Statehouse Update

March 13, 2020

Monday, March 9, 2020
DeWine Announces First Coronavirus Cases In Ohio, Declares Emergency

Gov. Mike DeWine announced Monday three Ohioans have tested positive for novel coronavirus and predicted many more to come as the illness continues spreading.

The governor announced the positive tests at an impromptu Statehouse press conference alongside Department of Health Director Amy Acton and Lt. Gov. Jon Husted.

Calling it "an unusual time," the governor also inked an emergency declaration, although he encouraged Ohioans not to "read too much into" the order, which is aimed mostly at coordinating agency efforts and helping the state more easily secure health supplies without the required bidding process.

"As this moves forward and as this situation is analyzed you're going to be getting announcements from us every single day," Gov. DeWine said. "We have to be cautious. This will change people's lives for a while."

The three cases all involve residents of Cuyahoga County who are in their mid-50s. Two are a married couple that returned from a cruise on the Nile River, and one has been hospitalized. The other individual, unrelated to the first two, recently returned from the AIPAC conference in Washington D.C. where several attendees from other states have already tested positive.

Director Acton promised "aggressive actions" to slow the spread of the sickness, but she said it will continue spreading. She noted that two weeks ago there were nine cases of the virus in Italy. Today, there have been more than 9,000 cases – 95% of which have occurred in the last 10 days.

"Much more guidance will be coming, but people do need to know it won't be life as normal in this country for a while," Dr. Acton said.

Gov. DeWine announced several steps the state is taking, including suspending all nonessential travel by state employees and cancelling the Bureau of Workers' Compensation's annual Safety Congress and Expo, which 8,000 people were expected to attend.

He said his administration is talking with Secretary of State Frank LaRose about voting locations near vulnerable populations – namely nursing homes and schools – and whether they should be relocated. More information on that, he said, is expected from Secretary LaRose this week.

Regarding upcoming NCAA basketball events, Gov. DeWine said no decision has been made yet on whether to curb public attendance such as was done for the recent Arnold Sports Festival in Columbus.

"All (options) are certainly open," Gov. DeWine said, adding that he'll rely on the expertise of the advisory group he assembled last week.

He said he wouldn't encourage the cancellation of political rallies either by Democratic candidates or the president out of respect for the First Amendment. But he said those at high risk – especially the elderly – should think twice about attending any event featuring large crowds.

Gov. DeWine and Director Acton urged the public to use common sense and to stay tuned to the state's website for updates and information.

Monday afternoon's confirmation of the illness in Ohio and the administration's reaction happened swiftly. ODH updated its website at 2 p.m. to report there were no confirmed cases. Moments later, they were informed of the positive tests.
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Gov. DeWine had been scheduled to appear at a 2 p.m. press conference on a student mental health program but instead Lt. Gov. Husted filled in, starting a half hour late and then stalling reporters as the governor was briefed on the situation and signed the executive order. Gov. DeWine arrived shortly after 3 p.m. to brief the media, at which time the three individuals were still being notified.

Meanwhile Monday, Department of Education officials told the State Board of Education that the state has a limited ability to direct schools on their response to the virus, and that its role will largely be to serve as a resource for local districts.

State officials last week held a conference with local health department officials to discuss mitigation and containment approaches.

ODH received a testing kit from the federal Centers for Disease Control and Prevention late last week and began conducting tests Saturday. The state over the weekend announced a testing protocol that focuses on those who are hospitalized and have certain symptoms and other conditions.

Before the cases were announced Monday, House Democrats urged the governor to consider creating a temporary paid sick leave program to lessen the effect of an outbreak.

"We appreciate that the Ohio Department of Health is asking employers to be flexible with their sick leave policies and allowing employees to stay home," they wrote in a letter. "However, there is no guarantee employers will grant this request, and at the same time, employees who live paycheck-to-paycheck and cannot afford to stay away from their jobs will need income."

Such a program could be funded with General Revenue Fund dollars through an emergency declaration, from the Controlling Board's emergency purposes fund, from the Budget Stabilization Fund or through the use of federal Temporary Assistance for Needy Families dollars.

Gov. DeWine said he hadn't seen the letter as of Monday afternoon, but added: "We're open to all kinds of suggestions. We're not ruling anything out."

Senate Minority Leader Kenny Yuko (D-Richmond Hts.) separately encouraged citizens to take precautions, saying: "We should do everything we can to support our local health departments, doctors, nurses and all other health care providers by making sure they have all the resources they need. I look forward to working with the administration to make sure residents in Northeast Ohio and across the state are safe and as prepared as possible."

**Tuesday, March 10, 2020**

**DeWine Announces Recommendations To Slow Virus Spread**

Looking for ways to slow the spread of coronavirus in Ohio, Gov. Mike DeWine on Tuesday called for upcoming indoor sporting events to be played without spectators.

The recommendation – along with many others – was made in consultation with medical experts, the governor said.

"With only three confirmed cases in Ohio, people might say, 'Mike why are you doing this,'" he said at a Statehouse news conference. "The answer is we've learned from what's happened in other countries."

The governor acknowledged the difficulty in making the suggestion with the NCAA basketball tournament just around the corner. Both Dayton and Cleveland are set to host early-round games.

"I understand how difficult this is, and it's not something that anyone enjoys talking about," he said.

The Ohio State High School Athletic Association announced later it would comply with the recommendation, although it said spectators could attend Tuesday's regional basketball tournament games and that it will announce how the tournaments will proceed moving forward on Wednesday morning.

"This will be a very difficult time for our schools and fans, but we cannot ignore the directive of the governor," Executive Director Jerry Snodgrass said in a statement. "We are pleased that our tournaments can continue, and we will soon determine who can attend. However, we can already say that it will most likely be no more than the immediate family of the student-athletes participating in the event."
Gov. DeWine said both the Cleveland Cavaliers and the Columbus Blue Jackets have pushed back, citing the quality of their in-arena ventilation systems.

The governor, however, did not rule out issuing an order in the future.

In the interest of avoiding large crowds, Mr. DeWine also recommended that people avoid tailgating outside of outdoor sporting events.

He also said he recommended the state's institutions of higher learning follow the lead of Ohio State University and move to all-remote classes for the time being. Several universities in other states have done the same.

OSU announced the suspension of face-to-face instruction through at least March 30, along with the suspension of all university-sponsored international travel through April 20. The university also advised that no new, non-essential events with be scheduled on campus through April 20.

"While there are no campus-associated cases of COVID-19, we know that there are at least three confirmed cases in the state of Ohio, and we expect that there will be more. We are being proactive in an effort to prevent illness and continue the important work of the university," President Michael Drake said in a statement.

"I understand that our policy guidelines will cause measurable disruption, but the risk of not acting outweighs the inconvenience of these temporary measures. The safety of our campus community is always our top priority. Your cooperation and collaboration will help to ensure an appropriate response across our institution to this rapidly changing matter."

Multiple other public universities – including Kent State, the University of Toledo, Ohio University, Miami University and the University of Akron – followed suit shortly after the governor's press conference.

While not recommending that K-12 schools do the same, the governor said that they should be prepared to do so in the future.

"Coronavirus is changing the way we are operating and causing great inconvenience," he said.

The governor also called on nursing homes to stringently screen visitors and vendors.

The Department of Rehabilitation and Correction and the Department of Youth Services have begun to disallow visitors and are only allowing those critical to the mission of the facilities inside after their temperatures have been taken.

In a letter to Gov. DeWine Tuesday, the ACLU of Ohio called on him to develop a plan to prevent an outbreak among the incarcerated population, including through education, provision of hygiene supplies, additional cleaning, screening and testing of those in custody and data collection.

"This is an urgent matter," the group wrote. "Having an appropriate, evidence-based plan in place can help prevent an outbreak and minimize its impact if one does occur. The cost of inadequate planning may be measured in lives."

