Statehouse Update

April 24, 2020

Monday, April 20, 2020
Controlling Board OKs Funds For Coronavirus, Higher Ed Projects
Local health departments and public transit authorities will be getting some help from the federal government in addressing the COVID-19 crisis after Controlling Board members approved the funds Monday.

Members also voted to OK more than two dozen projects for institutions of higher education, despite two members objecting on grounds that they said policymakers should wait until the state has a comprehensive budget plan.

The coronavirus-focused money included nearly $8.6 million for the Department of Health from the U.S. Centers for Disease Control and Prevention. That money was included in the first coronavirus package passed by Congress, said Anthony Perry, chief financial officer at the Ohio Department of Health.

The funds allocate $4.8 million for local health departments, $1.3 million for medication and $1 million for hospital and health care system preparedness.

Another $1 million will be used for specimen collection kits to help the state with more testing, Mr. Perry told Rep. Jack Cera (D-Bellaire).

"This request will really allow ODH to continue testing at our current pace," he said. "There's been a shortage of these specimen kits nationwide. This will allow us to keep up with testing as it's currently happening."

Rep. Cera asked how the money will help the state improve on testing.

ODH is working with Ohio State University to provide more testing capacity, Mr. Perry said.

"The specimen kits are the limiting factor at the moment, so we're trying to devote as many resources to that as we can," he said. "It is a nationwide issue and the market is pretty limited. We buy the kits as they are available."

Another item, totaling roughly $82 million, is money from the federal government through the Department of Transportation to support public transit agencies. ODOT staffers said it will be provided to agencies as reimbursements.

Rep. Jamie Callender (R-Concord) asked if agencies could face a situation where they would put in for reimbursement and receive less than expected.

"My concern is that a local transit authority would apply for the funds, expect reimbursement and then not get them," he said.

Chuck Dyer, administrator of the ODOT's Office of Transit, said the department will establish contracts with each agency and they will know what they will be reimbursed for.

The other 27 items on the board's agenda prompted some debate among members. Those items included $12 million in requests from institutions of higher education, primarily dealing with capital projects.

Rep. Callender and Rep. Shane Wilkin (R-Hillsboro) objected to the requests and said the state should be careful in approving funding for projects unrelated to the crisis until an overall plan is in place.
"I just don't feel that it's prudent to necessarily look at this type of project right now, especially in light of how many Ohioans are suffering right now. I'm just not sure that this is the right time to do that," Rep. Callender said.

Regarding one project, Bruce Meyer, associate vice president of capital planning and campus operations at Bowling Green State University, responded in terms of his university's request. With that project, they were able to combine all phases into one using local and state dollars to receive better prices.

"It definitely would cost more money in the long term to do them in phases," he said.

Rep. Callender pointed to money received by higher education institutions through the federal CARES Act.

"There may be a desire from the colleges and universities that those state funds be directed elsewhere that may be more pressing," he said.

Controlling Board President Fletch Zimpher said the CARES Act funding will likely be very restricted and not something that could be used for capital projects.

Other members said the projects could be important for the state's economy. Two of them are designed to help with training for workers in the event a future ethane cracker plant is developed in Belmont County, Rep. Cera said.

Sen. Jay Hottinger (R-Newark) said many of the projects are things that have been in the works for some time, and that they could help provide jobs and put money into local economies.

"Not moving forward at this point in time, I think would cost contractors and communities further layoffs," he said. "Not moving forward with these important expenditures would be the exact opposite message than we would want to send to our fellow Ohioans."

Sen. Bob Peterson (R-Sabina) echoed those sentiments.

"I look forward to working on the budget and finding ways to squeeze," he said. "These projects, I think, are in the pipeline. It makes no sense not to complete a project that's two-thirds done, three-fourths done and necessary for students to get back to work."

Rep. Callender said the state needs to "take a step back and have a comprehensive approach to how we're going to deal with this."

He urged that approval of the funding be delayed.

"I'm just concerned that if we start spending money like this without it being part of a comprehensive plan, especially knowing that there are some significant budget cuts coming up in the near future, that we in essence are going to be boxing ourselves into a corner as to what we can and can't do," he said.

**Labor Urges Caution, While Business Owners Call For Aid Amid Pandemic**

Business owners on Monday expressed optimism about reopening the economy in a safe manner but also called on lawmakers to provide assistance in response to the coronavirus pandemic.

The House 2020 Economic Recovery Task Force also heard from Ohio AFL-CIO President Tim Burga, who praised Gov. Mike DeWine's moves and urged caution in reopening the state for business.

"We want to earn, and we want to produce," he said. "But it's not going to do us any good to open the economy and have a resurgence of the virus."

Echoing Gov. DeWine, Mr. Burga said the economy must be reopened with great care, backed by strong health precautions and ramped-up testing. Otherwise, the public will not have the confidence to go about their daily lives.
He also called for a national industrial policy so that the nation is not again caught flatfooted by a shortage of personal protective equipment that is now largely manufactured overseas.

"Organized labor has been saying for decades that offshoring is bad for the economy and makes us vulnerable," he said.

Rep. Dick Stein (R-Norwalk) said a large number of companies in Huron County have already implemented safety protocols with very few COVID-19 cases, which proves that Ohioans can safely go back to work.

"I think it's best to continue to follow the lead of the health experts that the governor is relying on," Mr. Burga responded.

John Green, owner of Café O'Play, suggested lawmakers create grants to allow business owners to modify facilities. Mr. Green said he is currently considering things like automatic doors and sinks to minimize the touching of communal surfaces.

But he also said uniformity and consistency is needed when it comes to such regulation, saying he is worried that if he installs handwashing stations, regulations on how far apart they must be could change down the road.

"Will we be penalized if we start making adjustments to our physical facility to better serve customers when we do reopen?" Mr. Green asked.

Jayme Palker, owner of Pinot's Palette called on lawmakers to mandate that insurers cover pandemic effects and allow for late renewals of liquor licenses.

Hayley Deeter, owner of Hayley Gallery in New Albany, said she has received a small business loan. However, that will cover just one month's worth of rent.

If not open in May, Ms. Deeter said she is unsure if she will be able to pay the rent at her art gallery in June. She also said anticipates business to drop off because she sells luxury items and relies on traffic from other businesses in a shopping center.

"I won't see a complete return to normalcy until the various businesses around me are able to open, and that includes restaurants and bars," she added.

Tom Hamilton, owner of Beavercreek Florist, said he was forced to close his doors on March 24 despite implementing no-touch delivery. He also expressed concern that some individuals who have been laid off during the crisis will refuse to return to work due to enhanced unemployment benefits from the federal government.

Rep. David Leland (D-Columbus) questioned Mr. Hamilton on whether he believes the vast majority of the more than 800,000 unemployed Ohioans would rather sit at home than work.

Mr. Hamilton said that is not the case, but he does have one employee who he is concerned will not return to work, adding those that refuse to do so should lose their unemployment benefits.

In response to a question from Rep. Jon Cross (R-Kenton) about whether all businesses should be allowed to reopen on May 1 to level the playing field, Mr. Hamilton said there are gray areas, and some businesses will better be able to comply with social distancing standards than others.

"If we're going to open Ohio, we should open all of Ohio," Rep. Cross said in response.

The panel also heard from Bill Bader Jr., owner of Summit Motorsports Park, who made national headlines recently after he vowed to hold events despite the governor's orders.

He said the closure of his business has resulted in 23 employees being laid off.

