

## OHIO PUBLIC TRANSIT ASSOCIATION

### Bill Information

#### **HB74** ENACT FY22-23 TRANSPORTATION BUDGET *(OELSLAGER S)*

To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2021, and ending June 30, 2023, and to provide authorization and conditions for the operation of those programs.

#### CURRENT STATUS

3/31/2021 - **SIGNED BY GOVERNOR**; eff. immediately

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#### **HB110** OPERATING BUDGET *(OELSLAGER S)*

To make operating appropriations for the biennium beginning July 1, 2021, and ending June 30, 2023, to levy taxes, and to provide authorization and conditions for the operation of state programs.

#### CURRENT STATUS

7/1/2021 - **SIGNED BY GOVERNOR**; effective 7/1/21

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#### **HB140** MODIFY ELECTION NOTICES, BALLOT LANGUAGE FOR PROPERTY TAX LEVIES *(MERRIN D)*

To enact the "Ballot Uniformity and Transparency Act" to modify the form of election notices and ballot language for property tax levies.

#### CURRENT STATUS

9/21/2021 - Senate Ways and Means, (Second Hearing)

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#### **HB141** MAKE PUBLIC TRANSPORTATION APPROPRIATIONS *(SKINDELL M, UPCHURCH T)*

To make appropriations related to public transportation.

#### CURRENT STATUS

2/24/2021 - Referred to Committee House Finance

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**HB146**

**REGARDS APPLYING PREVAILING WAGE LAW TO PUBLIC PROJECTS** (RIEDEL C, MANCHESTER S)

To allow political subdivisions, special districts, and state institutions of higher education to elect to apply the Prevailing Wage Law to public improvement projects.

**CURRENT STATUS**

6/23/2021 - House Commerce and Labor, (Second Hearing)

**HB157**

**MODIFY MUNICIPAL INCOME TAX RULES - COVID WFH** (JORDAN K, EDWARDS J)

To amend Section 29 of H.B. 197 of the 133rd General Assembly to modify municipal income tax employer withholding rules for COVID-19-related work-from-home employees.

**CURRENT STATUS**

6/2/2021 - Referred to Committee Senate Ways and Means

**HB267**

**LIMIT PUBLIC HEALTH ORDERS** (JORDAN K)

To limit the duration of public health orders and to allow the General Assembly to act via concurrent resolution in response to a public health emergency if the Governor or Department of Health does not.

**CURRENT STATUS**

5/4/2021 - Referred to Committee House State and Local Government

**HB275**

**EXPAND POLITICAL SUBDIVISION JOINT PURCHASING AUTHORITY** (LAMPTON B)

To expand political subdivision joint purchasing authority to expressly include purchases for construction services.

**CURRENT STATUS**

5/12/2021 - House Commerce and Labor, (First Hearing)

**HB283**

**EXPAND DISTRACTED DRIVING LAWS** (ABRAMS C, LAMPTON B)

To expand the texting while driving prohibition to a general prohibition against using an electronic wireless communications device while driving, with certain exceptions, and to create data collection requirements based on associated violations of the distracted driving laws.

**CURRENT STATUS**

9/23/2021 - **BILL AMENDED**, House Criminal Justice, (Third Hearing)

## **HB350** PROHIBIT MANDATORY COVID-19 VACCINE *(CUTRONA A)*

To prohibit mandatory COVID-19 vaccinations, requiring proof of COVID-19 vaccination, and certain other actions relating to an individual's COVID-19 vaccination or health status and to declare an emergency.

### **CURRENT STATUS**

6/22/2021 - House Civil Justice, (First Hearing)

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## **HB388** REGARDING VACCINE REFUSAL *(JORDAN K)*

To prohibit taking certain actions against an individual because the individual refuses to be vaccinated against a disease.

### **CURRENT STATUS**

8/12/2021 - Introduced

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## **HB401** EMPLOYER-MANDATED COVID VACCINATION INJURY *(EDWARDS J)*

To exempt an injury or disability caused by an employer-mandated COVID-19 vaccination from the Workers' Compensation Law and to allow the employee to sue the employer for damages.

### **CURRENT STATUS**

8/24/2021 - Introduced

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## **HB435** VACCINE REQUIREMENTS *(CARFAGNA R, SEITZ B)*

To address COVID-19 vaccine requirements for employees and students; to extend certain timelines for qualified civil immunity and expand immunity to include hearing aid dealers and hearing aid fitters; to authorize emergency medical technicians to administer COVID-19 tests; to expressly cover COVID-19 vaccine injuries under the workers' compensation system; and to repeal sections 3792.05, 3792.06, 3792.07, and 3792.08 of the Revised Code on June 30, 2023.

### **CURRENT STATUS**

10/13/2021 - Bills for Third Consideration; (Pending Committee Report)

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## **HB477** EXPULSION, TERMINATION BASED ON VACCINATION STATUS *(RICHARDSON T)*

To prevent expulsion from school and termination from employment based on COVID-19 vaccination status.

### **CURRENT STATUS**

11/1/2021 - Introduced

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## HB481 COVID VACCINE, PASSPORT PROTECTION ACT *(JORDAN K)*

To enact the COVID-19 Vaccination and Passport Protection Act to prohibit schools, institutions of higher education, employers, and places of public accommodation from requiring COVID-19 vaccines or proof of vaccination.

### CURRENT STATUS

11/8/2021 - Introduced

## HCR30 OPPOSE VACCINE MANDATES *(KOEHLER K)*

To urge the Congress of the United States to oppose any COVID-19 vaccine mandates made by government entities and to prohibit discrimination based on COVID-19 vaccination status.

