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Week in Review

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As a service to the clients and friends of Governmental Policy Group, Inc. and RH Resources we would like to extend the following weekly update of events happening around Capitol Square.

ADDICTION/SUBSTANCE ABUSE

Gov. John Kasich signed into law Wednesday harsher sentencing requirements for traffickers of fentanyl, calling the synthetic opioid "a poison." Under provisions of SB1 (LaRose), offenders are to be sentenced to additional prison terms of three to eight years if their trafficking involves fentanyl. In addition, the law specifies sentences for involuntarily manslaughter related to drug offenses are to run consecutively, not concurrently, to other sentences.

Managed care company CareSource said it cut opioid doses prescribed to the Medicaid beneficiaries it covers by 40 percent in the past 18 months and expects it will have dropped by half when 2018 ends.

ATTORNEY GENERAL

The office of Ohio Attorney General Mike DeWine has awarded grants totaling \$357,435 to the Ohio Alliance of Boys & Girls Clubs and other organizations across the state for new computers and other technology purchases.

Ohio joined 27 other states in filing a brief with the U.S. Supreme Court arguing against a lower court ruling that could force alteration or removal of a World War I memorial because of its religious imagery. In *American Legion v. American Humanist Association* and *Maryland-National Capital Park and Planning Commission v. American Humanist Association*, the Supreme Court is considering whether the Constitution's establishment clause requires removal of the memorial because it bears the shape of a cross.

BALLOT ISSUES

Backers of November's state Issue 1 campaign to reduce criminal penalties for some drug offenses spent more than \$3.7 million in the first half of this year as they collected signatures to make the ballot, according to new campaign finance filings. The Ohio Safe and Healthy Communities Campaign submitted the ballot issue in July and was certified with 351,095 valid signatures.

BUSINESS/CORPORATE

Ohio remains third behind California and Texas in number of manufacturing employees and sector Gross Domestic Product (GDP), according to a report released Monday by the Ohio Manufacturing Association (OMA). Manufacturing is the largest of Ohio's 20 economic sectors, with an annual payroll of \$40 billion and average annual earnings of \$58,765. In terms of total workforce, though, it was third in the state behind government and health care/social assistance in 2017. The top five manufacturing employers were Honda, General Electric, Berkshire Hathaway, Cincinnati-based Proctor & Gamble and Whirlpool. Of the top 25 manufacturing employers, 12 had corporate headquarters in the state.

CIVIL RIGHTS

The nation is at a "standstill and crossroads," Rep. Alicia Reece (D-Cincinnati) said during a discussion on being "Young, Black and Elected" during the National Urban League's (NUL) annual conference in Columbus Thursday. What comes next will depend on the current generation of young voters, activists and officeholders, she told attendees, and what should be done was the primary topic raised by her and the panel she moderated.

DISABILITIES

Gov. John Kasich was on the campus of Columbus State Community College Monday to highlight a new technology implemented by the college to assist the blind and visually impaired to find their way around, even while indoors. Opportunities for Ohioans with Disabilities (OOD) provided \$10,000 to Columbus State to be the first institution in the nation to implement BlindSquare, a smartphone application that uses a combination of GPS and intentionally placed Bluetooth beacons to give audio messages to the visually impaired about their surroundings and orientation.

ECONOMIC DEVELOPMENT

Gov. John Kasich announced Monday the approval of assistance for 10 projects set to create 3,437 new jobs and retain 2,203 jobs statewide. During its monthly meeting, the Ohio Tax Credit Authority (TCA) reviewed economic development proposals brought to the board by JobsOhio and its regional partners. Collectively, the projects are expected to result in more than \$207 million in new payroll, and spur more than \$1 billion in investments across Ohio. The estimated value of the potential tax credits, if all TCA-approved elements are met, is nearly \$50 million.

EDUCATION

Attorney General Mike DeWine's office is requesting a slight clarification on the scope of its authority in an ongoing case regarding the now-defunct Electronic Classroom of Tomorrow (ECOT). DeWine's office was given permission by Franklin County Common Pleas Judge Michael Holbrook to seek recovery of funds from ECOT and its affiliates in an order released Wednesday.