Mr. Bader said he plans to scale back the racing schedule at his park to 18-22 events in the 300-plus-acre, 30,000-seat facility that allows for proper social distancing.
"I do believe that this was a terrible government overreach that was politically motivated and at the expense of many, many small businesses."

In response to a question from Rep. Nino Vitale (R-Urbana) about recent examples that have found a high number of individuals infected with COVID-19 who are completely asymptomatic, Mr. Bader reiterated his belief that government overreacted to the virus, suggesting it was a coordinated effort to hurt the reelection efforts of President Donald Trump.

That led Rep. David Leland (D-Columbus) to question Mr. Bader on whether he really believes Gov. DeWine and Lt. Gov. Jon Husted are seeking to undermine a president of their own party.

"I think this was a well-constructed plan. I think the timing of it was unique," he said, before questioning whether the reported number of fatalities due to COVID-19 is accurate.

Order Closing Nonessential Businesses Remains In Place After Ruling
A federal judge on Monday declined to halt an order issued by Health Director Dr. Amy Acton that forced all nonessential businesses in Ohio to shutter to slow the spread of the coronavirus.

District Court Judge Algenon Marbley declined to issue a temporary restraining order sought by the owner of a Columbus bridal shop who contended that closing her business without a hearing violated her Fourteenth Amendment rights to due process.

"The Ohio Department of Health is required to supply Ohioans who own businesses it deems 'nonessential' with a prompt hearing where the burden is on the department to justify its decision mandating full closure of those Ohioans' businesses," Tanya Rutner Hartman argued in a complaint filed on her behalf by the 1851 Center for Constitutional Law.

The state, meanwhile, argued that it has broad powers in the middle of a global pandemic to mitigate the spread of the disease.

"There were multiple reports of devastation wrought by the COVID-19 disease on individuals afflicted with it. Ohio officials also saw the projected high rate of community transmission in Ohio in the absence of government-ordered mitigation efforts," it wrote in its response.

"Ohio officials saw modeling showing that, unmitigated, the fast spread of COVID-19 was capable of completely overwhelming available healthcare facilities, making it impossible to provide adequate care to those who contract it – and Ohio officials learned that many healthcare workers in hard-hit locations had become ill themselves while trying to care for their highly contagious patients."

Attorney General Dave Yost applauded the ruling.

"We are pleased with Judge Marbury's ruling as the director of health's order is legal and constitutional – it's designed to save lives during this pandemic," he said in a statement.

The order and others issued by Dr. Acton designed to slow the spread of the virus has led to pushback from regular citizens and lawmakers alike.

Protestors have begun to gather at the Statehouse during the governor's daily press briefings to express their discontent.

A small handful of lawmakers have also been vocal in their opposition to the stay-at-home order.

The order ends on May 1, and Gov. DeWine has indicated that he plans to slowly reopen the state's economy. However, one lawmaker on Monday said he believes all businesses in the state should be able to reopen on May 1.

Police Union Blasts Mayors
The Ohio Fraternal Order of Police is criticizing mayors for recent comments signaling they could be forced to trim police and fire service given challenges posed by the coronavirus.
Mayors of some of the state's largest cities last week warned of potential police and fire cuts if federal assistance isn't provided. That's attributed to the state's reliance on funding cities through income taxes, members of the Ohio Mayors Alliance said at the time.

FOP President Gary Wolske on Monday praised Gov. Mike DeWine and state officials for their leadership during the pandemic but accused mayors of "rhetoric" that is "threatening law enforcement jobs and wages."

"We understand the economic impact of COVID-19, but at the federal level, state level and local level, safety and security should be the first priority, not the first thing cut," Mr. Wolske said. "This sounds like school levies that always threaten to cut sports and band first – except police protection shouldn't be a political negotiating tool by the mayors."

The FOP said first responders in some areas have been docked pay and could be at risk of further cuts. Mr. Wolske said the organization will work with the state and mayors on solutions but that members are frustrated they first learned of the mayors' planned approach to cuts during the media call last week.

"The coronavirus response isn't close to over and while the FOP is confident in Gov. DeWine and his administration, it'll be watching and taking action when mayors threaten to cut public safety," the group said in a statement.

Manufacturing: The Ohio Manufacturing Alliance to Fight COVID-19 has launched an online marketplace to match organizations with available personal protective equipment.

Called the PPE Makers' Exchange, the website is not an e-commerce site, according to the alliance, and the alliance is not involved in interactions between buyers and sellers. In that sense, the alliance said the resource is "more like Craigslist than eBay."

"Nearly 2,000 Ohio manufacturers have answered the call to fight COVID-19 by repurposing and retooling to make PPE and other urgently needed equipment," said Eric Burklund, president of the Ohio Manufacturers' Association. "The online exchange will enable the alliance to speed up the process of connecting sellers and buyers with equipment to help protect our protectors and keep Ohioans safe."

Manufacturing Advocacy and Growth Network CEO Ethan Karp called it "especially well-suited for organizations that may have lower-volume needs, such as nursing homes, police departments and smaller retailers."

Tuesday, April 21, 2020

DeWine Announces Potential Expansion Of COVID-19 Testing

Gov. Mike DeWine on Tuesday announced federal approval of a new chemical reagent that will "significantly" expand the number of coronavirus tests the state conducts in the near future.

The Food and Drug Administration's approval of Massachusetts-based Thermo Fisher's chemical solution comes after appeals from Gov. DeWine, who has been vocal regarding the limitations of testing and the challenge that poses to the state as leaders grapple with the pandemic.

"This will significantly expand the capacity of these labs," Gov. DeWine said. "It is not the only thing slowing us down, but it is significant, and this was a good victory."

Officials agree expanded testing is key toward taking steps to ease restrictions on businesses and individuals enacted to slow the virus' spread. But it doesn't appear the new reagent will be available in time for Gov. DeWine's goal of beginning a phased reopening of the state May 1.

Calling the decision to reopen a "high-wire act," the governor projected the additional testing substance would be available by mid-May.

"Testing is vital as we begin to reopen our economy," Gov. DeWine said. "We want to reopen the economy. We want to get people back to work. It's important we do it the right way, that we do it the safe way."
During his daily COVID-19 briefing, the governor announced the formation of a testing strike team – led by former governors Dick Celeste and Bob Taft – that will work to expand and maximize the state's testing ability.

The focus on testing came as the state reported 13,250 confirmed cases with 475 probable cases. Deaths climbed to 538 with 19 others probable. Officials also tallied 2,779 hospitalizations and 838 intensive care admissions.

Among those deaths was a resident of the Northwest Ohio Developmental Center. That individual, first diagnosed March 31, was the first death of a center resident, the governor said.

Health Director Dr. Amy Acton continued to refer to the daily data updates as the "tip of the iceberg" due to testing limitations. She said every move the state takes to move forward will be based on trends reflected in that data.

Despite the governor's expressed intent to begin reopening May 1, details of that plan, including which businesses might be able to inch back toward normal operations, remain unknown. Businesses meanwhile continued to tell a House task force of problems related to the shutdown and called for speeding up the reopening of the economy.

Gov. DeWine said he wants to get as many people back to work as he can in a safe manner and promised more information on what that means specifically for hospital services in "the next several days."

"This is where we begin to innovate," Dr. Acton added. "Whole industries are trying to figure this out for themselves...ways to make it as safe as possible. So, it really is going to be a partnership."

