



**GOVERNMENTAL POLICY GROUP, INC.**

**RH RESOURCES**

17 SOUTH HIGH STREET – SUITE 245

COLUMBUS, OHIO 43215-3413

PHONE: 614-461-9335

FAX: 614-461-9336



**Week in Review**

February 23, 2018

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.

**AGRICULTURE**

With its strong law enforcement relationships and established status as the go-to agency for dealing with dangerous wild animals (DWA), the Ohio Department of Agriculture (ODAg) no longer requires the assistance of panels created in 129-SB310 (Balderson), department spokesperson Mark Bruce told *Hannah News*. Under HB31 (Cupp), effective on Tuesday, Feb. 20, the Dangerous and Restricted Wild Animals Advisory Board and the Dangerous Wild Animal State Emergency Response Commission were officially abolished. A number of other state entities were also abolished in the bill

**ATTORNEY GENERAL**

Ohio Attorney General Mike DeWine is warning Ohioans to avoid scams this tax season. Since January, the Attorney General's Office has received about 190 reports of tax-related scams. They include IRS impostor scams, W-2 phishing scams and tax identity theft.

The Ohio Attorney General's Office said Thursday that cyber-crimes and intelligence analysts with the Ohio Bureau of Criminal Investigation (BCI) had assisted in the investigation of online school threats in Scioto County, resulting in the arrest of a 15-year-old girl on five counts of inducing panic and one count of making a terroristic threat.

## **BALLOT ISSUES**

The Ohio Ballot Board Tuesday unanimously approved the ballot language for a congressional redistricting reform amendment passed by the General Assembly in SJR5 (Huffman-Sykes) -- now Issue 1 -- for the May ballot. That language states that the proposed amendment would "end the partisan process for drawing congressional districts, and replace it with a process with the goals of promoting bipartisanship, keeping local communities together, and having district boundaries that are more compact." The Ballot Board also unanimously approved the explanation and arguments for and against Issue 1.

In other action, the ballot board certified a proposed constitutional amendment regarding kidney dialysis as one amendment. Attorney Don McTigue gave the only testimony on the amendment, telling the panel that the amendment is structured around providing safe and affordable treatment for kidney dialysis.

## **FY19-20 CAPITAL APPROPRIATIONS**

Ohio's institutions of higher education are heeding the Kasich administration's order that they focus state capital dollars on maintaining what Ohio already has rather than building entirely new facilities, with only two projects seeking funds for new buildings. The state's four-year public universities are asking lawmakers for nearly \$300 million in funds for capital projects, while community colleges are requesting \$100 million, according to submissions made to the administration late last month. Higher education institutions took a different route for their requests in this budget cycle, with four-year universities and community colleges submitting separate lists instead of having one recommendation coming from a combined panel.

After Senate's Tuesday session, Senate President Larry Obhof (R-Medina) said he expects the capital budget to be introduced next week and believes it will move quickly before the end of March. He said he expects a version to be introduced in both chambers so they can begin hearings on it sooner.

## **CHILDREN/FAMILIES**

Ohio Children's Hospital Association (OCHA) and early learning advocacy group Groundwork Ohio will look to get gubernatorial candidates on the record in favor of education and health care for young children this year via the Vote for Ohio Kids Campaign. They cite "research and extensive brain science" showing how access to quality health care and education in formative years pays big dividends for children's development.

Voices for Ohio's Children held its advocacy day Thursday at the Statehouse, sending members to lawmakers' offices to talk to them about health and education priorities for children and presenting awards to partner organizations.

## **EDUCATION**

The Electronic Classroom of Tomorrow's (ECOT) court-appointed masters were authorized to abandon computer systems left in the field because they said the cost of recovering them and selling them would result in a net loss to the state. During Friday's hearing in the Franklin County Court of Common Pleas, Judge Michael Holbrook also granted a request from interim master Myron Terlecky and assistant master for compliance Richard Kruse to sell equipment in ECOT's warehouse to Cleveland-based IT company MCPc for \$85,000, netting the state a recovery of \$74,000 when considering about \$11,000 in equipment is still under lease from IBM.

