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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

More people died of drug overdoses in 2017 than the year prior, a trend driven by ultra-potent synthetic opioids like fentanyl and their increased likelihood of being mixed into other street drugs like cocaine, according to new data from the Ohio Department of Health (ODH). In a press conference on the topic Thursday, Gov. John Kasich emphasized the report's findings of fewer deaths linked to prescription opioids and to heroin unadulterated by fentanyl, saying it shows the payoff from his administration's efforts to improve drug monitoring technology and institute prescribing guidelines to reduce patients' likelihood of developing addictions and ability to shop around for pills.

Ohio Citizen Advocates for Addiction Recovery (OCAAR) will hold a rally at Huntington Park Saturday from noon to 4 p.m. as part of the annual "Recovery Month" of September, the organization and Ohio Department of Mental Health and Addiction Services (OhioMHAS) recently announced.

AGRICULTURE

Members of Congress should "put partisan differences aside" and pass a 2018 Farm Bill that can be signed into law before the 2014 Farm Bill expires on Sunday, Sept. 30, the Ohio Corn & Wheat Growers Association (OCWGA) said Tuesday. In a letter to each member of Ohio's congressional delegation, OCWGA President Jed Bower and OCWGA Executive Director Tadd Nicholson wrote that such legislation would provide Ohio corn farmers with some certainty during challenging times for agriculture.

ATTORNEY GENERAL

Ohio Uber drivers will receive more than \$1.2 million or just over 20 percent of Ohio's share from a nationwide \$148 million settlement between the states and the ridesharing company, accused of dragging its feet for a full year before notifying drivers about a 2016 data breach. Attorney General Mike DeWine announced the settlement among all 50 states and the District of Columbia Wednesday, saying Uber has agreed to maintain a comprehensive data security program and strengthen its corporate governance to protect riders and drivers' personal information. The \$1.2 million will allow individual \$100 payments to more than 12,000 Ohioans who drove or applied with Uber at the time of the breach.

BALLOT ISSUES

A group composed of 23 statewide organizations representing Ohio's justice system, drug treatment community and business community has come together to oppose Issue 1, the Neighborhood Safety, Drug Treatment, and Rehabilitation amendment to the Ohio Constitution on Ohio's November ballot. The committee, "Vote No! Protect Ohio," promises to "stage a vigorous campaign to alert Ohioans to the dangers of Issue 1."

Senate President Larry Obhof (R-Medina) Wednesday blasted Issue 1, the constitutional amendment that would favor probation over prison sentences for drug offenders in Ohio. Obhof told reporters following Wednesday's nonvoting session that the issue doesn't do what its proponents are promising voters. He said it is his hope and anticipation that the ballot issue will fail in November.

Fighting off charges of partisan meddling, the Ohio Criminal Sentencing Commission (OCSC) voted overwhelmingly Thursday to oppose Issue 1 on grounds that amending the state constitution is not the proper way to reform low-level drug sentencing, expand earned inmate credits, and overhaul probation orders. The motion was opposed by Democratic lawmakers and three representatives of the Ohio Public Defender's Office, among others, and supported by a long list of attending judges, prosecutors, peace officers and representatives of the Kasich administration.

Service Employees International Union District 1199 has launched a six-figure radio ad campaign in support of Issue 1 that features musician John Legend, a native of Springfield.

ECONOMIC DEVELOPMENT

Gov. John Kasich announced Monday the approval of assistance for eight projects set to create 1,929 new jobs and retain 5,548 jobs statewide. During its monthly meeting, the Ohio Tax Credit Authority (TCA) reviewed economic development proposals brought to the board by JobsOhio and its regional partners. Collectively, the projects are expected to result in more than \$100 million in payroll and spur more than \$470 million in investments across Ohio.

EDUCATION

Columbus City Schools outpace the rest of the state as part of \$12 million in new safety grants awarded by the Ohio Attorney General's Office Friday to 1,755 schools and school districts across Ohio. All public school districts and community schools, chartered nonpublic or private schools, and schools operated by county boards of developmental disabilities will receive the greater of \$2,500 or \$5.65 per student to spend toward programs and training on safety and security.

