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Week in Review

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As a service to the clients and friends of Governmental Policy Group, Inc. and RH Resources we would like to extend the following weekly update of events happening around Capitol Square.

ADDICTION/SUBSTANCE ABUSE

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) Monday named Bobbie Boyer as deputy director of the Office of Prevention Services. According to the department, "The announcement fulfils Gov. Mike DeWine's executive order (2019-06D), which called for the creation of a senior level position within the cabinet agency to oversee prevention education services."

AGRICULTURE

The Ohio Department of Agriculture (ODAg) is now accepting nominations for the 2019 Conservation Farm Family Awards. The awards program has recognized Ohio farm families since 1984 for their efforts to manage natural and human resources while meeting both production and conservation goals, according to ODAg.

FY20-21 BUDGET

The House-passed version of the biennial state budget does not do enough to support Ohio's public universities and colleges, Policy Matters Ohio (PMO) argued Friday in a new report. PMO said further investment is needed in both the Ohio College Opportunity Grant (OCOG) and the State Share of Instruction (SSI) to reach Ohio's post-secondary credential attainment goals.

The Senate Finance Committee outlined testimony plans for its next two weeks of hearings, starting with reports from subcommittees Tuesday, May 21.

CRIME AND PUNISHMENT

Downgrading non-violent drug crimes from felonies to misdemeanors would do much to help reduce prison populations, save taxpayer dollars and assist those suffering from addiction, but the change will need to be retroactive to have a full impact, supporters of SB3 (Eklund) argued Wednesday. The Senate Judiciary Committee heard proponent testimony on the bill, including testimony from the Koch Industries-backed Freedom Partners Chamber of Commerce, Ohio Public Defender Tim Young, Policy Matters Ohio and various members of the Alliance for Safety and Justice, among others.

EDUCATION

Overlooking a tower of giraffes grazing in the background, Gov. Mike DeWine applauded the most recent graduates of the Columbus Zoo and Aquarium's Edge Program during remarks at the Africa Event Center on Friday. Those graduating from zoo school are students of the Delaware Area Career Center and they will receive on their diplomas an OhioMeansJobs Readiness Seal, a designation created in the last General Assembly's budget bill, 132-HB49 (R. Smith).

Mark Filippell, chairman of the Broadcast Educational Media Commission (BEMC), will retire from the commission at the end of his current term, which expires June 30, he announced at the commission's recent meeting. He has been commission chair since its creation in the FY14-15 budget bill to assume duties of the former eTech Commission.

Superintendent of Public Instruction Paolo DeMaria Monday took a swing at two contentious issues that have recently appeared before the State Board of Education (SBOE): rule revisions concerning pre-school special education and dropout and recovery prevention schools. During the superintendent's report, members also received updates on graduation requirements and the upcoming plans for the superintendent's performance evaluation/goal setting for the 2019-2020 school year.

The Ohio Education Association (OEA) elected Scott DiMauro as its next president and Jeff Wensing as its next vice president, both for three-year terms. The elections took place at the OEA Representative Assembly, where almost 1,000 delegates participated.

"The State Board of Education does not support HB70 of the 131st General Assembly." That's the official position the board took Tuesday via resolution, following hours of testimony earlier in the day from local school officials in districts now under the state academic distress commissions established in HB70. The board toyed with different wording and more specificity when debating the resolution from member Nick Owens but came down on the side of simplicity in the interest of

quickly adding their collective voice to the calls for legislative action. The House version of the budget bill, HB 166 (Oelslager), now includes dissolution of distress commissions in favor of a new, building-specific school turnaround model. The Senate is also debating reforms.

The House already moved to dissolve state academic distress commissions with its budget revisions, and Superintendent Paolo DeMaria told the State Board of Education on Tuesday he's getting the sense other high-profile education policy questions will also be addressed in HB 166. Giving a legislative update to the board, DeMaria said he's heard sentiments in at least one chamber of the General Assembly in favor of using the budget bill to take action on graduation requirements, report cards and testing.

