

## 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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## 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

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## 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

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## 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

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## 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

10/12/2021 - 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**

4/21/2021 - Referred to Committee Senate Finance

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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

**Friday, Oct. 15, 2021**

## **AGRICULTURE**

Continuing to recover from a pandemic that kept the Ohio State Fair from operating at full capacity over the past two years, the Ohio Expositions Commission Thursday approved an increase to its entertainment budget as it hopes to draw bigger acts to the fair in 2022. In 2019, the last year that the fair operated fully, the commission had budgeted \$2.7 million for entertainment expenses, including \$2 million for acts performing at the Celeste Center. The 2022 budget will raise that to \$2.2 million at the Celeste Center and \$3 million total. The commission also approved its capital budget request to the DeWine administration and the General Assembly, with the first priority remaining renovations and equipment replacement. The request also seeks \$45 million for a new multi-use agricultural building and 4-H youth center; \$15 million for facility modernization and improvements; \$15 million for renovations and improvements to the Bricker Building; and \$12 million for improvement to the campground and pavilion connector.

## **BUSINESS/CORPORATE**

Amazon will open a new fulfillment center in Canton in 2022 and employ 1,000 people there, according to the DeWine administration. The average starting wage will be \$18 an hour and employees will receive "comprehensive health benefits, paid time off [and] up to 20 weeks fully paid parental leave." Canton was chosen for its talented workforce, welcoming community and highly developed customer service logistics, the DeWine administration said. The one-million-square-foot center will be located at 3550 Columbus Rd. NE.

## **CORONAVIRUS**

Speaker Bob Cupp (R-Lima) ordered House Health Committee Chairman Scott Lipps (R-Franklin) to reverse course Thursday on plans to bring stringent restrictions on vaccination mandates up for a committee vote next week. Cupp had tried to push vaccination mandate debates to the side Wednesday, saying lack of consensus on his leadership team's compromise measure, HB435 (Carfagna-Seitz), meant the House would be "moving on" to other topics. However, around mid-day Thursday, Lipps' office put out notice of a committee meeting Tuesday, Oct. 19, including plans for amendments and a vote on HB248, a measure from Rep. Jennifer Gross (R-West Chester) that would institute broader restrictions on vaccination mandates, beyond just those for COVID-19. Several hours later, both Cupp and Lipps sent out a letter the speaker sent to the chairman. "You are hereby directed to immediately cancel the Health Committee currently scheduled for Oct. 19, 2021. Upon receipt of this letter, please notify the members of the committee of the cancellation," Cupp wrote. Lipps complied.

The Thursday activity following a false start Wednesday on moving a vaccination mandate exemption measure forward via action in the House Rules and Reference Committee, following stymied action in the House Health Committee two weeks ago on HB435 (Carfagna-Seitz), the House leadership bill. It then had informal hearings in the House Commerce and Labor Committee last week. However, House Rules and Reference Committee recessed Wednesday before taking any action pending further caucus deliberations. Shortly before Wednesday's House session was to start, Cupp released a statement saying there'd be no action and the House would be "moving on."

Meanwhile, the Ohio Department of Health (ODH) reported that, as of Monday morning, 58,520 people age 12-25 had entered the Ohio Vax-2-School contest, which will award \$10,000 scholarships to 150 winners and \$100,000 scholarships to five winners. The state hopes to expand the eligibility pool to those age 5 and up pending federal approval of the Pfizer vaccine for younger children. Those eligible can enter at [www.ohiovox2school.com](http://www.ohiovox2school.com) or by phone at 1-833-4-ASK-ODH (1-833-427-5634). The deadline to enter and drawing dates are not yet set, and ODH said it and the Ohio Lottery Commission want to allow "as much time as possible" for emergency use authorization to be granted for the Pfizer vaccine in the 5-11 age cohort.

While the spread of COVID-19 is declining in Ohio and across the country, it is "far too early to claim victory" over the coronavirus, Ohio Department of Health (ODH) Director Dr. Bruce Vanderhoff said Thursday. "It appears the Delta surge has, in fact, plateaued. Nevertheless, we continue to see very high numbers of COVID-19 cases and hospitalizations," Vanderhoff said during a virtual press conference, noting Ohio is still reporting thousands more daily cases and hundreds more hospitalizations than mid-October 2020. According to the Ohio Hospital Association (OHA), one in seven of the state's hospitalized patients -- a total of 3,226 individuals -- are infected with COVID-19. One in four intensive care unit (ICU) patients -- a total of 910 individuals -- are positive for COVID-19.

