

OHIO GENERAL ASSEMBLY
JOINT COMMITTEE ON AGENCY RULE REVIEW

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EXECUTIVE DIRECTOR

GREG FOUCHE
DEPUTY DIRECTOR

May 8, 2017

Chairman Duffey called the meeting to order at 1:35 p.m.

Deputy Director Fouche called the roll. Representatives Duffey, Gavarone, Boggs, Ramos and Senators Uecker, Balderson, Kunze, Skindell and Thomas were in attendance. Representative Manning was excused from the meeting. Deputy Director Fouche stated a quorum was present. Chairman Duffey asked the Committee members to review the April 17, 2017 minutes. The minutes were approved as presented.

Director Wolpert read the No Change Agenda. Chairman Duffey called for questions or comments on the No Change Agenda. There were no questions from the Committee or public. Director Wolpert read the Regular Agenda. Item 26 was moved to the review portion of the agenda. Chairman Duffey called for questions or comments on the Regular Agenda. There were no questions from the Committee or public. Chairman Duffey temporarily recessed the Committee at 1:38 p.m.

Chairman Duffey called the Committee back to order at 1:39 p.m. to discuss the review portion of the agenda. Chairman Duffey called Kurt Gearhiser, The Gearhiser Law Firm, INC, for opponent testimony regarding the review agenda's item 26. Mr. Gearhiser believes rule 3772-50-01 exceeds the Ohio Casino Control Commission's statutory authority and conflicts with legislative intent of O.R.C. 2915.01. Chairman Duffey asked Mr. Gearhiser what he thought the public purpose of baring cash as a prize would be. Mr. Gearhiser stated the legislature amended the statute in 2007 so that cash or a cash equivalent could not be given out as prizes. Mr. Gearhiser believes that a cash equivalent that was not mentioned in the statute is digital currency. Chairman Duffey stated when thieves steal something from a house they generally go for jewelry and things that can be easily convertible to cash through sale. Mr. Gearhiser agreed with Chairman Duffey. Mr. Gearhiser believes the legislature should have included items that were easy to pawn in the statute. There were no further questions for the witness.

Chairman Duffey called Andromeda Morrison, Ohio Casino Control Commission, to offer comments to the Committee. Ms. Morrison stated that she disagrees with Mr. Gearhiser's interpretation regarding the prohibition on redeemable vouchers as merchandise prizes. She stated Mr. Gearhiser seems to indicate the Commission will make all redemption of redeemable vouchers illegal through the use of the rule and that is incorrect. Ms. Morrison stated prohibiting the prize of gold and silver is a practice the Commission has seen in the industry and local law enforcement says causes some problems. Ms. Morrison explained that persons that play and receive the gold or silver bars or coins typically use them as close to cash as possible. Thus, the Commission has clarified and amplified the "any equivalent thereof" in O.R.C. 2915.01 to prohibit the cash equivalency in gold or silver. There were no questions for the witness.

Chairman Duffey reminded the public of the next JCARR meeting on Tuesday, May 30, 2017 at 1:30 p.m. in the William McKinley Hearing Room.

Chairman Duffey adjourned the meeting at 1:51 p.m.

A handwritten signature in blue ink, appearing to read "Mike Duffey".

Mike Duffey, Chair

A handwritten signature in blue ink, appearing to read "Larry Wolpert".

Larry Wolpert, Director