



OHIO REPORT

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VOLUME 51 - REPORT NO. 474

FRIDAY, DECEMBER 27, 1974

LEGISLATIVE REPORT

110TH GENERAL ASSEMBLY

ASSEMBLY DEMOCRATS BEGIN LAYING GROUNDWORK FOR SESSION'S FIRST WEEK

House and Senate Democrats have begun laying the groundwork for ramming through several pieces of partisan and labor-oriented legislation the first week of the 111th General Assembly when Democrats will control both houses of the Legislature and the governor's office.

In separate, daylong caucuses Friday, majority Democrats mulled over identical measures calling for Congressional redistricting, election law revisions and extending to 36 weeks the 26-week limit on collecting unemployment compensation benefits.

Moreover, members of the two caucuses apparently have reached tentative agreement on measures to transfer the Department of Commerce's division of consumer protection to the Attorney General and responsibility for collecting state income taxes from the Department of Taxation to the State Treasurer.

The tentative agreement on the consumer protection and income tax collection bills would seem to clear the way for a session beginning January 6. Governor Gilligan, who was defeated in his bid for re-election by Republican Governor-elect James A. Rhodes, will not leave office until January 13, giving House and Senate Democrats one week to complete their business. With Democrats in complete control of the Senate with a 21-12 majority and House Democrats in firm command of the lower chamber with a 59-40 majority, Republican legislators can do little more than attempt to delay the proceedings and complain bitterly.

Democratic caucus members were expected to have reached a tentative agreement on extending the unemployment compensation claim period by Friday's end, but agreement on the Congressional redistricting and election law revision could elude caucus leaders.

Thus far, Democrats have taken aim on Republican Congressional districts in Hamilton, Montgomery and Franklin counties in an effort to bring about some parity in the Republican-dominated Ohio Congressional delegation. Republicans presently hold a 15-8 edge over Democratic Congressmen. Several Democratic Congressmen have expressed opposition to tampering with district boundaries.

Democrats also are proposing election law revisions providing for door-to-door voter registration, commonly labeled "bounty hunting" by Republican legislators, registration by postcard and permanent voter registration. The plan also would require the Secretary of State to accept local board of election appointments recommended by local political parties. The Ohio Supreme Court has held that the Secretary of State is vested with the "discretionary" authority to reject such appointments.

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ASSEMBLY DEMOCRATS BEGIN LAYING GROUNDWORK FOR SESSION'S FIRST WEEK (CONT.)

A one-week, hurry-up session depends principally on the ability of caucus leaders to line up the necessary votes to push legislation through both houses under the time constraint. House Speaker-elect Vernal G. Riffe (D-New Boston) earlier said that unless "the votes are there," no legislation will be brought up in the House. Mr. Riffe said he understands that Senate President Pro Tem-elect Oliver Ocasek (D-Akron) has adopted a similar position.

COMPLAINT OF ILLEGAL FUND-RAISING BY DEMOCRATS IS DISMISSED

Allegations by the U.S. Government Accounting Office of illegal fund-raising activities by the Ohio Democratic Party and members of the Department of Transportation contain nothing that warrants criminal prosecution, Attorney General William Brown said Friday in a report to Governor Gilligan.

The controversial GAO report was released in February and was exploited during this year's election campaign by Republicans, who accused Attorney General Brown, a Democrat, of foot-dragging in his investigation of the charges.

In his report to the governor, the attorney general said that after reviewing some 2,000 pages of documents compiled by the GAO, the Ohio Democratic Party, and the Department of Transportation he concluded that while "numerous violations of the civil service laws are apparent, there is no evidence to warrant the criminal prosecution of any of the people involved."

The GAO report dealt with state employees, primarily those in the transportation department, engaging in the solicitation and sale of tickets to a 1972 Ohio Democratic dinner in violation of a state law prohibiting persons in the classified service from being involved in political fund raising.

Mr. Brown said the Ohio laws dealing with political activities by state employees "are ambiguous and almost impossible to enforce" and he recommended that the Legislature enact enforceable new laws.

He noted that the current law speaks of willful violations and said that this is almost impossible to prove. Moreover, he continued, there is no evidence that any of the state employees cited in the GAO report willfully violated the law.

"In fact, because the practice in 1972 had been followed under previous Republican and Democratic administrations, it was assumed by the employees that their activities with regard to the sale of tickets to the 1972 Ohio Democratic Party dinner were lawful," he said.

To prevent this from happening again, he suggested an educational campaign be undertaken so that state employees cannot claim they were unaware of the provisions of the law.

The GAO report also cited the use of state equipment and personnel for political activity but Mr. Brown said he could find no specific statute prohibiting this.

Another part of the GAO report cited illegal corporate contributions to the Ohio Democratic Party. Mr. Brown said this was moot because the one-year statute of limitations for the prosecution of such violations had expired by the time the GAO issued its report.