The League of Women Voters of Ohio

Agenda
For
Action
2017-2019

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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 LWVO (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. LWVO 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 League members can use LWVO publication *Taking Action* when considering whether to take action on local, state, or national positions. A summary of guidelines for taking action is included on page 4.

Position Summaries

This edition includes a 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 pages 6 and 7, 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 directly to local League members 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 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 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 involves testifying at formal hearings. It also includes 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; or

...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; or

...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.

Position Summaries

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, ethnicity, sexual orientation, gender identity, gender expression, disability, religion, or socio-economic status; 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.

Human Trafficking

Support legislation to stop human forced labor and sex trafficking. Adult and child victims should be provided with services as needed. Aggressive enforcement of laws should include cooperation among agencies, strategies to reduce demand, training, and necessary funding.

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.

Great Lakes Ecosystem

Support preserving and enhancing the environmental integrity and quality of the Great Lakes - St. Lawrence River Ecosystem. Support the attainment and maintenance of high water quality standards throughout the Great Lakes Basin, with emphasis on water pollution prevention. Water conservation should be a high priority of all governments in the Basin.

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, structure, procedures, and 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. In 2010 the position on Tax Mix was updated.

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

Position on 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) 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 constitutional convention in 1972, 1992, or 2012, but in each case provided pro/con information to voters. Ohioans turned down a convention each time, as they had in 1932 and 1952.

The League has testified on matters of concern to the League, including redistricting and judicial reform.

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

In 2009 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, but these efforts did not produce results following the unexpected death of Chief Justice Moyer. In 2013 Chief Justice Maureen O'Connor invited Ohioans to respond to eight proposals she has made to improve Ohio's system of electing judges. The League has responded to these proposals and has made additional proposals for reform, including transparency of contributions on behalf of judicial candidates, recusal and public financing. In 2015 the League joined Chief Justice O'Connor and others in a coalition to launch the statewide, nonpartisan, online judicial voter's guide known as Judicial Votes Count. Judicial Votes Count is intended to be a lasting initiative beginning with the 2015 election and providing judicial candidate information for both the primary and general elections for years to come.

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 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 and this may be explored by the Constitutional Modernization Commission.

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 LWVO principle that the Ohio Constitution should be a document of fundamental principles. LWVO will continue to oppose those types of amendments.

Position on 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, LWVO supported the Fair And Impartial Redistricting (F.A.I.R.) Amendment petition effort. The 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. 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, and remanded the case to the district court. In August 1997, the district court 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. 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. 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. Both League's drive and HJR 13 failed. 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.

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 2009 LWVO and others conducted the Ohio Redistricting Competition. The goal 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 judged on four criteria: competitiveness, compactness, representational fairness and respect for political subdivisions. All competition participants produced maps that were superior to the map drawn by the General Assembly in 2001.

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. However, the House and Senate were not able to reach a compromise before the November 2010 general election.

Ohio lost two Congressional representatives after the 2010 census, down to 16. In 2011 the League and others again sponsored a public competition to draw districts, based on 2010 census data. Both the Congressional and state legislative districts were determined by the same partisan methods used in 2001. All of the maps submitted in the competition were superior on public interest criteria to those adopted by the Apportionment Board and General Assembly. The General Assembly maps were challenged in the Ohio Supreme Court, but they were upheld.

In 2012, the League was a member of the Voters First Ohio coalition that placed a proposed amendment on the ballot. The amendment would have provided for a citizens' commission drawing districts based on the four public interest criteria used in the competitions. The measure lost 37% to 63%.

In 2014 the legislature placed an issue on the 2015 ballot to create the Ohio Redistricting Commission and give them authority to draw districts for the General Assembly seats. The Commission consists of 7 members, two of which must be from the minority party. Two votes from each party are necessary to approve a plan. Otherwise a temporary plan is put in place by a simple majority of the commissioners. Districts should be drawn which do not primarily favor a single political party. Plans must also keep communities together by splitting as few counties, municipal corporations, and townships as possible. The ballot issue passed by 71% of the vote.

In 2017, the League along with Common Cause Ohio and the Ohio Environmental Council created Fair Districts Ohio. Fair Districts began collecting signatures in May of 2017 to place congressional redistricting reform amendment on the ballot. Sensing that this redistricting reform would go on the ballot, the legislature put forth its own reform amendment for the May, 2018 ballot. The LWVO supported this amendment Congressional redistricting which was similar to the issue passed in 2015 for the General Assembly. The ballot issue passed by 75% of the vote.

Outlook: Apportionment/Districting

The Ohio Constitutional Modernization Commission was terminated at the end of June of 2017, so that no longer provides an avenue for redistricting reform.

Position on State Government 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.

In 2004, 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). The legislature cut individual income taxes, increased excise taxes on 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.

In 2005 two proposed constitutional amendments were introduced in the legislature, each limiting state spending to a formula based on the rate of population growth and inflation. 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 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 2010-2011 budget reflected the economic problems faced by the entire country. 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. 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.

The 2013-2015 budget continued some of the trends from the prior biennium. It included a 10% cut in the income tax, a cut in taxes for small businesses, an elimination of the 10% and 2.5% property tax rollbacks, and means-testing the homestead property tax exemption. It included an increase in the state sales tax. It contained significant restrictions on women's reproductive choice, including re-prioritizing organizations that may receive federal family-planning money, and requiring clinics to have a transfer agreement with a hospital but prohibiting such agreements with public hospitals. It did not include some of the Governor's proposals such as an expansion of the Medicaid program, and a broadening of the base for sales tax.

Outlook: State Finance

While Ohioans are paying less in income tax, the trend is to increase reliance on local taxes such as the property tax.

SOCIAL POLICY

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, capital punishment, and human trafficking. In 1997, delegates to Convention dropped 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.

Position on Primary and Secondary Education

Charter Schools (Adopted May 2017)

LWVO Concurrence with LWV Florida Consensus of School Choice

This position was adopted at LWVO Convention in May 2017 through the concurrence process. It was developed from a Florida study conducted in 2013 by the League of Women Voters of Florida and is based on the constitutional construct of charter schools and their role in a uniform, high quality school system of free public schools as stated in the Florida Constitution. LWVO recognizes first and foremost that it is a paramount duty of the state to provide for education and that charter schools are established as public schools and funded by the public and accountable to the public.

Ohio provides for a uniform, efficient, safe, secure, and high quality school system as the paramount duty of the state. The Ohio League of Women Voters supports the following principles to help ensure that public education can fulfill its duty to Ohio's children.

Charter Schools

The locally elected school board is constitutionally established to provide oversight and direction to the educational system in each district. The school board should have the authority and the responsibility to require fiscal, management and procedural accountability and enforcement of charter terms and conditions. The requirement of local school districts to authorize and oversee a parallel educational organization may require more funding than currently provided in legislation and a clarification of authority regarding enforcement of charter provisions.

