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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

A House panel deliberating on anti-addiction legislation SB 319 (Eklund) heard pleas last week to use the bill as a vehicle to mandate insurance coverage of opioid painkillers designed to deter abuse. The House Finance Health and Human Services Committee met three times this week as it tries to wrap up work on the mid-biennium review (MBR) legislation on addiction, during the lame-duck session.

ATTORNEY GENERAL

The longtime former mayor of Niles and his wife face dozens of charges for public corruption and illegal gambling operations, the Ohio Attorney General's Office announced last week. A Trumbull County grand jury indicted Ralph Infante, 61, on 56 counts including engaging in a pattern of corrupt activity and bribery. Judy Infante, 67, also faces one count of corrupt activity, one count of theft, and nine counts of tampering with records.

CHILDREN/YOUTH

The number of infant deaths in Ohio increased in 2015, according to new data released by the Ohio Department of Health (ODH). There were 1,005 infant deaths in 2015, compared to 955 in 2014, the department said. The release of the 2015 data comes as the state has greatly increased its focus on infant mortality, including increasing funding for programs to address the problem as well debating passage of SB 332 (Jones-Tavares), a comprehensive approach to implementing programs to reduce Ohio's rate.

EDUCATION

The state plans to conduct its first performance audit of a higher education institution early next year, according to Auditor of State Dave Yost's office. Ohio State University is collaborating with the state on the endeavor, which the university hopes will help President Michael Drake with his plan to generate \$200 million in efficiencies and another \$200 million in new resources over five years.

State Superintendent Paolo DeMaria's report to the State Board of Education last week addressed findings from different aspects of the Ohio Department of Education's stakeholder engagement plan on the new federal education law. Efforts included 10 regional meetings that engaged educators, parents, students, policymakers and communities about the Every Student Succeeds Act (ESSA), along with conducting online surveys.

The federal Every Student Succeeds Act (ESSA) has the potential to improve schools significantly, State Superintendent of Public Instruction Paolo DeMaria said last Thursday to a meeting of the Joint Education Oversight Committee (JEOC).

ELECTIONS

In a unanimous vote, the Ohio Ballot Board split a proposed constitutional amendment that would place term limits on Ohio Supreme Court justices and make all laws apply to the General Assembly after advocates of the measure failed to show to testify on the amendment.

ENERGY

The House Public Utilities Committee accepted a substitute version of HB 554 (Amstutz), moving the chamber's energy mandates bill closer to language proposed in the latest iteration of SB 320 (Seitz). After a long delay in producing the sub bill that caused the committee to reconvene late in the afternoon, Rep. Ron Amstutz (R-Wooster) explained the sub bill removed language providing an indefinite freeze on the renewable energy and efficiency standards set in 127-SB 221 (Schuler). Instead, similar to SB 320, the sub bill proposes leaving most of the current standards in place, but makes them goals -- rather than requirements -- until 2020.

FEDERAL

U.S. Rep. Steve Stivers (R-Columbus) was selected by his colleagues to chair the campaign arm of congressional Republicans last Tuesday. As head of the National Republican Congressional Committee (NRCC), Stivers will help recruit candidates for the U.S. House as well as help those

candidates raise money and run their campaigns. He is succeeding U.S. Rep. Greg Walden (R-OR), the current chairman.

U.S. Rep. Tim Ryan (D-Youngstown) sent a letter to members of his congressional caucus announcing he'll run for minority leader, challenging California U.S. Rep. Nancy Pelosi, the current leader and one-time House speaker. Ryan said the recent election was "a major turning point."

GENERAL ASSEMBLY/STATEHOUSE

Both Republicans and Democrats in the Legislature's upper chamber announced their leadership teams for the 132nd General Assembly last week. Republicans unanimously elected Sen. Larry Obhof (R-Medina) to serve as president of the Senate during the 2017-18 session. Joining him on the GOP leadership team will be Sen. Bob Peterson (R-Sabina) as president pro tempore, Sen. Randy Gardner (R-Bowling Green) as majority floor leader and Sen. Gayle Manning (R-North Ridgeville) as majority whip.