In response to an opinion request by the Ohio Supreme Court, Attorney General Dave Yost said Ohio Supreme Court justices can participate in a state employee COVID-19 vaccine incentive program that pays up to \$1,000 depending on whether the agency the employee works for meets certain thresholds. Gov. Mike DeWine's administration announced last month that in addition to the \$100 that state employees could receive for getting an initial vaccination shot, employees could get an additional \$300 if 65 percent of the agency's workforce is vaccinated, and an additional \$600 if that threshold reaches 85 percent. The threshold must be reached by Monday, Nov. 15.

## **CORRECTIONS**

The former director of the Cuyahoga County Regional Jail was sentenced to nine months in jail on Friday, Oct. 8. Kenneth Mills received the maximum possible penalty for his mismanagement of the facility, Attorney General Dave Yost said. "As a prisoner himself, the defendant will learn what it really means to depend on the public servants charged to manage jails," Yost said. "Prosecutors Matt Meyer, Dan Kasaris and Linda Powers from my office -- aided by investigators with the FBI, Cuyahoga County Sheriff's Department and Cleveland Division of Police -- did a masterful job of navigating the case and fighting to restore justice."

## **DISABILITIES**

The Ohio Developmental Disabilities (DD) Council recently released its annual report, detailing projects from across the state meant to improve the "independence, productivity and inclusion for people with developmental disabilities and their families in community life." The report highlights about 20 grant projects funded by the council that deal with a range of issues experienced by people with developmental disabilities. The report covers several categories, including children and health, leadership development, community living, outreach, communication, public policy, employment, and technology.

## **ECONOMIC DEVELOPMENT**

The Ohio Department of Development (DOD) announced the renewal of the Ohio Manufacturing Extension Partnership (Ohio MEP), in which regional partners provide small- and medium-sized companies with products and services to increase productivity, growth and global competitiveness. The Ohio MEP will receive \$5.9 million per year through 2026 from the National Institute of Standards and Technology (NIST) with state and local matching funds bringing that to a total of over \$70 million.

## **EDUCATION**

State performance data for schools came out Thursday, Oct. 14 without the usual A-F grades, in light of the tumult experienced in the education world last year amid continuation of the COVID-19 pandemic. The release marked a quiet end for the A-F system, an initiative of the Kasich administration that will now give way to a five-star rating system that includes many revisions to measures underlying the report cards. Lawmakers late in 2020 opted against including grades with the annual report cards via 133-HB409 (Koehler), and earlier this year created the new five-star system in HB82 (Cross-Jones). Report cards this year do include information on graduation rates, Prepared for Success indicators and demographic and enrollment data.

At the end of a meeting that lasted more than 12 hours on Wednesday, the State Board of Education (SBOE) voted to repeal the anti-racism resolution it adopted in July 2020 amid protests sparked by the police murder of George Floyd. By a final vote of 10-7, the SBOE adopted a resolution that, among other provisions, repeals the "Resolution to Condemn Racism and to Advance Equity for Black Students, Indigenous Students and Students of Color." Board member Brendan Shea had proposed the repeal resolution last month, but member Martha Manchester Wednesday introduced an alternative draft. Manchester's proposal received a number of revisions during the meeting before ultimately being accepted as an amendment to Shea's original "Resolution to Promote Academic Excellence in K-12 Education for Each Ohio Student without Prejudice or Respect to Race, Ethnicity or Creed."

Interim Superintendent of Education Stephanie Siddens announced the leadership team she has put in place during the Ohio Department of Education's (ODE) leadership transition. Superintendent Paolo DeMaria retired last month -- quickly thereafter announcing a new post with the National Association of State Boards of Education -- and Siddens won board approval to lead on an interim basis after Deputy Superintendent John Richard also left the agency. The new team includes Chris Woolard, who had been senior executive director of the Center for Performance and Impact, as interim chief program officer. Beth Fletcher, the chief information officer, is interim chief operations officer. Jessica Horowitz Moore is serving as interim senior executive director of the Center for Student Supports, the job Siddens held before moving up to interim superintendent. Aly DeAngelo is interim senior executive director of the Center for Performance and Impact.