Purpose:

The purpose of charter schools is to serve unmet needs and to offer innovative instructional methods. Local needs are best identified by the local school district as part of its strategic plan. To avoid inefficiency through duplicative programs or to have insufficient funding for either program to be successful, charter schools should serve as a complement to not a competitor of traditional public schools.

Management:

Charter schools operate under a contract with an authorized sponsoring entity and are expected to produce certain results that are set forth in each school's charter. Since they are public schools, management structures and requirements should be similar. Both traditional and charter public schools need to have flexibility to develop schedules and curricula. The community is best served if the compensation for

instructional personnel is within a maximum and minimum guideline within the district to assure quality of personnel and retention in the classroom.

A public charter school should have local representation on the governing board, at least one community resident answerable to school parents and community and not be governed by an entity with no ties or accountability to the community it serves. Charter schools should be supervised by district staff with enforcement powers to ensure that they conform to state regulations. These regulations should include fiscal responsibilities and adherence to building code as well as school admissions and dismissal policies and procedures. This supervision may require additional funds for oversight. Public charter schools must have appropriately certified full or part time instructors on staff before applying for funding.

Transparency and Accountability:

Both traditional and charter public schools must report teacher turnover and student mobility rates, in addition to end of year student grade retention. Charter public schools must report financial information in a format that is adequate for comparison with other public schools, particularly regarding facilities ownership and management contracts. Teachers and administrators of ALL public schools, including charters, should meet certification and qualification levels commensurate with their duties and roles. All schools, regardless of size, should report state student assessment test scores and other accepted indicators of student achievement levels.

Conflict of Interest:

Administrators and governing board members of all public schools, including charter, must not directly supervise or determine compensation for family members. Members of the charter schools' governing board MUST NOT have any financial interest in the charter school. Legislators serving on education or appropriation committees must recuse themselves on votes related to charter school finance if they have any financial interest in one or more charter schools.

Facilities and Funding:

As a recipient of public education funds charter schools should meet the procurement standards applicable to other public institutions as stated in statute and rule regarding competitive bids, purchasing of services, equipment, supplies and sites. Records of all transaction and procedures should meet all public records laws for full disclosure. Charter schools that acquire their facilities using public funds must assure that the facility reverts to public ownership at termination of the charter. If the facility is subject to a mortgage, the mortgage must disclose and protect the public's interest in the facility. A conversion of an existing public school to a public charter school should only be authorized by the local governing school board, retaining full public ownership of the facility and the assets associated with the school. A public charter school may be housed in a religious institution so long as secular identity is maintained and the student body reflects broad racial/ethnic/religious and economic diversity.

State Board and Department of Education

(Adopted January 1983)

1. LWVO 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. 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.

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)

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)

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 interest in 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.

Starting in the mid 1990s to the present LWVO advocated for an elected State Board of Education; constitutional system for funding preK-12 education; opposed public funding for private schools; and supported efforts to hold

community and traditional schools accountable and responsive to the public. During this time the Ohio General Assembly made several changes Ohio's state aid formula through the biennial budget bill; approved additional voucher programs, and the number of community schools has expanded, although in lawmakers approved changes in community school law to strengthen accountability requirements.

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.

Delegates to the May 2017 State Convention adopted new positions on charter schools through the concurrence process (details above). The Hudson League of Women Voters led this effort to review positions on charter schools adopted by the League of Women Voters of Florida, and proposed, with some changes, that LWVO concur with the more specific positions.

More Details About League Involvement in State Aid for Schools

LWVO supports continued efforts to secure a constitutional system for funding Ohio's public schools in accordance with the steps outlined in the DeRolph decisions of the Ohio Supreme Court in 1997, 2000, 2001, and 2002. These decisions require that Ohio's system for funding schools provide sufficient resources to support a general education of high quality; provide sufficient resources to meet the learning needs of students, including students with special needs, gifted, disadvantaged, and those learning English; and reduce reliance on local property taxes to fund 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. 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, but 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. HB 153 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. As a result of these changes and the loss in state aid, traditional public schools lost an estimated $1.8 billion in funding in FY 12-13.

Significant changes were also made in Ohio's accountability system for schools, including a new ranking system for schools with consequences for low-ranking schools; a new pilot program to evaluate teachers based, to some extent, on student test scores; and a system to rank schools according to how they spend money for instruction, administration, and operations.

Lawmakers were unable to develop a new school funding formula for FY13, but they did hold statewide meetings to discuss school funding issues. In response, statewide education organizations and school districts held their own meetings. Several League members attended these meetings in their area, and began to network with each other across the state, renewing League interest in promoting an adequate and equitable state school funding system. LWV Hudson, for example, completed a Know Your School study.

Efforts to reform Ohio's school funding system continued under Governor Kasich's administration with the passage of the FY14-15 biennial budget bill, Am. Sub. HB59 (Amstutz). A new formula, called Core Opportunity Grants, increased state aid by $771 million, but included over a hundred changes in education policies, including several that were strongly opposed by various education stakeholder groups. Some of these controversial policies included eliminating property tax rollbacks on certain levies in the future; changing the criteria for the Homestead exemption; and creating the EdChoice Expansion voucher program.

Budget bills for FY16-17 (HB64 - R. Smith) and FY18-19 (HB49 - R. Smith) tweaked components of the Ohio's school funding formula, but according to Policy Matters Ohio, "The General Assembly's funding for school districts has varied over time, but over the past decade, cuts and inflation have reduced state aid to schools. Overall formula funding plus the remaining tangible personal property tax (TPP) replacements that go directly to school districts fall by an estimated 7.6 percent between 2010 and 2019, adjusted for inflation."

While lawmakers increased the per pupil amount in Am. HB49 from $6,000 to $6,010 in FY18 and $6,020 in FY19, changes were made to the funding cap, guarantee, state funds for transportation, and reimbursements for the loss of tangible personal property tax revenue that offset revenue increases from the state. Out of a total 610 school districts, 221 are flat funded; 147 lose funding; and 242 school districts gain between 0.1 percent to 5.9 percent in funding in FY18-19.

And, even though the majority of Ohio students are still educated in traditional public schools, charter schools and voucher programs continue to drain limited revenue from traditional schools. In FY18-19 charter schools will cost school districts $2 billion in deductions from school district revenue, and Ohio's five voucher programs cost school districts and the state $236 million in 2016.
See "Ohio's FY18-19 Budget in Review," *Policy Matters Ohio*, November 2017,
policymattersohio.org/files/research/1172017budgetwrapintemplate.pdf

More Details About League Support for Public Funds for Public Schools Vouchers

LWVO opposes taxpayer support for students attending private schools and increases in state aid for nonpublic school programs; supports disaggregating student transportation costs based on the types of schools that students are attending, including public, private, and charter schools; and believes that public money should be spent only on public schools, which are accountable and responsive to the public through elected boards of education, and comply with standards that ensure a high quality education.

