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# Legislative Report

May 24, 2021 Prepared by: Matthew Carle

### 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

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

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**

5/19/2021 - Senate Finance, (Seventh Hearing)

# **HB140** D)

# MODIFY ELECTION NOTICES, BALLOT LANGUAGE FOR PROPERTY TAX LEVIES (MERRIN

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

## **CURRENT STATUS**

4/28/2021 - Referred to Committee Senate Ways and Means

# **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

# HB146

# REGARDS APPLYING PREVAILING WAGE LAW TO PUBLIC PROJECTS (RIEDEL C, MANCHESTER

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

3/3/2021 - House Commerce and Labor, (First Hearing)

# HB157

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

To repeal 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

5/18/2021 - SUBSTITUTE BILL ACCEPTED & REPORTED OUT, House Ways and Means, (Sixth Hearing)

# 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

5/20/2021 - House Criminal Justice, (First Hearing)

# 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

5/19/2021 - Informally Passed

# SB15 FISCAL OFFICERS-LIABILITY (WILSON S)

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

### CURRENT STATUS

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

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

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

## CURRENT STATUS

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

# 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)

# SB56 INDEMNITY-DESIGN CONTRACTS (BLESSING III L)

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

### CURRENT STATUS

5/19/2021 - **PASSED BY SENATE**; Vote 31-0

# 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)

# 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

3/3/2021 - Referred to Committee Senate Ways and Means

# 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)

# 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

# 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 - Senate Health, (First Hearing)

# Week in Review

#### **AGRICULTURE**

Terry Cosby is the new chief of the federal Natural Resources Conservation Service (NRCS), the U.S. Department of Agriculture (USDA) announced Wednesday. Most recently, Cosby served as acting chief of NRCS and state conservationist for Ohio.

### **ARTS, SPORTS AND ENTERTAINMENT**

Nine individuals and organizations were recognized during the Ohio Arts Council's (OAC) virtual presentation of the Governor's Awards for the Arts.

### **ATTORNEY GENERAL**

The Ohio Attorney General's Office announced Monday it is now accepting applications for the Teen Ambassador Board. The board includes high school juniors and seniors from public school districts and community schools, including online schools; private schools; and home schools. The program seeks to provide Ohio's future leaders with an inside look at state law and government. High schoolers who will be juniors or seniors during the 2021-22 academic year are eligible to apply. The student application, which can be found at <a href="https://tinyurl.com/y7upcxci">https://tinyurl.com/y7upcxci</a>, is due Friday, June 25.

Attorney General Dave Yost signed on to a letter from his neighboring counterpart, Indiana Attorney General Todd Rokita, accusing the U.S. Department of Education (USDOE) of promoting the teaching of critical race theory (CRT) via addition of new priorities for history education programs.

### **CHILDREN/FAMILIES**

About 39 million households will begin receiving a portion of their child tax credit in monthly payments in mid-July, the IRS and U.S. Department of Treasury announced Monday. Recent pandemic relief legislation, the federal American Rescue Plan Act, expanded the credit to \$3,600 for children 5 and under and \$3,000 for those ages 6 to 17.

The DeWine administration's Eliminating Disparities in Infant Mortality Task Force met virtually Tuesday for a review of information gathered in family listening sessions and discussion of the timeline for its work. Jamie Carmichael, chief health opportunity adviser for the Ohio Department of Health, said the task force plans to do listening sessions with partner organizations into July, with plans to review draft recommendations at a July meeting and finalize them in August.

### **CIVIL RIGHTS**

The City Club of Cleveland asked three Asian American and Pacific Islander women Friday to share their stories of life in Ohio outside their native communities. Representatives of Chinese, Korean and Chamorro/Mariana Island ethnicities spoke of increasing awareness among their own people and Americans generally of hate and distrust expressed toward persons of Asian and Pacific Islander descent.

### **CORONAVIRUS**

The state's new Vax-a-Million program requires vaccinated individuals to sign up to participate, Ohio Department of Health (ODH) Director Stephanie McCloud and Ohio Lottery Executive Director Pat McDonald announced Monday. Permanent Ohio residents who have received at least one dose of the COVID-19 vaccine can sign up by visiting <a href="https://www.ohiovaxamillion.com">www.ohiovaxamillion.com</a> or by calling 1-833-427-5634. The first winner will be announced Wednesday, May 26.

