Monday, April 27, 2020

**DeWine Details Proposal To "Ease Out" Of Shutdown**

Gov. Mike DeWine on Monday announced the initial details of his much-anticipated plan to begin reopening businesses that have been shuttered to slow the spread of the coronavirus.

The proposal will begin to take effect Friday, when all health care procedures that do not require overnight hospital stays can resume, along with dental and veterinary services, the governor said.

On May 4, all construction, distribution and manufacturing firms that have not been allowed to operate during the pandemic can resume business. General offices also will be allowed to reopen on that date.

Starting May 12, consumer, retail and service businesses can reopen.

"We're trying to ease out," Gov. DeWine said. "We're trying to get Ohio back working. We know there's more things to do. We need to see how this works."

Return dates were not announced for several types of businesses, including daycare centers, gyms, hair salons, bars and restaurants.

All employees and customers must wear facial coverings when inside businesses that do reopen, Gov. DeWine said. Other guidelines cover daily health assessments, maintenance of sound hygiene practices including 6-foot social distancing, limits on customer capacity, cleaning and sanitizing, and reporting infections.

Gov. DeWine said employees also should be allowed to continue working from home "as much as humanly possible" even after the restrictions are lifted.

The current stay-at-home order and limits on mass gatherings will remain in place, although visits to reopened businesses will be allowed.

Gov. DeWine said the gradual, limited reopening recognizes that the virus still remains capable of wreaking havoc on the state's medical system and economy.

"We don't want to open things up and then have to fall back," he said. "We don't want to see a huge spike in hospitalizations. We don't want to see a huge spike in cases. The virus is still out there."

A group of House Republicans on Monday morning unveiled a plan calling for the administration to allow all businesses to reopen Friday (See separate story), and House Speaker Larry Householder (R-Glenford) expressed frustration at "the Administration's unwillingness to recognize that small businesses that have much less daily traffic in their stores are closed while their large chain competitors have been open throughout the process."

The governor said it would be "totally irresponsible" to end all state restrictions on businesses and social activity by the start of May.

"I have an obligation as governor of this state to do two things right now: get people back to work and keep them safe," he said. "That would not be consistent with keeping people safe."
Both Gov. DeWine and Lt. Gov. Jon Husted said they understood the calls for a broader reopening as the pandemic and the administration's subsequent orders continue to affect the lives of workers and business owners. Mr. Husted said Ohioans have received unemployment compensation to the tune of $1.24 billion during the crisis.

The lieutenant governor said the administration's plan reflects input from the business community, medical professionals and many others.

"Bringing that together was an incredible challenge and balancing act, but the one thing I want you to know is that everybody's voice was heard," he said,

Gov. DeWine said he viewed his plan as striking a compromise between people seeking a full reopening and those recommending tight restrictions remain in place.

The latter included House Democrats, who released a proposal featuring 10 "areas of focus" for the state to address before implementing a reopening strategy.

House Minority Leader Emilia Sykes (D-Akron) called the governor's decision to move forward with a plan to begin relaxing restrictions "a little shocking." She said the caucus had been pleased with the governor's reliance on Health Director Dr. Amy Acton and other medical experts to make decisions regarding the pandemic up until this point.

"Now we're going to shift gears and open up without the adequate testing or without the tracing ability," she said. "It's a little premature."

Among the areas House Democrats have called on the administration to address is the availability of child care. Rep. Kristin Boggs (D-Columbus) said Ohioans need to know their children will be cared for as they return to work.

"We need to see a plan for what reopening daycare looks like," she said. "We need to ensure that child care is available and affordable."

The caucus also called on the state to bolster its ability to test for and trace cases of COVID-19 before restrictions are lifted.

Gov. DeWine said efforts to address those aspects of the reopening plan are well under way, with the state expecting to increase its weekly testing total from more than 43,300 this week to more than 133,600 by the last week of May. He said the state also will allocate money to local health departments to hire new contact tracers and develop its own pool of workers to deploy when surges occur.

He said the "aspirational goal" is to have 1,750 contract tracing workers "in process" by June.

"If we're going to move the economy forward, open things up, we've got to be able to do the testing. We've got to do the tracing," he said.

The Department of Health reported 16,325 cumulative cases of COVID-19 and 753 deaths, including probable cases, by Monday afternoon. There have been 3,232 hospitalizations and 978 ICU admissions.