Voucher Programs: The 121st Ohio General Assembly enacted into law the *Cleveland Scholarship and Tutoring Program* in 1995 (HB117) after years of failed attempts during the early 1990s to approve a voucher law. This program provides public funds for students in the Cleveland Metropolitan School District to attend private schools or schools in other school districts, or receive funds for tutoring.

Several lawsuits were filed against the program by a coalition of education and citizen organizations, including the American Civil Liberties Union and its Ohio affiliate, Americans United for Separation of Church and State, the People for the AmericanWay, and Citizens Against Vouchers, which was led by the Ohio PTA and included most education organizations and LWVO.

The lawsuits claimed that the program was unconstitutional, because it violated the Establishment Clause (separation of church and state) and the rule that laws must contain a "single-subject". The lawsuits were eventually consolidated into *Simmons-Harris v. Goff*.

The Ohio Supreme Court declared the program unconstitutional in 1999 based on the "single subject rule" of the Ohio Constitution, but not the Establishment Clause. Lawmakers quickly passed the program again in another bill, HB282.

Lawsuits were again filed in 1999 in U.S. District Court in Cleveland and consolidated into *Simmons-Harris v. Zelman*. Both the U.S. District Court (December 20, 1999) and U.S. Court of Appeals 6th Circuit (December 11, 2000) declared that the program was unconstitutional based on the Establishment Clause. At that time over 80 percent of participating private schools had a religious affiliation.

The State of Ohio appealed to the U. S. Supreme Court, which agreed to hear *Zelman v. Simmon-Harris*

in October 2001. The U. S. Supreme Court declared the program constitutional on June 27, 2002 in a 5-4 decision, based on the following criteria developed by the Court:

-The program has a valid secular purpose
-State funds go to parents and not the schools
-The program covers a broad class of beneficiaries
-The program is neutral with respect to religion
-The program provides adequate nonreligious options

The League and other proponents of public education continued to oppose the use of public funds to support private schools through action alerts, resolutions, testimony, and letters to lawmakers. In some cases voucher bills were defeated. For example, House Bill 136 of the 129th General Assembly was defeated after hundreds of boards of education passed resolutions opposing the bill and lawmakers received hundreds of emails and letters in opposition from the public.

Eventually four additional voucher programs were approved by the General Assembly, including the Autism Scholarship Program (2003), EdChoice (2005), the Jon Peterson Special Education Scholarship (2011), and the Educational Choice Expansion Program (2013). Ohio lawmakers also passed a law authorizing the opening of a boarding school for at-risk students, which is also financed by public funds, but so far no school has opened. See "edCHOICE", 2016-17: edchoice.org/school-choice/programs/ohio-cleveland-scholarship-program.

In 2016 Ohio's voucher programs served 39,904 students, leaving at least 21,000 unused vouchers, and cost school districts and the state $236 million. Funding for the CSP, EdChoice, the Autism Scholarship Program, and the Jon Peterson Special Needs Scholarship Program is deducted from the school district of the voucher recipient. The EdChoice Expansion program is directly funded by the state based on enrollment, but is limited to $38.4 million in FY18 and $47.7 million in FY19. See "Expanding vouchers chips away at public schools," *Policy Matters Ohio*, June 5, 2017, policymattersohio.org/research-policy/quality-ohio/education-training/expanding-vouchers-chips-away-at-public-schools.

During the first half of the 132nd Ohio General Assembly, LWVO opposed two voucher bills that would create the Opportunity Scholarship Program: SB85 (Huffman) and HB200 (Koehler). These bills would consolidate some of the state's voucher programs, but also expand access to vouchers to 1.08 million students whose families earn incomes at or below 400 percent of the federal poverty level. The voucher amounts would be based on a sliding scale according to family income level. The program would be funded by the state at an estimated cost of $1.18 billion.

LWVO opposed the bills, testifying that private schools are not accountable to the taxpayers through elected boards of education; can select the students they want to educate, thus increasing segregation and the stratification of the society; and are not required to comply with the same standards as public schools. The testimony urged state officials to fulfill their constitutional responsibility to establish a "thorough and efficient system of common schools," rather than divert limited public resources to support private schools and their private interests.

State Support for Nonpublic Schools

There are approximately 700 chartered nonpublic schools in Ohio in 2017. Ohio transfers public dollars to support privately operated schools through Auxiliary Services ($150 million in both fiscal years) and Nonpublic Administrative Cost Reimbursements ($68 million in both fiscal years). In most cases, Ohio school districts also transport students who attend private schools and charter schools without any reimbursement from these privately operated schools. In FY15 the average per-pupil amount for Auxiliary Services was $787 and the average state payment per student for Nonpublic Administrative Cost

Reimbursement was $359. Together these two programs provided higher state support per private school student than state per pupil support for students attending some traditional public schools in Ohio.

More Details on Charter Schools

LWVO positions on community schools, also known as charter schools, will support LWVO efforts to hold charter schools accountable and responsive to taxpayers through elected boards of education; strengthen accountability; eliminate for-profit charter management companies; require charter schools to comply with the same standards as traditional public schools; and implement a transparent funding system for charter schools, rather than funding them through a deduction from public school districts' state aid. Community schools, sometimes known in other states as charter schools, are state-funded nonsectarian, nonprofit schools that are exempt from some state laws and administrative rules that traditional public schools must follow.

Community schools in Ohio are authorized under Chapter 3314 of the Revised Code, and were established by the 122nd General Assembly (1997-1998). The first community schools in Ohio opened in the 1998-1999 school year, and in 2016-17 school year there are 362 community schools in operation serving 111,272 students, or about 7 percent of total student enrollment in public schools in Ohio. Enrollment in charter schools has declined steadily since 2013-14. See "Community School Annual Report," Ohio Department of Education, December 31, 2017: education.ohio.gov/getattachment/Topics/Community-Schools/Annual-Reports-on-Ohio-Community-Schools/2016-2017-ODE-Community-Schools-Annual-Report.pdf.aspx?lang=en-US

In 2001 the League joined in a lawsuit, *Ohio Congress of Parents Teachers, et. al. v State Board of Education, et. al.,* challenging the constitutionality of community schools. 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 being diverted to private operators of community schools without voter approval. The suit also alleged that the state had failed to enforce current laws governing community schools, 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 the establishment and operation of community schools is constitutional, but left open several other legal challenges before the lower courts regarding the compliance of community schools with current laws and rules.

League efforts to improve the accountability of community schools to the public have continued over the years in spite of the court setback. A number of investigative reports and studies about charter schools at the state and national levels, have focused more attention on charter school issues and have helped to support LWVO efforts. These reports identified a number of problems plaguing Ohio's charter school industry, including conflicts of interest, misappropriation of funds, poor accounting practices, unrecoverable funds, student attendance irregularities, closed schools reopening, and an unprecedented number of charter school closures.