The State Board of Education's Accountability and Continuous Improvement committee, along with a handful of external stakeholders, will review the state report card with an eye toward recommending both short- and long-term recommendations. Tess Elshoff, board president, announced the review this week as an alternative to the proposal by board member Lisa Woods to appoint two special committees -- one with members of the public, another with board members and appointees of state and local education officials -- to study the report cards.

House Government Accountability and Oversight Committee Chairman Louis Blessing (R-Cincinnati) is keeping an open mind regarding legislation consolidating several education-related state agencies into the Ohio Department of Learning and Achievement (DLA), the representative told reporters following HB512's (Reineke) first hearing on Tuesday.

The House Education Committee plans to take a "comprehensive look" at school safety, according to its chairman, Rep. Andrew Brenner (R-Powell). Brenner said the committee will have hearings on placeholder legislation to gather input from mental health professionals, law enforcement, local school officials and educators on what policies to include in the bill.

## **ELECTIONS 2018**

Secretary of State Jon Husted Wednesday certified candidates for the statewide ballot, disqualifying four Democratic candidates due to a lack of sufficient valid signatures. Among the four Democrats disqualified were Jonathan Heavey and his running mate Adam Hudak. Also disqualified were Kelli Prather in the auditor's race and Neil Patel in the treasurer's race. Major party candidates must have 1,000 valid signatures to run for a statewide office, while minor party candidates need 500. Heavey has since said he will challenge the disqualification.

In wake of a recent school shooting in Florida, the gubernatorial campaign of Attorney General Mike DeWine released its school safety platform, pledging to put a licensed mental health professional in every school in Ohio.

Democratic gubernatorial candidate Richard Cordray Tuesday followed other candidates and released his plan for addressing gun violence. Speaking at the Stark County Prosecutor's annual Crime Prevention Breakfast in Canton, Cordray said his plan would take a comprehensive and solutions-based approach to tackling both the causes and symptoms of gun violence. He said the plan will bring together law enforcement, local leaders, faith leaders and state government to address the issue.

The following endorsements were made over the week:

- The Republican Party of Cuyahoga County endorsed both Michael Canty and Jim Trakas for Ohio House District 6.
- The Ohio Education Association Board of Directors endorsed the congressional redistricting reform issue that was passed as a part of SJR5 (Huffman).
- The gubernatorial campaign of Mike DeWine announced the endorsements of the Cuyahoga and Adams county Republican parties.

## **GAMING/GAMBLING**

The skee ball and claw machines at the local Chuck E. Cheese's or Dave & Buster's will soon be regulated by the state as the Ohio Casino Control Commission puts the finishing touches on its rules. Beginning in April, skilled game operators around the state will have to begin registering with the commission, and those that don't register by August could face penalties.

The Ohio Casino Control Commission Wednesday hit the JACK Casino in Cincinnati with a \$40,000 fine due to filing errors and violations observed by gaming agents. The casino had failed to submit reports with an accurate inventory of gaming equipment to the commission for more than seven months, according to the commission. Gaming agents also found the casino had been operating slot machines that had not been approved by the commission.

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) recently released its "Annual Report on Problem Gambling Services" for FY17, in which it detailed the accomplishments of its "Be the 95 Percent" problem gambling prevention campaign, as well as touted its industry accolades.

## **GENERAL ASSEMBLY/STATEHOUSE**

The Ohio Senate Tuesday unanimously passed HB1 (Sykes-Manning), legislation that would address dating violence by allowing for protection orders for those in dating relationships. Sen. Kevin Bacon (R-Minerva Park) said HB1 was a bill that they hoped to have passed much sooner, but added that it takes time to make sure there are not any unintended consequences and to get everything right. Bacon said the bill "addresses the reality that dating violence is a real problem in this country."

The Senate also unanimously passed HB45 (Sprague), which designates May as "Neurofibromatosis Awareness Month" and agreed to the House amendments to SB144 (Burke), which combines three state boards that address Ohioans with disabilities.

