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Emergency Management Association of Ohio

Legislative Update

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- HB33** **FY24-25 OPERATING BUDGET (EDWARDS J)** To make operating appropriations for the biennium beginning July 1, 2023, and ending June 30, 2025, to levy taxes, and to provide authorization and conditions for the operation of state programs.
Current Status: 7/3/2023 - **SIGNED BY GOVERNOR**; eff. immediately
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-HB-33>
- HB77** **DRONE LAWS (WILLIS B)** To establish requirements and prohibitions governing the operation of unmanned aerial vehicles in Ohio.
Current Status: 5/9/2023 - House Aviation and Aerospace, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-HB-77>
- HB94** **RETIREMENT SERVICE CREDIT (CLICK G, WILLIS B)** Regarding transfers or purchases of certain retirement service credit.
Current Status: 10/3/2023 - House Pensions, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-HB-94>
- HB149** **DRONE REQUIREMENTS (WILLIS B)** To establish requirements related to the use of an uncrewed aerial vehicle for surveillance.
Current Status: 4/18/2023 - Referred to Committee House Aviation and Aerospace
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-HB-149>
- HB266** **EVACUATION PLANS FOR STUDENTS WITH DISABILITIES (WIGGAM S)** To require school districts and schools to update emergency management plans to include evacuation procedures for individuals with disabilities and to amend the version of section 3314.03 of the Revised Code that is scheduled to take effect January 1, 2025, to continue the changes on and after that effective date.
Current Status: 9/26/2023 - Referred to Committee House Primary and Secondary Education
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-HB-266>
- SB50** **911 SERVICE LAW CHANGES (WILSON S, SMITH K)** To make changes to the law governing 9-1-1 service and to repeal program requirements for emergency-service-telecommunicator training.
Current Status: 6/6/2023 - **REPORTED OUT**, Senate Financial Institutions



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and Technology, (Eighth Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA135-SB-50>

Friday, Oct. 13, 2023

AGING

The Ohio Association of Area Agencies on Aging (o4a) announced CEO Larke Recchie plans to retire next year after 17 years at the helm. Recchie is scheduled to retire at the beginning of 2024 but will remain involved through the transition to new leadership, the association said.

ARTS, SPORTS AND ENTERTAINMENT

The Western & Southern Open will continue to be held at the Lindner Family Tennis Center in Mason for at least the next 25 years, Beemok Capital founder Benjamin Navarro, Rep. Adam Mathews (R-Lebanon) and Sen. Steve Wilson (R-Maineville) announced Tuesday. Founded in 1899, the tournament is the nation's longest-running professional tennis tournament played in its city of origin. The event is an Association of Tennis Professionals (ATP) Masters 1,000 and a Women's Tennis Association (WTA) 1,000 tournament. It's one of the world's nine largest tournaments where both men and women compete at the same time.

ATTORNEY GENERAL

Attorney General (AG) Dave Yost says his primary duty is not to government agencies or officers but to Ohioans as his "true client." Yost argues that he is entitled to decide the state's legal position in the State Board of Education dispute with "one voice," even if it means dismissing board members opposing Gov. Mike DeWine's new Department of Education and Workforce (DEW) as purported plaintiffs. In a brief filed late Thursday in the Franklin County Common Pleas Court, Yost says attorneys general are in a unique position to represent opposing government parties in the same dispute -- including the Ohio governor and state board members -- without violating an attorney's legal and ethical duties. He was responding to the formal question framed by Judge Karen Phipps Wednesday, namely whether the Ohio Attorney General's Office should be disqualified from representing either party in board members' complaint against the governor. "Nonetheless, out of an abundance of caution and to eliminate distraction, the attorney general has appointed outside special counsel to represent defendants in this matter going forward," he says, referring DeWine's legal position in the DEW/State Board dispute to private attorneys.



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In addition, the chief counsel and ethics officer for the AG's office, Bridget Coontz, is no longer allowed to represent anyone in litigation over changes to the powers and duties of the State Board of Education (SBOE), Phipps ruled. As Phipps' order notes, Coontz had described to the court how Yost's office addresses conflicts of interest when representing state clients who are at odds, noting the process of setting up an "ethics screen" between lawyers to restrict communications and maintain digital security of files. In a brief on the attorney general's bid to substitute as counsel for board members, Coontz told the court she had already set up such an ethics screen. However, a few days later, Phipps' staff attorney was inadvertently copied on an email Coontz sent to Julie Pfeiffer, an attorney in Yost's office representing the state. "Coontz asserted that implementing the screen she described in the reply she filed on Sept. 29, 2023 did not become necessary because she determined that a conflict of interest did not exist. The court strongly disagrees," Phipps wrote.