Dr. Acton said the state "flipped a light switch" in deploying a "blunt surgical tool" that was forced social distancing via the state's shelter-in-place orders. Moving forward, she said the state hopes to exit the shutdown by utilizing a "much broader range of tools to fight this war" including expanded ability to identify and respond to outbreaks.

"To get out of this, we have to slowly move the dimmer switch...watch the data and reaction to make sure too many fires aren't starting," she said. "The question is can we control it. That's the dance we will be walking."

Dr. Acton said the state conducted between 2,000 and 4,000 tests per day over the last week but that "we're not there yet by far" when it comes to needed testing capabilities.

"Right now, we're keeping those tests to such a small group of our population we're having to ration them basically," she said. "Better testing equals better firefighting."

**Other Developments:** Gov. DeWine announced a handful of other items, including action taken by the Department of Agriculture due to the uncertainty heading into the fair season.

ODA will waive a requirement that agricultural societies put up matching funds to receive a $50,000 facilities grant through a program established in the last budget. Fair managers must apply by May 30 through the ODA's site.

"I understand the financial hardships many are experiencing due to the COVID-19 pandemic," ODA Director Dorothy Pelanda said. "While it is uncertain whether fairs will be able to safely operate this year, they still have facilities expenses. The Ohio Department of Agriculture wants to ensure each fair has access to these important funds."

On the small business front, the governor said JobsOhio has committed up to $50 million to assist Marietta's Peoples Bank, and the First Federal Bank/Home Savings Bank to offer expanded loans to cover operations and payroll costs for eligible enterprises.

"This assistance will bolster each bank's ability to provide additional financing on favorable terms for local businesses in good standing that would otherwise not be able to access this credit due to the COVID-19 crisis," Gov. DeWine said.

Gov. DeWine also highlighted the Bureau of Workers' Compensation's previously approved $1.6 billion in dividend checks to Ohio businesses – checks that the agency said as of Monday are in the mail.
Viewers also heard again from Department of Aging Director Ursel McElroy. Ms. McElroy spoke at the governor's Monday briefing, but her remarks at the time were inaudible due to technical difficulties.

She reiterated concerns about the pandemic's disproportionate impact on communities of color. The director will co-chair the Minority Health Strike Force Team, along with Recovery Ohio Director Alisha Nelson, to examine health conditions, social determinants of health and other factors widening gaps across communities.

"The team will also address the unfortunate expressions of hate and discrimination during this crisis," she said. "Finally, tangible steps will be put in place – education, data collection, and recommended policy creation or changes where needed."

**Business Owners Continue To Urge Reopening**

House lawmakers heard again Tuesday from Ohio business owners frustrated that many establishments have been closed to slow the deadly COVID-19 outbreak.

The House 2020 Economic Recovery Task Force, which is in its second full week of meetings via teleconference, continued to hear primarily from business owners urging state leaders to lift restrictions on what businesses can operate.

Tony George, president and CEO of The George Group, which owns restaurants and other businesses, urged against a "gradual" restoration of business as usual, as has been discussed by Gov. Mike DeWine.

"If the economy is brought back gradually, recovery will not be the vibrant and prosperous economy we desire," he said. "A phased-in economic approach will not work. It just won't work. You're kidding yourselves."

As other business owners have maintained during the hearings, he said some employees will not return to work if their wages are below what they receive in unemployment benefits.

"Enticing workers back to work to make a fraction of their wages simply will not work," he said.

Restaurants can reopen with proper sanitation protocols, he said. He also proposed other steps to help businesses, such as tax credits for establishments buying protective equipment, a sales tax holiday for the rest of the year, and JobsOhio-funded no-interest loans for hospitality businesses.

Representatives of some businesses complained that it was not fair that the state shut down some industries and stores but allowed others, such as grocery and home improvement stores, to continue to operate.

"It's really unfair that the restaurants got to do takeout orders but yet we didn't get the capability to do personal training in any type of way," said Rebecca Grajeda of G.A.C. Fitness and Sports Performance in Springboro. "We weren't given the capability to get our business to function in any capacity."

Ms. Grajeda said her company has attempted online classes and programming, but attendance has been minimal.

Mr. George also criticized the government for picking "winners and losers."

"You can't shut down the restaurants and the hotels and the health clubs and not shut down the grocery stores, the Home Depots and the Lowes," he said.

Steve Krull, general counsel for La-Z-Boy, said the company will survive the crisis, but worried that smaller, independent furniture stores might not. Those stores can reopen safely because they have few customers coming in per day and can maintain proper distancing and cleaning, he said.

"Today we're funneling all of those customers to the same big box store," he said.

He told Rep. Adam Holmes (R-Zanesville) that consumers need to be confident in order for them to buy furniture.

"People have to be confident that their jobs are secure and that the company is going to be there going forward," he said.
Statehouse Update

Dante Sabatucci, of Sabatucci Sports, said he owns a sports academy and his sister owns a salon on the same property. Both of those businesses have been hindered because they are unable to see any customers.

"We need to be allowed to reopen as soon as possible. Like, tomorrow, if possible," he said. "We'd be able to do it in a sanitary way."

Dennis Shisler, of Shisler's Cheese House, said his family's business has still been operating but has reduced the number of part-time employees. He said the drop in tourism because of business closures will be a serious burden for the business.

"Our primary ask is that the economy starts to reopen and starts to phase back in," he said.

Tourism was also a concern for Terry Berger-Davis, of the Berger Travel Agency in Mansfield, who said people are canceling vacations months in advance. She said that means businesses like hers will continue to struggle well after the economy reopens.

"It's not going to be a magic cure-all when the state opens up," she said.

Jenel Bentley, with Buffalo Lodging Company in the Hocking Hills area, said the uncertainty around when she can begin offering hospitality services again is difficult to deal with.

"For the most part, the frustration lies in not knowing, not knowing if May 1 is going to be our green light," she said.

"We're just trying to piece together as much information to relay to our guests as possible," she added.

Lee Alexakos with Cedar Fair, parent company of Kings Island and Cedar Point, said the parks will likely be unable to operate until mid-summer or later. Despite the seasonality of the businesses, they continue to incur operational costs even while the parks aren't open.

Many other small businesses depend on the traffic from the parks, she said.

"As our parks go, a lot of these businesses will go," she said. "That really does have a direct impact on a lot of the small businesses."

**Portman Touts Latest Stimulus, Pushes For More Local Funding In Next Round**

The first hurdle was cleared in the latest race to get money into communities economically crippled by the COVID-19 pandemic.

Members of the U.S. Senate on Tuesday reached a bipartisan agreement on the latest emergency coronavirus recovery package, which U.S. Sen. Rob Portman (R-Terrace Park) deemed to be package 3.5.

The $484 billion measure passed the Senate by unanimous consent. House approval is expected in the coming days.

The latest round of funding includes additional money for the Paycheck Protection Program for small businesses, healthcare providers and testing for the virus, which Sen. Portman identified as key to safely reopening the economy in Ohio and beyond.

"I continue to believe that reopening will be successful if we have adequate tests, not just to let people know that it's safe now to be able to return to a more normal life but also because once we do start to reopen, it's important to have diagnostic testing to be able to identify hotspots, to do contact tracing, and to ensure we can contain the virus so we don't have to have a stop-start on our reopening, but rather reopen and stay open," he said.

