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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.

**CHILDREN/FAMILIES**

A recent report from the Public Children Services Association of Ohio (PCSAO) indicates that the state's foster care system is housing 3,500 more children than it was five years ago, characterizing those children as the "invisible victims" of the opioid epidemic.

**CORRECTIONS**

A recent report from the Ohio Inspector General detailed evidence of fraud, waste and abuse by Ohio Department of Rehabilitation and Correction (DRC) employees assigned to work at the Ohio Penal Industries (OPI) who used their positions for personal gain. The report comes following a complaint against OPI that also cited concerns that OPI equipment had been improperly disposed of and possibly stolen. OPI operates 33 shops at 13 Ohio correctional facilities and is responsible for a training program designed to provide vocational skills and a meaningful work experience for inmates.

## **ECONOMIC DEVELOPMENT**

Ohio Attorney General (AG) Mike DeWine has released his 2018 Report to the General Assembly on Compliance with State Awards for Economic Development, which analyzes whether companies and organizations awarded certain economic development incentives complied with the requirements of those state awards. Of the 186 awards, the report found that 145 were in substantial compliance, while 41 awards were not, resulting in an overall compliance rate of 78 percent.

## **ECONOMY**

Women today earn just 49 cents to the typical men's dollar, much less than the 80 cents usually reported, according to a new study by economists Heidi I. Hartmann and Stephen J. Rose released Wednesday by the Institute for Women's Policy Research (IWPR). The study, "Still a Man's Labor Market: The Slowly Narrowing Gender Wage Gap," uses the Panel Study on Income Dynamics, a longitudinal data set to look at the gender earnings gaps between men and women in 15-year time spans.

## **ELECTIONS 2018**

Highlighting the importance of voting, Ohio Secretary of State Jon Husted announced five 2018 elections that were either decided by one vote or resulted in a tie. These five contests were local tax levies that took place in Bailey Lakes, Ripley Township, Orange Township, Clarington Village and Gilboa Village.

## **EMPLOYMENT/UNEMPLOYMENT**

Ohio's unemployment rate held at 4.6 percent in November, unchanged since July, according to the Ohio Department of Job and Family Services, which reported the addition of 5,200 jobs and a decrease of 3,000 in the number of unemployed Ohioans.

A recent report from think tanks Policy Matters Ohio (PMO) and the Ohio Justice and Policy Center (OJPC) indicates that 1.3 million Ohio jobs are inaccessible to Ohioans with certain criminal convictions. That amounts to a full quarter of Ohio jobs, according to the study. About 850 Ohio laws known as collateral sanctions bar individuals with various prior criminal convictions from working certain jobs, and these jobs pay \$4,700 more on average and are growing at twice the rate of other jobs, the report finds.

## **FEDERAL**

The James A. Garfield National Historic Site in Mentor and the First Ladies National Historic Site in Canton are closed due to the federal government shutdown, the National Park Service (NPS) has announced. Many other national park sites across the country will remain as accessible as possible while still following all applicable laws and procedures, NPS said. Park roads, lookouts, trails and open-air memorials, will remain accessible to visitors, but emergency and rescue services will be limited.

## **GENERAL ASSEMBLY/STATEHOUSE**

The Senate released its first half calendar for 2019, with opening day session set for Monday, Jan. 7, and the next session after that set for Wednesday, Jan. 30. Release of the House schedule was on hold pending leadership elections.

Lawmakers overrode two of three vetoes Gov. John Kasich issued during lame duck session but fell short by one vote in one chamber on the third. On Friday, Dec. 21, Kasich vetoed HB258 (Hagan-Hood), the anti-abortion "heartbeat bill," and SB296 (Hottinger), a measure to increase survivor benefits for families of fallen first responders that was amended to also include elected official pay increases. He had vetoed HB228 (LaTourette-Johnson), which shifts the burden of proof in cases involving use of deadly force in self-defense, days earlier. The General Assembly returned for rare, post-Christmas sessions on Thursday to counter Kasich's actions. They overrode the veto of SB296 on a vote of 25-6 in the Senate and 70-16 in the House; and did the same on HB228 on respective votes of 21-11 and 67-22. The heartbeat bill, however, will not become law this session, though Gov.-elect Mike DeWine's past statements of support for the measure could portend future movement on the proposal. The House voted 61-28 to override the veto of HB258, but the Senate vote was 19-13, one shy of the three-fifths majority of 20 votes required for an override.

