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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**

The Controlling Board approved seven items as part of the Kasich administration's Ohio Opioid Abuse, Prevention and Treatment Technology Initiative Project.

Saying that the battle to curb the opiate overdose epidemic can't be solved by government alone, Rep. Ron Young (R-Leroy Township) detailed legislation Wednesday that would direct government resources to communities, faith-based centers and programs that he says are having an impressive impact. Providing sponsor testimony on HB 427 Wednesday, Young cited a lack of urgency and a need to consider all options when seeking to quell the epidemic.

### **CORRECTIONS**

Sens. Vernon Sykes (D-Akron) and John Eklund (R-Chardon) have introduced legislation to improve the compensation rights of wrongfully imprisoned individuals. The bill, SB 248, will allow compensation for individuals wrongfully imprisoned because the prosecutor improperly withheld

evidence before or during the trial. Currently, compensation is only available when procedural errors are made following sentencing -- an extremely unlikely scenario. Reps. Emilia Sykes (D-Akron) and Bill Seitz (R-Cincinnati) also have introduced companion legislation, HB 411, in the Ohio House.

Witnesses told the House Criminal Justice Committee Tuesday that there is a need to reform the current bail system in Ohio courts, but some said a bill to make those changes needs more work. Meanwhile, Rep. Bill Seitz (R-Cincinnati) questioned witnesses on why HB 439 (Dever-Ginter) is needed after the reforms passed as part of 129-HB 86 (Blessing-Heard).

## **EDUCATION**

Electronic Classroom of Tomorrow (ECOT) shut down Friday, Jan. 19 after its sponsor, the Educational Service Center of Lake Erie West, decided to sever ties. On Wednesday, Judge Michael Holbrook of Franklin County Common Pleas Court appointed Myron Terlecky of Strip, Hoppers, Leithart, McGrath and Terlecky as the interim master, and Richard Kruse of Gryphon USA Ltd. as assistant interim master for compliance. ECOT leadership cast the closing as the result of vindictive state officials. The Ohio Department of Education (ODE), meanwhile, said it was focused on helping thousands of ECOT students find new schools.

The Ohio Department of Education (ODE) should've changed its payment claw-back schedule to allow the Electronic Classroom of Tomorrow (ECOT) to finish out the school year and avoid displacing thousands of students, House Education Committee Chairman Rep. Andrew Brenner (R-Powell) said over the weekend. Then on Monday, he was joined by Reps. Andy Thompson (R-Marietta) and Robert Sprague (R-Findlay) in criticizing ODE's handling of the funding dispute, saying it caused unnecessary disruption for families and previewing legislation they might seek to prevent similar situations. Brenner said ODE should have paid more attention to the effects on students and teachers of its plans to recover overpayments from the online charter schools. A less aggressive payment schedule, perhaps lasting five years instead of two, could have prevented a mid-year shutdown of the school and helped the department ultimately collect more of the tens of millions of dollars it says ECOT owes in overpayments.

Electronic Classroom of Tomorrow (ECOT) said Tuesday it's appealing the decision by its sponsor to shut down the online charter school. Meanwhile, the Ohio Department of Education (ODE) defended itself against criticisms from the school and some legislators, noting a hearing officer just this week had once again backed the agency's findings that ECOT over-reported enrollment and owes the state money. Hearing officer Karl Schedler wrote in a report filed Monday that ECOT could not substantiate its full 14,000-plus reported enrollment for the 2016-2017 school year and owes the state \$19.3 million. His recommendation that ODE seek recovery of that funding is to go before the State Board of Education in February.

The Ohio Facilities Construction Commission approved changes Thursday to the project template for regional STEM schools, a move meant to bring consistency to how the projects are handled compared to other Classroom Facilities Assistance Program (CFAP) projects.

## **ELECTIONS 2018**

Gov. John Kasich said his endorsement of Lt. Gov. Mary Taylor for the Republican nomination for governor is still good, notwithstanding news reports that she had said on the campaign trail that they had not had not had a "substantive" conversation in over a year.

A new poll commissioned and released by the 1984 Society shows Richard Cordray leading the Democratic field for governor and Mike DeWine holding a large lead over Lt. Gov. Mary Taylor on the Republican side. The poll was conducted by Fallon Research and Communications and surveyed 801 Ohio voters from Jan. 16-19 using a combination of live interview calls to residential, voice over Internet protocol (VoIP) and cellular telephone listings.