The additional testing is funded to the tune of $25 billion, while another $75 billion will be directed at healthcare providers. The paycheck protection program, a small business grant plan designed to encourage employers to maintain payroll, received an additional $320 billion after the first tranche of money approved in the third round of COVID-19 stimulus, the Coronavirus Aid, Relief, and Economic Security, or CARES, Act, quickly dried up as businesses raced to secure the funding.
Sen. Portman said additional stimulus will be needed, and he is pushing for the next package to include flexible funding for state and local governments. He noted that Ohio is unique in that its municipalities are largely funded through income tax revenue, which has taken a hit due to the economy largely coming to a halt.

Mayors of several of Ohio largest cities last week implored federal lawmakers to provide them funding to deal with the financial crisis that has accompanied the public health crisis. They warned that cuts to public safety services could be on the horizon without aid.

Sen. Portman said he has been working on the issue with U.S. Sen. Sherrod Brown (D-Cleveland), who highlighted a tweet from President Donald Trump in which he urged passage of package 3.5 and vowed to begin discussion on including funding for local governments in the next stimulus package.

"Local governments shouldn't have to choose between tax hikes and laying off public safety officials like police officers and firefighters," Sen. Brown said in a statement.

The funding for local governments should come with few restrictions, according to Sen. Portman. Maximum flexibility is important because of the way in which Ohio cities are funded, he added.

"Ninety percent of the cities around the country cannot use income tax, but Ohio's can, and they do," he said. "Because of that the revenues for our metropolitan areas have declined more than they have in other states."

Sen. Portman also continued his advocacy of allowing Congress to vote remotely in emergency situations. He said it can be done securely.

"We work with a lot of private sector people who do this all the time with financial transactions and other things," he said.

**Ethics Commission Opinion**

No. 2020-02. SYLLABUS:

(1) R.C. 102.03(B) prohibits any present or former public official or employee from disclosing or using, without appropriate authorization, any information acquired by the public official or employee in the course of the public official's or employee's official duties that is confidential because of statutory provisions, or that has been clearly designated to the public official or employee as confidential when that confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business.

(2) The use of executive session does not by itself create confidentiality; however, if it is clearly demonstrated that a public body has met all of the legal requirements necessary to appropriately discuss a specific matter in executive session, and the information discussed is confidential by statute; or has been clearly designated as confidential when such designation is warranted and necessary, the information discussed may be considered confidential under R.C. 102.03(B) because: the majority of a quorum of the public body voted that the executive session is necessary; the Open Meetings Act affords a privacy status to executive session discussions; and the Open Meetings Act strictly limits the types of approved government business permitted to be discussed in executive session.

However, R.C. 102.03(B) does not prohibit a public body from adopting a resolution, rule, or formal action in an open meeting that results from a discussion in executive session in compliance with the Open Meetings Act.

Also, the privacy afforded to executive session discussions does not automatically make confidential all documents that a public body may discuss in executive session. If a document is a "public record" and is not otherwise exempt under one of the exemptions to the Public Records Act, then the document may still be subject to public disclosure even if the public body appropriately discussed it in executive session.

**Wednesday, April 22, 2020**

**Government Finance Outlook Grim Amid Shutdown**
The approximately $2.7 billion in Ohio's Budget Stabilization Fund will not be enough to balance the state budget over the next 15 months, according to Lt. Gov. Jon Husted, who said Wednesday that the strained government finances underscored the importance of a safe economic recovery.

It will likely require twice that amount to cover the deep financial hole the coronavirus pandemic has created, he said during Gov. Mike DeWine's daily briefing on the ongoing public health crisis.

Neither Gov. DeWine nor Lt. Gov. Husted offered any indication on how they will seek to close that expected budget gap, other than reiterating that they have asked department heads to identify cuts of 20% to their own budgets where possible.

"We've made it very clear to our directors that they need to start whacking away at this," Gov. DeWine said.

Senate President Larry Obhof (R-Medina) said in a recent interview that he expected the legislature to act on some sort of budget correction measure before the summer.

Lt. Gov. Husted said local governments are also expected to be hit hard, which will likely lead to cuts in vital services such as police and fire protection.

The lieutenant governor said that nationally, the unemployment rate could rise to as high as 25%, adding that during the Great Recession, the unemployment rate in Ohio peaked at 10.9%, which he described as "reasonable compared to these other numbers and these other projections."

"The effect of this, these consequences, will weigh heavily on children, particularly at-risk children," he said. "It will affect the cost of college, and our ability to protect our neighborhoods. Economic consequences are not just about businesses. They are about the people that rely on these services. The reopening strategy is, as I just mentioned, not just about those businesses. It's about the economic engine that our social safety net depends on."

He warned that tough economic times lead to higher rates of suicide, drug addiction, domestic violence and homelessness.

"Bad economic conditions lead to bad health consequences, and this is the reality we face," he added.

For those reasons, the state must begin the road to reopening the economy in a safe manner, Mr. Husted said. "If businesses are not operating and people are not working, then state and local governments do not have the revenue to serve our collective constituents."

The DeWine Administration is eying a phased-in reopening starting May 1 with specific guidelines pending.

Gov. DeWine again previewed upcoming action to ease restrictions put in place by Health Director Dr. Amy Acton banning all nonessential surgeries.

The move was designed to preserve personal protection equipment. However, he said that some procedures that he had no intention of stopping have been put on hold.

"Frankly, that has concerned me a great deal," he said.

The governor called on health care providers and their patients to begin reassessing procedures that have been put on hold.

Dr. Acton said a new order on that front is forthcoming.

"There were people who are first in line to have some diagnostic procedures, and some procedures that are really needed," she said. "It's been a while now, over a month, that we've postponed certain procedures for very vulnerable and complex situations, so we'll be addressing that in the order."

She said the state continues working in partnership with providers and hospitals about how best to ramp up allowable procedures. She called the forthcoming order to clarify things "a very slight tweak" to her order from March.
Department of Mental Health and Addiction Services Director Lori Criss also announced the creation of an emotional support call service for Ohioans available from 8 a.m. to 8 p.m. seven days a week at 1-800-720-9616.

The state reported 13,609 confirmed cases of COVID-19, with another 508 probable cases. There have now been 584 confirmed deaths and another 26 probable deaths.

Gov. DeWine announced that the Department of Youth Services also has its first confirmed case with an incarcerated juvenile testing positive.

Thursday, April 23, 2020
House Committees To Resume Work In Early May, Speaker Says; New Staff Protocol Released

The Ohio House will reboot its committee process starting the week of May 4, Speaker Larry Householder (R-Glenford) announced Thursday.

And more House staffers will be working daily in the Riffe Center as of that week under a new virus-response protocol.

The committee plan will maintain social distancing by only using the rooms large enough to accommodate guidelines, the speaker said in a memorandum distributed to members and staff.

Among the safety measures is extensive cleaning and separation of witnesses in overflow rooms until they are called to testify.

Resumption of staff duties will include staggered shifts with some work from home to continue, the speaker said.

"In order to maintain responsible social distancing, only one half of the members' staff will be in the Riffe Center at one time," Mr. Householder wrote. "We will achieve this by dividing the staff and every other office being in Riffe every other day," the speaker's memorandum to staff states. On workdays when staff will not be reporting to their members' offices, they will work from home.

In addition, staff start times will be staggered to reduce congestion in the elevators, the memo states. "Staff's temperature will be checked upon entering the building and those with a temperature of 100 degrees or above will be sent home to WFH."

Speaker Householder said employees who are ill should not report and will be required to continue to work from home, and employees aged 60 and above with underlying health issues may continue to work from home with prior approval.