The House Wednesday voted unanimously to invalidate rule 3301-35-04 from ODE, which would remove requirements for schools to offer instruction in a variety of subjects, including foreign language. The Joint Committee on Agency Rule Review (JCARR) had voted to recommend invalidating the rule Tuesday, prompting introduction and passage Wednesday of HCR35. The Senate will now have five session days to take up the resolution.

The SBOE Teaching, Leading and Learning (TLL) Committee spent part of its monthly meeting Tuesday highlighting a program that aims to create an educator pipeline and that some members said could help combat a growing teacher shortage in the state, though Board member Diana Fessler objected to the committee's "promoting" the organization and spending what she called too much time discussing the work of a nonprofit organization.

The SBOE Emerging Issues and Operational Standards Committee got an update Tuesday on a new educational program created in the latest state budget, HB110 (Oelslager), to help families mitigate some of the learning losses children experienced during the COVID-19 pandemic. Sue Cosmo, director of ODE's Office of Nonpublic Educational Options, said the new Afterschool Child Enrichment (ACE) accounts are supported by federal funding and allow parents to use these savings accounts for before- or after-school educational programs, such as language classes or tutoring. Homeschool families will be able to use the funding to purchase curriculum as well as educational programs, though they are the only group that will be able to use the funds for curriculum materials, she said.

## **ELECTIONS 2021**

Secretary of State Frank LaRose Wednesday called on more Ohioans to serve as poll workers in the Nov. 2 General Election, noting that only four of the 88 counties have met their recruitment goals so far. The secretary of state's office said that with 20 days until the

election, more than 27,000 Ohioans have signed up to serve as a poll worker. This includes 12,456 Democratic poll workers and 11,592 Republicans. A review of all county data shows Ohio remains 17,393 poll workers short of the goal of recruiting 42,204 poll workers. The greatest need is in the most populous counties, with Franklin, Cuyahoga, and Hamilton County still needing thousands of poll workers to meet their goal, while 30 other counties remain in need of hundreds. The goal for each county is 125 percent of the minimum number of trained workers required for each county as determined by their county board of elections.

## **ELECTIONS 2022**

Republican Bernie Moreno's campaign announced he raised \$3.7 million for his U.S. Senate campaign in the third quarter of the year and now has nearly \$5 million on hand. The campaign said he has rejected PAC money from corporations, and is calling on the other candidates to follow suit. Republican J.D. Vance's campaign said he has raised \$1.75 million in the third quarter, his first as a candidate. A portion of the total was raised during the exploratory phase of the campaign, including a personal loan from Vance of \$100,000. Vance's campaign said the total includes donations from 7,577 unique donors and contributions came from 86 of 88 counties.

The following endorsements were made over the week:

- The U.S. Senate campaign of Tim Ryan announced the endorsements of the United Food and Commercial Workers (UFCW) and U.S. Sen. Sherrod Brown (D-OH).

## **EMPLOYMENT/UNEMPLOYMENT**

The national unemployment rate dropped 0.4 percentage points in September to 4.8 percent as nonfarm payroll employment rose by 194,000, lower than the monthly average of 561,000 this year. The U.S. Bureau of Labor Statistics (BLS) said the number of unemployed persons fell by 710,000 to 7.7 million. Both the unemployment rate and the number of unemployed persons are significantly down from the February through April 2020 recession caused by the COVID-19 pandemic, but are higher than before the pandemic started when the unemployment rate was 3.5 percent and the number of unemployed persons was 5.7 million.

## **FEDERAL**

The Social Security Administration announced Wednesday that Social Security and Supplemental Security Income (SSI) benefits for approximately 70 million Americans will increase 5.9 percent in 2022. The 5.9 percent cost-of-living adjustment (COLA) will begin with benefits payable to more than 64 million Social Security beneficiaries in January 2022. Increased payments to approximately 8 million SSI beneficiaries will begin on Dec. 30, 2021. Some people receive both Social Security and SSI benefits. The Social Security Act ties the annual COLA to the increase in the Consumer Price Index as determined by the Department of Labor's Bureau of Labor Statistics.

