



GOVERNMENTAL POLICY GROUP, INC.

RH RESOURCES

17 SOUTH HIGH STREET – SUITE 245

COLUMBUS, OHIO 43215-3413

PHONE: 614-461-9335

FAX: 614-461-9336



Week in Review

August 30, 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.

ADDICTION/SUBSTANCE ABUSE

Four entities were awarded \$1 million each in prize money as the Ohio Third Frontier and the Development Services Agency wrapped up the state's Opioid Technology Challenge aimed at incentivizing new developments to combat opioid addiction. Proposed by Gov. John Kasich in his 2017 "State of the State" speech, the prize-based challenge was a three-phased competition. The winners of the challenge are Brave Technology Coop (Vancouver, B.C., Canada; DynamiCare Health (Boston, MA); Prapela (Concord, MA); and University Hospitals (UH) (Cleveland, OH).

Gov. Mike DeWine said Wednesday that it would be a "serious mistake" to pass legislation allowing Attorney General Dave Yost to take over any local government lawsuits against opioid manufacturers.

Proposed legislation suggested by Yost circulated Tuesday and would give the attorney general's office exclusive authority to bring a civil action on behalf of citizens of the state "based on a cause of

action that is related to a matter of statewide concern in the appropriate court of common pleas that has jurisdiction over that cause of action."

AMERICAN LEGISLATIVE EXCHANGE COUNCIL (ALEC)

"Do something" is often the chant in the wake of tragedies, like the recent mass shooting in Dayton, but that something can often be a knee jerk reaction that fails to address the real issue, according to Deer Park, OH, City Council member Charles Tassell. "Do something is mob rule that our Founding Fathers were very much against," Tassell said recently at the conservative American Legislative Exchange Council (ALEC) annual conference in Austin, TX. He cautioned state lawmakers about what their response should be to the recent mass shootings in Dayton and El Paso, TX. Deer Park is 50 miles south of Dayton. Tassell believes lawmakers should use a deliberative process to make sure their solutions address the real problem and not create laws that neighbors can use to threaten each other with.

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 from across the county attending ALEC. Without it, states would become irrelevant, he said. England was part of a panel discussion along with former California lawmaker Ray Haynes, who also served as the national chairman for ALEC in 2000, 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."

ARTS, SPORTS AND ENTERTAINMENT

Applications are now being accepted by the Ohio Arts Council (OAC) for the 2020 Governor's Awards for the Arts in Ohio. These awards showcase and celebrate Ohio artists, arts organizations, arts leaders and patrons, and business supporters of the arts.

ATTORNEY GENERAL

Attorney General Dave Yost submitted a brief supporting the case of media outlets seeking the student records of Connor Betts, the shooter who killed nine and injured 27 in Dayton on Aug. 4. Multiple media outlets, including the *Dayton Daily News*, WCPO, WHIO, *New York Times*, CNN and others have filed a lawsuit to compel the Bellbrook-Sugarcreek Local School District to release student records that the district claims are restricted by the Family Educational Rights and Privacy Act (FERPA).

BALLOT ISSUES

A pro-HB6 (Callender-Wilkin) group announced its formation over the weekend and has started airing advertisements that it said will raise awareness of the importance of saving Ohio's nuclear power plants and keeping Ohio's energy grid out of foreign control. Ohioans for Energy Security (OES) aired its first ad on Sunday on broadcast television, cable and radio stations across the state. The ad focuses attention on what it said are funding repeal efforts of HB6, which gives subsidies to Ohio's two nuclear power plants.

The office of Ohio Attorney General (AG) Dave Yost announced Thursday that it has certified the revised summary of the proposed referendum seeking to repeal energy subsidy law, HB6 (Callender-

Wilkin), as a "fair and truthful representation of the measure" The secretary of state must still rule on the validity of the initial signatures before petitioners can begin collecting the nearly 265,000 signatures from registered voters needed to put the measure on the ballot. Those signatures must reach a threshold in at least 44 of Ohio's 88 counties equal to or greater than 3 percent of the total vote cast in the county for the office of governor at the last gubernatorial election. The deadline for submitting the signatures is Oct. 21, according to the group supporting the repeal, Ohioans Against Corporate Bailouts (OACB).

