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RH RESOURCES

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Week in Review

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As a service to the clients and friends of Governmental Policy Group, Inc. and RH Resources we would like to extend the following weekly update of events happening around Capitol Square.

ADDICTION/SUBSTANCE ABUSE

Dublin, Ireland-based pharmaceutical company Endo announced that it has tentatively agreed to a settlement in the consolidated opioid lawsuit being litigated in federal court in Cleveland with both Cuyahoga and Summit counties. Another Ireland-based company, Allergan, also reportedly offered a settlement to Cuyahoga County.

Citing the tobacco settlement as a cautionary tale, former Gov. John Kasich and West Virginia University President Gordon Gee announced Thursday an effort to steer any settlement proceeds for litigation against opioid companies toward hospitals and other "frontline" providers bearing the costs of the U.S. addiction crisis. In response, Attorney General Dave Yost said any settlement terms are likely to require use of the money for purposes related to the crisis, and he said Kasich and Gee picked the wrong way to advocate for such ends. "Starting a pressure campaign and funding it with dark money strikes me as injecting politics into our justice system, and I'm not fan," Yost said, referencing donor disclosure standards for the type of nonprofit the two men founded.

AGRICULTURE

Gov. Mike DeWine told the "Expo 2050" task force that while he was pleased with how the Ohio State Fair was held this year, he sees constant room for improvement to ensure relevancy in the coming decades. The group held its first meeting Friday, following its formation shortly before the fair. It is looking at the entire facility, which includes the fairgrounds, Ohio History Connection building and MAPFRE Stadium, the current home of the Columbus Crew soccer team. Asked by reporters whether the group would develop a compromise regarding a dispute over future parking in a plan to use MAPFRE Stadium as a Columbus Crew training facility following construction of an Arena District stadium, DeWine said it was a "solid plan."

More than 1.5 million acres of crops were not planted in Ohio this year, according to numbers released by the U.S. Department of Agriculture (USDA). "The latest USDA report affirms how difficult the 2019 planting season was," Ohio Farm Bureau spokesperson Ty Higgins told *Hannah News*.

Patty Davis has been named executive assistant for Ohio Farm Bureau's Strategic Partnerships department, the organization has announced. The Strategic Partnerships department was recently created to develop and manage relationships and partnerships with the farm sector, food sector, businesses, educators, public officials and others.

Ohio State University's College of Food, Agricultural and Environmental Sciences (CFAES) recently formed a Rural and Farm Stress Task Force in collaboration with Ohio State's College of Social Work to address a variety of needs farmers in the state have following the slump in milk prices and other prices, a hike in feed and hay costs and the persistent spring rain that resulted in the state's worst planting year on record.

AMERICAN LEGISLATIVE EXCHANGE COUNCIL (ALEC)

"You are going to be sued," political law attorney Cleta Mitchell told state lawmakers from across the country attending a workshop entitled "How to Survive Redistricting" at the American Legislative Exchange Council (ALEC) in Austin TX, so "you need to prepare for that from this day forward. "Your notes from this conference, this workshop, will probably be part of the discovery demand, so my advice to you is, if you don't want it turned over in discovery, you probably ought to get rid of it before you go home," she said.

The Electoral College was established as the system to select the president to "create a basic requirement for geographic diversity," Save Our States project director Trent England told state lawmakers at ALEC. Without it, states would become irrelevant, he said. England was part of a panel discussion along with former California lawmaker Ray Haynes, as they discussed the pros and cons of instead electing the president by popular vote. Their session was entitled "National Popular Vote Interstate Compact -- An Act of Federalism or the End of States as We Know Them."

President Donald Trump and his rhetoric are not to blame for the recent mass shootings in El Paso, TX, and Dayton, OH - that blame belongs to those who pulled the trigger - said Shelby Emmett, First Amendment attorney for ALEC. And Democratic candidates who are trying to pin responsibility on him need to be "very careful," she said during an interview at ALEC's annual conference in Austin, TX.

BALLOT ISSUES

Just days after Attorney General Dave Yost rejected their petition citing inconsistencies between the summary and the actual bill, backers of a referendum on energy subsidy bill HB6 (Callender) refiled their petition on Friday. Yost had cited 21 separate inconsistencies in the original petition filed by Ohioans Against Corporate Bailouts (OACB) and HB6. On Friday, OACB filed the revised petition summary language along with 2,246 signatures to start the process again. Yost's office has until Friday, Aug. 30, to reevaluate the petition and determine whether the petition language is a "fair and truthful" summary of the bill.

