

Week in Review

05/15/2023

AGING

The Ohio Department of Aging (ODA) Friday announced a request for proposals (RFP) to expand the Program of All Inclusive Care for the Elderly (PACE) to several new locations across Ohio, including Franklin, Hamilton, Montgomery, Lorain, Lucas and Summit counties, and in rural areas across the state.

PACE is designed to help people age 55 and older who need a high level of assistance remain in their homes instead of going to a nursing facility. In 134-HB45 (West-Roemer), the General Assembly appropriated \$50 million to expand the program, which is currently only available in Cuyahoga County. Interested parties can learn more about the RFP through OhioBuys at <https://tinyurl.com/bdzcm8bh>.

AGRICULTURE

The Ohio Agricultural Council is set to honor four individuals who have dedicated their lives to working in and promoting Ohio's farm community. Kenneth Davis of Leesburg, Terry McClure of Grover Hill, Thomas Menke of Greenville and Don Sanders of Urbana will be inducted into the Ohio Agricultural Hall of Fame on Friday, Aug. 4.

ATTORNEY GENERAL

Ohioans who paid Intuit for free tax services began receiving checks on Monday, May 8 due to a multistate settlement, Attorney General Dave Yost announced Friday. The \$141 million settlement with Intuit, the owner of TurboTax, includes \$5.3 million to be paid to the 174,000 Ohioans who were misled by the company. Nationwide, 4.4 million consumers paid Intuit for free services. "The checks are in the mail -- or will be soon," Yost said in a press release. "I'm beyond thrilled that cheated Ohioans will see money go back into their pockets after Intuit's shameless scheme."

BALLOT ISSUES

Voters can go to the polls in August to decide whether the Ohio Constitution should be more difficult to amend under a joint resolution adopted by Republicans in the House and Senate on Wednesday. While there were questions about whether the House had the 60 votes necessary to adopt SJR2 (McColley) heading into session, the measure ultimately passed 62-37 after several passionate speeches from lawmakers and demonstrations by protesters in the gallery. Reps. Jamie Callender (R-Concord), Jay Edwards (R-Nelsonville), Brett Hillyer (R-Dennison), Jeff LaRe (R-Canal Winchester) and Tom Patton (R-Strongsville) joined Democrats in voting against SJR2. The House voted 56-42 to add the Aug. 8, 2023 election date to SJR2, with Reps. Callender, Edwards, Hillyer, LaRe, Patton, Jon Cross (R-Kenton), Adam Holmes (R-Nashport), Mike Loychik (R-Cortland), Gayle Manning (R-North Ridgeville) and Sharon Ray (R-Wadsworth) joining Democrats in voting against the amendment. After the House approved

SJR2, the Senate concurred with House amendments by a vote of 26-7. Secretary of State Frank LaRose tweeted that he had instructed county boards of elections to begin preparing for an election on Tuesday, Aug. 8.

Four major business organizations on Thursday announced their support for the measure to make the Ohio Constitution more difficult to amend. The Ohio Chamber of Commerce, National Federation of Independent Business (NFIB), Ohio Restaurant Association, and Ohio Hotel & Lodging Association said the Ohio Constitution "should not be subject to changes based on fleeting public opinion. For far too long, the Ohio Constitution has been an easy target for those seeking to enact anti-business policies or further narrow special interest initiatives outside of the traditional legislative process. Currently, there is an effort to massively increase Ohio's minimum wage and eliminate the tipped wage, which is the latest example. Ironically, Ohio already has a minimum wage that is indexed for inflation," the groups said in a news release. Many other groups across the state also registered their support or opposition to the ballot measure.

Most voters believe the state shouldn't make it more difficult to amend the Ohio Constitution, according to a new poll. The survey, conducted by an organization that opposes the proposal to increase the threshold to pass constitutional amendments from a simple majority to 60 percent, found that only 21 percent of Ohio voters would support the amendment, and 52 percent oppose it. "The poll shows that Ohioans support majority rule, and wholeheartedly oppose an effort by out-of-state special interests to make it more difficult for voters to make decisions on issues that matter most to them," One Person One Vote said in a news release.

FY22-23 BUDGET

According to preliminary figures released Friday by the Office of Budget and Management (OBM), April revenues came in \$178.1 million or 6 percent below estimates. However, for the year-to-date, revenues exceed estimates by \$626.6 million or 2.7 percent. The April shortfall was driven by the Personal Income Tax, which was \$122.3 million or 8.2 percent below estimates. Both categories of the sales tax were also below estimates: the non-auto sales tax by \$39.4 million or 3.7 percent and the auto sales tax by \$25.9 million or 13.6 percent, for a total sales tax shortfall of \$65.3 million or 5.2 percent. The only major tax to come in above estimate was the Commercial Activity Tax, by \$4.8 million or 5.4 percent.