The two proposals on the table that would overhaul Ohio's high school graduation requirements are not necessarily competing against each other according to testimony delivered Thursday by Superintendent Paolo DeMaria and State Board of Education (SBOE) President Laura Kohler. The pair appeared before the final meeting of the Senate Finance Subcommittee on Primary and Secondary education to present the SBOE's recommended changes to high school graduation requirements that may be included, in some form, in the biennial budget bill HB 166 (Oelslager).

ELECTIONS 2020

With an eye strongly toward 2020, the Ohio Republican Party State Central and Executive Committee unanimously endorsed Justices Sharon Kennedy and Judith French for re-election while stinging from the loss of two seats on the Court last year. Despite sweeping other statewide offices, continuing to hold large majorities in the General Assembly, and holding all 12 of their congressional seats, Ohio Republicans lost two seats on the Court when Justices Michael Donnelly and Melody Stewart won.

ENERGY

House Speaker Larry Householder (R-Glenford) assured reporters Wednesday that House Energy and Natural Resources Committee Chairman Nino Vitale (R-Urbana) would do a better job with "clean-air" hearings on HB6 (Callender-Wilkin) after the Republican cut off Democratic questions with four dozen proponents and a handful of opponents scheduled to testify, leading to a minority caucus walk-out. After some fence-mending, Democrats returned to grill proponents -- some who appeared to know more about the last-minute substitute bill than they did -- over prior testimony contradicting supporters' claims about current energy mandate costs and projected consumer savings under the proposed HB6 subsidy for zero- and reduced-emissions generating plants.

ENVIRONMENT

The Ohio Environmental Protection Agency (Ohio EPA), solid waste management districts (SWMDs), material recovery facilities (MRFs), haulers, Ohio communities and the national nonprofit Recycling Partnership are joining forces to tackle the issue of non-recyclable trash in recycling by investing in education and outreach in pilot areas around the state. According to the Ohio EPA, six grants totaling nearly \$211,000 have been awarded to a strategically- and geographically-diverse group of communities that represent four different major MRF sheds within Ohio. The communities will work with the Recycling Partnership, aiming to create the best model for replicable success statewide.

GAMING/GAMBLING

Casinos and racinos offering sports betting under HB194 (Greenspan-Kelly) would be required to pay an application fee of \$100,000, as well as an annual renewal fee of \$100,000 or 1 percent of the sportsbook's "handle" over the previous one-year period, whichever is less. During sponsor testimony before the House Finance Committee on Thursday, Rep. Dave Greenspan (R-Westlake) said the proposed fees are similar to those required in West Virginia.

The Ohio Casino Control Commission Wednesday approved licenses to key employees at casinos and a gaming vendor, as well licenses for skill-based amusement machine operations. The commission also received an update from Executive Director Matt Schuler on the upcoming takeover of JACK Cincinnati casino. Schuler told commissioners that VICI and Hard Rock International have submitted their license applications to take control of the property.

GENERAL ASSEMBLY/STATEHOUSE

House Speaker Larry Householder (R-Glenford) and Minority Leader Emilia Sykes (D-Akron) introduced a series of priority bills for their chamber at press conferences Monday and Thursday, filling in more of the initial 15 House bills that had been left blank when bill introductions began this session. Priority bills include HB2 (Cross-Lepore-Hagan), creating the TechCred program to address workforce development; HB3 (Boyd-Carruthers), which makes changes to Ohio's domestic violence law and is named after Aisha Fraser, who was murdered by her husband, Lance Mason, a former state lawmaker and judge; HB4 (Richardson-Robinson), to streamline the process for businesses to create new workforce certificate programs; HB7 (Ghanbari-Patterson), creating the H2Ohio Endowment Fund; HB8 (Manchester-Galonski), giving the Ohio Department of Job and Family Services (ODJFS) more flexibility in rulemaking for foster care; HB10 (Brown-Stolfus) creating the Governor's Office of Drug Policy; HB11 (G. Manning-Howse) aimed at reducing infant mortality in the state; HB13 (Carfagna-O'Brien) to expand broadband in the state; and HB14 (Boyd-Baldrige) creating the Kinship Navigator Program. HB1, HB5, HB9, HB12, and HB15 remain un-introduced. The first priority bill introduced, HB6 (Callender), creates the Ohio Clean Air Program.