The governor's recommendations come the day after the administration announced three confirmed cases of the coronavirus in Ohio. Department of Health Director Amy Acton said another 15 people remain under investigation and 14 individuals have tested negative.

However, she said that based on experiences in other areas, the number of those infected are sure to go up, but the governor's recommendations can minimize the spread.

"There are things we can do now that absolutely make a difference," she said.

Federal Response: U.S. Sen. Sherrod Brown (D-Cleveland) in a letter to the White House Coronavirus Task Force called on it to take into account the needs and concerns of frontline workers as it addresses the virus.
"Because their jobs entail daily face-to-face interaction with large numbers of people, frontline workers such as nurses and other health care workers, flight attendants, and educators may be the most highly exposed individuals, and many of them will be a key part of the nation’s response to this crisis," he and other senators wrote in the letter.

In a conference call with reporters Tuesday, U.S. Sen. Rob Portman (R-Terrace Park) said he is looking at the possibility of expanding a new employer tax credit for medical leave that was included in a recent tax cut bill as a way to encourage employers to offer employees leave.

"It would put these companies in a position where if they were willing to offer the medical leave that they would get a substantial tax credit," he said.

Sen. Portman said he has not yet seen the legislation on paid leave touted by Sen. Brown. He also voiced support for targeted efforts to help the industries most affected by the epidemic, such as hospitality and tourism.

Polling Locations To Switch As Coronavirus Begins To Take Toll On Civic Life

Just one day after Gov. Mike DeWine announced three confirmed cases of coronavirus in Cuyahoga County, it was not business as usual in Ohio.

Several entities announced plans to combat spread of the disease, while others canceled planned events or meetings.

Meanwhile, members of the Senate Democratic caucus are taking precautions after an intern recently returned from Washington where he lobbied on behalf of a veterans group.

Secretary of State Frank LaRose at a Statehouse news conference announced that at least 125 polling locations will be moved for next week’s primary elections from places in which senior citizens reside. That figure could increase as two remaining county boards of election report back to his office. Additional information is available at voteohio.gov/coronafacts.

He also encouraged people to take advantage of early voting opportunities, including by mail, and said he has directed boards of election to offer curbside pickup of absentee ballots on Election Day.

The secretary has also provided boards with recommendations on keeping voting equipment clean and preventing the spread of the virus.

All told, he said those steps will protect the health and safety of Ohioans while also ensuring a fair and honest election on March 17.

"We believe that as a result of the thoughtful actions that we're taking that both of those dual goals will be accomplished," Secretary LaRose said.

Jen Miller, executive director of the League of Women Voters of Ohio, praised Secretary LaRose for working cooperatively with boards of election and local health officials. She also encouraged people to vote.

"The answer is not to sit this election out, but to pick the avenue of participation that best suits your needs," she said.

Secretary LaRose also raised concern that bad actors could use the situation to spread disinformation about the election and that some poll workers may not show up on Election Day, leading to a shortage. To address the latter issue, he called on veterans to work the polls and said state employees will be encouraged to take the day off and do the same.

The developments are also having an impact on campaigns. U.S. Sen. Bernie Sanders and former Vice President Joe Biden both canceled plans for Tuesday campaign rallies in Ohio.

The Ohio Supreme Court canceled its Dispute Resolution Conference, which was set to be held at Ohio State University. More than 500 individuals were registered for the conference.

"Many attendees have already traveled to Columbus for the conference and will be disappointed, as are the organizers, but we need to minimize the risk to out would-be guests," Cathy Geyer, the Supreme Court's manager in charge of dispute resolution services and the conference, said in a statement.
Attorney General Dave Yost announced the cancelation of a news conference to release a report from the Scientific Committee on Opioid Prevention and Education.

"SCOPE members come from across the state, including at least a few people from acute care settings, and we didn't want to increase the risk of transmission," spokesman Dave O'Neil said in an email.

The Governor's Post-Release Control Working Group was slated to meet Thursday. However, Department of Rehabilitation and Correction spokeswoman JoEllen Smith said Director Annette Chambers-Smith "is evaluating face-to-face meetings to determine if they are mission critical or can be rescheduled for another time."

Other canceled events/meetings announced Tuesday:

- The Senate Judiciary Committee meeting scheduled for Wednesday, citing "circumstances beyond our control."
- The All-Ohio U.S. Armed Forces Career Commitment Ceremony scheduled for Wednesday.
- The Wednesday meeting of the Ohio Lottery Commission.
- The Environmental Protection Agency's planned Tuesday public meeting to discuss dredging in the Sandusky Harbor and a Wednesday meeting of the Lake Erie Commission at the University of Toledo.

Democratic caucus staff members worked from home Tuesday as a precaution, and the third floor of the Statehouse where the caucus's offices are located were cleaned, Senate Minority Leader Kenny Yuko (D-Richmond Hts.) said.

Sen. Yuko said he is working with the DeWine Administration, and they have been told that staff should be able to return to work Wednesday.

"It's a situation that's constantly in progress," he said in an interview. "We're just going to try to proceed day by day. This is obviously new to all of us."

Senate Majority Caucus Chief of Staff John Barron wrote to staff Tuesday advising that the intern, who is not exhibiting any symptoms, is self-quarantining.

"Out of an abundance of caution, other Senate staff who were in contact with this person have been instructed to work from home today while we consulted with the Ohio Department of Health," he wrote.

Sen. Yuko said the situation is constantly changing.

"I just want to make sure that the safety is of paramount importance to all of us," he said.

Asked Tuesday whether he anticipated any operational changes to the House because of the situation, Speaker Larry Householder (R-Glenford) said: "At this point I don't expect any, but you never can tell."

"That remains to be seen," the speaker said. "We're taking some precautions and stepping up our game a little bit as far as disinfectants and things like that and our cleaning habits."

Guided tours at the Statehouse have also been canceled through March 25.

Among the panels that have canceled meetings is the House Bill 166 Dropout Prevention Recovery Schools Study Committee, which was set to convene Wednesday in Columbus.

Chair Sen. Peggy Lehner (R-Kettering) said Senate majority caucus staff suggested she stay home after she returned Monday from a personal trip to Israel.

The lawmaker said she is staying away from Columbus out of "an abundance of caution" and has "no concerns on my end." She said she anticipates returning next week.

Senate GOP spokesman John Fortney said Sen. Lehner "is not ill and has no reason to believe she interacted with anyone who was ill."

"Simply as a precaution, she is merely limiting her public schedule, and is not under a quarantine," he said.
Department of Health Director Amy Acton called the current situation "a time of really an unprecedented disruption to our society."

"We're going to see that evolve, as we have seen in Italy and we're seeing in Washington State and all around this country," she said.

**Appalachian Mayors Highlight Census Efforts**

Rural mayors are ramping up their work to support the 2020 census as the first batch of mailers are set to go out this week.

Members of the Mayor's Partnership for Progress joined Development Services Agency Director Lydia Mihalik, Rep. Jay Edwards (R-Nelsonville), and the Ohio Mayor's Alliance for a Statehouse news conference Tuesday to outline their goal of ensuring an accurate count in Ohio's rural communities.

"We're going to pull out all the stops," promised Athens Mayor Steve Patterson.

The partnership is a coalition of 15 mayors and city managers from southeast Ohio communities where residents may not have easy access to fill out the census online. This is the first census that will rely in part on online responses. In those rural areas, mayors urged the public to participate by mail or phone if internet service is unavailable.

On Thursday, households will begin receiving an official invitation to participate in the census with information on how to respond. Those who do not respond will receive several follow up communications and potentially a home visit over the following months.

Should door-to-door follow ups by census workers be required, Amesville Mayor Gary Goosman said elected officials can help earn citizens' trust. Senior citizens may especially be wary of door-to-door visitors, he said.