The Ohio Department of Education announced Monday 11 teachers recognized as Teacher of the Year in each of the State Board of Education districts, a group from whom the next Ohio Teacher of the Year will be picked. Educators, administrators, parents, students and others nominated teachers for the recognition, and the elected board member for each district work with a local committee of stakeholders to select the teachers of the year.

While large urban school districts can often share multiple staff members to fulfill the specific needs of students, rural school districts often struggle to hire and retain staff to meet the needs of just one. That was the situation at Sandy Valley Schools, Superintendent David Fischer told the Related Services Personnel Workgroup Wednesday at the Ohio Department of Education.

ELECTIONS 2018

Hundreds gathered Thursday afternoon for a forum for ticket-topping political candidates focused on people with disabilities and the organizations and agencies that serve them. The event was timed to mark the 28th anniversary of the signing of the federal Americans with Disabilities Act. Attendees heard from Richard Cordray, Democratic candidate for governor and former Ohio attorney general, and surrogates for U.S. Sen. Sherrod Brown (D-OH) and his Republican opponent in the fall election, U.S. Rep. Jim Renacci (R-Wadsworth). Attorney General Mike DeWine, the Republican candidate for governor, could not attend because of scheduling conflicts and did not field a surrogate to speak on his behalf.

The Trump administration intensified its support of Sen. Troy Balderson's (R-Zanesville) congressional campaign on Monday, sending Vice President Mike Pence to the 12th Congressional District to build on President Donald Trump's recent endorsement on Twitter. Speaking to a capacity crowd at the Skylight banquet hall in downtown Newark, Pence encouraged attendees to work to ensure Republicans don't lose the GOP-favored district to Democratic candidate Danny O'Connor, the Franklin County recorder.

U.S. Sen. Sherrod Brown's (D-OH) re-election campaign said over the weekend that it has tentatively reached an agreement to hold three debates this fall with Republican nominee Rep. Jim Renacci (R-Wadsworth).

The Cuyahoga County Democratic Party has picked Jeffrey Crossman, a Parma city councilman, to replace Rep. Nick Celebrezze (D-Parma) on the November ballot. Celebrezze, the House assistant minority leader, announced earlier this month that he won't seek re-election because "business opportunities" are causing him and his wife to move out of the 15th House District after this year. Celebrezze had backed Crossman as his replacement.

Jim Trakas, the Republican nominee for the 6th Ohio House District, has filed a defamation lawsuit in Cuyahoga County Court of Common Pleas against the Conservative Values PAC, a Virginia-based group that ran opposition ads against Trakas in the Republican primary. Trakas, a former state legislator and current Independence city councilman, claimed the group knowingly spread defamatory false statements with reckless disregard during the primary campaign.

The Ohio Republican Party announced its annual state dinner will be held on Friday, Aug. 24. The party said ticket information, location, and special guest will be announced in the coming days.

Secretary of State Jon Husted issued a reminder to voters that the deadline to request an absentee ballot for the Tuesday, Aug. 7 special election is Saturday, Aug. 4, at noon.

President Donald Trump will visit Olentangy Orange High School in Lewis Center Saturday night for a rally in support of Sen. Troy Balderson (R-Zanesville)'s bid for Congress. The president's trip to Ohio comes as a new Monmouth University Poll puts the race in a dead heat.

The DeWine-Husted campaign clinched support from a broad array of business groups Wednesday as it signaled ties both to Ohio's current governor and to one of his major political rivals, President Donald Trump. The Ohio Chamber of Commerce, National Federation of Independent Business (NFIB) Ohio and Ohio Manufacturers' Association (OMA) announced their formal endorsement of Attorney General Mike DeWine's gubernatorial bid, citing a long relationship with the two Republican running mates.

Ohioans for Kidney Dialysis Patient Protection has spent \$4.1 million in its effort to get a constitutional amendment before voters that would place new regulations on the dialysis industry, according to a campaign finance report filed this week.