CIVIL RIGHTS

Title VII of the Civil Rights Act of 1964 does not apply to discrimination based on sexual orientation or gender identity, according to Ohio Attorney General Dave Yost. Ohio was among 15 states filing an amicus brief in the following cases: *Gerald Lynn Bostock v. Clayton County, GA*, *Altitude Express Inc. v. Melissa Zarda* and *R.G. & G.R. Harris Funeral Homes Inc. v. Equal Employment Opportunity Commission*. The first two cases claim discrimination based on sexual orientation, while the third one claims discrimination based on gender identity. However, according to Sen. Nickie Antonio (D-Lakewood), Yost is "on the wrong side of history" by joining the amicus brief.

DISASTERS

Three House Republicans from the Miami Valley Thursday proposed the establishment of a \$20 million statewide fund to help individuals left homeless by natural disasters find both temporary and permanent housing by incentivizing developers to rebuild in those areas most heavily affected. House Speaker Pro Tem Jim Butler (R-Dayton) joined the co-sponsors of the proposed legislation, Reps. Rick Perales (R-Beavercreek) and J. Todd Smith (R-Germantown), at a press conference Thursday to explain the details of the bill, which they said began to come together in the wake of multiple tornados that ripped through their region on Memorial Day, leaving thousands of structures damaged or destroyed.

ECONOMIC DEVELOPMENT

Gov. Mike DeWine's administration announced Monday the approval of assistance for two projects expected to create 215 new jobs and retain 929 jobs statewide. During its monthly meeting, the Ohio Tax Credit Authority (TCA) reviewed economic development proposals brought by JobsOhio and its regional partners. The projects are expected to collectively result in more than \$9 million in new payroll and spur more than \$28 million in investments across Ohio.

EDUCATION

The Ohio Department of Education (ODE) and Gov. Mike DeWine's office Friday launched a new website designed to provide schools information and resources on meeting student wellness needs. The website comes alongside the \$675 million in Student Wellness and Success funding included in HB166 (Oelslager), the biennial operating budget, allocated to schools for use on mental health counseling, wraparound services, mentoring, after-schools programs, etc.

At its Monday meeting the State Board of Education Dropout Prevention and Recovery Schools Workgroup heard from Joint Education Oversight Committee (JEOC) Executive Director Lauren Monowar-Jones regarding proposed changes to dropout recovery school (DRS) report cards that

would include five indicators on which schools would be graded: achievement, growth, completion rate, life readiness and climate/culture. It also heard a presentation from Leah Amstutz, interim director of the Ohio Department of Education (ODE) Office of Career Tech Education, regarding an information technology (IT) overhaul for career technical schools to more easily allow students to receive college credit for classes completed in high school.

The Columbus Board of Education at a special meeting Monday morning voted unanimously to approve a three-year contract agreement with the Columbus Education Association (CEA), the union representing the district's 4,000 teachers, nurses, counselors, social workers and other education professionals. The agreement includes a decrease in class sizes, an increase in the number of auxiliary personnel such as early childhood education teachers and school nurses, and a three-percent salary increase each year, among other provisions.

Using funding from the Preschool Development Birth through Five Grant that the state received in December 2018, the Ohio Department of Job and Family Services (ODJFS), in conjunction with three other departments, developed and has now released a self-assessment tool to help families discover whether they are eligible for any of Ohio's early childhood services. Besides ODJFS, the departments of education (ODE), developmental disabilities (DODD) and health (ODH), designed and developed the Early Childhood Services Eligibility Self-Assessment tool which will assist families to determine their potential eligibility for all of Ohio's early childhood services.

ELECTIONS

A federal appeals court this week ruled that an elector in the Electoral College is not required to vote for a state's popular vote winner in the presidential race even if the state's law requires the elector to do so.

The 2-1 decision by the U.S. 10th Circuit Court of Appeals is the first time a court has said a so-called "faithless elector" is not bound to vote for a president and vice president based on the state's vote.

A new settlement was announced Thursday by the American Civil Liberties Union, the Ohio A. Philip Randolph Institute (Ohio APRI), the Northeast Ohio Coalition for the Homeless (NEOCH), Ohio resident Larry Harmon, and Secretary of State Frank LaRose that will allow purged Ohio voters to cast a provisional ballot up through 2022, including those who might lose their registrations in the upcoming process next month. The announcement was made by parties to the long-standing lawsuit that challenged the way Ohio cleans its voter rolls by cancelling the registration of Ohio voters who don't cast a ballot for two straight federal elections and do not respond to a notice sent out by their local boards of elections. This settlement essentially concludes the case.

