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### Week in Review

Wednesday, August 7, 2024

#### **ADDICTION/SUBSTANCE ABUSE**

Biden administration officials held a videoconference Thursday to highlight a new national security memorandum the president signed this week to bolster administrative actions to fight fentanyl and other synthetic opioids, and to amplify the president's call for specific legislative enactments to further that effort. Jennifer Daskal, deputy homeland security adviser at the National Security Council, said the White House knows drug traffickers are both violent and "adaptable," and so the administration needs to adapt its tactics as well. Biden's latest memo directs officials to "redouble their efforts through a coordinated, strategic and information-driven focus on disrupting the supply chain of illicit fentanyl and other synthetic opioids." Relevant agencies named in the memo include the U.S. intelligence community, the U.S. Postal Service and the federal departments of state, treasury, defense, justice, commerce, health and human services, transportation, energy and homeland security.

#### **AGRICULTURE**

The General Assembly would need to act for veterinarians to effectively use telehealth to treat patients in Ohio, Ohio State University (OSU) College of Veterinary Medicine Dean Rustin Moore told a joint meeting of the House and Senate agriculture committees at the Ohio State Fair on Wednesday. Responding to a question, Moore said Ohio veterinarians cannot currently establish a veterinarian-client-patient relationship using telehealth. He said the practice is allowed in California, Florida and Arizona, as well as Ontario, Canada.

Gov. Mike DeWine said that state fair attendance is up for 2024 and it has gone well so far as they have had good weather. His comments came at the Thursday induction ceremony for seven new members of the State Fair Hall of Fame. Those inductees include Rae Bricker, an Ohio Expo Center and State Fairgrounds employee for 27 years; Glen Carr, a State Fair supporter and barn director for 50 years; Jason Fallon, park event coordinator for the Ohio Department of Natural Resources; Lisa Gallagher, a fair supporter and All-Ohio State Fair Band and Youth Choir employee for 24 years; Todd Osborn, a State Fair employee for 32 years; and Donald and Joanne Tracey, State Fair vendors for 66 years.

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

Gov. Mike DeWine and Ohio Department of Development Director Lydia Mihalik announced Monday that \$36.7 million in state tax credits will support 17 theatrical, television, and film production projects in Ohio. The tax credits are being awarded as part of the Motion Picture Tax Credit Program. Fourteen feature films, one television mini-series, one television series and one Broadway/theatrical production are expected to create around 500 new jobs, nearly \$122 million in eligible production expenditures and \$150 million in total production expenses, according to the Department of Development.

#### **ATTORNEY GENERAL**

Attorney General Dave Yost's "thoughtfully reimagined" annual law enforcement conference, now known as the Law Enforcement Training Symposium (LETS), is scheduled this year for Sunday, Sept. 29 - Tuesday, Oct. 1. "The numerous changes to this year's gathering have resulted in a more purpose-driven event that will deliver immediate, concrete benefits for the peace officers who attend," says Yost. Hosted by the Ohio Peace Officer Training Academy, participants can complete the eight mandatory hours of annual continuing professional training (CPT) during the symposium, pending CPT approval of LETS workshops, and experience Virtual Reality Immersion (VRI) -- "the next big thing in law enforcement training," according to Yost -- and become certified as virtual reality instructor, among other sessions. Registration ends Sunday, Sept. 22. The symposium schedule can be found at [tinyurl.com/mpebmhzu](https://tinyurl.com/mpebmhzu). Questions or comments may be directed to OPOTA Project Coordinator Susan Boggs.

## **BALLOT ISSUES**

Attorney General Dave Yost Wednesday announced he had rejected the petition summary of a proposed constitutional amendment titled "Homestead and Personal Property" for lack of enough verified voter signatures. The proposed amendment says the state or local governments "shall not have the right or power to increase the taxable property value on any citizen's private property or properties," without the private property owner's agreement or consent. The amendment also states that the only time private property or properties may be reappraised for taxation purposes is in the case of transference of the property through sale or inheritance, and that the state shall provide for seniors and/or disabled persons a homestead exemption credit of \$50,000, to be adjusted each year for inflation. Yost's office said it received the petition on July 23, but the minimum-required 1,000 signatures of qualified Ohio voters could not be verified by county boards of elections. Yost said the submission contained only 508 valid signatures.

## **EDUCATION**

Gov. Mike DeWine announced Friday he signed legislation that requires public schools to permit up to three excused absences for "religious expression days" and that prevents schools from requiring employees, applicants or students from ascribing to certain "beliefs, affiliations, ideals, or principles concerning political movements, or ideology." The governor signed HB214 (Holmes) on Wednesday, July 24 and it becomes effective in 90 days. Under the bill, each school district, community school, STEM school, and college-preparatory boarding school must adopt a policy that "reasonably accommodates" the sincerely held religious beliefs and practices of students, and that includes permitting up to three excused absences for "religious expression days." HB214 also requires each school district, community school, and STEM school to adopt a policy that prohibits the district or school from "soliciting or requiring" an employee, applicant, or student "to affirmatively ascribe to, or opine about, specific beliefs, affiliations, ideals, or principles concerning political movements, or ideology."