FY24-25 BUDGET

A number of witnesses appeared Thursday before the Senate Workforce and Higher Education Committee to urge the restoration of computer science funding they said had been stripped from budget bill HB33 (Edwards). The witnesses also advocated for the importance of training more teachers to be able to educate students in computer science. Ohio State Professor Chris Orban noted that Intel has begun construction on its chip plant in Central Ohio, and said there is an expectation that Ohio is serious about those Silicon Valley companies with an eye on Ohio, but said having no money for computer science education "is not what serious looks like." He also said computer science education has not been going well in the state, with less than four of every 100 high school students taking computer science last year, and the number of public high schools in Ohio offering computer science dropping from 50 to 48 percent.

CHILDREN/FAMILIES

Publicly-funded child care should be available to families at 200 percent of the federal poverty level, leaders of the Care Economy Organization (CEO) Project said Monday at a news conference. Gov. Mike DeWine proposed to increase eligibility for publicly-funded child care from 142 percent to 160 percent in his executive budget, and the House retained that provision in its version of the FY24-25 budget bill, HB33 (Edwards). While that is a step in the right direction, CEO Project Organizing Director Tami Lunan said increasing eligibility to 200 percent would provide a much larger benefit to Ohio families and the economy. The event took place on the 2023 "Day Without Child Care" national day of action, during which many child care providers closed or called off work in order to show how important they are to the rest of the economy.

CORONAVIRUS/MONKEYPOX

The end of the public health emergency (PHE) Thursday, May 11, will probably result in additional expenses for uninsured or underinsured individuals seeking treatment for COVID, according to Ohio Department of Health (ODH) Director Bruce Vanderhoff. He explained that COVID-19 testing, vaccines and treatments will eventually return to a more traditional health care coverage model. "As a result, while many Americans may continue to have little to no out of pocket expenses for COVID-19 care, over time, others, especially those who are underinsured or uninsured, may face some additional expenses," Vanderhoff said during a virtual press conference. "Probably the most immediate change people will notice is that free COVID tests shipped to them from the federal government will no longer be available," Vanderhoff continued. "Also, some insurance companies may not cover over-the-counter tests. In addition, coverage for tests performed by your provider or in a pharmacy may also have some cost, depending on your particular insurance coverage."

CRIME AND PUNISHMENT

Speaking with two undercover FBI agents he believed to be hotel developers in September 2019, then-House Speaker Larry Householder offered critical and at times crude remarks on former Speaker Jo Ann Davidson and questioned Gov. Mike DeWine's leadership. The four-hour conversation was recorded and used as evidence in Householder's trial, with the *Columbus Dispatch* publishing brief excerpts Sunday night. Also participating in the conversation were lobbyist Neil Clark, who died by suicide on March 15, 2021, and Rep. Jay Edwards (R-Nelsonville). Householder was convicted of racketeering charges in federal court in March along with former Ohio Republican Party Chair Matt Borges.

EAST PALESTINE DERAILMENT

The Lawrence County (Pennsylvania) Department of Public Safety said there is "no threat to the public, no issues with drinking water and no need for evacuations or sheltering" after a Norfolk Southern train derailed near New Castle, PA late Wednesday. The site is near the Ohio border and East Palestine, where a Norfolk Southern train carrying vinyl chloride derailed in February. "Norfolk Southern crews are on scene working out a plan to remove the cars. The majority of the

first responders have cleared the scene. We have noticed many comments reporting a white powder spilling into the water and 'strange smells' in the area. The only product that escaped one of the cars was soybeans. The only 'hazardous material' car that derailed is carrying paraffin wax," Lawrence County officials said in the social media post as well.

ECONOMIC DEVELOPMENT

Gov. Mike DeWine's administration announced Monday the approval of assistance for eight projects expected to create 663 new jobs and retain 499 jobs statewide. During its monthly meeting, the Ohio Tax Credit Authority (TCA) reviewed economic development proposals brought by JobsOhio and its regional partners. The projects are expected to collectively result in more than \$35 million in new payroll and spur more than \$185 million in investments across Ohio.

