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NAIOP OF OHIO

Legislative Report

Week in Review

June 21, 2019

FY20-21 BUDGET

A new watershed management program, new high school diploma requirements, new regulatory authority over pharmacy benefit managers (PBMs), regulatory rollbacks for government agencies in general, a later presidential primary election, and additional money to prevent custody relinquishment were among dozens of final changes the Senate Finance Committee made to the budget bill, HB166 (Oelslager) Wednesday night before passing it unanimously. On Thursday, for the first time since Gov. Ted Strickland's first year in office, the full Senate unanimously passed the budget bill, sending it back to the House, which promptly rejected the Senate changes to set up a conference committee next week. Senators speaking during Thursday's floor debate generally struck the same tone, pointing out things they don't like in the bill but also saying that the good parts of the bill outweigh the bad. They thanked senators from across the aisle for working with them, and said overall the bill sends a clear message of the chamber's priorities.

A mother whose late son's good grades and athletic feats concealed struggles that led him to take his own life, a veteran whose friends confide in her their suicidal thoughts, and a man whose schizo-affective disorder led him to jump off a parking garage were among those calling Friday for senators to reverse course on a budget amendment reducing planned mental health funding in a hearing before the Senate Finance Committee. Senate changes to HB166 (Oelslager) unveiled Tuesday eliminate \$36 million Gov. Mike DeWine proposed for K-12 prevention education and a multi-media prevention, treatment and stigma reduction campaign. The Senate substitute bill did preserve \$5 million proposed for mental health first aid and de-escalation training in the Statewide Treatment and Prevention dedicated purpose fund. Testimony on this issue continued Monday.

Executive and legislative budget packages take meaningful steps on policies helpful to children but fall short in a few key areas, advocates said Thursday as the Senate was passing its version of HB166 (Oelslager). Members of the Ohio Children's Budget Coalition said lawmakers could do more to help children and their families through assistance to local governments and organizations for census preparation, conversion of the state's earned income tax credit (EITC) to partial refundability, and restoration of Senate cuts to home visiting programs.

ELECTIONS 2020

Jerry Cirino, a Kirtland Republican, announced he will be running for the 18th Ohio Senate District in 2020. The seat is currently held by Sen. John Eklund (R-Chardon), who is term limited. Cirino is currently the president of the Lake County Board of Commissioners. He announced his candidacy at the Lake County Republican Party headquarters on Friday.

GENERAL ASSEMBLY/STATEHOUSE

Senate President Larry Obhof (R-Medina) gave little clue Wednesday on the chamber's plan for the energy policy overhaul in HB6 (Callender-Wilkin). The Senate quickly dispensed with its official calendar for the day, unanimously passing the budget for the Industrial Commission, HB79 (Oelslager). With no amendments, the legislation goes straight to Gov. Mike DeWine's desk for signature.

Asked about other priority legislation likely to pass before summer recess, Obhof said nine of the top 10 have already cleared the chamber. The remaining measure, criminal sentencing bill SB3 (Eklund-O'Brien), could draw at least 30 votes for passage anytime he wanted to bring it up, Obhof predicted. But he said they want to take time to work through the concerns of judges and prosecutors and will advance the measure when it's ready.

The Ohio House on Wednesday easily passed HB1 (Plummer-Hicks-Hudson), legislation to allow low-level and non-violent drug offenders to receive intervention in lieu of conviction and seal past criminal records, with a 90-6 vote. Rep. Phil Plummer (R-Dayton) said the bill will give more access to treatment, but won't take anything away from judges, who will still have the flexibility to sentence offenders as they see fit. The House unanimously passed HB133 (Perales-Weinstein), which allows military spouses in certain cases to get temporary occupational licenses or certificates when they are licensed in other jurisdictions, and HB262 (Richardson-Miller), an omnibus license plate bill.

After session, House Speaker Larry Householder (R-Glenford) said he wants to get a couple more priority bills passed before they go on break for the summer, and will also focus on finishing HB166 (Oelslager), the biennial budget; HB80 (Oelslager), the workers' compensation budget; and HB6 (Callender), the energy bill.

Members of the Ohio Legislative Black Caucus (OLBC) held a news conference Wednesday, outlining their Build Up Black Families legislative package in honor of Juneteenth -- the June 19 holiday which marks the anniversary of the first announcement of the abolition of slavery in America.