FY20-21 BUDGET

Legislative and administrative leaders praised budget provisions in HB166 (Oelslager) that would put \$250 million towards increasing wages for the state's direct support professionals (DSP) who care for individuals with disabilities. The increase amounts to more than a 16 percent raise for DSPs from the previous average of \$11.12 per hour to the new \$13.23 per hour by Jan. 1, 2021. Ohio Department of Developmental Disabilities (DODD) Director Jeff Davis called the raise a celebration of the hard work of DSPs, who he said last received a raise 15 years ago in 2004. He noted that the turnover rate of DSPs can be as high as 60 percent due to low wages and the stressful nature of the work, and the state's "historic investment" in DSP wages can help to address turnover concerns for providers and families.

A \$10 million initiative to prevent lead poisoning in children won federal approval, Gov. Mike DeWine's office announced Tuesday, allowing Children's Health Insurance Program (CHIP) funding to be used in more ways to abate lead hazards. DeWine proposed numerous lead mitigation policies in the budget, HB166 (Oelslager), including a tax credit for abatement in homes and more expansive lead-exposure screenings for children, as well as this abatement effort led by the Ohio Department of Health (ODH) and Ohio Department of Medicaid (ODM) for houses where Medicaid-eligible children and pregnant women live. The federal Centers for Medicare and Medicaid Services (CMS) approved Ohio's plan to use \$5 million per fiscal year in CHIP funding for lead hazard control in more flexible and expansive ways.

Attorney General Dave Yost's office Tuesday sent out grant funding notifications totaling \$4.16 million to 32 rape crisis centers and agencies statewide. According to the AG's office, "The \$4.16 million nearly triples the \$1.43 million awarded in each of the past three years." Ohio's Rape Crisis Program Trust Fund is administered by the AG's office. The increase is a result of the recently enacted state budget, HB166 (Oelslager). Funding for the rape crisis centers had been about \$1 million in FY14 and FY15 and \$1.43 million in FY16, FY17 and FY18.

CHILDREN/FAMILIES

Registration is now open at governor.ohio.gov/summit for the conference "Building Resiliency: A Pediatric Mental Health Summit" being sponsored by Ohio Gov. Mike DeWine and the Ohio Children's Hospital Association.

CRIME AND PUNISHMENT

Racial and ethnic gaps in criminal sentences have declined, in some cases significantly, since the mid-1990s, a new analysis of state, county and federal data suggests. While many studies have noted

the differences in the sentencing of blacks and Hispanics compared to whites, this analysis is one of the first to examine how this has changed over time, said Ryan King, co-author of the new work and professor of sociology at Ohio State University (OSU).

DISASTERS

Gov. Mike DeWine Friday authorized the use of the State Disaster Relief Program (SDRP) to help communities affected by several severe weather incidents between April and July of this year. The SDRP is a reimbursement program that can be used in instances where storm damage amounts do not meet the threshold for federal assistance. The program is intended to provide supplemental state assistance to local governments and eligible nonprofit organizations for costs associated with debris removal, emergency protective measures, and permanent work.

A limited number of Ohio Military Reserve (OHMR) personnel have been activated to assist in continuing cleanup efforts in the Dayton area following the tornadoes in May with two to three personnel overseeing logistics for up to 18 weeks.

EDUCATION

The Ohio Department of Education (ODE) released guidance for schools and students to navigate new high school graduation requirements, which fully take effect for the class of 2023 but will be an option for students in the classes of 2021 and 2022. The biennial budget bill, HB166 (Oelslager), largely adopted a graduation framework proposed jointly by the Ohio Excels business coalition, Ohio Alliance for High Quality Education and the Fordham Institute. It cuts two of the current seven end-of-course exams and requires minimum scores on only two of them -- English and algebra -- with testing alternatives available after at least one retake. Elimination of one of the tests, for geometry, is dependent on federal approval.

"What does success really mean?" Foxfire Local Schools Superintendent Todd Whiteman asked members of the State Board of Education's Dropout Prevention and Recovery (DOPR) workgroup Monday morning.