House Caucuses Release Competing Reopening Plans

Hours before Gov. Mike DeWine unveiled his phased-in plan for reopening Ohio's economy, a group of House Republicans issued their own blueprint for a more rapid transition.

House Democrats also rolled out their own take on how the state should get back to business in the private sector.

While the governor wants to slowly reopen businesses with plenty of caveats over several weeks starting in early May, the GOP lawmakers' "Open Ohio Responsibly Framework" calls for all businesses to be allowed to reopen on or before May 1.

"We respect past concerns regarding not overwhelming our hospitals, health systems, front line healthcare workers and first responders as well as ensuring there is an adequate supply of personal protective equipment for them," the plan reads. "In Ohio, we believe we are now past that stage of concern."
That was one of 12 "guiding principles" in the four-page document. Others included a belief that the overwhelming majority of Ohioans are responsible citizens and that all businesses in Ohio are essential.

House Speaker Larry Householder (R-Glenford) expressed frustration that large retailers can remain open while smaller businesses have been shuttered.

"As long as small retailers continue to be shut down while national chains are allowed to remain open, government is assisting in the demise of many great small businesses," he said. "The big get bigger and the small go away."

Mr. Householder said concerns from the House have been met with "deaf ears."

"Ohio's three branches of government are to be separate but equal," he said. "Our members feel disrespected that their opinions have been largely disregarded by the administration."

The speaker reiterated that the House has signaled plans to resume work on May 4, "and Republican members are anxious to deal with these issues in person rather than via telephone."

The document offers several recommendations for the reopening, including: vulnerable populations continue to stay at home; anyone with a fever can be refused entry; social distancing should continue; and that work and study from home should continue whenever possible.

The plan was released via the Facebook page of Rep. Nino Vitale (R-Urbana) and signed by more than 30 House Republicans, several of whom are members of the House 2020 Economic Recovery Task Force, which continued to field testimony Monday.

House Democrats also released their own proposal for areas the state should focus on before a potential reopening occurs, including bolstering testing and contact tracing efforts.

House Minority Leader Emilia Sykes (D-Akron) said in a call with reporters she views the push from some House Republicans to open all businesses on May 1 as potentially dangerous.

"We can't take this approach of everything opens immediately at the exact same time," she said. "And I get the desire to do that, and, again, we are sympathetic with the fact that we do want businesses to open, but we also want people to be alive to continue to patronize those buildings."

Rep. Sykes also questioned whether the proposal from lawmakers cross the aisle relies too heavily on businesses enforcing their own health and safety standards when reopening instead of government mandates.

"It is a primary responsibility of the government to protect the safety, health and wellbeing of its citizens," she said.

Rep. David Leland (D-Columbus), a member of the Recovery Task Force, also took issue with the Republicans' plan.

"I trust Ohio's public health experts and medical professionals – and the majority of Ohioans, by the way – who believe reopening with no safeguards in place is completely irresponsible," he said in a statement.

Gov. DeWine used similar language during his daily COVID-19 briefing when asked about opening everything up on May 1.

Among those to testify before the task force Monday was Valerie Pope of the Mechanical Contractors Association of Ohio, who called on lawmakers to move legislation (HB 380) to require owners of private construction projects to pay a contractor within 35 days of receiving a request for payment.

Ms. Pope said currently contractors can wait as many as 120 days to receive payment on such projects, leaving subcontractors and material suppliers unpaid.
In response to a question from Rep. Terrence Upchurch (D-Cleveland), Ms. Pope said the bill, which has had three hearings in the House Commerce & Labor Committee, has received no opposition.

Sherri Garner Brumbaugh of Garner Trucking urged the panel to pass two pieces of legislation, one of which is currently in the Senate. That bill (HB 222) allows for a temporary income tax credit for an employer's expenses to train a commercial vehicle operator.

"This would be great support for my business," she said.

The other measure (HB 386) would establish the Commercial Truck Driver Student Aid program.

Leonard Stevens of Stark County Minority Business Association called for lawmakers to get creative in ensuring that minority-owned businesses can get financial assistance.

"When America gets a cold, our minority businesses get pneumonia," he said.

Tim Rollins of cityBRANDS Holdings, LLC warned that a reopening with strict social distancing standards will be difficult for restaurants that already operate with low profit margins. His biggest concern, he said, is that reduced capacity will make it impossible for restaurant owners to pay their rent.