Gov. DeWine's multi-disciplinary Children's Vision Strike Force turned the focus of its second meeting on school-based health care (SBHC) and expanded eye services to students, parents and communities at large as an effective model for vision care, receiving presentations from the Ohio Department of Education and Workforce (DEW), Ohio Department of Medicaid (ODM) and Ohio Department of Health's (ODH) Ad Hoc Vision Advisory Committee.

Mary Cleveland, a school board member for Princeton City Schools and Great Oaks Career Campuses in Southwest Ohio, has been nominated to the post of 2025 president-elect for the Ohio School Boards Association (OSBA). If elected to the post at the OSBA November conference, she will serve next year and then become OSBA president in 2026. According to OSBA, Cleveland is in her 11th year for the two local boards and chairs the Great Oaks board. She serves on the OSBA Board of Trustees and Executive Committee and is immediate past president of the Southwest Region Executive Committee.

Teachers from Northeast and Southwest Ohio are the four finalists for the 2025 Ohio Teacher of the Year honor, the State Board of Education said Tuesday. The finalists, selected from among the 11 Ohio Teacher of the Year candidates representing the 11 board districts, are the following: Justin Stone, high school biology, anatomy and physiology teacher from Trotwood-Madison City Schools and the District 3 Teacher of the Year; Michelle Dorhrmann, English teacher and teacher academy instructor for West Clermont Local Schools and the District 5 Teacher of the Year; Danee Pinckney, high school English language arts teacher for Twinsburg City Schools and District 10 Teacher of the Year; and Jennifer Winkler, middle and high school visual arts teacher for Green Local Schools and District 11 Teacher of the Year.

Observing a virtual student gathering in which students discussed an assignment without their teacher present did not fulfill one of three required observations of the teacher that the Kent City School District needed to complete before moving to fire him, the Ohio Supreme Court ruled 6-1 Wednesday. The ruling affirms an 11th District Court of Appeals decision, which had overturned a trial court ruling that backed Kent officials' decision to fire Shawn Jones, a longtime teacher in the district. The Supreme Court ordered Jones to be reinstated and remanded the case to Portage County for further proceedings, including calculation of back pay for the wrongly fired teacher.

## ELECTIONS

Secretary of State Frank LaRose Thursday marked the fourth annual National Poll Worker Recruitment Day, issuing a statement reminding voters of the important role of poll workers in elections and urging them to consider volunteering to be a poll worker in November. The secretary of state's office said it has undertaken several initiatives to support county board of election poll worker recruitment efforts. In addition to a general poll worker recruitment toolkit, tailored resources for businesses, young Ohioans, military veterans, and more can be found at <http://VoteOhio.gov/DefendDemocracy>. Ohioans wishing to sign up to be a poll worker may also visit <https://pollworkertracker.ohiosos.gov/signup>.

## ELECTIONS 2024

A spokesman for Secretary of State Frank LaRose confirmed that Robert F. Kennedy Jr. has filed paperwork to appear on Ohio's ballot in November. The campaign submitted 13,000 signatures. It needs 5,000 valid signatures in order to qualify for the ballot. If he qualifies, he joins Jill Stein among non-party candidates who have filed to run in Ohio. Candidates have until Tuesday, Aug. 6, to file petitions to appear on Ohio's ballot.

Organizing for Ohio Coordinated Campaign Monday announced the launch of its Voter Assistance Hotline to answer questions Ohioans have about voting and new voter ID laws, help Ohioans register to vote and request an absentee ballot, and respond to concerns at local polling places. The hotline will be available for Ohioans 24 hours a day, the group said. The hotline is available at 844-644-8683 (844-OHI-VOTE). Backers of a redistricting reform constitutional amendment that will appear before voters in November reported raising more than \$23 million over the first half of this year, though it has wiped out much of that balance to get the issue on the ballot. Wednesday was the deadline for semiannual campaign finance reports to be filed with the secretary of state's office, covering candidates who are not on the ballot this year as well as political action and ballot issue committees. Citizens Not Politicians, which brought the proposal to create a 15-member citizens redistricting commission to the ballot, reported almost \$25 million in expenditures, and a zero balance on hand.

AARP Ohio Thursday released the results of a poll it recently commissioned on the upcoming election, highlighting the opinions of Ohioans ages 50 and older. The survey found in the U.S. Senate race, incumbent U.S. Sen. Sherrod Brown (D-OH) leads businessman and Republican nominee Bernie Moreno 46 percent to 42 percent among voters surveyed overall. However, Moreno leads 47 to 45 percent over Brown among voters 50 and older. Those ages 50 to 64 prefer Moreno by 5 percentage points, while Brown has a 1-percentage point lead among voters 65 and older. Brown holds a lead of 17 percentage points among women voters 18 and older, and 6 percentage points among women 50 and older. Black voters 50 and older prefer Brown over Moreno, 86 percent to 8 percent, AARP said.