With 2019 and 2020 representing the respective 100th anniversaries of the passage and ratification of the 19th Amendment, the League of Women Voters of Ohio (LWV-Ohio) hosted a "commemoration" of the achievement Wednesday, while highlighting how the amendment did not give voting rights to all women due to racial disenfranchisement at the time. LWV-Ohio Executive Director Jen Miller led a discussion with Oberlin College Emeritus Professor Carol Lasser and Ohio State University Associate Professor Treva Lindsey, following opening remarks by Sen. Stephanie Kunze (R-Hilliard).

ELECTIONS 2020

Ohio's former Gov. John Kasich will be going to New Hampshire next month, according to multiple media reports, though advisers downplayed whether the trip will lead him to run for president in 2020. An adviser to Kasich told the *Washington Post* that Kasich is going to the state in September to "take a look at things" after experiencing "an increase" in overtures this summer.

Nancy Larson, a retired social worker who lives in Sylvania, has launched a campaign to seek the Democratic nomination for the 47th House District. The seat is currently held by Rep. Derek Merrin (R-Monclova), who is expected to run for re-election.

ENVIRONMENT

The U.S. Environmental Protection Agency (USEPA) Thursday announced proposed updates to Obama Administration standards for the oil and natural gas industry, saying they would "remove regulatory duplication and save the industry millions of dollars in compliance costs each year" while maintaining health and environmental regulations the agency considered appropriate.

GENERAL ASSEMBLY/STATEHOUSE

Reps. John Becker (R-Cincinnati) and Doug Green (R-Mt. Orab) are among the six applicants for Sen. Joe Uecker's (R-Loveland) seat, as is former Rep. Terry Johnson. Uecker, who is in his final term in the Ohio Senate, announced earlier this month that he will resign Aug. 31 to take a job with the Ohio Department of Transportation (ODOT). Other applicants include Paul Hall of Williamsburg, owner of Paul Hall & Associates, an insurance agency with offices in southern Ohio; Greg Simpson of Milford, the owner of a transportation warehousing company; and David Uible, the owner of Uible Management Group, a New Richmond company that acquires distressed businesses to help turn them around.

Senate President Larry Obhof (R-Medina) said Wednesday he anticipates wrapping up candidate interviews for Sen. Joe Uecker's (R-Loveland) seat by next week, setting a caucus vote for Wednesday, Sept. 18 or even Tuesday, Sept. 10, if the scheduled Senate voting session proceeds.

Rep. Haraz Ghanbari (R-Perrysburg), the son of an Iranian immigrant, told *Hannah News* that his appointment to the Ohio House is another way to serve the public just like his nearly 18 years in the military and before that, in the Boy Scouts and as a reporter.

GOVERNOR

Former Govs. Bob Taft and Ted Strickland said this week that they have contacted Gov. Mike DeWine's office to show their support for recently announced gun legislation by DeWine, though Taft said that DeWine will have to expend political capital if he hopes to get it passed. Taft and Strickland were interviewed by NBC4's Colleen Marshall during the Columbus Metropolitan Club's (CMC) annual meeting Wednesday evening, giving their thoughts on their careers and the current political environment.

Appointments made during the week include the following:

- Michael R. Coury of Olmsted Falls (Cuyahoga County) reappointed to the Board of Executives of Long-term Services and Supports for a term beginning May 28, 2019 and ending May 27, 2022.

- Gregory S. Miller of Cincinnati (Hamilton County), Mark J. Morley of Lewis Center (Delaware County) and Christopher P. Widman of Tiffin (Seneca County) to the Board of Executives of Long-term Services and Supports for terms beginning Aug. 27, 2019 and ending May 27, 2022.

- Matthew J. Blair, Jr. of Niles (Trumbull County) to the State Lottery Commission for a term beginning Aug. 28, 2019 and ending Aug. 1, 2021.

- Natasha D. Kaufman of Harrod (Auglaize County) to the Ohio Elections Commission for a term beginning Aug. 28, 2019 and ending Dec. 31, 2023.

- James V. Stewart of Albany (Meigs County) reappointed to the Ohio Water Development Authority for a term beginning July 1, 2019, and ending June 30, 2027.

JUDICIAL

The Ohio Supreme Court Monday announced new amendments to the Rules of Superintendence to require American Sign Language (ASL) interpreters and foreign language interpreters to undergo legal training.