House Finance Committee members raised questions Tuesday about geographic limits and practical limitations for the new OhioCorps mentoring and education proposal, a priority of leadership. Sponsors said the legislation is a work in progress and they're trying to ensure legislative language doesn't impede community effort. Reps. Scott Ryan (R-Newark) and Bill Reineke Jr. (R-Tiffin) provided sponsor testimony on HB508, reiterating its basic aims: to pair Ohio college students with at-risk youth in mentoring relationships, and provide funding to assist both with education expenses.

Senate Democratic Leader Kenny Yuko (D-Richmond Heights) Tuesday announced the hiring of Faith Oltman as communications director for the Senate Democratic Caucus. Oltman previously

worked in the General Assembly as deputy communications director for the Ohio House Democratic Caucus and as a legislative aide to Rep. Kathleen Clyde (D-Kent).

Speaker of the House Cliff Rosenberger (R-Clarksville) Thursday announced a number shifts in House committee assignments that saw recently seated Reps. Jim Hoops (R-Napoleon) and Riordan McClain (R-Upper Sandusky) receive committee assignments as well as Reps. Hoops, Darrell Kick (R-Loudonville), Laura Lanese (R-Grove City), Craig Riedel (R-Defiance), John Becker (R-Cincinnati) and Tom Patton (R-Strongsville) named vice chairs of various committees.

In other action, the House Education and Career Readiness Committee reported out HB438 (Hambley-Kick) which permits members be added to the board of educational service centers (ESCs); the House Government Accountability and Oversight Committee reported out HB144 (Green-Rogers) which addresses the safety of stationary waste collection vehicles; and HB410 (Seitz-Butler) which deals with traffic law civil actions; the House State and Local Government Committee reported out HB470 (Edwards) which authorizes a property tax levy for lighting roads and public places; and SCR15 (S. O'Brien-Wilson) which designates 2018 as "Ohio's Year of the Trails"; the House Ways and Means Committee reported out HB337 (Duffey) which exempts textbooks purchased by post-secondary students from the sales tax; the House Transportation and Public Safety Committee reported out highway and bridge naming bills HB431 (Hughes), HB275 (Slaby), HB437 (Gavarone) and HB472 (Cera) and license plate bill HB474 (Antani); and the Senate Government Oversight and Reform Committee reported out HB115 (Gavarone-Wiggam) which establishes a registry of persons with communications disabilities.

## **GOVERNOR**

Expressing "no confidence" in the U.S. Congress, Gov. John Kasich said Sunday that solutions to mass shootings must come from the state and local levels, and that he'd convened a committee to recommend what action should be taken. Kasich, interviewed by CNN's Dana Bash, said there is greater access to politicians in the state legislature, county commissions and city councils, and "that's where you need to put the pressure and call these people out." A page on Kasich's political website about his Second Amendment support, including his 2014 endorsement by the National Rifle Association (NRA), was deleted Sunday and on Monday it was replaced with a page titled "Common Sense on the Second Amendment." The new page says that Kasich supports the Second Amendment and "has signed multiple bills to protect gun rights" and that "(a)s a pragmatic conservative" he recognizes the need for common sense solutions to the nation's problems, including the "dramatic increase in school shootings and mass killings -- many with the use of semi-automatic weapons."

Appointments made during the week include the following:

- Sean D. Miller of Delaware (Delaware County) to the State Emergency Response Commission for a term beginning Feb. 15, 2018, and ending Jan. 13, 2020.
- G. Scott McComb of Blacklick (Franklin County) to the Banking Commission for a term beginning Feb. 15, 2018, and ending Jan. 31, 2022.
- Kenji C. Prince of Columbus (Franklin County) to the State Cosmetology and Barber Board for a term beginning Feb. 15, 2018, and ending Oct. 31, 2022.
- Kara M. Morris of Columbus (Franklin County) reappointed to the Dentist Loan Repayment Advisory Board for a term beginning Feb. 16, 2018, and ending Jan. 28, 2020.