ECONOMY

The national unemployment rate was little changed at 3.4 percent in April, down slightly from 3.6 percent in March. Total employment rose by 253,000, according to the report Friday from the Bureau of Labor Statistics (BLS). The number of unemployed people in April was 5.7 million, also little changed from March. Among the major worker groups, the unemployment rates for adult men (3.3 percent), adult women (3.1 percent), teenagers (9.2 percent), Whites (3.1 percent), Blacks (4.7 percent), Asians (2.8 percent) and Hispanics (4.4 percent) showed little or no change in April.

EDUCATION

In a busy State Board of Education (SBOE) meeting Tuesday, members voted to appoint Ohio Department of Education (ODE) Chief Program Officer Chris Woolard as the next interim state superintendent following the departure of current Interim Superintendent Stephanie Siddens. In other action, the board voted to award a contract to the search firm Ray & Associates in their hunt for a permanent leader of the state education department.

The SBOE also approved a resolution from board member Teresa Fedor, a former state lawmaker, to request a formal opinion from the Ohio attorney general regarding the constitutionality of legislation to drastically restructure ODE and the SBOE. The resolution notes the 1953 constitutional amendment in which voters removed the Department of Education from the executive office of the governor and created the State Board of Education. "Section 4 [of the Ohio Constitution] states that the board shall appoint a superintendent of public instruction and that the respective powers and duties of the superintendent and the board shall be prescribed by law, for which the General Assembly has provided enabling language for nearly 70 years," the resolution states. The resolution asks for Attorney General Dave Yost's formal opinion on the conformity of SB1 (Reineke) and HB12 (Jones-Dobos) to the Ohio Constitution.

In committee work Monday, the SBOE advanced a recommendation to increase the reading cut score needed for students to advance to fourth grade and revisited an administrative rule that drew an extraordinary legislative rebuke in the last session. Under state law, most students must

meet a promotion score on the third grade English language arts test in order to advance from third to fourth grade, and the board must increase that score annually. The score is required to be equivalent to the proficiency score of 700 by the 2024-2025 academic year. The board's Literacy and Learning Acceleration Committee voted to increase the cut score for the 2023-2024 academic year to 690, up from this year's 685.

SBOE members this week heard a deep dive on the differences between the House-passed and executive versions of the state operating budget, HB33 (Edwards). Interim State Superintendent Stephanie Siddens was joined by Ohio Department of Education (ODE) Budget Chief Aaron Rausch and Policy and Legislative Affairs Director Jennie Stump in this effort. Changes to literacy funding are among the most substantial differences between the executive budget and the House-passed version of the budget. DeWine's budget allocated \$86 million over the biennium to support professional development, including providing stipends for science of reading instruction of \$1,200 for K-5 teachers, English teachers for grades 6-12, and other intervention specialists, as well as stipends of \$400 for middle and high school teachers in other content areas. The House budget halved the professional development funding to \$43 million over the biennium -- also cutting in half the amount teachers would receive in stipends.

The House Primary and Secondary Education Committee moved legislation Tuesday to repeal the retention mandate in the Kasich-era reading guarantee law. The committee voted 14-0 to report out HB117 (Manning-Robinson), which would end the requirement to retain in third grade students who can't reach the cut score on the third grade English language arts (ELA) tests, but which would also expand to additional grades the intervention services provided to students who are reading below grade level.

ELECTIONS 2024

Franklin County Common Pleas Court Judge Dan Hawkins wrapped up two hours of debate Friday as one of three candidates endorsed by the Ohio Republican Party's Central Committee for Ohio Supreme Court. The others are incumbent Justice Joe Deters and Hamilton County Common Pleas Court Judge Megan Shanahan. Not selected were Summit County Domestic Relations Court Judge Katarina Cook, past Presiding Judge Rob Montgomery of the Franklin County Common Pleas Court's Probate Division, and Richland County Juvenile Court Judge Steve McKinley -- the latter winning support from various members to replace Deters on the ticket as more qualified and less compromised.

ENVIRONMENT

Ohio Environmental Protection Agency (EPA) Director Anne Vogel appeared before the Senate Agriculture and Natural Resources Committee Tuesday to testify on her agency's budget request while also having her confirmation hearing to head the agency. Members of the committee praised Vogel's background as she appeared for the confirmation, but questioned her on her leadership style and how she will work with stakeholders. Sen. Paula Hicks-Hudson (D-Toledo), the ranking member of the committee, asked Vogel how she plans to use her past experience to move into a leadership role. Vogel noted her work in this area over the past few years as a member of Gov. Mike DeWine's policy staff. She also said that in conversations with DeWine

about the agency, the focus has been on how to position the Ohio EPA for the next 50 years as it deals with many critical issues.