Secretary of State Frank LaRose announced Thursday that he is directing boards of elections to remove 499 registrations from Ohio's voter rolls that his office identified as non-citizens. He said the registrations were identified after a review by the Public Integrity Division and Office of Data Analytics and Archives in his office of voter records for compliance with Ohio's constitutional citizenship requirement. The 499 registrations include individuals who confirmed their non-citizen status to the BMV. Plus, a subsequent review of the federal Systematic Alien Verification for Entitlements (SAVE) database system has confirmed them to be non-citizens, LaRose said. They failed to respond to notices from the secretary of state's office asking that they either confirm their citizenship status or cancel their registration. These are in addition to 136 voter registrations identified earlier this year for removal.

Republican congressional candidates Derek Merrin and Kevin Coughlin are among the 26 candidates named by the National Republican Congressional Committee (NRCC) for its 2024 "Young Guns" program. According to the NRCC, the program "mentors and supports candidates in races across the country and works to provide them with the necessary tools to run successful, winning campaigns against their Democratic opponents."

The following endorsements were made over the week:

- The Ohio Nurses Association endorsed Sherrod Brown (D-OH) for U.S. Senate; Greg Landsman, Joyce Beatty, Marcy Kaptur, Shontel Brown, and Emilia Sykes for Congress; the Citizens Not Politicians constitutional amendment; Melody Stewart, Michael Donnelly and Lisa Forbes for Ohio Supreme Court; Lou Blessing, Beth Liston, Sue Durichko and Casey Weinstein for Ohio Senate; and Dontavious Jarrells, Latyna Humphrey, Ismail Mohamed, Beryl Brown Piccolantonio, Meredith Lawson-Rowe, Christine Cockley, Allison Russo, Anita Somani, Munira Abdullahi, Crystal Lett, Tristan Rader, Sean Brennan, Chris Glassburn, Bride Rose Sweeney, Juanita Brent, Phillip Robinson, Terrence Upchurch, Darnell Brewer,

Dan Troy, Dani Isaacsohn, Cecil Thomas, Sedrick Denson, Rachel Baker, Bill Roemer, Veronica Sims, Andrea White, Desiree Tims, Phil Plummer, Erika White, Elgin Rogers, Michele Grim, David Blythe, Scott Oelslager, Joe Miller, Adam Mathews, Jamie Callender, Brian Lorenz, Kevin Miller, Heidi Workman, Jeff LaRe, Haraz Ghanbari, Tracy Richardson, and Justin Pizzulli for Ohio House.  
- The re-election campaign of U.S. Sen. Sherrod Brown announced the endorsement of the Ohio Conference of the American Association of University Professors (OCAAUP).

## **ELECTIONS 2026**

Lt. Gov. Jon Husted's campaign committee reported raising \$1.7 million through the first part of the year and has \$5 million on hand. The campaign committee for Husted, who is running for governor in 2026, said the total "reflects the most raised in Ohio history for a statewide campaign committee with two years and three months remaining until the November 2026 statewide elections." Among other potential 2026 gubernatorial candidates, Attorney General Dave Yost reported \$354,018 in contributions, and has \$1.5 million on hand. Treasurer of State Robert Sprague reported \$310,855 in contributions, and has nearly \$2.2 million on hand.

## **ENERGY/UTILITIES**

Digital infrastructure provider Standard Power will have another opportunity to convince state regulators its 100-plus megawatt (MW) operations deserve subsidized electric rates under a "reasonable arrangement" with American Electric Power (AEP) of Ohio while it awaits the nuclear scale-up of small modular reactors (SMR) to serve power-hungry data centers and cryptocurrency miners in Central Ohio. Standard Power currently operates two Coshocton County sites at a decommissioned coal generating plant in Conesville and an old pulp mill in Coshocton and is planning an expansion requiring billions of dollars of capital and nearly 500 MW to power those locations. "As a pioneer in servicing advanced data and computer processing industrial-sized operations, Standard Power is making Ohio a center of the most progressive, technologically advanced industries in both the United States and the world," it tells the Public Utilities Commission of Ohio (PUCO) in its application for a reasonable arrangement, which requires all customers within a utility's service territory to absorb the cost of discounted electricity in exchange for job creation and economic development by large industrial users.

The Buckeye State's first electric reliability auction in three years tells the story of spiking energy prices and declining fossil fuel generation leading to a supply and demand imbalance in PJM Interconnection's 13-state area encompassing Ohio. The regional transmission organization's (RTO) 2025-2026 "capacity" resources -- those able to run 24/7/365 -- yielded a price of \$269.92 per megawatt day (MWD) for most of its footprint and a figure over one and a half again as high for portions of PJM. That's more than nine times the \$28.92 MWD price for 2024-2025 and just under three times the previous 10-year average. PJM blames the actual or pending retirement of 6,600 MW of generation since the last capacity or "base residual" auction (BRA), comprising mostly coal; a 2 percent increase in projected peak demand; and new Federal Energy Regulatory Commission (FERC) metrics that more accurately reflect intermittent renewable energy's inability to run 24/7/365.

## **ENVIRONMENT**

Ten environmental science and engineering students have received scholarships through the Ohio Environmental Protection Agency's (Ohio EPA) Environmental Education Fund to study at Ohio colleges and universities, the agency announced Monday. Students were selected based on a variety of criteria, including academic performance, research, employment/internships, leadership and letters of recommendation from education or environmental professionals, Ohio EPA said.