"One of the things we're going to do is be representatives of the census in all our towns," Mr. Goosman said.

Ohio is projected to lose a congressional seat – falling to 15 seats – based on forthcoming census population estimates. The count also determines Ohio's share of more than $675 billion a year for infrastructure and other funding needs. From the local government perspective, the numbers will be used to divvy up $1.5 trillion in state and local government funding across the country.

"The census is the most important thing we will be doing together for the next few months," Director Mihalik said. "Rural Ohio is very important to this state. We need to make sure everyone gets counted."

Among the more creative ideas, Mayor Patterson said, the city will erect a Ferris wheel that can only be ridden by those who have participated. He has also challenged Mid-American Conference schools in Ohio to match census efforts underway at Ohio University.

"Through partnership with our libraries, colleges, local businesses, foodbanks and county offices, including Job and Family Services, we want to ensure that all our residents know how vital their participation is to our communities and how they can participate," he said.

The mayors' announcement came the same day the U.S. Census Bureau conducted a "soft launch" of its Census website, which offers facts and information about the constitutionally-required count and its importance.

Mayors also said they remain concerned about the potential impact of the novel coronavirus and whether it will impact census results. Gov. Mike DeWine and other state leaders continue to provide regular briefings on the spread of the virus since it was first confirmed in Ohio early this week.

Mayor Goosman said rural areas without broadband service are more dependent on door-to-door census takers.

"Depending on what stage we are at when those enumerators are going door-to-door it may be more problematic," Mayor Goosman said of the illness.

**Wednesday, March 11, 2020**

**DeWine Prepares Orders To Ban Mass Gatherings, Restrict Nursing Home Visits**

Fallout from the coronavirus continued Wednesday, with Ohio officials announcing a fourth confirmed case.
Among new steps to prevent the spread of the pandemic, as declared Wednesday by the World Health Organization, Gov. Mike DeWine announced plans to issue orders limiting visitors to nursing homes and banning large gatherings.

The governor called news of the first case of "community spread," the fourth overall, "a new chapter" and said the state will "have to look at things differently." The latest case involves a person who did not recently travel out of the country.

The order on mass gatherings is expected to be issued within 36 hours, but the governor declined to delineate where exactly the line will be drawn. He did, however, indicate that it will prohibit spectators from attending upcoming NCAA men’s basketball tournament games in Cleveland and Dayton. The NCAA later said it would ban spectators from the contests.

"There is a risk in any kind of mass gathering," he said. "The bigger the gathering, the more the risk."

The governor on Tuesday recommended that all indoor sporting events in Ohio be conducted without spectators.

The Mid-American Conference and the Ohio High School Athletic Association complied, but others did not.

The governor indicated that the order would provide some organizations with the legal cover needed to move to spectator-less events.

The order on nursing homes will limit those in nursing homes and assisted living facilities to one visitor per day. It will also require the facilities to keep a log of all visitors and take the temperature of everyone entering, including staff and vendors.

Gov. DeWine said that if the outbreak of COVID-19 continues, the next step will be to ban all visitors.

"We're trying to balance this, but we also know this is a particularly vulnerable population," he said.

The governor also again warned that at some point he may need to order K-12 schools closed. However, he said if he goes that route, he will work with lawmakers to waive certain requirements such as testing. He also indicated that he may need legislative action in other areas to combat the spread of the disease.

Department of Health Director Amy Acton said the steps taken are necessary to limit the number of infected individuals to avoid overwhelming the health care system. She pointed to the situation in Italy, where two weeks ago there were just nine confirmed cases and now the country is facing a shortage of ventilators.

"We know we're going to have a couple tough months ahead," she acknowledged.

Dr. Acton said the virus has likely spread across Ohio and it will be safe to assume after another confirmed case of community spread that about 1% of the population is infected.

She said testing is currently limited, and the state is awaiting more supplies from the Centers for Disease Control and Prevention.

"It has been a limiting factor in how quickly we can describe what's going on," she said.

Nonetheless, she said hospitals across the state are ramping up testing, including plans for future curbside locations.

The latest confirmed case of the virus is from a 53-year-old Stark County man who is currently hospitalized.

In addition to the four confirmed cases, another 24 individuals are under investigation and 21 people have tested negative for the virus.

While acknowledging that the latest development was not unexpected, Gov. DeWine said the situation will almost certainly worsen in the coming days.

"The sun will come up in the morning," he said. "But it's going to get darker."

Other Developments: Community colleges around the state are heeding the advice of Gov. DeWine and moving to remote learning. All 23 across the state are expected to do so, according to Jack Hershey, president and CEO of the Ohio Association of Community Colleges.
"Ohio's community colleges understand the vital importance of protecting public health and the well-being of our students, faculty, staff and the communities we serve," he said in a statement. "We stand ready to support Governor DeWine in his effort to slow the potential spread of the coronavirus in our state."

Several four-year institutions announced similar moves Tuesday, including the University of Dayton, where a large number of students gathered late Tuesday night. That led police in riot gear to fire several rounds of pepper balls into the crowd.

"There were some social media reports & rumors that this was a protest against our coronavirus measures — those reports are inaccurate," the university wrote on Twitter in response. "Indications are students wanted one last large gathering before spring break and the size & behavior of crowd required police to take action."

The Ohio Democratic Party announced the postponement of its Legacy Dinner slated for Sunday.

"As individuals and organizations, we all have a responsibility to the broader community — particularly the most vulnerable — to make decisions that reduce the likelihood of further spread," Chairman David Pepper said in a statement. "Avoiding gatherings of this size, where we anticipated more than 1,000 guests, is simply the right and responsible thing to do."

The Public Utilities Commission of Ohio on Wednesday canceled a natural gas forum planned for Thursday. It was to be the commission's third forum to gather stakeholder feedback on ways to increase access to natural gas throughout the state.

The Ohio Power Siting Board also canceled several hearings related to the Emerson Creek Wind Farm and transmission line projects in Erie and Huron counties "out of 30 hours of caution."

The Ohio Nurses Association laid out a series of proposals they said are designed to stop the spread of the virus, including no-cost testing, the suspension of any non-essential gathering of health care workers and to bar retaliation for those that are forced to take time off.

"Employees cannot be afraid to self-quarantine because of threats or fears of discipline for doing so," the group wrote. "Nurses and other health care workers who were exposed to the COVID-19 virus especially cannot be penalized for following CDC recommendations, and the ONA stands firm that healthcare workers who were exposed to the virus at work should not be forced to use personal time off if isolation and/or quarantining is required post exposure."

U.S. Sen. Sherrod Brown (D-Cleveland) said midday Wednesday he's spoken "at length" with Gov. DeWine and Dr. Acton and believes they are "handling things properly." At the federal level, however, he railed against President Donald Trump and his administration's efforts.

Sen. Brown earlier that day was thwarted on the Senate floor in his attempt to secure passage of a measure to expand paid leave options for low-wage workers. The bill would require employers to grant workers up to seven days of paid sick days with one hour being accrued for every 30 hours of work.

"(The coronavirus) is revealing both the strengths of public health system...and the gaps in our system," Sen. Brown said. "One of the biggest ways we fall short is one in four Americans don't have any paid sick days."

"If we don't move on this quickly the coronavirus epidemic will get worse and we need to act now," he added.

U.S. Rep. Marcia Fudge (D-Cleveland) announced the introduction of the "Ensuring Emergency Food Security Act," which is aimed at combatting the economic impacts of the coronavirus.

Among its provisions, it would temporarily increase Supplemental Nutrition Assistance Program benefits.

"As the coronavirus jeopardizes student access to school meals and keeps Americans home from work without pay, our government has the responsibility to guarantee Americans don't go hungry," she said.