Backers of a proposal that would place new restrictions on dialysis clinics and limit their profit submitted a new round of signatures this week in hopes of covering a shortfall that could keep the proposal from making the November ballot. The Kidney Dialysis Patient Protection Amendment collected 296,080 valid signatures in its first submission to the secretary of state's office, short of the 305,591 needed to make the November ballot. Under Ohio law, backers of the amendment then had another 10 days to make up that shortfall. On Wednesday, Ohioans for Kidney Dialysis Patient Protection, the committee behind the proposal, submitted an additional 41,000 signatures, according to a spokesman.

Secretary of State Jon Husted issued a directive Tuesday stating that voters removed from the voting rolls through the supplemental process in 2011, 2013 or 2015 would be eligible to cast ballots in Tuesday's special elections, including the special election for the 12th Congressional District.

Saying the federal government has not lived up to its promise to help states improve infrastructure needs, Democratic gubernatorial nominee Richard Cordray Thursday unveiled his infrastructure plan, which includes a bond issue backed by the General Revenue Fund.

The following endorsements were made over the week:

- The re-election campaign of U.S. Sen. Sherrod Brown (D-OH) announced the endorsement of the International Union of Police Associations.
- Tea Party Express endorsed state Sen. Troy Balderson (R-Zanesville) for Congress.
- Former President Barack Obama endorsed Richard Cordray for governor and Betty Sutton for lieutenant governor; Steve Dettelbach for attorney general; Kathleen Clyde for secretary of state; Zack Space for auditor; Aftab Pureval and Jill Schiller for Congress; and Phil Robinson, Stephanie Howse, Mary Lightbody, Beth Liston, Allison Russo, Erica Crawley, Tavia Galonski, Casey Weinstein, and Taylor Sappington for Ohio House.

FEDERAL

U.S. Sen. Rob Portman (R-OH) vigorously advocated for the confirmation of U.S. Supreme Court justice nominee Brett Kavanaugh Tuesday, calling him a talented legal mind both in the eyes of judges and academics, a good friend and a good person.

GAMING/GAMBLING

The deadline to submit a skill-based amusement machine (SBAM) registration with the state is Monday, Aug. 6 at 11:59 p.m., the Ohio Casino Control Commission (OCCC) has announced.

GOVERNOR

Gov. John Kasich signed the following nine bills into law Monday: HB123 (Koehler-Ashford), which imposes new payday lending regulations; SB135 (LaRose), which provides money for counties to replace old voting equipment; HB18 (Pelanda-Retherford), which eliminates the requirement for a special primary election in certain circumstances; HB95 (Hughes-Seitz), regarding distracted driving penalties; HB168 (Stein), changing cemetery laws; HB263 (Lanese), allowing restaurant owners to permit dogs on outdoor patios; SB66 (Eklund-Tavares), regarding felony sentencing; SB127 (LaRose), a "slow down, move over" law for garbage collection vehicles; and SB239 (Dolan), regarding regional councils of government.

Appointments made during the week include the following:

- Beauxerykah J. "Erykah" Betterson of Berea (Cuyahoga County) to serve as a student member on the Cleveland State University Board of Trustees for a term beginning Aug. 1, 2018 and ending May 1, 2020.

- Geraldine M. Zylinsky of Zanesville (Muskingum County) reappointed to the Zane State College Board of Trustees for a term beginning Aug. 1, 2018 and ending July 31, 2021.

- Robert P. Giacalone of Dublin (Franklin County) reappointed to the State Medical Board for a term beginning Aug. 1, 2018 and ending July 31, 2023.

GREAT LAKES

Senate President Larry Obhof (R-Medina) said again Monday that the General Assembly is the proper venue to pursue policy changes like Gov. John Kasich's recent executive order on Lake Erie. Then on Tuesday, the House and Senate announced they will create a bipartisan joint working group to discuss water quality issues with farmers in the Western Basin of Lake Erie.

HEALTH AND HUMAN SERVICES

Top Kasich administration health care adviser Greg Moody talked with *Hannah News* ahead of his move to Ohio State University, saying teamwork and planning that took place far ahead of Gov. John Kasich's election enabled the policy achievements of the last several years.