## **GENERAL ASSEMBLY/STATEHOUSE**

The Ohio Facilities Construction Commission would run a program to help counties build new jail facilities in a similar way to how it supports local school construction under HB101 that passed the House overwhelmingly Wednesday. Rep. Jay Edwards (R-Nelsonville) said he and joint sponsor Rep. Jason Stephens (R-Kitts Hill) introduced the bill to deal with issues in their Southeast Ohio districts, such as the closing of the Meigs County jail, but they quickly realized it was a common problem across the state. They said the bill includes no funding as of now, but they hope to enact the program in anticipation of the upcoming capital budget. The legislation passed 93-2.

Also passing Wednesday was HB178 (A. Miller-Schmidt), which will regulate the pressure in water features at pools and water parks. The legislation is dubbed Makenna's law, after a girl who was severely injured to the point of requiring surgery because of extremely high pressure at a water park feature. It passed 86-8.

Democrats voted Wednesday to seat Latyna Humphrey as the new 26th District representative, replacing Rep. Erica Crawley, who was appointed a Franklin County commissioner.

The House State and Local Government Committee again discussed occupational licensure requirements Wednesday, hearing remarks from the Ohio Attorney General's Office, Ohio Department of Insurance (ODI), two state boards and the Common Sense Initiative (CSI).

Four members of the House Democratic Caucus -- Reps. Kristin Boggs (D-Columbus), Tavia Galonski (D-Akron), Jessica Miranda (D-Forest Park) and Allison Russo (D-Upper Arlington) -- gathered with victims of sexual abuse and other advocates Thursday to call on the majority to take up their proposals to extend statutes of limitations for prosecuting rape and lift limits on damages survivors can be awarded. Specifically, they urged action on HB199 (Boggs-Russo), which would remove the cap on damages for non-economic loss for victims of rape or assault, and HB266 (Galonski-Miranda), which would eliminate the statute of limitations for prosecuting rape; extend the timeframe childhood victims have to bring civil lawsuits; and eliminate the spousal exception for rape offenses.

Reps. Sharon Ray (R-Wadsworth), Paula Hicks-Hudson (D-Toledo), and Phil Robinson (D-Solon) were selected to attend the recent Bowhay Institute for Legislative Leadership Development (BILLD), the institute's 26th annual training program. Participants were selected through a competitive, nonpartisan process.

In other legislative action, the House Transportation and Public Safety Committee reported out HB393 (Click) and HB395 (Powell), highway naming bills; the House Infrastructure and Rural Development Committee reported out HB101 (Stephens-Edwards) which addresses jail construction; and HCR 31 (Stephens) which urges extending I-73 and I-74 into Ohio; and the House Families, Aging and



Human Services Committee reported out HB254 (Boggs-Abrams) which establishes domestic violence fatality review boards.

## **GREAT LAKES**

While most public officials and other interested parties generally understand the goal of reducing phosphorus loading in Lake Erie by 40 percent to address harmful algal blooms, scientists need to be more consistent in explaining exactly what that means, according to Ohio Sea Grant Director Chris Winslow. "Forty percent relative to what? It is relative to 2008. But what we need to start -- in my opinion -- communicating more is the actual numbers," Winslow said during a virtual Lake Erie workshop hosted by Ohio State University. "Basically, what this means, is we want a total phosphorus load of 860 metric tons, and a dissolved reactive phosphorous (DRP) load of 186 [metric tons]. Those are our numbers. Those numbers are a 40 percent reduction relative to what happened in 2008," Winslow said.

Ohio Sea Grant Extension educator Nicole Wright received one of 10 mini-grants from the North American Association for Environmental Education (NAAEE) and National Oceanic and Atmospheric Administration (NOAA) to support programming that teaches Ohioans about aquaculture opportunities. Wright will lead the creation of "The Story of Yellow Perch: Understanding Ohio's Wild and Farmed Fisheries," according to Ohio Sea Grant. Wright's partners on the project include the Ohio Aquaculture Association, Aquatic Visitors Center at Ohio State University's Stone Lab, Lake Erie Nature and Science Center and Sea Grant's Great Lakes Aquaculture Collaborative.