- Beth L. Cameron of Beavercreek (Greene County) and John T. Urbanski of Findlay (Hancock County) reappointed to the Ohio Advisory Council for Aging for terms beginning Feb. 21, 2018, and ending Nov. 20, 2020.
- Patrick J. Beam of Powell (Delaware County) reappointed to the State Board of Landscape Architects Examiners for a term beginning Feb. 21, 2018, and ending Nov. 9, 2022.

## **INSURANCE**

House Democrats Wednesday announced plans to fight policy changes implemented by one Anthem earlier this year that denies coverage to customers who visit the emergency room (ER) for non-emergency treatment. In late 2017, Anthem said, beginning January 2018, it would no longer provide coverage when patients go the emergency room with symptoms, such as temporary pain or seasonal allergies, that are not life-threatening in an effort to curb expensive ER visits and encourage patients to utilize their primary care doctor, urgent care or other treatment options. House Democrats argue that the policy could cause insurance enrollees to second-guess symptoms that might end up being life-threatening, saying that patients should not have to diagnose themselves before seeking treatment, especially if they have insurance.

## **JUDICIAL**

National and state experts will share new ideas for using dispute resolution in courts at the Ohio Supreme Court's first statewide dispute resolution conference on Tuesday, March 13. The conference, which will take place at Ohio State University in Columbus, will feature 40 breakout sessions and a lunch panel of experts.

The Ohio Board of Professional Conduct issued its 2017 annual report, highlighting the disposition of 75 disciplinary cases, a new website and the availability of an online docket that includes access to disciplinary case documents.

## **LOCAL GOVERNMENT**

A Franklin County judge ruled Wednesday that municipal net profits tax provisions in the biennial budget do not run afoul of constitutional home rule protections for cities and villages, rejecting claims brought by dozens of municipalities against the state. The communities sued last year to challenge provisions in HB49 (R. Smith), the budget, as well as 130-HB5 (Grossman), an earlier law meant to reform municipal tax collections. In the budget, lawmakers gave taxpayers the option to file a single return with the state for municipal taxes levied on business income, rather than file in each individual community in which they did business. Kent Scarrett, executive director of the Ohio Municipal League, told *Hannah News* in an email that they plan to appeal Wednesday's decision and "to brace for the attack on municipal revenues."

Downtown Columbus continues to grow, with the number of people living in downtown expected to pass 10,000 by 2020, according to a new report released by Capital Crossroads and Discovery Special Improvement Districts in downtown Columbus.

## **MARIJUANA**

The Ohio Department of Commerce (DOC) is "willing to pause any portion" of the Medical Marijuana Control Program's (MMCP) implementation process if appropriately deemed necessary

by the state auditor, DOC Director Jacqueline Williams wrote to Auditor Dave Yost in a letter. "The office is still reviewing this response from the department but have not reached a conclusion on next steps. Our auditing work continues, however," Yost spokesperson Benjamin Marrison announced. However, on Wednesday, Yost told DOC it had missed its opportunity to responsibly freeze implementation of the MMCP.

Legislation that would set up a closed-loop banking system for the Ohio medical marijuana industry in Ohio will move through committee expeditiously, House Government Accountability and Oversight Committee Chairman Louis Blessing (R-Cincinnati) told *Hannah News* Tuesday. "We've got to act soon, because it's coming around to September," he said referring to the state's deadline for ensuring the Ohio Medical Marijuana Control Program is operational under 131-HB523 (Huffman).

A group of medical marijuana businesses that failed to receive state cultivator licenses -- led by CannAscend Chairman and CEO Jimmy Gould -- has sued the Ohio Department of Commerce (DOC) for employing a "fundamentally unreasonable, arbitrary and unconscionable scoring process" that resulted in a number of deficiencies. The lawsuit, which will be considered by Franklin County Court of Common Pleas Judge Kim Brown, names a number of defendants -- DOC Director Jacqueline Williams, department consultant Trevor Bozeman, Terradiol Ohio LLC, Cresco Labs Ohio LLC, Harvest Grows LLC, Parma Wellness Center LLC, Meade & Wing LLC and B&B Grow Solutions LLC. The companies named as defendants were awarded level one medical marijuana cultivator licenses.