GAMING/GAMBLING

Gamblers wagered \$737.2 million on sports during the month of March, according to the latest data from the Ohio Casino Control Commission (OCCC). Sportsbooks paid out \$638.1 million in winnings, and \$4 million in wagers were voided. More than \$44 million in promotional credits were issued during the month. March's taxable revenue for sportsbooks was \$95.2 million.

GENERAL ASSEMBLY/STATEHOUSE

An Ohio Department of Natural Resources (ODNR) rule creating the process to lease oil and gas mineral rights on state-owned property cleared the Joint Committee on Agency Rule Review (JCARR) in Tuesday's hearing after opposition testimony and a failed motion by Democratic members to invalidate the rule.

Before testimony was heard, Chair Rep. Jamie Callender (R-Concord) noted that JCARR "does not hear policy" or have the ability to change rule language. Even hearing testimony on that subject was outside the technical jurisdiction of the committee, he continued, and their role is just to ensure compliance with the eight prongs. JCARR Interim Director Greg Fouche explained those prongs as well. Callender then said JCARR's legal counsel had reviewed the proposed rule "fairly thoroughly" and did not find any prong violations. However, he allowed opponents to give testimony outside the normal jurisdiction.

Republicans Justin Pizzulli and Brian Lorenz were seated on Wednesday: the House Republican Caucus voted 35-30 to appoint Pizzulli to replace Brian Baldrige, who resigned to become director of the Department of Agriculture, and 66-0 to appoint Lorenz to replace Kris Jordan, who died.

The Senate Wednesday split on bills that would lower the minimum age for police officers to 18 while also maintaining that state investments will not prioritize environmental, social, or corporate governance policies (ESG). Sen. Kirk Schuring (R-Canton) argued his SB6 (Schuring) that addresses ESG in investment policies by state retirement systems, institutions of higher education, and the Bureau of Workers' Compensation (BWC) simply states that those investments must be made for the best benefit of the beneficiaries of those investments. He said there is nothing in the bill that speaks to disinvestment, and if a private sector entity wants to make investments based on ESG, they can. He noted that all five public retirement systems support the bill. The bill passed on a straight-party line vote of 26 to 7.

The Senate also held lengthy debate on the issue of lowering the minimum age of police officers to 18. It is currently 21 in state law. Sen. Kristina Roegner (R-Hudson) said SB53 (Reynolds-Roegner) addresses a recruitment issue for police officers across the state. She said they picked the age of 18 for several reasons, as individuals can currently attend and graduate from the Ohio Police Officers Training Academy (OPOTA) at the age of 18, but have to wait until they are 21 in order to start their careers. In that time period, they could find another career path, and the

state could lose them, she said. She also noted that surrounding states including Pennsylvania, Michigan, and West Virginia, all currently have an 18 minimum age. She stressed that the bill is permissive and no police department has to hire an applicant under the age of 21. The bill passed 25 to 8, with Sen. Stephanie Kunze (R-Hilliard) joining Democrats in opposition.

The Capitol Square Review and Advisory Board (CSRAB) met Tuesday afternoon, though it did not take any action on any items. CSRAB Executive Director Laura Battocletti in her report gave an update on the agency's budget request, as well as several projects going on around the Statehouse. Additionally, she said people are starting to notice the age of furniture and drapes, which were last replaced during the 1990s renovation; there are plans to begin replacing those items. She also updated the board on several security measures that CSRAB is taking, including adding additional cameras around the property, with many being installed in the Statehouse garage. Additionally, landscapers have removed many of the stones on the property and the patio furniture. The board was also told that the Capitol Square Foundation has begun fundraising for the "Ohioans in Space" artwork that CSRAB commissioned. It approved the proof for the artwork at its last meeting.

Meanwhile, House Speaker Jason Stephens (R-Kitts Hill) appointed former House Speaker Bob Cupp (R-Lima) to CSRAB.