Vaccinations for Ohioans age 16 and older increased by over 28 percent during the weekend following the "Vax-a-Million" announcement, the Ohio Department of Health (ODH) announced Thursday, reversing a 25 percent decline the previous weekend. May 14-16 represented the highest number of vaccinations for a Friday, Saturday and Sunday in four weeks, ODH said. Numbers are increasing for all age groups except those 80 and above who already had an existing high rate of vaccination.

State health orders have been revised in light of new CDC guidance that fully vaccinated people do not need to wear a mask in most settings, Gov. Mike DeWine announced Friday, though businesses will still have the right to require they be worn by customers and employees. The CDC guidance released Thursday listed a new range of indoor and outdoor activities that can be safely performed by those who are fully vaccinated, including indoor dining, worship services and high-intensity exercise. Full vaccination is achieved two weeks after either a Johnson & Johnson shot or a second dose of the Pfizer or Moderna vaccines.

The CDC also said in its latest update that those who are fully vaccinated do not need to be tested or self-quarantine before or after travel within the U.S. but should monitor local conditions before traveling outside the country. They do not need to isolate or be tested after proximity to someone with the virus either, unless they show symptoms or work in a detention facility or homeless shelter. The CDC further noted that resumption of unmasked activities can be done "except where required" by federal, state and local laws, rules and regulations, including business and workplace guidance.

The state plan to lift almost all health orders, including mask requirements for those who have not been vaccinated, remains in place for June 2, but DeWine said again that this gives time for people to receive the vaccine before then. He also noted that not all Ohioans are eligible yet, and said those who have not been vaccinated should continue to wear masks.

Individuals in K-12 school buildings and child care facilities will continue to be required to wear facial coverings regardless of vaccination status until all health orders are completely lifted on Wednesday, June 2, DeWine said during a coronavirus briefing on Monday.

The governor signed HB6 (Roemer) Friday, which expands COVID-19 vaccine administration authority for various providers and also contains updates to laws on other professions related to the pandemic. The legislation included an emergency clause and took effect immediately upon DeWine's signature.

Gov. DeWine also signed into law two bills Monday to provide hundreds of millions of dollars in federal COVID-19 relief funding to the hospitality industry, child care providers and other businesses. He signed SB108 (S. Huffman-Romanchuk), the bar, restaurant and hotel measure, and SB109 (Manning-Rulli), which provides assistance to businesses, fairs, child care providers and veterans homes, in an afternoon virtual signing ceremony, with sponsors of the legislation in attendance along with the sponsors of House companion measures and industry representatives.

#### **CRIME AND PUNISHMENT**

House and Senate members have regrouped in a bipartisan attempt to pass pared-down bail reform legislation after previous Republican efforts died in lame duck. Companion bills HB315 (Leland-Hillyer) and SB182 (McColley-S. Huffman) would create the presumption of release from incarceration without monetary bail while strengthening pretrial detention for violent crimes. They would not, however, require an Ohio Supreme Court study of risk assessment tools or county data reporting of bail outcomes.

### **DEATH PENALTY**

Saying it has roots in slavery, the lynching of Black Ohioans and Jim Crow laws, Black faith leaders from around Ohio Tuesday called for lawmakers to pass legislation abolishing Ohio's death penalty. Jack Sullivan of the Ohio Council of Churches called for lawmakers to pass either of the two repeal bills -- SB103 (Antonio-S. Huffman) or HB183 (Schmidt). He said the public has a right to be outraged over violent acts, and families are justified in harboring feelings of rage at the murder of loved ones, but said executions add fire to the situation and force the state to surrender its moral high ground. The state can say how much it values lives, but on the other hand, it is conducting executions, he added.

### **DISABILITIES**

Ohio's federally designated advocate for the rights of people with disabilities, Disability Rights Ohio (DRO), is pushing back against a draft budget amendment on legislative oversight of its work, saying the proposal jeopardizes federal funding and undermines its ability to fulfill the responsibilities it was created to accomplish. Sen. Mark Romanchuk (R-Ontario), who's pursuing the amendment, says he sought the change because of DRO's practice of meeting with people who have profound intellectual disabilities to discuss their service settings without their parents or guardians.