Aside from veto overrides, the House and Senate wrapped up work on several other measures with votes for passage and concurrence. Bills now headed for Gov. John Kasich's desk include HB101 (Merrin), regarding epinephrine auto-injectors; HB139 (Perales-Keller), generally making records exempt from disclosure public 100 years after their creation; HB300 (Barnes), extending the expiration date of non-driver ID cards for people who are permanently and irreversibly disabled; HB425 (Antani-Craig), establishing when police body camera footage is considered a public record; HB477 (Koehler), repealing outdated education laws; HB411 (Lanese-Rogers), changing the age of marital consent; HB66 (Young), creating the Undergraduate Mission Study Committee; HB341 (Huffman-Cera), adding judges to the list of officials whose residential and familial information is not a public record; HB420 (Sykes), designating November as "Ohio Adoption Awareness Month"; and HB422 (Ginter-Rogers), regarding acquisitions of water and sewer systems.

House Speaker Ryan Smith (R-Bidwell) won an informal caucus vote to retain his position in the 133rd General Assembly, but supporters of rival Rep. Larry Householder (R-Glenford) stayed away from the caucus meeting and raised doubts about its validity beforehand. Smith won all votes from the 34 members in attendance, giving him a majority of the 61-member caucus. Rep. Kirk Schuring (R-Canton), outgoing dean of the Republican Caucus, scheduled the Thursday, Dec. 27 gathering, following incoming dean Rep. Jim Butler's (R-Oakwood) decision not to call any meetings amid lack of caucus unity. Rep.-elect Jamie Callender (R-Concord) raised questions about the meeting ahead of time, saying that because Schuring won't be a member of the next General Assembly, the meeting might be illegal or would need to be opened to the public and press. Rep. Bill Seitz (R-Cincinnati) responded that the meeting was called by Schuring at the direction of Smith, who will be a member of the next General Assembly. Smith, Householder or any other candidate will need 50 votes on the House floor to officially be elected speaker at the opening session on Monday, Jan. 7. Otherwise, voting promises to end up as another long series of ballots, as was the case earlier this year when Smith succeeded former Speaker Cliff Rosenberger, who resigned amid FBI scrutiny.

Kathleen Clyde (D-Kent) resigned from her position as state representative for the 75th District Thursday and was appointed Portage County Commissioner by the Portage County Democratic Party Central Committee. She ran for secretary of state this year and was due to leave the General Assembly at year's end because of term limits.

As the first Democrat African American woman from Franklin County to serve in both the House and Senate of the Ohio Legislature, a former Columbus City Councilwoman and the CEO of a prominent health care system in the area, one might be hard-pressed to find a more prominent central Ohio public servant than Sen. Charleta Tavares (D-Columbus). While term limits may prevent Tavares from returning in the 133rd General Assembly, she told *Hannah News* during a recent interview that she has no intention of leaving a career of public service.

Rep. Kristin Boggs and her husband, Adam Ward, announced the birth of a son, Colin Sylak Ward, on Wednesday, Dec. 26 on Facebook. He weighed 9 pounds 5 ounces and is 20.5 inches long. He joins older sister Sloane.