Whiteman and Dr. Richard Varrati of Quaker Digital Academy were was invited to present to the workgroup on the challenges facing DOPR schools.

East Cleveland Schools has dropped a legal claim questioning the Ohio Department of Education's (ODE) calculation of the state report card grades that put the district under the jurisdiction of a state oversight panel. With report card-related claims out of the lawsuit, remaining legal arguments -- over the constitutionality of the distress commission law and the procedures legislators used to pass it -- are essentially identical to those in Youngstown Schools' lawsuit over its distress commission, now before the Ohio Supreme Court. Since the Supreme Court's ruling in that case will control the outcome of the East Cleveland matter, Judge Kim Brown issued a motion to stay all proceedings to await the higher court's decision.

Ohio Gov. Mike DeWine Wednesday signed an executive order establishing the Ohio School Safety Center within the Ohio Department of Public Safety's (DPS) Division of Ohio Homeland Security. The center will serve as a central repository for local schools, law enforcement and communities to access resources, information and training regarding school safety.

The Broadcast Educational Media Commission (BEMC) joined with the Management Council of the Ohio Education Computer Network (MCOECN) Wednesday to announce a new plan that will allow teachers to obtain a video learning services platform at a steep discount.

The publication Education Next this week released a national survey of public opinion on education topics and issues including charter schools, voucher, federal and state spending and school performance. Most respondents, 60 percent, said they would assign an A or B grade for their local public schools' performance, but just 24 percent expressed that level of confidence in the schools of the nation as a whole.

ELECTIONS

Secretary of State Frank LaRose took aim at voter advocate groups Tuesday, saying information that they had put out recently suggesting thousands of discrepancies on his office's "Registration Reset" list is misleading. LaRose said he has been working with interested parties and community groups to run what he called the most accurate process as possible as the state plans to go through its supplemental process of cancelling the voter registrations of thousands of Ohioans who have not voted in at least six years.

Sens. Nathan Manning (R-North Ridgeville) and Vern Sykes (D-Akron) introduced SB186 this week to update Ohio's voter registration process, allowing Ohioans to register and update their voter registrations automatically when they interact with state government agencies.

ELECTIONS 2020

Former Ohio Secretary of State and current 10th District Court of Appeals Judge Jennifer Brunner told a meeting of Ohio Democrats over the weekend that she will be running for Ohio Supreme Court in 2020.

Frank Hall, who is best known for chasing shooter T.J. Lane through the hallways and out of Chardon High School, said he will be running in the Republican primary for the 76th House District. The seat is currently held by Rep. Diane Grendell (R-Chesterland), who was appointed to the seat earlier this year.

Gary Click, a Fremont Baptist pastor, said he is running for the 88th House District seat in 2020. The seat is currently held by Rep. Bill Reineke (R-Tiffin), who is term-limited and running for the Ohio Senate.

Kathy Wyenandt, a candidate who unsuccessfully ran for the 52nd House District in 2018, announced that she is seeking the Democratic nomination for the 4th Senate District in 2020. The seat is currently held by Sen. Bill Coley (R-West Chester), who is term limited. The race has received attention on the Republican side, where Reps. Candice Keller (R-Middletown) and George Lang (R-West Chester) are among the candidates vying to succeed Coley. Wyenandt lost to Lang in 2018.

A former business owner and former pastor tells WFMJ in Youngstown that he plans to run for the 13th Congressional District in 2020. The seat is currently held by U.S. Rep. Tim Ryan (D-Niles), who is running for president.

Cuyahoga County Court of Common Pleas Administrative Judge John Russo released a statement Wednesday that said he is "seriously considering" running for the 2020 Democratic nomination for Ohio Supreme Court justice, though he did not say which of the two seats he would seek.

Joe Romano, an attorney from Bay Village, announced he will seek the Democratic nomination for the 16th Ohio House District in 2020. The seat is now held by Rep. Dave Greenspan (R-Westlake).

EMPLOYMENT/UNEMPLOYMENT

Ohio's unemployment rate remained 4.0 percent in July, unchanged from June, according to data released Friday by the Ohio Department of Job and Family Services (ODJFS). The state added 4,500 jobs, from a revised 5,588,500 in June to 5,593,000 in July. The number of unemployed workers rose, from June's 233,000 to 235,000 in July. The number of unemployed workers has decreased by 28,000 in the past 12 months, and the July 2018 unemployment rate was 4.6 percent.