### **ECONOMY**

For the week ending May 15, the Ohio Department of Job and Family Services (ODJFS) reported 17,472 initial unemployment claims to the U.S. Department of Labor (DOL). That number is fewer than last week's, when the department reported 19,926 new jobless claims.

#### **EDUCATION**

A bipartisan duo of House members proposed legislation this week to return the State Board of Education to a body of elected members only, rather than the current hybrid of elected members and gubernatorial appointees. Currently, 11 of 19 board members are elected to represent districts that each comprise three Senate districts. The remaining eight are appointed by the governor's office on a staggered cycle, with four appointed seats coming up for reappointment every two years. Under HB298, sponsored by Reps. Adam Bird (R-New Richmond) and Joe Miller (D-Amherst), appointed seats would be eliminated as members' terms expire, eventually taking the board back to 11 members.

The Ohio Facilities Construction Commission (OFCC) approved guidelines for a new school safety grant program at its Thursday meeting. Created in last General Assembly's capital appropriations bill, 133-SB310 (Dolan), the \$5 million program will distribute competitive reimbursement grants of up to \$100,000 to individual K-12 public schools for various safety updates such as cameras, panic buttons, automatic door locks, and visitor badging systems. Schools will need to apply for the grant, and as part of the application process, will go through a "vulnerability assessment" conducted by local law enforcement that will help determine how the grants are doled out, depending on how closely the assessment recommendations match a school's application.

## **ELECTIONS**

Voting rights groups Monday held a press call to say that while they like a number of provisions in proposed elections reform bill HB294 (Seitz-Ray), they believe it will ultimately make voting more complicated for voters, poll workers and elections officials. Kayla Griffin, the Ohio director for All Voting is Local, said Ohioans still faced long lines last year for early voting and on Election Day, even though the state had a good elections audit. She said having six million cast a vote in last year's presidential election was "historic." While they agree it was a fair election in the state, voting advocates said they want the whole picture to be painted when considering new voting legislation.

House Republicans are working on an amendment to HB294 (Seitz-Ray) that will ensure the total number of early in-person voting hours remains the same when the last Monday before Election Day is removed, according to House Majority Floor Leader Bill Seitz (R-Cincinnati). Those six hours of early voting will be reallocated to days of the week prior to the General Election, Seitz said in response to questions from Reps. Bride Rose Sweeney (D-Cleveland) and Brigid Kelly (D-Cincinnati) during the House Government Oversight Committee's first hearing on the House GOP's comprehensive elections reform bill on Wednesday.

The Senate likely will not introduce its own comprehensive election law bill, but probably has additional topics to add to what's now included in a House measure, Senate President Matt Huffman (R-Lima) said Wednesday. "There are definitely things that we want to add" to HB294 (Seitz-Ray), he said.

### **ELECTIONS 2021**

Five current lawmakers and one former lawmaker are among those who filed to run in the 15th Congressional District special election by Monday's deadline, with 14 candidates overall seeking to replace U.S. Rep. Steve Stivers (R-Columbus), who resigned to lead the Ohio Chamber of Commerce. The field includes 12 Republicans and two Democrats. The Republicans include Reps. Brian Stewart (R-Ashville) and Jeff LaRe (R-Canal Winchester) and Sens. Bob Peterson (R-Sabina) and Stephanie Kunze (R-Hilliard), all candidates who had previously announced their campaigns. The list also included former Rep. Ron Hood (R-Ashville), John Adams, Mike Carey, Eric Clark, Thad Cooperridder, Ruth Edmonds, Thomas Hwang, and Omar Tarazi.

## **ELECTIONS 2022**

Secretary of State Frank LaRose Monday confirmed he will be running for re-election in 2022.

### **ENERGY**

Democrats and Republicans from both chambers of the General Assembly gathered Tuesday to implore the Democratic Michigan Gov. Gretchen Whitmer to keep Enbridge Line 5, a major oil pipeline that passes through the Great Lakes states, operating. Whitmer ordered last November that Line 5 close by May 12, reportedly over concerns of potential oil spills. The Canadian pipeline company Enbridge defied that order, saying only the federal government has regulatory authority over its operations, according to media reports.

