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Week in Review

December 20, 2019

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.

AGING

Because state supports for Ohio's aging population were built at a time when there were fewer older adults, the system will face unprecedented stress as the baby-boom generation enters older adulthood. A recent report from the Center for Community Solutions (CCS) characterized this as the "age wave." The report examines mental health trends among older adults and concludes that the strength of Ohio's mental health network will be dependent on funding beyond insurance reimbursement, the state should consider additional modes of mental health service delivery.

AFFORDABLE CARE ACT

Congress' effective elimination of the penalty for failure to secure health insurance makes the purchase mandate no longer a valid exercise of congressional power and thus unconstitutional, a federal appeals court ruled Wednesday in the case *Texas v. United States*. But the Fifth District Court of Appeals asked the trial court to reconsider the issue of whether striking the insurance mandate upends the entire Affordable Care Act (ACA), or if the mandate is severable from other

parts of the law. Attorney General Dave Yost had filed an amicus brief earlier this year arguing in favor of the latter conclusion, saying the mandate can be struck without eliminating the law's protections for patients with pre-existing conditions.

AGRICULTURE

The Ohio Department of Agriculture (ODA) on Tuesday filed nine charges against Stacy Elliot, also known as Stacy El-Muhammad, for violations related to the release of a serval cat, a dangerous wild animal (DWA) under Ohio law. El-Muhammad, the father of former Ohio State University and current Dallas Cowboys running back Ezekiel Elliot, is also facing 12 other charges brought by the Ohio Department of Natural Resources (ODNR), Fairfield Area Humane Society and Fairfield County Dog Warden in connection to the serval, which was found loose in Canal Winchester on Oct. 13. A deputy with the Fairfield County Sheriff's Office shot and killed the animal.

BUSINESS/CORPORATE

Ohio business leaders remain wary of national uncertainty but expect a strong finish in 2019, according to a quarterly survey recently released by the Ohio Chamber Research Foundation. During the third quarter of 2019, the state's "prosperity pulse" dropped again from 119.6 to 106.8, following a previous decline in the second quarter. The Ohio Chamber attributed that to increased hiring plans and the current overall economic outlook, combined with "reduced planned capital expenditures" and the second consecutive quarter of decreases in anticipated profits.

CENSUS

A recent release from the U.S. Census Bureau details the status of school enrollment. From 2011 to 2018, the number of people enrolled in schools decreased by 2.2 million from 79 million to 76.8 million. Overall enrollment in kindergarten through 12th grade also dropped from 53.7 million in 2011 to 53.1 million in 2018. Enrollment in K-12 private schools was 4.4 million in 2018, not statistically different from the level in 2009, after having fallen 20% from 2000 to 2009.

CHILDREN/FAMILIES

Ohio First Lady Fran DeWine Wednesday announced the opening of the Ohio Governor's Imagination Library (OGIL) in Montgomery County. Any child from birth to age five can enroll to receive books from OGIL. After enrollment, children will begin receiving a new book each month, at no cost to their family, until they reach the age of five.

A new report from the Georgetown University Center for Children and Families indicated that Ohio's rate of uninsured children under age six has risen from 3.6% in 2016 to 5.0% in 2018, reversing a trend of childhood uninsured rates decreasing. Childhood uninsured rates nationwide decreased or stayed the same from 2010 to 2016 but have increased every year since 2016. A total of 29,820 children under age six were uninsured in Ohio in 2016, and 41,642 in 2018, representing a 39.6% increase over only two years, according to the report titled "Nation's Youngest Children Lose Health Coverage at an Alarming Rate."

CRIME AND PUNISHMENT

A state leader in specialty drug courts challenged the idea Thursday that addicted Ohioans need the threat of criminal conviction to cooperate with rehabilitation programs supported by the judiciary. Eighth District Judge Larry Jones, founder of the Greater Cleveland Drug Court, joined California-based Alliance for Safety and Justice (ASJ) in Columbus to urge passage of SB3 (Eklund-O'Brien) as is, including the proposed felony-to-misdemeanor reclassification of drug possession opposed by Chief Justice Maureen O'Connor and a host of powerful voices on Capitol Square.