Former U.S. Rep. Dennis Kucinich did not take long to name his pick for lieutenant governor, announcing Akron City Councilwoman Tara Samples as his running mate just two days after officially announcing his gubernatorial campaign. Then later in the week, he told reporters that he would essentially end oil and gas drilling in Ohio if elected. Kucinich, appearing with his running mate, said he is not new to the issue, having challenged pipeline and fracked-gas infrastructure with his wife in other spots around the country. He said in the past decade, Ohio has become steeped in the culture and economy of fracking, with drilling occurring in at least a quarter of Ohio counties. But he argued that the expansion of drilling has come at a cost.

J.D. Vance, the author of the bestselling *Hillbilly Elegy* said Friday that he will not run for the U.S. Senate in Ohio, adding that "it's not just a good time."

Grant Goodrich, director of the Great Lakes Energy Institute at Case Western Reserve University, announced he is running for the Democratic nomination for the 16th Congressional District.

The Ohio Democratic Party said Monday it has hired Lara Sisselman to serve as its spokesperson for the 2018 U.S. Senate race. Sisselman served most recently as press secretary for Virginia Attorney General Mark Herring, and before that, as deputy press secretary for the Democratic Senatorial Campaign Committee during the 2016 cycle.

Gina Hall Collinsworth will be launching her campaign for the 90th House District seat currently held by Rep. Terry Johnson (R-McDermott), who is term-limited.

Columbus conservative economist Tim Kane announced that he will be running for the Republican nomination for Ohio's 12th Congressional District, the seat formerly held by U.S. Rep. Pat Tiberi (R-Columbus).

The following endorsements were made over the week:

- The state treasurer campaign of Rob Richardson announced the endorsement of Service Employees International Union (SEIU) District 1199.
- The secretary of state campaign of Kathleen Clyde announced the endorsement of Service Employees International Union (SEIU) District 1199.
- The U.S. Senate campaign of Jim Renacci announced the endorsements of U.S. Reps. Steve Chabot (R-Cincinnati); Brad Wenstrup (R-Cincinnati); Jim Jordan (R-Urbana); Bob Latta (R-Bowling Green); Bill Johnson (R-Marietta); Bob Gibbs (R-Lakeville); Warren Davidson (R-Troy); Michael Turner (R-Centerville); David Joyce (R-Novelty); and Steve Stivers (R-Columbus).
- The gubernatorial campaign of Mike DeWine announced the endorsements of the Perry County Republican Party and Ohio Sens. Larry Obhof (R-Medina), Bob Peterson (R-Sabina), Randy Garner (R-Bowling Green), Gayle Manning (R-North Ridgeville), Robert McColley (R-Napoleon), Kevin Bacon (R-Minerva Park), Bill Beagle (R-Tipp City), Peggy Lehner (R-Kettering), Bob Hackett (R-

London), Joe Uecker (R-Loveland), Stephanie Kunze (R-Hilliard), John Eklund (R-Chardon), Troy Balderson (R-Zanesville) Matt Dolan (R-Chagrin Falls), Dave Burke (R-Marysville), Scott Oelslager (R-Canton), Frank Hoagland (R-Adena) and Jay Hottinger (R-Newark).

- The gubernatorial campaign of Richard Cordray announced the endorsements of Parma Mayor Tim DeGeeter, Parma Auditor Brian Day, Parma Law Director Tim Dobeck, Parma Treasurer Tom Mastroianni, Parma council members Sean Brennan, Debbie Lime, Mark Casselberry, Kristin Saban, Allan Divis, Larry Napoli, Brian Brochetti, Dennis Kish, Jeff Crossman, Cuyahoga County Councilman Scott Tuma, Cuyahoga County Municipal Clerk of Court Marty Vittardi and Rep. Nick Celebrezze (D-Parma).

- The gubernatorial campaign of Richard Cordray announced the endorsement of U.S. Rep. Marcia Fudge (D-Warrensville Heights).

- The campaign of Denise Martin announced the endorsement of the Delaware Republican Party for the 67th House District.

- The U.S. Senate campaign of Mike Gibbons announced the endorsement of Ashtabula County Republican Party Chairman Charlie Frye.

- The congressional campaign of Democrat Zack Scott announced the endorsement of Franklin County Coroner Anahi Ortiz for the 12th Congressional District.

- The U.S. Senate campaign of Republican Mike Gibbons announced the endorsement of Montgomery County Sheriff and GOP Chairman Phil Plummer.