ENVIRONMENT

The Columbus region is the first non-attainment area in the nation to meet the most recent federal air quality standard for ground-level ozone, the U.S. Environmental Protection Agency (USEPA) and the Ohio Environmental Protection Agency (Ohio EPA) announced Wednesday. Air monitoring data from 2016-2018 show the Columbus area -- which includes Delaware, Fairfield, Franklin and Licking counties -- now meets the National Ambient Air Quality Standard (NAAQS) for ground-level ozone, also known as smog, in addition to all other federal air quality standards set to protect public health, Ohio EPA Director Laurie Stevenson said during a press conference on the top floor of the Lazarus Building.

While most state and federal political leaders aren't taking climate change seriously, and in some cases are actually choosing to further harm the environment, Ohio Environmental Council (OEC) Executive Director Heather Taylor-Miesle said Thursday that she hasn't lost hope for the future. Taylor-Miesle was joined by American Academy of Pediatrics member Dr. Aparna Bole and Policy Matters Ohio (PMO) Executive Director Amy Hanauer to discuss the new report, "Climate Change is Hazardous to Ohio Children's Health," written by PMO's Amanda Woodrum and Ben Stein.

GAMING/GAMBLING

The Ohio Casino Control Commission (OCCC) on Wednesday voted to approve the final version of its rules regulating fee-based fantasy sports contests in the state. The rules will officially go into effect on Tuesday, Sept. 3, giving fantasy sports companies currently operating in the state under 132-HB132 (Dever-McColley) until Thursday, Oct. 3 to submit their license applications to the OCCC to continue operating uninterrupted.

GENERAL ASSEMBLY/STATEHOUSE

House Speaker Larry Householder (R-Glenford) told reporters Tuesday that he has become "less and less supportive" of the death penalty in recent years due to costs and issues surrounding the drugs administered in lethal injections. Later asked about pending extreme risk protection order (red flag) laws, Householder said the Legislature and the administration are working towards a resolution on that and other gun control issues, but it will be difficult due to surrounding concerns, such as concerns about due process.

GOVERNOR

Appointments made during the week include the following:

- Jeffrey D. Newman of West Union (Adams County) to the Southern State Community College Board of Trustees for a term beginning Aug. 16, 2019, and ending May 11, 2024.
- Amy T. Shore of Bexley (Franklin County) and Howard A. Traul II of Bellefontaine (Logan County) to the Bowling Green State University Board of Trustees for terms beginning Aug. 16, 2019, and ending May 17, 2022.
- Madhu K. Singh of Akron (Summit County) reappointed to the Ohio Civil Rights County Commission for a term beginning July 29, 2019, and ending July 28, 2024.
- Lora L. Miller of Columbus (Franklin County) reappointed to the Ohio Retirement Study Council for a term beginning July 1, 2019, and ending June 30, 2022.
- Kenneth D. Davis of Leesburg (Highland County) and Todd B. Raines of Seaman (Adams County) reappointed to the Southern Ohio Agricultural and Community Development Foundation for a term beginning June 3, 2019, and ending June 2, 2024.
- Jeffery J. Jackson of Pemberville (Wood County) to the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning Aug. 16, 2019, and ending Nov. 12, 2020.
- Mo M. Dioun of New Albany (Franklin County), Lucy M. Marquez of Westerville (Franklin County), Helen Si Qin of Cleveland (Cuyahoga County) and Sangita M. Vora of West Chester (Butler County), reappointed to the New Americans Advisory Committee for terms beginning May 15, 2019, and ending May 14, 2022.
- James R. Rocco of Aurora (Portage County), Scott J. Fleming of Oakwood (Montgomery County) and Steven R. Bergman of Cincinnati (Clermont County) reappointed to the Petroleum Underground Storage Tank Release Compensation Board for a term beginning July 11, 2019, and ending July 10, 2022.
- Michael F. Kiggin of Powell (Delaware County) to the Ohio State University Board of Trustees for a term beginning Aug. 16, 2019, and ending May 13, 2021.
- Lynanne Gutierrez of Columbus (Franklin County) to the Early Childhood Advisory Council for a term beginning Aug. 16, 2019, and continuing at the pleasure of the governor.