EDUCATION

The panel of lawmakers and superintendents assigned to study reforms to Ohio's report card system for local school performance issued a summary Monday of recommendations provided to it by stakeholders but did not endorse any specific changes. Legislative co-chairs of the study group said it would be helpful as a reference as the General Assembly wrestles with whether and how to change the report card. But Democratic lawmakers on the panel said failure to make any firm recommendations was a major disappointment.

Industry-recognized credentials in a new workforce program focused on high school students will include advanced manufacturing, information technology (IT), engineering and construction, health care and apprentice and journeyman programs, the DeWine administration announced Monday. The Ohio Department of Education (ODE) and Governor's Office of Workforce Transformation (OWT) issued the announcement jointly regarding the Innovative Workforce Incentive Program, created under the operating budget, HB166 (Oelslager).

Auditor of State Keith Faber's office is asking a Franklin County judge to order completion of the final financial statement for Electronic Classroom of Tomorrow (ECOT), saying delay in its production is preventing completion of a closeout audit for the defunct online charter school.

Public safety officials outlined hopes to grow the staffing and capabilities of the new Ohio School Safety Center at Tuesday's inaugural meeting of the workgroup Gov. Mike DeWine created to assist the center with its mission. DeWine signed an executive order creating the center and the workgroup in August. He announced the roster of workgroup members Monday.

Voters have the right to seek transfer of their homes to a new school district under a new law included in the state budget, but the village in which they live can't press that right on its own, the Ohio Supreme Court ruled. Some of those voters quickly took up the case on their own, however, putting the underlying issue back before justices. In an unsigned, 6-1 opinion, justices dismissed the lawsuit brought by the village of Hills and Dales against Plain Local School District.

Ahead of further study by a legislative study panel, the State Board of Education's workgroup on dropout prevention and recovery (DOPR) schools completed its work with a report outlining a dozen recommendations to improve the sector and better measure its performance. John Hagan, the board member who led the workgroup, said at the recent board meeting that the importance of bolstering dropout recovery work in Ohio is illustrated in the report's cover image -- a graph showing the steadily increasing number of students who don't graduate and the slowly dropping numbers enrolled in and graduating from DOPR schools.

ELECTIONS

Secretary of State Frank LaRose recently announced that the Defiance County Board of Elections will be one of two Ohio counties that will launch a pilot post-election audit known as the risk-limiting audit (RLA). According to the secretary of state's office, the RLA functions similarly to a public poll, where voters are polled from a random sampling. With RLAs, election officials will statistically sample ballots and manually verify the results to determine the accuracy of the outcome of a contested race. The secretary of state's office said RLAs are more efficient and more fairly consider the full scope of the race in question.

ELECTIONS 2020

The battle lines for 2020 started to come into focus Wednesday as the deadline for the Tuesday, March 17 primary passed. House Republicans filed in more districts for this cycle than their Democratic counterparts, who unlike last cycle did not file in all 99 districts. The House Republican Campaign Committee said on Twitter that it filed in 94 districts, while Democrats said they filed in 83 districts, saying they want to focus resources on where they can be competitive, victorious and pick up seats in 2020.

According to Secretary of State Frank LaRose's office, presidential candidates who filed paperwork to qualify for the Ohio ballot include Michael Bennet, Joseph R. Biden Jr., Michael R. Bloomberg, Cory Booker, Pete Buttigieg, Julian Castro, John K. Delaney, Tulsi Gabbard, Amy Klobuchar, Deval Patrick, Bernie Sanders Tom Steyer, President Donald J. Trump, Elizabeth Warren, Bill Weld and Andrew Yang.

