



OHIO MAYORS ALLIANCE

May 23, 2017

Ohio Senate Finance Subcommittee on Health and Medicaid
The Honorable Bob Hacket, Chair
The Honorable Charleta Tavares, Vice-Chair
1 Capitol Square, Ground Floor
Columbus, Ohio 43215

Chair Hackett and Vice-Chair Tavares:

On behalf of the Ohio Mayors Alliance, a bipartisan coalition of mayors in Ohio's largest cities and suburbs, we offer this written testimony in opposition to a provision in Sub. H.B. 49 that would give sole authority to the Ohio Department of Health to regulate lead abatement activities.

Specifically, we oppose the following provision which was included in the House-passed version of the budget and respectfully request that it be removed from Sub. H.B. 49:

“Generally provides that the state, acting through ODH (“Ohio Department of Health”), has the sole and exclusive authority to compel, prohibit, license, or regulate lead abatement activities in Ohio, including the licensing of lead abatement professionals and excepting only those activities for which oversight has been delegated by the Revised Code to boards of health.”

As a bipartisan coalition of locally-elected officials, it is in the mayors' interest to make local policies that protect their constituents and their communities. The language noted above would preempt local efforts to thoughtfully and constructively protect against lead exposure found most commonly in lead-based paint. Exposure to even tiny amounts of lead can be incredibly dangerous and harmful to children.

Current state law does not proactively reduce lead hazards in rental property, but cities can. In this case, the city of Toledo spent four years seeking input and developing a local ordinance to address these concerns by following the example of Rochester, New York. Rochester's law has reduced the number of children with high lead levels by 80 percent through proactive inspection of rental properties.

In addition to our concerns about the preemption of a local ordinance, we are also concerned that the Ohio Department of Health did not appear to be consulted on this proposed change and does not fully

understand the implications. This is deeply concerning and raises questions about the viability of this proposal if the agency charged with regulating all abatement activities has not even had a chance to consider it.

If there is interest in developing a broader, proactive statewide approach to protecting families and children from the dangerous chemicals in lead-based paint, the Ohio Mayors Alliance would do whatever it could to contribute to that effort. However, as it stands, we do not support this language and would respectfully request that it be removed from the state operating budget (Sub. HB 49).

Thank you for your consideration.

Respectfully submitted,



Keary McCarthy, Executive Director
The Ohio Mayors Alliance

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