### CURRENT STATUS

10/26/2021 - Referred to Committee House Government Oversight

## SB4 EXEMPT EMS LINE OPERATORS-PUBLIC RECORDS *(ROEGNER K)*

To include emergency service telecommunicators, protective services workers, certain Ohio National Guard members, and certain mental health care providers as individuals whose residential and familial information is exempt from disclosure under the Public Records Law.

### CURRENT STATUS

6/8/2021 - **SIGNED BY GOVERNOR**; eff. 9/7/21

## SB15 FISCAL OFFICERS-LIABILITY *(WILSON S)*

To change the circumstances in which certain fiscal officers may be held liable for a loss of public funds.

### CURRENT STATUS

3/24/2021 - Referred to Committee House State and Local Government

## SB18 INTERNAL REVENUE CODE *(ROEGNER K, SCHAFFER T)*

To expressly incorporate changes in the Internal Revenue Code since March 27, 2020, into Ohio law, to exclude certain loan amounts forgiven under federal law from the commercial activity tax, to authorize a commercial activity tax exclusion for Bureau of Workers' Compensation dividends paid to employers, and to declare an emergency.

### CURRENT STATUS

3/31/2021 - **SIGNED BY GOVERNOR**; eff. immediately

## **SB19** REGARDING PROPERTY TAXATION *(SCHAFFER T)*

To modify the law regarding property taxation and sales and use tax.

### **CURRENT STATUS**

6/28/2021 - **PASSED BY HOUSE**; Amended on Floor, Bill Vote 61-36

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## **SB32** ELECTRIC VEHICLE CHARGING STATION *(RULLI M)*

To require the Director of Transportation to establish an electric vehicle charging station grant rebate program and to make an appropriation.

### **CURRENT STATUS**

2/17/2021 - Senate Transportation, (First Hearing)

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## **SB56** INDEMNITY-DESIGN CONTRACTS *(BLESSING III L)*

To regulate the use of indemnity provisions in professional design contracts related to public improvements.

### **CURRENT STATUS**

11/9/2021 - House Civil Justice, (Third Hearing)

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## **SB67** STUDY PROGRESS / CHALLENGES OF AFRICAN AMERICANS *(WILLIAMS S)*

To establish a committee to study the progress and challenges of African Americans in Ohio and to make an appropriation.

### **CURRENT STATUS**

3/16/2021 - Senate Finance, (First Hearing)

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## **SB93** REQUIRE VOTE-COUNTY SALES TAX INCREASE *(ANTANI N)*

To require voter approval of any increase in the rate of a county sales tax.

### **CURRENT STATUS**

9/21/2021 - Senate Ways and Means, (First Hearing)

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## **SB97** MUNICIPAL INCOME TAX-WORK FROM HOME *(ROEGNER K)*

To modify municipal income tax employer withholding rules for COVID-19-related work-from-home employees

## 📌 CURRENT STATUS

5/12/2021 - Senate Ways and Means, (First Hearing)

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## SB152 FRAUD, WASTE, ABUSE TASK FORCE *(HOAGLAND F)*

To establish the Fraud, Waste, and Abuse Task Force in the office of the Attorney General and to make an appropriation.

## 📌 CURRENT STATUS

11/9/2021 - Senate Finance, (First Hearing)

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## SB169 PROHIBIT MANDATORY VACCINATIONS *(BRENNER A)*

To prohibit mandatory vaccinations against the coronavirus, to prohibit requiring proof of vaccinations generally, and to declare an emergency.

## 📌 CURRENT STATUS

5/26/2021 - **SUBSTITUTE BILL ACCEPTED**, Senate Health, (First Hearing)

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## SB209 MASK MANDATES *(BRENNER A)*

With regard to mask mandates and facial covering requirements for public schools, state institutions of higher education, and businesses.

## 📌 CURRENT STATUS

9/8/2021 - Referred to Committee Senate General Government Budget

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## 🔄 Week in Review

### ABORTION

Reps. Jena Powell (R-Arcanum) and Thomas Hall (R-Middletown) introduced HB480 Tuesday to institute a ban on abortion enforced via private civil lawsuits. Anti-abortion groups supporting the bill liken it to Texas' SB8, now the subject of litigation in the U.S. Supreme Court. Abortion rights supporters call it vigilantism. Referred to as the 2363 Act, referencing the estimated number of abortions happening daily in the U.S., the legislation creates a right for anyone to bring a civil lawsuit against someone who performs or induces an abortion, "aids or abets" such activity, or takes action or makes statements "that demonstrate to a reasonable person" that they'll perform or induce an abortion. State and local officials are barred from bringing the suits, as is anyone who causes the pregnancy of a person getting an abortion by sexual assault. A person who prevails in such a suit "shall" be awarded injunctive relief, statutory damages of at least \$10,000 per abortion, and costs and attorney's fees.

### ADDICTION/SUBSTANCE ABUSE

Harm Reduction Ohio (HRO), a 501(c)(3) based in Granville and Ohio's largest purveyor of the overdose treatment drug naloxone, is calling on the governor and attorney general to commit the state's \$808 million opioid settlement to the purchase and distribution of more naloxone, clean syringes and needles, and medically assisted treatment (MAT) with methadone and other heroin substitutes. It was not clear Monday, however, to what degree settlement dollars, including the state of Ohio's \$121.2 million share, is under Gov. Mike DeWine or Attorney General Dave Yost's control.