GREAT LAKES

The greater Lake Erie region provides natural benefits valued at \$443 billion, according to a new economic study from Key-Log Economics. The report, "Lake Erie Ecosystem Services Assessment: Economic Benefits from Phosphorus Reductions," estimates that \$327 billion of those dollars are water-related natural assets, while \$102 billion are cropland-related. The study was funded by the city of Toledo, Lucas County and the city of Oregon.

HOUSING/HOMELESSNESS

July home sales increased 2.8 percent from a year earlier and year-to-date sales are nearly on pace with figures for the same period of 2018, according to Ohio Realtors. July sales of 15,439 compare to 15,025 sales in July 2018.

JUDICIAL

In a wildly mixed opinion Thursday, the Supreme Court of Ohio reaffirmed the position that judges cannot devise criminal sentences not specified in the Ohio Revised Code, notwithstanding the overarching wisdom of R.C. 2929.13(A): "[U]nless a specific sanction is required to be imposed or is precluded from being imposed ... a court that imposes a sentence upon an offender for a felony may impose any sanction or combination of sanctions ... in sections R.C. 2929.14 to 2929.18" -- covering everything from prison terms to residential and non-residential community controls.

Public employees can be fired at the discretion of their employer while still in an initial probationary period, the Ohio Supreme Court ruled Tuesday. In an opinion written by Justice Judith French in *Miracle v. Ohio Dept. Veterans Servs.*, the court found that no Ohio law prevented James Miracle, a former administrator at the Sandusky Veterans Home, from being fired during his probationary period.

Gov. Mike DeWine appointed Patricia Sanders to serve as a judge on the Lawrence County Court of Common Pleas, Probate and Juvenile Division. Sanders, of South Point, will assume office on Monday, Sept. 9 and serve for the remainder of the unexpired term ending Feb. 8, 2021. Sanders is replacing Judge David Payne, who retired.

LOCAL GOVERNMENT

Ohio communities facing significant poverty rates, unemployment or population decline can now apply for assistance through the newly formed Ohio State Resource Network (OSRN), the Greater Ohio Policy Center (GOPC) recently announced. GOPC partnered with the National Resource Network, Arnold Ventures and the Just Transition Fund to form the OSRN, which will work with local governments to create a multi-year fiscal sustainability plan aimed at improving quality of life and local economic conditions.

MILITARY AFFAIRS

If all the disasters the Ohio National Guard (ONG) prepared for in this year's recent "Vigilant Guard" exercise actually happened, Adjutant General John Harris told Hannah News Tuesday, it would be the state's "worst day" in history. The need to simulate so many overlapping crises in an attempt to "break the system" reflects the strength of Ohio's emergency response network, he said, and personnel handled them successfully.

NATURAL RESOURCES

The U.S. Army Corps of Engineers (USACE) Buffalo District has awarded a \$2.1 million contract to conduct dredging of the federal navigation channel in Maumee Bay, and a \$787,000 contract to dredge the Maumee River.

PENSIONS

Michael Nehf, executive director of the State Teachers Retirement System (STRS) since July 2008, plans to retire at the end of June 2020, according to the system. An Ad Hoc Executive Director Search Committee of the STRS Board started meeting this spring to discuss the process to replace him.

Ohio Public Employees Retirement System (OPERS) members who retired Jan. 7, 2013 or later will receive a 1.4 percent cost-of-living increase in 2020, the system announced.

PEOPLE

The law firm Isaac Wiles Burkholder & Teetor, LLC announced earlier this month the addition of partner, Donald Brey, to the firm's litigation practice group.

The Ohio Academy of Family Physicians (OAFP) recently installed a new president and officers at its annual Family Medicine Celebration Academy Luncheon. New president is Dr. Anna McMaster of Liberty Center. Other officers include the following: Immediate Past President Dr. Stanley R. Anderson of North Canton; President-Elect Dr. Michael Sevilla of Salem; Vice President Dr. Teresa W. Zryd of Beavercreek;

Treasurer Dr. Wayne A. Forde of Solon; Speaker Dr. Doug W. Harley of Akron; and Vice Speaker Dr. Kathleen Meehan-de la Cruz of Norwalk.