- The congressional campaign of Republican Carol O'Brien announced the endorsements of Delaware County Sheriff Russell Martin, Marion County Sheriff Tim Bailey, former Licking County Prosecutor Ken Oswalt, Marion County Prosecutor Ray Grogan, Morrow County Prosecutor Charles Howland, Richland County Prosecutor Gary D. Bishop and former Richland County Prosecutor Bambi Couch Page for the 12th Congressional District.

- The gubernatorial campaign for Mike DeWine announced the endorsement of the Highland County Republican Party.

- Former Ohio Secretary of State Ken Blackwell endorsed Mary Taylor for governor.

## **EMPLOYMENT/UNEMPLOYMENT**

Ohio's unemployment rate fell slightly to 4.7 percent in December, according to the Ohio Department of Job and Family Services (ODJFS), down from 4.8 percent in November. The state added 2,500 jobs over the month, going from a revised 5,539,700 in November to 5,542,200 in December 2017.

## **ENERGY**

Columbus became the second stop for the U.S. Department of Energy's Millennial Nuclear Caucus tour, a series of events that seek to bring together the next generation of leaders in nuclear innovation with environment, economic, and scientific experts in industry and government. Speakers at the event said nuclear energy has gotten a bad rap, and it will take supporters of the technology armed with facts in order to move the field into the next generation of nuclear technology, which could include molten salt reactors.

Shale gas production in Ohio and other parts of Appalachia continues to outstrip its closest competing region, the Permian Basin in Texas and New Mexico, by a factor of three, according to the latest report from the U.S. Energy Information Administration (EIA).

Ohio Consumers' Counsel Bruce Weston testified on the ESP-busting HB 247 (Romanchuk) before the House Public Utilities Committee. Weston reiterated a number of points from his invited testimony before the committee in November, including a comparison of the back-door regulatory approach of all current ratemaking to "crony capitalism." Weston panned SB221's system of utility subsidies and billing riders, allowance for excessive profits, qualitative as well as quantitative assessment of an ESP's advantages, and the like.

## **ENVIRONMENT**

The Federal Energy Regulatory Commission (FERC) on Wednesday ordered Rover Pipeline LLC to cease horizontal directional drilling (HDD) operations near the Tuscarawas River after the company spilled approximately 200,000 gallons of drilling fluid in the area. FERC is requiring Rover to provide additional details about how the company will avoid spilling more drilling fluids into the environment in the area before construction can continue.

## **GENERAL ASSEMBLY/STATEHOUSE**

The House Democratic Caucus named Rep. Kent Smith (D-Euclid) caucus policy chair for 2018. As policy chair, Smith will guide research and policy drafting with a focus on opportunities for working families and individuals.

The House bid farewell to Chief of Staff Mike Dittoe in a fashion fitting of an outgoing legislator, with House Speaker Cliff Rosenberger (R-Clarksville) telling the chamber of Dittoe's friendship and work for him in his time as speaker. Dittoe, who has worked in various roles in the House for the last 15 years, is resigning Friday to work full-time for the Ohio House Republican Organizational Committee (OHROC) and to manage Sen. Troy Balderson's (R-Zanesville) congressional campaign.

Two legislators Wednesday announced a bipartisan bill they say will work to lower prescription drug prices by ending a practice by pharmacy benefit managers that they said leads to the overcharging of patients for their prescriptions. Reps. Scott Lipps (R-Franklin) and Rep. Thomas West (D-Canton) said the "claw-back" tool is often used to over-inflate the cost of prescriptions, and pharmacies aren't allowed to tell consumers about the practice because of "gag" orders in their contracts with insurers.

State and federal health care officials espoused the benefits of using managed care for home, community and nursing home services Wednesday at the first meeting of a study committee on the topic, while providers aired some concerns based on experiences with the MyCare Ohio project. The Patient-Centered Medicaid Managed Care Long-Term Services and Supports Study Committee is to examine the merits of expanding managed care to those services. Tim Engelhardt, presenting on behalf of the Medicare-Medicaid coordination office at the federal Centers for Medicare and Medicaid Services (CMS), said there's been a "steady and widespread" movement toward managed care in long-term services and supports across the U.S. and particularly in states with large population centers like Ohio. The target populations have greater, more expensive and more complex health care needs, creating the need to coordinate efforts among providers and payers.

Gov. John Kasich's final "State of the State" address will officially be scheduled to take place in Westerville on Tuesday, March 6 following the Senate's approval of HJR 13 (Gonzales) on Wednesday.