The Ohio Women's Public Policy Network gathered experts in health care matters Tuesday at Columbus' downtown YWCA to discuss innovations and advancements on the issue in recent years, as well as persistent challenges. Ohio Commission on Minority Health Director Angela Dawson moderated the discussion featuring Elizabeth Brown, executive director of the Ohio Women's Public Policy Network; Kenya George, executive director of Capital Health Home Care Concierge; Doug Anderson, attorney and former chief policy officer for the Ohio Department of Insurance; and Dr. Sasha Beyer, a radiation oncology resident at Ohio State University.

President Donald Trump and his health care-related cabinet agencies have been intentionally and illegally "sabotaging" the Affordable Care Act (ACA), Columbus City Attorney Zach Klein said in announcing his office's lawsuit against the administration Thursday.

HOUSING/HOMELESSNESS

A recent report from the Ohio Housing Finance Agency (OHFA) states that 47 percent of Ohio renters are cost burdened, meaning that they spend more than 30 percent of their income on rent and utilities, a key indicator of housing insecurity. According to the group's annual "Housing Needs Assessment," housing insecurity is on the rise in Ohio due to stagnating wages and a lack of affordable housing for the lowest-income earners.

JUDICIAL

In a decision affecting Sunshine Laws statewide, the Supreme Court of Ohio will decide whether a silent vote for a village officer constitutes an illegal secret ballot under the Open Meetings Act (OMA) -- a position argued by a community news publication and supported by the Ohio Coalition

of Open Government (OCOG). The Supreme Court has accepted the appeal of Patricia Meade, publisher of MOREbratenahl, over the objections of Bratenahl Village Council, which conducted a "contemporaneous" written vote for president pro tempore on Jan. 21, 2015 in lieu of the standard roll call vote, despite complaints by one council member.

The Ohio Supreme Court opened public comment Friday on proposed changes to rules governing domestic violence, stalking and juvenile protection orders in order to clarify which records are entered into the FBI's protection order database and firearms disability database. The system's primary purpose is to verify and enforce orders issued to prevent acts of domestic violence, dating violence, stalking and sexual violence. Proposed rule changes may be viewed in their entirety at <https://tinyurl.com/y7tg52g8>.

The Ohio Supreme Court considered Tuesday the question of whether a 13-year-old suspected of a bomb threat should have been advised of his Miranda rights before being interrogated by Dayton schools' director of safety. The case *In re L.G.* arises from a 2015 incident at Dayton's Longfellow Alternative School. The juvenile L.G. confessed to Jamie Bullens, executive director of safety and security for Dayton schools, that he'd called in the bomb threat. But the juvenile court declined to allow use of his statements to Bullens at trial, finding that Bullens was acting as an agent of law enforcement and should have advised L.G. of his rights. The Second District Court of Appeals upheld that decision, prompting the Montgomery County prosecutor to appeal.

A convicted man who knew nothing of his legal representation. A hamstrung disciplinary process shielded from review by the state's highest court. A protagonist cleared of wrongdoing. The tale of longtime Cleveland lawyer Paul Mancino Jr. reads like a classic Alfred Hitchcock nail biter, except it is fact, not fiction. Hitchcock himself could claim that for only one of his films, 1956's docudrama *The Wrong Man*. The Ohio Supreme Court published a synopsis of Mancino's story on Thursday, along with a 7-0 opinion exonerating him of apparent guilt.

MARIJUANA

The Ohio Department of Commerce (DOC) has awarded its first level one medical marijuana cultivator certificate of operation to Buckeye Relief LLC in Eastlake.

MEDICAID/MEDICAID REFORM

As Ohio potentially heads toward implementing Medicaid work requirements, a report from the Kaiser Family Foundation (KFF) found that nationwide, only six percent of individuals currently enrolled in Medicaid would not be eligible for the program if work requirements were implemented, because the other 94 percent are either already working or exempt.