The Ohio Aerospace and Aviation Technology Committee (OAATC) held its first meeting of the 133rd General Assembly Friday, with Chair Rep. Rick Perales (R-Beavercreek) telling reporters that he hoped for greater continuity while acknowledging the unavoidable delay caused by the budget process.

Freshman legislator Rep. Bill Roemer (R-Richfield), who served on the Summit County Council for four years, told *Hannah News* that the transition from county to state government means vastly increased input from outside groups, such as lobbyists and associations, in addition to his wider pool of constituents. With the additional information he said he has to "assimilate" into his decision-making, Roemer said two core tenets of good policy to him are fiscally conservative monetary policy and an emphasis on local control.

The Sunset Review Committee heard testimony from the Credential Review Board, Educator Standards Board, STEM Committee, Tourism Ohio Advisory Board, Minority Development Financing Advisory Board, Ohio Housing Trust Fund Advisory Committee, Joint Select Committee on Volume Cap, Physician Assistant Policy Committee, Respiratory Care Advisory Committee, Home Medical Equipment Services Advisory Council and State Audit Committee.

Correctional Institution Inspection Committee (CIIC) Deputy Director Charlie Adams was appointed as executive director by an unanimously accepted motion at the start of Wednesday's meeting. Adams then offered an update on recent activities and future plans.

Thursday's House session included passage of HB5 (Hillyer-Leland), to create a Public Defender Loan Repayment Fund; HB7 (Ghanbari-Patterson), to create the H2Ohio Trust Fund; HB11 (G. Manning-Howse), regarding tobacco cessation, oral health, lead contamination and prenatal care; HB211 (Arndt), regarding titles for abandoned boats; and HB276 (Ghanbari), a highway naming bill.

The House announced that Huron attorney Douglas J. Swearingen will replace Rep. Steve Arndt (R-Port Clinton) when he retires on Wednesday, July 31. Arndt announced his coming retirement earlier this year. Swearingen will be sworn in on Thursday, Aug. 1.

In other action, the House Civil Justice Committee reported out HB261 (R. Brown) addressing the term of the Franklin County Domestic Relations judge; the House Primary and Secondary Education Committee reported out HB123 (G. Holmes-G. Manning) which deals with school security and youth suicide awareness; the House Transportation and Public Safety Committee reported out HB51 (Ginter) which addresses installing rumble strips along the center line for certain undivided state highways; and HB236 (J. Smith-Plummer) to add hospital police officers to the definition of peace officer; the House Finance Committee reported out HB5 (Hillyer-Leland) which establishes the Ohio Public Defender State Loan Repayment Program; HB11 (G. Manning-Howse) which address tobacco cessation and prenatal care; and SB52 (Gavarone) creating the civilian cyber security reserve forces; the House State and Local Government Committee reported out SB107 (Rulli) to permit electronic filing of campaign finance statements; Senate Government Oversight and Reform Committee reported out SB140 (Uecker) which addresses a number of issues around the carrying and manufacture of knives; and House Criminal Justice Committee reported out HCR10, urging the federal government to designate certain drug cartels as terrorist organizations.

GOVERNOR

Appointments made during the week include the following:

- Jeffrey T. Ferriell of Columbus (Franklin County) and Larry T. Garvin of Bexley (Franklin County) reappointed to the State Council of Uniform State Laws for a term beginning June 6, 2019, and ending June 5, 2022.

- Sandra K. Barber of Wauseon (Fulton County) to the Ohio Turnpike and Infrastructure Commission for a term beginning July 1, 2019, and ending June 30, 2024.

- Charleta B. Tavares of Columbus (Franklin Co.) to the Ohio Elections Commission for a term beginning June 20, 2019, and ending Dec. 31, 2023.

SECRETARY OF STATE

Secretary of State Frank LaRose invited his Michigan counterpart, Jocelyn Benson, to his office's summer conference for local elections officials Tuesday to discuss their joint efforts to promote civility in government and fight misinformation campaigns meant to erode confidence in democracy. The two said they plan soon to pitch a task force of their colleagues in partnership with the National Institute for Civil Discourse to focus on those efforts. They'll present the idea to fellow state election overseers at the National Association of Secretaries of State conference later this month in New Mexico.

STATE GOVERNMENT

While Lt. Gov. Jon Husted had previously voiced concerns over a backlog in rules pending before the Common Sense Initiative (CSI), he said Thursday that the hard work of CSI staff had led to clearing of 1,000 rules in 100 days. Now, he told the CSI's Small Business Advisory Council, it is time to "play offense" in addressing further regulatory concerns, and he welcomes council members' input