BALLOT ISSUES

The Senate Wednesday took an official position on reproductive and abortion rights amendment Issue 1 and recreational marijuana legalization initiated statute Issue 2, voting along party lines to adopt motions that oppose both issues. The vote on the two measures, SR215 (Roegner-Reynolds) and SR216 (Romanchuk-Johnson), came on the same day Ohioans began casting early votes on the statewide issues that will be on the Tuesday, Nov. 7, ballot. Sen. Kristina Roegner (R-Hudson), a sponsor of SR215, said Issue 1 is "extreme, nefarious, misleading and dangerous." She said the proposed constitutional amendment would harm women and eliminate many of the health and safety protections in Ohio's laws. She was joined by Sen. Michele Reynolds (R-Canal Winchester), who noted that despite only accounting for 13.3 percent of Ohio's population, Black people accounted for 48.4 percent of abortions in Ohio in 2022. She argued that the "predatory industry" of abortion was capitalizing on her community's insecurities and vulnerabilities. The resolution passed 22-7, with all Republicans voting for it and all Democrats voting against it.

SR216, opposing Issue 2, passed along the same party lines. Sen. Niraj Antani (R-Miamisburg) had moved to table the resolution, which failed, but he voted for the resolution later. Sen. Mark Romanchuk (R-Ontario), a primary sponsor of the resolution, said it outlines the "many dangers and costs if Ohio legalizes recreational marijuana. There are many problems with the language of the proposed statute," Romanchuk said. He said that many other states have experienced issues since legalizing marijuana such as increased crime, more traffic and workplace accidents, and emergency visits for children. Senate President Matt Huffman (R-Lima) also took to the floor to speak in favor of SR216 and in opposition to Issue 2. He said Ohio is going to pay "for years and years and years," if Issue 2 passes, "and it's only going to get worse." Huffman also said if the issue



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passes, there will be parts of it that will be back before the Legislature to look at, such as allowing convicted drug dealers to get preference for licenses.

Earlier during an Issue 2 forum hosted by Otterbein University and moderated by Spectrum News 1 anchor Curtis Jackson, Romanchuk had said that Issue 2's proposed 10 percent excise tax on adult use marijuana is "very low. Ten percent is a very, very low tax rate, especially when you consider Illinois and the state of Washington have something like a 30 percent rate. We even charge casinos a 33 percent tax rate. So 10 percent is very, very low -- and a bit of a ripoff, frankly. There will be no economic impact." Others participating in the forum were Coalition to Regulate Marijuana Like Alcohol (CRMLA) spokesperson Tom Haren, Rep. Casey Weinstein (D-Akron), Parents Opposed to Pot spokesperson Corinne LaMarca, Spectrum News 1 reporter Samana Sheikh and *Columbus Dispatch* reporters Anna Staver and Haley BeMiller.

The Ohio Debate Commission (ODC) Friday announced an "Ohio Decides: Issue 1 Forum" to feature both sides of November's proposed constitutional amendment on reproductive and abortion rights. The in-person, one-hour forum will include a backgrounder on Issue 1 and a moderated discussion with journalists and representatives from the "yes" and "no" campaigns. Organized by ODC in partnership with Spectrum News, the *Columbus Dispatch* and the *Cincinnati Enquirer*, the in-studio program was recorded live-to-tape on Wednesday, Oct. 11 and is available for broadcast on Sunday, Oct. 15. ODC also will share the released production on its YouTube channel from which anyone can view, share, embed, or link to the program.

Gov. Mike DeWine and First Lady Fran DeWine are appearing in a new ad launched Wednesday by Issue 1 opposition group Protect Women Ohio. The ad, titled "Studied," is part of a multi-million dollar buy by the group and will run on broadcast television statewide and on digital platforms. "Issue 1 would allow an abortion at any time during a pregnancy, and it would deny parents the right to be involved when their daughter is making the most important decision of her life," Fran DeWine says in the new ad. Gov. DeWine continues, "I know Ohioans are divided on the issue of abortion. But whether you're pro-life or pro-choice, Issue 1 is just not right for Ohio." Ohioans United for Reproductive Rights, the pro-Issue 1 group, released a statement arguing that the statements made by the DeWines are false and have been fact-checked by numerous independent sources and legal experts.

The Ohio Ballot Board voted unanimously Thursday to approve the redistricting constitutional amendment as one issue. Once the Ohio Attorney General's Office files a verified copy of the proposed constitutional amendment and summary and its Oct. 2 certification with the Ohio Secretary of State's Office, petitioners will be able to start collecting the required 413,487 valid signatures of registered voters by Wednesday, July 3, 2024.



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CHILDREN/FAMILIES

Rep. Steve Demetriou (R-Chagrin Falls) unveiled his HB295, dubbed the “Innocence Act,” at a Wednesday news conference at the Statehouse. He said HB295 is modeled after bills in Louisiana, Utah and other states that aim to protect children from pornographic content online. The bill would specifically force pornographic websites to verify a user's age as at least 18 years old through "the use of a commercial age verification system ... or public or private transactional data." HB295 also targets producers of pornographic deepfake videos that superimpose a person's image over a pornographic scene. The bill makes hosting such videos online a felony, and it also allows for the person whose image was used in the deepfake images to bring a lawsuit against the host website.

