

Ohio Marine Trades Association
and Government Advantage Group

LEGISLATIVE REPORT

MARCH 2023



State Budget Process Begins

The first half of odd numbered years are dominated by debate on the state's biennial budget bill. The process starts with the Governor's proposal, which has been introduced as House Bill 33. The House is the first chamber to consider the proposal and is expected to make significant changes before passing the bill to the Senate for consideration. The process will culminate with a conference committee in June to craft a final bill for enactment.

In the Governor's State of the State address on January 31, 2023, DeWine highlighted his priorities for the budget. These continue and expand upon his priorities during his first term as Governor. Those priorities include children's initiatives like his student wellness and success funds and a fair school funding formula. He is also continuing his priorities regarding water quality through the H2Ohio programs and funds.

Line items of interest to LEMTA are as follows:

7086 739401 Watercraft Operations	\$ 29,805,719	\$ 29,405,719
7086 725414 Waterways Improvement	\$ 6,195,948	\$ 6,170,948
5TD0 725615 Parks and Watercraft Vehicles	\$ 9,636,500	\$ 6,415,000
GRF 725505 Healthy Lake Erie Program	\$ 955,429	\$ 1,021,109
5140 725606 Lake Erie Shoreline	\$ 1,819,849	\$ 1,858,936
4U60 725668 Scenic Rivers Protection	\$ 100,000	\$ 100,000
GRF 235402 Sea Grants	\$ 308,228	\$ 317,474

H2Ohio Specific Appropriations by agency:

Ohio Department of Agriculture:	\$ 69,018,000	\$ 69,114,000
Lake Erie Commission:	\$ 132,000	\$ 132,000
ODNR:	\$ 53,050,000	\$ 53,050,000
Ohio EPA:	\$ 31,350,000	\$ 31,350,000

The budget also proposes a new Federal Grants Fund. Below is the line item for that as well as the implementing language.

Sec. 1546.24. There is hereby created in the state treasury the parks and watercraft federal grants fund. The fund shall consist of federal funds received by the department of natural resources for purposes of this section and any other money credited to the fund. The chief of the division of parks and watercraft shall use money in the fund for parks and watercraft projects approved by the director of natural resources.

3IK0 7256A1 Parks and Watercraft Fed Grants	\$ 18,820,473	\$ 16,548,566
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Section 343.25. On July 1, 2023, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$9,410,237 cash from the Oil and Gas Well Fund (Fund 5180) to the Parks and Watercraft Federal Grants Fund (Fund 3IK0). On July 1, 2023, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$16,051,500 cash from the Oil and Gas Well Fund (Fund 5180) to the State Park Maintenance Fund (Fund 5TD0).

Policy Changes:

The budget proposed a couple of policy changes. They are summarized as follows:

- Removes floatation device designation list from 1547.25
- Amends requirements for powercraft to carry fire hydrants (1547.27)
- Allows 60 days to transfer title, as opposed to 30 days (1548.03)
- Changes what a registrar issues a watercraft trailer from a “placard” to a “license plate” (4503.311)

BWC Budget

The Ohio House has begun its process to pass a BWC budget. This budget, House Bill 31, is very large this year, mainly driven by the proposal to rename BWC to the Department of Workforce Insurance and Safety. So, every place in the law the “bureau” is referenced, needs to be amended.

Transportation Budget

The legislature is making relatively quick work of the transportation budget, House Bill 23, as that must be passed by the end of March. This budget generally sets the roads, highways and public transportation funding for the next 2 fiscal years. This is funded with the gas tax revenue and federal funds. There are no changes to code section 5735.051 where gas tax distributions are specified, including the seven-eighth percent to the Waterways Safety Fund is specified. So, under the current version of the bill, that fund is protected.

E-Licensing Bill

Senator Andrew Brenner has introduced Senate Bill 44, to generally require e-licensing for initial licensure, registration and certification applications. The legislation applies to all agencies and departments that issue a license, certificate or registration. All agencies would use the e-licensing system maintained by the Ohio Department of Administrative Services. The bill does allow agencies to adopt policies for paper submissions. SB 44 is being considered by the Senate Government Oversight Committee.

New Cabinet Directors

As Governor Mike DeWine has been sworn in to his second term, there have been some changes in his cabinet. A number of agency Directors have resigned and/or retired, and their replacements have been appointed. These will need to be confirmed by the Ohio Senate. They are as follows:

Ohio Department of Agriculture – Representative Brian Baldrige replaces Dorothy Pelanda

Ohio EPA – DeWine’s policy advisor Anne Vogel replaces Laurie Stevenson

Tax Commissioner – BWC COO Patricia Harris replaces Jeff McClain

Ohio Department of Public Safety – DeWine’s policy advisor Andy Wilson replaces Tom Stickrath

Under the Influence of Marijuana Bill

Senator Nathan Manning (R) has re-introduced legislation, Senate Bill 26, to make changes to the offense of operating a vehicle or watercraft under the influence of marijuana. The bill would change THC thresholds from a hard standard to instead “evidentiary standard” to be considered by courts. According to the sponsor

testimony given on the proposal in 2021, this change would allow impairment to be judged more fairly. Under the medical marijuana program, how the state currently measures marijuana/THC in the system, could mean those with a medical marijuana card could almost never operate a vehicle as the component measured in the current OVI laws can stay in a person's system for up to a month.

Boating Safety Legislation Re-Introduced

Senator Kirk Schuring (R) has re-introduced LEMTA supported legislation, Senate Bill 7. This legislation does two important things.

1. Designates April as "Powerboat Safety Month". Promotion of this month would focus on the dangers of carbon monoxide poison.
2. Increases the maximum boating safety education grants administered by ODNR from \$30,000 to \$60,000. This legislation is pending in the Senate Veterans and Public Safety Committee.

Retail Cash Option Bill

Senator Bill Blessing has introduced Senate Bill 38 regarding retail establishments. This legislation would require retailers who complete in person transactions to allow customers to pay with cash. The bill does provide for some exemptions including entertainment venues with a seating capacity of 10,000 or more

Youth Employment Bill Re-Introduced

Senator Tim Schaffer (R) has reintroduced Senate Bill 30 regarding youth employment. The bill would allow those under 16 to be employed after 7pm during school year. It would state that with parent or guardian's permission, those under 16 could work until 9pm. This bill will be considered by the Senate Workforce and Higher Education Committee.

Boating Safety Guide Goes Bilingual

ODNR has recently announced that the Ohio Boat Operator's Guide will now be available in Spanish. According to the announcement:

A 2017 study published by the National Marine Manufacturers Association (NMMA), Recreational Boating & Fishing Foundation (RBFF) and Discover Boating revealed that Hispanic boaters represent a fast-growing, emerging market of first-time boat buyers. According to the September 2018 Hispanic Fishing and Boating Trends Study, published by the Recreational Boating & Fishing Foundation:

- 45% of Hispanics agree that fishing and boating are part of cultural heritage
- Nearly 40% of respondents had gone fishing at least once in the past year, but 63% state they would like to fish more often.
- 54% of Hispanics consider outdoor activities important to them and their families.
- Hispanic anglers and non-anglers alike express a desire to appreciate and preserve natural resources.
 - 82% consider it important to teach their children to value nature and the environment.
- 78% value protecting aquatic resources, wildlife and endangered species.