In other action, the House Commerce and Labor Committee reported out SB30 (Schaffer) to allow teens under 16 to work after 7 p.m. during the school year; and SCR2 (Schaffer), which urges Congress to permit teens under 16 to work between 7 and 9 p.m. during the school year; the House Government Oversight Committee reported out HB100 (K. Miller), which prohibits restrictions on flying the Thin Blue Line Flag; the House Primary and Secondary Education Committee reported out HB117 (Manning-Robinson), which eliminates the Third Grade Read Retention policy; the House State and Local Government Committee reported out HCR5 (J. Miller-Holmes), which supports the Ohio Commission for America250; the House Transportation Committee reported out two highway naming bills, HB107 (Patton) and HB128 (Cutrona); the House Higher Education Committee reported out HB6 (Powell), which enacts a single-sex team requirement; and the House Homeland Security Committee reported out for a second time HB29 (Humphrey-Brewer), which revises driver's license suspensions for failing to pay child support.

GOVERNOR

Gov. Mike DeWine Thursday announced the appointment of James J. Ong to the Tuscarawas County Court. Ong, of Uhrichsville, will assume office on Monday, May 29, and will be taking the seat formerly held by Judge Brad Hillyer, who retired. Ong will serve the remainder of the unexpired term and will have to run for election in November 2024 to retain the seat.

Appointments made during the week include the following:

- Donald L. Plotts of Mount Gilead (Morrow County) reappointed to the Marion Technical College Board of Trustees for a term beginning May 5, 2023, and ending April 29, 2026.

- Robert C. Smith of Westlake (Cuyahoga County) to the Cuyahoga Community College Board of Trustees for a term beginning May 5, 2023, and ending Oct. 12, 2027.

- Ann H. Womer Benjamin of Aurora (Portage County) reappointed to the Ohio Tuition Trust Authority Investment Board for a term beginning May 5, 2023, and ending Jan. 30, 2027.

- James C. Otte of Columbus (Franklin County) to the Broadcast Educational Media Commission for a term beginning May 5, 2023, and ending June 30, 2023 and Matthew S. Dole of Utica (Licking County) as chair of the Broadcast Educational Media Commission for a term beginning May 5, 2023, and continuing at the pleasure of the governor.

- Jason P. Kucsma of Sylvania (Lucas County) and Pamela S. Steurer of Lewis Center (Delaware County) reappointed to the Ohio Commission on Service and Volunteerism for terms beginning May 5, 2023, and ending April 21, 2026.

- G. Brent Bishop of Dublin (Franklin County) to the State Teachers Retirement System for a term beginning May 5, 2023, and ending Sept. 27, 2024.

- Michael R. Pratt of Perrysburg (Wood County), Nancy L. Mills of Cincinnati (Hamilton County) and Steven M. Griffin of Lewis Center (Delaware County) reappointed to the State Speech and Hearing Professionals Board for terms beginning May 5, 2023, and ending March 22, 2026.

- Elizabeth F. Johnson of Cincinnati (Hamilton County) to the Ohio Historic Site Preservation Advisory Board for a term beginning May 5, 2023, and ending Jan. 14, 2026.

- J. Michael Townsley of Columbus (Franklin County) to the Ohio Expositions Commission for a term beginning May 5, 2023, and ending Dec. 1, 2028.

- Patrick G. Foltyn of Columbus (Franklin County) reappointed to the State Fire Council for a term beginning May 5, 2023, and ending Nov. 1, 2027.

- Michael J. Staley of Olmsted Township (Cuyahoga County), Randy C. McPeck of Pataskala (Licking County) and Kimberly A. Trout of Albany (Athens County) reappointed to the Ohio Private Investigation and Security Services Commission for terms beginning May 5, 2023, and ending Dec. 31, 2027.

GREAT LAKES

Lake Erie will likely see a "moderate" harmful algal bloom (HAB) this year, according to an early season projection from scientists at the National Oceanic and Atmospheric Administration (NOAA) and Heidelberg University. The severity level of the bloom is expected to be between 2.5 and 6, scientists said. "A smaller bloom, a severity of 3-4, is expected if precipitation remains at or below average for the rest of the loading season (May-July)," they said. "While the total bioavailable phosphorus load in March was higher than average, it dropped below average in

April and may continue below average into June." The comprehensive seasonal forecast will be issued on Thursday, June 29, they said.

HIGHER EDUCATION

Case Western Reserve University (CWRU) Provost Ben Vinson III will step down at the end of June to become the 18th president of Howard University, located in Washington D.C., which is among the top historically Black higher education institutions the country. Vinson joined CWRU in 2018 after serving five years as dean of George Washington University's Columbian College of Arts and Sciences. He previously held leadership positions at Johns Hopkins University and served on the faculties of Pennsylvania State University and Barnard College.