There were 112 domestic violence fatalities in the year ending June 30, 2023, including 22 youths, according to the Ohio Domestic Violence Network's (ODVN's) latest count. The number of deaths of adults and young people is unchanged from last year's report. The 2023 count also tied 2022 for the highest number of youth fatalities since the group began counting fatalities from domestic violence. The 2023 report counts domestic violence related deaths from July 1, 2022 to June 30, 2023. The latest report, which is the group's eighth, found 112 fatalities across 82 cases. This included 78 deceased victims and 34 deceased perpetrators. Fifty-two of the fatalities were female and 60 were male, marking the first time since ODVN began counting that male deaths have exceeded female deaths. The report "shows a pattern of continuous, unceasing violence -- with guns the weapon of choice in most cases," ODVN said. The number of family annihilation cases doubled over 2021. There were 13 murder suicides, six multiple murder suicides and at least three attempted murder suicides.

CORONAVIRUS/MONKEYPOX

The Ohio Department of Health (ODH) Thursday reported 4,997 new COVID-19 cases during the past seven days, continuing a four-week trend of declining case numbers. It is the first update where new cases were below 5,000 since Aug. 17. The Oct. 5 update had 6,380 cases. Other weekly figures ODH reported Thursday included 155 hospitalizations, down from 221 on Oct. 5; five ICU admissions, down from 10; and 33 deaths, down from 44. Since the pandemic began, ODH has reported 3.53 million cases, 143,406 hospitalizations, 15,393 ICU admissions and 42,541 deaths in the state.

The U.S. Centers for Disease Control and Prevention (CDC) recently announced it is no longer distributing COVID-19 vaccination cards and does not maintain vaccine records. It recommended contacting the state health department's immunization information system (IIS). A state IIS can't issue a vaccination card but can provide a digital or paper copy of the full vaccination record, including COVID-19 vaccinations.



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CRIME AND PUNISHMENT

Tackling the twin evils of drug and human trafficking, the Fraternal Order of Police (FOP) told House members Wednesday that Mexican cartels are now operating in every county in the state. The Ohio Prosecuting Attorneys Association (OPAA) said fed-up voters are ready to oust soft-on-crime prosecutors for tougher ones, even if it means stiff sentences and growing prison populations. FOP of Ohio Immediate Past President/Marion Police Chief Jay McDonald and Jefferson County Prosecutor/OPAA spokesperson Jane Hanlin voiced enthusiastic support for the new felony human trafficking offense and increased drug trafficking penalties of HB230 (Abrams-Swearingen) in testimony before the House Homeland Security Committee. They both said the legislation is needed to hold traffickers accountable and deter the fentanyl scourge and indentured servitude in Ohio.

DEATH PENALTY

It's time to abolish the death penalty in Ohio, proponents of HB259 (Schmidt-A. Miller) told the House Finance Committee on Wednesday. Ohio Public Defender Tim Young told the committee, "It's about the system. It's not about individual cases. Every death penalty case involves an extreme crime, a horrible crime. ... But we're not talking about individual cases, we're talking about the system and the structure. The story of the death penalty system in Ohio is failure. It is failure over and over and over. ... Ohio taxpayers pay approximately \$3 million per death penalty case, compared to \$1 million per life without parole case. And for every 100 death penalty cases that are brought, prosecutors will only be successful in obtaining a death verdict seven times. This is a failure rate exceeding 90 percent and each and every failure costs Ohio \$2 million extra. ... And once convicted and sentenced, the failure continues. One hundred eighty-nine Ohio death sentences have been overturned by courts due to prejudicial error rendering the trial a constitutional failure. A total of 205 people have been removed from Death Row by judicial or clemency orders. This constitutes over 46 percent of all death sentences."

ECONOMIC DEVELOPMENT/URBAN REVITALIZATION

Friday's meeting of the JobsOhio Board of Directors was the first for new Chairman Josh Rubin, who was named to the board and as chairman by Gov. Mike DeWine on Sept. 1. Rubin is founder and CEO of state and federal government relations firm CJR Group, having previously worked for DeWine when he was a U.S. senator and in the Voinovich administration. Challenges facing JobsOhio that Rubin identified include the need to ensure Ohio's workforce can fill all the jobs that are available and making sure they support all parts of the state.



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The DeWine administration announced Friday that 51 communities will receive more than \$10.6 million to support community development projects around Ohio through a federal block grant program. The funds will assist in completion of infrastructure improvements and public services, spurring economic growth and improving residents' quality of life. The projects can include street repairs, sidewalk improvements, parks and recreation facilities, water and sewer line replacements, and community centers. Cities and counties considered U.S. Department of Housing and Urban Development (HUD) non-entitlement communities are eligible to apply for these allocation program funds biannually. Ohio's 101 eligible communities are divided between even and odd years of funding, with 51 communities in 46 counties receiving a total of \$10.65 million for 2023.

ECONOMY

The nation added 336,000 non-agricultural jobs in September, according to the U.S. Bureau of Labor Statistics (BLS), and the national unemployment rate was unchanged at 3.8 percent. Among major worker groups, the unemployment rates for adult men (3.8 percent), adult women (3.1 percent), teenagers (11.6 percent), Whites (3.4 percent), Blacks (5.7 percent), Asians (2.8 percent) and Hispanics (4.6 percent) showed little or no change in September. The number of long-term unemployed (those jobless for 27 weeks or more) was little changed at 1.2 million in September. The long-term unemployed accounted for 19.1 percent of all unemployed persons. Both the labor force participation rate of 62.8 percent and the employment-population ratio of 60.4 percent were unchanged for the month.

