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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.

**AGRICULTURE**

The Ohio Department of Agriculture (ODAg) has recognized five families representing each region of the state as winners of the 2018 "Conservation Farm Family Awards." They are the Brause family of Crawford County; Paul and Joanne Mechling of Ashtabula County; Chuck and Diane Hicks of Washington County; the Lohstroh family of Madison and Pickaway counties; and T. Wayne Vickers of Pickaway County.

**ATTORNEY GENERAL**

Ohio Attorney General Mike DeWine announced \$111.8 million in new grants Thursday for more than 400 crime victim service providers across the state, with the biggest award going to the Cleveland Rape Crisis Center. Funding for 2019 comes from the federal Victims of Crime Act (VOCA), providing \$108.4 million from federal settlements fines and fees, and the State Victim Assistance Act (SVAA), providing \$3.4 million.

## AUDITOR OF STATE

More than 100 Ohio cities are spending more money than they take in, Auditor Dave Yost announced Thursday, and many of the state's 247 cities have delayed investments in capital assets including buildings and infrastructure. Yost shared this as part of his FY17 financial health indicators report, including analysis on how financial situations have changed over the three years the reports were prepared. The newest data showed "early signs of increasing stress" for some local governments, he said, and while most are doing well, the stress was concerning given that the economy is expanding.

## BALLOT ISSUES

A proposed constitutional amendment designed to reduce the number of people incarcerated for low-level, non-violent drug offenses could end up costing taxpayers millions of dollars, according to a new fiscal analysis from the Office of Budget and Management (OBM). State Issue 1, which voters will consider on the 2018 general election ballot, would require the state to spend savings to the prison system on services for crime victims, drug treatment and other criminal justice programs. However, the issue's "prescriptive calculation" to identify savings "would likely substantially overstate the actual savings," OBM said, adding it could "(depending on interpretation) actually increase costs to the state by tens of millions of dollars."

Dennis Willard, spokesperson for Issue 1 campaign, told *Hannah News* that the OBM analysis is "a policy paper prepared for career politicians who continue to dig their heads deeper and deeper into the sand as the opioid epidemic claims on average 14 lives a day in Ohio and our state is second in the nation only to West Virginia in overdose deaths. Policy Matters Ohio examined a yes on Issue 1 vote and reported we can redirect a minimum of \$100 million a year from our overcrowded prison system into community treatment programs," Willard continued. "A yes vote on Issue 1 is the people's plan, backed by 730,000 Ohioans who signed the petition to put this on the ballot to make our communities safer and provide more treatment for people suffering from addiction."

As the debate surrounding Issue 1 continues in Ohio, a new report released recently by the Urban Institute's Justice Policy Center examines state laws and referendums in five other states that, since 2014, have similarly sought to reclassify drug possession as a misdemeanor crime. "Reclassified State Drug Law Reforms to Reduce Felony Convictions and Increase Second Chances" looks at legislation in Alaska, Connecticut and Utah, as well as public initiatives and referendums in California and Oklahoma that all contain three factors: convictions for possession up to the third conviction are considered misdemeanors, the convicted are ineligible for state prison sentences, and these provisions count for all weights and types of drugs.

While there's widespread support for criminal justice reform, Ohio Republican leaders said Wednesday, Issue 1 is not the method that should be pursued because it would hurt efforts to help people with addiction -- and they knocked Democratic gubernatorial candidate Rich Cordray for supporting it in the process. If passed, Ohio Republican Party Chairwoman Jane Timken told reporters, the constitutional amendment would "increase" the opioid and drug addiction problem facing Ohio, as she said it would make drug possession a misdemeanor. She was joined by Lt. Gov. Mary Taylor, former Ohio Attorney General Betty Montgomery and Delaware County Prosecutor Carol O'Brien.

In a separate press conference, retired Maryhaven CEO Paul Coleman, Prevention Action Alliance Executive Director Marcie Seidel and Brenda Stewart of the Addicts' Parents Network also said they strongly oppose the issue due to the effect they said it would have on drug courts.

Chief Justice Maureen O'Connor opened Ohio's Specialized Docket Conference to a packed house at Ohio State University Thursday but suggested the room soon could be a lot sparser if Issue 1's drug possession overhaul and expanded inmate credits are voted into the Ohio Constitution this November.

