



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Carrie Kuruc, Director

Good afternoon. My name is Carrie Kuruc, and I am the Director of the Common Sense Initiative in the office of Governor Mike DeWine and Lt. Governor Jon Husted. I appreciate the opportunity to address the committee under R.C. 101.63.

CSI keeps a watchful eye for situations where Ohio's laws and rules might not have caught up with the speed of business and advancing technology. Burdensome regulation isn't always a result of overly prescriptive administrative rules. Often, the lack of flexibility that businesses experience can be the result of restrictions that originate in statute.

Our rule review process is business-focused, calling on agencies to engage with businesses and stakeholders during the drafting process, and again when the proposed rules are filed to help CSI identify unreasonable adverse impacts that a proposed rule might have on business and job creation.

R.C. 101.64 requires the CSI office to offer any information it has collected over the past six years about the occupational licensing boards the committee is reviewing.

Ohio Department of Natural Resources

Since 2013, CSI has reviewed 46 rule packages containing 337 proposed rules from the Department of Natural Resources and received comments from 53 stakeholders. Some of the draft rules were specific to occupational licensing of industrial minerals surface mining, fishing guides, bait dealers, commercial fishing, fishing guides, wildlife rehabilitators, and the mine blaster certification. Those licenses and certifications and the rules that implement them are required by statute.

Public input received during early stakeholder outreach and the comment period required by the CSI review process focused on improving the content of the rules. Some good examples of this are the commercial nuisance wild animal operator license rule, which received line-by-line commentary that the department incorporated into its draft rule from all levels of the wild animal control industry. Rules surrounding the certification of mine forepersons proposed to eliminate a temporary mine foreperson certification. Conversation with stakeholders led the department to leave the certification in place until a larger conversation could happen.

More recently, CSI has reviewed several mine safety regulations. One of the rules set forth training, eligibility, and credential requirements for mine medical responders. The department made changes after hearing early stakeholder input to make individuals with paramedic certification eligible for employment as mine medical responders.

Department of Commerce—Division of Securities

In 2015, CSI reviewed three packages of rules related to registration, licensing, procedures, and prohibitions for securities dealers and salespersons, investment advisors and investment advisor representatives, state retirement system investment officers, and BWC Chief Investment Officer. All the rules are required by statute—which establishes the licenses and registrations—and track federally required registration and licensing. As such, the rules received no public comment, and any adverse impact was statutorily required.

Department of Commerce Division of Industrial Compliance—Construction Industry Licenses

In 2015, the Ohio Construction Industry Licensing Board reorganized its 28 licensing rules for ease of understanding and created two new rules, one recognizing veterans' military experience licensure application review, and the other creating an incentive program for compliant licensees. This "compliant contractor program" permitted a continuing education hour reduction and a triennial license renewal schedule for those who demonstrate continued compliance with Board rules. The rules involved electrical, HVAC, hydronics, refrigeration, and plumbing commercial contractor licenses. The Board sought CSI review for five of those again in 2017 in order to allow licensees to complete continuing education via online courses.

The Board sought stakeholder input prior to both filings, and the proposed changes were broadly supported. Any adverse impacts the rules created were justified by the Ohio law that requires licenses and requires the Board to adopt rules to implement them.

Department of Commerce Division of Real Estate and Professional Licensing—Home Inspector License

About a week ago, CSI received the newly proposed home inspector license rules recently enacted in ORC Chapter 4764. The Department just completed a public comment period, and CSI staff is reviewing the rules and the Business Impact Analysis.

As a whole, the rules regarding the licenses the committee is reviewing today have been generally supported by industry stakeholders.