in hosting a forum on

October 18, 2006 focusing on education, economic segregation, and homelessness.

- Participated with the Coalition of Public Education in October 2006 in response to a report on charter schools issued by the Fordham Institutes called “Turning the Corner to Quality.”
- Participated with the Coalition for Public Education in October, 2006 in issuing a statement of disappointment regarding the Ohio Supreme Court’s decision finding that charter school law is constitutional.
- Participated with the Coalition for Public Education in December, 2006 in a press release and press conference in support of Sub. SB 129 and Sub. HB 213 regarding improved accountability for charter schools.
- Testified before House Education Committee in December, 2006 with education organizations in opposition to 126-HB431, Special Education Scholarship Program.
- Issued an Action Alert urging members to contact legislators and oppose HB 431, Special Education Scholarship Program.

2007

127th GA

- Participated in a briefing hosted by Governor Strickland regarding the education components included in the State of the State Address and the Executive Budget, HB 431, Special Education Scholarship Program.
- Participated with the Coalition for Public Education, which submitted a letter in March, 2007 thanking Governor Strickland for including in the proposed FY08-09 state budget the elimination of the Educational Choice Scholarship Program and a moratorium on charter schools.
- Participated in a briefing regarding the proposed Executive Budget presented by Director of the Office of Budget and Management.
- Submitted written testimony to the Ohio House Finance and Financial Institutions Committee in April 2007 on Am. Sub. HB 119 (Dolan) regarding education issues in the proposed FY08-09 budget.
- Issued an Action Alert in April 2007 urging members to contact legislators and support two provisions in HB 119 regarding the moratorium on charter schools and the elimination of the Educational Choice Scholarship Program.
- Passed Action Resolutions at Convention urging the General Assembly to amend HB

119, the biennial budget bill, to ensure that all students in Ohio are provided a high quality education program; improve the accountability of charter schools; and eliminate from HB 119 the Cleveland Scholarship program, the Educational Choice Scholarship Program, the voucher program for autistic children, and the Educational Choice Scholarship Program.

- Issued an Action Alert in June 2007 urging members to contact legislators and oppose two provisions in HB 119, the Educational Choice Scholarship Program and the Special Education Scholarship Program.
- Submitted a letter to the conference committee on Am. Sub. HB 119, the FY 08-09 state budget, urging conferees to ensure an adequate and stable funding level for schools, improve the accountability of charter schools to the public, and eliminate statewide education programs that divert public money to private entities.

2007-09

127th/128th GA

- Issued an Action Alert on SB 57 opposing the use of vouchers for special education scholarships.
- Testified on SB 348, opposing the use of vouchers as an alternative for special education students or for any education program.
- Testified before the Senate Education Committee in support of Sub. SB 141, changing the law regarding the approval of community school sponsors
- Signed on to the Coalition for Public Education’s ...
 - Press release on the Ohio school report card.
 - Press release recognizing exemplary public schools in Ohio.
- Presentation to the Ohio State Board of Education urging it to conduct appropriate data analyses to inform policy.
- Participated in discussions hosted by Gov. Strickland about the school-funding formula and the Governor’s Creativity Institute on education reform.
- Sent letters to the Ohio State Board of Education outlining LWVO’s education positions on public funding, accountability and state standards—and noting LWVO does not have a position for or against charter schools.
- Participated in the Senate Democratic caucus’ discussions on accountability, charter schools and vouchers.

- Issued Action Alert in support of Amended House Bill 26 to ban corporal punishment in all public and non-public schools in Ohio.
- Sent letters to every member of the Ohio House of Representatives advocating in favor of Am. HB 26.
- Testified and sent out an Action Alert opposing SB 57, Special Education Scholarship Pilot Program.
- Testified in opposition to SB 6, School Vouchers.
- Passed Action Resolutions at Convention urging reforming school funding, opposing special education funding vouchers, improving charter school accountability, and using public funds for public schools.

2009-2011

128th/129th GA

- Approved letter by Coalition for Public Education’s recommendations of the Traditional Public/Community School Collaboration Subcommittee to the full School’s Advisory Council.
- Approved testimony delivered by the Coalition for Public Education regarding standards and accountability for charter schools
- Participated in Press release regarding the Success in Public Education awards given to three exemplary school programs.
- At Statehouse Day, Dr. John Stanford of Governor’s office provided analysis of changes to education finance made by HB1, the Budget Bill.

Higher Education

2003-04

125th GA

- Sent letter to Senate Finance Committee supporting funding for higher education in HB 95.

Juvenile Justice

2004

125th GA

- Contacted state legislators requesting action on problems brought to light in Fred Cohen’s report to the Juvenile Justice Coalition regarding treatment and safety of residents at DYS facilities
- Sent letter to Hon. Mike Gilb, Juvenile and Family Law Committee, with recommendation for items to be included in juvenile records laws.
- Sent letter to U.S. Senator DeWine opposing S. 1735, “Gang Prevention,” youths being prosecuted as adults.

Capital Punishment

2005

125th GA

- Issued news release in which LWVO announced opposition to death penalty.
- Participated in coalition press conference opposing death penalty.
- Passed Action Resolution in Convention urging the governor to immediately impose a moratorium on executions in Ohio, and urging the General Assembly to abolish the death penalty.
- Joined the coalition Ohioans to Stop Executions and appointed a representative.
- Sent letters to the editors of the major Ohio newspapers stating League position following a series of articles on Ohio’s death penalty by the Associated Press that cited many of the same problematic issues as the League’s study.
- Participated in a press conference with other coalition members of Ohioans to Stop Executions to urge Governor Taft to immediately declare a moratorium on executions in the state while an independent and thorough review of the state’s death penalty system was conducted and its recommendations addressed.

2006

126th GA

- Sent a letter to the editor of the Columbus Dispatch stating League position and urging Governor Strickland and Attorney General Dann-upon assuming office-to institute a comprehensive study of the imposition and administration of capital punishment in Ohio.
- Participated in two vigils outside the Southern Ohio Correctional Facility in Lucasville in 2006 during executions as a member of the Ohioans to Stop Executions coalition.

2007

127th GA

- Sent an op ed to the editors of newspapers across Ohio questioning the justice of the death penalty and urging Governor Strickland to call for a moratorium on its use and a task force to study its fairness.
- Sent letter to the editors of statewide newspapers on injustice and Ohio’s death penalty law following American Bar Association’s report on the issue.