In a short Wednesday session, the House overwhelmingly passed bills addressing county boards of revision and cigarette tax law with little debate. Rep. Dave Greenspan (R-Westlake) introduced his HB47 (Greenspan) on the floor, which he said will give county boards of revisions an additional 90 days to hear tax appeals. The bill passed 86 to 1. The House also passed HB71 (Scherer-Cera), which Rep. Gary Scherer (R-Circleville) said will clarify a law that has been in place since the 1940s and addresses issues like costs to cigarette wholesalers. The bill passed 90-3.

Drug trafficking near a substance addiction services provider's facility would receive the same penalty enhancement as committing the same crime in the vicinity of a school under legislation passed by the Senate on Wednesday. The upper chamber voted 31-2 to approve SB55 (Gavarone), which applies to illicit drug sales on the premises of a drug treatment center or within 1,000 feet of such a facility if the offender "recklessly disregards" where the offense is being committed. The Senate also unanimously passed SB101 (Yuko), which designates May as "Preeclampsia Awareness Month."

Freshman legislator Rep. Terrence Upchurch (D-Cleveland), who won an eight-way primary to clear his way to a seat in the Ohio House, told *Hannah News* he has always been interested in public

service and was driven toward the Legislature by seeing firsthand as an intern with Cleveland City Council the effect of state budget cuts on Cleveland's ability to provide services.

Hannah News' interview series with freshman legislators featured Rep. Phil Plummer (R-Dayton), whose top concern is overcrowded jails and prisons that are "dumping grounds for people with mental illness, substance abuse issues; it's like a revolving door in the jails."

The Joint Committee on Agency Rule Review (JCARR) approved all rules without questions Monday after one item was withdrawn from the "no change" agenda and three items were withdrawn from the "regular" agenda. The "no change" item consisted of two rules from the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board and involved restoration of licenses in escrow and the associated fee.

Senate President Larry Obhof (R-Medina) met his first major opposition Tuesday to legislation that would strip the Ohio Revised Code of language permitting courts' use of "legislative intent" in statutory interpretation. SB108 cleared the Senate on a unanimous vote after similar treatment for its predecessor, 132-SB307 (Obhof), in lame duck session. That unanimity ended in a legal clinic of sorts and sustained push-back from Democrats on the House Civil Justice Committee leery of conservative jurisprudence. Obhof wants to rescind R.C. 1.49 in its entirety, including provisions that allow courts to divine statutory intent through legislative history, circumstances of enactment, and the like.

Waterways, mining and oil and gas were dominant topics of groups before the Sunset Review Committee Tuesday, which heard testimony from four witnesses from the Ohio Department of Natural Resources (ODNR).

The House announced the addition of sessions Wednesday, June 5 and Thursday, June 6, with an if-needed session set for Friday, June 7.

Hundreds of witnesses appeared this week before the various Senate committees and subcommittees charged with reviewing the proposed FY20-21 operating budget, HB166 (Oelslager). Those hearings concluded on Thursday, with their reports due to the full Senate Finance Committee on Tuesday, May 21.

Senate President Larry Obhof (R-Medina) assigned newly seated Sen. Tim Schaffer (R-Lancaster) as vice chair of the Senate Agriculture and Natural Resources Committee and as a member of the General Government and Agency Review Committee; Local Government, Public Safety and Veterans Affairs Committee; and Ways and Means Committee.

Correctional Institution Inspection Committee (CIIC) staff provided its members another update Thursday on activities since the committee's previous gathering, including meetings with the governor's office, the Ohio Department of Rehabilitation and Correction's (DRC) chief inspector and reentry staff, and several lawmakers who desired legislative research.

In other legislative action, the House Agriculture and Rural Development Committee reported out HB24 (Hambley), regarding humane societies; House Civil Justice Committee reported out HB172 (Hillyer), regarding self-service storage facilities; House Health Committee reported out HB65 (Carfagna), regarding parental notice of safety risks for children in child care; House Transportation and Public Safety Committee reported out HB113 (Patton), regarding towing spotters; and HB207

(Sheehy), a road naming bill; the House Armed Services and Veterans Services Committee reported out HR110 (Galonski) which urges Congress to award the Glens the Congressional Gold Medal; and the House State and Local Government Committee reported out HB46 which codifies the Ohio State Government Expenditure Database.