## **GUNS**

The House Government Oversight Committee received roughly 100 submissions of testimony against a bill that would allow for permitless concealed carry of a firearm in the state, with many individuals appearing in person. Thursday's hearing on HB227 (Brinkman-Jordan) also featured proponent testimony from a handful of gun advocacy groups. Micaela Deming, policy director and staff attorney with the Ohio Domestic Violence Network (ODVN), said the legislation could be particularly harmful for victims of domestic violence and noted the results of ODVN's sixth annual count of domestic violence fatalities in the state.

## **HEALTH AND HUMAN SERVICES**

The Ohio Association of Health Plans announced at its recent annual convention in Columbus that Anthem Blue Cross Blue Shield and CareSource had received its Pinnacle Award for 2021, recognizing innovative approaches to addressing challenges in health care.

## **HIGHER EDUCATION**

Ohio Wesleyan University (OWU) has wrapped its seven-year, \$238 million "Connect Today, Create Tomorrow" fundraising campaign. The campaign launched in 2014 with a goal of raising \$200 million. The university said the fundraiser was the most successful campaign in OWU history.

Kent State University has publicly launched a \$350 million comprehensive fundraising campaign. The "Forever Brighter" campaign focuses on three areas: prioritizing student success, expanding university initiatives and building the future. Of the campaign's total goal, \$100 million is being raised to fund scholarships and success programs for students with more than \$85 million raised so far. Overall, Forever Brighter has raised 78 percent, or \$272 million, of the total campaign goal during the quiet phase of the campaign.

The Ohio Department of Higher Education (ODHE) this week launched the Second Chance Grant pilot program, an effort to help Ohioans who have some post-secondary education but no degree to complete a degree or credential. The program was proposed under SB135 (Cirino) and had \$3 million appropriated toward it in HB110 (Oelslager), the biennial budget. The funds will be utilized in the form of \$2,000 grants to eligible students who are re-enrolling at a qualifying institution in order to obtain a degree or credential. ODHE said as many as 1.5 million Ohioans have completed some college coursework but have not achieved a credential or college degree.

ODHE Wednesday released a statewide plan for preventing hazing at colleges and universities spurred by SB126 (Kunze-Gavarone), otherwise known as Collin's Law. The plan includes a model anti-hazing policy as well as guidelines for various college and university stakeholders to use in developing and implementing anti-hazing education and training programs, the department said. The legislation, signed by Gov. Mike DeWine in July this year, makes hazing a felony.

Ohio University's (OU) Board of Trustees recently passed a resolution to rename the home of the Gladys W. and David H. Patton College of Education from its current name, McCracken Hall, to Gladys W. and David H. Patton Hall. The Patton College was named in honor of Dr. Violet L. Patton, BSED '38, and her philanthropic commitments to the college. Violet Patton, who celebrated her 105th birthday on Aug. 30, committed \$13.3 million in 2010 to establish the Violet L. Patton Center for Arts Education, and an additional \$28 million to honor her parents, Gladys W. and David H. Patton, with the naming of the college. She committed an additional \$22 million in 2019 to support the capital projects.

The U.S. Department of Health and Human Services' Substance Abuse and Mental Health Services Administration (SAMHSA) awarded a five-year, \$625,000 grant to a partnership between the Mental Health and Recovery Board of Portage County and Kent State University's Center for Public Policy and Health in the College of Public Health to improve and support mental health in Portage County. Kent State said the primary goals of the project are to provide mental health awareness trainings to teachers, administrators and staff in Portage County schools, create resource guides and referral mechanisms, and implement mental health stigma reduction campaigns. The project will also provide free trainings to community agencies and members annually.

The rate of obesity in Ohio has risen sharply over the past several years for both adults and high school age children, though the rate

of obesity remains stable among some young children. Data compiled by the State of Childhood Obesity, a project of the Robert Wood Johnson Foundation, show that the obesity rate in 2019 in Ohio for high school students was 16.8 percent, the 12th highest in the country. The figure represents an increase of more than 3 percentage points from just six years earlier when, in 2013, the obesity rate for high school students was 13 percent. Over 20 years ago in 1999, the obesity rate for Ohio high school students was 10.4 percent.

## **JUDICIAL**

Eighth District Court of Appeals Judge Larry Jones passed away unexpectedly on Thursday, Oct. 7, according to the court. Jones joined the court in January 2009 after serving on the Cleveland Municipal Court for 21 years -- 14 of which he was the administrative judge. While on the Cleveland Municipal Court, Jones spearheaded the Greater Cleveland Drug Court. Judge Jones's time on the bench was preceded by a lengthy career in public service as an assistant Cuyahoga County prosecutor and Cleveland councilman.