The Ohio Supreme Court is weighing changes to civil protection orders for stalking victims that would allow mediation in juvenile delinquency, divorce and custody proceedings -- the latter already included in Court rules -- but retain the ban on alternative dispute resolution in stalking cases involving family or household members or victims of sexually oriented offenses. Proposed rules follow an 18-month pilot program in 12 counties where stalking mediation proved successful between feuding neighbors. The original proposal also identified coworker disputes as a possible candidate for stalking mediation.

The Ohio Supreme Court unveiled a new classroom program providing high school students and teachers free lesson plans on real-world criminal and civil cases. The e-curriculum leads learners and educators through an in-depth study of previous Court decisions with case previews and opinion summaries written to high school Lexile reading levels. "Under Advisement: Ohio Supreme Court Cases on Demand," created by the Supreme Court's Civic Education Section, aligns with the 2018 Ohio Learning Standards for High School American Government Curriculum.

LOCAL GOVERNMENT

The Ohio Mayors Alliance (OMA) Monday awarded \$200,000 to Ohio cities for their efforts to support a growing workforce and make post-secondary enrollment a primary goal. Multiple Ohio mayors and their surrogates gathered in Columbus to receive the awards, which are funded with support from the Bill and Melinda Gates Foundation and AT&T. Rae Ann Knopf from the Gates Foundation spoke to the challenges that poverty creates for both students and city leaders.

MARIJUANA/HEMP

Individuals 21 and older would be legally allowed to consume marijuana in the state of Ohio under legislation being developed by Rep. Juanita Brent (D-Cleveland). The bill -- which is likely to be introduced in October -- would link the legal age for the use of cannabis to the legal age for the use of cigarettes, Brent told *Hannah News* in an interview.

As more states legalize the adult use of marijuana, the Pew Charitable Trusts has found that many early adopters are being relatively careful with their new source of tax revenue. "Given the rapid growth in revenue from marijuana taxes, policymakers may be tempted to use the additional cash to fund ongoing spending initiatives. But the hurdles of forecasting recreational marijuana revenue will persist. Given how unpredictable the marijuana market is, states should exercise caution in budget planning to ensure that the money strengthens, rather than weakens, their long-term fiscal position," Pew said in its newly-released report, "Forecasts Hazy for State Marijuana Revenue."

NATURAL RESOURCES

The state of Ohio is planning to add millions of milkweed and nectar plants by 2035 in order to create a more suitable habitat for monarch butterflies, the Ohio Department of Natural Resources (ODNR) announced Friday. "Monarch butterflies are in trouble. The monarch population in the Eastern U.S. has declined up to 90 percent in the last 20 years," ODNR said. "In response, the Ohio Department of Agriculture (ODAg), the Ohio Department of Transportation (ODOT), and the ODNR are helping monarchs by adding ideal habitats across the state." Milkweed plants host breeding monarchs, and nectar plants provide food.

The Ohio Department of Natural Resources' (ODNR) Abandoned Mine Land (AML) program has won the U.S. Department of the Interior's (USDOl) Abandoned Mine Land Reclamation National Award for its work on the Dessecker Mine Project in Tuscarawas County.

NONPROFIT ORGANIZATIONS

The Ohio Legal Assistance Foundation (OLAF) announced that Clark Kellogg, basketball commentator and former Ohio State University three-year starter and Big 10 MVP, will deliver the keynote address at the foundation's 25th anniversary celebration on Thursday, Sept. 19 at the National Veterans Memorial and Museum in Columbus.

Ohio Attorney General Dave Yost recently announced a settlement with three officials from the Driven Foundation, a Columbus nonprofit organization, accused of misusing charitable donations for personal benefit. Roy Hall, Josselyn Timko and Sonya Edwards all used a company credit card for expenditures unrelated to the charitable purpose of Driven. From January 2016 through May 2018, and for unspecified reasons, Hall also used a debit card and withdrew cash from another bank account linked to Driven.

PEOPLE

In a recent interview with Ohio Association of Foodbanks Executive Director Lisa Hamler-Fugitt, *Hannah News* posed the question, "How many governors have you worked with?" Thinking for a moment, she replied, "A lot," with a laugh.

POLITICS

A spokesman for the Ohio Democratic Party Wednesday confirmed the party's plans to sell its Fulton Street headquarters in January and said the party is currently exploring options on where it will locate its new home. The party plans to sell the 13,300-square-foot building at 340 E. Fulton St. to Borrer, an urban developer, for \$2.7 million.