In response to these reports and investigations, State Auditor David Yost presented a list of recommendations to improve charter school law in the areas of accountability, finance, and governance. Lawmakers also introduced several bills in the 131st and 132nd General Assemblies to reform charter school law, including HB2 (Dovilla-Roegner), which LWVO supported. HB2 was signed into law in November 2015.

In addition to the legislative changes that have increased oversight of charter schools, audits conducted by the Auditor of State and the Ohio Department of Education have found that some online schools have overcharged the state for student enrollment, because the schools could not verify that all students participated in 920 hours of learning opportunities during the school year. These online schools have been ordered to repay the state funds, but are challenging the audit results in the courts, saying that state has been inconsistent in implementing the law over the years, and that the definition of a "full-time equivalent" student attending an online school is not clear.

Outlook: Primary and Secondary Education

Ohio lawmakers are currently reassessing some of the nationally advocated education reform policies Ohio adopted over the past years, and working to identify Ohio-based policies that are leading to improved student achievement and successful transition to adulthood.

In response to public pressure and newly formed coalitions of school districts, such as the Ohio Public School Advocacy Network, lawmakers have recently enacted legislation to reduce the number of state tests; reduce the impact of test score results in Ohio's Teacher Evaluation System (OTES); establish alternative pathways for students to earn a diploma; and have proposed changes in Ohio's accountability system for schools that would simplify state report cards on schools and school districts.

House and Senate committees during the first half of the 132nd General Assembly examined the impact of student attendance, truancy, poverty, and the impact of trauma on student achievement with the intent to develop legislative recommendations to help educators address these issues.

Another bipartisan legislative and stakeholder committee is reviewing Ohio's school funding formula and state tax policies that impact school district revenue, such as the changes in the Tangible Personal Property Tax (TPPT) and Current Agricultural Use Value Tax (CAUV), to identify more efficient and effective ways to fund schools. While no progress has been made to identify and cost-out the components of a "thorough and efficient" system of schools, the work of the bipartisan committee could start these conversations, which could lead to a more realistic per pupil amount and formula to determine state aid.

Unfortunately the Ohio General Assembly and Kasich Administration have prioritized tax cuts for the wealthy, corporations, and small businesses over the past seven years as a way to create jobs and expand Ohio's economy, with limited results. While national job growth has increased 9.2 percent since 2005, job growth in Ohio increased by 2.4 percent.

The tax cuts and failure to close tax loopholes and modernize taxes on oil and gas production mean that recent state budgets have been tight, and fewer resources are available to reform Ohio's unconstitutional K-12 school funding system or meet other state needs, such as addressing the opioid crisis.

Lawmakers also continue to expand the number of eligible students who can participate in voucher programs, and increased state funding for nonpublic schools with little accountability or responsiveness about the use of the public funds. According to Policy Matters Ohio, funding for voucher programs has increased by 352 percent, while funding for traditional public schools, which serve the majority of students in Ohio, will decrease 7.6 percent between 2010 and 2019, when adjusted for inflation.

Recent state and national studies of voucher programs are undermining one of the major reasons proponents of vouchers use to advocate for the program. A 2016 evaluation of Ohio's EdChoice voucher program published by the Thomas B. Fordham Institute, a proponent of school choice, found that test scores in math and English language arts have not improved for voucher students in Ohio. See "Evaluation of Ohio's EdChoice Scholarship Program: Selection, Competition, and Performance Effects," by David Figlio, and Krzysztof Karbownik. Thomas B. Fordham Institute, July 2016, edexcellence.net/publications/evaluation-of-ohio's-edchoice-scholarship-program-selection-competition-and-performance.

While some Ohio lawmakers continue to advocate for legislation to expand student access to private schools through state supported voucher programs, the good news is that recently approved laws are strengthening accountability standards for Ohio's charter schools, especially online charter schools (e-schools), and charter school sponsors.

Based on our positions on primary and secondary education, including the new position on charter schools, LWVO will continue to advocate for a constitutional school funding system; oppose public funding for private schools; support efforts to hold community and traditional public schools accountable and responsive to the public, and revise Ohio law so that charter schools and voucher programs are not funded through a deduction from state aid allocated to school districts.

The complexity of these issues provides local Leagues with opportunities to inform and engage members, stakeholders, and the public in discussions and decision-making about the role of public education and public schools in our state and nation's future.

Position on 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.

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). Changes included:

- establishing the Chancellor position as a gubernatorial appointment with cabinet status;
- prescribing the Chancellor's duties and fixing the Chancellor's compensation;
- making the Chancellor appointment a five-year term, subject to the Senate's consent, with possible reappointment;
- specifically making OBOR an advisory board to the Chancellor;
- transferring authoritative control of the OBOR staff agency to the Chancellor;
- shortening the term length for members of the OBOR from nine to six years; and
- 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. Also, it will take some time to fully assess the benefits (and pitfalls) of having the Chancellor report to the governor. Many new working relationships need to be forged.

After years of discussion, the FY14-FY15 state budget included a substantial revision of the funding formula for higher education. This was based on the report of the Ohio Higher Education Funding Commission chaired by former OSU President Gordon Gee. The lead recommendation of the Commission stated "a majority of state funding at Ohio's universities should only be awarded based on their ability to successfully graduate students."

Of 10 specific changes in the formula the first four were the most consequential. They are:

- Award 50% of state funding based on timely degree completion;
- Remove the separate funding formula for regional campuses;
- Award credit [in the formula] for Associate Degrees;
- Increase credit [in the formula] for out of state undergraduate students.

These changes in the funding formula will require monitoring for problems with implementation and unintended consequences. In the latter category is a concern expressed by university and college faculty: Now that funding is partially based on timely degree completion, it is likely that faculty with high standards and rigorous course grading could marginally reduce the institutions funding. Administrators must be careful to not react in ways that compromise the institution's first goal which is student learning.

Outlook: Higher Education

LWVO 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.

Position on Juvenile Justice

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

1. 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. 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. 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. 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. 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. 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. 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. 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. LWV of Ohio supports the right of juveniles to unbiased treatment regardless of race, ethnicity, sexual orientation, gender identity, gender expression, disability, religion, or socio-economic status. (Amended May 2017)

Background: Juvenile Justice

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 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, 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 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 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.

Most recently, the General Assembly wrestled with the issue of teen "sexting," 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.

Position on Capital Punishment

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%).

As of June 30, 2017, 18 states plus the District of Columbia have outlawed the death penalty. 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 reinstituted 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.