## **GOVERNOR**

Gov. John Kasich will be going to New Hampshire in April to participate in a fireside chat as part of the New England College's "President's Speaker Series." Kasich will be speaking at the event on Tuesday, April 3.

Appointments made during the week include the following:

- Helen L. Mayle of Pickerington (Fairfield County), Barbara L. Prakup, Ph.D. of Medina (Medina County), Carrie L. Spangler, Au.D. of Uniontown (Stark County) and Matthew Starner of Zanesville (Muskingum County) to the State Speech and Hearing Professionals Board for terms beginning Jan. 21, 2018, and ending March 22, 2019.
- Karen Mitchell of Ostrander (Delaware County) and Michael R. Pratt of Perrysburg (Wood County) to the State Speech and Hearing Professionals Board for terms beginning Jan. 21, 2018, and ending March 22, 2020.
- Tammy H. Brown of Loveland (Clermont County) appointed to the State Speech and Hearing Professionals Board for a term beginning Jan. 21, 2018, and ending March 22, 2021.
- Cheryl Archer of Bowling Green (Wood County) and Thomas Barracato of Akron (Summit County) appointed to the State Vision Professionals Board for terms beginning Jan. 21, 2018, and ending March 22, 2019.
- Kimberly A. Mermis of Columbus (Franklin County) and Thomas Nye, O.D. of Hamilton (Butler County) to the State Vision Professionals Board for terms beginning Jan. 21, 2018, and ending March 22, 2020.
- Darrell "Duke" Dye of Dublin (Delaware County) and Brian J. Miller, BCO of Toledo (Lucas County) to the State Vision Professionals Board for terms beginning Jan. 21, 2018, and ending March 22, 2021.
- Lisa A. Froehlich of Lebanon (Warren County) to the State Speech and Hearing Professionals Board for a term beginning Jan. 23, 2018, and ending March 22, 2020. - Jessica Price-Kovach of Galloway (Franklin County) to the State Board of Cosmetology for a term beginning Jan. 23, 2018, and ending Oct. 31, 2021.
- Andrew E. Randall of Cleveland (Cuyahoga County) reappointed to the Cuyahoga Community College Board of Trustees for a term beginning Jan. 23, 2018, and ending Oct. 12, 2022.

## **HOUSING/HOMELESSNESS**

Runaway and homeless youth in Ohio now have a new online tool to help them successfully navigate the transition to adulthood, the Coalition on Homelessness and Housing in Ohio (COHHIO) announced. COHHIO's Youth Housing Initiative created "Taking Charge" to help young people who are living on their own figure out how to get help and learn about their basic legal rights and responsibilities. It can be found online at [www.takingchargeohio.org](http://www.takingchargeohio.org).

## **JUDICIAL**

Gov. John Kasich stuck with the Ohio Republican Party's endorsed candidate for the soon-to-be vacated Ohio Supreme Court seat Thursday, naming 7th District Court of Appeals Judge Mary DeGenaro to the Court. The governor noted DeGenaro's experience as a Youngstown State University adjunct professor, a 14-year private practice attorney, and an amateur beekeeper. Later

Thursday, DeGenaro was sworn in by Chief Justice Maureen O'Connor as the Court's 159th justice, effective Sunday, Jan. 28. The seat's current occupant, Justice William O'Neill, is resigning as of Friday, Jan. 26.

### **MEDICAID/MEDICAID REFORM**

The ongoing implementation of new billing procedures for Ohio's behavioral health providers is going "extremely well," Ohio Department of Medicaid (ODM) Director Barbara Sears told the Joint Medicaid Oversight Committee (JMOC) Thursday -- an assertion disputed by Sen. Bill Coley (R-West Chester), who cited a glitch for two providers over a claims cap.

### **PAYDAY LENDING**

Frustrated by inaction in the General Assembly, advocates who want stronger regulations on payday lending will seek to enact them at the ballot box. Ohioans for Payday Loan Reform said Thursday they're beginning the process to seek voter approval of a constitutional amendment to cap payday loan interest rates at 28 percent.

### **REDISTRICTING/REAPPORTIONMENT**

The Fair Districts=Fair Elections Coalition's congressional redistricting amendment would supersede the General Assembly's proposal if both are approved by voters under the current timeline being targeted by those involved in the process, according to Ann Henkener of the League of Women Voters of Ohio (LWVO). The Fair Districts group has collected 200,000 signatures and is on pace to collect the 305,591 signatures by the July 4, 2018 deadline to place the "Bipartisan Congressional Redistricting Reform Amendment" on November's general election ballot. Meanwhile, Sen. Matt Huffman (R-Lima) is aiming to move his proposal, SJR5, through the General Assembly in time to place the measure before voters on the primary ballot in May.