GOVERNOR

Gov. Mike DeWine Thursday met with representatives from the Ohio councils of Boy Scouts of America, formally receiving the scouts' report to the state where they detailed the number of youth (93,008) who participate in the various levels of scouting, the number of adult leaders (36,227) as well as the number participating in a variety of different scouting activities. He also later addressed a statewide gathering of Big Brothers/Big Sisters.

Appointments made during the week include the following:

- Rep. Phil Plummer (R-Dayton) to the Ohio Collaborative Community-Police Advisory Board for a term beginning May 13, 2019 and to continue at the pleasure of the governor.
- Rep. Juanita Brent (D-Cleveland) and Joseph Morbitzer of Westerville (Franklin County) to the Ohio Collaborative Community-Police Advisory Board for terms beginning May 13, 2019 and ending April 29, 2021.
- Medina County Sheriff Tom Miller, Franklin County Prosecutor Ron O'Brien, Lori Barreras of Columbus (Franklin County) and Karen J. Huey of Columbus (Franklin County) reappointed to the Ohio Collaborative Community-Police Advisory Board for terms beginning April 30, 2019 and ending April 29, 2022.
- Ohio Department of Commerce Director Sheryl Maxfield has been designated to serve as chair of the Ohio Housing Finance Agency effective May 13, 2019.
- S. Craig Beam of Sabina (Clinton County) reappointed to the Ohio Thoroughbred Race Fund Advisory Council for a term beginning Feb. 1, 2019 and ending Jan. 31, 2022.
- H. Jane Sites of Cincinnati (Hamilton County) to the Maternity and Newborn Advisory Council for a term beginning May 16, 2019 and ending Oct. 31, 2021.
- Dewey R. Stokes of Columbus (Franklin County) and Mark J. Palmer of Columbus (Franklin County) reappointed to the Bureau of Workers' Compensation Board of Directors for a term beginning June 12, 2019 and ending June 11, 2022.
- Suzanne R. Kiggin of Powell (Delaware County) and Terry S. Jacobs of Cincinnati (Hamilton County) to the Bureau of Workers' Compensation Board of Directors for a term beginning June 12, 2019 and ending June 11, 2022.
- Chauncey A. Cochran of New Albany (Franklin County) has been designated to serve as chair of the Bureau of Workers' Compensation Board of Directors effective June 12, 2019.

- Victoria M. Woods of Warren (Trumbull County) to serve as the student member on the Youngstown State University Board of Trustees for a term beginning May 16, 2019 and ending April 30, 2021.

GREAT LAKES

Sens. Theresa Gavarone (R-Bowling Green) and Sean O'Brien (D-Cortland) on Friday announced they will introduce legislation to fund clean water improvements in Lake Erie and across Ohio. The resolution would grant authority to the state to issue bonds to finance the costs of clean water efforts like water treatment, the reduction of open lake disposal of dredged material and support for nutrient management best practices.

HEALTH AND HUMAN SERVICES

Ohio joined 44 other states in an anti-trust lawsuit Monday charging executives from 20 of the nation's largest generic drug manufacturers with a broad conspiracy to artificially inflate and manipulate prices, reduce competition and unreasonably restrain trade for more than 100 different pharmaceuticals ranging from contraceptives to antibiotics. Representing billions of dollars in U.S. sales, the alleged scheme hiked prices affecting the health insurance market, taxpayer-funded health care programs like Medicare and Medicaid, and individuals who paid inflated prices for their prescription drugs.

A new study released by the Ohio Alliance for Innovation in Population Health found more than 15,000 suicide deaths were reported in Ohio over a 10-year period, an increase of nearly 24 percent. The alliance, a collaborative effort created by Ohio University's (OU) College of Health Sciences and Professions (CHSP) and the University of Toledo's (UT) College of Health and Human Services as well as 28 partner organizations, recently completed a review of suicide fatalities in Ohio based on data provided by key state partners between January 2008 and December 2017.

