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Week in Review

March 29, 2019

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.

AFFORDABLE CARE ACT

Ohio Republican Attorney General Dave Yost, diverging from the Trump administration position, said Wednesday he intends to file an amicus brief in the Fifth Circuit Court of Appeals in the case on whether to strike down the entire Affordable Care Act (ACA), arguing that the individual mandate is unconstitutional but can be removed from the ACA without throwing out its protections for pre-existing conditions. "Lawyers call this 'severability,'" he noted in a release.

AGRICULTURE

The Ohio Department of Agriculture (ODAg) is now accepting proposals for the 2019 Specialty Crop Block Grant (SCBG) Program, which will fund projects to improve the competitiveness of crops such as fruits, vegetables, nuts and nursery crops. Grant funding is provided by the USDA Agriculture Marketing Service. The deadline for online grant proposal submissions is Friday, May 3, at 4 p.m. Grants will range from a minimum of \$25,000 to a maximum of \$150,000. In addition, all applicants must provide a minimum match of 25 percent of the requested grant amount.

The state's institutions of higher education should continue to research factors that improve water quality to ensure farmers are "directionally correct" in their practices, Ohio State University (OSU) College of Food, Agricultural and Environmental Sciences (CFAES) Dean Cathann Kress said Tuesday in comments to the House Agriculture and Rural Development Committee. "I know some are frustrated at that. I'm not suggesting we not take action. We absolutely have to take action, but at the same time we also have to continue to gather the research because it really is that complex," Kress said.

ATTORNEY GENERAL

The Ohio Attorney General's Office is providing civil rights training to around 1,700 General Motors employees in response to allegations of racial harassment at its Toledo Powertrain plant. Attorney General Dave Yost sent GM a letter offering the training in January.

FY20-21 BUDGET

An additional \$20 million from the General Revenue Fund (GRF) over FY20-21 is necessary to continue conducting audits without increasing fees on local governments, Auditor of State (AOS) Keith Faber said Wednesday in testimony before the House Finance Higher Education Subcommittee. Under the FY20-21 budget proposal, the GRF appropriation for the auditor's office would increase from \$30.3 million in FY19 to \$40.3 million in FY20 and \$40.3 million in FY21. Total funding in FY20 would be nearly \$91 million in FY20 and nearly \$92 million in FY21.

CHILDREN/FAMILIES

Officials from children services agencies around the state should contact their state senators and representatives and encourage them to support additional investment in programs that help support children and families, Ohio Gov. Mike DeWine said Monday in remarks at the Ohio Child Abuse and Neglect Prevention Month kick-off event at the Statehouse sponsored by the Ohio Children's Trust Fund. There, he made a repeat call for support of proposals that he has included in his two-year budget proposal, including increased resources for home visitation programs, high-quality early childhood education and lead paint poisoning detection and prevention.

CRIME AND PUNISHMENT

Chief Justice Maureen O'Connor parted ways with the Ohio Criminal Sentencing Commission (OCSC) she chairs and is pressing the General Assembly to reject misdemeanor drug possession reforms in SB3 (Eklund). She says the loss of threatened felony convictions would disincentivize recovery and ignore the fiscal challenges of municipal courts and county jails that would face an influx of repeat offenders. O'Connor sent a letter to Senate Judiciary Committee Chairman John Eklund (R-Charidon), sponsor of the drug sentencing omnibus, restating her opposition to misdemeanor drug sentencing supported by Franklin County Prosecutor Ron O'Brien and Columbus City Attorney Zach Klein and by 2018's failed constitutional amendment in state Issue 1. OCSC voted overwhelmingly last week to support misdemeanor drug penalties in SB3.

A coalition of conservative and reform-minded groups is rallying behind misdemeanor drug sentencing changes and lower penalties for minor probation violations in SB3 (Eklund) and calling for reduced collateral sanctions for convicted felons. The Alliance for Safety and Justice, Buckeye Institute and the Koch-backed Americans for Prosperity have released a report that examines the

General Assembly's previous criminal justice reforms and why they haven't had the intended impact on the Ohio Department of Rehabilitation and Correction's (DRC) projected \$2 billion annual budget for FY20-21. The coalition proposes new initiatives to save prison costs, reduce inmate populations and help offenders re-enter society.