The Ohio Water Development Authority (OWDA) awarded \$40.7 million through low interest loans to communities to improve wastewater and drinking water infrastructure and make water quality improvements. For the month of June, OWDA funded 20 projects that will provide improvements and replace aging infrastructure, OWDA said. The 20 awarded projects received an interest rate ranging from 1.75 percent to 3.98 percent.

## **FEDERAL**

Changes to the current U.S. Supreme Court and future appointments, including term limits, appear "dead on arrival," U.S. House Speaker Mike Johnson (R-LA) said of President Joe Biden's sweeping proposal this week, unless the proportion of Red and Blue states shifts so profoundly that three quarters would ratify a U.S. Constitutional amendment previously passed by two thirds of Congress. On Monday, Biden

proposed two fundamental changes to the Constitution: allow the president to appoint a new justice every two years to serve no more than 18 years, and bar immunity from "federal criminal indictment, trial, conviction or sentencing" sustained while serving as president. He also urged Congress to impose a "binding code of conduct" on the Court requiring justices to disclose gifts, refrain from public partisanship, and recuse themselves when they or their spouses have financial or other conflicts of interest. "On top of dangerous and extreme decisions that overturn settled legal precedents -- including *Roe v. Wade* -- the Court is mired in a crisis of ethics. Scandals involving several justices have caused the public to question the Court's fairness and independence, which are essential to faithfully carrying out its mission of equal justice under the law," the president said in a *Washington Post* op-ed.

## **GAMING/GAMBLING**

Ohio was recently ranked 27th in a report listing states with the most gambling addiction, according to personal finance site WalletHub. That puts Ohio second-lowest among neighbor states. The five highest states nationally were Nevada, South Dakota, Montana, Louisiana and Pennsylvania. The report said Nevada's "very lax" laws on gambling and the presence of Las Vegas contributed to the rank. Pennsylvania led the region, followed by West Virginia at 8th; Michigan at 17th; Indiana at 22; Ohio at 27th; and Kentucky at 35th.

## **GENERAL ASSEMBLY/STATEHOUSE**

Monday's House *Journal* included new chair appointments as well as committee assignments for the latest member to join the chamber, Rep. Tex Fischer (R-Youngstown). Rep. DJ Swearingen (R-Huron) is the new chair of the House Health Provider Services Committee. Rep. Monica Robb Blasdel (R-Columbiana) is the new chair of the House Pensions Committee; the position has been vacant since Rep. Adam Mathews (R-Lebanon) was named House Public Health Policy Committee chair in May. Rep. Brian Lorenz (R-Powell) was named chair of the House Economic and Workforce Development Committee Monday, succeeding Swearingen. Rep. Jack Daniels (R-New Franklin) was named vice chair of the House Ways and Means Committee, succeeding Lorenz in the position. Rep. Scott Oelslager (R-North Canton) was named chair of the House Constitutional Revisions Committee.

The Ohio Department of Health (ODH) and the Ohio Department of Mental Health and Addiction Services (OhioMHAS) told the Joint Sunset Review Committee Tuesday that three entities should be allowed to sunset. Representatives from all other agencies at the hearing requested reauthorization. In written testimony, OhioMHAS Director LeeAnne Cornyn said the Ohio Children's Behavioral Health Prevention Network Stakeholder Group has "fulfilled its statutory responsibilities," and the department recommends the group be allowed to end. Also in written testimony, Lisa Griffin, director of government affairs for ODH, asked that the Director of Health's Advisory Group on Violent Deaths and the Infant Hearing Screening Subcommittee (IHSS) be eliminated.

Legislation requiring professional sports stadiums to use natural grass fields is necessary to protect the health and safety of athletes, Reps. Rodney Creech (R-West Alexandria) and Terrence Upchurch (D-Cleveland) said during a Statehouse press conference Tuesday. Creech and Upchurch introduced HB605 in May, and it has yet to receive a hearing in the House Economic and Workforce Development Committee. The bill applies to the National Football League (NFL), Major League Baseball (MLB) and Major League Soccer (MLS) stadiums. Creech and Upchurch said the bill would likely only require field changes by the Cincinnati Bengals, because the Cleveland Browns, Cleveland Guardians, Cincinnati Reds, FC Cincinnati and Columbus Crew all currently play on natural grass fields. Specifically, the bill requires professional stadiums to have fields that are at least 90 percent natural grass and maintained at industry standard levels for high performance field surfaces.

