



State Representative Monique Smith

June 30, 2021

Governor Mike DeWine
Riffe Center, 30th Floor
77 South High Street
Columbus, OH 43215

Dear Governor DeWine:

I am writing to urge you to use your executive powers to line-item veto several provisions in Amended Substitute House Bill 110.

This biennial state budget is an opportunity for Ohio to invest in working people, families and the communities they live in to ensure a recovery that benefits all of us. HB 110 has provisions, such as fair school funding and investments in residential broadband connectivity that will give Ohioans the tools they need for a better life, a better job and a brighter future. However, there are also several issues with the budget, including a significant tax giveaway that largely benefits millionaires and billionaires at a time when so many Ohioans are out of work or struggling to make ends meet. This budget would also codify a number of concerning partisan policies that have no place in our state's chief funding bill. Our duty is to pass a fiscally responsible vision for Ohio's future, and a number of these provisions fail in this regard and should be vetoed. I urge you to line item veto the following provisions:

TAXES

- **TAXCD47:** Provides a \$1.8 billion tax giveaway that will disproportionately benefit Ohio's most well-off taxpayers by cutting the income tax rate for the top bracket by nearly 17%, and by 9.5% for the second highest bracket. The last thing we need is another tax giveaway to the wealthy while single moms, unemployed Ohioans and small businesses continue to struggle. Instead, we should be investing in Ohio's future including services for our kids, protecting the environment and creating an infrastructure built for the future.
- **TAXCD65:** Establishes the Federally Subsidized Housing Committee to make recommendations to the General Assembly regarding the valuation process for affordable housing, potentially threatening the availability of such housing for many of our most vulnerable citizens.
- **TAXCD40:** Spends \$11.5 million on an unnecessary sales tax exemption for investment in metal bullion and coins.
- **TAXCD74:** While this provision contains an important date extension of the temporary municipal income tax rule established in HB 197 of the 133rd General Assembly, this language pulls the rug out from under communities across Ohio by changing the intent of the enabling act. Redefining the scope of HB 197 to solely include withholding – and not also liability, as it was originally intended – may cost our cities millions of dollars in unimagined refunds and saddle local administrators with costly administrative burdens.

- **TAXCD62:** Eliminates the Tax Expenditure Review Committee. While this committee has failed to meet and perform its duties since 2018, its mission remains important. Instead of abandoning the responsibility of regularly reviewing Ohio's \$18.7 billion worth of tax expenditures, the committee should actually meet and do the difficult work of making recommendations that will ensure Ohio's tax expenditures continue to serve their intended purposes on behalf of taxpayers.

ELECTION AND JUDICIAL

- **SENCD2/LSCCD4:** Gives Republicans powers to use taxpayer money to fight partisan fights. Further, voters said not once, but twice that they want fair legislative maps that represent Ohio. The taxpayers should not foot the bill of one political party's drive to undermine the redistricting process and fair maps.
- **SOSCD15:** Prohibits the secretary of state and local boards of election from working with individuals, nonprofits, and other organizations on voter education, voter registration, poll worker recruitment, and absentee voting, depriving people of help with voting and keeping local communities from forming effective partnerships to encourage civic engagement. Ohioans do not want more deliberate barriers to voting.
- **AGOCD37:** Bans settlements and consent agreements between public officials and third parties, instead forcing endless and costly litigation. The legislature is attempting to protect its own unconstitutional laws with a confusing provision that overturns the basic machinery and principles of our conflict resolution and justice systems. This sneaky provision is squarely aimed at the settlements and agreements won by the Northeast Ohio Coalition for the Homeless (NEOCH) to protect homeless voters, the NAACP to protect voters' access to the last three days of early voting, and the A. Philip Randolph Institute to protect voters from being purged and to have their votes and voices counted. This is a new play in an old playbook to keep certain Ohioans from voting. But this provision will also have damaging and unpredictable effects throughout our state government.

HEALTH

- **JFSCD49:** Removes requirements that all programs be rated in Step Up to Quality in third tier or higher by June 30, 2025. Quality child care is essential to ensure our children thrive.
- **MEDCD6:** The so called medical conscience clause includes a license to discriminate against any and all Ohioans. This could impact care for LGBT Ohioans, communities of color or other minority groups for no other reason than who they are. Discrimination has no place in healthcare.
- **DOHCD52:** The changes for variances from written transfers for ambulatory surgical facilities is dangerous for the health of so many Ohioans and limits access to abortion, which is constitutionally protected care.
- **MCDCD42:** Our priority should be on quality, affordable care for all Ohioans. It is important that value and quality of Managed Care Organizations are prioritized to ensure that low income Ohioans receive the best possible healthcare during this pandemic and beyond.
- **MCDCD52/ MCDCD53:** Putting an arbitrary deadline to disenroll individuals from Medicaid after a federal emergency, including COVID-19, could threaten the coverage of over 3 million Ohioans, including individuals with cancer, rare diseases and heart disease.
- **DDCD27:** Provides inappropriate state oversight over a distinct entity that receives no state money and is supposed to protect the rights of people with disabilities.
- **MCDCD34:** This Medicaid cost assurance pilot program is narrowly designed and skirts around Ohio's fair procurement and contracting process.

- **JFSCD6:** Provides \$3 million each fiscal year for “Parenting and Pregnancy Program” which provides excessive funding for programs that do not respect the autonomy and choices of all of our citizens. This specific appropriation should be line item vetoed in this provision.
- **CIVCD1:** Allowing the use of medical marijuana to be in violation of employers’ policies interferes with an individual’s health care, which an employer should have no say in.

ENVIRONMENT

- **DNRC36:** Facilitates process for drilling in state parks, while we should prioritize protecting our environment for the health and enjoyment of the next generation of Ohioans.
- **LOCCD29:** This prohibition against restriction on auxiliary containers, including plastic bags, attacks local control efforts to reduce waste.

EDUCATION

- **EDUCD205:** Requires parents to opt-in their child to receive instruction on venereal diseases. It also requires the Ohio Department of Education to conduct an annual audit of districts to ensure compliance with continuing law regarding instruction in venereal disease prevention. The Department’s limited resources do not need to be used in this manner. Further, all students need quality instruction in the prevention of sexually transmitted infections.
- **EDUCD185:** Expands eligibility for EdChoice scholarships and eliminates the 60,000 cap on the scholarships. The funds used to pay for this expansion could be used to provide additional funding for school districts, transportation, and other services.
- **EDUCD190:** Would force school districts to sell or lease buildings to community schools and effectively evict students from their current neighborhood school.

The majority of these provisions were added late during the budget process without public discourse or proper vetting. They will harm Ohioans and I respectfully request that you veto them.

Sincerely,



Monique Smith
State Representative
Ohio House District 16