EDUCATION

Dozens of people urged Wednesday that the House Higher Education Committee reject restrictions on trans people's restroom use, many of them arguing it is discriminatory, exploits fears and overlooks greater threats to safety. The committee heard opponent testimony through the morning on HB183 (Bird-Lear), which requires schools and institutions of higher education to designate specific bathroom and locker room facilities for the exclusive use of either biological males or females.

A majority of members of the State Board of Education met Tuesday morning. Whether they had a meeting, however, is a matter of interpretation. They called the roll, said the Pledge of Allegiance, elected District 5 member Brendan Shea as temporary chair and even voted to enter executive session to discuss personnel and legal matters. But board President Paul LaRue had postponed the meeting last week. The Ohio Department of Education (ODE) chief of staff, Jessica Voltolini, told Shea beforehand that on the advice of attorneys she'd directed agency staff not to help facilitate the meeting. The Ohio Channel feed that usually livestreams board meetings was offline. The small audience of onlookers consisted mostly of journalists. LaRue had announced postponement of the



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October board meeting Friday, citing the litigation over the board's role in K-12 governance. But 11 board members wrote a letter over the weekend objecting to his decision, saying it failed to follow board procedures and indicating they intended to meet as scheduled Tuesday morning. Joining Shea Tuesday in the usual ODE conference room in the ODE building were members Christina Collins, Walt Davis, Teresa Fedor, Diana Fessler, John Hagan, Katie Hofmann, Tom Jackson, Meryl Johnson, Antoinette Miranda and Michelle Newman. All but Davis are elected members.

Lt. Gov. Jon Husted announced Thursday the opening of an application period for organizations interested in serving as intermediaries in the High School Tech Internship program. He previously announced up to 535 students will participate in the program. The program aims to develop Ohio's workforce by putting students into internships in tech-related roles. Businesses can be reimbursed up to \$5,000 per student they employ through the program. Organizations selected as intermediaries will serve as a point of contact between the businesses and education entities during the internship process. They will include economic development organizations, workforce and education partnerships, and other community-based groups. Interested organizations can apply through Friday, Nov. 3 at 5 p.m.

ELECTIONS

Sen. Michele Reynolds (R-Canal Winchester) Tuesday introduced a substitute version of her "Voter Registration Modernization Act," SB147, to the Senate General Government Committee. It removes provisions that would close primaries and require voters to register with a political party at least 30 days before an election in order to cast a ballot in a partisan primary. She said her goal all along has been to modernize the registration process so that voters could choose party affiliation in real time. Closing the primary, she said, was a secondary issue to the bill. Noting two House bills that address the subject of closed primaries -- HB208 (Hall) and HB210 (Gross-Click) -- Reynolds said she expects the issue will come back before the Senate in the near future.

Speaking to reporters after Thursday's Ohio Ballot Board meeting, Ohio Secretary of State Frank LaRose was asked about changes to SB147 (Reynolds) which removed provisions that would close primaries and require voters to register with a political party at least 30 days before an election in order to cast a ballot in a partisan primary. He said that he does not think the substitute version will accomplish what he hoped for -- "to do what many other states have done and say that only Republicans can participate in Republican primaries and only Democrats can participate in Democratic primaries."

The Ohio Elections Commission Thursday unanimously approved an advisory opinion that allows a company to provide cybersecurity software and services to Ohio political campaigns and political parties. Defending Digital Campaigns (DDC) sought the opinion,



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asking if giving cybersecurity software and services to campaigns and political parties would violate Ohio law regarding the use of corporation and labor organization funds for political purposes. Further, the company asked if it did not violate Ohio law whether the provision of such software and service would constitute an in-kind contribution if provided for free. The advisory opinion adopted by the commission states that as long as the software and services are provided on a nonpartisan or bipartisan basis, it is allowable and would not violate Ohio law. It would also not be considered as an in-kind contribution if provided at no cost.

ELECTIONS 2023

Absentee and early in-person voting began Wednesday, Oct. 11. Ohio voters will weigh in on two state issues, as well as a number of local issues and races. The state issues are Issue 1, the reproductive and abortion rights constitutional amendment; and Issue 2, the recreational marijuana legalization initiated statute. Early, in-person voting hours at local county boards of elections are as follows:

- Monday, Oct. 16-Friday, Oct. 20, 8 a.m. to 5 p.m.
- Monday, Oct. 23-Friday, Oct. 27, 8 a.m. to 5 p.m.
- Monday, Oct. 30- Friday, Nov. 3, 7:30 a.m.-7:30 p.m.
- Saturday, Nov. 4, 8 a.m.- 4 p.m.
- Sunday, Nov. 5, 1-5 p.m.
- Tuesday, Nov. 7 Election Day, polls are open from 6:30 a.m. to 7:30 p.m.