## **GOVERNOR**

Gov. John Kasich signed the following 12 bills into law on Friday, Dec. 21:

- HB96 (Hughes), regarding sexual imposition penalties.
- HB411 (Seitz-Sykes), regarding wrongful imprisonment.
- HB497 (Rogers-Manning), prohibiting nonconsensual dissemination of private sexual images,
- HB500 (Carfagna), changing township laws and providing appropriations for survivor benefit changes enacted in SB296 (Hottinger).
- HB502 (Anielski), regarding youth suicide awareness and prevention training for school employees.
- HB522 (Lanese), regarding alcohol permits and outdoor refreshment areas.
- HB541 (Patterson-LaTourette), regarding the practice of volunteer, out-of-state medical professionals.
- HB572 (Scherer-Howse), a pension system omnibus measure.
- HB595 (Cupp), reforming various probate and trust laws.
- SB145 (Huffman-Wilson), criminalizing and creating a civil action for dismemberment abortions.
- SB201 (Bacon-O'Brien), enacting the "Reagan Tokes Law" to boost prison terms for some violent offenders.
- SB229 (Eklund), regarding regulation of controlled substances.

## **HEALTH AND HUMAN SERVICES**

The National Institutes of Health (NIH) recently announced the results of "Monitoring the Future" (MTF), a nationally representative survey of high school teens conducted by the University of Michigan, which found that teen use of electronic cigarettes containing nicotine reached record highs

in 2018, while teen use of traditional tobacco products hit record lows. In a single year, the number of high school seniors who reported "any vaping" in the past 12 months increased from 27.8 percent in 2017 to 37.3 percent in 2018.

## **MARIJUANA**

Two medical marijuana cultivators that were awarded state licenses because of their minority status have appealed a court decision ruling 131-HB523's (Huffman) "economically disadvantaged group" (EDG) quota unconstitutional. The Ohio Department of Commerce (DOC), which issues cultivator licenses under the Medical Marijuana Control Program, will not appeal.

After accepting patient registrations for three weeks, the Ohio Medical Marijuana Control Program (MMCP) has registered a total of 4,440 patients, according to the Ohio Board of Pharmacy (OBP). Of those with a recommendation, 3,036 have activated their registry card, OBP said in a news release.

## **NATURAL RESOURCES**

The Ohio Department of Natural Resources (ODNR) released production totals of Ohio's horizontal shale wells, from which was extracted 5,545,536 barrels of oil and 605,716,125 Mcf (605 billion cubic feet) of natural gas. The ODNR quarterly report lists 2,242 horizontal shale wells, 2,198 of which reported oil and natural gas production during the quarter.

## **PEOPLE**

The County Commissioners Association of Ohio (CCAO) announced Rachel Massoud has joined the staff as a policy analyst.

The Ohio Hospital Association (OHA) announced new officers and two new members on its Board of Trustees, including Mike Louge, executive vice president and chief operating officer for OhioHealth (Columbus), who will chair the board beginning Jan. 1, 2019.

Capitol Square and Statehouse veteran Gary Smith has announced the formation of Statehouse Strategies LLC., a full-service government relations consulting firm. Smith has spent the last eight years with Josh Rubin's CJR Group, managing the firm's government relations practice in Ohio.

## **PUBLIC SAFETY**

The Ohio State Highway Patrol announced the opening of its canine training facility, which will serve as a centralized location for the patrol's canine operations and training programs. Funded through \$1.4 million of the Ohio Department of Public Safety's capital budget, the facility houses classrooms, office space, dormitories, kennels and a practical training building for use by canines, handlers and partner law enforcement agencies.

There were nine fatalities on Ohio roadways during the 2018 Christmas weekend, according to provisional statistics released Wednesday by the Ohio State Highway Patrol (OSHP). Three fatalities were the result of not wearing a seat belt when available and three were OVI-related, OSHP said in a news release. The five-day reporting period began at midnight on Friday, Dec. 21 and ran through

11:59 p.m. on Tuesday, Dec. 25. This number is the same as 2017 holiday weekend, but lower than 2016 when 14 people were killed in traffic crashes.

## **STUDIES/POLLS**

New data released by the Corporation for National and Community Service (CNCS) shows that almost a third of Americans (30.3 percent) volunteered through an organization in 2017, amounting to 77.4 million individuals. CNCS reported a total of 6.9 billion hours of volunteer work was completed in 2017, which was valued at \$167 billion worth of time and work donated in economic value, based on private-sector estimates on the average value of a volunteer hour.