Policy Matters Ohio, meanwhile, called on state lawmakers to create a temporary paid sick time program.

"The coronavirus shows that we really are all in this together," Wendy Patton, senior projects director, said in a statement. "When employers don't give workers paid sick days and people have to work while sick, that's not just bad for the worker, it's bad for everyone they come in contact with."
House Panel Starts Review Of Automated Voter Registration Plan

An effort to streamline voter registration when Ohioans get or renew driver's licenses or IDs drew questions from a House panel Wednesday.

The House State and Local Government Committee got its first look at the proposal (HB 540), which has a companion measure (SB 186) that has already seen a few hearings in the upper chamber.

Sponsor Rep. Gayle Manning (R-N. Ridgeville) said the measure would make it more convenient for Ohioans to vote and keep their registration current. It would allow people to register to vote or update their registration when they go to the Bureau of Motor Vehicles to get or renew a driver's license or state ID.

"Doing so will make this process more convenient for Ohioans while maintaining the important safeguards we have in place to prevent voter fraud and protect the integrity of our elections," she said.

It doesn't change current requirements for someone to become a registered voter, she said. The secretary of state's office would run the automated registration and verification system.

People would still have the option of declining to register to vote or updating their registration, the sponsor said.

Chris Oliveti, director of legislative affairs for Secretary of State Frank LaRose, said the measure is an effort to modernize the process by which people register to vote.

Not everyone who moves is taking advantage of opportunities to update their voter registration through the BMV process, he said. The measure would create a process for streamlining that system. It would also create a front-end check to ensure people who are eligible to vote are registered and people who are not eligible are not registered.

It would limit the number of people purged from the rolls through the supplemental process by providing more updated information, he said.

He offered two suggestions for the bill. One is to change the effective date to two years past the first January after the passage the bill.

"If you try to rush this process, you're just going to end up with a system with bad data," he said.

The second is to comply with federal law by creating an automated process with a front-facing electronic screen with questions for people who are registering to vote, he said. That would give them a chance to opt out of the process while still at the BMV.

Rep. Allison Russo (D-Upper Arlington) asked about the current process for checking to see if someone is a citizen and how it would change.

The secretary of state's office currently checks documents that applicants provide to the BMV, Mr. Oliveti said. "What we're trying to do is utilize the documentation that's now going to be provided for federally compliant IDs."

Rep. Dave Greenspan (R-Westlake) asked if the compliant driver's license is the driving force behind making the proposed process more secure.

It is one component that helps, but the process is also being proposed as a way to help the state maintain accurate voter rolls, Mr. Oliveti said.

The proposed process would apply even in cases where people apply or non-compliant licenses or IDs, Chairman Rep. Scott Wiggam (R-Wooster) said.

The measure does not include a pre-registration process through the BMV for people who under 18, Mr. Oliveti told Rep. Greenspan.

Rep. Brigid Kelly (D-Cincinnati) asked what provisions would be in place for people who might turn 18 by the time of an election.
People who are legally allowed to be registered would be able to use the system, Mr. Oliveti said.

Rep. Wiggam said he had concerns about other agencies using the process and if those agencies would have the same documentation requirements.

"Not every agency is like the BMV," he said.

Ohio has a very high rate of voter registration already and the process would most likely be used to ensure those current registrations are active, Mr. Oliveti. The state's plan would be to focus on the BMV process first.

Thursday, March 12, 2020
State To Close Schools For At Least Three Weeks, Bans Large Gatherings
Ohio's K-12 schools will close for at least three weeks starting at the end of the school day Monday to combat the spread of the coronavirus, Gov. Mike DeWine announced Thursday.

The governor said at a Statehouse news conference the action, which will affect typical public, charter and private schools, is a necessary step to try to minimize the pandemic's effects in the state. The order does not apply to day care centers or other childcare providers.

"We have to do everything that we can to have an interruption," he said. "We have to do everything that we can to slow down the spread of this virus."

Department of Health Director Amy Acton also signed an order banning gatherings of 100 or more people – with several exceptions – after a fifth case of coronavirus was confirmed in Ohio.

Exceptions to the order include airports, medical facilities, restaurants, shopping malls and religious services, Gov. DeWine said. Among the events and facilities affected by the order are arenas, conference halls, stadiums, theaters, parades, fairs and festivals.

"This is an attempt to make sure everyone understands we cannot be gathered together," he said. "We cannot be in close proximity to each other."

The governor said athletic events could continue as long as spectators are not present. That announcement came hours after the National Basketball Association and National Hockey League suspended their seasons indefinitely and the Big Ten and other college athletic conferences canceled their postseason basketball tournaments. The NCAA followed suit shortly afterward by canceling its March Madness season-ending basketball tournament.

Typical office buildings and factories also are exempted from the order. Gov. DeWine said state department heads have been instructed to determine which employees can work from home.

"Obviously, some state employees cannot work from home," he said. "We have prisons to run, we have other things to do, but if they can work from home, I've asked that the members of our cabinet start that process."

Gov. DeWine said orders further restricting visitation at nursing homes and state psychiatric hospitals also are forthcoming.

The decision to close schools for at least three weeks was not an easy call, Gov. DeWine said, citing its potential to disrupt the schedules of working parents. On that front, Democrats continued to call for paid sick leave. (See separate story)

"We thought long and hard about that and we understand the sacrifice this is going to entail," he said. "But this is the best medical advice we can get (from) people who study viruses, and we know it's the right thing to do."

The governor said the administration will determine before the end of the three-week period whether it is necessary to extend the closures.

Decisions on whether online classes will occur during the period will be made at the local level, Gov. DeWine said, adding that some school districts are better equipped for remote learning than others. He said no decisions have been finalized regarding this school year's mandated state tests.
"What we are going to do is not let testing get in the way of life at this point," he said. "If we can't have testing this year, we can't have testing this year. The world will not come to an end."

Paolo DeMaria, the state superintendent of public instruction, said in a statement that schools have been preparing to cooperate with state actions regarding the coronavirus.

"We anticipate continued cooperation as we transition to this period of suspended in-person activity as seamlessly as possible. We are especially grateful to schools that have proactively developed plans to keep learning going even if school buildings aren't open," he said. "There is a lot of momentum in Ohio's schools right now and we would hate to see that momentum stalled, although we understand that today's announcement does mean there will be disruptions."

Mr. DeMaria called the situation "uncharted territory that we all are navigating together."

"We are working to provide answers but rest assured that we are committed to working with Governor DeWine, the legislature and other stakeholders to provide as much flexibility and latitude as necessary to accommodate these circumstances," he said.

Lt. Gov. Jon Husted said later on Twitter that online programming could be in the mix.

"While students won't be educated in person, school leaders will provide educational opportunities through distance learning opportunities," he wrote. "We will seek waivers, provide regulatory relief & trust local school leaders to make sound academic decisions for the students in their care."

Director Acton reiterated that federal and state regulations may need to be circumvented to deal with the escalating crisis.

"Please know that lots of rules are going to be broken and our country will be fixing it backwards," she said.

The Ohio Education Association, the state's largest public worker union, backed the decision to shutter schools across the state.

"Although we have not yet seen the official order, OEA understands the sacrifice this is going to entail for all Ohioans but agrees this is the best action at this time," OEA President Scott DiMauro said in a statement.

Gov. DeWine said that while the administration's actions may seem extreme, they reflect the severity of the situation.

"This is no ordinary time. This is a time of great stress and crisis," he said. "But it's also a time when Ohioans could come together, and Ohioans always do that. And I fully expect Ohioans to do this."

"We will get through it," he continued. "There will be light at the end, but it's going to get darker first."

The fifth identified coronavirus patient in the state is a 55-year-old Trumbull County man with no history of travel outside the state. Previous cases have been confirmed in Cuyahoga and Stark County.

