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Week in Review

March 28, 2016

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

The U.S. Centers for Disease Control and Prevention (CDC) recently issued its report examining the increase in unintentional fentanyl-related drug overdose deaths in Ohio. The Ohio Department of Health (ODH) had requested CDC's assistance last September after releasing 2014 drug overdose data showing that fentanyl-related overdose deaths increased from 84 in 2013 to 502 in 2014. The CDC report concludes that risk factors for fentanyl-related overdose deaths included: male gender, white race, some college or less education, history of a substance abuse problem, and a current mental health issue. Additional risk factors included recent release from an institution (jail, hospital or treatment facility) within the last month and a history of a high-dose opioid prescription.

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AGRICULTURE

Large-scale changes to agricultural practices will be required to meet the goal of reducing levels of algae-promoting phosphorus in Lake Erie by 40 percent, according to a new study. The study, which integrates results from six modeling teams, was released by the University of Michigan (UM) Water Center. It concludes that meeting the 40 percent reduction target set by governments of Ohio, Michigan, Ontario, the U.S. and Canada will require widespread use of strong fertilizer-management practices, significant conversion of cropland to grassland and more targeted conservation efforts.

ATTORNEY GENERAL

State and local officials started working with the Ohio Attorney General's Office on ways to convince local government agencies to carry naloxone, a drug that reverses opioid overdoses. Phone bank operators from Attorney General Mike DeWine's office, the Ohio Department of Health (ODH) and the Ohio Department of Mental Health and Addiction Services (OhioMHAS) contacted law enforcement agencies, health departments and other first responders across the state to discuss the cost-saving measures in place to make naloxone more affordable.

BALLOT ISSUES

The Ohio Ballot Board approved as a single issue the latest iteration of a clean energy proposal, but not before grilling an attorney on new language meant to address last fall's vote on putting anti-monopoly protections in the Ohio Constitution. Also, the board split the proposed Ethics First constitutional amendment into three separate ballot questions.

CHILDREN/YOUTH

Declaring that what the state "is doing right now isn't working" to address the state's high infant mortality rates, Sen. Shannon Jones (R-Springboro) led the unveiling of recommendations of the Ohio Commission on Infant Mortality, which she co-chaired with Rep. Stephanie Kunze (R-Hilliard). Despite the fact that among the 50-plus recommendations are ones that have not always proven popular among legislators such as home visitation programs, the availability of contraceptives and an increase in the tobacco tax, Jones called the "metrics" of the report sound, explaining that that is the way to build trust in the legislative process and to gain support.

CRIMINAL JUSTICE

Criminal justice reform groups called last week for "systemic reform" to address Ohio's mass incarceration problem, including sentencing reforms, offense reclassifications, fundamental changes in jail and community control practices and greater investments in mental health and addiction services to help prevent the problems that lead people to prison. The American Civil Liberties Union (ACLU) of Ohio, Ohio Public Defender's Office and Ohio Justice and Policy Center released a report with several recommendations for consideration by the state's Criminal Justice Recodification Committee. "Looking Forward: A Comprehensive Plan for Criminal Justice Reform in Ohio" urges changes following six themes: limiting harsh, automatic punishments; prioritizing

rehabilitation; releasing innocent people from jail; decriminalizing poverty; limiting collateral sanctions; and reforming community control.

EDUCATION

Sen. Jim Hughes (R-Columbus) Monday introduced SB 297 which he said is aimed at "better equipping Ohio school officials with additional resources to address the increasing number of safety threats."

Darlene Chambers, who led Ohio's largest charter school advocacy group during a time of major changes for the sector, will step down next month. Chambers, CEO of the Ohio Alliance for Public Charter Schools (OAPCS), will leave in April to take a position with the Michigan-based National Charter Schools Institute (NCSI), a nonprofit that offers services, training and consulting. OAPCS intends to name a new CEO this summer, and plans to release application information this spring.

ELECTIONS 2016

A new national Quinnipiac University Poll shows Gov. John Kasich would beat both Democrats Hillary Clinton and Bernie Sanders in November. Getting there, however, won't be easy, as he trails Republicans Donald Trump and Ted Cruz in primary surveys. The national poll showed Trump getting 43 percent of support from Republican primary voters, followed by Cruz at 29 percent and 16 percent for Kasich. Clinton leads Sanders in the Democratic primary 50 percent to 38 percent.

EMPLOYMENT/UNEMPLOYMENT

Despite Ohio's unemployment rate remaining unchanged from January to February, the state added 12,400 jobs over the month, according to the Ohio Department of Job and Family Services (ODJFS). However, there was a large downward revision to the January numbers. According to ODJFS, nonagricultural wage and salary employment went from a revised 5,465,300 in January to 5,477,700 in February. The number of unemployed workers rose from 279,000 in January to 285,000 in February. Ohio's unemployment rate tied the national rate at 4.9 percent for the second straight month.