## **ECONOMIC DEVELOPMENT**

The state should create a new Clean Ohio Revitalization Fund (CORF) "to create jobs, foster development and generate new tax dollars through the remediation of brownfields," the Greater Ohio Policy Center (GOPC) said in a new whitepaper. "Investing in Brownfields: Identifying Potential Funding Options for CORF 2.0" provides several funding suggestions for state policymakers to consider.

## **EDUCATION**

Personal finance site WalletHub named Ohio the 10th best state for teachers in a recent report, including high marks for teachers' average salary and pension. In sub-rankings, the Buckeye State was ninth in "opportunity and competition" and 18th in "academic and work environment." The top nine states were New York, Connecticut, Minnesota, Illinois, North Dakota, Pennsylvania, Wyoming, New Jersey and Maryland. In addition to Ohio and Pennsylvania, neighboring state ranks included Kentucky, 18th; Michigan, 22nd; Indiana, 36th; and West Virginia, 42nd.

As part of its continued efforts to modernize and improve the quality of services provided by Federal Student Aid (FSA), the U.S. Department of Education launched its first-ever mobile application. The myStudentAid app will allow students and their parents to easily and securely complete the 2019-20 Free Application for Federal Student Aid (FAFSA) using the app's myFAFSA component.

Gubernatorial candidate and state Attorney General Mike DeWine could not say Wednesday whether he will have the opportunity before leaving office to answer a new request for legal opinion on the implementation of religious instruction among public school students during class time -- the policy mandate of 130-HB171 (J. McClain-Patmon) that apparently has triggered a range of interpretations by various school districts. The Wyandot County Prosecutor's Office filed the attorney general opinion request Monday on behalf of school districts required by HB171 to allow private groups to transport students off campus during instructional hours for religious education satisfying up to two units or 240 hours of high school electives.

After a brief summer hiatus, the State Board of Education's (SBOE) workgroup developing recommendations for changes to school report cards reconvened Wednesday at the Ohio Department of Education (ODE). After a lengthy meeting, members of the stakeholder workgroup concluded the idea of no longer letter-grading the report card's components in favor of adopting a dashboard approach warrants more investigation before finalizing their recommendations.

U.S. Sen. Sherrod Brown (D-OH) announced that the U.S. Department of Justice's Bureau of Justice Assistance has awarded the Ohio Department of Education \$687,900 to develop a technological reporting system that will help monitor and assess threats and improve school safety. The funds for

this reporting system will be used to create mobile phone applications, hotlines and websites that will be made available to help students anonymously report safety concerns.

## **ELECTIONS 2018**

Voter registration for the Nov. 6 General Election ended this week on Tuesday, Oct. 9; early voting started the next day on Wednesday, Oct. 10.

Democratic gubernatorial nominee Richard Cordray and Republican nominee Mike DeWine kept up their attacks on each other throughout their final debate in Cleveland on Monday, with Cordray accusing DeWine of not committing to anything and DeWine firing back that Cordray has failed to lead in previous jobs. When the nearly one-hour debate was over, Cordray challenged DeWine to another, telling him that he is ready to meet again in Toledo next week to continue the discussion.

A new poll by Baldwin Wallace University gives Republican gubernatorial nominee Mike DeWine a small lead over Democrat Richard Cordray, while Issue 1 is winning by a margin of 17 percentage points.

The Baldwin Wallace poll also asked voters about the other statewide races:

- Republican Dave Yost leads Steve Dettelbach in the attorney general's race 38 percent to 34 percent with 28 percent unsure.
- Democrat Kathleen Clyde and Republican Frank LaRose are tied at 32.6 percent in the secretary of state's race, with 27.6 percent unsure and 7.2 percent picking Libertarian Dustin Hanna.
- Democrat Zack Space leads Republican Keith Faber 32.3 percent to 31.3 percent, with 30 percent unsure. Libertarian Robert Coogan has 6.4 percent.
- Democrat Rob Richardson leads Republican Robert Sprague in the treasurer's race 33.2 percent to 31.1 percent, with 29.3 percent unsure and 6.4 percent choosing Green Party candidate Paul Curry.