"Employees may wear masks and must maintain adherence to strict social distancing as recommended by the Centers for Disease Control. Also, in-person meetings in the Riffe and Statehouse are to be limited. Continued use of distance meeting technology should be utilized as much as possible," the memo says.

The speaker said House offices and work areas will have "stepped-up" cleaning and disinfection of surfaces throughout the day.

The Senate is expected to announce its plans to ramp up work in the coming days.

Major Business Groups Call For Reopening As Jobless Claims Near 1M

The number of initial unemployment compensation claims filed over the past five weeks in Ohio sits at 964,566.

More than 109,000 Ohioans filed initial claims last week, according to Department of Job and Family Services data released Thursday amid renewed calls from statewide business groups to ease restrictions on business activity enacted to slow the spread of the novel coronavirus.

While still above six figures, the total represented a drop-off for the third consecutive week, although ODJFS has acknowledged ongoing issues with processing claims.

"Each claim is important to us, and we recognize the hardship that the COVID-19 pandemic has placed on many Ohio families," the department said in a statement. "We are expanding staff support, working longer hours, and adding more
technological capacity so that we can serve Ohioans as quickly as possible. We have extended our call center to a seven-day-a-week operation and have more than 1,600 staff taking calls, with plans to launch a virtual call center by the end of this week."

The five-week total is just shy of a quarter-million more than the 715,512 claims filed in the previous two years combined.

During the five-week period, ODJFS said it sent more than $926 million in unemployment compensation payments to more than 376,000 workers.

The U.S. Department of Labor reported 4.4 million initial claims nationwide last week, down about 810,000 from the previous week's total.

Professor Vasilios Kosteas, chair of the Cleveland State University Department of Economics, said whether the ongoing decline in weekly unemployment claims means the nation and state are through the worst of the layoffs remains a "big question."

"I think there is something to that, but what's working against that is the backlog and that as states try to add to their capacity, their ability to try to catch up with these filings, or folks attempting to file … that will push them in the opposite direction," he said in an interview. "So, there's an interesting question of which will be the stronger force."

The Ohio Business Roundtable, the Ohio Chamber of Commerce, the Ohio Manufacturers' Association, the Ohio Council of Retail Merchants, the Ohio Farm Bureau and the National Federation of Independent Business-Ohio wrote a letter to Gov. Mike DeWine and legislative leaders about the "urgent need to re-open businesses."

"By May 1, unemployment claims will likely exceed one million," the groups wrote. "Small businesses are facing irreversible devastation and bankruptcies under prolonged 'non-essential' stay-at-home scenarios, and we continue to lose between $10-20 billion in GDP for every month the economy operates under 'essential only' status."

Gov. DeWine said Thursday that additional details on his plan to phase in business openings starting May 1 would be available Monday. Meanwhile, state government plans to ramp up work starting with House committee hearings the week of May 4.

The business groups warned that the ongoing shutdown and its effects on the state's economy could lead to spikes in domestic violence, drug abuse and suicide as Ohioans deal with the fallout.

"On May 1, seven states are currently set to re-open their economies," they wrote. "We have no illusion that things will go back to 'normal.' We believe our state is capable of a deliberate, phased opening in a closely controlled manner with strict protocols that enable a responsible reopening where employee and customer safety is first."

Lt. Gov. Jon Husted said Ohioans should be prepared for a slow return to economic normalcy in the months ahead.

"Employers slowly bring back people when they get to the financial circumstance (where) they can feel confident in doing that," he said. "Customers, particularly those in vulnerable health populations, are going to come back very slowly."

With that in mind, Mr. Husted said the administration is not yet considering reversing decisions made to ease rules governing access to unemployment compensation in the wake of the pandemic.

Mr. Kosteas said the state should consider allowing businesses to reopen with reduced staffing or customer capacity as it moves away from its current stay-at-home order.

"The simple reality is, I just don't see any way where we could continue with these massive shutdowns for months and months," he said.

Mr. Kosteas said at a certain point there will no longer be buyers for additional debt to fund federal stimulus spending, "and even if there is, there's already a serious question about whether all of this debt-fueled stimulus spending is going to crowd out private investment and borrowing."
"We have to try to find a reasonable way to start opening up segments of the economy," he said, adding that he could not say whether May 1 was the proper date to begin the phase in.

Policy Matters Ohio researcher Michael Shields, meanwhile, said in a statement any reopening must follow the widespread availability of coronavirus testing.

"Alleviating hardship for workers displaced by this crisis is critical, and getting it right is the way to prevent a short-term disruption from becoming a protracted recession," he said. "Forcing Ohioans back to work before our health departments have the testing they need to isolate coronavirus cases would endanger lives. Instead, Ohio's leaders in government need to make sure people can cover the rent and groceries while their earnings are on hold."

Starting Friday, Ohioans who are unemployed because of the pandemic but who do not qualify for regular unemployment benefits can preregister for Pandemic Unemployment Assistance, or PUA, a federal program that covers additional types of workers.

ODJFS also announced more than 400,000 Ohio claimants began receiving weekly $600 benefit supplements this week through the federal Pandemic Unemployment Compensation, or PUC, program.

"We are thrilled to provide this much-needed assistance to Ohioans unemployed as a result of the pandemic," ODJFS Director Kimberly Hall said in a statement. "I also know that many eligible Ohioans are still waiting to receive benefits, and I am very sorry for the delay."

"We understand the urgency of providing individuals with the resources they need to support their families," she continued. "Since mid-March, we have focused on expanding staff support, working longer hours, and partnering with private sector experts to add more technological capacity to our system. We will not rest until all eligible Ohioans are served."

Mr. Kosteas said it will be worth monitoring whether employers after reopening have difficulty rehiring workers due to the additional benefits provided via the PUC program. He said it remains to be seen whether the design of the program will lead to an additional drag on recovery efforts.

"Beefing up unemployment insurance was a good thing, a good idea in this case, but I think the way they went about it – just giving a blanket additional check of $600 a week to everybody – may not have been the best way to do that," he said.

LaRose Warns That Longer Mail Delivery Could Be Impediment To Voting

Longer than usual delivery times by the U.S. Postal Service could result in some Ohioans not receiving their absentee ballots in time to vote.

In a letter to the state's congressional delegation, Secretary of State Frank LaRose said that first class mail, which normally takes one to three days for delivery, is taking up to nine days.

"Along with our colleagues at the county boards of elections, we have made attempts to work with the USPS to find alternatives that will improve the time it takes to have mail delivered, but have so far been largely unsuccessful," he wrote. "While we certainly understand and respect the adversity that mail carriers are facing right now, something must be done to deliver elections mail promptly so Ohioans may have their voice heard in this primary election."

Secretary LaRose offered several recommendations to the federal lawmakers to try to rectify the problem, such as assigning additional staff to local USPS offices.

He also called for them to identify delivery standard shortcomings, conduct a thorough search of USPS facilities for unprocessed mail and to ensure that each USPS office promptly provides mail to county boards of election on April 25, which is the last day for voters to request an absentee ballot.

"I can certainly appreciate the multitude and complexity of the problems our nation is currently working to overcome," the secretary wrote. "However, we must never give an inch in our fight for that most sacred of rights – the right to vote. I hope I can count on your support as we work to successfully complete Ohio's primary election."
Aaron Ockerman, executive director of the Ohio Association of Elections Officials, said the problem is not a new one.

"It's a problem that doesn't just exist for this election," he said in an interview. "We've candidly been talking about it for a long time and getting it fixed."