## **HANNAH NEWS RACES TO WATCH**

A longtime communications worker and union leader campaigning on worker issues and a graduate student who wants to address what he sees as an existential crisis among his Gen Z generation are facing off in November for a redrawn and open 41st House District. One of four Lucas County districts, the 41st district was redrawn by the Ohio Redistricting Commission last year. The seat's current occupant, Rep. Josh Williams (R-Oregon), now has his home in the 44th House District. The redrawn lines give House Democrats their best chance for a seat pickup in the House, with the redistricting commission giving it a Democratic leaning index of nearly 61 percent, while Dave's Redistricting puts it at a 58 percent Democratic lean. The Democratic nominee for the seat, Erika White, told *Hannah News* that she has noticed a shift in the energy in her community for this year's election. Working for AT&T for over 30 years, she is the current president of Communications Workers of America Local 4319, and is also a

fitness enthusiast, motivator, freelance writer and public speaker. She described herself as a working mother who knows what it is like to have to decide between paying a bill or getting something her children need, or having an unexpected expense because her car hit a pothole. She faces Republican Josiah Leinbach, a 26-year-old graduate student at Bowling Green State University who said he can't be ambivalent about his generation facing what he calls an "existential crisis," including high rates of loneliness, depression, suicide and falling marriage rates. He said voters he has talked to on the campaign trail have shared similar stories about the struggles of their children and grandchildren. He said they are impressed that a younger individual wants to make a difference.

## **HEALTH AND HUMAN SERVICES**

Following Gov. Mike DeWine's signing HB47 (Brown-Bird), a joint effort was launched Monday encouraging every Ohioan to learn basic bystander care. The "Every Minute Counts" campaign emphasizes the importance of hands-only CPR in addition to AEDs as methods of bystander intervention that help increase survivor rates for an individual in sudden cardiac arrest. HB47 requires automated external defibrillators (AED) in all public and private schools and local sports and recreation facilities in municipalities and townships of 5,000 residents or more. The campaign, launched by the Ohio Department of Public Safety (DPS) and the Ohio Division of Emergency Medical Services (EMS), hopes to engage with communities in Ohio about the importance of bystander intervention using social media posts and community engagement by local EMS agencies.

## **HIGHER EDUCATION**

Attorney and bankruptcy expert Fred Ransier will manage Eastern Gateway Community College (EGCC) as its conservator in the near term as it winds down and is dissolved, Gov. Mike DeWine's office said Wednesday. Earlier this year, Eastern Gateway had paused enrollment and cut staff, and trustees later voted to withdraw their accreditation with the Higher Learning Commission and dissolve the college. Ransier is a retired partner with Vorys, Sater, Seymour and Pease and has served as bankruptcy trustee for the Southern District of Ohio since 1988. DeWine also named a five-member Governance Authority, which by law must take over from the conservator within 30 days. Kimberly Murnieks, director of the Office of Budget and Management, will chair the authority. Other members include Thomas D'Anniballe of Jefferson County, an accountant who is finance chair for the EGCC Board of Trustees; Gregory White of Lake County, former Lorain County prosecutor, Northern District U.S. attorney and federal magistrate judge; Mike Halleck, Columbiana County commissioner and county commission president; and Kimberly Bates-Bozich of Jefferson County, former co-owner of Bozich Food Services and corporate secretary at Bates Amusement Inc.

Cleveland Clinic became the official health care provider for Kent State University athletics, effective July 1. Cleveland Clinic now serves as the medical services provider to support Kent State student-athlete health and wellness, providing multidisciplinary services including physicians, athletic training, physical therapy, behavioral health services, sports performance services, medical scheduling and insurance processing. With the new partnership, Dr. Lutul Farrow, executive director of Cleveland Clinic Sports Medicine, serves as the head team physician and Kent State Athletics' health care administrator. He heads a group of team physicians that includes Dr. Sami Rifat, director of sport and exercise medicine at Cleveland Clinic. The team physician staff will also include four additional board-certified, fellowship-trained sports medicine specialists. These team physicians will provide care at all Kent State home sporting events, Mid-American Conference (MAC) championships hosted by Kent State as well as home and away football contests.

Rattan Lal, a distinguished university professor at Ohio State's College of Food, Agricultural, and Environmental Sciences (CFAES), has received the 2024 Gulbenkian Prize for Humanity for his contributions to global food security, climate resilience and ecosystem protection. Lal, also the founding director of the CFAES Rattan Lal Center for Carbon Management and Sequestration, was chosen for his work in promoting a soil-centric approach to agriculture that has been recognized as a model for secure food systems that can be adapted worldwide. His innovative approaches have proven successful across various climates and geographies, demonstrating the benefits of sustainable agriculture to communities, economies and the planet, the Calouste Gulbenkian Foundation said in announcing the award. Ohio State University (OSU) has appointed legal scholar Lee J. Strang as the inaugural executive director of its Salmon P. Chase Center for Civics, Culture, and Society. Strang is also the inaugural director of the University of Toledo's Institute of American Constitutional Thought and Leadership. Both institutes are among five "intellectual diversity" centers created by the state operating budget HB33 (Edwards). Strang also currently serves as the John W. Stoepler Professor of Law and Values at the University of Toledo, where he has been a member of the faculty since 2008.