PUBLIC SAFETY

The Collaborative Community-Police Advisory Board continued work toward a standard for law enforcement agencies' pursuit policies Monday, hearing presentations from the Columbus Division of Police (CPD) and Ohio State Highway Patrol (OSHP) about their respective policies. The collaborative hopes to approve a standard at its next meeting, potentially in October, after Gov. Mike DeWine called for a focus on the issue in May.

SECRETARY OF STATE

Secretary of State Frank LaRose Monday announced that 11,172 new entities filed to do business in Ohio in July -- an increase of 1,520 when compared to the same month in 2018. So far in 2019, Ohio is ahead of last year's record-breaking pace by 4,421 new business entities.

STATE GOVERNMENT

The Controlling Board approved the full agenda at its Monday meeting following a hold on one item from the Ohio Department of Job and Family Services (ODJFS). Sens. Bob Peterson (R-Sabina) and Jay Hottinger (R-Newark) held the request from ODJFS, which asked for a \$490,000 contract with the Dave Thomas Foundation for Adoption for FY20 to be amended to extend that same annual funding amount through FY21. Peterson said the contract had not been bid since 2012, and he asked if ODJFS anticipated the contract's being bid again. Alexander said that while the department has had success with the model, she understood the board's concerns regarding competitive procurement, and she said she would take the issue back to leadership to request information to determine if other providers can offer similar services.

The executive committee of InnovateOhio's Advisory Board held its second meeting Thursday, with Lt. Gov. Jon Husted announcing former Rep. Mike Duffey will serve as deputy director and offering an update on key aspects of the state operating budget, HB166 (Oelslager).

Lt. Gov. Jon Husted told the Common Sense Initiative's (CSI) Small Business Advisory Council that the agency is working to procure an "AI tool" to review the entire Ohio Revised Code (ORC) and Ohio Administrative Code (OAC) in a way that no human being could in order to identify outdated language or sections that could be streamlined.

STUDIES/POLLS

A decade on from the recession, Ohio's inflation-adjusted revenues remain below the peak set before the 2008-2009 financial collapse, according to the Pew Charitable Trust's "Fiscal 50: State Trends and Analysis" report. Pew notes economics are not the only force at play in that trend, however, acknowledging the role of changes to state tax laws. Ohio has consistently reduced income taxes over numerous budget cycles in that timeframe. The "Fiscal 50" report reviews trends in measures of state fiscal health that include revenues and revenue volatility, overall spending and Medicaid spending, employment rates, population and income growth, debt and retirement costs and rainy day reserves, among others.

TELECOMMUNICATIONS

The Public Utilities Commission of Ohio (PUCO) ordered staff this week to file a formal complaint against Frontier North, Inc., over the telephone company's landline service after receiving a number of complaints from customers. The complaints involve extended service outages, which may result in safety concerns, such as a customer's inability to contact emergency services, doctors and family and friends, PUCO said.

Attorney General Dave Yost said Thursday that his office has joined with 50 other attorneys general in an agreement with 12 phone service providers to adopt anti-robocall practices. Yost's office said the agreement with Verizon, Sprint, AT&T and other service providers will help protect consumers from illegal robocalls and make it easier for attorneys general to investigate and prosecute bad actors.

TRANSPORTATION/INFRASTRUCTURE

The Ohio Turnpike and Infrastructure Commission re-elected Jerry Hruby to a new term as chairman during its meeting Monday. In addition to choosing Hruby as chairman, the commission also selected Timothy J. Paradiso as vice-chairman and Michael A. Peterson as secretary-treasurer. The three will hold their positions until the next election in June 2023.

UTILITIES

The Ohio Supreme Court this week denied a motion from FirstEnergy and its affiliates seeking to have the Court reconsider its decision finding that the Public Utilities Commission of Ohio (PUCO) improperly authorized a rider on customers' bills and ordered the charges to be removed.

The Public Utilities Commission of Ohio (PUCO) Thursday ordered One Source Energy to cease operations by Friday, Sept. 6. "The commission remains concerned about One Source's non-

compliance with statutes, the state of its finances, and its managerial capability," stated PUCO Chairman Sam Randazzo. "A sale and transfer of One Source's system and customers to a gas utility in good standing could be beneficial to the customers that are currently relying on One Source."

LEGISLATIVE ACTIVITY:

SENATE:

No legislative activity to report.

HOUSE:

No legislative activity to report.