### BUSINESS/CORPORATE

The Columbus Metropolitan Club (CMC) hosted a discussion Wednesday on the national small business "incubation rate," and how Ohio is succeeding. It also focused on the role of minority-owned companies and the support available to them. Panelists included Bill LaFayette, founder and owner of Regionomics and *Hannah News* contributor; Steve Fireman, president and general counsel of the Economic and Community Development Institute (ECDI); and Cheryl Turnbull, senior director of the Keenan Center for Entrepreneurship at Ohio State University's (OSU) Corporate Engagement Office.

## **CITIES**

Remote work, or work-from-home (WFH), will have "significant impacts" on the tax revenue of major Ohio cities as it continues after the pandemic, according to a report released by the Ohio Mayors Alliance (OMA). The report from financial management consultant PFM estimated that a third of the workforce could be remote, based on economic data in a cross section of 10 cities. The fiscal effects for the 10 major cities are projected to range from 6 to 17 percent in lost municipal income tax revenue from the general fund, with the report giving high, medium and low projections for each. Dayton could lose the most at 17 percent, followed by Fairfield, 15 percent; Elyria, 14 percent; and Cincinnati, Columbus and Kettering at 12 percent.

## **CORONAVIRUS**

Ohio Department of Health (ODH) Director Dr. Bruce Vanderhoff and colleagues implored parents to get their children vaccinated during a briefing Wednesday after the Centers for Disease Control and Prevention (CDC) signed off on the COVID-19 vaccine for children ages 5-11 late Tuesday. Vanderhoff said a large portion of the more than 367,000 doses of the Pfizer-BioNTech COVID-19 pediatric vaccine formulation expected to arrive in Ohio over the coming days are already available and can immediately be administered to children in this age group. The doses are set to arrive in the state on a staggered schedule over the coming days during the first week of vaccine administration, including 252,300 ordered through the state's allocation and 115,200 ordered by pharmacies through the federal retail pharmacy program. Additional doses will continue to be delivered to providers in Ohio on a regular basis moving forward.

Vanderhoff also announced the official expansion of the Vax-2-School program for those ages 5 to 25. The program will award \$2 million in scholarships to eligible Ohioans, and prizes include 150, \$10,000 scholarships, and five, \$100,000 grand prize scholarships. The program has a series of registration deadlines; to be eligible for all prize drawings, Ohioans should register as soon as the first dose of the vaccine has been administered, ideally by the initial registration deadline of Sunday, Nov. 21. The deadlines are as follows:

- Sunday, Nov. 21, 11:59 p.m. -- eligible for all drawings.
- Sunday, Nov. 28, 11:59 p.m. -- eligible for the second drawing (75, \$10,000 winners)
- Wednesday, Dec. 1, 11:59 p.m. -- eligible for the grand prize drawing.

The U.S. Department of Labor (DOL) will mandate businesses with more than 100 employees and federal contractors to require their staff either be vaccinated or undergo regular testing beginning Jan. 4, 2022, according to a Thursday announcement from the Biden administration. The planned DOL Occupational Safety and Health Administration (OSHA) requirement was first announced by President Joe Biden in September. Ohio Attorney General Dave Yost announced his office was filing a lawsuit to block the vaccine rule for federal contractors, particularly sheriff's offices that contract with U.S. Immigration and Customs Enforcement (ICE) to hold detainees in county jails. The Buckeye Institute announced it was filing a separate suit directly to the U.S. Court of Appeals for the Sixth Circuit on behalf of Phillips Manufacturing & Tower Company of Shelby and Michigan-based Sixarp.

More than 41 Ohioans died from COVID each day in October, making it the sixth deadliest month in Ohio since the pandemic began, according to the Ohio Department of Health (ODH). Gov. Mike DeWine cited those numbers during a coronavirus update press conference Thursday as he quarantines after exposure to two staff members who tested positive for COVID-19 earlier this week.

## **CORRECTIONS**

Gov. Mike DeWine says FY22-23 appropriations awarded to a handful of county jails Friday is a start on \$368 million in funding requests local and regional detention centers submitted in response to the 133-SB310 (Dolan) capital bill he signed last December. DeWine joined Department of Rehabilitation and Correction (DRC) Director Annette Chambers-Smith in announcing capital outlays of \$44.9 million to six counties out of \$50 million from budget bill HB110 (Oelslager) for new jail construction and renovations.

## **CRIME AND PUNISHMENT**

The General Assembly should move expeditiously to pass legislation fixing Ohio's harmful cash bail system, criminal justice reform advocates said during a press conference on Thursday. Both bail reform bills in the Legislature -- HB315 (Leland-Hillyer) and SB182 (McColley-S. Huffman) -- have received two hearings in their respective committees. HB315 was last heard in the House Criminal Justice Committee on June 10, while SB182 was last heard in the Senate Judiciary Committee on June 16.

## **DISABILITIES**

Leaders at the Ohio Department of Developmental Disabilities (DODD) Friday reviewed their plans for millions of dollars available through the American Rescue Plan (ARP) Act. The state is still in the planning phase for how to use the ARP dollars, DODD Legislative Director Jeremiah Wagner explained. Before any funds can be issued, states must submit detailed plans for the dollars to the Centers for Medicare &

Medicaid Services (CMS) for approval. The state submitted a second, more detailed framework for the dollars to CMS earlier this

month. Federal approval is also not all that is needed, DODD Director Jeff Davis noted. The Legislature will need to appropriate the money, giving the department approval to use the funds. Davis said he is unclear how long this process will take. The funds, however, must be spent by March 31, 2024.