2007-09

127th/128th GA

- Sent letters to Ohio papers re: the American Bar Association’s report on Ohio’s death penalty system which were published in the Cleveland, Toledo, Columbus and Dayton papers.

2009-2011

128th/129th GA

- Prepared testimony opposing Sub HB 103, which would make killing a judge or magistrate punishable by the death penalty.
- Prepared op-ed piece opposing death penalty in response to botched execution.
- Strategized with Ohioans to Stop Executions Coalition re advocacy for the abolition of death penalty.

Natural Resources

Water

2000-01

123rd/124th GA

- Notified local Leagues about revisions to water quality standards and the impact on river basins throughout the state.
- Worked with Great Lakes United to submit letters to the governors and premiers in states and provinces surrounding the Great Lakes and commented to the Ohio Department of Natural Resources regarding Annex 2000 and provisions regarding the interbasin transfer of water.
- Sent letter of support to governor regarding his opposition to drilling in Lake Erie.

2003

125th GA

- Testified on HB 218 to House Energy and Environment Committee opposing actions to endanger Lake Erie. Bill died in senate committee.

2004

125th GA

- Sent letter to Ohio EPA, Division of Surface Water, supporting the OEPA Clean Water Act, Section 401 Program, for protection of wetlands and streams.
- Testified on HB 411 before the House County and Township Government Committee supporting policies and procedures providing stringent water quality standards.

2005

126th GA

- Passed Action Resolution in Convention urging the General Assembly to support a moratorium on new permits for mega farms in Ohio.
- Letter to Senate Finance & Financial Institutions committee opposing HB 66 amendment that changes state's statute governing EPA water quality.

2006

126th GA

- Issued Action Alert on SB 230 supporting need for regulation of CAFO's.

2007-09

127th/128th GA

- Issued Action Alert urging funding of the Great Lakes Restoration Initiative at full \$475 million.
- Sent an op ed to the Cleveland Plain Dealer and other papers urging the Ohio senate to pass the Great Lakes-St. Lawrence River Basin Water Resources Compact (Great Lakes Compact) as originally written.
- Sent a letter-to-the-editor to the Toledo Blade LWVO urging the Ohio senate to support the Great Lakes Compact as originally written.
- Action Alert on SB 291 opposing changes to the Great Lakes Compact.
- Testified in opposition to SB 291, which calls for changes in the proposed Great Lakes Water Compact.
- Met with Sen. Harris, president of the senate, to express opposition to SB 291.

Hazardous Materials and Hazardous Waste

2003-04

125th GA

- Submitted proposed Assured Isolation Facility (AIF) rule to Legislature's Joint Committee on Agency Rule Review for final approval. Work on disposal rule was initiated in Committee.
- Wrote US Senators from Ohio opposing approval of Yucca Mountain radioactive waste disposal site. Site was approved.
- League member continued on Radiation Advisory Council and its Radioactive Waste Committee.

2005-06

126th GA

- Testified before the House Economic Development & Environmental Committee on HB 130 concerning the High Level Radioactive Waste Transportation Study Commission.
- League member continued on Radiation Advisory Council and its Radioactive Waste Committee.

2007-08

127th GA

- League member service on Radiation Advisory Council ended with final submission and approval of Administrative Rules on the safe disposal of low-level radioactive waste.

Land Use

2001-02

124th GA

- Opposed HB 231, which undermined preservation of wet lands.
- Sent letter to Senator Voinovich supporting amendment to Energy and Water

Appropriations bill to protect Great Lakes from oil and gas drilling.

- Supported SB 212, the Midwest Interstate Passenger Rail Compact.
- Signed on to coalition opposing proposed rules that would weaken wetlands protection.
- Participated in the September 2002 meeting and subsequent meetings that laid the groundwork for “Greater Ohio: A Campaign for Ohio’s Cities, Towns and Countryside.”
- Testified before House Energy and Environment Committee endorsing HB 3, the Blueprint for a Clean Ohio Fund, implementing State Issue 1; the bill was enacted.
- Sent letters to Rep. Householder and Sen. Finan protesting elimination of funding for Office of Farmland Preservation from biennial budget; the funding was not restored.
- Testified before House Agriculture and Natural Resources Committee supporting HB 367, for preserving agricultural farmland; the bill died in committee.

2003-04

125th GA

- Sent letters to Speaker of the House and Rep. Wolpert supporting creation of a legislative study committee on growth and economic development issues in the state; the committee was created with Wolpert as chair.
- Passed Action Resolution at Convention calling on governor to appoint an Ohio land use leadership council.
- Testified on HB 414 before the House Agriculture and Natural Resources Committee in support of urban revitalization and farmland preservation and land use planning. Enacted.
- Testified on HB 414 in Senate Agriculture Committee in support of urban revitalization and farmland preservation. Enacted.
- Testified on SB 206 before the Senate Finance and Financial Institutions Committee supporting new and existing enterprise zone program creation for Ohio.
- Sent letter to Representative Larry Wolpert requesting inclusion in activities of Subcommittee on Growth and Land Use and restating LWVO land use positions
- Testified on SB115 before the House County and Township government committee supporting changing definitions of subdivisions in platting law. Enacted.
- Testified on SB 115 before the Senate State and Local Government committee supporting

changing definitions of subdivisions in platting law. Enacted.

2005

126th GA

- Sent letter to Governor Taft requesting veto of SB 18 from 125th session because of last-minute amendment deleting zoning powers. Bill became law without signature.
- Issued Action Alert on SB 18 from 125th session urging the governor to veto. Bill became law without signature.
- Sent letter to Governor Bob Taft urging appointment of a Blue Ribbon Task Force for State Land Use Policies.

2006

126th GA

- Sent Action Alert on HB 149 supporting the Historic Building Preservation Tax Credit.

2009 2011

128th./129th /GA

- Testified against SB 108, which would create oil & gas leasing board and establish procedures by which board may enter into leases for oil and gas production on state land.
- Sent letters to General Assembly asking members to intervene to prevent the destruction of the Cleveland Lakefront State Park and Marina at East 55th St.

State-Level Action

Using National Positions

This section lists action taken by LWVO based on the positions of the League of Women Voters of the United States. Positions under which LWVO has taken state action are listed below.