University of California (UC) President Dr. Michael V. Drake announced Wednesday that he will step down from his role at the end of the 2024-25 academic year after five years leading California's public research university system. Drake was appointed as UC's 21st president in July 2020. Before assuming the role of UC President, Drake served as the 15th president of Ohio State University (OSU) from 2014 through June 2020

## JUDICIAL

In a split decision backed by 19 other states, the Ohio Supreme Court majority sided with Republican Attorney General Dave Yost Thursday and granted his appeal of a 10th District order requiring Yost to personally sit for deposition and produce all records detailing his conversations with the Republican Attorney General Association (RAGA), the conservative Rule of Law Defense Fund (RLDF) and corporate donors. The Democratic minority, siding with the liberal Center for Media and Democracy (CMD) and backed by the League of Women Voters of Ohio and The Marshall Project, charged Republican justices with partisan bias in granting the appeal and with abusing the separation of powers from other branches of government, invoking the watershed constitutional decision establishing judicial review in *Marbury v. Madison* (1803). Yost in turn accused a 10th District magistrate and appellate panel of invading his executive powers. In *Center for Media and Democracy v. Office of Attorney General Dave Yost*, Madison, WI-based CMD had persuaded then Presiding Judge Laurel Beatty Blunt and current Presiding Judge Mike Mentel of the 10th District, both Democrats, to uphold the court magistrate's order for Yost to identify (1) "any employee who assisted in the drafting of any document that 'in any way' involved other states' Republican attorneys general," (2) "RAGA and RLDF events that he or any member of his staff attended," and (3) "all court filings, agency submissions and interactions with public officials for which RAGA or RLDF provided input," along with a broad range of other documents, Justice R. Patrick DeWine noted in his lead opinion.

The General Assembly, governor's office and Joint Committee on Agency Rule Review (JCAAR) will not be forced to watch the judicial branch suspend their legal enactments after HB301 (Swearingen) takes effect on Tuesday, Oct. 22. The following language in HB301 will block future TROs while government enactments are under litigation: "An order restraining or restricting enforcement, whether on a temporary, preliminary or permanent basis, in whole or in part, facially or as applied, of any state statute or regulation, including but not limited to orders in the form of injunctions, declaratory judgments or writs," is a final, appealable order that may be "reviewed, affirmed, modified or reversed" by a higher court, states R.C. 2505.02(B)(8). It will block future TROs, that is, unless the provision's constitutionality is likewise litigated and repealed by the courts.

State and city officials arguing a gun regulation case are both trying to create new court rules that would benefit themselves but not individual citizens, the Buckeye Institute argued in a brief at the Ohio Supreme Court this week. The conservative think tank filed *John Doe et al. v. City of Columbus*, in which a Delaware County judge blocked gun control laws enacted in the city of Columbus, an outcome upheld by the Fifth District Court of Appeals. The case rose to the Ohio Supreme Court on the question of whether government jurisdictions can immediately appeal preliminary injunctions that block legislative enactments. Both Columbus officials and, through an amicus brief, Attorney General Dave Yost have argued in favor of such appeals.

## MARIJUANA/HEMP

Thirty-four cannabis facilities have now been issued dual-use certificates of operation to participate in both the adult-use and medical marijuana programs, Ohio Department of Commerce (DOC) Division of Cannabis Control (DCC) spokesperson Jamie Crawford told *Hannah News* on Monday. The businesses receiving certificates of operation include 15 cultivators, 15 processors and four testing labs. No dispensaries have yet received certificates of operation, so adult-use marijuana sales to consumers have not begun. The division has notified 195 facilities (not including the 34 with certificates of operation) that they have qualified for dual use provisional licenses. Businesses receiving provisional licenses include 134 dispensaries, 36 processors, 22 cultivators and three testing labs.

Ohio's adult-use marijuana legalization initiated statute prohibits cannabis companies from operating in at least 17,000 locations across the state, according to research published by the Ohio State University (OSU) Drug Enforcement and Policy Center (DEPC). Barring a few exceptions as defined in ORC Section 3789.07, adult-use operators cannot operate within 500 feet of a church, public library, public playground, public park or school as defined in ORC Section 3796.30. DEPC confirmed the following number of prohibited locations although it has not been able to site public parks and playgrounds:

- Schools: 6,552 locations



- Churches: 9,934 locations
  - Public libraries: 719 locations
- The map can be viewed at <https://tinyurl.com/5767ezcm>.

## **MEDICAID/MEDICAID REFORM**

Nursing home trade groups have again filed suit in the Ohio Supreme Court to challenge how the Ohio Department of Medicaid (ODM) is implementing a quality incentive payment structure included in the biennial budget bill, HB33 (Edwards). LeadingAge Ohio, the Ohio Health Care Association and the Academy of Senior Health Services filed a lawsuit on the issue in February. Justices referred the case to mediation, returned it to the regular docket in March, but then dismissed it without prejudice last week for failure to comply with Supreme Court Rules of Practice regarding the affidavits required to be filed for original actions in the Supreme Court. The plaintiffs then filed a new complaint Friday. The thrust of the lawsuit is the same, alleging that the Ohio Department of Medicaid, wrongly conflated two terms in the budget bill and as a result substantially reduced how much facilities receive for meeting quality incentives.