## **EDUCATION**

Eric Poklar, an appointed member of the Ohio State Board of Education (SBOE), resigned from his position Friday, Oct. 29, following the earlier announcement of the resignation of SBOE President Laura Kohler. Both departures were triggered in part by their votes against repealing an anti-racism resolution passed by the board last summer amid protests over the police murder of George Floyd. Later on Friday, DeWine announced the appointment of two new individuals to the board: Richard J. Chernesky and Brandon Kern, both for terms ending in December 2024. Chernesky is a lawyer with Dinsmore in Dayton concentrating on general corporate law and Kern is currently the senior director for state and national policy with the Ohio Farm Bureau Federation.

Charlotte McGuire, vice president of the State Board of Education (SBOE), told *Hannah News* Monday she is not campaigning to be elected president in the wake of Laura Kohler's resignation but would accept the nomination of her colleagues for the role. "I am not campaigning. I am open to serve in that capacity. I see myself as a servant leader and a voice for our children's success," McGuire said. Board policies call for McGuire to act as president until a new one is elected; such an election is planned for the November meeting, which is scheduled for Monday and Tuesday, Nov. 15-16.

While "tremendous progress" has been made, a report on computer science (CS) education nationally said the lack of even a single course in 49 percent of high schools is "inadequate." The report also found that Ohio had a 50 percent rate of foundational computer science access in its high schools in 2019-2020, up from 42 percent the year before. The report, released Wednesday, was developed by Code.org Advocacy Coalition, the Computer Science Teachers Association (CSTA) and the Expanding Computing Education Pathways (ECEP) Alliance. It called for state leaders to develop "policies and concrete plans" to expand CS to every school, ensure it reaches underrepresented groups and examine the data to find disparities and areas of need.

## **ELECTIONS**

Attending a panel with election officials at the National Conference of State Legislatures' (NCSL) annual meeting in Tampa, FL, Wednesday, Senate President Matt Huffman (Ohio) said that election officials and state policymakers should encourage voters to cast their ballots in-person. The session, titled "What Election Policymakers Wish Election Officials Knew -- and Vice Versa," featured Huffman, Nebraska State Sen. Adam Morfeld, Boone County, MO County Clerk Brianna Lennon, and Florida Secretary of State Laurel Lee. It was moderated by Tammy Patrick, a senior advisor for Democracy Fund. Huffman said he knows that mail-in balloting needs to be an option for certain voters, especially the ones who may have

trouble getting to the polls, but added that there are concerns such as chain-of-custody and signature verification with mail-in voting.

## **ELECTIONS 2021**

Cuyahoga County Councilwoman Shontel Brown and lobbyist Mike Carey easily won special elections for the 11th and 15th Congressional Districts Tuesday evening. Brown had more than 80 percent of the vote over Republican Laverne Gore early on, and her margin remained around that number for the rest of the evening. Meanwhile, Carey easily defeated Democrat Allison Russo in the 15th Congressional District. He never trailed from the first results and his lead grew over the evening. Of the 12 counties in the district, Russo only won Franklin County. This race had received more attention nationally, with former Vice President Mike Pence and U.S. House Minority Leader Kevin McCarthy visiting the district to stump for Carey. Former President Donald Trump also endorsed Carey and had touted his candidacy throughout the election. Russo, who had slightly outraised Carey in the most recent filing, was endorsed by President Joe Biden this week.

In other races, Rep. Stephanie Howse (D-Cleveland) won a race for Cleveland City Council, defeating T.J. Dow. Howse had formerly held the seat but had been defeated by Dow before she came to the Legislature. Rep. Tom Brinkman (R-Cincinnati) was defeated in his bid for Cincinnati City Council, finishing in the middle of a crowded 34-person race, with only the top nine finishers elected. A Cincinnati city charter issue that sought to reform Cincinnati government, championed by Brinkman, also was defeated by voters. Both Howse and Brinkman are term-limited after this session.

Eighty of 99 school funding issues on local ballots won voter approval Tuesday, according to a summary of unofficial results from the Ohio School Boards Association (OSBA). That passage rate of 81 percent is a marked improvement from the 67 percent approved in November 2020.

Every library funding request on local ballots Tuesday won voter approval, generally by very comfortable margins, according to a summary of unofficial results from the Ohio Library Council. The only close contests were those involving tax increases. Portage County District Library's additional request for a 1 mill, 10-year levy got a bare majority, winning by fewer than 100 votes. Pataskala Public Library's renewal/increase request for a 1 mill, five-year levy got 51 percent of the vote.

A day before the 2021 General Election, Secretary of State Frank LaRose released the final early voting numbers, with 377,399 voters having cast their absentee ballot or voted early statewide. Of those, 172,886 cast their ballot early in-person. The secretary of state said the data, which includes all ballots received and processed through 2 p.m. on Monday, Nov. 1, was 17.8 percent, or 57,100 more than were cast at the same point in November 2019.

Secretary of State Frank LaRose announced late Thursday that he was putting the Franklin County Board of Elections on administrative



oversight, saying the board failed to "effectively follow a remediation plan," which "led to e-pollbooks failing once again to work properly on Election Day." The move came after the secretary of state's office found a voter was allowed to cast a second ballot on Election Day Tuesday despite already having cast a ballot during early voting.

The following endorsements were made over the week:

- President Joe Biden endorsed Allison Russo for Congress.

## **ELECTIONS 2022**

Mayor of Cincinnati and candidate for the Democratic nomination for Ohio governor John Cranley told reporters Thursday how he would reform the Public Utilities Commission of Ohio (PUCO), pledging to fire all five commission members if he were elected next year.