A new University of Cincinnati study funded through a state grant found 1,032 known human trafficking victims from 2013 through 2018, though the researchers said there could be many more. The study was conducted by UC's School of Criminal Justice using a grant for the Ohio Department of Public Safety's Office of Criminal Justice Services. It examined data from more than a dozen sources to calculate more precise estimates of known human trafficking victims and at-risk youth and young adults. Although data sources came from between 2013-18, the majority was from 2014-16.

ECONOMIC DEVELOPMENT

Gov. Mike DeWine's administration announced Monday the approval of assistance for 11 projects expected to create 1,715 new jobs and retain 1,448 jobs statewide. During its monthly meeting, the Ohio Tax Credit Authority (TCA) reviewed economic development proposals brought to the board by JobsOhio and its regional partners. Collectively, the projects are expected to result in more than \$94 million in new payroll and spur more than \$463 million in investments across Ohio.

ECONOMY

The Ohio Chamber of Commerce recently released findings from its survey of business leaders in the final quarter of 2018, saying there is a "sense of apprehension" due to decreased capital expenditures and unfilled jobs. The decreased capital expenditures can be attributed to "the impact of the partial federal government shutdown and uncertainty regarding potential future economic instability," according to the chamber. Still, nearly 71 percent of respondents rated the economic climate as "good to excellent" and all said they plan to add employees in the first quarter of 2019.

EDUCATION

Reps. Bob Cupp (R-Lima) and John Patterson (D-Jefferson) this week unveiled a new school funding formula devised over more than a year by a workgroup of local education officials from throughout the state. They introduced the plan at a Monday press conference and held hearings over three days in the House Finance Primary and Secondary Education Subcommittee to delve into the details. The plan is meant to define and fund a base cost of education based on national research and an analysis of actual spending patterns by Ohio schools, and offers additional funding pools to address specific needs such as special education, gifted services and supports for students who are in poverty or aren't native English speakers. It also aims to eliminate the use of funding caps and substantially reduce the number of districts on guarantees. The plan establishes a distribution formula based on a mix of local income and property wealth, with variables built into the calculation to allow it to adapt to changing local circumstances. The plan also would directly fund charter, voucher and STEM school students, as an alternative to the current pass-through deduction model. It also calls for access to a year of preschool for all economically disadvantaged 4-year-olds. The minimum state share of transportation funding would rise substantially under the proposed formula, supplemented by restoration of grants to help schools replace aging buses. The workgroup delayed the release of hard financial figures underlying the formula for several days after the initial rollout, saying they wanted first to develop understanding of the concept. Aggregate data discussed during

legislative hearings indicated districts in general would receive hundreds of dollars in additional per-student funding. Other numbers in the plan are yet to be determined, deferred until cost studies can help to define, for example, a base cost calculation for charter school students or a new funding mechanism for educational service centers.

Addressing school funding is the only issue that Senate Education Chair Peggy Lehner (R-Kettering) said will be ahead of fixing academic distress commissions this session. Lehner called the first hearing on SB110 (Manning), the first part of what she said will be an ongoing conversation about 131-HB70 (Brenner), which created academic distress commissions for school districts that have multiple failing grades on report cards.

Lawmakers questioned Superintendent Paolo DeMaria at a Tuesday hearing about the development, planned implementation and rigor of a new graduation framework endorsed by the State Board of Education. DeMaria briefed the House Primary and Secondary Education Committee on the plan, which the board approved last year and then supplemented with additional guidance recently per the requirements of 132-HB491 (Edwards). The proposal would supplement existing graduation pathways with a new option through which students would demonstrate their knowledge in five areas: English; math; well-rounded content; technology; and leadership, reasoning and social-emotional learning. Students could meet the requirement in a given area through the usual state tests, or by other means such as taking a relevant College Credit Plus course or completing a demonstration project, for example. The proposal also includes a "culminating student experience," in which students would give some sort of presentation that demonstrates their evidence of knowledge and skills and competency in math, writing and research. It could take the form of a research project, art portfolio, community service project or career-technical education program, among other options.