Career Technical Planning Districts (CTPDs), the organizational units that oversee regional career tech education (CTE) around the state, vary in structure and size, and often incorporate many different school districts across multiple counties. That leads some CTE stakeholders to wonder how best to evaluate them with a standard report card. At a recent meeting of the Ohio Department of Education (ODE) CTPD Report Card Workgroup, stakeholders debated whether or not the current CTPD report card accurately reflects the work being done at these various career and vocational centers around the state and discussed what adjustments are necessary in light of upcoming changes in federal reporting requirements.

The current superintendent of Cleveland Heights-University Heights City Schools will be moving south to lead the state's largest school district as Columbus City Schools' (CCS) next superintendent/CEO. Columbus' Board of Education voted unanimously to select Talisa Dixon as the 21st CCS superintendent.

Two school districts filed arguments in court this week asking for the right to join Ohio's lawsuit against Electronic Classroom of Tomorrow (ECOT) founder William Lager, saying Attorney General Mike DeWine isn't an "adequate representative" of their interests given his political history with Lager and his office's track record in other charter school litigation. DeWine's office rebuts the claims, saying the schools' filing misunderstands charter school case law and that the attorney general has been "aggressive" in charter enforcement lawsuits.

East Cleveland City Schools is suing the state to ward off creation of an Academic Distress Commission, which is soon set to take operational control of the district after the latest round of state report cards. With an overall grade of F on the report cards earlier this month, East Cleveland got its third strike and triggered the state law that requires creation of the commission. The five-member oversight panel is to be named within 30 days of the report card rating and will hire a CEO who'll take the reins of district operations. The district is the third to fall under distress commission authority, after Lorain and Youngtown.

Officials at Whitehall City Schools and Columbus State Community College explained Wednesday their efforts to more quickly and effectively get students through remedial coursework and into coursework that can earn them college credit or work credentials. They told the Joint Education Oversight Committee (JEOC) that a big part of that effort is use of ALEKS, or Assessment and Learning in Knowledge Spaces, software from McGraw-Hill Education that adapts questioning based on student responses, highlights knowledge gaps and identifies the topics students are most ready to tackle next.

The Ohio Department of Education announced Wednesday that Toledo Early College High School's Mona Al-Hayani is Ohio's 2019 Teacher of the Year. Al-Hayani teaches history, advises the National Honor Society and Women for Change student groups and is a two-time awardee of the U.S. Department of Education's Fulbright-Hays award. She was named in August as State Board of Education District 2 Teacher of the Year and will now go on to represent Ohio at the 2019 National Teacher of the Year contest sponsored by the Council of Chief State School Officers.

Seeking more information on the reasons why school related services employees -- individuals like school nurses, psychologists and occupational therapists -- choose to work and stay working in schools, the Related Services Personnel Workgroup intends to conduct an online survey of professionals on their priorities in the coming months.

ELECTIONS

A coalition of voting rights groups in Ohio Wednesday urged lawmakers and statewide officeholders to adopt new reforms including automated voter registration, increased voting opportunities and improvements to the online voter registration system. The groups said Ohio has made some improvements to give voters access to the ballot but it can do much more.

ELECTIONS 2018

Reacting to reports that a record number of Ohioans suffered fatal drug overdoses in 2017, Democratic gubernatorial candidate Richard Cordray says that Ohio needs new, innovative policies to stem the tide of opioid-related overdoses. Speaking on a conference call with reporters Monday, Cordray said the 20 percent rise in overdose deaths in 2017 was evidence the state is "losing the fight against the opioid epidemic."

Democratic attorney general nominee Steve Dettelbach released the first television ad of his campaign on Tuesday as part of a media buy in the Cleveland, Columbus and Cincinnati markets. The 30-second spot, titled "Got Your Back," highlights Dettelbach's work as a federal prosecutor and features law enforcement officials from around Ohio praising his work.