## **EMPLOYMENT/UNEMPLOYMENT**

For the week ending Oct. 30, the Ohio Department of Job and Family Services (ODJFS) reported 7,375 initial traditional unemployment claims to the U.S. Department of Labor (DOL). That number is higher than last week, when the state reported 7,044 traditional jobless claims

## **ENERGY**

Ohio oil and gas production hit its lowest point since 2017 in the second quarter of 2021, with total barrels sliding nearly a third since 2020's high mark and natural gas falling more than 8 percent from the previous year. The Ohio Oil and Gas Association (OOGA) had expressed uncertainty about the Biden administration's energy policies going into the new year, as the president and Democratic Congress have pursued solar and wind energy expansion while rolling back fossil fuel production from traditional and "fracking" wells.

## **ENVIRONMENT**

The Ohio Water Development Authority (OWDA) awarded \$1.7 million in low interest loans to three Ohio communities to improve wastewater and drinking water infrastructure and to make water quality improvements. The three projects received an interest rate ranging from 1.51 percent to 1.73 percent. For October, the following Ohio communities receiving funding from OWDA's Fresh Water Loan Program:

- The city of London in Madison County is receiving \$827,888.00 at 1.73 percent for five years for the design of 20,000 feet of sanitary sewer, a new lift station, and upgrades to the Sharp Avenue lift station to facilitate further development and growth within the northeast corner of the city.
- Northwestern Water & Sewer District is receiving \$552,736.52 at 1.51 percent for 20 years for the construction of 1,600 feet of waterline along Wales Road in Wood County to replace aging waterlines.
- The city of Rittman in Wayne County is receiving \$375,049.00 at 1.70 percent for 30 years for the construction of 2,000 feet of waterline along Grant, Seneca, and South State streets to replace aging waterline.

## **FEDERAL**

U.S. Sen. Rob Portman (R-OH) told reporters Tuesday he hopes to see the bipartisan infrastructure bill he helped craft pass the U.S. House of Representatives this week. The legislation passed the U.S. Senate 69-30 roughly three months ago but has stalled in the U.S. House as Democrats try to work on a separate budget reconciliation bill. Portman expressed his hope the House would vote on the infrastructure bill following Monday's comments from conservative Democrat U.S. Sen. Joe Manchin (D-W.VA) that he's not yet ready to support the social spending bill but wants the U.S. House to immediately take up the infrastructure bill.

## **GENERAL ASSEMBLY/STATEHOUSE**

The Statehouse Capitol Cafe will be closed throughout November in preparation for reopening Dec. 1 with a new operator, the Capitol Square Review and Advisory Board (CSRAB) announced. Catering by Milo's recently finished more than 10 years at the cafe. They will continue to be one of the approved caterers for events and will continue holding the liquor license and providing bar services at events, CSRAB noted. Details about new management will be announced soon.

The Ohio Statehouse will celebrate the 25th anniversary of the completion of its renovation at an event that will be held on Wednesday, Nov. 17. The renovation began in 1989 and was completed in 1996, bringing Capitol Square back to its historic appearance along with new technology and ease-of-access improvements. The main program beginning at 6 p.m. will feature former Gov. Richard Celeste, former Senate President Richard Finan, Statehouse architect Robert Loversidge, Brian Perera representing Statehouse staff at the time, and Peter Cruse, representing Statehouse construction workers, reflecting on the work that was done. The event will be moderated by former Rep. Mike Curtin. Another panel at 4:30 p.m. will feature former Statehouse reporters.

## **GOVERNOR**

Gov. Mike DeWine and First Lady Fran DeWine announced Wednesday morning that they had been exposed to two staff members who recently tested positive for COVID-19 and are not participating in previously scheduled in-person events through Sunday. The DeWines -- both of whom have received booster shots -- have tested negative for COVID-19 and are showing no symptoms, according to the release. In August 2020, DeWine had an initial positive antigen test but subsequent PCR tests determined that he did

not actually have COVID.

## HEALTH AND HUMAN SERVICES

The Ohio Department of Health (ODH) announced Friday a state budget provision has taken effect, expanding eligibility for the Breast and Cervical Cancer Project (BCCP), which allows BCCP to cover treatments for women diagnosed with breast and cervical cancer. Ohio now offers treatment for a woman who meets all the following conditions, in addition to those Ohioans who are already eligible by diagnosis through BCCP:

- The woman was screened for breast or cervical cancer by a provider who either does not participate in, or was not paid for, the screening by the Ohio Breast and Cervical Cancer Project.
- The woman is in need of treatment for breast or cervical cancer.
- The woman has an income not exceeding 300 percent of the Federal Poverty Level.
- The woman is not covered by health insurance.
- The woman is younger than 65 years of age.

Ohio saw more deaths than births for the first recorded time in 2020 and 2021, according to preliminary Ohio Department of Health (ODH) data that was further analyzed by Gannett Ohio newspapers. This follows several years of declining birth rates and an increase of around 20,000 deaths in 2020. There were 129,313 births in 2020, according to the preliminary ODH data, and 143,661 deaths that resulted in a net loss of 14,348 residents. Media reports indicate there had been 8,962 reported COVID-19 deaths as of Dec. 31, 2020. By comparison, 2019 saw 134,560 births -- though that rate had fallen every year since 2014 -- and a gain of 10,855 residents. There were 123,705 deaths, in line with previous years. As of the latest ODH numbers Friday, there have been 105,375 births and 113,100 deaths in 2021, resulting in a difference of -7,725 residents so far this year. The ODH COVID-19 mortality update Friday also indicates 15,565 deaths have been reported this year, though that includes some which occurred in 2020.