NATIONAL CONFERENCE OF STATE LEGISLATURES

Much of the Sunday meeting of the National Conference of State Legislatures' (NCSL) Task Force on State and Local Taxation was "celebratory" in nature as various members touted the recent U.S. Supreme Court decision in *South Dakota v. Wayfair*, which opens up online vendors to having to pay

sales tax. (See *The Hannah Report*, 6/21/18.) NCSL -- and this committee in particular -- had championed the cause for nearly two decades, with the *Wayfair* case actually based on legislation sponsored by the current NCSL president and former committee vice chair, Sen. Deb Peters of South Dakota.

Representatives of the Council on State Taxation (COST), Karl Frieden and Fred Nicely, provided an overview of their recently completed scorecard on the "Best and Worst of Sales Tax Administration" to the State and Local Taxation Committee of the National Conference of State Legislatures (NCSL) during Sunday's pre-Legislative Summit session in Los Angeles. Ohio was among the highest ranked in sales tax administration, garnering a grade of A-. (No state received an outright A grade.)

Jeremy Rifkin addressed the annual Energy Policy Summit (EPS) at the Legislative Summit of the National Conference of State Legislatures (NCSL) in Los Angeles Monday afternoon. Rifkin, an American economic and social theorist, bestselling author, political advisor, speaker and activist, presented his somewhat dystopian vision for a transformation of the energy economy.

Portable benefits. Training. Affordable housing. Occupational licensing reform. Streamlining of regulation. A trio of young tech CEOs who kicked off the first general session of NCSL's 44th Legislative Summit all agreed that those rather low-tech concepts were critical to nurturing entrepreneurs in the U.S.

- The National Conference of State Legislatures (NCSL) unveiled its primer on immigration for state policymakers at the Legislative Summit in Los Angeles at the meeting of its Executive Committee Task Force on Immigration and the States. While immigration is largely a federal responsibility, "State and local governments develop policies that affect immigrants after their arrival, working with federal partners in areas such as refugee resettlement and immigration enforcement and assisting immigrants in becoming integrated into the nation's social, political and economic life," the primer notes.

There are very few official partisan events at the annual Legislative Summit of the National Conference of State Legislatures (NCSL), but two of them are the Republican and Democratic party breakfasts. This year, the very full and enthusiastic Democratic Breakfast was headlined by long-time Democratic political strategist and commentator Donna Brazile, who cheered, encouraged and cajoled Democrats as they look first toward the 2018 election in less than 100 days and then the 2020 election. "We need to win elections in 2018 so that we can protect elections going forward ... so that we can even hold meaningful elections in the future," she told the crowd.

At the breakfast for Republican legislators at the annual Legislative Summit of the National Conference of State Legislatures (NCSL) in Los Angeles, former U.S. Congressman Jason Chaffetz of Utah, now a Fox commentator, rallied the legislators for the 2018 elections and beyond. Chaffetz said he is "so happy Hillary Clinton is not the president. ... One of the great things about President

Trump is the rollback of regulations -- undoing with the stroke of a pen regulations enacted by the Obama administration, with the stroke of a pen."

Bryan Seeley, a senior vice president with Major League Baseball, urged lawmakers to be cautious in how they enact new regulation around sports betting -- something that became possible with the May decision by the U.S. Supreme Court in *Murphy v. National Collegiate Athletic Association* that declared the federal Professional and Amateur Sports Protection Act unconstitutional, thus opening the door to state-authorized sports betting.

While states around the country are struggling with the challenge of raising higher education attainment rates to meet 21st century job demands, one university president says the traditional model of the state-governed college system will fail to make the U.S. competitive in the global economy of the future. Addressing the National Conference of State Legislatures summit Tuesday, Arizona State University (ASU) President Michael Crow shared his experience of overhauling that institution, making it into one of the largest public universities in the country since he became president in 2002.

Christopher Thornberg, founding partner of Beacon Economics, discussed the U.S. economic outlook before a session of the National Conference of State Legislatures (NCSL) summit in Los Angeles. The U.S. economy has been relatively strong the last few years, but will it last? Thornberg titled his presentation "Prosperity in the Age of Pessimism." Thornberg said the U.S. economy has been "on a steady path since the 2014-2015 global commodity bust; labor markets, business investment, wages, exports, energy, housing are all on good trends; 2018 should be better, with good momentum from the fiscal stimulus after-burner; but there is still a low chance of recession in the next 24 months. ... 2019 will probably also be a good year -- which would make this the longest economic expansion in U.S. history."