A new poll released Wednesday by NBC News/Marist College shows Republican Mike DeWine and Democrat Richard Cordray tied in the governor's race. The poll of 564 likely voters showed both

candidates getting 47 percent, with 6 percent undecided. The number falls to 44 percent for both when Libertarian Travis Irvine and Green candidate Constance Gadell-Newton are included. In the U.S. Senate race, Sherrod Brown leads Jim Renacci 52 percent to 39 percent, with 7 percent undecided. Brown's lead falls to 49 percent and Renacci gets 35 percent when Libertarian Bruce Jaynes is included.

Republican secretary of state nominee Frank LaRose's campaign Wednesday proposed three debates with Democratic opponent Kathleen Clyde.

The Ohio Democratic Party (ODP) said that it has reached a tentative labor agreement with organizers on its "Campaign for Ohio." If the agreement is ratified, ODP said it will be the first state party in the nation to finalize an organizers contract with the Campaign Workers Guild.

While both major party gubernatorial candidates generally agreed that children's services deserve more funding and attention from state policymakers during the "Vote for Ohio Kids Leadership Forum" on Thursday, Democrat Richard Cordray emphasized the need for a state government culture change to ensure young families and business leaders choose to make Ohio home.

The following endorsements were made over the week:

- Cincinnati Nuns on the Bus endorse passage of Issue 1.
- The Columbus Dispatch endorsed the re-election of U.S. Sen. Sherrod Brown and election of Dave Yost as attorney general.
- Teamsters Local 957 in Dayton endorsed Zach Dickerson for the Ohio House District 42 seat.
- Vice President Rob Walgate says the American Policy Roundtable opposes passage of Issue 1.
- The County Commissioners Association of Ohio opposes passage of Issue 1.
- The National Rifle Association Political Victory Fund endorsed Mike DeWine for governor and Jon Husted for lieutenant governor.
- The campaign of Ohio Senate candidate Louise Valentine announced the endorsement of former U.S. Assistant Secretary of Education Diane Ravitch.
- LGBTQ Victory Fund endorsed Taylor Sappington for the Ohio House.
- The Ohio Manufacturers' Association and the Ohio Chamber of Commerce announced their opposition to Issue 1.

EMPLOYMENT/UNEMPLOYMENT

Ohio's unemployment rate in August was unchanged from July's 4.6 percent even as the state added 13,900 jobs over the month, according to data released by the Ohio Department of Job and Family Services (ODJFS) on Friday. The August unemployment rate for Ohio decreased from 5.0 percent in August 2017. The U.S. unemployment rate for August was 3.9 percent, unchanged from July, and down from 4.4 percent in August 2017. Ohio is one of 24 states with an unemployment rate significantly higher than the national rate.

ENERGY

Appalachian Ohio will become home to one of the first three solar energy fields approved by the Ohio Power Siting Board (OPSB) as a "major utility facility," a \$150 million project of Chicago-based Invenery that is expected to generate 125 megawatts (MW) on 1,950 acres near McArthur in Vinton County.

The Ohio Consumers' Counsel (OCC) asked the U.S. 6th Circuit Court of Appeals Tuesday to stop bankrupt FirstEnergy Solutions from unloading more than \$268 million owed to the Ohio Valley Electric Corporation's (OVEC) redundant coal plants on the state's other regulated utilities, and ultimately on millions of Ohio ratepayers who are "captive" to OVEC subsidies.

ENVIRONMENT

Six Ohio organizations will receive environmental education mini grants totaling \$27,000, the Ohio Environmental Protection Agency (Ohio EPA) announced Tuesday. The projects focused on habitat restoration, storm water management and environmental careers, the agency said.

FEDERAL

In a jointly signed letter, Gov. John Kasich and Colorado Gov. John Hickenlooper, a Democrat, called on U.S. Trade Representative Robert Lighthizer to pursue a "forward looking" trade policy rather than current tariffs that are creating uncertainty and damage to their respective states, with Kasich tweeting further that "this administration's trade war is holding our nation back from true economic prosperity." The letter acknowledges the desire for "updated, fair and equitable trade agreements" but calls on Lighthizer and his team to not close markets, impose tariffs or enact government regulations that could negatively affect manufacturers, agricultural producers and businesses and rural communities that are heavily reliant on them.