## **NATURAL RESOURCES**

The Ohio Department of Natural Resources (ODNR) has sold the fishing boat of two men who were convicted in 2023 of felony cheating and animal ownership charges. Chase Cominsky, of Hermitage, PA, and Jacob Runyan, of Ashtabula, were caught putting lead sinkers inside the fish they caught during a walleye fishing tournament in 2022 near Cleveland. ODNR seized their 22-foot Ranger boat, which sold Tuesday in an online auction. The sale, which included the boat's motors and trailer, reeled in an auction price of \$82,000 with a final price of \$96,288.50 after fees and taxes. The money from the sale will purchase a new Lake Erie enforcement patrol vessel for Ohio Wildlife Officers with ODNR's Division of Wildlife.

Gov. Mike DeWine joined Ohio Department of Natural Resources (ODNR) Director Mary Mertz at the Ohio State Fair to honor several Ohioans for their lifetime achievements in conservation and protection of Ohio's natural resources. Seven individuals were inducted on Wednesday into the ODNR Hall of Fame, including the following: Michael Budzik, Leon Mertz, Nancy Stranahan, Peg VanVleet, Milton Brent, Rev. Pascal Bright and Emmett Conway Jr.

## **OHIO HISTORY**

The Ohio History Connection will open the Octagon Earthworks in Newark for full public access Jan. 1, 2025, after reaching a settlement with Moundbuilders Country Club to buy out its lease on the property. The organizations have agreed to settle for a confidential sum, averting a jury trial in the Licking County Court of Common Pleas to determine the fair market value of the lease. According to the terms of the settlement, the Ohio History Connection will gain the leasehold on the Octagon Earthworks property Jan. 1. The country club has held a lease on the property since 1910; the Ohio History Connection was deeded the property in 1933.

## **PENSIONS**

An appeals court magistrate recommended Friday that the State Teachers Retirement System (STRS) be ordered to turn over more investment records to an investigator hired by retirees critical of the system's investment practices, though he found the pension fund was right to deny some requests as too broad or ambiguous. Edward Siedle, an attorney who specializes in investments, was hired by the Ohio Retirement for Teachers Association (ORTA) to investigate STRS a few years ago. Siedle's 10th District suit argued STRS hadn't included responsive documents among records it turned over in response to his requests, including some related to Panda Power, a private equity firm on which STRS is reported to have lost hundreds of millions of dollars. The magistrate's recommendation must be ratified by appellate judges in order to take effect, and parties have the opportunity to object to his recommendation.

## **PEOPLE**

Attorney Daniel Griffith took over as the 2024-25 president of the Ohio State Bar Association (OSBA) effective July 1. A resident of North Canton, Griffith served as an officer of the bar association in the post of president-elect for the 2023-24 bar year. Griffith is the senior vice president and director of wealth strategy at Huntington Private Bank. In this role, he oversees a team of advisors specializing in ultra-high net worth clients. He advises clients and presents on topics such as asset preservation, gift and estate taxation and business succession strategies.



The Board of Trustees of MetroHealth, Cuyahoga County's public, safety-net hospital system, Friday named Dr. Christine Alexander-Rager, as acting president and CEO, effective immediately. She will lead the system while current President and CEO Airica Steed is on medical leave. Alexander-Rager has been with MetroHealth for nearly three decades, most recently serving as the enterprise's interim executive vice president, chief physician executive and clinical officer. Prior to assuming that role, she served as chair of family medicine for 14 years.

Ohio Right to Life CEO Peter Range announced that he's "walking away" from the anti-abortion organization. Range wrote on social media that his last day was Wednesday, July 31. "In many ways, being CEO of Ohio Right to Life was my 'dream job' and I wish that I could have continued here," he continued. He did say he would continue his work to "abolish abortion, restore culture and advance the kingdom of God."

## **PUBLIC SAFETY**

The Fraternal Order of Policy of Ohio (FOP) recently elected Marion Police Chief Jay McDonald as its president, a role he previously served in from 2010-2018. McDonald has served in various roles for the Marion Police Department since 1994. Additionally, he has also served as the National FOP vice president from 2015-19. McDonald said in a statement he's looking forward to a second tenure as state president.

## **REDISTRICTING/REAPPORTIONMENT**

Gov. Mike DeWine Wednesday held a press conference to make his opposition to November's redistricting constitutional amendment known, saying that while he believes the current system should be changed, he believes the "Citizens Not Politicians" proposal puts too much emphasis on proportionality over all other requirements and would only make redistricting worse. Instead, the governor said he supports Ohio's adopting a reform similar to the current system in Iowa, where a nonpartisan body draws state legislative and congressional maps solely on population with no consideration of past partisan voting patterns. However, DeWine stopped short of calling a special session to put a competing measure on the ballot, a move that had been rumored since the Citizens Not Politicians proposal was certified to the ballot. He said he believes there would not be enough time to get the issue passed, and that there was not the will among lawmakers to come back and pass something immediately. In order to get something on the November ballot, lawmakers would need to pass a joint resolution by Wednesday, Aug. 7.

## **STATE GOVERNMENT**

The Office of Budget and Management (OBM) announced Friday that the Ohio Grant Portal is open for awardees who are receiving grant funds through the \$717 million One Time Strategic Community Investment Fund approved as part of HB2 (Cutrona-Upchurch). There are 656 projects with the average project award equaling approximately \$1 million, OBM noted. Projects include infrastructure needs, such as local law enforcement and volunteer fire departments station upgrades; local infrastructure projects, such as water line, sewer line, and wastewater treatment plant upgrades; local school and library improvement projects; local airport improvements; and bridge repairs. Additionally, funding supports community programming such as Boys and Girls Clubs, YMCAs, and YWCAs throughout Ohio.