The Ohio Facilities Construction Commission (OFCC) on Thursday approved an amendment to the Pleasant Local School District's Expedited Local Partnership Program (ELPP) master facilities plan and project agreement. The amendment provides a budget increase of \$13.3 million because of enrollment changes, scope changes and updates to the Ohio School Design Manual (OSDM), OFCC Senior Planning Manager Steve Roka said. The discrete portion scope change is to build a new grades 6-12 portion of a new grades 1-12 facility.

ELECTIONS

Candidates for Ohio's Supreme Court and lower courts could get more time to solicit campaign contributions under proposed amendments to the Ohio Code of Judicial Conduct announced Monday. Judicial Conduct Rules 4.4 (E) and (H)(1) currently allow candidates to begin soliciting and receiving contributions no earlier than 120 days before the primary election. The proposed change would increase that time to 180 days.

ELECTIONS 2019

Secretary of State Frank LaRose announced Friday that voting for military and overseas voters began on Friday, March 22, for the upcoming Tuesday, May 7 primary. Early voting for all Ohio voters will begin on Tuesday, April 9. The last day to register to vote or update an existing registration ahead of the primary is Monday, April 8.

Secretary of State Frank LaRose Monday launched a new contest open to Ohio students in grades 6-12 to design Ohio's next "I Voted" sticker. The top designs will be selected by the secretary of state's office and the winning design will be chosen by a vote open to all Ohioans, LaRose's office said. The contest runs from Monday, March 25 through Sunday, April 28. Designs must be circular shaped and submitted digitally through the secretary of state's website at www.Sticker.Ohio.gov.

EMPLOYMENT/UNEMPLOYMENT

The latest data from the Ohio Department of Job and Family Services (ODJFS) show the February unemployment rate dropped back down to 4.6 percent, after an increase of 0.1 percent in January. The state lost 8,200 jobs over the month, however, from a downwardly revised 5,602,400 in January to 5,594,200 in February. The number of unemployed workers also dropped, from January's 269,000 to February's 265,000. There has been an increase of 8,000 unemployed workers over the past 12 months, though. The February 2018 unemployment rate was 4.5 percent.

ENERGY

Ohio's horizontal "fracking" numbers continued to climb throughout 2018, with year-end production of natural gas rising 10 percent and oil 5 percent over third-quarter results and a whopping 32 percent and 39 percent, respectively, over Q4 2017, the Ohio Department of Natural Resources (ODNR) reports. ODNR's Division of Oil and Gas Resource Management (DOGRM) says the state's 2,575 horizontal wells produced 5,810,484 barrels of shale oil and 663,534,323 Mcf (663 billion cubic feet) of natural gas in the latest fourth quarter.

The Lake Erie wind farm planned eight miles offshore from Cleveland needs only a final thumbs-up from state officials after the Ohio Environmental Protection Agency (EPA) approved water quality standards at the four-acre site and the U.S. Army Corps of Engineers issued a permit to commence construction on a project dating back to the Strickland administration. The Army Corps, which enforces the Rivers and Harbors Act and the Clean Water Act, has approved North America's first freshwater wind project after two years reviewing the Lake Erie Energy Development Company (LEEDCo) proposal.

The House subcommittee investigating the future of electric generation in Ohio considered the pros and cons of carbon-free electricity provided by nuclear energy versus solar technology Tuesday. Members heard from FirstEnergy Solutions (FES), which is trying to free Ohio's two nuclear plants from bankruptcy court, and Hecate Energy, which is building a 300 megawatt (MW) solar farm in Appalachia to supply American Electric Power (AEP) of Ohio.

ENVIRONMENT

Businesses in Hamilton, Clermont and Defiance counties have been approved for up to \$11.77 million in clean air financing, the Ohio Air Quality Development Authority (OAQDA) announced Wednesday. "We are excited about the projects approved today because they are representative of the variety of financing opportunities OAQDA offers to Ohio small and large businesses seeking to become clean air facilities," OAQDA Executive Director Christina O'Keefe said.