The following endorsements were made over the week:

- Former Ohio Gov. Ted Strickland endorsed Joe Biden for president.

ENVIRONMENT

Cleveland Clinic received the Ohio Environmental Protection Agency's (Ohio EPA) "platinum" environmental stewardship award, the agency's highest level of recognition for environmental excellence. The organization earned the award for its efforts on recycling, energy demand reduction, green infrastructure and community environmental improvements, Ohio EPA said.

A total of 41 entities, including more than a dozen school districts, will receive \$13 million in grants to reduce nitrogen oxide emissions from diesel vehicles and equipment, according to the Ohio Environmental Protection Agency (Ohio EPA). Nitrogen oxide emissions are significant contributors to ground-level ozone pollution, also known as smog.

About two-thirds of U.S. adults (67%) say the federal government is doing too little to reduce the effects of climate change, and similar shares say the same about government efforts to protect air (67%) and water quality (68%), according to a survey released recently by Pew Research Center.

FEDERAL

The U.S. House of Representatives voted to impeach President Donald Trump Wednesday night, marking the third such instance in U.S. history. Proceedings will move to the U.S. Senate for a trial, though it is not clear when that will occur. The 12 Republican members from Ohio all voted against the two articles of impeachment, while the four Democratic members voted in favor of it, as they had on a previous resolution formalizing the impeachment inquiry. The first article, alleging abuse of power, received a vote of 230-197, while the second, alleging obstruction of Congress, received a vote of 229-198.

U.S. Sens. Sherrod Brown (D-OH) and Rob Portman (R-OH) gave details on which provisions in the FFY20 National Defense Authorization Act (NDAA) conference report will affect Ohio recently in a series of press releases. The NDAA will provide \$750 billion in national defense spending and was passed by the Senate Tuesday, sending it to President Trump for his signature. Among the provisions is \$1.7 billion in funding to upgrade 165 Abrams tanks, produced at the Joint Systems Manufacturing Center (JSMC) in Lima and \$120.9 million in funding to finish upgrades to the National Air and Space Intelligence Center (NASIC) located at the Wright-Patterson Air Force Base.

Senate President Larry Obhof (R-Medina) was part of an event Monday to discuss regulatory reform with President Donald Trump, Vice President Mike Pence and other states' governors, sharing Ohio lawmakers' efforts on the subject. According to a statement from Senate Republicans, Obhof highlighted Ohio's new law, included in the state budget, to excise two regulations for every new one, similar to an executive order Trump signed in 2017.

A congressional subcommittee chaired by U.S. Rep. Marcia Fudge (D-Warrensville Heights) released a report recently on voting rights and elections administration, saying it found "persistent discrimination" in voting law changes and that some groups such as Native Americans were disproportionately targeted and impacted by voter identification laws and polling place closures. Fudge chairs the Committee on House Administration's Subcommittee on Elections, which collected testimony and evidence on the state of voting rights and election administration in the wake of the 2013 U.S. Supreme Court ruling in *Shelby County v. Holder*, which ruled that the federal government could no longer force certain jurisdictions to get preclearance to voting law changes based on past actions.

GAMING/GAMBLING

The goals of Gov. Mike DeWine's RecoveryOhio initiative completely align with those of the Ohio Casino Control Commission (OCCC), Executive Director Matt Schuler told commission members on Wednesday.

In his report during the OCCC's monthly meeting, Schuler said he and OCCC Problem Gambling Services Director Amanda Blackford recently met with RecoveryOhio Director Alisha Nelson.

GENERAL ASSEMBLY/STATEHOUSE

Ohio House Speaker Larry Householder (R-Glenford) told reporters Thursday that he hopes to tackle mental health issues in 2020, including whether to incentivize nursing homes to convert to mental health facilities. Speaking at a meeting where he touted the accomplishments of the House over the last year and looked forward to what he expects the chamber to be working on in 2020, Householder

said he's a believer in the fact that there are too many Ohioans out there suffering from mental health issues. Many ended up in homelessness, & some issues have led to violence as school shootings.