JUDICIAL

The Ohio Supreme Court announced Monday that it is expanding the time judicial candidates have to solicit campaign contributions before a primary election. Effective June 1, the Court is increasing the current 120-day fundraising period by half to 180 days. Amendments to Rule 4.4 (E) of the Code of Judicial Conduct also include a correction of the stated primary date, currently listed as the first Tuesday after the first Monday in March. The actual date is the second Tuesday after the first Monday in March.

LOBBYISTS

Citizens for Community Values (CCV) has hired Rachel Citak as legislative liaison in the Columbus office, the conservative Christian organization announced Monday. A Cincinnati native, Citak received her undergraduate degree from Xavier University and her law degree from the University of Cincinnati. During her time in law school, she worked in the Ohio Attorney General's Office, Hamilton County Prosecutor's Office and the Cincinnati Prosecutor's Office.

LOCAL GOVERNMENT

The American Civil Liberties Union (ACLU) of Ohio will represent the city of South Euclid as it faces a legal challenge from the Lyceum, a Catholic school asserting that the city's LGBTQ-inclusive non-discrimination ordinance infringes on its religious liberty. The Lyceum, represented by the conservative Christian nonprofit Alliance Defending Freedom (ADF), filed its complaint in the U.S. District Court for the Northern District of Ohio Eastern Division in April. On May 7, it filed a preliminary injunction asking the court to stop the city from enforcing its non-discrimination law during the litigation.

MARIJUANA/HEMP

Fewer than half of the patients registered in the Ohio Medical Marijuana Control Program (MMCP) have legally purchased cannabis at a dispensary, according to the Ohio Board of Pharmacy (OBP). Of the 31,075 patients who have received a doctor recommendation to use medical marijuana, only 15,399 patients have bought the drug at a licensed dispensary as of April 30, OBP said in its monthly patient and caregiver report.

Patients living in Southwest Ohio will now have a shorter commute to obtain medical marijuana as the Ohio Board of Pharmacy (OBP) issued its first dispensary certificate of operation in the region on Tuesday. About Wellness Ohio, located at 1525 Genntown Dr. in Lebanon (Warren County), is the 16th dispensary to be certified to operate in the state.

NATURAL RESOURCES

The Senate Agriculture and Natural Resources Committee accepted an updated version Wednesday of water quality legislation, SB2 (Peterson-Dolan), which would establish roughly one watershed coordinator per county to help gather baseline data and identify best management practices. Sens. Bob Peterson (R-Sabina) and Matt Dolan (R-Chagrin Falls) initially introduced placeholder legislation simply stating the intent to "create and fund a comprehensive statewide watershed planning structure." Peterson debuted a substitute version Wednesday to establish local watershed planning and management coordinators; the new version also includes language on providing assistance with the development of nine-element nonpoint source implementation plans, which can be used to draw down additional federal money.

A new H2Ohio Trust Fund that could disburse up to \$50 million per fiscal year would be created under HB7, Reps. Haraz Ghanbari (R-Perrysburg) and John Patterson (D-Jefferson) said Thursday. Speaking to members of the House Finance Committee during sponsor testimony, Ghanbari said Ohio is home to some of the best bodies of water in the world.

PEOPLE

The Ohio Chamber of Commerce announced the recent installation of Jeff Walters, a managing director in the Northeast Ohio offices of CBIZ MHM, LLC, as the new chair of its 66-member board of directors. Walters will serve a two-year term.

The Ohio Association of Community Health Centers (OACHC) recently announced that Kelly Carey has joined as director of policy and public affairs. There, she will be involved in government relations, public policy and external relations on behalf of the association.

Tim Storey, a long-time staffer with the National Conference of State Legislatures (NCSL), was unanimously selected as the next executive director following a nationwide search. He will assume the role July 15, pending a final vote by the NCSL Executive Committee during its June meeting in Madison, WI.