A longtime communications leader at the University of Toledo (UT) has been promoted to lead the Office of Marketing and Communications. Meghan Cunningham, who joined UT in 2010 and most recently served as executive director of marketing and communications, will now serve as vice president of marketing and communications.

Sponsors and supporters of new policies on campus speech and thought testified Wednesday in the House Higher Education Committee as it took up that chamber's companion to Sen. Jerry Cirino's (R-Kirtland) SB83. The committee led off the first hearing on HB151, sponsored by Reps. Steve Demetriou (R-Chagrin Falls) and Josh Williams (R-Oregon), by adopting a substitute bill that aligns it with the latest version of SB83, which was updated by the Senate Workforce and Higher Education Committee Tuesday. Cirino himself also briefly addressed the committee in support of the bill. Demetriou said the bill is summarized in three words: "Transparency. Meritocracy. Equality." Those are achieved by provisions that, for example, require online syllabi posting for each class, create review processes for tenured faculty, and bars institutions from taking certain political stances. Williams said his experience as a professor and recent college graduate exposed him to a "decline of open dialogue" on campuses. He described being called "a Nazi, a slaver trader, an affront to my race and an Uncle Tom" for speaking out against "open-border" immigration policies.

Xavier University (XU) recently announced plans to establish the nation's first Jesuit College of Osteopathic Medicine on the university's campus. The medical college's focus on osteopathy, a holistic, patient-centered approach to medicine that focuses primarily on preventive health care, aligns particularly well with Xavier's identity and its Jesuit Catholic mission, said Xavier University President Colleen Hanycz. Xavier said it hopes to welcome its inaugural class in 2027 and send off its first graduates in 2031. The inaugural class is expected to include 75 students, with plans to gradually expand class sizes to 150 per class.

HOUSING/HOMELESSNESS

A bill that would give land banks a way to acquire delinquent property was met with skepticism by House lawmakers Tuesday, who worried land banks would compete with the private market or that the bill would lead to municipalities becoming landlords. Gus Frangos, testifying on HB85 (Patton) on behalf of the Ohio Land Bank Association and the Cuyahoga County Land Bank, assured the House State and Local Government Committee that is not the case. Frangos

said in a home that is severely tax delinquent, often there will be tenants who pay rent only to find out their landlord has been collecting rent while the home has gone into tax foreclosure. The tenant has to leave while the property is acquired by a different owner, but the property continues going into tax foreclosure, repeating a cycle.

JUDICIAL

The OneOhio Recovery Foundation is the "functional equivalent" of a public entity when it comes to the open records laws, the Ohio Supreme Court ruled unanimously Thursday. Harm Reduction Ohio, a nonprofit that advocates on addiction issues and distributes naloxone, filed two lawsuits against OneOhio alleging violations of open meeting and open records laws. The former is still proceeding in Franklin County Common Pleas Court. In the latter case, justices said in an unsigned opinion Thursday that OneOhio meets the factors set out in the *Oriana House* litigation for determining whether there is "a showing by clear and convincing evidence that [it] is the functional equivalent of a public office." That test looks at whether the entity performs a governmental function; the level of government funding; the extent of government involvement or regulation; and whether the entity was created by government or created to avoid records law requirements.

MARIJUANA/HEMP

The Ohio Board of Pharmacy (OBP) on Monday awarded a dispensary certificate of operation to Theory Wellness, located at 9915 U.S. Highway 127 in Sherwood. There are now 81 dispensaries operating under the Ohio Medical Marijuana Control Program.

Speaking as one voice, medical marijuana operators said Wednesday the new version of industry overhaul SB9 (S. Huffman-Schuring) not only hadn't improved the bill but had made it worse by increasing supply in an already oversaturated market and by decreasing legal THC levels in the consumer drug to 30 percent -- a change they said would drive patients desiring a stronger product to the "state up north." The Senate General Government Committee took testimony from a half dozen opponents and one interested party on the substitute bill accepted at the previous hearing. Among various changes, SB9's latest version would return medical marijuana dispensaries to the State Board of Pharmacy and leave cultivators and processors under the proposed Division of Marijuana Control (DMC) in the Ohio Department of Commerce (DOC), where they would be overseen by a seven-member Medical Marijuana Commission and further advised by a 14-member Medical Marijuana Advisory Council. Standalone processors that originally sought but did not receive a cultivator license could now apply for a Level II license. Marijuana "extracts" would remain as potent as 90 percent THC per the introduced version, but product delivered to patients could be no more than 30 percent pure under the sub bill. The industry could still advertise without approval, though social media marketing would now be prohibited.