"These numbers are just going to continue to grow," Gov. DeWine said. "We know that these confirmed numbers are only a small fraction of the individuals who are infected already in the state of Ohio."

**AG Outlines Emergency's Impact On Public Meetings**

Governmental entities can conduct business without in-person audiences during a state of emergency, Attorney General Dave Yost told local officials Thursday.

The attorney general held a livestreamed press conference on how the state of emergency tied to the ongoing coronavirus outbreak impacts open-meetings law hours before Gov. Mike DeWine announced a three-week closure of K-12 schools.

The GOP-controlled legislature, meanwhile, has not decided on specifics regarding upcoming business, which includes an April 1 deadline to act on school voucher eligibility.

The attorney general noted a section of Revised Code allows government bodies to act "without regard to or compliance with time-consuming procedures and formalities" after the governor declares an emergency.
While a requirement that public officials meet in person is not waived, in-person attendance by the public is not required, Mr. Yost said.

"It's our view that a public meeting could be conducted by electronic means for the public, as long as it's properly noticed and folks can get on, whether you're talking about something like Facebook Live, a government website or some other platform," he said.

The attorney general said his office would be issuing guidance to local officials on the topic shortly and advised them to check with their county prosecutors or legal counsel before deviating from typical practices.

Mr. Yost said the law does not allow local officials to vote on legislation via electronic means.

The state's annual Sunshine Law Manual, commonly known as the "Yellow Book," was released early by the AG's office in response to the crisis.

AG Yost also addressed anecdotal reports of long lines and empty shelves at retail stores.

He said after holding discussions with some of the state's major retailers, he believes the biggest issue going forward is "panic buying" by consumers.

"We've been assured they are confident that they can keep up with ordinary demand," he said.

AG Yost said he has asked retailers to limit quantities of certain items available for purchase per customer to prevent shortages.

Other Developments: Senate majority spokesman John Fortney said there's been no discussion of modifying the chamber's operations in light of the virus' continued spread. His comments came the day congressional leaders announced they are taking the rare step of closing Congress to the public until April.

Mr. Fortney said leaders remain confident they'll be able to meet the upcoming April 1 deadline in which they must pass an appropriation bill and a "fix" to the EdChoice Scholarship Program.

"I think we're always ready to act if we need to, but as of now there's been no discussion of possibly limiting access to the legislature or changing the rules," Mr. Fortney said. "And I wouldn't expect there to be."

U.S. Sen. Sherrod Brown (D-Cleveland) announced his office in the nation's capital will be closed indefinitely after a staffer in another Senate office tested positive for coronavirus.

"Senator Brown will join Governor DeWine in leading by example, temporarily closing his Washington D.C. office. Brown and his staff will work remotely to continue to serve Ohioans." the lawmaker's office said in a statement.

The Ohio Republican Party announced it would not participate in public events through April 12.

"Our top priority is protecting the people of Ohio, our supporters, and staff, and we hope by taking this measure we can prevent more people from falling ill," Chair Jane Timken wrote in an email.

The Ohio Senate minority caucus used the occasion to push for a stalled measure (SB 91) to establish a paid-leave insurance program for workers.

"In moments like this, our building trades and service workers are the ones hit hardest," Senate Minority Leader Kenny Yuko (D-Richmond Hts.) said in a statement. "Construction workers can't just turn down jobs and assume there will be more next month. It doesn't work that way. And people who are paid hourly often can't afford to miss even one shift, let alone several. Ohio needs paid leave. And we need it now."

The Department of Insurance issued a bulletin Wednesday urging health insurers to guarantee access to services to test and treat COVID-19.
"Issuers should have customer service representatives and helplines readily available to provide helpful and accurate information to assist consumers with questions about the terms of their coverage with respect to COVID-19 related services," the bulletin said.

Emergency services must be covered at the same cost sharing level as if provided in network, the bulletin said. Plans that cover telemedicine are expected to do so for COVID-19 treatment and testing, while those that don't are encouraged to do so.

Insurers were also asked to ensure provider networks are adequate to handle testing and care for the virus and to consider allowing members to access prescription drug supplies beyond typical limits.

Travel insurers were also reminded that a travel insurance policy that covers sickness, accident, disability or death must cover such risks, and many must also cover cancellation or interruption of a trip or event.

State agencies are continuing to monitor the situation and possible efforts that might be needed.

"We are in the process of assessing what waivers or temporary variances may be helpful during this time for Ohioans receiving public assistance," Bret Crow, a spokesman for the Department of Job and Family Services, said in an email. "We are in regular contact with our federal partners."

The state's foodbanks called on the Department of Job & Family Services to approve "flexible guidelines" for distributing goods through the Emergency Food Assistance and the Ohio Food Program and Agricultural Clearance programs, among other actions at the state and federal levels.

"Our foodbanks are adapting to this public health crisis swiftly and expertly, thanks to their training and experience in responding in crisis and disaster," Lisa Hamler-Fugitt, executive director of the Ohio Association of Foodbanks, said in a statement. "But this pandemic poses serious challenges to our normal food distribution channels, as well as Ohio's broader response to food insecurity.

"We are urging fast, definitive action from the Ohio Department of Job and Family Services, the USDA, Congress and the President to mitigate the rising risk of hunger amid this outbreak."

The group also called on ODJFS to take steps to make it easier for residents to access Supplemental Nutrition Assistance Program, which are commonly known as food stamps. Recommended actions include waiving the requirement that able-bodied adults without dependents report to Work Experience Program sites to maintain SNAP benefits.

Think tank Policy Matters Ohio released a brief outlining multiple recommendations for the state and federal government regarding unemployment benefits in the wake of the pandemic.

The group's suggestion included waiving work-search requirements for employees laid due to the virus' impact on the economy and reduce earning requirements for benefit recipients.

"Ohio's unemployment compensation system is an essential support, especially when the economy turns down," Research Director Zach Schiller said. "Steps should be taken to bolster it so it can help a larger share of the unemployed, including those who are able and willing to work but unable to do so because of coronavirus's effect on the economy."

The Ohio Housing Finance Agency announced it would hold its next board meeting scheduled for Wednesday, but suggested those without items on the agenda not attend.

Statehouse Update

State Urges Remaining Local Governments To Agree On Opioid Settlement Plans
Local governments representing 85% of Ohio's population have agreed to a deal with state leaders to jointly approach settlement negotiations with opioid manufacturers.

The OneOhio agreement, which has been in the works for weeks, is designed to maximize returns from potential settlements with drug makers and distributors.

Gov. Mike DeWine and Attorney General Dave Yost said commitments have been made by 118 local governments as of Tuesday. Others are expected as communities continue to vote.
"I am pleased that Ohio's communities have agreed to come together as OneOhio," Gov. DeWine said in a statement. "It's a simple concept, but when we are united, we are stronger. OneOhio puts us in the best position to face the drug companies (that) did so much to destroy lives and communities when they got Ohioans hooked on their highly addictive products."

The OneOhio framework creates a mechanism for dividing up any money received through an opioid settlement. It stipulates that 30% would go to local communities, including every township, village, city and county, to address the needs of residents. Another 55% would be set aside for a statewide foundation that will develop and oversee funding and planning for local community support. The final 15% would go to the state to leverage statewide buying power for prevention, treatment and recovery services.

"When it comes to the opioid crisis, almost all of us are in the same boat," AG Yost said. "This agreement formalizes our intent to stand together. We are stronger when we're united."

He added Thursday that the window isn't closed for other localities to join the effort.

"Ohio's local leaders have signed on to OneOhio as the best chance for the best settlement of the many opiate lawsuits. It's a consensus, it's unity and getting close to unanimity," Mr. Yost said. "The few local governments that have not joined are welcome to schedule a vote and get on the boat before it leaves the dock."