GENERAL ASSEMBLY/STATEHOUSE

Freshman legislator Rep. Tracy Richardson (R-Marysville) told *Hannah News* she has been training for leadership roles for much of her life, including graduating from the United State Military Academy at West Point. She said her number one goal in office is to be accessible.

A spokeswoman for House Speaker Larry Householder (R-Glenford) said he is standing behind Rep. Dick Stein (R-Norwalk) as co-chairman of a bipartisan subcommittee on energy generation after Ohio Citizen Action questioned Stein's impartiality over a newspaper column Stein authored questioning the use of wind energy. The group sent Householder a letter demanding Stein's removal as co-chairman, saying the column in the *Norwalk Reflector* titled "Wind energy - is it worth it?" shows that Stein is biased against that particular generation technology.

House Speaker Larry Householder Monday announced another House committee room, Statehouse Hearing Room 018, has been equipped with cameras, becoming the third room so equipped. The basement hearing room joins Room 313 and Room 017 with having cameras, with six others to follow. Householder's office said cameras will be installed in two more committee rooms before summer and the remaining rooms will be completed over the summer break.

The House Wednesday welcomed a new member as the Republican caucus chose Perrysburg City Councilman Haraz N. Ghanbari to fill the 3rd House District seat that became vacant when Theresa Gavarone (R-Bowling Green) moved over to the Ohio Senate. Ghanbari, a first-generation American whose family immigrated from Iran, was joined by his wife and two young children on the floor as he was sworn in, with his parents watching from nearby.

In other action, the House unanimously passed HB18 (Vitale-Crawley), which would exempt disability severance payments received by honorably discharged veterans from the income tax.

The Senate unanimously approved two majority caucus priority proposals: SB4 (Rulli-Kunze) which boosts funding for school facilities and SB7 (Lehner-Hackett) which simplifies professional licensure for service members and their families.

The Sunset Review Committee continued its review of agencies on Tuesday, hearing from the following: AMBER Alert Advisory Committee, Ohio Coal Technical Advisory Committee, Clean Ohio Trail Advisory Board and the Dietetics Advisory Council.

The Joint Committee on Agency Rule Review (JCARR) approved all items on its agenda Monday in a brief meeting that saw only one question from Sen. Andrew Brenner (R-Powell), who identified a misspelling in an Ohio Department of Education submission regarding calculation of public school transportation payments, causing the rule to be refiled.

The Senate Thursday unanimously passed legislation that would create an industrial hemp program in the state of Ohio. Sen. Brian Hill (R-Zanesville) introduced his SB57 (Hill-S. Huffman) on the floor, saying that hemp was a cash crop until it was prohibited by the federal government due to concerns of its relation to marijuana. He said the crop is very useful plant that Ohio farmers are unable to grow.

The House convened Monday afternoon to quickly move through its normal calendar while awaiting resolution of transportation budget negotiations, unanimously passing two measures. Votes were unanimous on HB59 (Wiggam), declaring April as "Native Plant Month," and HB61 (Lanese-Liston), adding forensic mental health providers, mental health evaluators and employees of regional

psychiatric hospitals to the list of those whose residential and family information can be withheld from public record disclosures.

In other action, the House Transportation and Public Safety Committee reported out HB130 (Blessing) which creates the La Salle High School license plate; the House State and Local Government Committee reported out HB42 (Perales) which adds the Wright Brothers' airplane to the state Coat of Arms and Great Seal; House Criminal Justice Committee reported out HB66 (Merrin), regarding restitution for theft victims; and HB85 (Wilkin-Rogers), regarding assistance to counties for capital cases.

GOVERNOR

Appointments made during the week include the following:

- Tamara J. Puff of Mansfield (Richland County) to the State Council on Educational Opportunity for Military Children beginning March 25, 2019, and continuing at the pleasure of the governor.
- Pete LuPiba of Columbus (Franklin County) reappointed as the commissioner of the State Council on Educational.

Opportunity for Military Children and continuing at the pleasure of the governor.