Given that the state moved to a largely vote-by-mail format due to the COVID-19 pandemic, the problem has been exacerbated this cycle by the sheer volume of absentee ballot requests, according to Mr. Ockerman.

"The current structure has kind of shined a light on this problem that we've known has existed for quite a while," he said.

Mr. Ockerman added that a top legislative priority of his organization will be to move the absentee ballot request deadline to an earlier date to provide boards with enough time to process those requests.

Jen Miller, executive director of the League of Women Voters of Ohio, said the issue shouldn't have caught elected officials off guard.

"We've been hearing from voters about this problem for weeks now and we are concerned that there will be a lot of voters that will still not be able to vote," she said.

"Our days are completely filled with trying to support confused and frustrated voters," she continued. "Everything that we warned the legislature and political parties about setting an April 28 date is coming true. It's just not enough time to run an efficient vote-by-mail system."

Ms. Miller said limited drop-off options for ballots that date was also an issue. "There's only one location per county so if you don't have transportation or you're immunocompromised that backstop may not serve you," she said.

**Details On DeWine's Plan For Economy Coming Next Week**

Gov. Mike DeWine said Thursday he expects to announce details on the state's first steps toward reopening shuttered businesses on Monday.

The governor's daily news briefing also featured a discussion with Mark Weir, an assistant professor in Ohio State University's College of Public Health, about ways to hinder the spread of the novel coronavirus as businesses begin to reopen.

"As we move to open up more of Ohio, get more people back to work, we want to do it in a careful way and we want to do it in a way that engenders confidence in people," Gov. DeWine said.

The Department of Health on Thursday reported the state had 14,694 cumulative cases of COVID-19 and 656 total deaths, including probable cases and deaths. A total of 2,960 Ohioans have been hospitalized, with 900 ICU admissions.

The state saw an increase of 577 cases, 46 deaths and 78 hospitalizations in the previous 24 hours. In long-term care facilities, a total of 1,199 cases were reported among residents and 477 among staff.

As for the reopening, Gov. DeWine and Lt. Gov. Jon Husted said the plans would be stringent.

"When you see the standards, they're going to be very solid standards," Lt. Gov. Husted said. "These are going to be very strict standards to open."

The state will establish standards for businesses to follow and will encourage people not to go out if they don't feel safe, he said.

"These are significant decisions that impact people's lives both from the health point of view and from an economic point of view," Gov. DeWine said. "We're trying to balance those in a way that allows us to continue to move forward and do it in a way that we're not going to have to turn around and go back."

Mr. Weir discussed ways the spread of the virus can be mitigated, including by interrupting its path from one person to another through the use of masks, cleaning and distancing.
"When it comes to these kinds of interventions, it's best to think of it as multiple barriers or multiple shields. Just because you can get through one barrier doesn't mean you'll get through other ones," he said.

That means it is more effective if everyone is taking multiple precautions to keep themselves and those around them safe, he said. "If you are wearing a mask, you are protecting those people around you and you are providing additional protection for yourself as well."

"It really is a team sport," he added.

Asked why, in the absence of the initially expected surge in demand for hospital services and in light of indications that the disease is less deadly than originally thought, the state should not immediately reopen all businesses, the governor said the illness remains very contagious and dangerous.

Mr. Weir said the state needs to lift restrictions gradually in order to ensure a second surge does not happen. Doing so all at once would be dangerous, he said.

"You're almost inviting another peak to occur because that is just completely opening up the floodgates and deluging yourself with people who might be carrying and people who might have contacted it," he said. "If you slowly open things up, it's a much more controllable environment. You can gauge what's happening. It gives us time to say did we make the right decision in regards to opening up a particular type of business or a particular action."

The virus will still be around after the closure orders are lifted, he said.

"The concept behind stay-at-home directives was to prevent the surge from getting to a specific level that could overburden our medical system. The intent wasn't to eradicate the virus by starving it of people," he said. "That would take a very long time for any virus."

Along with more details on reopening plans, the governor also said information on budget changes will be announced in the coming days.

The state will have to draw from the Budget Stabilization Fund, but hopes to do that last, Gov. DeWine said.

"When we pull that money down from the rainy day fund, we want to be prudent about it. We want to be careful about it," he said.

Gov. DeWine also provided some clarity on his plans to ease restrictions on nonessential procedures at hospitals. He said he is asking health care providers to work with patients to identify if any surgeries that were put off previously are now needed under the existing framework, which allows those which are needed to preserve a patient's life or avoid long-term health problems.

"With all that said we're not ready for the entire health care system to instantly turn back on, but I'm anxious to get to that point," he said, adding there are still concerns about other providers, such as long-term care facilities, having access to personal protective equipment.

"We want to pull back, we want to get the government out of this as quickly as we can," he said.

**Friday, April 24, 2020**

**Senate Dems Offer Steps For Reopening; Portman Seeks Aid For Prison Outbreaks, Mailed Ballot Changes Set...**

Senate Democrats say several conditions need to be met before the state backs away from ongoing orders limiting business activity to blunt the effects of the coronavirus pandemic.

The minority caucus outlined seven steps for the state to take ahead of reopening shuttered businesses in a Friday letter to Gov. Mike DeWine.

The conditions are:
Statehouse Update

- Expanding testing capacity and collecting additional data.
- Ensuring adequate supplies of protective and sanitation equipment are available.
- Requiring the use of masks in public.
- Establishing reopening guidelines proportional to the sizes of different affected business and making sure they are well publicized.
- Enacting whistleblower protections for workers who report safety violations.
- Accommodating employees with child care needs.
- Allowing people who can work from home to do so.

"It's important that we get this absolutely right," Senate Minority Leader Kenny Yuko (D-Richmond Hts.) said in a statement. "If we reopen the economy without first increasing our testing capacity and without making sure that hospitals and businesses have enough PPE and cleaning supplies, we'll be putting too many lives at risk. The economy is not going to recover if customers are afraid to go shopping and employees are afraid to go to work."

**Mailed Ballots:** Secretary of State Frank LaRose announced that U.S. Postal Service officials have agreed to changes that will result in quicker delivery of ballots being sent through the mail.

The federal agency said it will make a number of changes to speed the delivery of ballots, including:

- creating an "all clear" process to guarantee that election mail is processed every day;
- establishing hand-to-hand delivery for election mail that is processed through Saturday, and;
- having staff recheck collection bins every day to make sure late arriving ballots are retrieved.

USPS officials also said some mail will no longer be routed through a distribution center in Detroit, and will instead be kept in Ohio.

"I appreciate the extraordinary efforts that the USPS is taking in Ohio, where we are the first state to convert a traditional in-person election to an all vote-by-mail election in response to the Coronavirus/COVID-19 pandemic," Mr. LaRose said in a statement. "Ohio's county boards of elections are doing everything within their power to bring this election to a successful conclusion, and the partnership of the USPS is crucial to their work."

**Outbreak Aid:** U.S. Sen. Rob Portman has asked the federal government to ease restrictions on funds set aside to combat "high impact" coronavirus outbreaks in light of recent case spikes in Ohio prisons.

The Terrace Park Republican noted in a letter to U.S. Secretary of Health and Human Services Alex Azar that the department has a $10 billion pot to bolster health care providers in areas that had seen a disproportionate number of COVID-19 cases through April 10.

"The sharp cut off for April 10th causes concern for states like Ohio that have begun to deal with unexpected spikes in cases of COVID-19 in just the past few days," he wrote. "Ohio's new hotspots revolve around two state prisons in Pickaway County and Marion County that have seen outbreaks of COVID-19 that are driving an exponential increase in new cases for the state and account for two of the largest sources of COVID-19 in the country."