Because every part of the state has been hit hard by the opiate crisis, the framework is designed to ensure each part of the state will receive help from settlements, officials said.

The list of entities agreeing to the plan includes 73 of the state's 88 county governments.

Local officials cheered the agreement in statements.

"The OneOhio plan is a collective effort to bring money back to Lucas County," said Lucas County Commission President Tina Sheldon Wozniak. "It will dedicate resources back to our community and the people who were hurt, helps prevent people from getting hurt in the future, and holds the drug and pharmaceutical companies accountable."

Added Columbus City Attorney Zach Klein: "Our state is facing an opioid addiction crisis, and our community has been particularly hard hit. The City of Columbus is hopeful that by joining forces and uniting as a state, the OneOhio plan will bring us swifter resolution that will ultimately provide much-deserved and needed resources to save lives. We must hold the drug manufacturers and distributors responsible for their role in this epidemic."

The creation of a trust to oversee the bulk of the money was a feature that officials have said they believe would help them avoid the pitfalls stemming from the Master Settlement Agreement with tobacco companies decades ago. The legislature set up a mechanism to use those funds for smoking cessation and other purposes only to drain most of the money later and use it to balance a state budget beset by recessional problems.

Under the drug settlement deal, a trust would be controlled mostly by local entities and would be able to support ongoing efforts to battle addiction.

Local officials said the consolidated plan will help smaller governments improve their chances of getting help from a settlement.

"As a county, we believe we are more likely to receive a positive outcome in a faster way by collaborating with other local governments and the State of Ohio to address this public health crisis and the tragic impact it has on the citizens of our community," said Jackson County Commissioner Paul Haller.

Friday, March 13, 2020
DeWine Ends Visits To Correctional Facilities As Coronavirus Cases Rise
Gov. Mike DeWine announced Friday he is ending visits to county jails and correctional facilities and remains open to closing daycares in the future in light of the spreading coronavirus.

The latest restrictions come as state officials said there are now 13 confirmed cases of COVID-19 in Ohio – up from five Thursday – with another 159 individuals awaiting test results. Officials, however, continue emphasizing the true total of cases is likely far higher.
At their fifth news conference in as many days – held an hour before President Donald Trump declared a national emergency – Gov. DeWine and Health Director Amy Acton announced confirmed cases in six Ohio counties – 8 males and five females between the ages of 34 and 66.

Earlier in the day, UC Health announced four of its own patients have tested positive for the virus and have been treated and released. Meanwhile, the Cleveland Clinic said it had identified four positive cases Friday, the day after it began conducting in-house tests.

"None of this should surprise us. None of this should alarm us," Gov. DeWine said. "All of this was very predictable and was exactly what the experts have been predicting and what we've been sharing with you."

Gov. DeWine said his order on corrections visitation is forthcoming. It also calls for the implementation of practices in cleaning and other areas similar to those adopted by nursing homes earlier in the week.

Regarding daycares, Gov. DeWine said the Department of Job and Family Services has relaxed regulations such as teacher-to-student ratios as providers struggle with staffing shortages likely to worsen.

He said he is not yet ready to force the closure of daycares as he did K-12 schools one day earlier, although he said that may occur in the future, and recommended parents begin making alternate arrangements or withdraw their children voluntarily.

"That is something that may occur in the future," he said. "We know how difficult this would be for many Ohioans."

Gov. DeWine pledged to continue working with school leaders who are still navigating ODH's order Thursday requiring schools be closed beginning at the end of the day Monday.

Gov. DeWine said the Trump Administration and the U.S. Department of Agriculture have agreed to waive some regulations following a request sent Thursday, thereby giving schools flexibility to continue serving breakfast and lunch to students despite school closures.

Lt. Gov. Jon Husted outlined a similar letter he sent to the federal government Friday requesting 17 other waivers to regulations including those pertaining to hospice and home health agency recertifications.

"Ohioans are beginning to understand the challenges that lie ahead, and this is one step forward on building that support system they will need to get through this," Lt. Gov. Husted said.

In another development Friday, Secretary of State Frank LaRose issued a joint statement along with his counterparts from Arizona, Florida and Illinois saying they will continue moving forward with their states' March 17 primaries. That followed Louisiana's move to postpone its April 4 primary until June.

Auditor Keith Faber, meanwhile, announced his office will require most of its 800 employees to work from home. He requested the public's patience in contacting the office and encouraged email contact when possible.

Sen. Teresa Fedor (D-Toledo) urged the deployment of the Ohio National Guard in a letter to the governor. She said the guard's medical units could increase free testing and established care units for the infected.

"While dealing with one crisis, there must be foresight to avoid additional negative outcomes for our communities," Sen. Fedor said. "We must develop an emergency preparedness plan to deal with the impact of a statewide shutdown, should it come to that. Our state must take proactive measures to avoid having to be reactive in a crisis."

Government Responses: The quickly evolving situation continued prompting responses from other areas of the government Friday.

The Department of Medicaid said it continues monitoring the situation and evaluating its options for potential changes to ensure access to testing and treatment.

"Gov. DeWine and his entire administration is committed to implementing all necessary measures to ensure the health and safety of Ohioans," ODM spokesman Kevin Walter said in an email. "This includes options available concerning agency federal, state and local regulatory and policy requirements to ensure operations continue as close to normal as possible."
The agency's decision-making criteria are focused on prioritizing the health and safety of the state's 2.7 million Medicaid members, he said.

"The agency is in regular communication with Gov. DeWine, the Ohio Department of Health, and the Centers for Medicare and Medicaid Services to develop and evaluate plans and contingencies that ensure our members have continuous access to health care today and throughout the coronavirus outbreak," Mr. Walter said. "Status of the coronavirus outbreak in Ohio is constantly evolving, and any actions we reach will be in concert with CMS, Gov. DeWine, and ODH. Updates regarding program requirements will be announced as soon as they are finalized."

The Public Utilities Commission of Ohio held its second emergency meeting of the week, voting to extend its winter reconnect order through May 1. The order typically helps customers reconnect or ensure continued service during winter months. The commission also urged utilities to coordinate with local community action agencies and other organizations to ensure service continuity.

Rep. David Leland (D-Columbus) introduced a bill to prevent utility service cuts or eviction during the COVID-19 situation.

"This is about each of us doing our part," Rep. Leland said. "Because of these closings, innocent people are going to be unable to pay their bills - we're asking utility companies and landlords not to penalize them for it."

The Industrial Commission announced the suspension of all hearings for Monday and Tuesday, with telephone hearings to begin Wednesday and the Commission on Accreditation for Law Enforcement Agencies postponed its assessment of the Ohio Bureau of Criminal Investigation. The Department of Commerce canceled its Ohio Banker Day.

The Department of Developmental Disabilities issued a letter to providers and county boards directing them to a dedicated website with the most up to date information and encouraging them to use "sensible judgments" to protect public health.

"The department is preparing for scenarios that might include quarantine or isolation measures to limit community spread," Director Jeff Davis wrote. "We have made the decision at the developmental centers to restrict visitor access and to stop off-campus day services. At this time, there is no mandated quarantine or stopping of day or other developmental disabilities services."

Franklin County judges, meanwhile, discontinued all civil and criminal matters scheduled for jury trails, hearings or disposition during March 16-April 10. They also discouraged the public from visiting the court complex for nonessential manners.

**Interest Groups:** The Ohio Restaurant Association wrote to Gov. DeWine and Lt. Gov. Husted to advise on economic relief priorities that could help mitigate the effects of the crisis.

Those recommendations included steps to help cash flow for restaurants and employees, including suspension of workers' compensation, unemployment insurance, real estate tax and commercial activity tax payments. The state could also offer or guarantee business loans to help businesses and provide development credits and targeted grants.