- John-Michael Lavelle of Niles (Trumbull County) to the Financial Planning and Supervision Commission for Niles City Schools beginning March 25, 2019, and continuing at the pleasure of the governor.
- Manuel Lopez Ramirez of Springfield (Clark County) to the Commission on Hispanic-Latino Affairs for a term beginning March 25, 2019, and ending Oct. 7, 2020.
- Dennis P. Deters of Colerain Township (Hamilton County) to the Public Utilities Commission of Ohio for a term beginning March 25, 2019, and ending April 10, 2021.
- Jeffrey A. McClain of Upper Sandusky (Wyandot County) to the Municipal Income Tax Net Operating Loss Review.

Committee beginning March 25, 2019, and continuing at the pleasure of the governor.

- Matthew J. Donahue of Pickerington (Fairfield County) to the Ohio Legal Assistance Foundation Board of Trustees.

beginning March 25, 2019, and continuing at the pleasure of the governor.

GREAT LAKES

U.S. District Court for the Northern District of Ohio Western Division Judge Jack Zouhary has temporarily blocked the city of Toledo from enforcing the Lake Erie Bill of Rights (LEBOR). Farmer Mark Drewes immediately sued the city after its residents approved the LEBOR charter amendment in a special election last month.

HUMAN SERVICES

The DeWine administration will defund Planned Parenthood of Greater Ohio by Saturday, April 20 unless a federal appeals court agrees with Planned Parenthood to stay the decision enforcing 131-HB294 (Patmon-Conditt). Ohio Department of Health (ODH) Director Amy Acton ordered "all ODH subrecipients and contractors" Thursday to terminate agreements with "entities that perform or promote nontherapeutic abortions or contract with or affiliate with any entity that performs or promotes nontherapeutic abortions," not mentioning Planned Parenthood by name. Acton said the order includes sub-grants for the Violence against Women Act, Breast and Cervical Cancer Mortality Prevention Act, Infertility Prevention Project, Minority HIV/AIDS Initiative, and Infant Mortality Reduction/Infant Vitality Initiatives, among others.

JUDICIAL

Gov. Mike DeWine appointed Frederick D. Nelson to serve as a judge on the Tenth District Court of Appeals. Nelson, of Bexley, assumed office on Monday, March 25, and will serve for the remainder of the unexpired term ending Feb. 28, 2021. Nelson replaced Judge Timothy S. Horton, who resigned effective Feb. 28, 2019.

MARIJUANA/HEMP

Ohio consumers have spent nearly \$2.5 million on medical marijuana since the opening day of sales, according to the Ohio Medical Marijuana Control Program (MMCP). Total sales were \$2,476,330 from Jan. 16 through March 24. Dispensaries sold 328 pounds of cannabis over that time period.

The Senate Agriculture and Natural Resources Committee unanimously reported out hemp legalization bill SB57 (Hill- Huffman) after accepting a substitute version of the legislation on Wednesday. The bill, introduced in February, would allow hemp and hemp-derived products such as cannabidiol (CBD) to be legally produced and sold in the state.

NATURAL RESOURCES

Through the Community Wildfire Risk Reduction (CWRR) grant program, the Ohio Department of Natural Resources (ODNR) Division of Forestry recently approved grants totaling \$52,106 for 25 projects for fire departments in rural areas of eastern and southern Ohio.

The state's resident adult bald eagles are already busy preparing for the next generation of eaglets, according to ODNR. Female bald eagles in Ohio typically lay one to three eggs sometime in mid-February or late March, ODNR said. Eggs are incubated by both parents for about 35 days, and the young eagles leave the nest about three months later, usually before July 4.

ODNR Director Mary Mertz provided House members of the House Energy and Natural Resources Committee a brief overview of the agency Tuesday, saying the department is working to provide recreational facilities with badly needed upgrades. During questions, she told Rep. Glenn Holmes (D-McDonald) that ODNR is trying to get campgrounds "up to snuff" and to make "significant improvements" to state park lodges, where occupancy rates have fallen.

To help keep Ohio waterways safe and enhance recreational boating experiences, ODNR announced the Division of Parks and Watercraft will award more than \$572,000 to 23 communities across the

state. The 2019 Marine Patrol Assistance Grants will help local law enforcement agencies provide emergency responses to boating-related incidents, conduct routine waterway patrols and purchase safety equipment for use on marine patrol vessels.