The Controlling Board approved all 117 items on its agenda Monday following holds of items from the Development Services Agency (DSA), the Ohio Department of Medicaid (ODM), the Ohio Department of Mental Health (ODMH), the Ohio Facilities Construction Commission (OFCC) and the Ohio Department of Transportation (ODOT). This was the board's final meeting of 2019.

In its last session of the year on Tuesday, the Ohio Senate unanimously passed two bills addressing veterans' issues -- SCR5 (Schaffer), which urges Congress to enact the Mark Takai Atomic Veterans Healthcare Parity Act, and HB18 (Vitale-Crawley), which exempts disability severance payments received by honorably discharged veterans from the state income tax. The chamber also sent SB165 (Schaffer), addressing Supplemental Nutrition Assistance Program (SNAP) benefits, back to the Senate Rules and Reference Committee.

Following a feud with her caucus that lasted more than a year-and-a-half, Rep. Bernadine Kennedy Kent (D-Columbus) announced Tuesday that she will not run for reelection.

Recently sworn in as a member of the Ohio House, Rep. Jason Stephens (R-Kitts Hill) said that he intends to apply what he has learned in local government in his 19 years as a Lawrence County commissioner and then auditor to the issues and bills in the General Assembly. Areas he hopes to focus on include property taxes, licensing, school funding, helping local governments with the opioid epidemic and associated increases in emergency services and jail funding, infrastructure development and expanding broadband in rural areas like his Appalachian district.

The Senate Ways and Means Committee Tuesday reported out SB125 (Hottinger-Brenner), which expands the income tax deduction for contributions to Ohio's 529 education savings plans.

GOVERNOR

Gov. Mike DeWine said Friday he is looking to move forward on renewed state jail funding advocated by the County Commissioners Association of Ohio (CCAO) and that, generally, the onus is on the Legislature to show why Statehouse enactments should trump local control. Addressing a range of topics, DeWine said State Superintendent of Public Instruction Paolo DeMaria's position is secure, as far as he's concerned, and that he's currently discussing a possible compromise with Senate Pres. Larry Obhof (R-Medina) on drug possession charges that have split Capitol Square over the issue of felony-to-misdemeanor reclassification in SB3 (Eklund-O'Brien).

Gov. Mike DeWine, Lt. Gov. Jon Husted and members of the cabinet were on the road to the Mahoning Valley as the first regional cabinet meeting was held in the Youngstown area on Wednesday, Dec. 18. In addition, a number of other activities were scheduled for the day in and around Youngstown -- much like what happened when former Gov. John Kasich would take his "State of the State" address on the road.

HEALTH AND HUMAN SERVICES

The infant mortality rate has dropped in Franklin County since 2017, a sign that hospital and agency partnerships across the community have been effective in addressing issues that put babies at risk, two physicians told the Ohio State University (OSU) Wexner Medical Center Board recently. In a

presentation on the Wexner Medical Center's role in local efforts to reduce infant mortality, Mark Landon, chair of obstetrics and gynecology at OSU, said the infant mortality rate, measuring the number of deaths per 1,000 births in the first year of life, decreased from 8.2 to 5.9 between 2017 and to-date in 2019.

The Ohio Department of Job and Family Services (ODJFS) reports it has learned of a potential Supplemental Nutrition Assistance Program (SNAP) scam where some SNAP recipients have been connected to a fraudulent customer service number and were asked to provide a credit card number so that they could be charged "shipping fees" for a new Ohio Direction/EBT card. ODJFS stresses that it "never asks customers to provide credit card numbers, and customers are not charged to replace their cards."

HOUSING/HOMELESSNESS

November home sales were 1.4 percent behind numbers seen a year earlier, according to Ohio Realtors, with 11,672 sales versus 11,833 in November 2018. But for the year so far, sales are slightly ahead, reaching 142,156 versus 141,715 in the first 11 months of 2018, a 0.3% increase.