Ohio Supreme Court Justice William O'Neill voted to strike down the death penalty, when he dissented in an order setting an execution date for Jeffrey Wogenstahl in January 2013. Justice O'Neill wrote, "I would hold that capital punishment violates the Eighth Amendment to the Constitution of the United States and Article I, Section 9 of the Ohio Constitution." deathpenaltyinfo.org/documents/FactSheet.pdf

The American Bar Association (ABA) released a report on Ohio's death penalty in 2007. The report was troubling: Ohio fell short in 93% of the ABA standards for a fair and accurate state death penalty system.

In response to this overwhelming deficit, Ohio Supreme Court Chief Justice Maureen O'Connor created the Joint Task Force to Review the Administration of Ohio's Death Penalty in 2011. After two years of review, the Task Force concluded its work in November of 2013. A report with 56 recommendations to address the problems with Ohio's death penalty was released in May 2014. Key recommendations include:

1) Adopt American Bar Association guidelines for death penalty cases. Some of these recommendations are: require that all biological evidence be preserved in all potentially capital cases for as long as the defendant remains incarcerated; require all law enforcement agencies to videotape the entirety of custodial interrogations in homicide cases; implement mandatory lineup procedures; adopt increased attorney qualification and monitoring procedures; more vigorously enforce the rule requiring prosecutors to disclose to the defense all evidence or information known to the prosecutor that tends to negate the guilt of the accused or mitigates punishment.
2) Exclude individuals with serious mental illness from the death penalty. Many prominent organizations already recognize that seriously mentally ill people are less culpable for their crimes because their disease inhibits a rational thought process.
3) Narrow eligibility for capital indictments within the felony-murder rule.
4) Establish mechanisms to address perceived racial bias at the trial level.
5) Bring all state run crime labs to full accreditation.
6) Establish a capital litigation fund.
7) Create a Death Penalty Charging Committee at the Office of the Ohio Attorney General. This proposal is intended to address race and geographic disparities in the application of Ohio's death penalty.
8) Remove felony-murder specifications.

See:www.americanbar.org/content/dam/aba/migrated/moratorium/assessmentproject/ohio/finalreport.authcheckdam.pdf

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.

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. In 2014, three more death row inmates were exonerated. The Ohio Department of Rehabilitation and Correction announced on October 19, 2015 that the state was postponing all executions until at least 2017 because it has been unable to obtain the lethal injection drugs necessary to carry them out. Two individuals were executed in Ohio in 2017. Ohio is second only to Texas in the number of scheduled executions.

Ohio passed a secrecy law, HB 663, to shield the identity of any lethal injection drug provider. LWVO opposed this legislation due to lack of transparency. The *Columbus Dispatch* reported that the law was ineffective because Ohio pharmacies, bound by the Hippocratic oath or fearing adverse reactions from their customers, did not want to be involved in executions. Ohio also has been unable to obtain lethal injection drugs from abroad.

Bills to exempt individuals with severe mental illness from facing the death penalty are expected in at least seven states in 2017-18. Ohio reintroduced its bill, SB 40 and HB81; they have had three hearings in each chamber and can be called up for a vote at any time. They would close the gap by naming five severe diagnoses of mental illness to become exemptions from the death penalty.

Position on Human Trafficking

LWVO believes that:

1. Human forced labor and sex trafficking should be stopped through legislation and changes in public policy.

2. Victims of human trafficking should be provided with services on an as-needed basis to facilitate integration into the community, including but not limited to counseling, drug and alcohol treatment, safe housing, physical and mental health care, legal representation, job training, ESL/GED/education and employment assistance.

3. Minors who have been commercially sexually exploited or forced into slave labor should be legally considered as victims and given special physical and mental health care.

4. Cooperation and collaboration among state and local agencies is necessary to enforce prohibitions and prosecute traffickers and other offenders (consumers).

5. There should be aggressive enforcement of laws dealing with traffickers and offenders (consumers).

6. Strategies to reduce the demand for commercial sex and forced labor trafficking should be employed by law enforcement agencies and the courts (an example would be court- ordered attendance at "john schools").

7. Training and education of the public, law enforcement, and service providers should be widely available.

8. Funding (state and local) should be provided as necessary to treat victims, prosecute traffickers and consumers, and enhance awareness of the issue through training.

Background:

LWVO adopted its position on human trafficking in June 2012, acknowledging that trafficking is a major human rights issue in Ohio. The position has allowed the League to address legislation designed to curb the problem in Ohio, and has allowed local Leagues to participate in local coalitions in the fight against trafficking.

The League's consensus study relied on the research of the Attorney General's Trafficking in Persons Study Commission, a broad-based commission that includes research, law enforcement and service agencies. The commission continues to meet and address the issues in Ohio.

Prior to the adoption of the League's position, two major pieces of legislation were passed, with strong bipartisan support: one made trafficking in persons a stand-alone offense in Ohio and therefore easier to prosecute, and the other provided for victim services.

Outlook:

In June 2014 the Ohio legislature passed the End Demand Act, intended to reduce the demand for commercial sex and forced labor trafficking. LWVO testified in favor of the bill in the House, specifically for the provisions that allow all minors who have been commercially sexually exploited or forced into slave labor to be legally considered as victims. Other provisions of the bill supported by the League include adding "electronic means" as an illegal method of advertising to promote prostitution; increasing the statute of limitations for trafficking to 20 years; increasing the penalty from a misdemeanor to a felony for purchasing sex from a minor; requiring that a purchaser of sex from a minor register as a tier two sex offender; and adequate funding for the prosecution of traffickers and consumers and for the education and training of law enforcement, service providers, and the general public to enhance awareness of this issue. The League also supports the provision allowing for the termination of parental rights if parents are found guilty of trafficking their own child.

Ending human trafficking has strong support from the governor and the attorney general. Task forces have been established to work in local areas to enhance enforcement and prosecution under the new laws and to promote greater understanding of the issue.

NATURAL RESOURCES

Natural Resources covers positions on water, solid waste, hazardous materials and hazardous waste, land use, and interbasin water transfers. LWVUS has 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.

Position on 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

LWVO has covered the waterfront—from septic tanks and flood plains to lake drilling, mega farms, 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.

1995 - present: Algae pollution of Ohio waters started becoming a serious problem twenty years ago. These infections are not limited to Lake Erie, but to inland lakes, and even to the Ohio River. The toxic pollution of Grand Lake St. Marys and the state's so-far failed and expensive attempts to remedy it provide a cautionary tale about possible effects from agricultural runoff and the state's reluctance to deal with likely causes.

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

2016: Increased interest in lead in drinking water dates to the emergency declared in Flint MI in January, 2016. Discovery of high lead levels in several Ohio water systems lead the Ohio EPA to recommend significantly stronger regulations, which were eventually embodied in legislation. The League supported this legislation, which was enacted into law. However the Legislation that has passed is inadequate to deal with the problem. The League has reluctantly supported it, but we have clearly called it a first step.