The Ohio State Bar Association (OSBA) announced the 2023 update of judicialvotescount.org for the Nov. 7 General Election. Judicial Votes Count is the state's information website on Ohio court elections where voters can access "quality, unbiased information" about the candidates for judgeships, according to OSBA. Voters also can learn about the court system and judicial requirements and responsibilities and find important dates and other information on the upcoming election. Fifty-seven counties have judicial races on their 2023 ballots for municipal court seats. Candidates were invited to submit information on their personal background, credentials and endorsements through a standard questionnaire.

The following endorsements were made over the week:



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- The Ohio Insurance Institute (OII) announced its board of directors had voted to oppose Issue 2, the recreational marijuana legalization initiated statute.
- Protect Ohio Workers and Families, the opposition group for Issue 2, the recreational marijuana legalization initiated statute, announced opposition from leaders of the Interdenominational Ministerial Alliance of Columbus and Vicinity, the Baptist Pastors Conference of Columbus and Vicinity and the Black Baptist Ministerial Alliance of Columbus and Vicinity.

ELECTIONS 2024

U.S. Sen. Sherrod Brown's (D-OH) re-election campaign announced it will report raising \$5.8 million in the third quarter of 2023, saying it is the most any U.S. Senate candidate in Ohio has raised in the off-year. Sunday, Oct. 15 is the deadline for federal candidates to report their fundraising totals from July through September. Brown's campaign said it will report \$11.2 million on hand.

Former State Rep. Kyle Koehler (R-Springfield) announced he is running for the 10th Ohio Senate District in 2024. The seat is currently held by Sen. Robert Hackett (R-London), who is term-limited. "I'm running for the Ohio Senate to represent the voices and values of every resident of the 10th District," Koehler said in his announcement. "Springfield has given me the chance to live, raise my family, and support our family business. I intend to bring the core values of Southwest Ohio to Columbus, paving the way for more Ohioans to realize their dreams, just as I have."

A former legislative and policy assistant to Treasurer Robert Sprague announced he is seeking the Republican nomination for the 83rd House District seat. The seat is currently held by Rep. Jon Cross (R-Findlay), the assistant majority floor leader who is running for re-election to a fourth term. Ty Mathews, who has taken out petitions to run for the seat, is a military veteran who also serves as an officer in the Ohio National Guard. He recently returned from a deployment to Iraq.

The following endorsements were made over the week:

- The U.S. Senate campaign of Republican Bernie Moreno announced the endorsements of more than 300 Ohio grassroots, conservative, and Republican leaders, including Rep. Thomas Hall (R-Middletown) and former Rep. John Becker (R-Cincinnati).

ENERGY/UTILITIES

The Office of Ohio Consumers' Counsel (OCC) has scored a win in its longstanding argument that free-market growth of energy-efficient products and services has



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superseded the state-regulated energy efficiency (EE) programs of monopoly utilities and rendered consumer subsidies moot. The Public Utilities Commission of Ohio (PUCO) agreed with OCC Wednesday and denied Virginia-based Dominion Energy an estimated \$50 million in new EE charges to the utility's 1.2 million Ohio customers.

The Ohio Municipal Electric Association (OMEA) announced the results of its elections for its board of directors and board leadership during its annual general membership meeting. Board seats are held by OMEA member communities. The communities of Edgerton, Montpelier, Napoleon and Orrville were re-elected to four-year terms on the OMEA Board of Directors. Additionally, the village of Jackson Center was re-elected as an ex officio member of the OMEA Board.

ENVIRONMENT

The Ohio Air Quality Development Authority (OAQDA) has closed on bond financing for \$1.6 million to support an air quality project for DLZ Corporation through the Clean Air Improvement Program (CAIP), the agency announced Thursday. The project will reduce energy usage at DLZ's corporate headquarters in Worthington by nearly 20 percent through more efficient technologies. Solar panels will generate clean energy, which will be used to operate an onsite green hydrogen fueling station for a new fleet of hydrogen-powered company vehicles.

GAMING/GAMBLING

With football season returning, Ohio's sports gambling numbers are increasing. Sports betting total gross receipts (handle) was \$378.8 million in August, up from \$331.1 million in July, according to the Ohio Casino Control Commission (OCCC). While the handle is up month-over-month, it's still down significantly from earlier in the year, when sports bettors placed \$1.1 billion in wagers in January, \$639.1 million in February, \$737.2 million in March, \$520.6 million in April and \$446.2 million in May. Taxable revenue from sports betting was \$40.8 million in August, up from \$37.1 million in July. Operating transfers to the Lottery Profits Education Fund totaled \$126.2 million in August 2023, up from \$110.2 million in August 2022.

GENERAL ASSEMBLY/STATEHOUSE

House leadership has not yet begun the process of filling the vacancy created when former Rep. Bob Young (R-North Canton) officially resigned his Ohio House seat earlier this week on Monday, Oct. 2 as he faces domestic violence charges. House Speaker Jason Stephens (R-Kitts Hill) cited changes the district underwent during the recent redistricting process. Young represented Ohio House District 32 in Northeast Ohio. However, the Summit County Republican Party has taken applications for their



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recommendation on Young's replacement, which will be sent to Stephens, according to the *Akron Beacon Journal*.

