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Week in Review

May 12, 2017

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.

CIVIL RIGHTS

A bill overhauling workplace discrimination laws passed a House committee last week after a new substitute bill led one of the measure's strongest critics to declare itself neutral. Changes were not enough to clear up all opposition though, as all Democrats on the House Economic Development, Commerce and Labor Committee voted against passage. The Ohio Chamber of Commerce said the revised HB 2 (Seitz) addresses longstanding employer concerns, while the Ohio Employment Lawyers Association said it concluded the latest version would do no harm.

ECONOMIC DEVELOPMENT

The state's tourism industry experienced its seventh consecutive year of sustained growth in 2016, according to TourismOhio. TourismOhio Director Mary Cusick told attendees of Ohio Tourism Day at the Statehouse that the number of visits to the state increased to 212 million last year, leading to

\$43 billion in sales.

EDUCATION

Chief Justice Maureen O'Connor ruled Monday that 10th District Appeals Judge Gary Tyack made "unnecessary and demeaning" comments in a hearing on Electronic Classroom of Tomorrow's (ECOT) lawsuit against the state, but that they did not merit the "extraordinary remedy" of removing the judge, as ECOT had requested. ECOT attorney Marion Little filed an affidavit of disqualification following oral arguments in the lawsuit, in which ECOT is disputing the Ohio Department of Education's (ODE) methods in reviewing the online charter school's reported enrollment. Among other comments, Tyack likened school founder William Lager to a Russian oligarch.

Joint Education Oversight Committee (JEOC) Executive Director Lauren Monowar-Jones updated the panel Thursday on the progress on three of the staff's eight approved research projects. Five research projects currently on hold include ones on the Every Student Succeeds Act (ESSA), transportation, accountability, value added and educational choices. The research projects underway cover early childhood investments, career technical education and assessments.

ELECTIONS 2018

Pointing to her experience as an executive running a major Ohio city, Dayton Mayor Nan Whaley became the latest Democrat to announce a run for governor.

Secretary of State Jon Husted made his expected run for governor official first thing Sunday morning, announcing his campaign on Twitter and releasing a video promoting his candidacy. The video, lasting a minute and 42 seconds, takes place in Husted's hometown of Montpelier, OH, and promotes small town values. He notes his time as speaker of the Ohio House and as secretary of state, saying he "advanced a conservative agenda," and citing tax cuts and bills defending life. He promotes an "A plus" rating from the National Rifle Association in the video, which shows him handling multiple firearms.

Ohio Treasurer Josh Mandel Monday signed a pledge to fight for term limits in Congress, and said he will hold himself to the standard even if it is not added to the U.S. Constitution.

Democratic gubernatorial candidate Connie Pillich, a former state representative, said Thursday she's worried President Donald Trump might resort to military campaigns to distract from scandals at home, and vowed to use the powers of the governor's office to protect service members in the Ohio National Guard should she be elected.

EMPLOYMENT/UNEMPLOYMENT

The national unemployment rate was 4.4 percent in April, according to data released by the U.S. Bureau of Labor Statistics (BLS) Friday, down from 4.5 percent in March, as total nonfarm payroll jobs increased by 211,000 nationally. According to BLS, the civilian labor force was 160 million in April, slightly higher than in March. The participation rate dropped slightly to 62.9 percent. The number of long-term unemployed, or those unemployed for 27 weeks or longer, fell slightly to 1.63 million. The number of discouraged workers, or those who gave up looking for work because they didn't think they could find a job, fell to 455,000.

GAMING

An Ohio Casino Control Commission rule prohibiting skill-based game operators from awarding gold or silver prizes cleared the Joint Committee on Agency Rule Review (JCARR) on Monday.

Ohio's four casinos saw a drop in revenue from the year before while the seven racinos saw a growth in revenue during April. According to figures released Monday by the Ohio Casino Control Commission, the four casinos brought in nearly \$71.5 million in April, which is down from April 2016, when the casinos earned \$73.5 million. The total was also a drop from March, which brought \$75.4 million.

Fantasy sports companies large and small asked a House committee Wednesday to adopt the view held by several other states and many national leagues that their products and contests are games of skill and not illegal Internet gambling. About 1.9 million Ohioans participate in fantasy sports, witnesses said. Scott Ward, an attorney from the firm Orrick, Herrington and Sutcliffe and representative for fantasy sports giants FanDuel and DraftKings, told the House Government Accountability and Oversight Committee that HB 132 (Dever-McColley) would specify the enterprise's legality, in answer to conclusions by the attorney general's office that their legal status under current law is unclear.