INSURANCE

The Ohio Department of Insurance (ODI) was one of the first such entities to create a program to help connect beneficiaries with life insurance policies, but it will soon consolidate those efforts into use of the National Association of Insurance Commissioners' (NAIC) Missing Life Insurance Policy Locator. The NAIC locator program has been implemented around the U.S., according to ODI, and has received 145,432 requests since it was launched in 2016. Those have generated 46,665 matches of lost or misplaced policies and annuities, with claim amounts over \$650 million reported through July 31.

The out-of-pocket financial burden for insured, working Americans is substantial and growing -- especially when it comes to out-of-network, non-emergency hospital care, according to a recent study from Ohio State University (OSU). Researchers at OSU said they analyzed claims from more than 22 million enrollees in private insurance plans and found that out-of-pocket costs for non-emergency out-of-network hospital care nearly doubled in five years.

JUDICIAL

The Board of Professional Conduct announced the re-election of 5th District Judge John Wise as chairman and attorney Patricia Wise as vice chair Monday, with both serving through Dec. 31, 2020. They are not related.

The Ohio Supreme Court ruled unanimously Tuesday that a trained attack pit bull that mauled a neighbor and, by its owner's admission, used to "bite everybody" did not satisfy the definition of "dangerous dog" in R.C. 955.11. The majority found that designation, however, does not require a dog to have been previously declared dangerous by a dog warden or other animal control authority and to have been upheld as such on appeal, despite the due process requirements of 2012's 129-HB14 (Sears).

Backed by Ohio Attorney General Dave Yost, WBNS-10TV in Columbus has convinced the Ohio Supreme Court that 10th District Judge Jennifer Brunner and two former Democratic colleagues

ignored its landmark ruling in 1987 that private citizens must prove negligence to win a media defamation suit. The appeals court had said the news station defamed the Anderson family by identifying three siblings as "robbers" in a false "CrimeTracker" report -- a finding the Supreme Court refused to address Wednesday.

LOBBYISTS

John Van Doorn announced that he will retire at the end of the year from the Ohio Association for Justice (OAJ) after more than 10 years serving as the association's director of government affairs.

LOCAL GOVERNMENT

Columbus Mayor Andrew Ginther Tuesday announced the selection of Interim Police Chief Thomas Quinlan as the city's next police chief. Ginther highlighted the extensive national search the city undertook to find the replacement for former Police Chief Kim Jacobs, who retired in February. Quinlan has been the interim chief since then. He was one of two finalists, along with former Seattle Police Assistant Chief Perry Tarrant.

The Ohio Mayors Alliance recently adopted its public policy agenda for 2020, which includes the following, among other items: prioritizing community reinvestment and local economic development and protecting home rule authority for Ohio's local communities.

NATURAL RESOURCES

The Ohio Department of Natural Resources (ODNR) has awarded its highest honor to three individuals for making outstanding contributions to the protection and enjoyment of the state's natural resources. Inducted into the Ohio Natural Resources Hall of Fame were lepidopterist Jerome Wiedmann and birders Dick Tuttle and Dick Phillips, according to ODNR.

NONPROFIT ORGANIZATIONS

Ohio was recently named the fifth most charitable state, according to WalletHub. All 50 states were ranked by comparing them across 19 indicators of charitable behavior. Minnesota, Utah, Maryland and Oregon were the first through fourth states. Arizona was named the least charitable state, with New Mexico (49th), Mississippi (48th), Louisiana (47th), Nevada (46th), and Rhode Island (45th) also scoring toward the bottom. Ohio's neighbors including Indiana (22nd), Kentucky (28th), Michigan (30th) and West Virginia (42nd) also did not fare well in the ranking. Rankings were based on two dimensions, "volunteering and service" and "charitable giving."