ODNR Director Mary Mertz Wednesday announced that, effective March 20, Jeff Johnson was named chief of the ODNR Division of Natural Areas and Preserves. Johnson has nearly 25 years of experience working for the department, beginning his career with ODNR as a seasonal maintenance worker for the Division of Natural Areas and Preserves after college. Since that time, he has served in a variety of roles, from naturalist to park manager at Hocking Hills State Park.

The Ohio Department of Natural Resources (ODNR) said Thursday that it had selected 19 local community projects around Ohio to receive more than \$4.7 million in recommended federal grant funding. The grants come from a federal matching grant program from the Land and Water Conservation Fund (LWCF) administered by ODNR in Ohio, pending final approval by the National Park Service. Assistance is provided every other year, giving up to 50 percent reimbursement for the acquisition, development and rehabilitation of outdoor recreational areas.

PEOPLE

Buckeye Health Plan announced Wednesday that D. Michael Carroll has joined its team as lead external relations specialist. Carroll's responsibilities include working with state legislators and policymakers and developing and implementing strategies to communicate with plan members and other internal and external stakeholders. Buckeye, a wholly-owned subsidiary of Centene Corporation, offers Medicaid, Medicare, Exchange and specialty services in Ohio.

The Ohio Environmental Council (OEC) Wednesday announced the promotion of Trish Demeter to chief of staff for the organization. She had previously served as its vice president of energy policy.

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) this week announced the appointment of Lois Hochstetler as assistant director of community treatment services and Alisia Clark as assistant director of community planning and collaboration. They both started their new positions on Monday, March 25.

Capital Square Review and Advisory Board (CSRAB) Deputy Director for Communications Luke Stedke is headed to the Ohio Department of Transportation (ODOT). Stedke has taken a position as the communications director for DriveOhio, the ODOT initiative focused on accelerating smart and automated vehicle transportation in the state.

POLLS/STUDIES

A new poll released Tuesday by Baldwin Wallace University found a majority of Ohio voters surveyed opposed Gov. Mike DeWine's executive proposal to raise the gas tax by 18 cents. The poll, conducted Friday, March 1 through Friday, March 15 among 1,361 Ohio residents by students enrolled in the Department of Politics and Global Citizenship's Public Interest Research course, found just under 30 percent support the proposed increase. While DeWine proposed an 18 cent increase, the House cut it to a little more than 10 cents a gallon and the Senate cut it to 6 cents. Meanwhile, 55.4 percent said they oppose the measure, with 15 percent unsure.

Voters were more split on Ohio's heartbeat bill, which would ban abortions when a fetal heartbeat is detected. Forty-one percent of respondents support the bill, including 25.4 percent who strongly support it, while 43 percent oppose it, including 24.4 percent who strongly oppose it. About 16 percent said they were unsure.

PUBLIC SAFETY

The Ohio State Highway Patrol (OSHP), now led by Supt. Richard Fambro, announced a round of promotions Thursday including three captains promoted to major. All three will now command offices within OSHP as well. Capts. Gary Allen, Chuck Jones and Robin Schmutz were all promoted to major, with Allen now commanding the Office of Criminal Investigations, Schmutz now commanding the Office of Security and Communications and Jones remaining in command of the Office of Training, Recruitment and Diversity.

SECRETARY OF STATE

Secretary of State Frank LaRose announced that his office is partnering with the Ohio Association of Election Officials to begin the Ohio Election Professionals Mentoring Program. The secretary of state's office said the program will help foster a partnership between itself and boards of elections around the state of Ohio.

STATE GOVERNMENT

The Controlling Board Monday held a short meeting with members' declining to hold any items for questioning. One item, a request from the Public Defender Commission that would have sent \$2.75 million to legal aid organizations, was deferred at the request of the agency. Among the items approved was a request from Attorney General Dave Yost's office to increase a contract with Watch Systems LLC of Covington, LA, to help manage the state's new violent offender database created in 132-SB231 (Gardner).