GOVERNOR

The governor made the following appointments during the week:

- Christopher M. Fleming of Ashville (Pickaway County) to the State Board of Landscape Architect Examiners for a term beginning May 4, 2017, and ending Nov. 9, 2021.
- John W. Royer of Upper Arlington (Franklin County) to the Housing Trust Fund Advisory Committee for a term beginning May 4, 2017, and ending March 18, 2021.
- Dr. Ryan R. Zimmerman of Fremont (Sandusky County) reappointed to the Ohio Livestock Care Standards Board for a term beginning May 5, 2017 and ending Jan. 25, 2020.
- Frank W. Welsh of Ashville (Pickaway County) and William J. Prowant of Dupont (Putnam County) reappointed to the Advisory Board on Amusement Ride Safety for terms beginning May 5, 2017 and ending Jan. 1, 2023.
- Dr. Andrew W. Zucker of Sandusky (Erie County) to the State Dental Board for a term beginning May 5, 2017 and ending April 6, 2018.
- Karen L. Gillmor of Tiffin (Seneca County) reappointed to the Industrial Commission of Ohio for a term beginning July 1, 2017 and ending June 30, 2023.
- Sheriff Phil R. Stammitt of Amherst (Lorain County) to the County Sheriffs' Standard Car-Marking and Uniform Commission for a term beginning May 10, 2017, and continuing at the pleasure of the governor.
- Lori Wengerd of Upper Arlington (Franklin County) to the Ohio Advisory Council for Aging for a term beginning May 11, 2017, and ending Nov. 21, 2018.
- Edward C. Nurre, Jr. of Cincinnati (Clermont County) to the Board of Embalmers and Funeral Directors for a term beginning May 11, 2017, and ending June 30, 2017.

HEALTH AND HUMAN SERVICES

A spirited and lengthy back-and-forth between lawmakers and health care professionals at Wednesday's meeting of the Senate Medicaid Subcommittee largely focused on whether or not Ohio will be able to handle upcoming modifications to Medicaid. A panel on long-term care included managed care companies and assisted living facilities, while the panel on behavioral health included both the Department of Mental Health and Addiction Services with mental health professionals.

On Thursday, Barbara Sears, director of the Ohio Department of Medicaid, testified on the House changes to Medicaid provisions in the HB 49 biennial budget bill before the Senate Finance Health and Medicaid Subcommittee. She said the House version risks "potential interruption to providing quality care to Ohioans." Sears said her department has major concerns about provisions for Controlling Board authorization of Medicaid expenditures and creation of a Health Care Compact. They are also concerned about removal of the Comprehensive Primary Care (CPC) program.

MARIJUANA

The Ohio Board of Pharmacy (OBP) increased the amount of medical marijuana included in a 90-day supply of the drug

PUBLIC SAFETY

Law enforcement officers and state legislators are pushing for tougher punishment for drivers who fail to switch lanes to avoid emergency vehicles and police cruisers and subsequently put officers on the side of the road in danger. Fraternal Order of Police (FOP) President Jay McDonald joined Reps. Tom Patton (R-Strongsville) and Brigid Kelly (D-Cincinnati) at a press event Wednesday to announce pending legislation, which would establish a first-degree misdemeanor penalty for drivers who fail to move over and, as result, kill or injure officers.

TRANSPORTATION

The Controlling Board Monday approved an Ohio Department of Transportation (ODOT) request for \$7 million to develop construction contract plans on the variable use of shoulders on I-670 between Fourth Street and I-270, despite questions and an opposing vote from Sen. Charleta Tavares (D-Columbus).

LEGISLATIVE ACTIVITY:

HOUSE:

PASSED BY HOUSE

HB28 INDUSTRIAL COMMISSION BUDGET (Rep. Tom Brinkman) To make appropriations for the Industrial Commission for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of Commission programs.

Vote 96-0

HB101 EPINEPHRINE ACCESSIBILITY ACT (Rep. Derek Merrin) To authorize an epinephrine autoinjector substitution when a prescription is filled or refilled, to authorize epinephrine to be dispensed without a prescription under a physician-established protocol, and to declare the act the "Epinephrine Accessibility Act."

Vote 96-0

HB118 TAX COMPLAINT DISMISSAL (Rep. Derek Merrin) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner.

Vote 96-0

HB165 MONTH DESIGNATION-CONGENITAL CYTOMEGALOVIRUS AWARENESS (Rep. Anne Gonzales, Rep. Margaret Conditt) To designate May as "Congenital Cytomegalovirus Awareness Month."

Vote 96-0

ADOPTED BY HOUSE

HR119 35TH DISTRICT VACANCY-TAVIA GALONSKI (Rep. Cliff Rosenberger) Relative to the election of Tavia Galonski to fill the vacancy in the membership of the House of Representatives created by the resignation of Greta Johnson of the 35th House District.

Vote 30-0

SENATE:

PASSED BY SENATE

SB36 AGRICULTURAL COMPUTATION (Sen. Cliff Hite) To require that the computation of the capitalization rate for the purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type.

Vote 33-0