## **TRANSITION**

Treasurer-elect Robert Sprague named additional senior staff members for his new office, including Marjorie Kruse, deputy director for audit and compliance at the Ohio Department of Taxation, as deputy treasurer; Jennifer Day, who will continue on from the Mandel administration as chief operations officer; Brandon Kern, senior director of policy outreach for the Ohio Farm Bureau, as legislative affairs director; Brittany Halpin, deputy director of communications for the Ohio Department of Education, as press secretary; Zach Crawford, political director for Sprague's campaign, as policy adviser; and Rich Thompson, political programs director for the Ohio Chamber of Commerce, as director of public affairs.

## **UTILITIES**

In addition to net metering rules adopted recently, the Public Utilities Commission of Ohio (PUCO) issued a number of other rulings that include a settlement of Duke Energy's outstanding regulatory disputes; a denial of local utilities' request for rehearing on the commission's October order mandating compliance with the federal Tax Cuts and Jobs Act (TCJA); an authorization of up to \$200 million in short-term securities to be issued by the cash-strapped Ohio Valley Electric Corporation (OVEC); a five-year rule review of utilities' renewable energy and energy efficiency portfolio plans; and an agreement to rehear a Columbus submetering complaint against Nationwide Energy Partners (NEP).

## **LEGISLATIVE ACTIVITY:**

### **SENATE: PASSED BY SENATE**

- 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 32-0
- HB139 PUBLIC RECORD DISCLOSURE EXEMPTIONS (Rep. Rick Perales, Rep. Candice Keller) To eliminate the public disclosure exemption for any permanently retained record 100 years after the date of its creation, with exceptions.  
Vote 32-0
- HB300 STATE ID-DISABLED PERSONS (Rep. John Barnes, Jr.) To provide that any nondriver identification card that is issued to a resident of Ohio who is permanently or irreversibly disabled must be issued with a 15-year expiration date and to exempt such cardholders who are also unemployed from the identification card fees.

Vote 32-0

HB425 POLICE BODY CAMERAS-PUBLIC RECORDS (Rep. Niraj Antani, Rep. Hearcel Craig) To provide that specified portions of peace officers' body-worn camera and cruiser camera recordings and the infrastructure record of a public school are not public records for purposes of the Public Records Law.

Vote 32-0

HB477 ELIMINATE EDUCATION PROGRAMS (Rep. Kyle Koehler) To eliminate various provisions and programs related to the Department of Education and the operation of primary and secondary schools.

Vote 32-0

HB511 LEGAL AGE-MARRIAGE (Rep. Laura Lanese, Rep. John Rogers) To make changes to the laws governing the ages at which persons may marry.

Vote 32-0

### **CONSIDERATION OF GOVERNOR'S VETO**

HB228 USE OF FORCE IN SELF-DEFENSE (Rep. Terry Johnson) To modify the law governing state preemption of local firearm regulations and related remedies, the grounds for self-defense and the burden of proof, the authority of a law enforcement officer or investigator to carry a weapon, the offense of unlawful transactions in weapons, and other weapons-related laws.

Senate Overrides Veto, Vote 21-11

HB258 ABORTION-DETECTABLE HEARTBEAT (Rep. Christina Hagan) To generally prohibit an abortion of an unborn human individual with a detectable heartbeat and to create the Joint Legislative Committee on Adoption Promotion and Support.

Senate Fails to Override Veto, Vote 19-13

SB296 OFFICER DEATH BENEFIT FUND REVISIONS (Sen. Jay Hottinger) To revise the payments that surviving family members receive from the Ohio Public Safety Officers Death Benefit Fund and to permit surviving spouses and children to participate in the health, dental, and vision benefits offered to state employees as if the survivors were employees of this state; to increase the compensation of elected public officers through 2028; to create the Public Office Compensation Advisory Commission; to create the Office of InnovateOhio; to allow the Lieutenant Governor to receive the salary of the head of an office within the Governor's office in lieu of the Lieutenant Governor's statutory salary; and to declare an emergency.

