



OHIO REPORT

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LEGISLATIVE REPORT

111TH GENERAL ASSEMBLY

GOVERNOR SIGNS DEMOCRATIC LEGISLATIVE PACKAGE INTO LAW

The stalemate in the Senate over signing six Democratic bills came to an abrupt and surprising conclusion Saturday evening when Governor Gilligan decided to by-pass the lieutenant governor and sign the bills.

Robert Tenenbaum, the governor's press secretary, said the governor signed the bills after it became apparent to him that Republican Lieutenant Governor John Brown would not affix his signature to them, the traditional final step before bills are sent to the governor. Mr. Tenenbaum said the governor had been advised by his legal counsel that the lieutenant governor's signature was not needed.

This came after some 48 hours of legal maneuvering to get the bills signed into law by Governor Gilligan before he leaves office on Monday.

In this legal maneuvering, Republicans won the first round by securing an injunction from the 10th District Court of Appeals against Senate President Pro Tem Oliver Ocasek signing the bills so long as the lieutenant governor was present and able to do so.

To make sure that the Democrats could not claim he was absent, Mr. Brown set up a temporary home in his Statehouse office Friday night, using his couch as a bed and having food brought into him.

Democrats tried Saturday morning to get the Ohio Supreme Court to hear an appeal of the lower court order or to grant a stay but the request was denied by Chief Justice C. William O'Neill.

The House met briefly Saturday morning but the Senate remained in session throughout the day, marking time while waiting for some break in the bill-signing stalemate. That break came just before the dinner hour when James Laurenson, the attorney general's chief aide, announced that Supreme Court Justice Frank Celebrezze, a Cleveland Democrat, had ordered the Supreme Court clerk's office to be opened for the filing of a notice of appeal of the appeals court decision and a request for a stay.

A few hours later, Justice Celebrezze granted the stay, opening the way for Senator Ocasek to sign the bills if the lieutenant governor refused to do so. Senator Ocasek adjourned the Senate until Monday and as he was walking to his office, fending off reporters' questions about when he would sign the bills, the word began spreading through the Senate chambers that Governor Gilligan had already signed them.

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GOVERNOR SIGNS (Cont.)

Senator Ocasek said later that he agreed with the governor's action and did not intend to use the bill-signing authority granted him by Justice Celebrezze. He described the act of the presiding officer of the Senate signing the bills as "very perfunctory (and) not that vital."

The actions clearly sets the stage for lengthy litigation that could leave the fate of the six bills in the legislative package in doubt for months to come. A side issue will be whether a lieutenant governor can, in effect, veto legislative acts by refusing to sign bills.

The legislative package includes congressional redistricting, extension of unemployment compensation benefits to innocent bystanders in labor disputes, giving the attorney general jurisdiction over consumer protection and the state treasurer jurisdiction over state income tax collections, allowing door-to-door, mail and permanent voter registration, and limiting the secretary of state's discretionary powers in making appointments to county boards of elections.

All are pet projects of the Democrats and would undoubtedly be vetoed by Republican Governor-elect James Rhodes if they were not enacted before he takes office. Mr. Rhodes' inauguration is set for Monday noon but he had already taken the oath of office so that he could assume the duties of the governor's office at 12:01 a.m. Monday.

The Senate session ended on a bitter, partisan note when Democrats refused to allow Lieutenant Governor Brown to enter a message into the journal, explaining why he had not yet signed the bills.

Senate Majority Leader Michael Maloney (R-Cincinnati) called the Democrats' action a "disgrace" and said it was a "tragic, tragic conclusion to this first week's session."

GILLIGAN TO ACCEPT A FELLOWSHIP WHEN HE LEAVES OFFICE

Governor Gilligan formally announced Saturday that he will accept an appointment as a fellow of the Woodrow Wilson International Center for Scholars when he leaves office. He said he will also continue operating his insurance business in Cincinnati.

The fellowship is effective for one year, beginning January 15, and the governor will spend the year completing a book dealing with present-day challenges facing the American political process. He will head a task force studying state and local government, succeeding Elliott Richardson, who is resigning to become U. S. Ambassador to Great Britain.

The governor and Mrs. Gilligan will maintain apartments in Cincinnati and Washington.

DIRECTOR-DESIGNATE OF TRANSPORTATION DEPARTMENT ANNOUNCES APPOINTMENTS

Richard D. Jackson, director-designate of the Ohio Department of Transportation, announced that he will appoint David Weir, Ashtabula County Engineer, as his assistant director of transportation when he takes office next week. ~~He~~ ~~will~~ ~~take~~ ~~office~~ ~~next~~ ~~week~~.

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