Lawyers' right to adopt an easily remembered or descriptive trade name in Ohio is not so expansive as to allow a firm to become a business franchisee of a national corporation with no shared affiliation in the actual practice of law. That is the nonbinding opinion of the Ohio Board of Professional Conduct, which points out that Rule 5.4(b) of the Rules of Professional Conduct prohibits a law firm from forming a partnership with non-lawyers, including the ownership or management of a franchising corporation. "An Ohio lawyer is not permitted to practice under the trade name because the relationship between the franchiser and the lawyer includes the practice of law," the board says in Advisory Opinion 2021-10.

The board has released two additional advisory opinions: Opinion 2021-8 states: "Subject to certain ethical limitations, a specialized docket court judge may participate in a not-for-profit documentary film that includes the filming of courtroom proceedings and interviews of the judge and court personnel" while Opinion 2021-9 states: "A lawyer or law firm may employ a disqualified or suspended lawyer provided the lawyer does not practice law and is closely supervised by a licensed lawyer, and both the disqualified-suspended lawyer and the supervising lawyer/law firm otherwise comply with Rule V.(23) of the Rules for the Government of the Bar of Ohio."

The Ohio Supreme Court has once again lifted regular limits on self-study coursework to meet the biannual continuing legal education (CLE) requirement for members of the bar, citing continuing concerns over COVID-19. The Court already had lifted the CLE self-study cap for jurists with last names beginning A-L, whose compliance period ends Dec. 31, 2021, and is now providing a waiver for next year's requirement.

## **LOBBYISTS**

NFIB Ohio announced that Anthony Lagunzad has joined the organization as its grassroots manager, where he will primarily focus on building upon member involvement in programs throughout Ohio, including 20 local area action councils. Lagunzad most recently served as director of the Ohio Chamber of Commerce's political and grassroots programs. He also worked in public affairs for a national HVAC trade association.

## **MARIJUANA/HEMP**

Reps. Jamie Callender (R-Concord) and Ron Ferguson (R-Wintersville) are embracing the challenge of persuading their fellow Republicans that marijuana should be legalized for adults aged 21 and older.

"This, to my knowledge, is the first majority party sponsored legislation for adult use. That does not mean leadership is on board. The leadership in both chambers has expressed their skepticism, we'll say, in a polite way. But they're giving us the chance to explain and advocate as to why this is the right policy, and why it's right to do it now," Callender said during a Statehouse press conference. Callender said many people are underestimating how many Republican lawmakers support marijuana legalization.

## **MEDICAID/MEDICAID REFORM**

A Franklin County judge recently rejected Paramount Advantage's request for delay in its litigation over new managed care contracts, meaning a trial will go forward Tuesday. Paramount, the Northwest Ohio health insurer that sued after failing to win a new Medicaid managed care contract from the DeWine administration, had asked Common Pleas Judge Julie Lynch to delay next week's trial on the dispute, saying the two-day hearing schedule is not long enough to fully delve into the complex case. The Ohio Department of Medicaid (ODM) opposed the request, saying the request showed Paramount seeks "to continue endlessly fishing for facts that simply do not exist." Lynch scheduled a status conference on the case earlier this week to consider the delay motion, then ruled against it, her office confirmed.

## **NATURAL RESOURCES**

The Ohio Department of Natural Resources (ODNR) has broken ground on the Tipp City Off-Channel Wetland project. The 18.3-acre project is located where the Great Miami River meets Honey Creek in Tipp City. The area includes wetlands and a 9.5-acre basin, which will act as a natural filtration system for pollutants. Off-channel wetlands provide nutrient-reduction benefits to the nearby river, and slow the flow of water during heavy rains or flooding. Additionally, the project will restore habitat.

Hunters in Ohio will be limited to harvesting one bearded (male) wild turkey during the Spring 2022 season, according to ODNR. The Ohio Wildlife Council voted to limit the number to one bird during its meeting this week, ODNR said. In previous years, the season limit was two birds.