POVERTY

Rates of food insecurity have slowly improved as the decade-long economic recovery has continued. Unfortunately, according to Feeding America's newly released "Map the Meal Gap 2019," Ohio's food insecurity rate of 14.5 percent exceeds the national rate of 12.5 percent and the Midwestern average of 11.4 percent. (The 2019 report is based on 2017 data.) The report finds that, "Food insecurity is higher among households with children. About one in five children in Ohio (19.6 percent) live in families that can't always afford enough food on their own. In several rural counties (Monroe, Meigs, Adams, Vinton, Scioto and Guernsey), that rate is one in four or higher."

PUBLIC SAFETY

Gov. Mike DeWine followed the more tentative considerations of his former attorney general task force on high-speed pursuits Monday in calling for a "uniform" law enforcement standard to be enacted by the Ohio Collaborative Community-Police Advisory Board, which met for its first time under the new administration.

REDISTRICTING/REAPPORTIONMENT

Arguing that it is premature for Ohio to have to redraw its congressional maps before the U.S. Supreme Court issues its opinion in two cases challenging congressional maps in other states, Attorney General Dave Yost Friday officially asked the U.S. Supreme Court to stay a decision ordering Ohio to create new maps by June 14. A three-judge panel ruled earlier that the current congressional maps created in 129-HB369 (M. Huffman) are an "unconstitutional partisan gerrymander," and ordered the maps to be redrawn by the June date. The district court subsequently refused to stay its decision, saying it was unswayed by the state's argument that it should wait until the U.S. Supreme Court decides the two cases challenging maps drawn in Maryland and North Carolina that lower courts had also declared were partisan gerrymanders.

State Solicitor Ben Flowers Thursday presented an update to the Senate Government Oversight and Reform Committee on the status of litigation that recently saw a three-judge U.S. District Court panel rule Ohio's congressional districts are "an unconstitutional partisan gerrymander." Flowers described for the committee the arguments the state made as it asked the U.S. Supreme Court (SCOTUS) for a stay in the ruling, with his expecting a decision by the end of the month -- before the June 14 deadline the district court gave the state for redrawing the maps for the 2020 election.

SECRETARY OF STATE

Secretary of State Frank LaRose Thursday announced 12,385 new entities filed to do business in Ohio in April. He said it is the fourth highest monthly total in state history behind March 2019, April 2018, and March 2017, respectively. In 2019 alone, nearly 50,000 new businesses have filed to do business in Ohio.

WORKFORCE

Following quickly after a Monday, May 13 announcement, Rep. Jon Cross (R-Kenton) gave sponsor testimony Wednesday on his bill to create a technical credential funding program, one of several bipartisan priority bills in the House. Cross said the state economy is changing quickly and businesses and employees must be able to "swiftly retool" their skills to keep up. The state should assist in that, and the bill's "TechCred" program would support employers providing current or prospective employees with training toward industry-recognized credentials or certificates, he said.

Completing needed workforce development efforts will require collaboration between business leaders and the full range of education institutions, Lt. Gov. Jon Husted told around 500 attendees of the "Aim Hire" conference in Columbus Thursday. The event was sponsored by the Governor's Office of Workforce Transformation (OWT), which Husted leads, and business coalition Ohio Excels. The nonpartisan coalition, formed in March, includes Ohio Business Roundtable President Pat Tiberi, who Husted also said had agreed to serve as chair of OWT's Executive Workforce Board pending confirmation.

LEGISLATIVE ACTIVITY:

SENATE:

PASSED BY SENATE

- SB55 ENHANCE PENALTIES-DRUG TRAFFICKING (Sen. Theresa Gavarone) To enhance penalties for certain drug trafficking offenses committed in the vicinity of a community addiction services provider and to name the act's provisions the "Relapse Reduction Act."
Vote 31-2
- SB101 PREECLAMPSIA AWARENESS MONTH (Sen. Kenny Yuko) To designate May as "Preeclampsia Awareness Month."
Vote 33-0

HOUSE:

PASSED BY HOUSE

- HB47 TAX COMPLAINTS-LEGAL ASSISTANCE FOUNDATION (Rep. Dave Greenspan) To increase the time within which property tax complaints must be decided.
Vote 90-3
- HB71 CIGARETTE MINIMUM PRICE (Rep. Gary Scherer, Rep. Jack Cera) Regarding cigarette minimum pricing.
Vote 90-3