#### **ENVIRONMENT**

The Ohio Environmental Protection Agency (Ohio EPA) is seeking public comment on updates to water quality management plans to control water pollution prepared by five regional planning agencies. The public comment period will run through Thursday, May 27. Comments can be sent to the attention of Walter Ariss, Ohio EPA Division of Surface Water, P.O. Box 1049, Columbus, OH 43216-1049. They can also be emailed to <a href="mailto:walter.ariss@epa.ohio.gov">walter.ariss@epa.ohio.gov</a>.

Legislation removing state government oversight of ephemeral streams would be a significant setback for Ohio's water quality, according to conservationists and the Ohio Environmental Protection Agency (Ohio EPA). Ohio EPA Director Laurie Stevenson was among 30 witnesses providing testimony in opposition to HB175 (Hillyer) during the House Agriculture and Conservation Committee's meeting on Wednesday.

# **FEDERAL**

Advocacy associations from around Ohio gathered Friday to give a detailed look at how funding in the American Rescue Plan (ARP) will be used throughout the state. Hosted by Advocates for Ohio's Future (AOF), the event featured speakers from 10 different organizations who spoke on a range of issues from broadband expansion to housing assistance and a plethora of other issues.

### **GAMING/GAMBLING**

The Senate's sports gambling legalization bill's Ohio Lottery provisions are unworkable, representatives of Intralot, grocers and bowling centers told the Senate Select Committee on Gaming during its hearing on SB176 (Antani-Manning) on Wednesday.

## **GENERAL ASSEMBLY/STATEHOUSE**

Senate President Matt Huffman (R-Lima) explained that he chose SB52 sponsor Sen. Robert McColley (R-Napoleon) as the new Senate Energy and Public Utilities Committee chair because of his knowledge of the issues. Sen. Bob Peterson (R-Sabina) had asked to step down to concentrate on his run for Congress in the special election for the 15th U.S. House District, Huffman added.

The Senate clerk's office announced the cancellation of a Senate session scheduled for Tuesday, Sept. 21. The Senate is scheduled to be in session the following day, Wednesday, Sept. 22.

The Senate unanimously approved a measure Wednesday -- SB58 (Antonio-Brenner) -- to allow use of cameras in long-term care facilities for families to check in on their loved ones, a proposal sparked by reports of abuse and neglect at some facilities. It also unanimously passed SB83 (Rulli-Williams) to address brownfield remediation. Sen. Michael Rulli (R-Salem) said the legislation would provide \$150,000 for the Ohio EPA and state universities to study where Ohio brownfields are located. The chamber also unanimously approved a new two-year budget for the Industrial Commission, which hears appeals from the Bureau of Workers' Compensation, in HB76 (Oelslager). Also passed was SB56 (Blessing), regarding indemnity provisions in professional design contracts.

The Ohio House Wednesday, with sometimes emotional speeches, passed two bills related to honoring veterans and military members ahead of Memorial Day. Rep. Joe Miller (D-Amherst), a primary sponsor of HB213 (J. Miller- Sheehy), said his bill is a way to pay tribute to the men and women who made the ultimate sacrifice for their country by establishing the Honor and Remember flag. It passed 95-0. The House also unanimously passed HB244 (White-Lampton), which allows local education agencies to permit children of military families to participate in both virtual school enrollments and advance enrollments as they prepare to move to a new military installation. The House also approved HB77 (Manchester-Sweeney) that would allow members of higher education boards of trustees to attend meetings virtually, as well as HB68 (Cross-Sweeney), requiring timely payments by owners of private construction

projects; HB158 (Baldridge-Plummer), which prohibits the use of class B firefighting foam that contains intentionally added PFAS chemicals for testing and training purposes; HB185 (Sweeney), designating March as "Bleeding Disorders Awareness Month"; and HB247 (West-Kelly), which reduces the number of certifications needed for plumbing inspectors.