## HIGHER EDUCATION

Kent State University received the largest single gift in its history from Ambassador Edward F. Crawford. The donation will complete the university's capital campaign and allow for the construction of a new College of Business Administration building on the university's Kent Campus. In recognition of Crawford and his family, the new building will be named Crawford Hall and the college will be named the Ambassador Crawford College of Business and Entrepreneurship.

Case Western Reserve University (CWRU) is partnering with nine minority serving institutions and Historically Black Colleges and Universities (HBCUs) to offer scholarships that cover at least 30 percent of tuition for some of the university's leading graduate programs. The nine institutions include the following: Xavier University of Louisiana, Dillard University, Fisk University, Florida Agricultural and Mechanical University, Howard University, Jackson State University, North Carolina Central University, Tougaloo College and Tuskegee University.

Case Western Reserve University (CWRU) has received a \$16 million, five-year grant from the National Institute on Drug Abuse of the National Institutes of Health, which it will use to launch a multi-institutional research effort to study the relationship between substance use and HIV. The use of opioids, methamphetamines, cocaine and other stimulants is the second-most common cause of exposure to

HIV among those in the U.S. diagnosed with the virus that causes AIDS, the university said.

Whitney Barkley, a small business owner who also has experience working with international nonprofits, has been named director of the Greater West Dayton Incubator, an initiative by the University of Dayton (UD) to support Black women and other underrepresented entrepreneurs.

Sen. Jerry C. Cirino (R-Kirtland) fielded a bevy of questions over his higher education reform bill, SB135, in the House Education and Career Readiness Committee Wednesday. While Cirino had previously presented sponsor testimony, he returned to respond to questions for roughly three hours, many of which dealt with a provision requiring state institutions of higher education to focus more on programs that support in-demand jobs. He was joined by Jeffrey Moritz, the son of Mike Moritz, for whom the Ohio State University (OSU) Moritz College of Law is named, who discussed how the bill would handle certain privately-funded endowments.

The U.S. Department of Education has awarded Kent State University a \$1.1 million, five-year TRIO Educational Opportunity Centers program grant. The program is designed to provide support services to qualified adults, including veterans, who want to enter or continue a program of postsecondary education.

Starting in the fall semester of 2022, Capital University will offer a \$20,000 merit-based scholarship to all accepted, fulltime, undergraduate students who are entering their first year of college. The "Main Street Scholarship" will be given annually and is potentially renewable for up to four years.

## JUDICIAL

The criminal sentencing reform views of Ohio Supreme Court Justice Michael Donnelly are featured in a new book that examines systemic issues with the most common resolution in criminal cases -- plea deals, the Ohio Supreme Court reports. ***Punishment Without Trial: Why Plea Bargaining Is a Bad Deal*** by law Prof. Carissa Byrne Hessick analyzes how the overwhelming majority of

criminal cases conclude without a jury, and why advocates see this pattern as undermining justice across socioeconomic and racial divides. Scholars estimate up to 95 percent of federal and state court criminal cases end in plea arrangements.

## **JUVENILE JUSTICE**

"What does juvenile justice look like in a post-pandemic world?" Lawmakers from North Dakota and Nevada addressed this question at Wednesday's National Conference of State Legislatures (NCSL) Legislative Summit being held this week in Tampa FL, where Associate Director Anne Teigen of NCSL's

Criminal Justice Program moderated a panel discussion with Speaker Pro Tempore Steve Yeager (NV) and Sen. Diane Larson (ND). Teigen framed the discussion with the latest findings of the Annie E. Casey Foundation's "Youth Detention Survey during COVID-19," which studied 150 jurisdictions in 34 states. She said juvenile detainees saw a 30 percent drop within nine weeks of the virus's onset -- a population that has persisted due to a reduced intake of youth, the study found. "Because most schools in the nation went to remote options, there was a significant decline in school referrals to the juvenile justice system," Teigen said. At the same time, she said, racial and ethnic disparities among those left in detention have only worsened under COVID-19.

## **MARIJUANA/HEMP**

The Ohio Board of Pharmacy (OBP) is now accepting applications for dispensary licenses under the Ohio Medical Marijuana Control Program (MMCP). The application will close at 2 p.m. on Thursday, Nov. 18.

## **NATURAL RESOURCES**

Next week might be the last chance for leaf enthusiasts to see fall color in the state, according to the Ohio Department of Natural Resources (ODNR). "Despite this year's delay in color development, there are now areas showcasing breathtaking color displays," ODNR Fall Color Forester David Parrott said in a news release.

## **NEWS MEDIA**

WHIO-TV in Dayton recently announced the retirement of Jim Otte, a Statehouse presence for decades, as lead investigative reporter and anchor of the show "WHIO Reports." Prior to his 33 years with WHIO, Otte was part of the Ohio Public Radio Statehouse News Bureau. WHIO said anchor Jim Bedell will succeed Otte as lead investigative reporter.

Jackie Borchardt, who leads the Statehouse Bureau for the Gannett newspapers in Ohio, including the *Columbus Dispatch*, *Cincinnati Enquirer* and *Akron Beacon Journal*, announced on social media she will leave that role to become senior news director for content at the *Enquirer*.

## **NONPROFIT ORGANIZATIONS**

Marsy's Law for Ohio, the group behind a constitutional provision giving victims new rights in criminal proceedings, announced recently that it is launching an advisory board. The constitutional provision was overwhelmingly adopted by voters in 2017. Marsy's Law for Ohio said it is expanding its mission with the support of some of the most accomplished victims' rights advocates and legal experts in Ohio. The advisory board will serve as a connection point for those in the victims' rights space across the state to collaborate, learn and educate, the group said.