The ODNR Division of Natural Areas and Preserves is expanding Springville Marsh State Nature Preserve to conserve a historic wetland. The 66-acre acquisition will add to the preserve that is already the best remaining remnant of Big Spring Prairie, according to ODNR. This 267-acre wetland nature preserve protects 26 state rare species such as green star sedge, northern adder's-tongue fern, few-flowered spike-rush, tower mustard, shining ladies'-tresses orchid, and Virginia rail. The preserve also has some of the last examples of twig-rush wet meadow in Ohio.

## **PENSIONS**

An investment expert paid by the Ohio Retirement Study Council to evaluate performance by Ohio's public pension funds said the state retirement systems did a good job of capturing the higher earnings in today's market, but also remarked on the general downward trend among U.S. institutional investors in their long-term investment expectations. First-half returns for 2021 ranged from about 8.8 percent to about 11.5 percent for the Ohio plans, amid an economic expansion driven by economic stimulus, monetary policy and reopening of the economy after the COVID shutdowns, said Jim Voytko of RVK, the investment consultant.

## **PEOPLE**

Ohio Right to Life said Monday that Allie Fraizer, its communications director since 2019, is leaving to become executive director of Right to Life of Northeast Ohio. Frazier previously was a Students for Life Wilberforce Fellow and founded Columbus State Students for Life, among other experience.

Paul Greff, chief investment officer (CIO) of the Ohio Public Employees Retirement System (OPERS), is a finalist for the CIO Innovation Award by an investment industry online publication. Greff was selected by *Chief Investment Officer* as a finalist for the award for a public defined benefit plan with \$100 billion or more in assets. The publication annually recognizes creative industry leaders who have exceeded expectations under their mantles of responsibility, remained dominant players in their niches and created powerful teams, as nominated by their peers. It will announce this CIO award on Dec. 7 in New York at its Influential Investors Forum.

Newly announced Ohio State Bar Foundation (OSBF) awards recognize five Ohioans for volunteer service both in and outside the legal profession, including Van Wert County Municipal Court Magistrate Molli Schleucher. The Community Service Award for Attorneys 40 and Under honors attorneys working to make a difference outside of their practice area and without compensation. Other OSBA awards went to the following: Ritter Award to John "Jack" Stith, Porter Wright, Cincinnati; Ramey Award for Distinguished Community Service to Sanford Watson, Tucker Ellis, Cleveland; Outstanding Program or Organization Award to the Diversity Center of Northeast Ohio, Cleveland; and the John and Ginny Elam Pro Bono Award to Duriya Dhinojwala, Akron.

## **POLLS/STUDIES**

A new Quinnipiac poll released this week gives President Joe Biden the lowest approval rating of his presidency, with 38 percent approving of his job performance and 53 percent disapproving. The poll comes after Biden has faced criticism over the U.S. withdrawal from Afghanistan, the Delta variant of COVID-19 causing a more than two-month spike in cases and deaths, and Democrats in Congress struggling to pass Biden's agenda. "Battered on trust, doubted on leadership, and challenged on overall competency, President Biden is being hammered on all sides as his approval rating continues its downward slide to a number not seen since the tough scrutiny of the Trump administration," said Quinnipiac University Polling Analyst Tim Malloy.

## **REDISTRICTING/REAPPORTIONMENT**

Secretary of State Frank LaRose, a member of the Ohio Redistricting Commission, Friday rejected a call for the commission to start holding hearings around the state and instead asked the commission co-chairs to call a meeting so they can begin hammering out a 10-year congressional map. The task of trying to draw a bipartisan map has fallen to the commission after the General Assembly failed to meet a Sept. 30 deadline to pass its own congressional map. The commission has until Sunday, Oct. 31 to try to reach a deal on a 10-year map, otherwise the task returns to the General Assembly, which can adopt a four-year map with a simple majority.

## **STATE GOVERNMENT**

The Office of Inspector General (IG) Randall Meyer recently issued its findings in an investigation that examined whether the state's managed service provider and its subcontractors followed state procurement policies, issuing 11 findings and 42 recommendations. Overall, the IG found that the provider, Knowledge Services (KS) acted in accordance of the provisions of its contract and state procurement policies, but also found that the Ohio Department of Administrative Services (DAS) often took the word of KS on compliance rather than directly monitoring compliance itself. Additionally, the IG also found KS often relied upon its providers to ensure compliance with the applicable terms and conditions of the contract.