Stephens addressed several bills following Tuesday's House Rules and Reference Committee, calling the "Second Amendment Preservation Act," HB51 (Loychik-Schmidt), "very important." "The purpose of that bill is to make sure that Ohioans are under Ohio's gun laws, and so that if there is federal gun laws that change that the federal government will be the one who's required to enforce those ... [for] local agencies, so I think it's really important," he said.

Asked about HB120 (Weinstein-Brennan), legislation to repeal subsidies established in 133-HB6 (Callender-Wilkin), including to the Ohio Valley Electric Corp. (OVEC), Stephens said the bill is still in the Rules and Reference Committee and "might be there for a while."

Calling it a "conundrum" for the panel, Joint Committee on Agency Rule Review (JCARR) Chair Rep. Jamie Callender (R-Concord) announced that three rule packages submitted by the Ohio Department of Education (ODE) will be put on hold due to uncertainty with the agency. Biennial budget bill HB33 (Edwards) replaced ODE with a new Department of Education and Workforce (DEW) that will be led by a gubernatorial appointee. However, members of the State Board of Education have filed a lawsuit against the law, arguing that it violates legislative procedure and the 1953 constitutional amendment creating the board. A Franklin County judge has now delayed the implementation of the budget provisions until at least Friday, Oct. 20. Callender said the rules were initiated when ODE still had the authority to create them. He also noted that with the court order, it is unclear what authority ODE has to issue the rules and for JCARR to review them. He said he is asking the Legislative Service Commission to review the issue and report back to the committee, and they will also seek clarity from the court.

Legislation that would prohibit participatory budgeting in cities will not pass before Cleveland residents vote on a "People's Budget" charter amendment this November, House Speaker Jason Stephens (R-Kitts Hill) said Tuesday. Speaking with reporters following the House Rules and Reference Committee, Stephens said SB158 (Cirino) has "constitutional issues with home rule." "However, I will say this -- as a former county auditor, I think it's very important that taxpayers' money is very transparent, and that there are purchasing controls that elected officials have ... they are the ones who have to face the voters," he said. The House Government Oversight Committee heard testimony opposing SB158 on Tuesday, with witnesses asking lawmakers to allow Clevelanders to make their own decision about the policy.



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Both the House and the Senate this week passed resolutions stating their support of Israel in the wake of surprise attacks by Hamas. Lawmakers spoke out during the session about the reported atrocities committed by the terrorist group and discussed the importance of supporting Israel as an ally. A number of lawmakers also noted trips they took to the country as part of a bipartisan group of state officials and legislators. The Senate unanimously passed SR214 (Roegner-Brenner) while the House approved HR292 (Pizzulli-Isaacsohn) 86-1.

The Senate also passed the following three bills:

- SB75 (Blessing), which allows two or more municipalities to create a joint economic development district without involving a township, passed 28-1.
- SB96 (Lang-Wilson), which allows employers to post certain labor law notices on the Internet, passed unanimously.
- SB113 (Hoagland), which prohibits a person who fails to comply with the Military Selective Service System from holding a public office or employment with the state, passed 25-4.

Asked about Reynolds' SB147, which until earlier this week had included provisions to close primaries to those who did not register with a political party before the election, Senate President Matt Huffman (R-Lima) said he has not read her bill but indicated he did not see the need to close primaries in the state at the moment. "I don't think passing legislation that would keep people from voting because they didn't declare by the appropriate time is necessarily the way to go," he said. "I do think it would help if we had some sort of registration system" for political affiliation.

The House voted 58-26 to approve property valuation changes in HB187 (Bird-Hall), an attempt to moderate property tax increases resulting from a substantial runup in home values hitting many counties. "Inflationary pressures have affected the real estate market ... it's gone crazy. In my home county of Clermont, they have increased 43 percent in one year," said Rep. Adam Bird (R-New Richmond), one of the joint sponsors of the bill.

Also passing the House unanimously Wednesday were the following:

- HB74 (Hall-Lightbody), meant to give lawmakers more information about the condition of state technology systems and opportunities for upgrades and efficiencies.
- HB188 (Brewer-Baker), to designate the week beginning of Thursday of the second full week of June as "Ohio Nursing Assistants Week."



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- HB162 (Klopfenstein-Kick), which designates March 21 as "Agriculture Day," the week beginning the Saturday before the last Saturday of February as "FFA Week," Oct. 12 as "Farmer's Day," and the second Saturday of March as "4-H Week."

Rep. Derek Merrin (R-Maumee) along with Reps. Phil Plummer (R-Dayton) and Ron Ferguson (R-Wintersville) filed a lawsuit in Franklin County against House Speaker Jason Stephens (R-Kitts Hill) over control of the House Republican caucus's campaign fund, the Ohio House Republican Alliance (OHRA). The lawsuit, which also names OHRA Co-Chair Rep. Jeff LaRe (R-Canal Winchester) and J. Matthew Yuskewich, who serves as the OHRA treasurer, argues that Stephens is falsely claiming to be in control of the account "solely on being elected speaker." It is the latest chapter in the ongoing feud between Merrin and Stephens after Stephens put together a coalition of Republicans and the House Democratic Caucus to be elected speaker over Merrin despite Merrin having won the internal caucus vote.