U.S. Sen. Sherrod Brown (D-OH) celebrated the expected passage of what he said were two major legislative victories Wednesday, one that would expand health care options for babies affected by opioids and another that would end "gag orders" on pharmacies that prevent them from informing consumers of cheaper avenues of purchasing medications.

GENERAL ASSEMBLY/STATEHOUSE

Senate President Larry Obhof (R-Medina) said Tuesday the GOP caucus is now taking applications for the 20th District seat recently vacated by Troy Balderson, the victor in August's special congressional election. The district covers Fairfield, Guernsey, Hocking, Morgan and Muskingum counties and parts of Athens and Pickaway counties. Applications, including a resume, letters of recommendation and other supporting material applicants feel relevant, are due by 4 p.m. Friday, Nov. 16.

The Senate unanimously passed SB 259 (Hackett) addressing physician assistants while HB 353 (Reineke), addressing exemptions under the Unclaimed Funds Law passed with Sens. Mike Skindell (D-Lakewood) and Charleta Tavares (D-Columbus) voting against it. Also passing was HB 405 (Perales), legislation that creates an offense of counterfeiting and includes counterfeiting within the definition of "corrupt activity" under the Corrupt Activities Law. HB 250, which establishes requirements for the use of electric bikes, also passed.

After Tuesday's session, Senate President Larry Obhof (R-Medina) said "how long or how intense lame duck will be" is partly dependent on the outcome of the November election. He said he expects they will be working on unemployment compensation and energy issues.

Senate President Larry Obhof (R-Medina) Wednesday told reporters following Wednesday's nonvoting session there is a "good chance" the Senate will take up a veto override of SB 221 (Uecker), which addressed agency rule-making and legislative review. He said he believes they could have a bipartisan vote to override Gov. John Kasich's veto.

Rep. Sarah LaTourette (R-Chesterland) told attendees of the Legislative Cancer Caucus' Wednesday meeting that she is confident in passage of HB 286, her bill to create palliative care programs, before the end of the term as it is a top priority for her, and a personal one. The bill passed the House in November and is currently in the Senate Health, Human Services and Medicaid Committee. LaTourette said she's discussed it repeatedly with committee chair Sen. Dave Burke (R-Marysville), who is also hoping to see the bill pass before year's end.

In other legislative action, the Senate Health, Human Services and Aging Committee reported out SCR 18 (Yuko) which urges Congress to amend the Americans with Disabilities Act and adopt an international symbol of access.

GOVERNOR

Appointments made during the week include the following:

- Mary E. "Beth" Hammond of Findlay (Hancock County) reappointed to the Owens Community College Board of Trustees for a term beginning Sept. 22, 2018 and ending Sept. 21, 2024.

- Barbara Mattei-Smith of Newark (Licking County) to the Early Childhood Advisory Council for a term beginning Sept. 21, 2018 and continuing at the pleasure of the governor.
- David L. Cox of Middletown (Butler County) reappointed to the State Board of Registration for Professional Engineers and Surveyors for a term beginning Sept. 25, 2018 and ending Sept. 24, 2023.
- Barbara A. Turner of Liberty Township (Butler County) to the Cincinnati State Technical and Community College Board of Trustees for a term beginning Sept. 25, 2018 and ending Aug. 31, 2022.
- Lee A. Alexakos of Sandusky (Erie County) and Ellen A. Grinsfelder of Logan (Hocking County) reappointed to the TourismOhio Advisory Board for terms beginning Sept. 28, 2018, and ending Sept. 27, 2021.

GREAT LAKES

Citizens and organizations can now directly invest in the Erie P Market, the Great Lakes Commission (GLC) announced. For each credit purchased through the Erie P Market, one pound of phosphorus will be prevented from entering the lake, GLC said. The commission announced the water quality trading initiative in July 2016 and performed a "soft launch" of the program earlier this summer.

HEALTH AND HUMAN SERVICES

Throughout October, the Health Policy Institute of Ohio (HPIO) will be holding five regional forums on behalf of the Ohio Department of Health seeking input for the 2019 State Health Assessment (SHA) and State Health Improvement Plan. HPIO is inviting stakeholders from a variety of backgrounds, including local health departments, hospitals, health insurance plans, local government, criminal justice, education, nonprofits and job and family services departments to attend.