Representative Government

Voting Rights

2003-04

125th GA

- Testified before the Secretary of State’s implementation commission for the Help America Vote Act outlining approach to implementation of new federal voting law and grant to state.
- Passed Action Resolution at Convention asking Secretary of State to develop a voter guide for every voting household in the state, draft legislation defining “valid vote,” and require that new voting machines permit a fair vote count.
- Issued press release celebrating 83rd anniversary granting women right to vote.

2005

126th GA

- Passed Action Resolutions at Convention asking Ohio Senate members to amend Sub. HB 3 to expedite voter registration, to count provisional ballots for statewide and countywide candidates and issues that are cast in the correct county, and to mandate adequate funding, materials, and training for all board of elections staff and poll workers.
- Email to all boards of elections concerning the election reform bill and needed provisions.

2006

126th GA

- Sent letter to Secretary of State and Montgomery and Adams County Boards of Elections regarding voter registration and revision of information guide.
- Sent letters to House leadership supporting HB 323 which would put voting records on website.

2007

127th GA

- Passed an Action Resolution at Convention urging the General Assembly and all state and local officials to eliminate barriers to voting by November 2008.

2007-09

127th/128th GA

- Participated in the Secretary of State's Voting Rights Institute Advisory Council.
- Participated in Ohio Disability Vote Coalition forum
- Issued press release regarding Election Protection project
- Participated in numerous election-related interviews with local, state, national and international media, including one with LWV President Mary Wilson.
- Distributed an op ed about election issues, "The Real Threat to Voters," published in the Cleveland, Marion and Athens papers.
- Distributed an op ed that Golden Week, the 5-day window to register and vote, was good for voters.
- Signed on to an amicus brief in support of "Golden Week," the 5-day window when people can both register and vote absentee.
- Issued a press release in coalition with the Joint Working Group of Election Advocates with recommendations for reforming ID requirements and the overuse of provisional ballots.
- Testified, sent out an Action Alert and called the governor opposing SB 380 regarding

election-administration issues, e.g., eliminating the "Golden Week."

Election Process

2001-02

124th GA

- Issued press release describing results of pilot survey on polling place procedures showing voters were generally satisfied.
- Issued press release withdrawing support for HB 445 because of amendment abolishing mandatory filing of campaign finance reports; the bill was enacted.
- Sent letter to Senate Conference Committee on Am. Sub. HB 94 opposing deletion of \$50 state income tax credit for small contributors to statewide candidates; the credit was restored.
- Testified before House State Government Committee supporting HB 201, providing for greater disclosure of campaign contributions in Supreme Court races; the bill died in committee.
- Issued press release calling for disclosure of contributors to Citizens for a Strong Ohio (negative Supreme Court ads).
- Issued press release and submitted letter to the editor decrying provisions in SB 291 and HB 632 which would legitimize corporate contributions to candidate campaigns; also sent letter to sponsor Sen. Randy Gardner outlining objections and suggesting improvements. The bill died at end of session.

2003-04

125th GA

- Testified before House State Government Committee supporting moving presidential primary to May in HB 90; the bill passed the House but died in Senate committee.
- Passed Action Resolution at Convention asking legislators to reject attempts to remove limits on corporate contributions and to require full disclosure of campaign contributions.
- Issued press release questioning attempt to sneak election provisions that had no fiscal impact into HB 95, biennial budget bill.
- Sent letter to Governor Taft requesting line-item veto of election-related amendment in HB 95, biennial budget bill.
- Sent news release on campaign finance reform with citizen groups supporting improvements in SB214 to conform to Bipartisan Campaign Reform Act.

- Testified on HB 262 before the House State Government Committee supporting HB 262, concerning paying public employees regular pay and poll pay.
- Sent letter to Controlling Board encouraging Controlling Board not to release HAVA funds until consensus reached. Controlling Board delayed funding.
- Sent letter to Controlling Board president urging consideration and swift action on recommendations on voting security/systems. Controlling Board released funds.
- Testified on HB 262 before the Senate State and Local Government committee, supporting reasonable compromise on voting security, access and systems. Passed and signed by Governor
- Testified on SB 214 before the Senate State and Local Government and Veterans Affairs Committees addressing concerns regarding wording of the bill on Electioneering Communications. Passed in Senate, referred to House Committee; replaced by substitute bill in special session.
- Sent out news release: “Let’s get it right this time” re: campaign finance reform in SB 214.
- Issued public comment on Voter-Verified Paper audit trails before Sec. of State Kenneth Blackwell encouraging fair and open elections and reforms to achieve this outcome.
- Issued news release calling for clear election guidelines from Secretary of State.
- Sent out news release: “5 things Ohioans need to know on election day.”
- Issued Action Alert re: letter to editor campaign opposing Sec. of State Blackwell’s directives on provisional ballots.
- Joined coalition suit against Sec. of State provisional ballots; issued news release. Favorable decision overruled on appeal.
- Sent news release in praise of voter turnout – patience despite inadequate election preparations.
- Issued Action Alert on SB 214 urging contact with state representatives to vote against campaign finance “reform.”
- Sent out news release calling for defeat of campaign finance bill.
- Sent news release calling for committee to disclose the Disclosure Bill.
- Issued Action Alert on SB 1/HB 1, Special Session Campaign Finance Reform urging

contact with senators/representatives to vote against special session bill. Bill passed and became law.

- Testified on HB1 House State Government Committee urging rejection of flawed campaign finance reform bill and enactment of a disclosure-only bill. Bill passed and became law.

2005

126th GA

- Testified on SB 36, Senate Rules Committee, opposing the requirement of all voters to show ID before being permitted to cast their vote.
- Testified on SB 36, Senate Rules Committee, in opposition to sections of bill requiring ID to vote, and in reference to establishment of statewide voter database, optical scans and non-automated recount to be paid for by requestor.
- Sent out news release: LWVO unveils critical Election Reform 10 Pt Plan.
- Testified on HB 3, House Ethics and Elections Committee, in opposition to sections of bill requiring ID to vote, and in reference to establishment of statewide voter database, optical scans and nonautomated recount to be paid for by requestor. Passed House, referred to Senate committee.
- Sent letter to Ohio Congressman Robert Ney, requesting his sign-on to requested funding for 2006 election voter education project.
- Testified on SB 77, Senate State and Local Government & Veterans Affairs Committee opposing the postponement of the requirement for a voter-verified paper audit trail until it is technologically and economically feasible.
- Testified on SB 119, Senate State and Local Government & Veterans Affairs Committee supporting campaign finance reform prohibition against contributions by classified employees of officeholders. Amended and reported out.
- Issued “FYI” on optical scan noting Sec. of State Blackwell’s change of position on voting machines.
- Sent news release and letter to Speaker of the House summarizing Election Reform Bill, Sub. HB 3.
- Action Alert on Sub. HB 3 asking for calls to House and Senate.
- Testified before the Senate State and Local Government and Veterans Affairs Committee on HB 234 supporting high school students services as elections officials.