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.

The toxic pollution of Grand Lake St. Marys and the state's so-far failed and expensive attempts (using aluminum sulfate) to remedy it shows the complex interactions between land use and water. A parallel case is the increasing algal problems in Lake Erie and its reappearing dead zones. Agricultural runoff and the state's reluctance to deal with its impact on ecosystems are issues LWVO will continue to address. Increased awareness of water as one of Ohio's greatest resources calls for strong protection and management efforts, including conservation and education.

Position on 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.

More recently concern about solid waste has centered on recycling. Recycling in Ohio is a county responsibility, with goals set by Ohio EPA. Counties are required to form single- or multi-county solid waste management districts. Since a primary goal is to reduce the amount of solid waste in landfills, OEPA reports both recycled material and reduced material totals; recycling refers to sending materials, such as

glass and aluminum, to a re-processor, reduction refers to "treating" in some way to reduce the waste in landfills. Composting or burning material for fuel, lessens the volume of waste.

Over forty percent of the solid waste produced in Ohio is either recycled or reduced. Solid waste could be recycled more efficiently if it were not contaminated by as much as thirty percent of non-recyclable material. An additional problem is that low prices recently received for recycled material has added to taxpayer expense. One way to reduce solid waste is to use it as fuel in a trash-burning power plant. Columbus built such a plant in 1983. During the plant's lifetime it was plagued with operational problems. Since it also spewed air pollution into a populated area, the plant was shut down in 1994. This experience has likely inhibited the further adoption of this technology in Ohio.

Outlook: Solid Waste

While no large changes are anticipated in recycling, there have been advances in reduction technology. Landfills are beginning to collect methane (natural gas) generated by decomposing trash, and refine it for use as fuel. Devices called anaerobic digesters are being used by universities and hospitals to convert food waste to methane (several also farms use the digesters to convert manure to methane).

Position on 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, 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 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.

OIL AND GAS PRODUCTION (FRACKING) In addition to serious problems with air and water pollution at the well site, fracking presents hazardous materials issues. The reluctance of drillers to reveal the chemical compositions of their drilling fluids is of great concern. LWVO has testified several times to advocate right-to-know legislation so that the compositions will be available, particularly to first responders, who need the information to fight fires effectively. An added complication is radioactive material released from underground during drilling. Additionally, there have been instances of illegal dumping, promoting so-far unsuccessful efforts to increase penalties.

Earthquakes have been caused by deep-well storage of fracking waste, but revised ODNR rules have apparently controlled this problem.

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.

Construction has now begun on the first depository in Ohio, located in Piketon to hold the wastes generated there by the former uranium enrichment facility. Chillicothe LWV voiced strong opposition to the disposal site.

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.

OIL AND GAS PRODUCTION (FRACKING). Drilling for natural gas with the process hydraulic fracturing ('fracking') uses high-pressure water containing undisclosed chemicals to break up shale deposits a mile or more below ground. There is a big land use footprint in this process. Ohio permits drilling on public lands, including state parks but excepting nature preserves (June 2011). Gov. Kasich has tried in vain to increase the severance tax on oil producers. Ultimately, clean-up costs will likely be borne by taxpayers.

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 unclear whether the site at Piketon will accept additional material beyond what is already planned.

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.

Position on 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.

A law passed in 2011 allows oil and gas drilling in state parks. Although he signed it, Gov. Kasich resisted appointing the commission that has the authority to grant leases until forced by the legislature in late 2017. No fracking has occurred in state parks as of this writing (Dec. 2017)

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.

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 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.

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.

Drilling in state parks is likely to begin because the approval process will be in place.

Position on Great Lakes

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. 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.

Great Lakes: 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:

1) Ban the diversion of water to areas outside the Great Lakes Basin with limited exceptions.
2) Establish new, consistent standards for the review of proposed uses of Great Lakes water.
3) Strengthen technical data collection and sharing among the states and provinces to assist in decision-making.
4) Require current and future water-users to practice improved conservation measures.
5) Encourage lasting economic development while making sure withdrawals do not damage the Great Lakes.
6) 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.

Great Lakes Ecosystem

(Adopted 2013)

LWVO supports preserving and enhancing the environmental integrity and quality of the Great Lakes - St. Lawrence River Ecosystem. We support the attainment and maintenance of high water quality standards throughout the Great Lakes Basin, with emphasis on water pollution prevention. Water conservation should be a high priority of all governments in the Basin.

I. Protective Measures

To achieve protection and improvement of this valuable, international resource, LWVO supports efforts to:

a) Limit uses of "fragile," historical, cultural and scenic shoreline areas.

b) Preserve wild and pristine areas within the watershed, with no new development in these special habitats without adherence to strict criteria as prescribed by federal, state, or local governments.
c) Provide for appropriate recreational opportunities in and public access to sensitive areas without destruction or harm to the ecosystem.
d) Protect the quality of the air and waters of the ecosystem by strict adherence to agricultural, industrial, residential, environmental, and commercial zoning regulations that prohibit the introduction of toxic or polluting discharges or detrimental land use techniques within the Basin.
e) Protect the remaining dune formations. Enforce strict regulations of sand dune mining or development on the dunes.
f) Strengthen upstream land management to eliminate sources of siltation and pollution.
g) Control the invasion and spread of non-native aquatic and terrestrial nuisance species.

II. Threats to the Ecosystem

LWVO opposes the following activities as they can lead to the degradation of the special natural resources of the Great Lakes Ecosystem:

a) Inefficient or excessive water uses. Proposals for new or increased withdrawals within the Basin, e.g. for agricultural or municipal uses, should be carefully evaluated before being permitted. Withdrawals should be regularly monitored for potential or actual damage to the ecosystem.
b) Destruction of marshes and other wetlands throughout the watershed.
c) Mitigation should be accepted only as a last resort. Mitigation proposals should be rigorously evaluated and projects should be strictly monitored to assure no net loss to the ecosystem.
d) New or increased diversions or transfers by any means of Great Lakes waters and adjacent ground waters to a place outside the Basin. Projects already in place should be carefully monitored and restricted if there is evidence of damage to the ecosystem.
e) Dredging and filling of river inlets, harbors, lakes or wetlands except for tightly-controlled, non-degrading and non-repetitive activities.
f) Discharge to air or water of toxic pollutants and other material from industrial, agricultural, residential or commercial operations that may damage the ecosystem in violation of laws and ordinances.

III. Public Participation

LWVO supports informed and responsible action on behalf of the preservation of the Great Lakes Ecosystem. Relevant information should be readily available to the public. Opportunities for public input should be timely, accessible, convenient and well advertised.