JUDICIAL

The media battle over official records in the 2016 Pike County mass murder has produced little new information in the latest Ohio Supreme Court victory for major newspapers around the state. Following Wednesday's ruling that preliminary autopsy notes and coroner's photographs in the Rhoden/Gilley family massacre may be inspected by journalists, Ohio's major media outlets are reporting only that Christopher Rhoden Sr. was shot through a door among nine total bullet wounds to his body.

Following 15 months of legal briefs, a divided Supreme Court of Ohio has decided it will not hear the state's appeal of a 2nd District holding that students are under police custody and entitled to their *Miranda* rights when a school safety director who is not a peace officer detains them with law enforcement present. A case involving a confessed bomb threat, *In re L.G.*, was originally filed with the Court in June 2017 and accepted for briefing last January; on Thursday, justices moved 4-3 to dismiss the case as improvidently accepted. Chief Justice Maureen O'Connor, who led the ruling

joined by Justices Patrick Fischer, R. Patrick DeWine and Mary DeGenaro, had dissented along with Fischer when the case was originally accepted.

Decades of industry practice and a half dozen friends of court including the Ohio Oil and Gas Association (OOGA) were unable to convince the Ohio Supreme Court Tuesday that landmen who negotiate mineral leases are not obligated to hold real estate licenses under the plain language of R.C. 4735.01. The Court ruled 7-0 that owner Thomas Dundics of Ibis Land Group had no standing to sue Eric Petroleum Corp. of Youngstown for unpaid lease commissions because Dundics was not a real estate agent as defined by the law.

LOCAL GOVERNMENT

Columbus Police Chief Kim Jacobs requested the FBI Public Corruption Task Force take over investigations regarding the division's Vice Section, saying Thursday that "recent high profile incidents have brought forward a variety of allegations against the Vice Section."

NATURAL RESOURCES

The Ohio Department of Natural Resources (ODNR) marked Friday's effective date of SB 257 (Uecker-O'Brien) with a news conference Thursday, saying the new law would bolster the "customer service" side of the hunting and fishing licensing process and generate additional revenue for the department through attracting additional participants to the sports.

PEOPLE

The Ohio Air Quality Development Authority (OAQDA) Board Wednesday announced that it hired Christina O'Keefe, the current director of energy and air quality at the Mid-Ohio Regional Planning Commission (MORPC), as the authority's new executive director.

Attorney Sophia Chang was hired by the Ohio Legal Assistance Foundation (OLAF) this week, where she'll work with the Supreme Court, state and metro bar associations and other groups to grow pro bono legal resources in Ohio. Chang comes to OLAF from the Ohio Court of Claims, where she served as a staff attorney and then a magistrate. She previously worked as an attorney with American Electric Power.

Bill Stanley of Grandview Heights has been named state director of the Nature Conservancy (TNC) in Ohio. Stanley has served as the environmental organization's assistant state director and director of conservation for the last 10 years, TNC Ohio said in a news release. Previously, he directed TNC's climate change program out of its Arlington, VA headquarters. He has been with the organization for nearly 20 years.

STATE GOVERNMENT

The Ohio Inspector General's Office (IG) issued findings of a "wrongful act or omission" by three state agencies as part of a \$1.3 million government contracting scheme under the Minority Business Enterprise (MBE) and Encouraging Diversity, Growth and Equity (EDGE) programs and masterminded by a full-time employee of the Ohio Department of Rehabilitation and Correction.

The Controlling Board issued blanket approval for all 48 items on the agenda Monday, as there were no holds or discussion of specific requests. The agenda included a \$2.5 million request from the Bureau of Workers' Compensation to fund the Opioid Workplace Safety Program.

TRANSPORTATION/INFRASTRUCTURE

The Senate Tuesday passed legislation that establishes requirements for the use of electric bicycles, with one senator telling his colleagues that the bill does not address electronic scooters seen on the streets of Columbus and other cities around Ohio. Sen. Frank LaRose (R-Copley) said he anticipates the General Assembly will address regulations for electric scooters at some point, but HB 250 (Brinkman) is not the bill to do that. Instead, it would make Ohio the 31st state to establish rules for the use of electric bicycles, updating Ohio laws for the low-speed bikes.