In other action, the House Transportation and Public Safety Committee reported out HB96 (Merrin) dealing with permanent registration for trailers; HB 219 (Stephens) which creates a Marshall University license plate; HB220 (Bird) which creates a University of Alabama license place; SB21 (Antonio-Manning) which addresses EMS stroke protocol; and SB26 (Hottinger), a highway naming bill; the House Ways and Means Committee reported out HB228 (Roemer) which revises the state-administered municipal net profit taxes; HB268 (Jordan) which exempts metal bullion for the state sales tax; and HB157 (Jordan-Edwards) which modifies the municipal income tax rules in light of COVID-19 work from home; the House Armed Services and Veterans Affairs Committee reported out SCR1 (Schaffer) urging Congress to take action on the Mark Takai Atomic Veteran act; the House Insurance Committee reported out SB27 (Hottinger) which authorizes automatic enrollment in the state's deferred comp program; the Senate Health Committee reported out HB5 (Manning) to modify licensing requirements for chemical dependency counselors; and the House Families, Aging and Human Services Committee reported out HB4 (Plummer-Manchester) regarding child abuse and neglect reporting.

### **GOVERNOR**

On Monday, Gov. Mike DeWine signed HB7 (Grendell-Stewart), regarding probate and trust law; HB8 (West-Plummer), regarding recording of interrogations; and HB87 (Stephens-John), regarding county utility supply contracts. Both HB8 and HB87 became effective immediately while HB7 becomes effective 90 days after the signing.

Gov. Mike DeWine Thursday announced a number of staffing changes for his office, with current Chief of Staff Laurel Dawson assuming a new role as counselor to the governor. Policy Director Michael Hall will be the new chief of staff, while Ann O'Donnell, chief advisor to the governor, will remain in her current role. The changes took effect Thursday.

Appointments made during the week include the following:

- Terri Michele Moncrief of Clayton (Montgomery County), Angela L. Snyder of Columbus (Franklin County), John F. Lewis Jr. of Columbus (Franklin County), Sanjay P. Ahuja of Solon (Cuyahoga County), Benjamin T. Kopp of Columbus (Franklin County), Kandamurugu Manickam of Columbus (Franklin County), Jennifer Voit of Columbus (Franklin County), Kimberley Anne DeDino of Columbus (Franklin County), Patrick Londergan of South Vienna (Clark County) and Charles Daniel Bradford of Mansfield (Richland County) to the Rare Disease Advisory Council for a term beginning May 14, 2021 and ending May 15, 2023.
- Timothy E. J. Keck of Grove City (Franklin County) to the Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board for a term beginning May 14, 2021 and ending Aug. 27, 2023.
- Mark A. Gibson of Willoughby Hills (Lake County) to the State Vision Professionals Board for a term beginning May 14, 2021 and ending March 22, 2022.
- Lolita M. McDavid of Shaker Heights (Cuyahoga County) to the State Medical Board for a term beginning May 14, 2021 and ending March 18, 2026.
- Leigh Ann Miller of Granville (Licking County) to the Environmental Education Council for a term beginning May 14, 2021 and ending Oct. 1, 2022.
- Gary Heitmeyer of Sidney (Shelby County) reappointed to the Edison State Community College Board of Trustees for a term beginning May 14, 2021 and ending Jan. 17, 2027.
- Willa J. Ebersole of Blacklick (Franklin County) to the Bowling Green State University Board of Trustees for a term beginning June 1, 2021 and ending May 17, 2030.
- Michael Kiggin of Powell (Delaware County) reappointed to the Ohio State University Board of Trustees for a term beginning May 14, 2021 and ending May 13, 2030, and Tomislav B. Mitevski of Galena (Delaware County) appointed for a term beginning May 21, 2021 and ending May 13, 2030.
- Pedro J. Munoz of Bellbrook (Greene County) to the Ohio Commission on Fatherhood for a term beginning May 14, 2021 and ending July 30, 2021.
- Kynetta L. V. McFarlane of Bexley (Franklin County) reappointed to the Children's Trust Fund Board for a term beginning May 14, 2021 and ending July 2, 2022.
- D. Bradford Knapp of Lebanon (Warren County) reappointed to the Ohio Housing Finance Agency for a term beginning May 14, 2021 and ending Jan. 31, 2027.
- Todd R. Radloff of Bellevue (Huron County) to the Ohio Home Inspector Board for a term beginning May 14, 2021 and ending April 5, 2022.
- Martha Lynn Chaatsmith of Dublin (Franklin County) to the Ohio Historic Site Preservation Advisory Board for a term beginning May 14, 2021 and ending Jan. 14, 2024.
- Timothy Ronald Mayle of Findlay (Hancock County) appointed to the Transportation Review Advisory Council for a term beginning May 14, 2021 and ending June 29, 2022.