The "Pay for Success Contracting Program" created in the last biennial budget would be expanded and moved to the Ohio Treasurer of State's Office under legislation proposed in both chambers on Wednesday. Sen. Steve Wilson's (R-Maineville) SB122 and Rep. Don Manning's (R-New Middletown) HB170 would allow the treasurer to establish a fund to support "Pay for Success" initiatives to address public policy issues such as drug addiction and infant mortality. The Pay for Success Contracting Program is currently housed in the Ohio Department of Administrative Services (DAS), as 132-HB49 (R. Smith) designated. In a news release, Treasurer Robert Sprague said he plans to call his office's program the "ResultsOhio" fund. The fund will be used to support initiatives identified by the executive branch and General Assembly.

TAXATION

In the midst of transportation budget negotiations, Sen. Bill Coley (R-West Chester) offered an alternative plan to bolster state transportation funding that would see Ohio drivers paying an annual upfront road use fee in lieu of a gas tax, a plan that Coley said would maintain a reasonable level of transportation funding into the future as vehicle fuel efficiency and use of alternative vehicles increase. In addition to the \$35 annual vehicle registration fee, drivers of passenger vehicles would pay \$114 annually for a road use fee that would exempt them from paying any gas tax at the pump. This way, Ohio drivers can pay their fair share for road repair all at once, while out-of-state drivers

would still be subject to the per-gallon gas tax, Coley told reporters at a news conference Wednesday. Out-of-state drivers who frequently travel to Ohio would have the option of paying the upfront fee. Drivers who pay the road use fee would receive a card to swipe at gas pumps to subtract Ohio's per-gallon gas tax from the price, Coley said.

TOBACCO/SMOKING

Research in the journal *Tobacco Control* by an Ohio State University researcher found fake warnings on e-cigarettes with messages like "IMPORTANT: Contains flavor" and "IMPORTANT: Less harmful to your wallet" are effective in marketing the products to adolescent boys and desensitizes them to actual health warnings.

TRANSPORTATION/INFRASTRUCTURE

Senate President Larry Obhof (R-Medina) stopped short of a possible compromise Friday between transportation budget HB62's (Oelslager) House and Senate versions, which take a numerically disparate approach to gas and diesel taxes supporting public infrastructure. The House passed a per-gallon tax increase of 10.7 cents on gasoline and 20 cents on diesel, compared to Gov. Mike DeWine's proposed across-the-board hike of 18 cents. The Senate rejected both for a 6-cent increase on gas as well as diesel. Obhof couldn't confirm after nonvoting session whether a compromise between the House and Senate -- say, 8 cents on gasoline -- is in the offing.

There is "a moral obligation" to provide the funds needed to repair, maintain and improve Ohio's roads and highways, Gov. Mike DeWine told reporters Friday, and while his proposed transportation budget was at the lowest level needed to address those issues, the funding reductions in the House- and Senate-passed versions of HB62 (Oelslager) mean the final budget will come up short. DeWine told reporters the legislators are all people of good will trying to do what's right, but the cut wouldn't get the job done.

Other groups pushing for a substantial increase in the gas tax included the coalition Fix Our Roads Ohio (FOR Ohio) and the Ohio Business Roundtable.

On Wednesday, following the House's rejection of Senate amendments to the transportation budget HB62 (Oelslager), both houses announced their members of the Conference Committee: it is led by House Finance Chair Rep. Scott Oelslager (R-North Canton) and also includes Reps. Dave Greenspan (R-Westlake) and Jack Cera (D-Bellaire) and Sens. Bob Peterson (R-Sabina), Matt Dolan (R-Chagrin Falls), and Nickie Antonio (D-Lakewood).

The Ohio Department of Transportation (ODOT) recently released a report requested by Gov. Mike DeWine, which he used as an example of why his requested funding amount for transportation infrastructure is a public safety imperative. The report noted the 150 "most dangerous" intersections in the state, based on the top 50 in each category of urban, suburban and rural. It specified the ODOT districts, counties and House and Senate districts for each. *Hannah News'* review of the data finds intersections were listed in all 33 Senate districts, 63 of the 99 House districts and 39 of Ohio's 88 counties.