UTILITIES

Dayton Power & Light Company (DP&L) will double its corporate rate of return and hike its fixed distribution charge by 65 percent under a settlement agreement unanimously approved by the Public Utilities Commission of Ohio (PUCO) Wednesday and joined in full by a diverse group of stakeholders including the Ohio Consumers' Counsel (OCC), Ohio Energy Group, Ohio Environmental Council, Ohio Partners for Affordable Energy, and others. The city of Dayton, Ohio Manufacturers' Association Energy Group, and Industrial Energy Users-Ohio limited their support as "non-opposing" parties. DP&L, whose operating income was \$23,424,847 for the test period of June 1, 2015 - May 30, 2016, will increase distribution rates by \$29.78 million annually for a 7.27 percent rate of return. The commission says DP&L's new rate plan will cost the average residential customer \$2.64 more per month for 1,000 kilowatts of usage.

The Public Utilities Commission of Ohio (PUCO) on Wednesday approved this week's Duke Energy Ohio wholesale auction results, which ultimately will determine default retail generation rates under its standard service offer (SSO) for June 2019 to May 2022. At the Sept. 25 auction, three suppliers submitted winning bids for a three-year product at an average clearing price of \$47.66 per megawatt hour for the service period June 1, 2019 to May 31, 2022.

AEP Ohio has filed a settlement with the Public Utilities Commission of Ohio (PUCO) that outlines \$607 million in customer benefits from the tax savings created by the federal Tax Cuts and Jobs Act. AEP Ohio, the Ohio Consumers' Counsel, PUCO staff, and several groups representing industrial and commercial customers have signed onto the agreement.

WORKERS' COMPENSATION

More than 5,500 rebate checks issued to Ohio employers by the Ohio Bureau of Workers' Compensation (BWC) remain uncashed, the bureau said Wednesday. The checks total \$10.8 million and will expire in October, as part of a \$1.5 billion rebate earlier this year. There are 44 outstanding checks expiring Oct. 3, worth \$143,241, BWC said. On Friday, Oct. 12, 665 checks worth more than \$2.2 million will expire, followed by 782 checks worth more than \$1.5 million on Tuesday, Oct. 16; 1,291 checks worth more than \$2.4 million on Thursday, Oct. 18; 1,611 checks worth more than \$3 million on Monday, Oct. 22; and 1,154 checks worth more than \$1.5 million on Wednesday, Oct. 24.

WORKFORCE

The Ohio Business Leadership Network (OBLN) and its national parent nonprofit organization have worked to promote inclusion of people with disabilities in the workplace, but that mission wasn't always clear from the organization's name. Going forward, OBLN is rebranding to put that work front and center as Disability:IN Ohio, reflective of the national organization's matching name change.

The Health Policy Institute of Ohio (HPIO) recently released a report on ways to increase self-sufficient employment, saying that many Ohioans are not prepared for it and most jobs with the highest number of openings do not pay self-sufficient wages to cover basic needs or offer health insurance benefits.

LEGISLATIVE ACTIVITY:

SENATE:

PASSED BY SENATE

HB250

ELECTRIC BIKE REQUIREMENTS (Rep. Tom Brinkman) To establish requirements for the use of electric bicycles.

Amended on Floor, Bill Vote 29-0

HB353

UNCLAIMED FUNDS EXEMPTION (Rep. William Reineke) To make changes to the exemptions under the Unclaimed Funds Law.

Vote 27-2

HB405

COUNTERFEITING OFFENSE (Rep. Rick Perales) To create the offense of counterfeiting and to include counterfeiting within the definition of "corrupt activity" under the Corrupt Activities Law.

Vote 29-0

SB259

PHYSICIAN ASSISTANT REGULATION (Sen. Robert Hackett) To revise the law regulating physician assistant practice.

Vote 29-0

HOUSE:

No legislative activity to report.