

Ohio Marine Trades Association
and Government Advantage Group

LEGISLATIVE REPORT

NOVEMBER 2023



Election Update

On November 7, 2023, Ohioans went to the polls to vote on 2 high profile statewide ballot measures.

According to unofficial results from the Secretary of State's office the results are as follows:

- Issue 1, a Constitutional amendment regarding reproductive rights has passed 56.62% to 43.38%
- Issue 2, an initiated statute to legalize recreational marijuana has passed 56.97% to 43.03%

Regarding the provisions of Issue 2, the language does specify that adult use is permitted/lawful but does not prevent businesses from having their own regulations of use on their property. In fact, it specifically says: This chapter does not do any of the following: (4) Require any public place to accommodate an individual's use of adult use cannabis; (5) Prohibit any public place from accommodating an individual's use of adult use cannabis. The amendment specifies that operating a watercraft, or other vehicle, while under the influence of marijuana is prohibited.

There is also specific language regarding rights of employers, stating that: Nothing in this chapter does any of the following: (1) Requires an employer to permit or accommodate an employee's use, possession, or distribution of adult use cannabis otherwise in compliance with this chapter; (2) Prohibits an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against an individual with respect to hire, tenure, terms, conditions, or privileges of employment because of that individual's use, possession, or distribution of cannabis otherwise in compliance with this chapter; (3) Prohibits an employer from establishing and enforcing a drug testing policy, drug-free workplace policy, or zero-tolerance drug policy; among other employer protections.

Republican legislative leaders have already speculated they could consider changes to the language passed in Issue 2. Since this was pursued as an initiated statute, they do have the authority to modify the language through the regular legislative process.

Cedar Fair Merger

It was recently announced that Cedar Fair has merged operations with Six Flags. According to coverage many of the financial and administrative services will be based in Sandusky, while the corporate headquarters will be based in Charlotte. You can read more about the merger [here](#).

Hunting and Fishing Economic Impact

ODNR has released another economic impact study. This one focused on Fish and Wildlife. Boating is contemplated throughout the report, particularly in the fishing category. It is computed as part of participants "spend" throughout, though fuel costs are bundled with other modes of transportation. One specific finding to highlight is: "Although bank/shoreline fishing is the most common (70% of anglers use this method for at least some of their fishing), more than half of Ohio's angler fish from a boat at last some of the time (57% use a boat while fishing)."

The full report can be viewed [here](#).

State Park Fracking Update

The Ohio Oil and Gas Land Management Commission is moving forward with accepting bids to lease state land for gas exploration and drilling. According to reports the commission approved:

- Three nominations representing Salt Fork State Park in Guernsey County, totaling about 17,440 acres owned by ODNR.
- Three nominations representing about 303 acres of ODNR land in the 304-acre Valley Run Wildlife Area in Carroll County.
- One nomination for nearly 66.2 acres of ODNR land in the 521-acre Zepernick Wildlife Area in Columbiana County.
- One nomination for 120 acres in Belmont County owned by the Department of Transportation.

The process was met with resistance and protest throughout from environmental champions. Even 2 former Ohio First Ladies weighed in with their opposition. You can read more about that here.

Legislation Removing the “Spotter” Requirement Introduced

Representatives Brett Hillyer and Bill Dean have introduced House Bill 284 to remove the requirement that boats have a “spotter” when participating in towing water sports. Under the bill, a boat with a rearview mirror would be an acceptable alternative to a person serving as the spotter. This is a proposal that has come up for many years now, and at one point was vetoed by Governor Kasich as part of a transportation budget. The Ohio Marine Trades Association is opposed to this proposal for safety reasons. The bill also doesn't take into account risk levels on different bodies of water and at different times of the season, nor skill level of the person being towed.

HB 284 has been assigned to the House Transportation Committee. OMTA representatives are meeting with members of the committee to express our opposition. Should the bill get hearings, OMTA will plan on testifying.

Mertz to Chair Great Lakes Commission

Ohio Department of Natural Resources Director Mary Mertz has been elected chair of the Great Lakes Commission.

“It's my honor to be elected chair of the Great Lakes Commission,” Mertz said in a statement. “In my role as director of the ODNR, I'm proud to be implementing our H2Ohio campaign to restore and create wetlands in key locations across Ohio, focusing on the Lake Erie watershed. I look forward to bringing this energy to protecting our other incredible bodies of water in the Great Lakes basin.” The commission is a partnership among great lakes states aimed at tackling water quality and other issues tied to the lakes.

Hunting and Fishing Amendment

Should hunting and fishing be a Constitutional right in Ohio? Some Ohio lawmakers think so. Representatives Ron Ferguson and Nick Santucci have introduced House Joint Resolution 5 to start that process of going to the ballot. Legislators cannot solely change the State Constitution. However, they can pass a resolution to take an issue directly to the ballot for a citizen vote. HJR 5 will be considered by the House Energy and Natural Resources Committee. A sponsor hearing was held on October 25, 2023. Many

committee members asked for more clarity on the definition of “traditional methods” of hunting and fishing. A proponent hearing was held on November 15, 2023, where the committee heard from groups like the Buckeye Firearms Association and the Congressional Sportsmen’s Foundation.

Organ Donation

Representatives Kevin Miller and Rodney Creech have introduced House Bill 256 that would allow Ohioans to register to become organ donors when completing their hunting and fishing licenses application. During a hearing before the House Public Health Policy Committee Barry Massa, executive director of the LifeCenter Organ Donor Network, offered support from the state’s three organ procurement organizations. “While driver’s licenses in Ohio are now renewed every four or eight years, hunting and fishing permits are purchased annually, allowing us to reach more Ohioans on a more regular basis,” he said. HB 256 has been favorably reported by the House Public Health Policy Committee and awaits action by the full House of Representative.

ODNR Rule

The Ohio Department of Natural Resources has filed a proposal to create an administrative rule that would: requires any person or business to obtain a permit for any device used to limit or prevent the formation of ice on waters under the authority of the Division of Parks and Watercraft. OMTA submitted comments to better understand the impact of this proposal. In response ODNR clarified that the agency will not be charging a fee for the permitting application or processing. They also plan to work with stakeholders to draft the application.

Distracted Driving Grace Period Ends

Ohio’s law enforcement has begun formally policing the new distracted driving law as of October 5, 2023. Ohioans were given a 6-month grace period and were not issued violation citations for the first 6 months after the laws’ effective date. Governor DeWine and public safety leaders are already touting the law’s effectiveness in preventing crashes and deaths in just a short period of time.

According to data from the State Highway Patrol, distracted driving crashes during the first nine months of the year were down 16% compared with the same period in 2022. The data also found that distracted driving crashes numbered just 576 in September, a low dating back to at least January 2018.

Minimum Wage Increase for 2024

Ohio current minimum wage requirements will be adjusted starting January 1, 2024. The minimum hourly wage will be \$10.45 (up from \$10.10). The minimum wage applies for employees of businesses with annual gross receipts of more than \$385,000.