- Richard P. Bryan of Holland (Lucas County) to the Ohio Soil and Water Conservation Commission for a term beginning May 14, 2021 and ending June 30, 2023.
- Elizabeth Amelia Biggins-Ramer of Medina (Medina County) to the Materials Management Advisory Council for a term beginning May 14, 2021 and ending July 1, 2022.
- Richard A. Butsko, Jr. of Grove City (Franklin County) to the Ohio Organized Crime Investigations Commission for a term beginning May 14, 2021 and ending Sept. 3, 2022.

### **GREAT LAKES**

The U.S. Army Corps of Engineers awarded researchers at the University of Toledo (UT) \$1.4 million to develop technology for early detection and management of toxic algal blooms known to harm Lake Erie.

#### **HEALTH AND HUMAN SERVICES**

Private businesses, health care providers, nursing homes, institutions of higher education, state and local governments and other entities would be prohibited from requiring vaccines -- all vaccines, not just COVID-19 vaccines -- under legislation proposed by Rep. Jennifer Gross (R-West Chester). "HB248 was introduced in an effort to help maintain Ohioans' rights to directly control their personal and very private health care decisions regarding vaccines for themselves and their families, and to preserve their right to medical privacy," Gross told the House Health Committee during sponsor testimony on the bill.

### **HIGHER EDUCATION**

The Ohio Department of Higher Education (ODHE) announced Tuesday that higher education institutions in the state had recommitted to the Ohio Transfer Promise, a set of statewide initiatives and policies on transfer students that is meant to help avoid unnecessary credit duplication and get students on the right degree or credential pathway. "The Ohio Transfer Promise is possibly the most comprehensive statewide transfer agreement in the country," said ODHE Chancellor Randy Gardner. "It will provide students with a firm guarantee that their coursework will transfer while also providing institutional supports to assist students on their way to earning a degree or credential."

Bowling Green State University (BGSU) announced it has charged 21 students with varying violations of the code of student conduct following an outside special counsel report into the hazing death of BGSU student Stone Foltz earlier this year. The charges include hazing; harm to others, including endangering another person; disrupting order and disregarding health and safety, including illegal furnishing, consumption and possession of alcohol; falsifying, distorting or misrepresenting information in the conduct process; and shared responsibility for infractions, including inciting, aiding and abetting a university policy violation.

Former Ohio State University (OSU) students who have alleged sexual abuse by former university doctor Richard Strauss will partner with the National Center for Missing and Exploited Children (NCMEC) to prevent future abuse, according to the center. The partnership also includes former athletes who have said they were abused by a sports doctor at the University of Michigan (UM), which has led to similar lawsuits as those regarding Strauss. The effort "will educate coaches, trainers, parents and other adults about how to keep young athletes safe from child sexual abuse," and will teach adults and athletes to recognize and report abuse.

### **JUDICIAL**

The Ohio Supreme Court is working to expand as well as simplify case searches at its website with a new "Issues Accepted" webpage in the Office of the Clerk, which collaborated with the Oho Criminal Sentencing Commission (OCSC) and Office of Information Technology (OIT). On top of basic information, such as a case number or case caption, the page offers advanced search options including the case issue or topic, prior court or jurisdiction hearing the case, and legal category -- criminal, civil, family law or miscellaneous, the Court said.

The Ohio Attorney General's Office says even if the Missionaries of the Sacred Heart's defamation claims against the Ohio Department of Youth Services (DYS) are true, the Traditional Catholic order would be forced to prove "actual malice" by department administrators -- "unlikely," says the AG -- to secure civil damages from the state. The attorney general has won the argument's first round before the Ohio Supreme Court, convincing four of seven justices to refuse Sisters Mary Cabrini and Michael Marie jurisdiction earlier this month. On Friday, however, Sacred Heart filed for reconsideration after Justice Jennifer Brunner came to their defense in a six-page dissenting opinion.

Twelve Ohio charter schools operating under the Horizon Science Academy banner should have gotten a slice of the \$30 million quality incentive fund established in the FY19-20 biennial budget, the Ohio Supreme Court said Wednesday. Failure by the parent organization to register as an out-of-state corporation with the secretary of state's office was not relevant to the law's requirement the schools be "in good standing" to qualify, justices ruled.