- Testimony supporting SB 139 and on HB 194 before Senate and House committees.

2006

126th GA

- Prepared letter, testimony, position paper, press release and news release asking for special joint committee on Sub. HB 3.
- Sent letters to Secretary of State candidates asking for election reform and education.
- Sent letter to Secretary of State on accuracy of HB 3 flier.

2007

127th GA

- The LWVO Board approved its Ten Point Criteria for Election Reform.

2007-09

127th/128th GA

- Issued Action Alert on SB 117 concerning referendum petitions
- Issued press release regarding optical scan voting machines in Cuyahoga County
- Testified on HB 350, which would allow high school students to be precinct officials
- Distributed “The Four R’s of Election Reform: Top Priority Fixes from LWVO.”
- Established a coalition of election-reform organizations to address key issues between elections.
- Presented election-reform options at Town Hall Meetings.
- Presented testimony emphasizing LWVO’s Four Rs for Election Reform to the Ohio House Committee on Elections and Ethics.
- Endorsed the framework of the Ohio’s Elections Summit’s final report that provides an overview of priority reforms identified at the Elections Summit for the 2010 election.
- Settled lawsuit, LWVO et al v. Brunner, in Federal District Court.
- Held press conference announcing settlement with radio, TV and press coverage.
- Prepared Letter to Editor explaining why the litigation benefits citizens of Ohio and helps ensure that reforms are carried out. Letter to Editor published in Columbus and Akron papers.
- Developed plan to track compliance with lawsuit.
- Distributed an op ed to newspapers throughout the state on the Fair Elections Now Act that was published by the Cleveland Plain Dealer.
- Signed on to the Midwest Democracy Networks’ letter to President Obama urging

him to support public funding for congressional and presidential campaigns.

- Passed Action Resolution at Convention supporting election reform.

2009-2011

128th/129th GA

- Lawsuit monitoring project initiated with 21 local leagues covering 30 counties.
- Letter to and meeting with Representative Garrison to discuss ballot initiative reform bill.
- Testified in support of HB 377, strengthening the ballot initiative process.
- Participated in Secretary of State’s workgroup on auditing.
- Conferred with Lawyer’s Committee and determined not to pursue database claim – the only item still pending in the lawsuit.
- Testified in support of Sub HB 260 before the House Ethics and Elections Committee and as interested party on Sub SB 8 in opposition to asking for party affiliation during voter registration before the Senate State and Local Government and Veterans Affairs Committee.
- Observed audits in 22 counties and prepared report which was shared with Secretary of State and local Boards of Elections.
- Working with Lawyers’ Committee for Civil Rights, analyzed Election Administration Plans in 33 counties and shared results with Secretary of State.
- League letter urging nonpartisan election administration published in Columbus Dispatch.
- Prepared letter to editor re the counting of provisional ballots cast in wrong precinct.
- League met with numerous legislators and testified extensively on HB 159, which would have required photo ID, and HB 194 and 224, pertaining to election law changes. HB 159 failed to pass. HB 194 and 224 passed; some but not most of the League’s concerns were addressed.
- Joined in effort to put a referendum on the ballot repealing HB 194. Sufficient signatures were obtained and the measure will be on the ballot in November of 2012 – delaying implementation of provisions in bill.
- Sent letter to Secretary of State urging mailing of absentee ballot applications.
- Issued press release on Election Administration Plan Report and met with Secretary of State.

Citizen Rights

2003-04

125th GA

- Issued press release commemorating anniversary of Roe v. Wade.
- Testified before House State Government Committee supporting HJR 4, ratification of the 14th amendment to the U.S. Constitution (belatedly); the bill passed.
- Issued press release urging clarification of proposed ballot language on video slot machines included in HB 95.
- Issued press release opposing HB 145, which was amended to the budget bill and would prohibit a state government agency from providing information on government web sites if there are two or more competing private enterprises providing the same information or services; a substitute bill offered by the Senate removed this amendment.
- Issued action alert encouraging members to request restoration of funding for comprehensive family planning programs in HB 95.
- Testified before House Homeland Security, Engineering and Architectural Design Committee opposing a provision in SB 6, a bioterrorism bill, which would allow the state health department to keep secret public health threats.
- Testified before the Senate Finance Committee on Sub. HB 6, opposing provisions to remove public domain health information. Enacted.
- Testified before House Health and Family Services Comm. requesting a No Vote on HB 68, which would allow Pharmacists to refuse to fill Rx's for contraceptives (conscience clause). Died in committee.
- Issued remarks of Terry McCoy, President, LWVO at the Alliance for Contraceptive Equity News Conference re SB 194. Bill never referred to a committee.
- Sent letter to Gov. Taft opposing passage of HB 272, which declared same-sex marriages were against public policy and denying extension of benefits to nonmarital relationships, urging governor not to sign. Signed by governor.

2005

126th GA

- Testified on HB9 before the House Civil and Commercial Law Committees supporting making public records available to the public.

- Testified before Senate Committee on Judiciary—Criminal opposing SB 9 anti-terrorism policies.

2006

126th GA

- Testified before the House Health Committee opposing passage of HB 228 restricting abortions.
- Testified on HB9 before the Senate Judiciary Committee supporting making public records available to the public.
- Action Alerts on HB 239 opposing prohibiting abortions.

2007-09

127th/128th GA

- Submitted written testimony supporting HB 648 which would bring structure and consistency to the use / access to Ohio's information databases and would help safeguard Ohioans' confidentiality.
- Participated in THM on transparency for LWV-Chillicothe/Ross County.
- Cosponsored the annual Freedom of Choice Ohio (FOCO) Prevention First Lobby Day and provided a League display and distributed League materials.
- Co-signed letter to Supreme Court of Ohio disagreeing with the proposed rules limiting public access to court records.
- Supported constitutional amendment proposing earlier filing deadline for ballot issues.