ENERGY

The clean energy sector has continued to flourish in the Buckeye State even with the freeze set in SB 310 (Balderson), according to a new industry report. More than 100,000 people now work in Ohio's clean energy industry, according to an analysis unveiled last Tuesday by Ohio Advanced Energy Economy (OAEE), Clean Energy Trust (CET) and Environmental Entrepreneurs. It is based on U.S. Bureau of Labor Statistics data and a comprehensive survey of thousands of businesses across Ohio and the region, representatives from the groups told reporters on a conference call.

ENVIRONMENT

The Ohio Environmental Protection Agency (Ohio EPA) pulled new rules on the testing and monitoring of harmful algal blooms after several local water agencies expressed concerns. The "to be refiled" rules, which were scheduled to be considered during Monday's Joint Committee on

Agency Rule Review (JCARR) meeting, are expected to be back on the regular agenda at the committee's next meeting, according to JCARR Executive Director Larry Wolpert and JCARR Chairman Sen. Joe Uecker (R-Loveland). The rules were written as directed by SB 1 (Gardner-Peterson), the water quality measure signed by Gov. John Kasich last year.

FEDERAL

U.S. Sen. Sherrod Brown (D-OH) announced that he helped secure a \$404,885 grant from the U.S. Department of Agriculture (USDA) for the village of Sebring as it continues to recover from its local water crisis.

GAMING

A split Supreme Court of Ohio denied education supporters and the Ohio Roundtable legal standing to challenge the constitutionality of casino gambling, at the same time affirming one citizen's right to sue over claims that a constitutional monopoly denies him equal protection to open his own casino. In the lead opinion, Justice Judith French wrote that Frederick Kinsey has a valid argument for legal standing to challenge the constitutionality of the 2009 voter-approved amendment to the Ohio Constitution permitting four casinos in specified locations, and subsequent legislation outlining how the casinos as well as seven racinos must operate.

GOVERNOR

The governor made the following appointments during the week:

- Marc K. Mays of Grove City (Franklin County) reappointed to the Ohio Respiratory Care Board for a term beginning March 17, 2016, and ending March 14, 2019.
- Joel A. Bokerman of Defiance (Defiance County) to the Ohio Fair Plan Underwriting Association Board of Governors for a term beginning March 17, 2016 and ending Sept. 18, 2017.
- Colin E. Gallagher of Hudson (Summit County) to the Materials Management Advisory Council for a term beginning March 18, 2016, and ending July 1, 2017.
- Kellie C. Sears of Fremont (Sandusky County) to the Terra State Community College Board of Trustees for a term beginning March 22, 2016, and ending Dec. 30, 2018.
- Joshua Motzer of Columbus (Franklin County) to the Underground Technical Committee.
- Bryan C. Black of Canal Winchester (Fairfield County) reappointed to the Ohio Livestock Care Standards Board for a term beginning March 23, 2016, and ending Jan. 15, 2019.
- Gordon M. Gough of Columbus (Franklin County) reappointed to the Industrial Commission Nominating Council for a term beginning March 23, 2016, and ending Oct. 20, 2019.
- Colleen H. Heacock of New Concord (Muskingum County) to the Zane State College Board of Trustees for a term beginning March 24, 2016, and ending July 31, 2016.
- Alexandra N. Boster of Cincinnati (Hamilton County) to serve as the student member on the Miami University Board of Trustees for a term beginning March 24, 2016, and ending Feb. 28, 2018.
- Dr. Madhu Sasidhar of Pepper Pike (Cuyahoga County) to the Ohio Respiratory Care Board for a term beginning March 24, 2016, and ending March 14, 2019.

HOUSING

Home sales in February were higher than those seen a year earlier, the 17th consecutive month of year-over-year increases, according to the Ohio Association of Realtors. February sales of 138,389 represented a 6.7 percent increase from the 129,690 sales seen a year earlier. The average February sales price of \$141,994 is 3.5 percent higher than prices seen a year earlier.

JUDICIAL

Executive Director and retired Judge Mark R. Schweikert announced that he will be retiring from the Ohio Judicial Conference (OJC) Friday, April 1, after 10 years. Schweikert said he's only semiretiring, as he plans to regularly work as a judge sitting by assignment across Ohio.

The Ohio Criminal Sentencing Commission (OCSC) released its first published annual report illustrating its mission and vision to improve justice and ensure fair sentencing across the state.

MEDICAID

Ohio Medicaid is spending about \$1 billion less than expected so far this fiscal year, though some of that can be chalked up to timing issues, staff of the Joint Medicaid Oversight Committee (JMOC) told the panel's members last Thursday. Meanwhile, the committee is turning an eye to the upcoming FY18-19 budget cycle. JMOC Director Susan Ackerman said she'll likely have a proposal on work by JMOC actuary Optumas for the committee at its next meeting. Optumas' report to JMOC on projected per-member per-month spending is due under law by Sept. 25, and JMOC's subsequent report to the state is due by Oct. 25.

TRANSPORTATION

New statistics from the Federal Railroad Administration (FRA) show the number of deaths at Ohio rail crossings more than tripled in 2015, and the number of injuries increased.

LEGISLATIVE ACTIVITY

No legislative activity to report.