In other action, the House Commerce and Labor Committee reported out HB203 (Roemer-Sweeney) which deals timely payment of contractors; the House Criminal Justice Committee reported out HB111 (LaRe-K. Miller) which addresses penalties for domestic violence offenses; the House Primary and Secondary Education Committee reported out HB250 (Miranda-Richardson) which revises the Military Enlistment diploma seal; and the House Public Health Policy Committee reported out SB34 (Schaffer), month designations.

GOVERNOR

The governor signed the following bills:

Gov. Mike DeWine Thursday signed the "Scout's Honor" bill, HB35 (Seitz-Miranda), into law. Because of the addition of an emergency clause, it went into effect immediately. The bill cleared the General Assembly on Wednesday after the House approved Senate amendments to the bill. It helps Ohioans who have survived sexual assault in the Boy Scouts to access funds from a bankruptcy settlement with the organization. The new law creates a five-year window during which the statute of limitations for civil claims based on childhood sexual abuse is eliminated for claims brought against the bankruptcy estate of a federally chartered organization. Those parameters are tailored to fit only the Boy Scout settlement. According to the sponsors, this extension of the statute of limitations will allow Ohio survivors to collect the full amount of recovery proceeds for which they would qualify, rather than a fraction. Under the settlement agreement, claimants in states with longer statutes of limitations can recover more money.

Also signed was HB61 (Callender-Troy), designating Nov. 19 as "James A. Garfield Day" after the native Ohioan and 20th U.S. president.



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GREAT LAKES

The Great Lakes Commission (GLC) elected Ohio Department of Natural Resources Director Mary Mertz to serve as the organization's chair. Mertz is the first Ohio leader to be named chair of the Great Lakes Commission since Sam Speck, who died earlier this year, served in the position from 2002-2004. The Great Lakes Commission is a binational government agency that includes leaders from state and local agencies in the U.S. and Canada. The group was established in 1955 with the task of protecting the economies and ecosystems of the Great Lakes. The GLC recommends policies and practices to "balance the use, development, and conservation of the water resources of the Great Lakes and brings the region together to work on issues that no single community, state, province, or nation can tackle alone."

HIGHER EDUCATION

Ohio Department of Higher Education Chancellor (ODHE) Randy Gardner, who has spent nearly four decades in state government, informed Gov. Mike DeWine that he intends to retire at the end of the year on Sunday, Dec. 31. Gardner was among DeWine's early cabinet appointments. Before he was tapped to lead ODHE, he had served in the Ohio House or Ohio Senate since 1985 and was the Senate majority floor leader at the time of his appointment. Before he was elected to the General Assembly, he taught high school history and government.

The Biden-Harris administration announced Wednesday that an additional 125,000 Americans have been approved for \$9 billion in student debt relief as borrowers resume repayments this month on their debt after a three-year pause because of the pandemic. The U.S. Department of Education said the additional forgiveness comes from fixes the agency made to the income-driven repayment (IDR) and Public Service Loan Forgiveness (PSLF) as well as granting automatic relief for borrowers with total and permanent disabilities. The announcement includes 31,290 Ohioans with nearly \$2.15 billion in student loan debt, according to the department.

JUDICIAL

Law firms and solo practitioners are not permitted to pay bonuses to non-attorney staff members for receiving positive online reviews, the Board of Professional Conduct says in a new opinion. In one of three advisory opinions issued Friday, the board says such a bonus structure is tantamount to "giving something of value to a person for recommending the lawyer's services," quoting Rule 7.2 of the Ohio Rules of Professional Conduct. The issue is not the bonus *pe se*, it notes, but rather tying a cash incentive to a "particular client or matter." ... "If the nonlegal staff member informs the client of the fact that he or she will receive a bonus if the client posts a positive review online, this



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may place the client in a position of feeling uncomfortable or possibly harassed, especially if it occurs in the course of the representation or if the request is made more than once," Advisory Opinion 2023-11 says.

Opinion 2023-09 addresses the relationship between a "tortfeasor," or civil defendant's, attorney and a minor claimant seeking damages. If a minor plaintiff or minor's parent/guardian has not retained counsel, the defendant's lawyer may prepare a settlement application form reflecting their agreement for filing with the probate court. They should inform the minor or guardian in writing that the lawyer represents the tortfeasor rather than the defendant, and that the minor claimant may retain separate counsel. The lawyer must make the same disclosure to the probate judge and may not speak for the minor in court.

The third and final opinion Friday, 2023-10, states that an attorney "may," but is not required, to issue a "letter of protection" signed by a medical service provider and the attorney guaranteeing that money owed the provider will be withheld from a client's settlement or judgment.