2009-2011

128th/129th GA

- Testified in opposition to HB 125, which would drastically reduce a woman's right to obtain an abortion. Bill tabled by Senate. However, a bill banning abortion coverage under insurance exchanges was passed.
- Attended hearings and press conference opposing bills restricting women's reproductive choice.

Natural Resources

Environmental Protection and

Pollution Control

2001-02

124th GA

- Testified before House Energy and Environment Committee opposing HB 231, which would undermine preservation of wetlands; the bill was enacted.
- Sent letter to Governor Taft thanking him for not supporting drilling for oil and gas under Lake Erie.

2003-04**125th GA**

- Signed on to coalition letter to governor urging the refund of all monies removed from the rate-payer-funded Energy Efficiency Revolving Loan Fund.
- Sent letter to Energy Policy Committee outlining LWVO's position on a state energy policy.
- Passed Action Resolution at Convention calling on Gov. Taft, the Director of the Ohio Department of Natural Resources, and the Ohio General Assembly to act to protect the Dike 14 area on Lake Erie.
- Sent letter to Gov. Taft urging veto of HB 179, gas theft, which, without public testimony, extended environmental audit privilege. Signed by governor.
- Sent letter to Director of OEPA, addressing concerns about the potential exemption of small business from regulation and the level of pollution emissions by these and other companies.

2006**126th GA**

- Sent letter to Governor Taft and news release urging a veto on Am. Sub. SB 265 to weaken Ohio's air pollution control law.
- Issued Action Alerts on HB 400, SB 191, HB 496, SB 265, HB 505 and SB 264 asking House and Senate to oppose.

2007-09**127th/128th GA**

- Initiated an energy audit project of public buildings.
- Distributed report summarizing the 2007-2008 Energy Project's findings to the membership and to the Alternative Energy Committee of the Ohio House of Representatives.
- Urged the EPA to delay transferring administration of the Ohio National Pollutant Discharge Elimination System program from the Ohio EPA to the Ohio Department of Agriculture until all federal Clean Water Act requirements are met.
- Submitted on-line comment to the EPA urging it to delay transferring administration of the Ohio National Pollutant Discharge Elimination System program from the Ohio EPA to the Ohio Department of Agriculture until all federal Clean Water Act requirements are met.
- Testified in general support of HB 113 to provide alternative energy in schools.
- Supported constitutional amendment to provide funds for the Clean Ohio program.

2009-2011**128th/129th GA**

- Testified in support of HB113 provisions re use of solar energy in schools.
- Testified in support of SB232 and HB 464 providing alternative energy for schools.
- Signed multi-organizational letter to Board of Building Standards supporting alternative energy'
- Testified on HB7, building sustainability standards, before Senate Committee on Finance and Financial Institutions.
- Sent letter to the Director of the Ohio Department of Natural Resources urging a moratorium and study on fracking in Ohio.
- Met with legislators to discuss League energy positions.

Social Policy**Equality of Opportunity****2003-2004****125th GA**

- Testified before the House Juvenile and Family Law Committee opposing HB 272, which bans access to health care for same sex couples. Enacted.
- Sent letter to Chair of Senate Finance committee opposing HB 272 denying health care to same-sex couples. Enacted.
- Sent letter to Governor Taft, urging veto of HB 272.
- Issued news release in opposition to Issue 1 – definition of marriage.
- Testified before Senate Finance Committee supporting SB 206, which would provide state support for new and existing job programs.
- Testified before House Finance and Appropriations Committee supporting HB 427, which would provide state support for new and existing job programs.

2007-09**127th/128th GA**

- Sent a letter to Sen. Goodman (Chair, Senate Judiciary Committee – Civil Justice) in support of SB 305, which would ensure employment security regardless of sexual orientation.

2009-2011**128th/129th GA**

- Sent two action alerts urging restoration of Ohio income tax to 2005 levels as part of plan to ensure adequate social, human and government services.

Health Care

2001-02

124th GA

- Sent letters to House Health and Family Services Committee supporting HB 248, to establish uniform licensing and procedures for lead abatement; the bill was enacted.
- Sent letter to foundation supporting goals of coalition, Help End Lead Poisoning (HELP).
- Participated in press conference launching the Alliance for Contraceptive Equity to promote coverage of prescription contraceptives by insurance companies; legislation died at end of session but will be reintroduced.

2003-04

125th GA

- Passed Action Resolution at Convention urging legislators to restore support for family health care coverage at 100% of poverty; cuts were restored.
- Testified before Senate Finance Committee supporting health and human services funding in HB 95, biennial budget bill.
- Sent letter to Senate Finance Chair with thanks for restoring funding for health and human services.
- Testified before Senate Health, Human Services and Aging Committee and passed Action Resolution at Convention supporting SB 14, the Ohio Prescription Drug Fair Pricing Act. Through a landmark agreement between the pharmaceutical industry and a coalition including LWVO, a settlement on this matter was reached; new legislation was enacted.
- Testified before House Homeland Security Committee and before the Senate Finance Committee opposing SB 6, requiring public health risks to be kept secret. A companion bill, HB 6, was enacted.
- Testified before House Civil and Commercial Law Committee and issued Action Alert opposing SB 86, that would create a two-tiered system of health care. Enacted.

2005

126th GA

- Testified before House Finance and Appropriations Committee on HB 66, opposing cuts to human services programs, Medicaid and Disability Medical Assistance in budget bill.
- Issued Action Alert protesting governor's elimination of Disability Medical Assistance in state budget.
- Issued Action Alert urging the House to protest cuts to health care in biennial budget bill.

- Passed Action Resolutions at Convention urging the Senate to appropriate adequate funds to maintain the PASSPORT program for all eligible, frail older adults, to restore Medicaid eligibility for working parents to 100% of poverty; and to fully fund the Disability Medical Assistance program for low-income adults ineligible for Medicaid.
- Sent letter to Senate Ways and Means and Economic Development Chair on complexity of tax reform and impact on Medicaid and Disability Medical Assistance.
- Sent letter to the editor of major papers and Conference Committee of Ohio urging the General Assembly and the Budget Conference Committee to stand by its previously expressed intentions and act on today's health care.
- Sent letter to Ohio General Assembly supporting Ohio Prevention First Act.
- Delivered testimony against HB 228 and for Prevention First HB 588 and SB 328.