OHIO HISTORY

Monday marked the opening of the Stark Campus: May 4th Exhibition at Kent State University. The exhibit runs now through Saturday, May 16, 2020 as part of Kent State's commemoration of the 50th anniversary of May 4, 1970, when the Kent State shooting occurred.

PEOPLE

The Board of Embalmers and Funeral Directors announced Wednesday the appointment of former Rep. Cheryl Grossman as its new executive director. She will begin the position Sunday, Dec. 29, succeeding David Ingram, who has held the role since August 2017 and is leaving to join a Columbus law firm.

AARP Regional Vice President Rawle Andrews Jr. announced that Holly A. Holtzen, Ph.D., the former chief operating officer and acting executive director of the Ohio Housing Finance Agency (OHFA), has been appointed state director for AARP in Ohio. She began her new role Monday, Dec.16.

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) announced Wednesday the appointment of Jonathan Baker as chief of staff. Since joining OhioMHAS, Baker has served as the legislative liaison, capital project manager, acting deputy director of public affairs, and chief of the bureau of capital planning and management.

The Ohio Prosecuting Attorneys Association (OPAA) recently elected the following officers for 2020: President: Juergen Waldick, Allen County prosecuting attorney; President Elect: Daniel R. Lutz, Wayne County prosecuting attorney; Vice President: Michael O'Malley, Cuyahoga County prosecuting attorney; Treasurer: Jane Hanlin, Jefferson County prosecuting attorney; and Secretary: Kevin S. Talebi, Champaign County prosecuting attorney.

PUBLIC SAFETY

The Ohio Department of Public Safety's (DPS) Office of Criminal Justice Services (OCJS) announced recertification of the Miami County Sheriff's Office, University of Toledo Police Department, New Lexington police in Perry County and Ada police in Hardin County. OCJS Executive Director Karhlton Moore says he expects to recertify more than 200 jurisdictions by year-end 2020 out of the 446 agencies and 26,000-plus officers now onboard with state standards.

SECRETARY OF STATE

Ohio Secretary of State Frank LaRose announced Thursday that 8,278 new entities filed to do business in Ohio in November, allowing Ohio to reach 121,550 new businesses in the first 11 months of 2019.

STATE GOVERNMENT

The Bureau of Motor Vehicles (BMV) pilot program allowing customers to check in online before arriving will expand statewide, Lt. Gov. Jon Husted and BMV Registrar Charles Norman announced Friday. All BMV locations in Columbiana, Mahoning and Trumbull counties will now use the system, which remains active at the pilot locations in Franklin, Cuyahoga and Hancock counties as well. On average, Husted's office said, customers using the "Get In Line, Online" system spent 15 fewer minutes waiting in person during the pilot program. The expansion will be led by Husted's InnovateOhio initiative during the remainder of 2019 and in the first half of 2020.

Ohio was the only state to receive an "A" ranking in a recent report released by the U.S. Public Interest Research Group (PIRG) Education Fund and the Frontier Group on states' transparency

regarding economic development subsidies. The report said that 42 states responded to the survey. While all states make efforts to provide information on economic development subsidies online, Ohio stood out for utilizing "a number of formats," the report said. Those included the state's online checkbook portal and annual evaluation of grant programs by the Development Services Agency (DSA), as well as two DSA portals on grant payments and tax credits. The DSA portals also give users the ability to download the entire database for additional analysis.

TSG Partners Ltd. will seek to maintain its status as a minority-owned business, according to a release from the company issued Monday, as the Ohio Department of Administrative Services (DAS) alleged it was not properly owned or controlled by a member of an economically disadvantaged group.