The state has selected Ohio State University's Wexner Medical Center as the treatment facility for infected inmates.

"Although I believe in the Wexner Medical Center's ability to meet any challenge, these unprecedented times are testing the financial strength of our nation's health care institutions, and providers like those at The Ohio State University need additional resources and support to combat this new surge in cases," Sen. Portman wrote.

The lawmaker announced Friday the state had received an additional Centers for Disease Control and Prevention funding through the Coronavirus Aid, Relief, and Economic Security Act to use on additional testing and other tools.

"Today's news that Ohio will be receiving an additional $17 million of the CARES Act CDC funding for our state and local public health response to this pandemic is an important step towards strengthening our state's contact tracing and epidemiological capabilities," he said in a statement. "It will help us track this virus and improve our ability to adapt and keep Ohioans safe."
Statehouse Update

Direct Funding: A group of Ohio lawmakers has asked the federal government to consider allowing a multicounty entity to qualify for pandemic aid.


Currently, only counties and cities with populations above 500,000 qualify for direct funding through the CARES Act, meaning only Cuyahoga County is eligible in northeast Ohio. The state will receive additional funding to distribute to local governments representing smaller populations.

"As such a local unit of government, NOACA encompasses more than 800,000 people in Geauga County, Lake County, Lorain County, and Medina County," they wrote. "As a unit of local and general government as envisioned by the statutes, NOACA plays a leading role in coordinating policy solutions to complex regional challenges, such as COVID-19."

"Direct eligibility would allow for more robust capacities to contain the virus at the crossroads of four major interstate highway corridors (Interstates 71, 77, 80, and 90), that would otherwise be left out of direct funding," the continued.

Rep. Kaptur wrote a separate letter to Gov. DeWine calling on him to allocate the $4.53 billion it will receive in CARES Act funding to local governments based on population.

"Your administration has taken an aggressive and evidence-based approach to this crisis. Our state owes you a debt of gratitude in this difficult time," she wrote. "Your action to date leaves me hopeful all Ohioans can expect a fair and equitable disbursement of CARES Act funding provided to the state for localities with fewer than 500,000 people."


The lawmakers targeted sections 2303 and 2304 of the CARES Act after the Joint Committee on Taxation estimated they will cost $195 billion over ten years.

Sen. Brown contends the provisions, which allow taxpayers to use losses in prior years to avoid paying taxes in other years, would disproportionately benefit the wealthy and have little to do with coronavirus relief.

"Senate Republicans have yet again favored Wall Street over workers and snuck in a handout to the richest of the rich in a package that is supposed to help Americans harmed by the worst public health crisis we've seen in our lifetime," he said.

"Workers are struggling to figure out how to pay their bills, stay in their homes, and keep their families safe while Republicans are looking out for their wealthy friends," he continued. "We need to invest in workers and small businesses harmed most by the financial consequences of COVID-19, not giving more tax breaks to billionaires."

Dental Care: The Ohio Dental Hygienists’ Association has several recommendations to enhance worker and patient safety ahead of the coming end to a ban on nonessential medical procedures.

ODHA President Shannon Sweeney in a letter to Gov. DeWine called on the state to mandate adequate supplies of personal protective equipment in dental offices.

The group also called for dental practices to provide laundry services for employees after shifts, among multiple other recommendations.

"Dental hygienists are dental team members that are the oral health prevention specialists and are among the state's health care workers that cannot maintain social distancing in our practice. In fact, dental hygienists practice approximately twelve inches from a patient's mouth for hours on end," Ms. Sweeney wrote.
"This means that moving forward with opening our services presents significant obstacles in a field that produces high volumes of aerosols during treatment; therefore, we are concerned about what lies ahead for the safe practice of dental hygiene," she added.

**Parade Protest:** Ohioans in cars and on motorcycles drove by government buildings in downtown Columbus early Friday afternoon to call for the release of 20,000 prisoners in May.

The motorized protest was the work of the Ohio Organizing Collaborative, a statewide community organizing group.

The organization called on Gov. DeWine to use his clemency powers to release thousands of inmates in an effort to slow the spread of the coronavirus and safeguard the health of prisoners.

**Gouging Case:** An Ohioan accused of selling N95 masks at prices about 1,800% above their typical cost will refund buyers to the tune of $15,000, Attorney General Dave Yost announced.

Mario F. Salwan of Chagrin Falls also will reimburse the state $1,500 for its investigation as part of a settlement, according to the AG's office.

"We will continue to make sure no one unjustly profits by exploiting the anxiety of others during this pandemic," Mr. Yost said in a statement. "The settlement also will provide essential equipment to the heroes – our doctors and nurses – who need it the most."

**Scam Warning:** Ohioans are being targeted by scammers posing as licensed insurance agents selling phony coronavirus-related policies, Department of Insurance Director Jillian Froment announced.

While some of the illegal activity is occurring through in-person phone calls, robocalls and websites are also being used to market fake insurance products, according to the department.

"I'm urging all Ohioans to be very cautious of any insurance product that is being marketed to them emphasizing COVID-19 insurance coverage," Ms. Froment said. "Personal information should never be shared unless you are certain you are dealing with a legitimate insurance agent, agency, or company. Ohioans can verify that an individual and entity are licensed by the Ohio Department of Insurance by visiting www.insurance.ohio.gov."

**Voting Rights:** Ohio's handling of its extended primary election has received mixed reviews from a national group monitoring state election administration.

The National Task Force on Election Crises praised the state for increasing vote-by-mail options and Gov. DeWine and Secretary of State Frank LaRose for pushing for a June 2 end date for the election.

The group said it "remains concerned about" the "late-breaking" decision to cancel in-person voting in March and the "very tight deadline" to request and return absentee ballots to meet the legislatively imposed postmark deadline of April 27.

"Ohio is often a bellwether for the nation, having chosen the winner in the presidential election 30 times in the last 32 elections," the group said in a statement. "State and local officials must ensure the safe participation of all of Ohio's eligible voters in the most basic function of our democracy: casting a ballot and seeing that ballot fairly counted. This is true during next week's primary and will be equally important come the general election in November."

**BWC Touts Effort To Get Dividend Checks Out Quickly**

The first dividend checks from the Bureau of Workers' Compensation to employers were in the mail 10 days after the dividend was approved, staff told the bureau's board of directors Friday.

The quick turnaround has been "impressive to watch," Administrator/CEO Stephanie McCloud told directors in a meeting held via teleconference.

"That was a herculean effort," she said.
The board on April 10 approved the $1.6 billion in employer dividends two days after the program was announced by Gov. Mike DeWine. The rebate program was designed to give employers some help weathering the economic struggles prompted by the novel coronavirus and associated business closures.

Board members applauded BWC staff for the turnaround in getting checks out and said business owners have been grateful for the help.

"The dividend that is being paid at $1.6 billion is providing fuel to industry that is desperately needed," Frederick Treuhaft said.

Administrator McCloud told Mr. Treuhaft that more data on how the money was distributed among different industries and geographic areas will be available.

Board member Tracie Sanchez said small businesses have appreciated the dividends. "These were lifesaving measures," she said.

Administrator McCloud also updated board members on other efforts the bureau has taken to support employers and injured workers, such as embracing the use of telemedicine and waiving penalty fees and deadlines for different programs.