2007

127th GA

- Passed an Action Resolution at State Convention urging the Ohio Senate to raise the income limits for working parents for participation in Medicaid.
- Passed an Action Resolution at Convention urging the Ohio Senate to amend the budget bill to include the "premium participation program" in Medicaid/SCHIP.
- Issued press release and sent letter to Ohio General Assembly supporting Ohio Prevention First Act.

2007-09

127th/128th GA

- Sent a letter to members of the House Health Committee in support of SB 144, an effort to eliminate the child abuse that occurs in shaken baby syndrome
- Facilitated three community forums and a candidates' night focusing on health-care issues for Voices for Health Care, a group discussion on health care issues.
- With other members of the Ohio Consumers for Health Coverage coalition. educated legislators about health-care issues and options to address them

2009-2011

128th/129th GA

- Sent letters to General Assembly urging restoration of the Ohio income tax to 2005 levels as part of a plan to ensure adequate social, human and government services for the children of Ohio.

- Endorsed campaign to protect Ohio’s call for increased revenue sources to support social services.

Meeting Basic Human Needs

2001-02

124th GA

- Sent letters to Senate on Am. Sub. HB 94, supporting adequate funding for social and health programs in biennial budget; although most items received cuts, there were moderate inroads.
- Issued press release expressing surprise at House passage of HB 386, blocking city action to curb predatory lending.
- Testified before Senate Finance and Financial Institutions Committee and issued an Action Alert urging members to contact the Senate to oppose HB 386.
- Issued a press release opposing Senate passage of HB 386, but the measure passed.
- Issued an Action Alert urging members to request that the House reject Am. Sub. HB 386, and that the governor veto the bill if passed; the bill was enacted but a study committee was appointed.
- Issued press release deploring state budget cuts to human services.
- Testified before Senate Ways and Means Committee supporting SB 113, for a refundable state earned income tax credit; the bill died in committee.
- Testified before Senate Highways and Transportation Committee supporting SB 212, the Midwest Interstate Passenger Rail Compact; the bill was enacted.
- Testified before Predatory Lending Study Committee supporting the need for comprehensive legislation to control predatory lending; committee recommended only modest reforms.
- Submitted letter to editor showing that affordable housing is out of reach for many Ohioans.
- Testified before Affordable Housing Task Force supporting strong consumer protection against predatory lending; final recommendations supported homebuyer education programs.

2003-04

125th GA

- Participated in coalition press conference and passed Action Resolution at Convention promoting a permanent, dedicated source of

funding for Housing Trust Fund; the budget included this landmark provision.

- Passed Action Resolution at Convention urging the Predatory Lending Study Committee to include mortgage lenders in the Consumer Sales Practices Act; not included in report.

2005

126th GA

- Sent letter to Columbus Dispatch editor in appreciation of Life Skills Centers series and editorial.
- Sent letter to Columbus Dispatch in appreciation of predatory lending series.

2006

126nd GA

- Issued Action Alert on SB 117 providing for predatory lending protections.
- Issued Action Alert on SB 185 to include predatory lending in Consumer Sales Practices Act.

2007

127th GA

- Issued Action Alert supporting lifting the cap on the Ohio Housing Trust Fund.
- Passed an Action Resolution at Convention urging the Ohio Senate to fully fund the Ohio Housing Trust Fund.

2007-09

127th/128th GA

- Signed on to a letter supporting the HUD Family Unification Program that provides safety services and decent, affordable housing to homeless/poorly housed families involved in the child welfare system.
- Participated in the Housing Committee of Independent Living Work Group relating to homeless youth.

Early Intervention for Children at Risk

Violence Prevention

2005

126th GA

- Testified on SB9 before the Senate Comm. on Judiciary-Criminal opposing SB9 anti terrorism policies. Passed Senate and “informally passed” House.

Gun Control

2000-01

123rd/124th GA

- Passed resolution opposing any bill permitting concealed carry.
- Joined the Ohio Coalition Against Gun Violence.

- Testified against and issued press release and Action Alert to all local Leagues opposing HB 274, which permits concealed carry.

2001-02 124th GA

- Testified before House Civil and Commercial Law Committee opposing HB 274, which would allow citizens to carry concealed weapons; the bill passed both the House and Senate but did not go to conference committee.
- Issued Action Alert encouraging members to oppose passage of HB 274 by House Civil and Commercial Law Committee; the bill passed committee.
- Testified before House Civil and Commercial Law Committee opposing HB 303, preempting local governments from local gun control; the bill died in committee.

2003-04 125th GA

- Testified before House Criminal Justice Committee and Senate Criminal Justice Committee opposing HB 12, carrying of concealed weapons.
- Issued four Action Alerts to members, re: the topics of concealed weapons and assault weapons ban renewal.
- Passed an Action Resolution at Convention, and participated in a coalition news conference on HB 12. Enacted.
- Press conference opposing HB 12, concealed/carry legislation. Enacted.
- Issued “FYI” on Million Mom March alerting members to Mother’s Day march and goal to renew Assault Weapons Ban.
- Participated in Ohio Coalition against Gun Violence press conference opposing S659, giving gun manufacturers immunity from consumer safety protections.
- Sent letter to the Columbus Dispatch supporting renewal of Federal Assault Weapons Ban.

2006 126nd GA

- Testified before the Senate Judiciary Committee and the House Criminal Justice Committee on HB 347 opposing concealed carry.
- Sent Action Alert on HB 347 opposing concealed carry.
- Sent letter to Cleveland Heights City Council and mayor thanking for passing resolution opposing HB 347.
- Issued Action Alert asking Governor Taft to veto HB 347.

- Letter to the editor of Columbus Dispatch in support of editorial on conceal-carry law.

2007 127nd GA

- Passed an Action Resolution at State Convention urging the General Assembly to pass legislation expanding background checks.

2007-09 127th/128th GA

- Met with Sen. Grendell to express opposition to SB 318, which seeks to reduce restrictions in the concealed-carry law.
- Met with an aide to Gov. Strickland to discuss concerns with SB 318 and SB 184, which reduce restrictions in the concealed-carry law.

State Action Using League Principles

2005

- Passed Action Resolution at Convention urging the General Assembly to reject any and all attempts to impose state control over the free exchange of ideas in the classroom.
- Sent letters to Ohio Senate President Bill Harris and Speaker of the House Jon Husted urging careful consideration of substituting bills and passing them as emergency legislation, as on SB 115, election petitions, without hearing.