The Senate Democratic Caucus unanimously voted to re-elect Sen. Joe Schiavoni (D-Boardman) as minority leader, a position he has held since 2013. He is joined in leadership by Assistant Minority Leader Charleta Tavares (D-Columbus), Minority Whip Edna Brown (D-Toledo) and Assistant Minority Whip Cecil Thomas (D-Cincinnati).

The House GOP also announced its leadership team for the 132nd General Assembly. Representative Cliff Rosenberger was reelected as House speaker. Rep. Kirk Schuring will replace current Speaker Pro Tempore Ron Amstutz, who is leaving due to term limits. They will be joined by Rep. Dorothy Pelanda, who was selected as the majority floor leader. Other selections included, Rep. Sarah LaTourette as assistant majority floor leader, Sen. Tom Patton as majority whip, and Rep. Rob McColley as assistant majority whip.

House Democrats re-elected Rep. Fred Strahorn (D-Dayton) as House Minority Leader for the 132nd General Assembly. Strahorn will be joined on leadership by Assistant Democratic Leader Nicholas J. Celebrezze (D-Parma), Democratic Whip Nickie J. Antonio (D-Lakewood) and Assistant Democratic Whip Emilia Strong Sykes (D-Akron).

The House began its post-election work last week, swearing in two new members: Reps. Wes Goodman (R-Cardington) and Candice Keller (R-Middletown). Both took their oaths for the 87th and 53rd districts, respectively, a little more than a week after winning the election for their respective seats. Goodman is replacing former Rep. Jeff McClain (R-Upper Sandusky), who left the chamber early after term limits prevented him from running for re-election to join the Ohio Chamber of Commerce. Keller replaces Rep. Tim Derickson (R-Oxford), who also left early to take a job as executive director of the Board of Embalmers and Funeral Directors.

GOVERNOR

Gov. John Kasich announced he will appoint Barbara Sears to serve as director of the Ohio Department of Medicaid. Sears will replace John McCarthy, who leaves the post effective Dec. 23. Sears is currently assistant director of the Governor's Office on Health Transformation and a former Representative.

The governor made the following appointments during the week:

- Chief Kimberley K. Jacobs of Columbus (Franklin County) reappointed to the Ohio Peace Officer Training Commission for a term beginning Nov. 14, 2016 and ending Sept. 20, 2019.
- Reginald A. Wilkerson of Columbus (Franklin County) to the Ohio Peace Officer Training Commission for a term beginning Nov. 14, 2016 and ending Sept. 20, 2019.
- Jennifer L. Doyle of Wadsworth (Medina County) and Kristin D. Gardner of Circleville (Pickaway County) reappointed to the Maternity and Newborn Advisory Council for terms beginning Nov. 14, 2016 and ending Oct. 31, 2021.
- William B. White of Marietta (Washington County) to the Ohio Arts Council for a term beginning Nov. 15, 2016 and ending July 1, 2019.
- Deborah A. Lieberman of Clayton (Montgomery County) reappointed to the Local Government Innovation Council for a term beginning Nov. 15, 2016 and ending Sept. 20, 2020.
- Robb Mitchell of Dublin (Franklin County), Michelle Primm of Akron (Summit County), Lauren B. Thomas of Columbus (Franklin County), and Roberto Vazquez of Upper Arlington (Franklin County) appointed to the Motor Vehicle Dealers Board for terms beginning Nov. 17, 2016, and ending Oct. 4, 2020.

LOCAL GOVERNMENT

Rep. Robert McColley (R-Napoleon) and the Buckeye Institute co-hosted a panel discussion of conservative think tanks to urge Senate lame duck passage of civil asset forfeiture bill HB 347 (McColley-Brinkman). Clearing the House in May by a 3-1 ratio, the legislation was referred to the Senate Government Oversight and Reform Committee where hearings started last week.