The Ohio Supreme Court has released a new juvenile court tool kit to help divert troubled youth to interventions outside the justice system. The "Juvenile Diversion Toolkit" highlights the negative impact even brief detention can have on a minor's development and the positive outcomes of community resources and counsel. It includes an outline developed by the Supreme Court Advisory Committee on Children and Families' Subcommittee on Juvenile Justice to explain different interventions.

### LIBRARIES

A number of senators have submitted amendments to the biennial budget bill that will increase the Ohio Public Library Fund (PLF) to

1.7 percent of the General Revenue Fund after a House reduction, though representatives of the state's libraries said they hoped to see that set in permanent law rather than temporary law. Michelle Francis, executive director of the Ohio Library Council (OLC), Jay Smith, OLC's director of government and legal services, and Tracy Strobel, executive director of the Cuyahoga County Public Library, testified Wednesday before the Senate Finance Committee, asking for funding to be restored in HB110 (Oelslager) after the House declined to extend the current 1.7 percent temporary law provision, meaning funding would revert to 1.66 percent of the General Revenue Fund.

### **LOBBYISTS**

Hicks Partners recently announced the expansion of its grant writing team to include consultants with decades of experience in state and federal grant writing. According to the firm, "An unprecedented amount of grant funding is expected to be made available in the coming years for eligible organizations through several new federal and state government programs. These grants can provide funding for public and private companies, research organizations, health care facilities and education institutions."

#### MARIJUANA/HEMP

The State Medical Board of Ohio (SMBO) has created a new document that catalogues proposed conditions that are already covered under other qualifying conditions in the Ohio Medical Marijuana Control Program (MMCP). The board's "position statement" clearly states that the following three conditions are covered under the MMCP: complex regional pain syndrome, migraines and arthritis.

### MEDICAID/MEDICAID REFORM

The Joint Medicaid Oversight Committee (JMOC) voted Thursday to set the growth limit for Ohio's Medicaid program for the coming biennium at 3.3 percent per fiscal year, a rate closer to the low end of actuarial projections and slightly below the 3.4 percent target in place for FY21. The committee spent most of its two-hour meeting questioning Ohio Department of Medicaid Director Maureen Corcoran on several topics, though she deferred answering many questions on managed care contract awards, citing ongoing review of protests filed by two unsuccessful bidders. Optumas, the actuarial firm hired by JMOC to project growth rates, last month presented a range of growth projections, from 3.1 percent to 4 percent in FY22 and 3.1 percent to 4.1 percent in FY23.

### **MENTAL HEALTH**

Effects of the pandemic and related restrictions added to youth mental health issues that were already "trending in the wrong direction," officials with Ready Nation Ohio explained during discussion of a new report Thursday, saying it is critical that the General Assembly maintain funding for children's wellness and success efforts under Gov. Mike DeWine's budget proposal. Discussion on the report also noted the importance of providing youth with technical and soft skills to succeed in careers, with Lima/Allen County Chamber of Commerce President and CEO Jed Metzger saying that investments in student wellness have benefits lasting across generations.

### **NATURAL RESOURCES**

Seven public access improvement projects received a total of \$492,920 this year through the Paddling Enhancement Grant, according to the Ohio Department of Natural Resources (ODNR). The primary goal of this grant is to increase access and opportunities for hand-powered watercraft, ODNR said.

### **PEOPLE**

Otto Beatty Jr., husband to U.S. Rep. Joyce Beatty (D-Columbus) and a former state legislator, has died at age 81. The funeral was held Friday, May 21. Memorial contributions may be made to Fire and Focus Scholarship Fund Inc., 175 S. Third St., Suite 200, Columbus, OH 43215. Event details and an obituary are available at https://tinyurl.com/dfxuxjj.

### **POLITICS**

Eddie Davenport, the executive director of the Hamilton County Democratic Party, is leaving his position later this month to join LEAD Ohio, a nonprofit aimed at training progressive candidates to run for office.

### REDISTRICTING/REAPPORTIONMENT

The U.S. Sixth Circuit Court of Appeals Tuesday ruled that Ohio has standing to ask a federal court to order the U.S. Census Bureau to release data used in redistricting "at the earliest possible date." Attorney General Dave Yost had filed a federal lawsuit earlier this year to compel the Census Bureau to release the decennial census block data used to draw maps. The bureau has said delays due to the COVID-19 pandemic mean the data may not be available to states until the end of September at the latest, though recently it has indicated it could come mid-August.