Federal Action Using State and National Positions

This section lists action taken at the federal level based on the positions of LWV of the United States.

Representative Government

Election Process

2003-2004

- Sent letter to US Rep. Ralph Regula urging support for National Student/Parent Mock Election.
- Sent letter to US Senators Voinovich and DeWine urging full funding of HAVA.
- Sent thank you letter to Peter Levitas, office of Senator Mike DeWine, for meeting regarding the Presidential Funding Act and encouraging a yes vote.

2006

- Action Alert opposing H.R. 4844 which unnecessarily increased 10 requirements for voters.
- Letter/fax to the Ohio congressional delegation urging them to support reauthorization of the Voting Rights Act.

2007 – 2009

- Sent thank-you letters sent to Sen. Voinovich and Brown for their support of the DC Voting Rights Act.
- Action Alert urging members to contact Senators Voinovich and Brown and ask them to cosponsor the Fair Elections Now Act, a bill to provide public funding for congressional campaigns.
- Sent an op ed to newspapers throughout the state supporting the Fair Elections Now Act and asking readers to urge Senators Voinovich and Brown to cosponsor the act.

- Signed on to the Midwest Democracy Networks' letter to President Obama urging him to support public funding for congressional and presidential campaigns.

2009-2011

- Met with Rep. Kilroy's director re Fair Elections Now Act

Citizen Rights

2003

- Passed Action Resolution at Convention urging the congressional delegation to repeal portions of the USA Patriot Act that limit or violate fundamental rights and liberties.
- Press release endorsing S 1497, Free Airtime Bill before election in Congress. No Action.
- Sent letters to editors for Dayton, Akron, Cincinnati, Cleveland, and Toledo papers supporting national legislation, Our Democracy, Our Airwaves Act, providing free airtime to candidates for federal office. No Action.

2004

- Sent letter to Senator Voinovich thanking him for a meeting regarding the SAFE Act S 1709, a bill to amend the USA Patriot Act.
- Sent letter to Robert Steinbuch, office of Senator Mike DeWine, thanking him for a meeting regarding the SAFE Act S1709, a bill to amend the USA Patriot Act.

2005

- Letter to U.S. Senator DeWine requesting Patriot Act be considered in open committee meetings.

International Relations

United Nations

2002

- Submitted letter to editor urging U.N. cooperation on Iraq conflict (published in *Toledo Blade*).

Military Policy and Defense Spending

2005

- Sent letter to Senators DeWine and Voinovich opposing S. 397, Protection of Lawful Commerce in Arms Act.

Natural Resources

Environmental Protection and Pollution Control

2002

- Signed on to ad thanking Sen. DeWine for opposing oil drilling in Arctic refuge.
- Sent letter to U.S. Senators Voinovich and DeWine protesting selection of Yucca Mountain site for nuclear waste depository. The site was selected anyway.
- Signed on to coalition letter to Environmental Protection Agency opposing proposed rules that would weaken wetlands protection.

2004

- Sent letter to U.S. Senators Voinovich and DeWine urging them to block energy bill.

2006

- Letters to U.S. Senators Voinovich and DeWine urging opposition to HR 4341, concerning environmental legislation.

2007 - 2009

- Sent letters to editors of Ohio newspapers urging the U.S. Congress to support climate change legislation; called Sens. Voinovich and Brown on the legislation.

2009-2011

- Met with Senator Brown and an aide to Sen. Voinovich re S 1733, Climate Change
- Participated in conference and environmental lobby day March 8th & 9th, 2010 in D.C.

Social Policy

Fiscal Policy

2005

- Sent letter of thanks to Senator Mike DeWine for helping to defeat US Senate budget resolution calling for major cuts in Medicaid.

Health Care

2001

- Sent letter to U.S. Sen. DeWine supporting S.283, Bipartisan Patient Protection Act.
- Sent letters to U.S. representatives re: patient protection, supporting H.R.#2563, for basic health care protections for patients and opposing H.R.#2315, the Patients' Bill of Rights; did not pass.

2005

- Letter to U.S. Rep. Ralph Regula requesting funding restoration of CDC preventive health and human services lot grant.

Meeting Basic Human Needs

2004

- Action Alert urging members to contact U.S. representatives to save Section 8 housing vouchers.

Gun Control

2003

- Sent letters to U.S. Senators Voinovich and DeWine opposing S.659, which would grant special immunity to gun manufacturers and sellers; also sent Action Alert to members asking them to contact the senators.

2004

- Action Alert urging members to contact U.S. representatives regarding the Assault Weapons Ban Reauthorization. Ban allowed to sunset.
- Action Alert urging members to contact U.S. senators to oppose S. 659, S. 1805 and S. 1806.
- Sent Letter to Columbus Dispatch supporting renewal of Assault Weapons Ban.

2005

- Sent letter to Senator Voinovich opposing S 397, Protection of Lawful Commerce in Arms Act.

Juvenile Justice (State)

2004

- Sent letter to U.S. Sen. DeWine opposing S 1735, "Gang Prevention;" youths being prosecuted as adults.
- Action Alert encouraging members to contact Senator DeWine and Representative Regula to preserve funding for Juvenile Justice and Delinquency Prevention Act.

Capital Punishment

2006

- Cosponsored a successful effort to have 2006 LWVUS Convention delegates adopt by concurrence the LWV of Illinois' position on the death penalty.

State ballot Issues

The League of Women Voters of Ohio votes to support, oppose, or take no position on each statewide ballot issue. Decisions to support or oppose ballot issues require a two-thirds vote of the board of directors. The following chart details the history of Ohio ballot issues since 1999, using the following key:

- LWVO Stand:** Indicates whether LWVO supported, opposed, or took no position on the issue; asterisk (*) indicates a major LWVO campaign.
- Position:** The state or national position on which LWVO’s support or opposition was based.
- Source:** The measure was placed on the ballot by **IP**=Initiative Petition; **GA**=General Assembly; **RF**=Referendum (or citizens’ veto); **CR**=Constitution requires placement on the ballot every 20 years.
- Result:** Indicates whether the measure passed or failed.