NATURAL RESOURCES

The Controlling Board Monday approved a request from the Ohio Department of Natural Resources (ODNR) to use \$18 million to plug oil and gas wells in the state. Rep. Bride Sweeney

(D-Cleveland) held the request, asking ODNR representatives if the money was in addition to funds already allocated for plugging wells in this fiscal year. Ryan Frazee, ODNR's chief financial officer, said the request is using state funds, and that federal infrastructure funds had been approved by the Controlling Board last year and have already been put to use. He said federal funds that will be used for orphan wells over the next biennium are in the budget bill, HB33 (Edwards).

ODNR Director Mary Mertz Tuesday testified to the Senate that the House removal of an increase in the agency's operating budget could hurt Ohio's state parks, which she said are one of the state's biggest tourism draws. Testifying before the Senate Agriculture and Natural Resources Committee on HB33 (Edwards), Mertz said that the executive budget had requested \$175 million in General Revenue Funds (GRF) in FY24, and \$171.6 million in FY25. In the House-passed version of the bill, however, the GRF was reduced by \$55.4 million from the proposed budget over the biennium, which she said essentially flat-funded many of the department's divisions, affecting current operations as well as any future plans they may have. After required pay raises and inflation, she said this means less money for improving and maintaining parks. Of the GRF increase in the executive budget, she said \$16 million was requested for the park system that was not funded by the House. Of that amount, she said \$9 million would address law enforcement needs, noting that natural resources officers are the division's commissioned first responders and often the face of the department. With the state owning 75 and soon to be 76 state parks and various other wildlife areas, she said that the officers are stretched thin.

OHIO HISTORY

The Ohio History Center and the Ohio Village in Columbus have been added to the National Register of Historic Places, according to the Ohio History Connection. The National Register is the official list recognized by the federal government as worthy of preservation for local, state or national significance in American history, architecture, archaeology, engineering or culture.

PENSIONS

A challenger handily unseated an incumbent on the State Teachers Retirement System (STRS) Board of Trustees over the weekend, while Gov. Mike DeWine decided just before the results were announced to replace his own appointee, Wade Steen, who declined a request to resign. Berea City Schools teacher Pat Davidson overwhelmingly defeated incumbent Portsmouth City Schools teacher Arthur Lard, getting 20,410 votes to Lard's 8,853. Davidson will take office in September of this year and serve through August of 2027.

On Friday afternoon, ahead of Saturday's election results release, DeWine appointed investor G. Brent Bishop of Dublin to a board seat held by Steen, former Franklin County treasurer. DeWine's office said Steen was asked to resign before being replaced, and cited his attendance record at board meetings as precipitating the move. Steen said in a statement he thinks the move was "a clerical error" by staff and argued he's entitled to serve the remainder of his term, but DeWine's office believes he serves at the pleasure of the governor. Dan Tierney, DeWine spokesman, deferred to STRS on specifics of Steen's attendance but said they'd heard of a "pattern" of Steen's missing meetings, attending them only in part and leaving early.

The Ohio Retirement Study Council (ORSC) voted Thursday to approve a staff recommendation favoring passage of SB6 (Schuring), which would bar state pension funds from making investment decisions primarily driven by environmental, social and governance (ESG) concerns. Democratic lawmakers on the council dissented, questioning the necessity of the bill and expressing concern about the need to respond to climate change. The council also questioned leadership of State Teachers Retirement System (STRS) on its bonus pay structure for investment staff, which has been a source of retiree criticism about how the system is run.

PEOPLE

Planned Parenthood of Greater Ohio (PPGOH) announced that its board of directors unanimously selected Erica Wilson-Domer as the next president and CEO of PPGOH and Planned Parenthood Advocates of Ohio (PPAO). Wilson-Domer, who is the organization's first Asian American CEO, begins her tenure on Saturday, July 1, 2023. She first joined the organization as a board member for both Planned Parenthood of Stark County and Planned Parenthood Affiliates of Ohio, as well as a Community Leadership Council chair in Stark County. She then worked for the organization full-time first as vice president of finance and most recently as chief strategy and transformation officer. She succeeds current PPGOH and PPAO President and CEO Iris E. Harvey, who announced in April her retirement effective at the end of June 2023 after 12 years with the association, both as a board member and CEO.

Jeff Crossman, a former state representative and the most recent Democratic candidate for attorney general, has joined former Attorney General Marc Dann's law firm. Crossman will be litigating complex class action, mortgage servicing and corporate/business cases, according to an email from Dann.