Campaigners behind a Bellefontaine municipal ballot issue seeking to restrict drag performances failed to follow election law when they replaced the first page of two dozen-plus already signed part-petitions before filing them with the city, Ohio Supreme Court justices said Sunday night in a ruling that removes the issue from the November ballot. The unsigned, unanimous ruling concludes Secretary of State Frank LaRose, who broke a tie vote at the Logan County Board of Election to allow the issue on the ballot, was wrong to characterize the change as a "technical defect" insufficient to require rejection of the petitions.

Gov. Mike DeWine announced the appointment of Adam L. Myser of Clairsville to the Belmont County Court's Northern Division Thursday. He currently serves as its acting judge. Myser will assume office on Friday, Oct. 20 in the seat formally held by the Hon. Chris Berhalter and will serve the rest of his unfinished term. He must run for election in 2024 to retain the seat. Berhalter was appointed to the Belmont County Court of Common Pleas in July.

MARIJUANA/HEMP

Two more dispensaries are now legally operating under the Ohio Medical Marijuana Control Program (MMCP), according to the Ohio Board of Pharmacy (OBP). OBP has issued certificates of operation to the following dispensaries: Elevated Growth, located at 7520 High Cross Blvd. in Columbus; and Culture Cannabis Club, located at 1568 E. Archwood Ave. in Akron. There are now 107 dispensaries operating under the MMCP.



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MENTAL HEALTH

The six regional psychiatric hospitals in the state will soon have a new electronic health record system, Ohio Department of Mental Health and Addiction Services (OhioMHAS) Director Lori Criss said Wednesday in testimony before the Senate Community Revitalization Committee. She said that implementing Epic Systems in the hospitals will enhance data security, improve the state's ability to build data into patient treatment, help communicate with local partners during intake and discharge, and enhance staff and patient safety. After the meeting, Criss told *Hannah News* that the new system will standardize processes across all six hospitals.

MILITARY AFFAIRS

The 2023 Ohio Defense and Aerospace Forum, previously scheduled for Oct. 2-3 but postponed due to the possibility of a lapse in federal appropriations, will now be held Monday, Oct. 30 and Tuesday, Oct. 31 at Wright State University (WSU). The opening portion will now include video remarks from Gov. Mike DeWine and U.S. Sen. Sherrod Brown (D-OH) and in-person comments by U.S. Rep. Mike Turner (R-Dayton), who helped start the forum in 2016. Turner is also scheduled to moderate an Oct. 30 discussion by members of the state's federal delegation including U.S. Reps. Bill Johnson (R-Marietta), Warren Davidson (R-Troy) and Max Miller (R-Parma).

NONPROFIT ORGANIZATIONS

Alisha Nelson, the recently hired executive director of the OneOhio Recovery Foundation, sketched out a work plan this week for the board of the nonprofit, which is overseeing distribution of hundreds of millions in opioid settlement funds. Nelson said she wants to develop a strategic plan and needs assessment in 2024. Nelson also told board members she is recommending changes to the funding distribution process to establish a unified grant application to be submitted to a centralized portal and scored with a process and rubric developed by OneOhio staff. Some board members expressed concern about this, but Nelson sought to assure them that regions' autonomy in approving projects and setting their own local priorities will be incorporated into the grant management process.

OHIO HISTORY

Gov. Mike DeWine announced Tuesday the appointment of Diana Welling as Ohio's state historic preservation officer. In her new role, Welling will be responsible for overseeing preservation offices and programs in accordance with the National Historic Preservation Act. There are 59 historic preservation officers in the U.S., each representing a state, territory, or the District of Columbia.



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PEOPLE

The Ohio Veterinary Medical Association (OVMA) Board of Directors announced the appointment of Christopher Henney as its new executive director. He succeeds Jack Advent, who held the post for 26 years. The appointment is effective Monday, Dec. 4.

POLITICS

Ohio House Minority Leader Allison Russo (D-Columbus) and other Columbus-area Democrats held the first in Democrats' "People First" series on Wednesday in Columbus with a second session set for Monday, Oct. 16 at the Grandview Heights Public Library, 1685 W. 1st Ave. Russo will be joined by state Sen. Bill DeMora (D-Columbus) as co-host.

TRANSPORTATION/INFRASTRUCTURE

Acting in his role as director of InnovateOhio, Lt. Gov. Jon Husted announced three steps to modernize the initial and renewal processes for commercial driver's licenses (CDLs) in the trucking industry, while noting they do not lower state standards. The changes include an online renewal option that matches regular driver's licenses; improvements to the testing to reflect real-world scenarios and knowledge of current vehicles; and a commercial learner's permit (CLP) extension from six months to one year, giving an additional six months of training without having to purchase an additional CLP. The upgrades were developed by InnovateOhio and the Ohio Bureau of Motor Vehicles (BMV).

TREASURER OF STATE

Ohio Treasurer Robert Sprague Wednesday announced plans to purchase \$20 million in five-year, fixed-rate Israel Bonds. The bonds will mature in five years, on Oct. 1, 2028, with an interest rate of 5.74 percent. Since Israel Bonds were established in 1951, Israel has maintained a perfect record of interest and principal payments.