### **STATE GOVERNMENT**

The Ohio Department of Administrative Services (DAS) plans to have state agency staff who work in its buildings begin a gradual return to in-person work starting Tuesday, July 6, Director of Communications Bill Teets told *Hannah News* in an email. Agencies in facilities not managed by DAS are asked to follow a similar process. State employees will be transitioned back over the course of around three months "in a way that gradually loads the buildings back up," Teets said. This is subject to the discretion of individual agencies that will also be able to consider the role teleworking can play in the post-pandemic workplace. These plans are subject to changes based on the current COVID-19 situation and health orders.

#### **TAXATION**

Before reporting the bill, the House Ways and Means Committee Tuesday accepted a substitute version of HB157 (Jordan-Edwards), legislation that would modify the municipal income withholding rules for COVID-19-related work-from-home employees, which committee chair Rep. Derek Merrin (R-Monclova) called a "reasonable and rational compromise" for a very "complex issue." He stressed repeatedly that one of the main provisions "resolves the uncertainty" over when the 133-HB197 (Powell-Merrin) provisions would end by extending them to the end of the current calendar year, Dec. 31, 2021. He also repeatedly noted that the sub bill contains "no retroactive language" -- it deals with the current tax year only.

### **TECHNOLOGY**

The Ohio Residential Broadband Grant Program created under HB2 (Carfagna-Stewart) represents the first major step toward the goal of giving every Ohio resident access to high-speed Internet, Gov. Mike DeWine said Monday during his signing of the bill. DeWine noted that increasing Internet access was a goal for him and Lt. Gov. Jon Husted before their election.

The second annual Ohio Space Forum -- an offshoot of the Ohio Defense and Aerospace Forum -- drew opening comments on the state's past and future role in space from Gov. Mike DeWine, members of the Ohio congressional delegation and leaders in the General Assembly Tuesday.

### TRANSPORTATION/INFRASTRUCTURE

The Joint Committee on Force Accounts, created in the transportation budget to study the cap on the value of road projects local governments can perform in-house rather than through competitive bidding, issued an information report Friday. The report summarizes the committee's charge and compiles the testimony submitted to the panel, but does not include any recommendations on behalf of the committee.

The Ohio Turnpike and Infrastructure Commission will begin testing the first of its four new open road tolling plazas later this year, which will include new motion scales that will give the commission the ability to weigh trucks as they are driving without stopping when going through the plaza. Executive Director Ferzan M. Ahmed told the commission that construction on the test plaza will be completed by the end of 2021 and will be located at milepost 49 on the west side of the turnpike. The other three open road tolling plazas are in various stages of development and will be completed by the end of 2023.

### **UNEMPLOYMENT COMPENSATION**

Discussing the challenges with unemployment compensation (UC) claims his staff have faced during the pandemic, Ohio Department of Job and Family Services (ODJFS) Interim Director Matt Damschroder announced Monday that they have found approximately \$2.1 billion in fraudulent and non-fraudulent overpayments so far, with non-fraudulent overpayments representing "the bulk" of that amount. He explained that the fraudulent overpayments specifically indicate a factual determination by ODJFS, while the non-fraudulent ones occurred due to an agency, employer or claimant's mistake. Specifically, ODJFS identified just under \$441 million in fraudulent overpayments in the Pandemic Unemployment Assistance (PUA) program from the beginning of the pandemic through February 2021, and around \$21 million in fraudulent overpayments for the traditional UC program through the first quarter of 2021.

### UTILITIES

Rep. Dan Troy (D-Willowick) joined Rep. Laura Lanese (R-Grove City) for joint sponsor testimony on HB260, the latest effort by the General Assembly to strike down mid-century language in 100-HB1 prohibiting utility refunds "except such as are specified [by PUCO] and regularly and uniformly extended to all persons, firms and corporations." Majority Floor Leader Bill Seitz (R-Cincinnati) was the only committee member to question the sponsors, leading them in a lengthy exchange and proposing three alternatives to the full refund of unlawful utility charges directly to consumers.

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