Ohio Department of Public Safety Director (DPS) Andy Wilson announced recently that Mark Porter has been named executive director of Ohio Homeland Security (OHS). As OHS executive director, Porter will lead the DPS division responsible for analyzing and sharing information, awareness and vulnerabilities, and in developing strategies to prevent, prepare for and protect against terrorism and other threats to public safety, according to the department. Porter most recently served as director of Law Enforcement Operations and Special Projects for the Ohio Attorney General's Office and previously served as director of Public Corruption for the Ohio Auditor of State's Office.

The Broadcast Educational Media Commission (BEMC) has new a chair. Gov. Mike DeWine appointed Matt Dole as BEMC's new chair effective May 5, 2023. Dole succeeds Robert C. Smith, who completed two terms as chair. Dole was recently reappointed to a second four-year term on the commission by Ohio Senate President Matt Huffman (R-Lima). Recently, as chair of the Engineering and Broadcast Operations Committee, Dole led the review of BEMC's Joint Master Control and the development of recommendations for the next generation of Joint Master Control in Ohio.

PUBLIC SAFETY

Representatives of the DeWine administration will meet with the U.S. Department of Justice (DOJ) next week to discuss the state's adoption of a national law enforcement accreditation program based on the series of "musts" and "shoulds" included in a Biden administration update to the federal Safe Streets and Safe Policing (SSSP) Act. Law Enforcement Services Director Ed Burkhammer of the Ohio Department of Public Safety's (DPS) Office of Criminal Justice Services told the Ohio Community-Police Collaborative Advisory Board Thursday he is a member of a national federation of state officials who will be gathering near Washington, D.C.

STATE GOVERNMENT

As part of this year's Tourism Day, the DeWine administration announced Wednesday a return to the "Ohio, The Heart of It All" tagline used between 1984 and 2001. This replaces the "Find It Here" slogan adopted in 2016. The Ohio Department of Development (DOD) also released numbers showing the state tourism industry saw a record \$53 billion in visitor spending in 2022 and welcomed 233 million visitors from Ohio and other states. "As Ohio evolves into a powerhouse for technology and innovation, we're looking at the classic 'Ohio, The Heart of It All' tagline in a new way," said Gov. Mike DeWine. "Our state is thriving, and we want the world to know that Ohio is the heart of technology, the heart of opportunity, the heart of adventure and the heart of family. This is a brand for all of Ohio, uniting everything we love about our great state under one powerful phrase."

Former Ohio Lottery Director Pat McDonald resigned after an Ohio Lottery Commission (OLC) employee accused him of unwanted behavior, according to an investigation conducted by Zashin & Rich on behalf of the Ohio Department of Administrative Services (DAS). Investigators found McDonald sent text messages "expressing inappropriate fondness and innuendo toward two employees," and engaged in "unwanted touching of two employees' arms, shoulders and forehead," says the report, which DAS provided following a public records request. McDonald also gave an unwanted hug, made verbal comments about the appearances of two employees, and allowed two employees additional flexibility beyond the agency's timekeeping policy, the report says.

The Ohio Department of Public Safety's (DPS) Office of Criminal Justice Services (OCJS) released two requests for proposals (RFP) last week for federal grants to combat violence against women and overall crime. The Violence Against Women Act (VAWA) and the Edward J. Byrne Memorial Justice Assistance Grant (JAG) programs support victim service providers and law enforcement, prosecutors, courts and correction agencies statewide. The RFP deadline is 5 p.m., Monday, June 5. More information can be found at tinyurl.com/yptb6fy7. A bidder's training webinar on the application process is scheduled 10-11:30 a.m., Tuesday, May 16. Webinar registration is available at tinyurl.com/3fsrzca7.

TRANSPORTATION/INFRASTRUCTURE

Over the last century, Hollywood has presented the public with vivid visions of how mankind will travel in the future, with movies such as "Back to the Future" and "Blade Runner" predicting

the use of flying cars by now. Walker Evans, co-founder and CEO of Columbus Underground and the host of a Columbus Metropolitan Club panel on the future of personal transportation, said there seems to be a disconnect between those future dreams and the continued burning of the same fossil fuels as when the first Model T car rolled off the assembly lines. The panel, which included Harvey Miller, director of the Geography Center for Urban and Regional Analysis at Ohio State University, DriveOhio Executive Director Preeti Choudhary, and Ted Angel, the director of Aerospace Affairs of the Dayton Development Coalition, addressed the cause of that disconnect.