Congressional redistricting proposal SJR 5's (Huffman) journey through the Senate slowed down a bit on Tuesday as Republicans and Democrats plan to work toward a bipartisan solution.

### **SECRETARY OF STATE**

Secretary of State Jon Husted announced that 117,429 entities filed to do business in 2017, which he said broke a record from the year before. Husted said the previous record from 2016 was 105,009 new entities registering in the state. 2017 was the eighth consecutive year to see an increase in filings.

### **STATE GOVERNMENT**

The state Office of Budget and Management (OBM) said Friday it was closely following the threat of a federal shutdown and coordinating with state agencies to prepare for the possibility. "In the event a continuing resolution is not in place, OBM is prepared to work with affected state agencies

to manage known impacts on their programs and operations and implement strategies to limit potential impacts due to the absence of Federal spending authority. Given Ohio's current fiscal good health, it is our general sense that any such challenges can be successfully managed." OBM spokesman John Charlton noted that federal money has already been drawn down to allow affected state programs to continue for some time. "As far as short term impacts, there are few, if any," he said. The shutdown did occur but lasted only three days.

The Ohio Department of Commerce (DOC) said Monday that, effective Sunday, Jan. 21, it has assumed responsibility for the manufactured homes program, which previously was under the Ohio Manufactured Homes Commission. This transition was included in HB49 (R. Smith), the operating budget for FY18-19.

## **TAXATION**

A new, optional municipal tax filing and collections system that allows businesses to centrally file and pay municipal net profit taxes through the Ohio Business Gateway is now accepting registrations, the Ohio Society of CPAs (OSCPA) announced. As businesses prepare for the tax season, the deadline to register to opt-in to central filing in 2018 is Thursday, March 1. The election is binding for one tax year.

## **UTILITIES**

Sitting Commissioner M. Beth Trombold drew the only unanimous vote Thursday when the Public Utilities Commission of Ohio (PUCO) Nominating Council decided which four applicants to submit for Gov. John Kasich's consideration. Trombold's current term expires April 1. Aside from the incumbent, the council recommended consideration of Ronald Russo of Willoughby, whose experiences include various roles with Strata Solar Corp.; Stephen Serraino of Holland, general counsel and corporate secretary for Upper Peninsula Power Company; and David Wade of Avon Lake, retired executive vice president for Mead O'Brien.

## **WORKERS' COMPENSATION**

The Ohio Bureau of Workers' Compensation (BWC) on Thursday began rolling out a new, free workplace wellness program focused on workers at greater risk for on-the-job injuries. "Better You, Better Ohio!" seeks to boost employee health, reduce workplace injuries and save employers money on medical, legal and other costs associated with injury claims and poor health.

## **LEGISLATIVE ACTIVITY:**

### **SENATE:**

### **BILLS FOR THIRD CONSIDERATION**

**HB145** IMPAIRED MEDICAL PRACTITIONERS (Rep. Stephen Huffman, Rep. Robert Sprague) To provide for the establishment of a confidential program for the treatment of certain impaired practitioners and to declare an emergency.  
*Vote 33-0, Emergency clause 32-1*

**ADOPTED BY SENATE**

**HJR13** JOINT SESSION-STATE OF THE STATE WESTERVILLE (Rep. Anne Gonzales) Authorizing a joint session of the Ohio General Assembly to meet at the Fritsche Theatre in Westerville, Ohio, for the purpose of receiving a message from the Governor and calling for a committee to wait upon the Governor in anticipation of his State of the State Address.  
*Vote 31-2*

**HOUSE:**

**PASSED BY HOUSE**

**HB250** ELECTRIC BIKE REQUIREMENTS (Rep. Tom Brinkman) To establish requirements for the use of electric bicycles.  
*Vote 96-0*

**HB332** TRANSPLANTS-DISABLED PERSONS (Rep. Niraj Antani) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability.  
*Vote 96-0*

**ADOPTED BY HOUSE**

**SCR8** MISSILE DEFENSE SITE-RAVENNA (Sen. Sean O'Brien, Sen. John Eklund) A resolution to urge the United States Missile Defense Agency to select Camp Ravenna Joint Military Training Center in Ravenna, Ohio, as the preferred site for a future east coast Missile Defense system.  
*Vote 93-0*