The state auditor would be required to quickly conduct a performance audit of the Ohio Department of Commerce's (DOC) Medical Marijuana Control Program (MMCP) under legislation introduced by Sen. Bill Coley (R-West Chester) on Thursday. According to SB264, the state auditor would be obligated to administer and release a performance audit of DOC's pot program within 30 days of the legislation's effective date. After the audit is released, DOC would be required to implement the auditor's recommendations within 30 days. The department would not be allowed to issue final licenses for cultivators, processors or testing laboratories until the recommendations are fully implemented.

## **MEDICAID/MEDICAID REFORM**

The Kasich administration took the first steps Friday to seek federal approval for changes to insurance markets and the Medicaid program in Ohio, posting for public comment two waiver proposals that lawmakers ordered the administration to submit in the biennial budget. The Ohio Department of Medicaid (ODM) posted its Section 1115 waiver proposal to institute work requirements in the Medicaid program, while the Ohio Department of Insurance posted notice of its intent to apply for a Section 1332 waiver proposal to waive the individual insurance mandate.

## **STATE GOVERNMENT**

Even though they have reached a settlement agreement, lawyers for individuals killed and injured on the Fire Ball ride at the 2017 Ohio State Fair are excoriating the Kasich administration for its handling of ride inspections and its actions following the accident.

The Ohio History Connection will hold its annual Statehood Day event in the Ohio Statehouse Atrium on Wednesday, Feb. 28. As part of the day's events, the 2018 Ohio History Leadership Award will be presented, and History Fund grants will be announced.

## **TOBACCO/SMOKING**

While Ohio has made significant progress, the state could do more to curb harmful use of tobacco, according to a new report from the American Lung Association (ALA). The annual "State of Tobacco Control" report grades state and federal governments on their policy efforts to prevent and reduce tobacco use levels. Ohio received "F" grades for its funding of tobacco prevention and control programs, taxing tobacco and raising the legal tobacco use age to 21. It received a "D" for its level of access to tobacco cessation programs. On the positive side, the state received an "A" in smoke-free air, reflecting its laws against smoking in the workplace and in many public spaces.

## **UTILITIES**

The Public Utilities Commission of Ohio (PUCO) on Wednesday approved Ohio Gas Company's application to increase its distribution rates and charges for natural gas service.

The Ohio Manufacturers' Association (OMA) has joined the Ohio Consumers' Counsel (OCC) and Ohio Partners for Affordable Energy (OPAE) in asking the Public Utilities Commission of Ohio (PUCO) to move forward with its investigation into the federal Tax Cuts and Jobs Act's (TCJA) impact on utility rates. Contrary to the state's electric distribution utilities (EDU), consumer advocates say PUCO has the statutory authority to order immediate billing reductions to prevent "unreasonable, unjust, insufficient, unjustly discriminatory or unjustly preferential" charges to residential and commercial customers.

## **LEGISLATIVE ACTIVITY:**

### **SENATE:**

#### **PASSED BY SENATE**

**HB1** PROTECTING DOMESTIC VIOLENCE VICTIMS (Rep. Emilia Sykes, Rep. Nathan Manning) To authorize the issuance of dating violence protection orders with respect to conduct directed at a petitioner alleging dating violence, to provide access to domestic violence shelters for victims of dating violence, and to require the Attorney General's victim's bill of rights pamphlet to include a notice that a petitioner alleging dating violence has the right to petition for a civil protection order.

*Vote 32-0*

**HB45** MONTH DESIGNATION-NEUROFIBROMATOSIS AWARENESS (Rep. Robert Sprague) To designate May as "Neurofibromatosis Awareness Month."

*Vote 32-0*

#### **CONSIDERATION OF HOUSE AMENDMENTS**

**SB144** STATE REHABILITATION SERVICES CONSOLIDATION (Sen. Dave Burke) To abolish the Opportunities for Ohioans with Disabilities Commission, Consumer Advisory Committee, and Governor's Council on People with Disabilities and to establish a state rehabilitation services council known as the Opportunities for Ohioans with Disabilities Council.

*Senate does concur, Vote 32-0*

**HOUSE:**

*No activity to report.*