A day after Baldwin Wallace University poll, a new poll released by Suffolk University and the *Cincinnati Enquirer* gives a six-point advantage to Cordray. It found 46 percent support Cordray and 40 percent support DeWine, with 10 percent undecided.

The Suffolk University/*Cincinnati Enquirer* poll also found the following:

- U.S. Sen. Sherrod Brown also maintains a large lead over U.S. Rep. Jim Renacci in the Senate race, 54 percent to 36 percent, with 10 percent undecided.
- For attorney general, Democrat Steve Dettelbach leads Republican Dave Yost 43 percent to 36 percent, with nearly 21 percent undecided.
- Democrat Zack Space leads Republican Keith Faber in the auditor's race, 36 percent to a little more than 33 percent, with nearly 5 percent choosing Libertarian Robert Coogan and nearly 25 percent undecided.

- In the secretary of state's race, Democrat Kathleen Clyde gets nearly 43 percent to Republican Frank LaRose's 33 percent, with 3 percent choosing Libertarian Dustin Nanna and 19 percent undecided.

- For treasurer, Democrat Rob Richardson has nearly 42 percent to Republican Robert Sprague's 35 percent, with nearly 22 percent undecided.

Following up on his call Monday for Republican gubernatorial nominee Mike DeWine to debate him in Toledo next week, Democrat Richard Cordray's campaign said Tuesday that he has accepted a debate invitation from the *Toledo Blade*.

The League of Women Voters of Ohio (LWVO) said that, based on data collected from the Ohio Secretary of State website on Sept. 29, "voter registration rates are already up by 2 percent since November 2016." They see that as indicating enthusiasm for the upcoming midterm election.

The League of Women Voters of Metro Columbus released a new video urging college students to take initiative and find out where and how to cast their vote come election day. The video can be found on YouTube at <https://tinyurl.com/yazkybvw>.

Erik Yassenoff, the Republican nominee for the 24th Ohio House District, sent a letter to Ohio Republican Party leadership asking them to stop an attack ad against his Democratic opponent, Allison Russo. Yassenoff objected to a mailer that was sent out to residents of the district claiming that when "Democrats like Allison Russo" were last in control of Ohio, "they raised taxes on the middle class, raided the state's Rainy Day Fund and lost over 350,000 jobs." The candidate said the mailer "does not reflect my values nor the positive, policy-focused campaign that I am running."

Democratic secretary of state nominee Kathleen Clyde launched her first ad of the campaign Wednesday. The ad, titled "Getting Along," highlights Clyde's work in the Legislature, touting her work with Republicans including supporting the Medicaid expansion, bipartisan bills addressing the opioid crisis, and legislation creating a back-to-school sales tax holiday.

The following endorsements were made over the week:

- The *Columbus Dispatch* urged a "no" vote on Issue 1.

- The *Columbus Dispatch* endorsed Craig Baldwin and Melody Stewart for Ohio Supreme Court; and Joyce Beatty, Steve Stivers and Danny O'Connor for Congress.

- The *Cleveland Plain Dealer* endorsed Steve Dettelbach for attorney general.

- The gubernatorial campaign of Mike DeWine announced the endorsement of Rep. Bill Patmon (D-Cleveland).

- The *Newark Advocate* endorsed Scott Ryan for Ohio House.

- The Ohio Society of Addiction Medicine announced its opposition to Issue 1.

- Giffords, the gun safety organization founded by former U.S. Rep. Gabrielle Giffords and Mark Kelly, endorsed Theresa Gasper for Congress.

- The Cleveland Plain Dealer endorsed Sherrod Brown for U.S. Senate and Robert Sprague for treasurer.
- The Akron Beacon Journal endorsed Casey Weinstein for Ohio House.
- The Findlay Courier and the Cleveland Plain Dealer urged a "no" vote on State Issue 1.
- The Brady Campaign to Prevent Gun Violence endorsed U.S. Sen. Sherrod Brown's re-election.
- The campaign of Adam VanHo announced his endorsement by the Ohio Fraternal Order of Police for the 27th Senate District seat.