Issue	LWVO Stand	Position	Source	Result
2002 General Election (1 issue) •Constitutional amendment to allow those charged with drug possession to request treatment instead of jail	Opposed	Ohio Constitution: General Criteria	IP	Failed
2003 General Election (1 issue) •Constitutional amendment to allow Ohio to issue bonds up to \$500 million for “Third Frontier” economic development in technology	No Position		GA	Failed
2004 General Election (1 issue) •Constitutional amendment to define marriage as union of one man and one woman, and to prohibit benefits of marriage to unmarried couples	Opposed	Equality of Opportunity	IP	Passed
2005 General Election (5 issues) •Constitutional Amendment allowing Ohio to issue \$2 billion in general obligation bonds for construction of roads and bridges, investment in research and development, and the preparation of local industrial sites.	Supported	LWVUS principles on government standards & policies: Land Use	GA	Passed
•Constitutional Amendment allowing early voting both in-person and mail-in voting.	Supported	LWVUS position on voting rights	IP	Failed

•Constitutional Amendment revising Ohio's campaign finance laws by limiting amount which can be contributed	No Position	LWVUS position on the election process and campaign finance; Ohio Constitution: General Criteria	IP	Failed
•Constitutional Amendment establishing a bi-partisan redistricting commission and requiring competitiveness to be the primary criteria used to draw districts	Supported	LWVUS position on the election process and apportionment; LWVO position on government and apportionment/redistricting	IP	Failed
•Constitutional Amendment replacing the secretary of state as chief elections officer with a state elections board	Opposed	Ohio Constitution: General Criteria	IP	Failed
2006 General Election (4 issues)				
•Constitutional Amendment to increase the minimum wage	Opposed	Ohio Constitution: General Criteria	IP	Passed
•Constitutional Amendment to permit 31,500 slot machines at 7 locations and to provide for college scholarships	Opposed	Ohio Constitution: General Criteria	IP	Failed
•Constitutional Amendment to override home rule and limit smoking to such places as separate areas in restaurants, most bars, separate areas of hotels, private homes, and non-public facilities.	Opposed	Ohio Constitution: General Criteria	IP	Failed
•Statute to prohibit smoking in enclosed areas of public places and places of employment with certain exceptions	Supported	General Criteria; LWVUS position on air quality	IP	Passed
2008 General Election (5 issues)				
•Constitutional Amendment to provide for earlier deadlines for statewide ballot issues.	Supported	LWVUS position on citizens' right to know	GA	Passed
•Constitutional Amendment to authorize the state to issue \$400M of bonds for environmental purposes	Supported	Land Use	GA	Passed
•Constitutional Amendment to protect private property rights in ground water and lakes	Opposed	Ohio Constitution: General Criteria	GA	Passed
•Referendum on legislation limited "payday lending" fees, interest rates and practices	No Position		RF	Passed
•Constitutional Amendment to permit a	Opposed	Ohio Constitution:	IP	Failed

casino near Wilmington		General Criteria		
2009 General Election (3 Issues) •Constitutional Amendment to authorize the state to issue bonds to provide compensation to veterans of the Persian Gulf, Afghanistan, and Iraq conflicts	No Position		GA	Passed
•Proposed Constitutional Amendment to create the Ohio Livestock Care Standards Board to establish and implement standards of care for livestock and poultry.	Opposed	Ohio Constitution: General Criteria	GA	Passed
•Proposed Constitutional Amendment by initiative petition to amend the constitution to allow for one casino each in Cincinnati, Cleveland, Columbus, and Toledo and distribute to all Ohio counties a tax on the casinos	Opposed	Ohio Constitution: General Criteria and Taxation and Finance	IP	Passed
2010 Primary Election (2 Issues) •Proposed Constitutional Amendment to extend the Ohio Third Frontier Program by authorizing the issuance of additional general obligation bonds to promote economic growth by funding research and development to create and preserve jobs.	Supported	LWVUS position on government standards and policies	GA	Passed
•Proposed Constitutional Amendment to change the location of the Columbus casino facility authorized by previous statewide vote from the Arena District to a vacant redevelopment site in the Columbus area formerly owned by General Motors and Delphi Automotive.	No Position	Ohio Constitution: General Criteria	GA	Passed

Coalitions

The League believes that legislative success is frequently achieved by working in coalition with a wide range of organizations representing voters. By joining coalition efforts, the League broadens the base of support for selected public policies, lends the credibility of its name to important campaigns, and increases the likelihood of success. Coalitions are entered into by the LWVO board only after extensive discussion. Policy considerations include:

- The coalition's major issues should be aligned with League positions and be nonpartisan;
- The aims of the coalition must not conflict with League positions; and
- The coalition's activities should provide additional effectiveness to the overall efforts to achieve the League's organizational, advocacy, or educational goals.

The following represents both the long-term and ad hoc coalitions in which LWVO participated in 2009:

- **Advocates for Ohio's Future**
- **Coalition for Affordable Healthcare in Ohio**
- **Coalition for Family Health**
- **Coalition for Public Education**
- **Coalition on Homelessness and Housing in Ohio (COHHIO)**
- **Foreclosures in Ohio Cost Us (FOCUS)**
- **Freedom of Choice Ohio**
- **Great Lakes Restoration Coalition**
- **Greater Ohio**
- **Have A Heart Ohio**
- **Help End Lead Poisoning (HELP)**
- **Juvenile Justice Coalition**
- **Lift the Cap Coalition**
- **Midwest Democracy Network**
- **Ohio Coalition Against Gun Violence**
- **Ohio Consumers for Health Care**
- **Ohio Disability Vote Coalition**
- **Ohio Environmental Council**
- **Ohio Family Coverage Coalition**
- **Ohio Women, Inc.**
- **Ohioans to Stop Executions**
- **OSU Institute on Women, Gender and Public Policy**
- **Universal Health Care Action Network of Ohio (UHCAN)**

Remember the Basics when Taking Action with the League Positions or the League Principles

- We are one organization and must act together.
- We must have a position on an issue in order to take action.
- The League president speaks in the name of the League. Other League members, who write, call, testify, or take other action do so as informed citizens.
- Local Leagues must cooperate with the state League to act at the state level of government. They have a responsibility to respond to Action Alerts from the state League.
- Local and state Leagues must cooperate with the national League to act at the national level of government. They have a responsibility to respond to Action Alerts from the national League.



The League of Women Voters of Ohio

17 South High Street, Suite 650

Columbus, Ohio 43215

877-LWV-OHIO

877-598-6446

(614)469-1505

www.lwvohio.org