The Ohio Republican Party announced Wednesday that White House adviser Kellyanne Conway will be the keynote speaker at the party's state dinner held in Columbus next month. The event will be held on Saturday, Sept. 21, at the Columbus Convention Center in downtown Columbus. It begins at 4:30 p.m. with a photo reception, followed by the dinner and program at 5:30 p.m.

POLLS/STUDIES

A new Quinnipiac University Poll conducted nationwide finds a majority of voters believe climate change is an emergency and that Congress needs to do more to reduce gun violence. The poll found that 56 percent of voters believe that climate change is an emergency, while 42 percent do not. Eighty-four percent of Democrats believe it is an emergency, while 63 percent of independents also believe it is an emergency, with 81 percent of Republicans saying it is not an emergency. Voters ages 18 to 34 years old were more likely to see it as an emergency, with 74 percent in the affirmative. Among gun proposals: 93 percent support universal background checks; 82 percent support requiring a license to purchase a gun; and 80 percent support "red flag" laws.

PUBLIC SAFETY

Ohio Gov. Mike DeWine Thursday announced that a body armor grant program for local law enforcement will continue and expand, having successfully awarded over \$3.5 million in grants to over 400 agencies. As part of the Bureau of Workers' Compensation (BWC) Budget HB80 (Oelslager), an additional \$3.5 million is being directed to the program.

TELECOMMUNICATIONS

Ohio Attorney General Dave Yost Monday joined other states in calling on the Federal Communications Commission (FCC) to urge telecom companies to implement practices that would protect consumers from illegal robocalls and caller ID spoofing. The comment letter to the FCC followed an announcement this past week that 12 phone service providers have already agreed to adopt many of the practices as part of an initiative with Yost's office and 50 other attorneys general.

TOBACCO/SMOKING

The Ohio Department of Health (ODH) is asking health care providers to report suspected cases of pulmonary illnesses in patients who use e-cigarettes, following reports of six Ohioans who experienced severe pulmonary illness after using the products. The U.S. Centers for Disease Control (CDC) also recently sent an alert to health care providers about pulmonary illnesses linked to vaping in at least 16 states, primarily among adolescents and young adults.

UTILITIES

Over the objections of the Ohio Consumers' Counsel (OCC) and Ohio Partners for Affordable Energy (OPAE), the Public Utilities Commission of Ohio (PUCO) has approved a 63 percent hike in Vectren Energy Delivery of Ohio's rate of return as part of fixed residential charges slated to rise \$5 per month by 2020 and up to \$20 more in the next five years, affecting over a quarter million households in 18 counties.

Former Franklin County Auditor Clarence Mingo has resurfaced in a bid for the Ohio Consumers' Counsel Governing Board after the Republican lost the Franklin County auditor's race last year to

former state Rep. Michael Stinziano (D-Columbus). Mingo joins two other board candidates nominated by Attorney General Dave Yost and could go before the Senate Rules and Reference Committee as soon as Tuesday, Sept. 10. Yost, subject to the advice and consent of the Senate, announced his appointment of Mingo, labor official Mark Johnson and family farmer Charles Newman to the OCC Governing Board on Aug. 9.

WORKERS' COMPENSATION

Drawing on Washington state's experience with expanding post-traumatic stress disorder (PTSD) coverage for first responders, the Ohio Bureau of Workers' Compensation (BWC) Board of Directors sent lawmakers a new cost estimate on instituting such a policy here that lowers the projections of increased claims expenses compared to previous analyses. Board members voted to send a cost estimate of \$44 million for HB308 (Patton) to lawmakers, based on the recommendation of the board's Actuarial Committee. The legislation and predecessor proposals would expand coverage to apply to first responders seeking coverage for PTSD without an accompanying physical injury. Under HB308, first responders could have up to one year of benefits covered. The bureau previously estimated claims costs of about \$183 million for PTSD coverage under 131-SB5 (Patton-Brown) and \$98.4 million for 132-SB118 (LaRose). However, the agency cautioned that comparing the estimates on different bills "can be problematic."

The Ohio Bureau of Workers' Compensation (BWC) held its annual Fallen Workers Memorial service on Thursday, Aug. 29 to honor the memory of those who lost their lives as a result of a workplace injury or illness.

LEGISLATIVE ACTIVITY:

SENATE:

No legislative activity to report.

HOUSE:

No legislative activity to report.