"This has been a very trying time," she said. "This has been a heavy lift, and I cannot thank and show appreciation for and lift up the staff of BWC any more than what you've laid out. It has been impressive to watch."

The board also heard an update on the BWC's financial position from Chief Financial Officer Kevin Giangola. The bureau's net position has improved since hitting a low soon after the stock market's initial drop.

The net position as of March 31 was $10.5 billion, he reported. That's down $516 million from what it was the same time a year earlier.

After distributing the dividend, the State Insurance Fund's overall funding ratio is 1.74, still above the 1.30-1.50 "safe range," he said.

"While the past few weeks have been challenging, BWC stands ready to meet our obligations to the state's employers and injured workers well into the future," Mr. Giangola said.

The board's Investment Committee heard an update Thursday on market conditions driving investment losses.

Board member Mark Palmer asked about the impacts from many employers not paying nearly as much in premiums because of payroll reductions caused by the COVID-19 crisis.

"There's going to be far less collecting of premiums because of payroll," he said. "We're certainly going to have medical and indemnity payments, certainly those won't change much."

That is something the bureau anticipates, Mr. Giangola said.

"The revenue we plan to collect this fiscal year is to cover claims that occur this fiscal year well into the future. By design we will operate this year with a need to rely on our investment returns," he said. "It will put additional pressure on cash but I'm optimistic we can manage through that with the net position that we do have."

**Business Owners Offer More Ideas For Economic Restart**

A House panel aimed at reopening the state's economy on Thursday fielded a host of policy suggestions from business owners.

Among those who offered up ideas to the House 2020 Economic Recovery Task Force was Bryan Keller of Keller Logistics Group, who said lawmakers should consider making it more attractive for trucking companies to base in Ohio through less frequent license plate renewals.
Mr. Keller said some states require renewals much less frequently than Ohio, where it is annual, and some allow for lifetime license plates for commercial vehicles.

"Ohio is giving up a lot of revenue," he told the panel.

Ryan Howard, chief operating officer of truenorth, asked that lawmakers pass legislation to provide liability protection to essential businesses. He also called for a less heavy hand from government when the economy does reopen, saying essential businesses such as his are well-versed with best practices at this point.

"We ask that you trust us to continue to operate in the same responsible manner," he said.

Rep. Adam Holmes (R-Zanesville) questioned what advice Mr. Howard would offer to those nonessential businesses that are looking to reopen May 1 or after.

Mr. Howard said his main advice would be to put one's team and community first. In that vein, he said he has directed employees to call out guests who are not following rules designed for social distancing.

"If a customer has a problem with that, then they can call me and we'll work through that with them," he said.

Since the stay-at-home order was implemented, Mr. Howard said fuel sales at his stores have fallen by as much as 55%. Nonetheless, he said the administration of Gov. Mike DeWine denied a request to delay the remittance of motor fuel taxes.

Don Rife of The Ruhlin Company said his construction business is considered essential and has managed to safely operate during the COVID-19 pandemic by utilizing best practices. Nonetheless, he said his business has slowed because most hospitals have stopped all nonessential work.

He asked lawmakers to keep capital projects funded.

Rep. Rick Carfagna (R-Genoa Twp.) questioned which construction projects have the most economic impact, leading Mr. Rife to say transportation projects typically require the hiring of subcontractors and engineers.

Kathleen Bryan of the University of Cincinnati told members of the panel that child care centers need some certainty on when they will be able to reopen.

In response to a question from Rep. Jena Powell (R-Laura) about the demand for child care, Ms. Bryan said that is difficult to predict without having a firm reopening date.

Debra Messner of Avenue X Fitness said she operates a micro gym and called the idea of lumping her business in with major fitness centers in a phased in restarting of the economy would be a "nightmare."

Rep. Jon Cross (R-Kenton) said he has concerns about picking and choosing which businesses open in which phases and asked if it would be better if all businesses were allowed to open on the same day.

Ms. Messner said that would work for her.

Kelly Silva of House of Silva also advocated for a reopening of the economy that is not phased in. She said her jewelry store has been losing business to retailers such as Walmart that have been allowed to remain open.

**Ag Industry Survey Highlights COVID-19 Impacts**

Nearly two-thirds of farmers and other agribusiness owners say they've been negatively affected by the ongoing coronavirus pandemic.

That's according to a survey distributed by the Ohio Farm Bureau and other groups gauging the economic toll of the ongoing public health crisis on their members.
Of the more than 1,000 respondents, 65% considered themselves negatively or very negatively impacted; 30% said the impact was neutral with the remainder experiencing positive effects. In all, 29% of respondents reported having cash flow issues while 15% said they have been unable to access the personal protective equipment they need to continue operating.

"This is a real-time snapshot of what the state's agriculture community is dealing with as we work through the challenges of the coronavirus outbreak," said Adam Sharp, the bureau's executive vice president.

Those businesses were deemed essential and allowed to continue operating despite the state's shelter-in-place orders. But the industry was already braced for hardship heading into the pandemic given existing challenges from a 2019 season that featured a trade war and a particularly wet spring.

"Even though everyone along the food supply chain is essential and the work continues from the farm to the grocery store, there is still more work to do to make sure we keep the system moving in the right direction," Mr. Sharp said.

The bulk of the feedback was generated by those working in dairy and livestock, who bemoaned the loss of product due to market conditions and the closure of processing plants. The dairy industry, which has already faced a rash of exits in recent years, reported dumping product and limiting milk purchases to stores. Ag interests had already been brainstorming potential legislative solutions for dairy farmers before the COVID-19 outbreak.

Other concerns farmers reported included the availability of livestock feed and the potential for increased costs should supplies run low. Cash flow too remains a concern, according to the survey.

"Farmers are lamenting the need to feed livestock and plant fields with no income," according to an analysis of the survey results from OFB. "Respondents indicated they were still trying to recover from 2019 and unable to show a profit between last year and this year when COVID-19 hit. This is a crucial time where farmers are trying to sell their products so they can pay for spring expenses, which is proving quite challenging."

Respondents expressed concerns about how long the state's stay-at-home restrictions will last and their ability to work in light of social distancing guidelines when the order is lifted. Gov. Mike DeWine is expected to unveil his phased reopening plan for businesses Monday.

Employers also reported concerns with mental health for themselves and their workers, given the isolation prevalent in the industry. The departments of Agriculture and Mental Health and Addiction Services last year kicked off a #gotyourback campaign to address that issue – a program that has since been ramped up to accommodate COVID-19.

Yvonne Lesicko, the bureau's vice president of public policy, said the survey will be used to lobby state and federal leaders in support of "allocating funds where they are needed the most across the industry, and we are trying to find solutions where we can for market disruptions."

High Court Rules On Zoning Case

Zoning Case: In another unanimous decision the high court ruled that a Medina County barn is exempt from local zoning rules because of its use.

Forever Blueberry Barn in Litchfield Township can continue hosting weddings and other events even though the property is in an area the township zoned as residential, Justice Melody Stewart wrote in the court's decision.

In the court's ruling, Justice Stewart noted that Ohio law prevents townships from prohibiting the use of any land for agricultural purposes and that Blueberry Barn requires the purchase of wine made from grapes grown on the property as a rental condition.

The township, however, argued that just 4% of the barn is used for vinting and selling wine, the high court reported.

"Suppose that Ohio Stadium hosts 20 events on a yearly basis, but only 7 of those events are home games for The Ohio State University football team," Justice Stewart wrote. "It would be difficult to argue that under that scenario the primary use of Ohio Stadium is something other than football."