## **TAXATION**

Two lawmakers gave sponsor testimony Tuesday to the House Ways and Means Committee on a bill that would repeal the Commercial Activity Tax (CAT), saying the tax harms businesses. Reps. Jennifer Gross (R-West Chester) and Riordan McClain (R-Upper Sandusky) -- the son of Ohio Tax Commissioner Jeff McClain -- spoke on their HB234, with Gross noting that Ohio is one of only nine states with a statewide gross receipts tax. She said the bill will reduce the CAT over a course of five years, with a 20 percent reduction each year until it is completely repealed. She called the CAT a "pyramiding tax" that raises the price of goods at every stage of their production, forcing Ohio consumers to pay artificially high prices at checkout.

## **TECHNOLOGY/AEROSPACE**

The House Technology and Innovation Committee Wednesday focused on the topic of what innovation looks like in Ohio. Witnesses included Ohio Department of Development (DOD) Director Lydia Mihalik and JobsOhio CEO J.P. Nauseef, along with leaders of the three current innovation districts in Ohio. Rene Anand, CEO of Neurxstem Inc., also offered technical details on the efforts of his medical company regarding the opioid crisis, PTSD, Alzheimer's and Autism.

### **TRANSPORTATION/INFRASTRUCTURE**

Gov. Mike DeWine, AAA, the Ohio Turnpike, the Ohio Department of Transportation (ODOT), the Ohio State Highway Patrol, and The Risk Institute are recognizing Move-Over Day, Saturday, Oct. 16, by reminding Ohio drivers to move over and slow down for any vehicle with flashing lights parked on the roadside. The groups will use social media and ODOT will use more than 130 digital message boards to remind drivers about the state's Move Over law, ODOT said. This effort is part of a larger multi-agency campaign that includes social media messaging every Monday with the hashtags #MoveOverMonday and #MoveOverOhio.

Lt. Gov. Jon Husted and Bureau of Motor Vehicles (BMV) Registrar Charlie Norman Wednesday announced the pilot launch of new self-service kiosks to help Ohioans renew vehicle registrations, as nine kiosks will be located throughout the state. "InnovateOhio's goal is to change the culture of state government so that every service is designed with the customer in mind," said Husted, who serves as director of InnovateOhio and has long expressed a goal of reducing Ohioans' need to visit the BMV. Some of the "BMV Express" kiosks will be available 24 hours, and users can instantly print a registration card and validation stickers. The BMV also plans to expand the program after gathering data.

### **UNEMPLOYMENT COMPENSATION**

For the week ending Oct. 9, the Ohio Department of Job and Family Services (ODJFS) reported 9,851 initial traditional unemployment claims to the U.S. Department of Labor (DOL). That number is higher than the previous week's total of 9,222 claims, but below the eight-week average of 10,803 claims.

Ohioans filed 50,733 continued traditional unemployment claims from Oct. 3-9, up from 49,320 from Sept. 26-Oct. 2. The total number of claims filed from Oct. 3-9 was 60,584, up from a total of 58,542.

### **UTILITIES**

The Office of Ohio Consumers' Counsel's (OCC) latest victory is important more as a win for utility refunds -- a major policy scrum in Ohio -- than for total dollars that could be returned to consumers under the Ohio Supreme Court's recent decision upholding the agency. The Public Utilities Commission of Ohio (PUCO) has made Suburban Natural Gas Co.'s customer charge refundable as of the Sept. 21, 2021 ruling and ordered OCC and Suburban to address which part of its 4.9-mile pipeline extension is indeed "used and useful" -- the statutory standard for all utility charges under R.C. 4909.15(A)(1). The Court pointed out last month that PUCO can only apply the law, not make it, and faulted the commission for applying a "prudency" test rather than the used-and-useful standard for the new gas pipeline.

### **WORKFORCE**

Lt. Gov. Jon Husted announced Tuesday that the August round of the TechCred program -- the 10th since it was launched in 2019 -- had led to funding approval for 267 employers and 2,400 tech credentials. This included 109 employers that are participating in the reimbursement program for the first time. This brings program totals to 1,525 employers and 29,272 credentials. The 11th application round is already underway through Friday, Oct. 29.