The Controlling Board Monday approved requests related to the All Ohio Future Fund after discussion, with members also holding items that sought waivers of competitive selection and discussing the use of non-Ohio companies for other projects. The Ohio Department of Development (DOD) request transferred \$16 million from FY24 to FY25 for the All Ohio Future Fund, with another item releasing \$14.6 million to the Defiance County Board of Commissioners for site infrastructure improvements in the Baltimore Avenue Industrial Corridor. The goal is to attract "major corporations," the DeWine administration said in a separate announcement Monday, and it is the first investment under the \$750 million program.

The Ohio Department of Commerce's (DOC) Division of Financial Institutions Thursday ordered cryptocurrency exchange CoinZoom Inc. to immediately suspend its operations in Ohio. DOC said its order means that CoinZoom may no longer accept new business or assets from Ohio residents; however, Ohio residents that are current customers are able to withdraw fiat currency or cryptocurrency assets from their accounts. CoinZoom, which offers a range of financial products and over 30 available cryptocurrencies, is licensed as a money transmitter in Ohio. The order follows a multi-state bank examination that Ohio regulators participated in, during which examiners were unable to determine the company's financial condition due to incomplete or inaccurate financial records, DOC said. The Division

of Financial Institutions (DFI) concluded that the company's financial records were insufficient to meet the certification requirements for licensees, making it impossible for DFI to ascertain the company's financial health.

## **TAXATION**

Ohio's broader sales tax holiday, which supplants the back-to-school sales tax holiday in years the state has enough excess revenue to sustain the hit to tax collections, is now underway through Thursday, Aug. 8. Lawmakers created the expanded sales tax holiday in the biennial budget bill, HB33 (Edwards). It is triggered in any year in which the state has at least \$60 million in surplus revenue after meeting Rainy Day Fund targets. This mechanism for returning surplus tax revenue replaced the Income Tax Reduction Fund, which was designed to trigger automatic income tax cuts in times of surplus revenue but was not used by lawmakers in any recent budgets. The 2024 sales tax holiday applies to items priced at \$500 or less, purchased in-person or online, with some exceptions including purchases of services, watercraft, outboard motors, motor vehicles, alcoholic beverages, tobacco, vapor products or any item that contains marijuana.

## **TECHNOLOGY/AEROSPACE**

Ohio cybersecurity experts Friday said companies need to prepare for cyberattacks on a regular basis because it's "a matter of when" not "if" a corporation will become the target of a cybercrime. Chris Prewitt, chief technology officer at Inversion6; Steven Stransky, partner at Thompson Hine LLP; and Jess Walpole, chief technology officer at Fortress Security Risk Management, served as panelists at the City Club of Cleveland's forum on cybercrime. As cyberattacks become more commonplace, their risks are also increasing. An attack can immobilize a business or even government operations. After CDK Global, a software firm serving car dealerships across the U.S. and in Northeast Ohio, was hit by a cyberattack this spring, it reportedly paid a \$25 million ransom to the hackers. On Friday, the city of Columbus authorized sending employees home to work due to a technology outage caused by a cybersecurity incident, which has been ongoing since Thursday, July 18, the *Columbus Dispatch* reported. Columbus Mayor Andrew Ginther said the incident may have occurred due to an employee's opening a malicious email.

Travelers through Ohio's largest airports can now scan their IDs from their phone without having to produce a physical card. Gov. Mike DeWine Wednesday announced from Columbus' John Glenn International Airport that Apple Wallet users in Ohio are now able to add their driver's license or state ID card to the virtual rolodex of cards on their iPhone or Apple Watch using the new Ohio Mobile ID. It can also be used at the Cincinnati/Northern Kentucky International Airport. DeWine said this development underscores Ohio's leadership in technological innovation, referring to Ohio as the "Silicon Heartland" for continuing to set the pace in technological achievement. Lt. Gov. Jon Husted said Cleveland Hopkins International Airport is still waiting on the TSA to finish the technology at that location.

## **WORKERS' COMPENSATION**

The Bureau of Workers' Compensation (BWC) Board of Directors met Friday, with Administrator/CEO John Logue updating members on efforts to promote OH|ID, a DeWine administration effort enabling Ohioans to use a single account to access a range of state services, to BWC customers. He said over 38,000 new users registered an account in the past month and an additional 30,000 accounts were merged. A total of 172,000 users are registered in connection with BWC's ongoing efforts. The agency's "true-up" process now requires an employer to have an OH|ID as well, Logue continued. They are helping make that process as easy for employers as possible but he said they are a "little bit behind" the number of employers who completed true-up at this point last year, partly due to the OH|ID requirement. Call center hours have been extended into the evening and on Saturday morning for it.

*[Story originally published in The Hannah Report. Copyright 2023 Hannah News Service, Inc]*