IV. Role of Government

LWVO supports:

a) Coordination of functions among various governmental agencies charged with protecting the Great Lakes and elimination of unnecessary overlap.

b) Use of area-wide coordinated management plans and techniques in the solving of Great Lakes Ecosystem problems.

c) Participation by all affected governments in the Basin in review and decision-making on Great

Lakes agreements and projects, facilitated in open meetings and hearings.

d) Strengthening of existing mechanisms for intergovernmental discussions and decision-making.

e) Separation of responsibility for submitting recommendations for governmental projects from issuing permits for such projects.

f) Monitoring and enforcement of treaties, ordinances, laws and master plans.

V. Research Priorities

LWVO believes that research on Great Lakes issues should focus on:

a) Effective, non-toxic control and removal of invasive aquatic and terrestrial species.

b) Restoration of health to the overall resource.

c) Survival of native aquatic and terrestrial species and their nutrient sources.

d) Continual testing of Great Lakes water quality for impact from the following: pesticides and fertilizers, resistant bacteria, persistent pharmaceuticals and other chemicals.

e) Evaluation of water accountability systems, groundwater monitoring and water use planning and conservation efforts throughout the Basin.

Background: Great Lakes Ecosystem

In 2013, Leagues from Athens, Cincinnati, Shaker Heights and Cleveland recommended concurrence on the **Great Lakes Ecosystem** position from Michigan. Over half of the local Leagues concurred. The League has been continuously tracking Lake Erie legislation, testifying before Legislative committees, and meeting with legislators.

Outlook: Great lakes Ecosystem

The Great Lakes are continuously threatened by invasive species. At this writing (Dec. 2017), the main concern is Asian carp. Unfortunately, governments at all levels tend to respond slowly and incompletely effectively. The League will continue to be vigilant.

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.

Action

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

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

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.

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

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.

2011-2012 129th GA

- Met with Chief of staff of Governor's office, the Secretary of State, and the State Auditor about 2011 Apportionment Board.
- Met with former SOS Brunner about redistricting reform
- Along with Ohio Citizen Action developed and implemented a Redistricting Competition.
    - Testified before the Apportionment Board and the Joint House and Senate Committees on Redistricting
    - Numerous press conferences concerning the competition
- Coordinated testimony from local League presented before the Apportionment Board and the Joint House and Senate Committees on Redistricting
- Spoke at the Ohio Center for Law Related Education about redistricting to high school teachers; developed power point for teachers
- Spoke at meeting in Cincinnati sponsored by Common Cause on redistricting
- Issued Transparency Report exposing how redistricting was done behind closed doors
- Developed "Voters First" redistricting initiative
- Expanded coalition supporting "Voters First" initiative.
- Submitted initiative petition summary to Attorney General's Office as first step to placement on the ballot.

2013-2014 130th GA

- Testified on SJR 1 before the Senate State Government and Reform Committee on redistricting process

2015 131st GA

- Legislature placed an issue on the 2015 ballot to create the Ohio Redistricting Commission to draw districts for the General Assembly seats. LWVO campaigned vigorously in favor of Issue 1, with hundreds of volunteers across the state. The ballot issue passed by 71% of the vote.

2017-2018 132nd GA

- Formed the Fair Districts Ohio coalition, with unprecedented success in gathering signatures on petitions to put a measure on the 2018 ballot that would extend the provisions of the Ohio Redistricting Commission to Congressional redistricting.
- Ohio Legislature responded in late December-early February, negotiating with the Fair Districts coalition, to propose an alternative issue for the May 2018 ballot. SJR-5 was the result.
- Fair Districts Ohio coalition agreed to support SJR-5, with the understanding that petition signature gathering would continue in case the ballot measure failed in May 2018. However, the ballot issue passed.

State Government Finance

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

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.

2013 130th GA

- Issued an action alert: Urge Your Ohio Senator to Oppose Expansion of School Vouchers
- HB2 (Dovilla/Roegner) "Charter School Sponsorship." Submitted a letter to the HB conference committee, urging the members to support certain provisions, and opposing other provisions.
- SB148 (Lehner/Sawyer) "Community Schools Revise Laws." Submitted testimony to the Senate Finance Education Subcommittee.
- HB2 (Dovilla/Roegner) "Charter School Sponsorship." The League submitted joint testimony on HB2 with the Ohio PTA, the Ohio Federation of Teachers, American Association of University Women, and Ohio Association of Public School Employees.

2015 131st GA

- Testimony presented on behalf of Ohio Association of Public School Employees, Ohio Parent Teacher Association, League of Women Voters, Ohio Federation of Teachers and American Association of University Women re: recommendations to HB2, including increasing transparency and accountability of Ohio charter schools, prohibiting for-profit management companies.
- Sent letter to members of the conference committee on House Bill 2 supporting specific provisions and suggesting amends prohibiting for-profit management companies.

2016

- Submitted testimony to the Ohio Constitutional Modernization Commission in support of an elected State Board of Education.

2017

- May 2017: SB85 (Huffman) "Opportunity Scholarship Program." Same as HB200. Submitted testimony to LWVO April 28, 2017.

Higher Education

Juvenile Justice

Capital Punishment

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.

2015-2016 **131st GA**

- Acted in opposition to HB663, "secrecy bill" due to lack of transparency. Our opposition and that of the groups participating in Ohioans to Stop Executions, OTSE, encouraged the Senate to water down the bill.
- Issued a resolution at the 2015 Convention in support of SB40 without any added amendments to change its intent.

2016-2017 **132st GA**

- On January 12, 2017, joined other coalition members of Ohioans to Stop Executions in a press conference in the atrium of the statehouse calling for a moratorium on executions until the issues can be resolved and the recommendations of the Task Force have been completely considered
- Issued a resolution in support of SB40 and HB81 at 2017 State Convention

Human Trafficking

2013 **130th GA**

- Testified before the House Judiciary Committee on House Bill 130, End Demand Act.

Natural Resources

Water

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

2008 **128th GA**

- Ohio Department of Health issues final administrative rules for disposal of low-level radioactive waste. LWV members have served on the Radiation Advisory Council for more than a decade, assisting ODH in rule development.

2011-2012 **129th GA**

- Wrote ODNR requesting that injection wells be located away from population centers.
- Testified for public disclosure of fracking liquids and for increased well setbacks (SB315).

2014 **130th GA**

- Testified again for public disclosure of fracking liquids and for increased well setbacks (HB49)
- LWVO testimony on HCR43 of advanced nuclear reactors, before House Public Utilities Committee.
- Testified for increased penalties on unsafe disposal of hazardous waste (HB64)
- LWVO fracking web page posted.

2015-2016 **131st GA**

- Testified again for public disclosure of fracking liquids and for increased well setbacks (HB64)

- Testified for HB512, a significant improvement of lead-testing rules.

2017 132nd GA

- Testified for repeal of fracking in state parks (HB49).
- Testified to keep local control of lead paint regulation (HB49). Intent of legislation was to assert state control in order to weaken regulation.