TAXATION

The Ohio Supreme Court ruled that the U.S. Constitution's commerce clause on interstate trade does not prevent the state of Ohio from imposing commercial activity tax (CAT) on out-of-state companies conducting online business with Ohioans. The Court said the volume of annual sales, rather than physical presence, determines whether the state may impose a "privilege to do business" tax such as the CAT.

TRANSPORTATION

Engineers, contractors and policy researchers last week encouraged legislators to find ways to raise more revenue for Ohio's transportation system, such as an increase to the state's motor fuel tax. Speaking to the Joint Legislative Task Force on Department of Transportation Issues, co-chaired by Sen. Frank LaRose (R-Copley) and Rep. Cheryl Grossman (R-Grove City), witnesses noted that the gas tax has not been raised in more than a decade.

UNEMPLOYMENT COMPENSATION

House Speaker Cliff Rosenberger (R-Clarksville) and Rep. Kirk Schuring (R-Canton) said that they expect a substitute bill addressing unemployment compensation reforms to be introduced the week after Thanksgiving, and that passing it through both chambers will be a top priority in the lame duck session.

WORKERS' COMPENSATION

The Ohio Municipal League (OML) has moved from staunch opposition to interested party on a bill that would give firefighters who have been diagnosed with certain types of cancer a presumption that the cancer was caused by their work and allow them to collect workers' compensation. However, OML still feels a few more changes are needed before it passes the House.

LEGISLATIVE ACTIVITY:

HOUSE:

PASSED BY HOUSE

- HB533** DAY DESIGNATION (Rep. Robert Sprague) To designate the month of May as "Neurofibromatosis Awareness Month."
Vote 93-0
- HB535** EMPLOYMENT PROTECTION-NATIONAL GUARD (Rep. Rick Perales) To extend employment and reemployment protection to a person who is a member of another state's national guard or organized militia and who is employed in Ohio.
Vote 93-0
- SB252** CARDIAC ARREST-YOUTH ACTIVITY (Sen. Cliff Hite, Sen. Tom Patton) With regard to sudden cardiac arrest in youth athletic activities.
Vote 89-4
- HB270** DRUG LIABILITY OFFENSE (Rep. Jonathan Dever, Rep. Dorothy Pelanda) To provide that causing the death of another person by an overdose that results from the offender's sale, distribution, dispensation, or administration of a controlled substance or controlled substance analog is a violation of the offense of involuntary manslaughter and to makes this provision a strict liability offense.
Vote 78-11
- HB520** PUBLIC RETIREMENT SYSTEMS (Rep. Kirk Schuring, Rep. Dan Ramos) To revise the law governing the state's public retirement systems.
Vote 83-7
- SB225** DAY DESIGNATION (Sen. Kevin Bacon) to designate the first day of June as "Hypoparathyroidism Awareness Day."
Vote 89-0

CONSIDERATION OF SENATE AMENDMENTS

- HB300** DRIVER'S LICENSE SUSPENSION (Rep. Nan Baker) To modify the law governing the termination or modification of a lifetime driver's license suspension or a class two suspension that exceeds fifteen years and to specify that a class one driver's license suspension for a specified aggravated vehicular homicide offense begins upon the offender's release from prison.
House Does Concur, Vote 93-0

ADOPTED BY HOUSE

- HR479** CONDOLENCE-WILLIAM HARTNETT (Rep. Cliff Rosenberger, Rep. Fred Strahorn) In memory of William J. Hartnett.
- HR537** ELECTION OF REP. WESLEY GOODMAN (Rep. Cliff Rosenberger) Relative to the election of Wesley A. Goodman to fill the vacancy in the membership of the House of Representatives created by the resignation of Jeffrey A. McClain of the 87th House District.
- HR538** ELECTION OF REP. CANDICE KELLER (Rep. Cliff Rosenberger) Relative to the election of Candice R. Keller to fill the vacancy in the membership of the House of Representatives created by the resignation of Timothy Derickson of the 53rd House District.

SENATE:

No Senate activity