## **EMPLOYMENT/UNEMPLOYMENT**

The nation added 134,000 jobs in September, with the unemployment rate falling from 3.9 percent to 3.7 percent, according to new numbers released Friday by the U.S. Bureau of Labor Statistics (BLS). The number of unemployed persons also fell, by 270,000, and is at 6 million, BLS said. There was little change in the labor force participation rate, at 62.7 percent, and in the employment-population ratio, now at 60.4 percent. There were 383,000 discouraged workers in September, about unchanged from a year earlier.

Ohio's minimum wage will jump 25 cents an hour to \$8.55 in 2019, capping a \$3.40 increase since the Issue 2 amendment to Ohio's Constitution passed in November 2006. Specifically, the minimum wage will go from \$8.30 to \$8.55 an hour on Tuesday, Jan. 1, 2019. The hourly wage for tipped employees will grow from \$4.15 to \$4.30 next year.

## **ENERGY**

At the recent meeting of the National Conference of State Legislatures (NCSL) Task Force on Energy Supply in Los Angeles, sessions addressed energy solutions for rural communities, the use of technology and big data for energy emergency response, storing carbon while extracting oil, community solar, retail electric choice, energy sector developments in Canada and India, and the promise of renewable natural gas.

A new northern Ohio coalition intent on saving the Davis-Besse and Perry nuclear plants called for a "statewide" solution to their impending shutdown Wednesday after SB128 (Eklund-LaRose) and HB178 (DeVitis) failed to gain widespread legislative support last year for zero-emission nuclear (ZEN) subsidies limited to ratepayers within FirstEnergy Solutions' (FES) territory. The Ohio Clean Energy Jobs Alliance, comprising more than four dozen government and labor officials and organizations, held a Statehouse press conference to alert the General Assembly to the "critical" need for passage of ZEN legislation of one kind or another.

## **FEDERAL**

Social Security and Supplemental Security Income (SSI) benefits for more than 67 million Americans will increase 2.8 percent in 2019, the Social Security Administration (SSA) announced Thursday. The 2.8 percent cost-of-living adjustment (COLA) will begin with benefits payable to more than 62 million Social Security beneficiaries in January 2019. Increased payments to more than 8 million SSI beneficiaries will begin on Dec. 31, 2018. The increase is estimated to translate to

approximately \$39 more per month for those individuals receiving an average Social Security benefit of about \$1,400/month. However, the final amount will not be able to be computed until after the Medicare changes for 2019 are announced.

U.S. Sen. Sherrod Brown (D-OH) announced an end to the current limit of 16 beds in addiction recovery facilities Wednesday, thanks to a provision included in the Senate's opioid package he cosponsored with U.S. Sen. Rob Portman (R-OH) that would lift that limit for five years. Implemented to save costs on Medicaid reimbursements, Brown said the 16-bed limit did not make sense in the midst of a public health crisis, adding, "It maybe made sense years ago, but it makes no sense today. ... Instead of states creating piecemeal solutions, this will offer certainty to providers across the country."

## **GAMING/GAMBLING**

Net video lottery terminal (VLT) revenues from Ohio's seven racinos were \$85.7 million in September 2018, a significant increase from September 2017's \$79.3 million, according to the Ohio Lottery Commission. The state's four casinos pulled in \$66.5 million in September 2018, falling short of September 2017's earnings of \$67.1 million, the Ohio Casino Control Commission said in its revenue report.

## **GOVERNOR**

Appointments made during the week include the following:

- Michael G. Florez of Cincinnati (Hamilton County), Juan M. Rivera of Campbell (Mahoning County), Emanuel Torres Sifuentes of Blacklick (Franklin County), and V. Anthony Simms-Howell of Cincinnati (Hamilton County) reappointed to the Commission on Hispanic-Latino Affairs for terms beginning Oct. 8, 2018 and ending Oct. 7, 2021.
- Larry E. Woods of Hilliard (Franklin County) reappointed to the State Auctioneers Commission for a term beginning Oct. 10, 2018 and ending Oct. 9, 2021.
- Louis J. Carson of Lancaster (Fairfield County) and Jessica A. Germain of New Albany (Franklin County) reappointed to the Motor Vehicle Dealers Board for terms beginning Oct. 9, 2018 and ending Oct. 4, 2021.
- Douglas G. Cole of Uniontown (Summit County) and Denise E. Rabold of Columbus (Franklin County) reappointed to the State Board of Psychology for terms beginning Oct. 10, 2018 and ending Oct. 4, 2023.
- Anna S. Bomas of Marion (Marion County), Andrew D. Bowers of Blacklick (Franklin County), Ryan A. Pickut of Perrysburg (Wood County) and Sara E. Blakeslee Salkil of Cincinnati (Hamilton County) reappointed to the Counselor, Social Worker and Marriage and Family Therapist Board for terms beginning Oct. 11, 2018 and ending Oct. 10, 2021.