## **PEOPLE**

Longtime Ohio communications and government affairs professional Connie Luck announced Tuesday the launch of ConVista Public Affairs, based in Columbus. The consulting firm's services range from strategic communications, advocacy, public policy strategy and political intelligence, to editorial support and coalition building.

## **PUBLIC SAFETY**

OCSJ Executive Director Karhlton Moore announced the certification of Navarre Police Department (Stark County) for use of force, including deadly force, and agency recruitment and hiring Monday. They are the only standards required for formal state compliance, though the Ohio Collaborative Community-Police Advisory Board has issued eight additional best practices for bias-free policing, officer misconduct investigations, mass protests and demonstrations, body-worn cameras, community engagement, high-speed pursuits, officer health and wellness, and telecommunications-dispatch, which are not required for

DPS certification. There are 543 law enforcement agencies now certified and five that are in the certification process. They employ over 85 percent of Ohio's peace officers, including those policing Ohio's metropolitan areas.

## **REDISTRICTING/REAPPORTIONMENT**

After filing thousands of pages of documents and depositions as evidence in recent weeks, plaintiffs of three lawsuits seeking to overturn new General Assembly maps submitted their legal arguments to the Ohio Supreme Court in merit briefs over the weekend. Three groups of litigants have separately sued the Ohio Redistricting Commission and its seven members. The litigants are as follows:

- The League of Women Voters of Ohio, A. Philip Randolph Institute of Ohio and individual plaintiffs Tom Harry, Tracy Beavers, Valerie Lee, Iris Meltzer, Sherry Rose and Bonnie Bishop.
- Several individual plaintiffs who live in districts alleged to violate constitutional rules; Bria Bennett, Regina Adams, Kathleen Brinkman, Martha Clark, Susanne Dyke, Carrie Kubicki, Meryl Nieman, Holly Oyster, Constance Rubin and Everett Totty.

- The Ohio Organizing Collaborative, Council on American-Islamic Relations Ohio, Ohio Environmental Council and individual plaintiffs Pierrette Talley, Samuel Gresham Jr., Ahmad Aboukar, Mikayla Lee, Prentiss Haney and Crystal Bryant.

The Senate Tuesday named its three members to a joint legislative committee on congressional redistricting, with the House expected to follow suit soon. The three named by the Senate are Sen. Theresa Gavarone (R-Bowling Green), who will act as co-chair; Sen. Rob McColley (R-Napoleon), the sponsor of congressional redistricting bill SB258; and Sen. Vern Sykes (D-Akron), the Senate Democratic designee to the Ohio Redistricting Commission and a co-sponsor of the constitutional amendment that changed the congressional redistricting process.

House and Senate Republicans introduced separate congressional redistricting proposals Wednesday, arguing they comply with the new constitutional requirements enacted by voters in 2018 and possibly create several competitive districts. Legislative Democrats criticized a lack of transparency in the process, saying they'd had no chance to review the maps ahead of time, and advocates who pushed for state and congressional redistricting reforms said the rollout failed to meet the spirit of the new processes that voters enshrined in the Ohio Constitution. Rep. Scott Oelslager (R-North Canton) presented HB479 in the House Government Oversight Committee in the morning, while Sen. Robert McColley (R-Napoleon) testified on SB258 in the Senate Local Government and Elections Committee in the afternoon. Both bills had had only placeholder text until acceptance of substitute versions in the hearings Wednesday. The Senate committee also took sponsor testimony on SB237 (Yuko-Sykes), a proposal Senate Democrats released weeks ago.

Witnesses appearing before the Senate Local Government and Elections Committee Thursday complained about what they said is a rushed process and argued that the proposed congressional map introduced by Senate Republicans is an unconstitutional gerrymander. The committee took testimony on Senate Democratic congressional plan SB237 (Yuko-Sykes), as well as the Senate Republican plan that is in SB258 (McColley), which was introduced Wednesday. Witnesses generally favored the Senate Democratic plan over SB258, saying it more reflects where Ohioans live.

The newly unveiled congressional map proposed in HB479 was criticized roundly by witnesses at Thursday's House Government Oversight Committee. They called it unrepresentative of Ohio's political leanings and said it unnecessarily carves up urban areas to pair them with far flung counties, among other characterizations. Witnesses also decried the process for considering maps, noting testimony for the Thursday's hearing was technically due before the maps were unveiled at Wednesday's hearing.

## **STATE GOVERNMENT**

Gov. Mike DeWine announced the second round of grant funding in the Ohio Broadband, Utilities and Infrastructure for Local Development Success (Ohio BUILDS) program Tuesday, saying that 28 projects will receive nearly \$44 million. This brings the funding to around \$137 million -- out of an eventual \$250 million -- and there are now funded projects benefitting all 88 counties. The first round had \$93 million provided to 54 projects. Third round results will be announced at a later date. Tuesday's second round focused on infrastructure projects for drinking water and wastewater.

The Ohio Department of Commerce's (DOC) Division of Real Estate and Professional Licensing recently awarded nearly \$129,914 in grants to 51 Ohio cemeteries through the FY22 Cemetery Grant Fund. These properties require special care and attention, according to DOC, which each year provides grants to Ohio cemeteries to keep them inviting, safe and clean for visitors.

## **TAXATION**

The Ohio Virtual Tax Academy (OVTA) sponsored by the Ohio Department of Taxation (ODT) will be held Wednesday morning, Nov. 17. Targeted to business owners, tax professionals, and any other interested parties, this online event will include the latest Ohio tax news and provide insights from the frontline experts at ODT. The following three core tax topics will be covered during the course of the three-hour academy: legislative updates, personal and school district income tax updates and electronic channels.