The Ohio Mayors Alliance held a press conference Tuesday afternoon to advocate for their priorities in the transportation and biennial budgets, and urged the General Assembly to get the final gas tax

increase as close to what was proposed by Gov. Mike DeWine as possible. Anything less, they said, will continue to leave Ohio roads behind.

House and administration negotiators coalesced Thursday on a gas tax proposal for the transportation budget, but the Senate Republicans rejected it, sending negotiations on HB62 (Oelslager) into Friday and closer to the month end deadline. Members of the conference committee did reach agreement on an increase in transit funding. Gov. Mike DeWine and House Speaker Larry Householder (R-Glenford) said Thursday afternoon they'd reached agreement on an 11-cent gas tax increase and 20-cent diesel tax increase, very close to the respective 10.7-cent and 20-cent increases included in the House version. DeWine proposed 18 cents in his executive budget. The Senate version included 6-cent increases for both gas and diesel taxes.

Former Ohio Attorney General Marc Dann announced Thursday that he was filing a class action lawsuit against the Ohio Bureau of Motor Vehicles (BMV) for allowing the state's deputy registrars to charge for a service that is no longer used. Dann said in a statement that the Ohio BMV has allowed the registrars to charge people obtaining or renewing driver's licenses or a state issued identification card a \$1.50 lamination fee, even though the registrars are no longer producing or laminating the cards on site. He said an estimated two million Ohioans have been charged \$3 million for a service that was not performed.

UTILITIES

Gov. Mike DeWine announced Monday he's naming 1st District Appeals Court Judge Dennis Deters to the Public Utilities Commission of Ohio, filling the vacancy left after former PUCO Chairman Asim Haque resigned for a job with PJM Interconnection, the regional transmission organization that covers Ohio.

LEGISLATIVE ACTIVITY:

SENATE:

PASSED BY SENATE

- SB57 **DECRIMINALIZE HEMP** (Sen. Brian Hill, Sen. Stephen Huffman) To decriminalize hemp and hemp products and to establish a hemp cultivation licensing program.
Vote 30-0
- SB4 **SCHOOL FACILITIES ASSISTANCE** (Sen. Michael Rulli, Sen. Stephanie Kunze)
To make a capital appropriation for school facilities assistance.
Vote 31-0
- SB7 **TEMP STATE OCCUPATIONAL LICENSES-MILITARY** (Sen. Peggy Lehner, Sen. Robert Hackett) Regarding temporary state occupational licenses for members of the military and their spouses.
Vote 31-0
- SB27 **FETAL REMAINS-SURGICAL ABORTIONS** (Sen. Joe Uecker) To impose requirements on the final disposition of fetal remains from surgical abortions.
Vote 24-7

HOUSE:

PASSED BY HOUSE

- HB59 **MONTH DESIGNATION-OHIO NATIVE PLANT MONTH** (Rep. Scott Wiggam)
To designate the month of April as "Ohio Native Plant Month."
Vote 94-0

- HB61 HEALTH PROVIDER RESIDENTIAL INFO (Rep. Laura Lanese, Rep. Beth Liston)
To include forensic mental health providers, mental health evaluation providers, and regional psychiatric hospital employees as individuals whose residential and familial information is exempt from disclosure under the Public Records Law.
Vote 93-1
- HB18 VETERANS-DISABILITY SEVERANCE INCOME TAX (Rep. Nino Vitale, Rep. Erica Crawley) To exempt from the income tax disability severance payments received by honorably discharged veterans.
Vote 98-0

CONSIDERATION OF SENATE AMENDMENTS

- HB62 TRANSPORTATION BUDGET (Rep. Scott Oelslager) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of those programs.
House Does Not Concur, Vote 0-98

ADOPTED BY HOUSE

- HR78 RELATIVE TO THE ELECTION OF HARAZ GHANBARI (Rep. Larry Householder) Relative to the election of Haraz N. Ghanbari to fill the vacancy in the membership of the House of Representatives created by the resignation of Theresa Gavarone of the 3rd House District.
Vote 59-0
- HR79 RELATIVE TO TRAVEL ALLOWANCE (Rep. Larry Householder, Rep. Emilia Sykes) Relative to travel allowance
Vote 98-0