TECHNOLOGY

The InnovateOhio initiative announced Thursday an Ohio broadband strategy providing a comprehensive plan for "aggressively expanding and enhancing the state's broadband network." The lack of a statewide strategy had previously led the Federal Communications Commission (FCC) to limit Ohio's share of Connect America Funds, and InnovateOhio had taken action to encourage greater expansion efforts in rural areas of Ohio in June through potentially opening public rights of way. The document has also been submitted to the U.S. Department of Agriculture, and if approved would enable local governments to receive 20 additional points on applications for federal ReConnect funding. InnovateOhio is also working with Connected Nation Ohio to produce broadband availability maps interactive GIS map layers to aid journalists, researchers & legislators.

TOBACCO/SMOKING

The DeWine administration and OhioHealth highlighted tobacco cessation resources Thursday to encourage people to quit smoking or vaping as the season for making New Year's resolutions approaches. Gov. Mike DeWine and Dr. Amy Acton, Ohio Department of Health director, highlighted the new 21-year purchase age for tobacco products included in the state budget, as well as Ohio's participation in Truth Initiative marketing to help bring the message to teenagers, among whom public health officials are seeing alarming increases in e-cigarette use.

TRANSPORTATION/INFRASTRUCTURE

The Ohio Turnpike and Infrastructure Commission Monday approved its 2020 operating and capital budgets. The commission approved a total operating budget of nearly \$356 million in expenditures in transfers. The budget is based on revenues including nearly \$319 million in toll revenues and \$17 million in revenues from concessions. The commission also approved a preliminary list of 2020 capital projects totaling more than \$148 million, as well as nearly \$30 million in uncommitted funds that may be used for currently unidentified capital projects that may be needed during the year, for a total of nearly \$178 million in total budgeted expenditures.

Two senators Tuesday announced they will be introducing legislation that will encourage the purchase of electric vehicles (EVs) in Ohio. Sens. Sean O'Brien (D-Bazetta) and Michael Rulli (R-Salem) said they believe full electric is the future of vehicles, noting that automobile manufacturers are already spending considerable resources on developing electric vehicles.

UTILITIES

In a win for the Ohio Consumers' Counsel (OCC), 6th Circuit Appeals Court Judge Alice Batchelder slammed the U.S. Bankruptcy Court recently for unilaterally forgiving FirstEnergy Solutions' (FES) financial responsibility for legacy coal plant costs that could saddle Ohio ratepayers with a \$268 million bill. OCC and other parties had challenged the bankruptcy court's waiver of FES contractual obligations to the Ohio Valley Electric Corporation (OVEC), saying the Federal Energy Regulatory Commission (FERC) should have been allowed to investigate whether the proposed debt forgiveness would be in the "public interest" of millions of consumers within the territory of OVEC's remaining owners -- American Electric Power (AEP) of Ohio, Duke Energy and Dayton Power & Light (DP&L) -- which would likely have to absorb the costs. The 6th Circuit said those objections were well founded.

The lone Democratic seat on the Public Utilities Commission of Ohio (PUCO) is up for grabs in January when Gov. Mike DeWine will get a fresh opportunity to restructure the commission, rounded out currently by two Republicans and two independents and potentially due for a third of either under existing law. The PUCO Nominating Council launched the appointment process for Commissioner Larry Friedeman's position Monday and set an application deadline of 5 p.m., Thursday, Jan. 9. The full, five-year term begins Saturday, April 11 on appointment of the governor after Friedeman finishes out the previously unexpired term of former commissioner and fellow Democrat M. Howard Petricoff, who was forced out of the seat by the Republican Senate.

Enforcement officials with the Public Utilities Commission of Ohio (PUCO) are calling for a \$10.2 million fine against New York-based PALMco Energy in their second complaint against the retail electric and natural gas supplier in eight months. PUCO had taken nearly 500 consumer calls about PALMco between December 2018 and April 2019, spurring an initial investigation and an eventual settlement in May. The agency says another 50 calls came in between August and December, however, when the competitive retail electric supplier's (CRES) rate spiked 74 percent in a two-month period -- fully tripling the "Apples to Apples" price to compare for the local distribution utility's standard service offer (SSO). Regulators also point to the Energy Information Administration's (EIA) "stagnant" electric prices for that period.