The Annie E. Casey Foundation provided lawmakers, staff and others an overview of the findings of the 2018 edition of its Kids Count Data Book. Leslie Boissiere told those attending the Wednesday session that there was both good news and "not so good" news as they compared 2010 data with that for 2016 -- the most recent year available for most indicators.

The success of the upcoming 2020 Census in counting every person who resides in the country has surfaced in a number of sessions this week at the Legislative Summit of the National Conference of State Legislatures (NCSL). A representative of the Annie E. Casey Foundation, in the session on its 2018 Kids Count Data Book, warned policymakers and child advocates of what she called the "troubling consequences for the nation's kids with the likely undercount of about one million children under five in the 2020 census"

For those looking to the U.S. Supreme Court to solve gerrymandering in the states, one panelist at the National Conference of State Legislatures' (NCSL) legislative summit said that likely won't happen in the foreseeable future. Mark Braden of the Washington, D.C. law firm Baker & Hostetler,

who said he has been involved in both sides of gerrymandering cases, said that any challenge that gets to the U.S. Supreme Court will have to get the support of five justices in order to have any map thrown out based on a partisan gerrymander. With a new justice appointed by President Donald Trump expected to join the Court in the next term, he said he doesn't see that happening.

The U.S. Supreme Court's recent decision striking down the federal prohibition on sports betting could also protect states that have legalized marijuana, Vanderbilt Law School professor Robert Mikos told attendees during a panel event held by the National Conference of State Legislatures (NCSL) in Los Angeles, CA.

NATURAL RESOURCES

Hunters who want to construct a blind to hunt ducks and geese on certain Ohio State Parks lakes this waterfowl hunting season can enter a lottery to win one of approximately 280 permits from the Ohio Department of Natural Resources (ODNR).

PEOPLE

Gov. John Kasich posted a short video message Monday after the death of former U.S. Rep. Ron Dellums, a California Democrat whom Kasich worked with in the U.S. House to restrain military spending. Dellums died Monday at age 82.

PUBLIC SAFETY

A recent Case Western Reserve University study finds red light cameras don't reduce the number of traffic accidents or injuries at intersections where the cameras are installed, but instead shifts the type of accidents. The study found that more drivers were braking harder at the lights with red light cameras and more abruptly, causing fender-benders and other "non-angle" collisions, the university said.

The Ohio State Highway Patrol cited two lieutenants for not properly handling a complaint about Statehouse security but "did not reveal unprofessional conduct or bias" in its investigation of complaints by Rep. Emilia Sykes (D-Akron). Sykes said earlier this year that she and other black women lawmakers had been subjected to additional scrutiny at security stations at the Statehouse and other state government buildings.

TECHNOLOGY

Facebook will collaborate with Columbus State Community College (CSCC) and the National Urban League (NUL) to help achieve its goal of training one million small business owners in digital skills across the country, the social media giant announced Wednesday.

UTILITIES

The Ohio Supreme Court has no authority to require the state, a political subdivision or their officers to post millions of dollars in bond money to secure a Court-ordered stay of utility collections previously approved by the Public Utilities Commission of Ohio (PUCO), the Ohio Consumers' Counsel (OCC) argued Monday in a filing opposing FirstEnergy Solutions' three-year \$500 million distribution modernization rider. The Ohio Manufacturers' Association Energy Group (OMAEG) joined OCC in claiming the Supreme Court, in fact, has unrestricted power to waive bond for private complainants as well, despite its recent history of denying stays in PUCO appeals resulting in multi-million-dollar "windfalls" to public utilities.

WORKFORCE

Rapid advancements in automation are coming and policymakers have around 30 years, at the most, to prepare for it, Brookings Institute Vice President and Director of Governance Studies Darrell West told the Columbus Metropolitan Club Wednesday.

LEGISLATIVE ACTIVITY:

SENATE:

No legislative activity to report.

HOUSE:

No legislative activity to report.