To help employees, the state could provide a tax credit for sick leave, offer income tax relief to help employees and expand unemployment insurance or find ways to help employees who are forced to work shorter hours.

"As you know, restaurant and hospitality business lost during a situation like this is not consumer purchases deferred, but are sales lost that will not be made up once things settle down," ORA President and CEO John Barker wrote. "We appreciate your acknowledgement of these many realities and the opportunity to be a part of the conversation regarding our industry's economic relief priorities."

The Association of Foodbanks applauded Gov. DeWine's actions so far in a statement from Executive Director Lisa Hamler-Fugitt reacting the K-12 school closings.

"Our network is prepared to respond as best we can," Ms. Hamler-Fugitt said. "We know our communities and we care about serving every Ohioan that needs help. We are adjusting the way we distribute food to make pantries and hot meal programs safe both for our clients and our volunteers and staff. We know we will be called on to step in to help as children miss out on school meals, and as their parents lose wages, and likely jobs, to stay home."
**Statehouse Update**

**Senate, House Start Remote Work Response Plans**
Legislative leaders on Friday pulled the trigger on a work-from-home protocol until at least April in the latest curbs on state government activities stemming from the novel coronavirus pandemic.

Senate GOP Chief of Staff & General Counsel John Barron announced the upper chamber's plan in a message to staff Friday morning and House Speaker Larry Householder (R-Glenford) followed suit that afternoon in a memo to all staff.

"This is a time for staff to shine and show what they can do as professionals that they are," the speaker wrote. "As I have said, it is critical that our constituents experience as little disruption as possible in how we handle their requests and work to address their concerns."

The Senate policy will last until April 6 but there are currently no plans to alter the existing legislative schedule, which includes potential full session days on March 24, 26 and 31.

The House plan, however, states that no committees or sessions will be held until further notice. That potentially adds a new wrinkle to a looming April 1 deadline for revisions to school voucher eligibility and federal tax conformity provisions.

If the virus threat continues well into April, the previously announced schedule already provides some relief, as neither chamber has legislative activities slated for spring recess April 3-20. The House doesn't plan to return from that break until April 28.

The Senate's directions for staff include that workers take reasonable precautions to remain in their homes and continue providing essential constituent services during normal office hours. It also includes instructions on logging hours worked.

"Caucus staff will continue to support all members and offices on legislative, legal and communications matters, and the Clerk's Office will continue to provide HR and operations support to the entire Senate team," reads the instructions.

The Senate Finance Committee also canceled planned meetings Wednesday and Thursday that had been eyed for the forthcoming capital reappropriations bill.

The speaker's memo, meanwhile, said Chief Administrative Officer Kim Hartman will be following up with staff later in the day to begin implementing work from home status.

The speaker emphasized that "the House is not closed."

"Make no mistake, this is a global pandemic," he wrote. "The dangers are real. The impact of the coronavirus on Ohio and its people is not fully known. What we do know is that each of us can play a part in mitigating its spread. Working together, we can help protect ourselves, our families and our fellow Ohioans."

**Law Limits Township Zoning Regulations For Mining, High Court Rules**
Only general township zoning standards related to public health and safety can apply to a conditional use permit for sand and gravel mining, the Ohio Supreme Court ruled this week.

The unanimous decision reverses a Fourth District Court of Appeals ruling upholding the Harrison Township Board of Zoning Appeal's denial of a conditional use permit to Columbus Bituminous Concrete Corp. for mining sand and gravel on a 179-acre Pickaway County property.

"(The law) is clear that township trustees may adopt resolutions pertaining to mining activities regulated under R.C. Chapters 1513 and 1514 'under the authority conferred by this section only in the interest of public health and safety," Chief Justice Maureen O'Connor wrote for the court. "Any exercise of the township trustees' regulatory powers under (the law) must be consistent with this limitation."

After applying for the permit, the BZA issued a denial after three hearings, the high court's media arm reported.

On appeal, the trial court upheld that ruling, citing three general standards in the township's zoning resolution, which apply to excessive traffic, noise, fumes, glares or odors; harmony and propriety with the character of the general vicinity; and consistency with an adopted comprehensive plan.
The company appealed to the Fourth District, which affirmed the lower court decision.

But the high court determined both the lower courts erred.

"First, because township trustees may regulate mining under (the law) only in the interest of public health and safety, when the BZA considers an application to engage in mining activities, it may require compliance with the general standards only insofar as doing so is in the interest of public health and safety," the chief justice wrote.

"Second, even when compliance with the general standards is in the interest of public health and safety, the BZA may require compliance with those standards only as conditions of the approval of an application. The BZA may not deny an application to engage in mining when it finds the applicant has not established compliance with those standards."

In reaching that conclusion, the court remanded the case to the BZA and ordered it to consider the conditional use permit "based on the evidence in the record, the provisions of the Revised Code, and the terms of the township Zoning Resolution."

"Consistent with this opinion, it must ensure that resolutions adopted pursuant to the powers granted in (the law), including the general standards, are applied to CBCC's application only to the extent doing so is in the interest of public health and safety," the decision concludes. "Furthermore, if, upon applying general standards in the interest of public health and safety to CBCC's application, the BZA finds that public-health-and-safety concerns are raised, it may address those concerns only through conditions on an approved application."

**Saturday, March 14, 2020**

**Ohio Virus Cases Increase; Officials Urge Delay In Elective Surgeries, Expand Telemed Option**

Ohio had 26 confirmed cases of the novel coronavirus as of Saturday, state officials announced.

The 13 new cases are in line with predictions of public health experts who expect the disease will expand across the state in the coming days and weeks.

The Department of Health said 264 Ohioans remain under investigation and 333 people are under supervision. No Ohioans have died as a result of the disease.

Speaking at the Statehouse, the governor said the increase was expected, as is a further rise in cases.

"Each day, what you're seeing is what we expected," he said. "This should not alarm people. We knew this was coming."

The governor suggested that Ohioans who have upcoming elective surgeries consider postponing them. He added that state officials have worked with dentists and veterinarians to encourage them to do the same.

Delays in those procedures will reduce demand on health care facilities and make more medical resources available to those treating Ohioans with the virus, he said. Additional information on elective surgeries could come on Monday.

The governor said calls continue to flow into the state's coronavirus call center, with the division receiving a total of 18,000 contacts overall, and 1,400 calls on Saturday morning alone.

He said Ohio's casinos and racinos have closed, although live horse racing with limited personnel was still set to occur at tracks on Saturday.

Mr. DeWine reiterated suggestions that Ohioans should voluntarily distance themselves from others and emphasized that Ohioans who can take their children out of day care should consider doing so.

A directive on that point could be forthcoming, he said.

The governor said pandemics are times of great stress and anxiety for many people. "We really, really have to take care of each other," he said. "We are in this for the long run. This is not going to end overnight."

An increased use of telemedicine and distance learning during the current situation could lead to benefits over the long term, he said. Both systems will come out stronger as a result.
Lori Criss, director of the Department of Mental Health and Addiction Services, signed an order establishing emergency rules that extend telehealth options for people with mental health and addiction needs through a phone call. The rules eliminate a requirement that an initial mental health consultation would have to occur in-person.

Ms. Criss acknowledged that the virus situation is stressing an already taxed mental health system and is creating anxiety for many people. "These are really trying times for all of us," she said. "We're all dealing with a new way of living."

She also urged people to recognize signs of stress in people and communicate with friends, neighbors and others.

She also cautioned people against spending too much time consuming media, which she said can be "overwhelming."

Rather, she suggested Ohioans catch up on the latest developments, be informed and then step away.

Ms. Criss also announced her agency has blocked visitors at Ohio's psychiatric hospitals and is working toward making video visitation available.