## **HEALTH AND HUMAN SERVICES**

With the approach of flu season, the Ohio Department of Health (ODH) is recommending all Ohioans six months and older get a flu shot as soon as possible. The Centers for Diseases Control

and Prevention (CDC) is urging vaccination by the end of October. Flu activity traditionally begins to increase in October and can last as late as May, with cases typically peaking between December and February. CDC recommends a yearly flu vaccine as the best protection against seasonal flu viruses. Flu vaccines have been updated this year to better match circulating flu viruses.

## **INSURANCE**

Ohio Department of Insurance (ODI) Director Jillian Froment announced that the average rate changes in 2017 for the top 10 homeowners and private passenger auto insurance groups in Ohio increased 1.5 percent and 4.1 percent, respectively. Ohioans pay an average of \$819 (ninth lowest) for homeowners insurance and \$703 (14th lowest) for auto insurance compared to the national average, according to the most recent data from the National Association of Insurance Commissioners. Ohio's combined average premiums are \$540 below the national averages.

## **JUDICIAL**

A leading policy group is calling on the Supreme Court of Ohio to strengthen recusal rules so justices and judges step away from hearing the cases of campaign contributors. The report "Can Money Buy Justice?" highlights the tens of millions of dollars Ohio Supreme Court candidates -- including sitting justices -- have collected over two decades without withdrawing from cases involving their donors. The 24-page report, prepared by Common Cause Ohio, says lobbyist cash and "dark money" donated toward Ohio Supreme Court campaigns place them among the most expensive in the U.S.

Ohio officeholders reacted along party lines to Brett Kavanaugh's confirmation Saturday to the U.S. Supreme Court in a close vote after a very combative nomination process in the U.S. Senate. They included Gov. John Kasich who said, "America may have gained a new member of the Supreme Court, but a part of our nation's soul was lost during this toxic process. The zero-sum-game environment we are in today, where many are focused on winning at all costs instead of what's best for our country, must end if we ever wish to begin healing these partisan divisions and tackling some of the most serious problems facing our nation."

A unanimous Supreme Court of Ohio set aside a series of recent federal and state court rulings and a long list of friend-of-court briefs supporting the construction industry and Ohio Northern University (ONU) Tuesday in order to reaffirm a 2008 Arkansas Supreme Court finding that commercial general liability (CGL) insurance policies in Ohio cover chance "accidents" but not contractors' or subcontractors' faulty work, even when a policy includes a defects clause for completed construction.

The Ohio Supreme Court will accept public comment until Wednesday, Nov. 7 on a proposed amendment to the Ohio Supreme Court Rules of Practice that would shorten the time extension parties may agree to for filing certain documents. Currently, parties may file a stipulation for up to a 20-day extension to submit certain documents in their case. The amendment would shorten that to a maximum extension of 10 days. Its full language can be found at <https://tinyurl.com/yb2gd7es>.

## **MARIJUANA**

A traffic stop that might have resulted in minor charges for misdemeanor drug possession will now go forward as a major marijuana trafficking case in the wake of Wednesday's ruling by the Ohio

Supreme Court, which said a Cleveland State University (CSU) police officer had probable cause to open mailing envelopes containing odorless THC candy after finding the smell of marijuana "billowing" from the car.

## **MEDICAID/MEDICAID REFORM**

A panel of three experts Monday engaged in a broad discussion on Ohio Medicaid policy, generally advocating for the economic benefits the program has had for patients, hospitals and businesses. Moderator Loren Anthes, a public policy fellow at the Center for Community Solutions, was joined by Sarah Kincaid, director of policy and advocacy at the Ohio Children's Hospital Association, and Stephanie Gilligan, director of advocacy at the Ohio Hospital Association, with Anthes beginning the discussion by noting that 2.7 million Ohioans are currently enrolled in Medicaid, but adding that health care spending increases are often difficult to "sell" to policymakers.