Land Use

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.

Lake Erie

2015-2016 131st GA

- Testified on HB61 and SB1 to prevent pollution of Lake Erie

2017 132nd GA

- Testified for SB51 for creation of special improvement districts for Lake Erie
- Testified for SB2, a Lake Erie improvement bill

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

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."

2013 **130th GA**

- Testified on various bills: SB 10, HB 47 and HB 59
- Issued an open letter to election officials on the disturbing action of referring lawful absentee and provisional voters to the local prosecutor for investigation. The Plain Dealer ran an editorial in response, saying that the League is right and calling on election officials to stop making these referrals.

Election Process

2007 **127th GA**

- 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

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

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.

2009-2012 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
- Testified forSB223 expanding loans for alternative energy
- LWVO passed resolution to encourage local governments to conserve energy.
- 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.
- Testified in support of Advanced energy Fund, HB204.
- Testified for HB310 which would have provided for a sales tax reduction for electric cars.
- Opposed SB289, which would have declared blast furnace exhaust gas a source of renewable energy.
- Opposed section of SB315 allowing combined heat and power to count as renewable energy.
- Also on SB315 we recommended PUCO report amount of green energy investment and jobs created.

2013-2014 130th GA

- Testified on SB 46 about regulation of fracking.
- Testified against weakening clean energy requirements in HB302 and SB58: first LWVO demonstration that high electric rates are not due to renewable energy.
- Supported HCR43, encouraging clean energy
- Supported section of SB310, which would inform customers of clean energy components of electric bills.

2015-2016 131st GA

- Submitted a report, along with five other organizations, pointing out benefits of renewable energy.
- Testified on HB176 in favor of a program to encourage conversion of motor vehicles to natural gas
- Testified against HB544 and SB320, which would make clean energy requirements voluntary
- Wrote Governor requesting veto of HB554 and congratulated him on his eventual veto.

2017-2018 132nd GA

- Testified against HB114, making clean energy requirements voluntary
- Testified against SB155, a coal-plant subsidy, and against HB178 and SB128, a nuclear plant subsidy
- Testified for SB188, relaxing wind-turbine setback rules
- Testified on HB247, a consumer protection bill for electricity

Social Policy

Equality of Opportunity

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.

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.

2013 **130th GA**

- Issued an action alert: Urge your Ohio Senator and Representative to Support Medicaid Expansion

Meeting Basic Human Needs

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

Gun Control

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.

2013 **130th GA**

- Testified before the Policy and Legislative Oversight Committee in opposition to HB 203
- Testified on HB 203, specifically to Section 2917.11.
- Testified before the House State and Local Government Committee in support of HB 31.
- Testified before the House State and Local Government Committee on HB 31: Safe Storage

State Action Using League Principles

*****Please note that this section will be updated*****

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

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

International Relations

United Nations

Military Policy and Defense Spending

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Natural Resources

Environmental Protection and Pollution Control

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 environmental conference and lobby day March 8-9, 2010 in Washington, D.C.

Social Policy

Fiscal Policy

-

Health Care

-

Meeting Basic Human Needs

-

Gun Control

-

Juvenile Justice (State)

-

Capital Punishment

-

*****Please note that this page will be updated soon*****

State ballot Issues

LWVO 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
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 casino near Wilmington	Opposed	Ohio Constitution: General Criteria	IP	Failed
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
2011 General Election (3 Issues) • Proposed Constitutional Amendment to increase the maximum age for assuming elected or appointed judicial office from 70 to 75; to eliminate the General Assembly's authority to establish courts of conciliation.	No Position		GA	Failed
• Proposed Referendum on Amended Sub. S.B. 5.	No Position		RF	Passed
• Proposed Constitutional Amendment to preserve the freedom of Ohioans to choose their health care and health care coverage	Opposed	LWVUS Position on Health Care	IP	Passed
2012 General Election (2 Issues) • Question presented pursuant to the Constitution of the State of Ohio – Shall there be a convention to revise, alter, or amend the constitution?	No Position		CR	Failed
• Proposed Constitutional Amendment to create a commission to draw legislative and congressional districts.	Supported	LWVO and LWVUS positions on redistricting	IP	Failed
2014 Primary Election (1 Issue) Question presented as to whether the State of Ohio should issue up to $1.875 billion	Supported	LWVUS position on government	GA	Passed

in revenue bonds to provide funds for capital improvements to cities and counties in Ohio.		standards and policies and LWVO position on land use.		
2015 General Election (3 Issues) • Proposed Constitutional Amendment to create a commission to draw legislative and congressional districts.	Supported	LWVO and LWVUS positions on redistricting	GA	Passed
• Proposed Constitutional Amendment where the Ballot Board would issue two questions for initiatives concerning monopolies.If the board decides an initiative certified for the ballot creates an economic monopoly or special privilege for any nonpublic entity, including individuals, corporations and organizations, then two questions will appear on the ballot: whether a monopoly should be allowed to created and the original question certified for the ballot.	Supported	LWVO's position that the constitution should be clearly stated, logically organized, and internally consistent	GA	Passed
• Proposed Constitutional Amendment to legalize the limited sale and use of marijuana and create 10 facilities with exclusive commercial rights to grow marijuana.	Opposed inclusion of a monopoly in the Ohio Constitution, but neutral on the issue of marijuana	LWVO's position that the constitution should be clearly stated, logically organized, and internally consistent	IP	Failed
2017 General Election (2 Issues) • Proposed Constitutional Amendment to provide additional rights to crime victims	No position		IP	Passed
• Independent initiative to prohibit the state from buying prescription drugs from a manufacturer for a price over the lowest price paid by the U.S. Department of Veterans Affairs	No position		IP	Failed

2018 Primary Election (Issue 1) • Creates a bipartisan, public process for drawing congressional districts	Supported	LWVO and LWVUS positions on redistricting	GA	Passed

Advocacy 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 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 recently:

- **Advocates for Ohio's Future**
- **Coalition for Family Health**
- **Coalition for Public Education**
- **Coalition on Homelessness and Housing in Ohio (COHHIO)**
- **Common Cause**
- **Fair Districts=Fair Elections Coalition**
- **Freedom of Choice Ohio**
- **Great Lakes Restoration Coalition**
- **Greater Ohio Policy Center**
- **Have A Heart Ohio**
- **Juvenile Justice Coalition**
- **Midwest Democracy Network**
- **Ohio Coalition Against Gun Violence**
- **Ohio Consumers for Health Coverage**
- **Ohio Disability Vote Coalition**
- **Ohio Environmental Council**

- **Ohio Family Coverage Coalition**
- **Ohio Women, Inc.**
- **Ohioans to Stop Executions**
- **Universal Health Care Action Network of Ohio (UHCAN)**

The Basics

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

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