Senate Overrides Veto, Vote 25-6

### **HOUSE:**

#### **CONSIDERATION OF SENATE AMENDMENTS**

HB66 UNDERGRAD MISSION STUDY COMMITTEE (Rep. Ron Young) To establish the Undergraduate Mission Study Committee to evaluate each state university's efforts to secure participation in the undergraduate mission by the university's tenured faculty members.

House Does Concur, Vote 85-4

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."

House Does Concur, Vote 88-0

- HB139 PUBLIC RECORD DISCLOSURE EXEMPTIONS (Rep. Rick Perales, Rep. Candice Keller) To eliminate the public disclosure exemption for any permanently retained record 100 years after the date of its creation, with exceptions.  
House Does Concur, Vote 88-0
- HB300 STATE ID-DISABLED PERSONS (Rep. John Barnes, Jr.) To provide that any nondriver identification card that is issued to a resident of Ohio who is permanently or irreversibly disabled must be issued with a 15-year expiration date and to exempt such cardholders who are also unemployed from the identification card fees.  
House Does Concur, Vote 88-0
- HB341 JUDGES-PUBLIC RECORDS EXEMPTION (Rep. Stephen Huffman, Rep. Jack Cera) To include judges as individuals whose residential and familial information is exempt from disclosure under the Public Records Law, and whose addresses public offices, upon request, must redact from records available to the general public on the internet.  
House Does Concur, Vote 88-1
- HB420 MONTH DESIGNATION-OHIO ADOPTION AWARENESS (Rep. Emilia Sykes) To designate the month of November as Ohio Adoption Awareness Month.  
House Does Concur, Vote 88-0
- HB422 MUNICIPAL WATER-WORKS ACQUISITIONS (Rep. Tim Ginter, Rep. John Rogers) To govern acquisitions of municipal water-works and sewage disposal system companies by certain larger nonmunicipal water-works or sewage disposal system companies.  
House Does Concur, Vote 86-1
- HB425 POLICE BODY CAMERAS-PUBLIC RECORDS (Rep. Niraj Antani, Rep. Hearcel Craig) To provide that specified portions of peace officers' body-worn camera and cruiser camera recordings and the infrastructure record of a public school are not public records for purposes of the Public Records Law.  
House Does Concur, Vote 79-0
- HB477 ELIMINATE EDUCATION PROGRAMS (Rep. Kyle Koehler) To eliminate various provisions and programs related to the Department of Education and the operation of primary and secondary schools.  
House Does Concur, Vote 85-2

#### **CONSIDERATION OF GOVERNOR'S VETO**

- HB228 USE OF FORCE IN SELF-DEFENSE (Rep. Terry Johnson) To modify the law governing state preemption of local firearm regulations and related remedies, the grounds for self-defense and the burden of proof, the authority of a law enforcement officer or investigator to carry a weapon, the offense of unlawful transactions in weapons, and other weapons-related laws.  
House Overrides Veto, Vote 67-22
- HB258 ABORTION-DETECTABLE HEARTBEAT (Rep. Christina Hagan) To generally prohibit an abortion of an unborn human individual with a detectable heartbeat and to create the Joint Legislative Committee on Adoption Promotion and Support.  
House Overrides Veto, Vote 61-28
- SB296 OFFICER DEATH BENEFIT FUND REVISIONS (Sen. Jay Hottinger) To revise the payments that surviving family members receive from the Ohio Public Safety Officers Death Benefit Fund and to permit surviving spouses and children to participate in the health, dental, and vision benefits offered to state employees as if the survivors were employees of this state; to increase the compensation of elected

public officers through 2028; to create the Public Office Compensation Advisory Commission; to create the Office of InnovateOhio; to allow the Lieutenant Governor to receive the salary of the head of an office within the Governor's office in lieu of the Lieutenant Governor's statutory salary; and to declare an emergency.  
House Overrides Veto, Vote 71-16