State Health Director Amy Acton said Ohio is just at the start of what will be a large expansion of the disease. "This is going to spread everywhere," she said. Essential to controlling the expansion, she said, are use of mitigation tools. "We're on the upswing, and a week or two makes all the difference," she said.

Dr. Andy Thomas, chief clinical officer at Ohio State's Wexner Medical Center, said many hospitals have imposed visitor restrictions and screening of people who are looking to enter facilities.

He said delaying elective surgeries will help reduce the number of people in hospitals and reduce use of what will be a stressed medical services system.

Lt. Gov. Jon Husted said state officials are working on many fronts in terms of what's coming next, adding that the situation will create social and economic stress for Ohioans.

He said many groups have reached out to the state to find out how they can provide support to people in need.

That help can come in the form of providing a meal to a neighbor, running an errand, supporting a food bank or donating blood, he said. "We can become a care network for each other, a support network for each other."

Sunday, March 15, 2020
Bars Closed, Restaurants Limited To Carryout, Delivery As State Continues Virus Response

Gov. Mike DeWine said the state will order Ohio bars and restaurants – with the exception of carryout and delivery business – to close effective 9 p.m. Sunday.

The effort is the latest step the state has taken toward mandating social distancing as an effort to slow the spread of the novel coronavirus, or COVID-19.

The governor had already banned mass gatherings of 100 people or more and taken other steps to prevent large gatherings of people.

The order will be signed by State Health Director Amy Acton Sunday, the governor said at a Statehouse news conference.

"This is a very, very crucial time," he said. "Delay means more people will die. Literally every day we delay, the data clearly shows more people will die."

The governor said he is aware that the order will be devastating for many small businesses, and will result in many Ohioans losing their jobs. He said, however, the step is essential. Business and government leaders later offered support for the decision.

He encouraged restaurants to continue to offer takeout and delivery options and urged Ohioans to continue to patronize businesses.

"We are dealing with life and death," he said. "For us to not take these actions today will cost lives. People will die if we do not make these decisions."

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"We are dealing with life and death," he said. "For us to not take these actions today will cost lives. People will die if we do not make these decisions."
Lt. Gov. Jon Husted, who announced other steps to support businesses and workers, said state officials understand the difficult position in which businesses and workers find themselves.

"Carryout and delivery are available options. You will want to continue to use these," he said. "We don’t want everybody to stop buying restaurant food and start going to the grocery store. That will create problems of its own."

The Ohio Restaurant Association advised members of the 9 pm closing, saying it had asked for the exemption to allow restaurants and foodservice operations to continue to offer takeout, pickup and delivery services. It further urged members to "double down" on cleanliness standards and procedures.

At 2 p.m., the state had reported a total of 37 confirmed cases and 361 people being tested. A total of 140 people had tested negative.

Those numbers marked an increase from 26 confirmed cases Saturday, along with 264 people under investigation.

The cases included one in which the patient began showing symptoms Feb. 7, Dr. Acton said. That indicates people could have been spreading the condition for weeks in Ohio undetected.

"Everything we're doing is trying to slow the spread that we know is coming and decrease that surge on our hospital system," she said.

Taking such steps to keep people from congregating will help ease the eventual stress placed on the health care system by the need for intensive care beds and respirators, she said.

"This is the real thing," Dr. Acton said. "This is not a drill. This is the once-in-a-lifetime pandemic. And everything each of us does matters."

Lt. Gov. Husted urged Ohioans to support their friends and neighbors.

"Help people out who are going to be struggling by being a great neighbor, by being a great family member, by being a great friend," he said.

**Next Steps:** Gov. DeWine foreshadowed a few likely next steps to be taken by the state, including the eventual closure of daycare centers and suspension of in-person feeding programs for the elderly in lieu of food delivery.

"We're not ready to announce that switch today," he said.

Daycares will be closed at some point, the governor said. He continued to urge anyone who can to take their children out of daycares to ease the burden and reduce the risk of spread.

Hospitals and other facilities that will have to be open will likely open their own daycares to support employees, and the state will issue waivers for them, Gov. DeWine said.

**Education:** Gov. DeWine also clarified school-related comments he made on national television earlier Sunday.

He said that while he has closed schools until at least April 6, he has advised superintendents they should be prepared for in-class instruction to be prohibited for "an extended period of time."

"The odds are that three weeks is not going to do it," he said. "The time is likely to be extended."

The governor said he appreciates the steps that many employers have taken to keep people out of their normal work settings, but asked businesses to again consider whether there are additional employees who can work from home.

"The more we keep people from congregating, the better off we are," he said. "We're taking these steps to save lives."

House Minority Leader Emilia Sykes (D-Akron) and the Ohio Legislative Black Caucus called on legislative leaders to convene the legislature to take key actions.
"I agree with the governor's decision today to close restaurants and bars to sit-in patrons at this stage of the pandemic," she said. "However, I do also recognize the negative impact this is going to have on our small business owners, their staff and Ohio families. I applaud the governor for following the recommendations of our caucus to expand unemployment benefits to those negatively affected the most, but more is going to have to be done to address the economic crisis that this public health crisis has created beyond unemployment compensation."

She said lawmakers cannot delay action.

"My Democratic colleagues and I stand ready to return to the Statehouse to pass the necessary legislation to bring relief to all hard-working Ohioans as soon as possible," she said.

Earlier Sunday, the OLBC called for legislative action authorizing temporary paid leave, ending utility shut-offs and promoting food stability.

"We are calling upon the leadership of the Ohio Senate, Ohio House of Representatives and the Governor's Administration to work collaboratively and to convene the Ohio General Assembly within 24-48 hours to take necessary legislative actions to help our fellow Ohioans," OLBC members wrote. "We are encouraging all Ohioans to call their state elected officials to urge the Ohio General Assembly to get back to work on behalf of the people of Ohio."

**State Expanding Unemployment Benefits In Wake Of Virus Spread**

Ohio will be making a series of changes to its unemployment compensation system to assist workers who are displaced as a result of the coronavirus spread, Lt. Gov. Jon Husted said Sunday.

The move came as the state ordered bars closed and prohibited dining in at restaurants in the latest steps to mitigate the effects of COVID-19.

The changes, to be implemented through an executive order, clarify that those who are quarantined are considered to be unemployed and would not be subject to requirements that they seek work. That will also apply in cases in which companies determine they need to shut down operations.

The state will also waive a one-week delay in unemployment benefits and expedite payments, Mr. Husted said. The cost will be mutualized and the state will waive penalties for individual businesses.

The Department of Job and Family Services will also waive penalties for late reporting and payments for the next quarter, the lieutenant governor said.

To support bar and restaurant owners that were preparing for St. Patrick's Day and March Madness events, the state will also allow them to return recently purchased, unopened liquor products to the agency where it was purchased, Lt. Gov. Husted said.

"We hope this will help relieve some of the chronic economic strain that the businesses might be experiencing at this time," he said.

The Development Services Agency is also applying to qualify for economic injury disaster loans from the federal government. Those loans would be available to small businesses and nonprofits.

Many of the items implemented Sunday were developed in consultation with businesses, he said.

Ohio's unemployment compensation system has faced concerns in recent years that it is not fully prepared for a recession. Legislative efforts to shore up the system have stalled in the past few General Assemblies.

Asked about that situation Sunday, Lt. Gov. Husted indicated these efforts would not put a significant new strain on the system, pointing to the likelihood of federal help amid the virus emergency.

"There's no doubt that we're eventually going to need to ask the legislature to take action to strengthen Ohio's unemployment compensation system, but this does not require that," he said.

Lt. Gov. Husted and Gov. DeWine indicated more efforts to address the crisis are coming, particularly in terms of supporting businesses and employees.
"What we announced this week may look like drastic action, I guess it is, but we're taking these steps to save lives," Gov. DeWine said. "We have made a dramatic intervention. We certainly feel that that will make a difference."

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