An annual poll of Ohio adults, the Ohio Health Issues Poll, finds that nearly seven out of 10 (68 percent) Ohioans report having a very favorable or somewhat favorable view of Medicaid, while less than two out of 10 (19 percent) hold a negative view of the program. The same poll shows that the self-reported percentage of uninsured adults remains steady.

## **NATURAL RESOURCES**

Ohioans can celebrate "Earth Science Week" by exploring the Buckeye State's geology, according to the Ohio Department of Natural Resources (ODNR). ODNR's observance of the week, which runs from Sunday, Oct. 14 until Saturday, Oct. 20, will feature talks, hikes and fossil collecting sessions with geologists throughout Ohio at state parks, state nature preserves and other important geologic sites.

Approximately 500 blacknose shiners have been released into the headwaters of Big Darby Creek at the Nature Conservancy's Big Darby Creek Nature Preserve, according to ODNR. The release is part of an ongoing effort between the ODNR Division of Wildlife, the U.S. Fish and Wildlife Service and the Ohio State University Stream and River Ecology Laboratory to breed and ultimately release rare native fish species into areas they formerly occupied, ODNR said.

Ohio trappers can participate in a special drawing on Saturday, Oct. 13 for public land beaver and river otter trapping opportunities, ODNR announced.

Hunters and anglers are now able to buy multi-year licenses in the Buckeye State, according to ODNR. Ohio resident license buyers can choose from three-year, five-year, 10-year and lifetime hunting or fishing licenses, the department explained. These changes were part of SB257 (Uecker-O'Brien), which recently became effective.

## **PEOPLE**

The board of trustees of the Ohio Aerospace Institute (OAI) recently appointed John M. Sankovic president and CEO, succeeding Jeffrey Rolf.

## **POVERTY**

With one in five Ohio children unsure of where their next meal is coming from, the Ohio Children's Hunger Alliance released a report Wednesday highlighting new efforts to address food insecurity around Ohio, including those launched thanks to a \$3.5 million donation by the Walmart Foundation. The report was the topic of Wednesday's Columbus Metropolitan Club (CMC) forum featuring Judy Mobley, president and CEO of the Children's Hunger Alliance; Joy Bivins, the director of the Franklin County Department of Job and Family Services; and Erick Karolak, the CEO of Action for Children. The forum was moderated by former Ohio Sen. Shannon Jones, now the CEO of Groundwork Ohio.

## **TRANSPORTATION/INFRASTRUCTURE**

The Public Utilities Commission of Ohio (PUCO) issued a statement Thursday encouraging local highway authorities to apply for available state funding for rail grade crossing improvements in their communities. To apply, local highway authorities must submit a short application for PUCO approval. The commission will conduct a field diagnostic with local officials and apply objective criteria to determine whether and how much funding would be provided to upgrade the crossing. If the local highway authority agrees to the financial proposal, a contract will be executed and the project approved for construction.

## **UTILITIES**

A divided Supreme Court of Ohio says Dayton Power and Light's (DP&L) collection of \$294 million in illegal customer charges is "moot" because the electric security plan (ESP) authorizing them is no longer in force. The 4-3 opinion revives the debate over the state law against utility refunds as a form of "retroactive ratemaking" and casts doubt on the Court's original decision overturning the DP&L charges as unlawful "transition" revenues assessed long after the shift to deregulation was to be completed in 2010. In an opinion joined by only two other members of the Court, Chief Justice Maureen O'Connor states plainly that past transition charges guised as a service stability rider (SSR) are irrelevant to the Public Utility Commission of Ohio (PUCO) and DP&L's subsequent ratemaking.

The Public Utilities Commission of Ohio (PUCO) announced that Mohammed Ahmed, a 35-year veteran of transmission and power system planning, became executive transmission advisor to commission Chairman Asim Haque Tuesday.

## **LEGISLATIVE ACTIVITY:**

### **SENATE:**

No legislative activity to report.

### **HOUSE:**

No legislative activity to report.