## **TRANSPORTATION/INFRASTRUCTURE**

The Ohio Traffic Safety Council marked its one-year anniversary during a meeting Wednesday, saying that while much has been done over the last year, there is still much work to do. Safety for younger drivers continues to be a priority. The panel was formed last year by Gov. Mike DeWine to look into the state's increase in traffic deaths. Ben Suver, director of law enforcement initiatives at the Ohio Department of Public Safety (ODPS), noted the focus on youthful driver safety, saying research has shown that increased driver training decreases the potential for accidents. The state is looking for ways to address barriers for training for some younger drivers, and has been talking with the Ohio Department of Job and Family Services to help identify populations of teenagers that might struggle with these barriers.

## **UNEMPLOYMENT COMPENSATION**

Questions on unemployment compensation (UC) fraud and responses to it continued for the Auditor of State's Office and Ohio Department of Job and Family Services (ODJFS) Director Matt Damschroder at Thursday's Unemployment Compensation Modernization and Improvement Council (UCMIC) meeting. Chief Deputy Auditor Bob Hinkle testified on the audit of ODJFS focusing on fraud in the UC system. There are "serious concerns and issues" with that system, he said, including its outdated nature, the failure to act early to prevent fraud and lack of necessary controls. The federal government also relaxed verification requirements.

## **UTILITIES**

The Ohio State Bar Association (OSBA) does not plan to support the Office of Ohio Consumers' Counsel's (OCC) call for a special

meeting of the Public Utilities Commission of Ohio (PUCO) Nominating Council to consider reforms to the nomination process. It does not, that is, in the very near future. On Friday, OSBA confirmed a meeting of its Public Utilities Committee on Oct. 22 to consider whether its Nominating

Council designee, Carpenter Lipps & Leland attorney Kim Bojko, should second fellow council member and OCC Governing Board Chairman Michael Watkins' request for a special meeting, which requires at least two votes. "As an organization, the OSBA has not recommended that our representative, Kim Bojko, second the vote for a special Nominating Council meeting," OSBA Chief Communications Officer Maggie Ostrowski told *Hannah News*.

PUCO staff have agreed to a record settlement for \$306 million in "significantly excessive earnings" to be returned to over two million FirstEnergy residential consumers in addition to commercial and institutional customers. Signed by a dozen parties including the Office of Ohio Consumers' Counsel (OCC), the agreement follows an appeal by the agency and a 2020 decision by the Ohio Supreme Court overturning the commission's previous order to shield FirstEnergy profits. The settlement, which still requires commissioners' approval, would begin by refunding \$96 million to all rate classes based on FirstEnergy's 2017-19 significantly excessive earnings tests (SEET). That amounts to \$26.91 for the average residential customer and \$2.68 per megawatt hour (MWh) for other ratepayers. Starting in 2022, the remaining \$210 million would be refunded.

PUCO has set a hearing for Tuesday, Dec. 7 to address the Office of Ohio Consumers' Counsel (OCC) and 10 other intervenors' third bite at AES Corporation's 2009 electric security plan (ESP I) after the company abandoned ESPs II and III. Commissioners call OCC's move to quash AES's proposed rate increase unripe but say its larger push for a rate freeze could be assumed "correct" -- even if the company retains the right to file a new rate case for eventual adoption. AES (formerly DP&L) says OCC's failure to seek a reimplemention of the rate freeze after the utility asked to revive ESP I not once but twice means the agency cannot do so now.

Two retail energy suppliers -- Switch Energy and Gasearch LLC -- will have a final opportunity to explain why they should be able to continue doing business in the state after Ohio's electric utilities and Dominion Energy found they had defaulted on their service agreements to operate in the companies' territories.

PUCO's energy efficiency (EE) workshop series, originally set for this fall, has been rescheduled for next spring. Five EE workshops will solicit stakeholder feedback on the appropriateness of cost-effective energy efficiency programs in managing electric generation costs and their relationship to Ohio's competitive electric and natural gas marketplaces. The full list of EE workshop questions can be found at <https://tinyurl.com/p4j89dj4>.

## **WORKFORCE**

The current labor shortage was a key theme at the recent Ohio Manufacturers' Association (OMA) Workforce Summit, which opened with comments from Lt. Gov. Jon Husted. Ohio is adding jobs across all industry sectors faster than businesses can find people to fill them, he told attendees, and the "great shift" in workforce is due to a range of factors that includes retirements, more parents staying at home and others who have yet to return to work. The state has a "head start" on the problem through existing efforts to "engage the workforce of today and tomorrow" including in early education and ensuring more high school students graduate "career or college ready," Husted continued. Students can be prepared for both outcomes, he added as he also described Ohio's upskilling programs such as TechCred and IMAP.

The Ohio Department of Job and Family Services (ODJFS) reported Friday that 291,049 positions were posted online from Aug. 14 to Sept. 13, as part of the department's regular labor market information.

This is an increase of 4,527 ads from the previous reporting period and 30,361 more than the same period in 2020, ODJFS noted. Further information on this and other periods is available at <https://ohiolmi.com/home/JobPostings>.

Lt. Gov. Jon Husted and Ohio Department of Development (DOD) Director Lydia Mihalik announced Monday the opening for the second Individual Microcredential Assistance Program (IMAP) application round. This second round will close at 3 p.m. on Tuesday, Nov. 30. Ohio offers reimbursement through IMAP and TechCred to support workforce credential education, and Husted told *Hannah News* that IMAP is oriented toward those who are currently under- or unemployed while TechCred is "employer-driven" for upskilling current workers. He also said there is a goal of 20,000 credentials a year between the two programs, though TechCred is more "widely incorporated" now.