In a year-end docket spanning 30 separate cases Wednesday, the Public Utilities Commission of Ohio (PUCO) approved the Ohio Valley Electric Corporation (OVEC) charge mandated on all Ohio ratepayers by energy subsidy bill HB6 (Callender-Wilkin), awarded a half million water and sewer customers \$7.3 million in refunds and credits under the federal Tax Cuts and Jobs Act (TCJA), and allowed Dayton Power & Light (DP&L) to scrap its current rate schedule for a decade-old electric security plan (ESP) -- the latter provision of 127-SB221 again prompting the ire of the Ohio Consumers' Counsel (OCC). PUCO also launched an investigation into last month's Dominion Energy gas explosion in Pepper Pike and opened public comment on proposed minimum service standards for all natural gas suppliers but withdrew its scheduled ruling on the final energy efficiency (EE) requirements of HB6.

LEGISLATIVE ACTIVITY:

SENATE:

PASSED BY SENATE

- HB18 VETERANS-DISABILITY SEVERANCE INCOME TAX (Rep. Nino Vitale, Rep. Erica Crawley) To exempt from the income tax disability severance payments received by honorably discharged veterans.
33-0

HOUSE:

PASSED BY HOUSE

- HB230 MONTH DESIGNATION-BRAIN CANCER AWARENESS (Rep. Jeffrey Crossman) To designate the month of May as "Brain Cancer Awareness Month."
Vote 87-0
- HB264 WATER DEVELOPMENT-LOAN REFINANCING (Rep. Shane Wilkin, Rep. Michael O'Brien) To allow the Ohio Water Development Authority to provide for the refinancing of loans for certain public water and waste water infrastructure projects.
Vote 86-0

CONSIDERATION OF SENATE AMENDMENTS

- HB12 CHILDREN'S BEHAVIORAL HEALTH NETWORK (Rep. Don Manning, Rep. Thomas West) To create the Ohio Children's Behavioral Health Prevention Network Stakeholder Group.
House Does Concur, Vote 85-1

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

- HB2 CREDENTIAL ASSISTANCE PROGRAM (Rep. Jon Cross, Rep. Michele Lepore-Hagan) To create the TechCred Program and the Individual Microcredential Assistance Program, to develop a grant program to support industry sector partnerships, and to make an appropriation.
House Accepts Conference Committee Report, Vote 85-2
- SB7 TEMP STATE OCCUPATIONAL LICENSES-MILITARY (Sen. Peggy Lehner, Sen. Robert Hackett) Regarding temporary state occupational licenses for members of the military and their spouses.
House Accepts Conference Committee Report, Vote 87-0

ADOPTED BY HOUSE

- HR287 RELATIVE TO TRAVEL ALLOWANCE. (Rep. Larry Householder, Rep. Emilia Sykes) Relative to travel allowance.
Vote 87-0

PASSED BY HOUSE

- HB75 PROPERTY VALUE CONTESTS (Rep. Derek Merrin) To require local governments that contest property values to formally pass an authorizing resolution for each contest and to notify property owners.
Vote 54-39

- HB144 NURSE EMPLOYMENT-MANDATORY OVERTIME (Rep. Don Manning) To prohibit a hospital from requiring a registered nurse or licensed practical nurse to work overtime as a condition of continued employment.
Vote 80-13
- HB242 CONTAINER USE RESTRICTIONS (Rep. George Lang, Rep. Don Jones) To authorize the use of an auxiliary container for any purpose, to prohibit the imposition of a tax or fee on those containers, and to apply existing anti-littering law to those containers.
Vote 58-35
- SB9 HEALTH PLAN CLAIM INFORMATION (Sen. Matt Huffman) To require health plan issuers to release certain claim information to group plan policyholders.
Vote 87-6