

Testimony-Opposition S.B. No. 252

April 17, 2018

FOR April 18, 2018 Ways and Means Committee Meeting Distribution

I am going to try and make the Committee meeting tomorrow morning. However if I don't, I wish the following and the attached entered into the record:

Immediate Attention: Ways and Means Committee, Ohio Senate

Submitted by/witness:

Robert S. Hart III, President
Hart Productions Inc
322 East Main St
Batavia, Ohio 45103
513-310-4923

OPPOSITION TESTIMONY:

Convention & visitors bureaus do great work in generating tourism for a region and Ohio. However, BEFORE an elected official can be permitted to serve on a CVB board (or even a member of an elected officials administration by appointment), a CVB should be openly and without contest, subject to the State of Ohio's "Open Record Act" or Freedom of Information Act. First and foremost is that up to 95% of their funding is county tax money that can be assigned for other uses. No elected official, or an appointed representative, should serve on a tax funded organization board not subject to the Open Records Act.

CVB's are not above reproach either. Case in point, see Hart Productions Inc. Vs. City of Cincinnati and the Greater Cincinnati Convention & Visitors Bureau (GCCVB) in Federal Court, Southern District of Ohio. Violations of Sherman Anti Trust Act. Out of court confidential sealed settlement.

SB 252 does NOT take into account, along with being subject to the Open Records Act, private business that compete with CVB's in large cities for dates and space in municipally owned convention centers. As a result of this competition between private business and a tax funded CVB, conflict arises and then becomes further complicated when government officials sit on these boards, that report to and are directed by elected officials. The sometimes unlimited tax dollars available to a CVB, with spending influenced by an elected or appointed government official, creates a power structure non obtainable by private business in competition with a CVB. Cities and counties also have the ability to approve or disapprove of the executive director's employment. To this day, there is conflict with the GCCVB.

See attachment "Opinion" appearing in Cincinnati Enquirer.

Note I stated that the economic impacts of the GCCVB were false and grossly inflated. The GCCVB NEVER contested, nor could they, with any rebuttal in the Cincinnati Enquirer.

This points out that Cincinnati's Duke Energy Convention Center's last expansion and proposed future expansion was accomplished or is being considered on inaccurate economic data.

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I submit my opposition and unfortunately could not attend the hearing because of the short notice of a subject that is substantially more than what it appears to be. CVB's should be subject to the Open Records Act even BEFORE consideration is given to elected officials serving.

OP ED CINCINNATI ENQUIRER:

<http://www.cincinnati.com/story/opinion/contributors/2017/07/21/hotel-tax-ideal-funding-source-arena-renovation/491095001/>

I have also supplied copy of a letter from 1990 regarding our litigation and a signature request to not sue the GCCVB again. I did not sign. They subsequently violated the settlement agreement and the Federal Court enforced the settlement. Conflict has continued to this day due to the erroneous and misleading information being disseminated to media and government officials about large public shows. However I do believe that era is quickly coming to an end. Government officials sitting on these boards without transparency, public audits, and other measures allow future problems to arise out of abuse of the public trust.

Respectfully submitted by

Chip Hart

Hart Productions Inc.

www.hartproductions.com

513-310-4923

GREATER
Cincinnati
CONVENTION & VISITORS BUREAU

December 3, 1990

Honorary Co-Chairmen
Sandra Beckwith
President—Hamilton County
Commissioners
Charles J. Luker
Mayor of Cincinnati

Chairman of the Board
Neil P. DeFeo
The Procter and Gamble Co.

Vice Chairman
Frank B. Sommerkamp, Jr.
Cincinnati Bell

Treasurer
T. Lewis Hooper
Kings Entertainment

Secretary
Otto Budig, Jr.
BUOCO Group

Chairman Emeritus
Samuel Hultenbauer, Jr.
E. Hultenbauer & Son

Executive Committee
Raymond J. Fern
Hamilton County

Executive Committee
R. Gregory Graham
Cincinnati Gas & Electric Co.

Executive Committee
Robert Hoeb
Clarian Hotel

Executive Committee
Dorsey Jones
Delta Air Lines

Executive Committee
Mark Kenney
Omni Netherland Plaza

President
Michael J. Wilson

Mr. Robert S. Hart, III, President
Hart Productions, Inc.
1251 Kemper Meadow Drive, Suite 400
Cincinnati, OH 45240-1633

Dear Mr. Hart:

Thank you for your November 28 letter. I wish to assure you personally that the Greater Cincinnati Convention & Visitors Bureau has every intention to abide by the City's new Convention Center booking policy negotiated between you and the City. We will do our best to work within this new policy.

I wish to correct what may be a misunderstanding communicated by the Bureau's or your attorneys. The Bureau has never pledged its enthusiastic "support" of the new Center booking policy negotiated between you and the City. If asked, the Bureau must express its honest, good faith reservations as to the policy proposal.

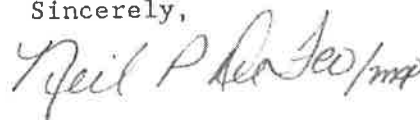
More importantly, however, the Bureau recognizes that the City has sole authority over its Center and its policies, including deciding the availability of the Center for any public shows, conventions, etc. Accordingly, I have pledged that the Bureau will in good faith comply with the City's policies governing the reservation and use of space at the Center. Obviously, this includes any specific dates which the City has agreed to hold per its policy for you or other show operators.

By your comments passed through counsel, and now by your letter, I understand that so long as the Bureau operates in good faith under the booking policy, Hart will not again sue the Bureau.

Assuming you agree with this understanding, please indicate your agreement by signing this letter below and returning a copy to me. Thereafter, I will instruct the Bureau's attorneys to return to you the executed originals of the Settlement Agreement.

Best of luck in the future.

Sincerely,



Neil P. DeFeo

NPD206/mjo

AGREED:

Date: _____

March 20, 2018

BIO

Robert S. "Chip" Hart III

New Richmond, Ohio 45157

CEO- Hart Productions, Inc (Cincinnati-Batavia, Ohio)	1983-2014
-Consumer trade shows (boat, travel, home/garden, auto, holiday)	
Cincinnati, Columbus, Pittsburgh	
www.hartproductions.com	
President, Hart Productions, Inc.(Batavia, Ohio)	2014-Present
Chairman, Ohio Travel Association (and board)	Late '80's-90's
www.ohiotravel.org	
Chairman, National Association of Consumer Shows	Early '90's
Chairman, Cincinnati Fire Museum (and board)	Mid '90's
www.cincyfiremuseum.org	
Chairman, Outdoor Writers of Ohio (and board)	Mid 2000's
www.outdoorwritersofohio.org	
Radio Host, 700WLW "Big Outdoors" (weekly)	1995-Present
www.bigoutdoors.net	