"There's just not enough money there to make that happen," he said of the potential to be 50% capacity.

In response to a question from Rep. Jeffrey LaRe (R-Violet Twp.), Mr. Rollins said it would be helpful to ease restrictions on on-premise drinking areas.

The task force does not plan to meet on Tuesday.

**Election Preview: Extraordinary Process Will Finalize Primary**

An unprecedented primary election season will come to a close Tuesday, but it could still be weeks before a true picture of the results emerges – especially for candidates who are in marginally close races.

After the polls close at 7:30 p.m. under pandemic protocols that largely encouraged mail-in voting, only a partial count will be available later in the evening. While most votes will be tallied and reported to the secretary of state's office, an unusually large number of votes are expected to be outstanding given that eligible ballots can be postmarked as late as Monday, April 27 as long as they arrive at local election boards by May 8. The final canvassing of the ballots is set to occur three weeks after Tuesday.

The protocols laid out by the legislature in emergency law (HB 197) allow for limited in-person voting on Tuesday for certain disabled citizens, and for other absentee ballots to be dropped off at designated drop-box locations in each county during the day. The General Assembly designated April 28 as the final day for the primary after State Health Director Amy Acton barred in-person voting on the originally scheduled date of March 17 amid worries about spreading the COVID-19 virus.

The DeWine Administration and Secretary of State Frank LaRose initially proposed a June 2 date to wrap up the primary. That plan, rejected by lawmakers, as well as an effort to close the process on March 17, prompted unsuccessful lawsuits. The final result is an historic Tuesday election finale that's been weeks in the making and will take a few weeks more to make official.

Along with election officials, the revised schedule has been challenging for campaigns, some of which continued to run ads and conduct outreach while under stay-at-home orders by the state.

In the big picture, however, the same outlook ahead of March 17 generally still applies. Per usual, only about two dozen primary contests in the House and Senate are considered competitive, and even fewer have been hotly contested.

Examples of the latter include a couple high-profile Senate races featuring well-funded Statehouse insiders and right-wing contestants. On the House side, a super PAC supporting candidates backed by Speaker Larry Householder (R-Glenford) has made waves in a handful of contests.
Two Senate races have been especially vitriolic, with one of those pitting two sitting GOP House members and a local official against each other in a hard-fought tilt to succeed Sen. Bill Coley (R-Liberty Twp.).

Tuesday, April 28, 2020
DeWine Nixes Customer Mask Requirement For Retail Reopening
Gov. Mike DeWine on Tuesday backed down from his plan to mandate that retail businesses require face coverings for customers in order to reopen.

He also made overtures to House and Senate leaders in an effort to recruit members for a pair of ad hoc panels to plan for the eventual reopening of restaurants, salons and barber shops.

The mask requirement had been one facet of the governor's plan to "ease out" of the ongoing shutdown, which in part enables most retail businesses to reopen May 12.

But after a barrage of feedback, Gov. DeWine said the presence of facial coverings would be downgraded to a "strong recommendation." Masks would still be required for employees and he said businesses could also require them of customers of their own volition.

"Within the last 24 hours it has really become clear to me that a mandatory mask requirement for people who are shopping, going into a retail business is offensive to some of our fellow Ohioans. I understand that," he said. "And so, we made the decision for retail customers this is not going to be mandated."

He also left the door open for further adjustments to the reopening plan, which has already drawn criticism from lawmakers in the House, in the days and weeks ahead.

"As governor, it is my responsibility to make some of the tough decisions, but it is also my responsibility to listen," Gov. DeWine said. "My commitment to you is I will continue to listen – continue to listen to your thoughts, continue to listen to your ideas, as we move through this process."

Regarding restaurants and the beauty industry, Gov. DeWine said he has reached out to majority and minority leaders in both legislative chambers to seek members for a pair of panels to plan for reopening.

One would be aimed at restaurants, which have not yet been given a reopening date. The Ohio Restaurant Association has asked Gov. DeWine to provide two weeks' notice and set restaurants for a May 15 reopening. The other panel would plan for the return of cosmetologists and barbers.

Gov. DeWine likened the forthcoming panels to those he assembled from the medical and business communities to provide guidance heading into the pandemic.

Lt. Gov. Jon Husted added the goal is to hit the ground running once a safe point has been reached for those businesses and their customers.

"We want to make sure when that day comes and the health data and other factors that go into these decisions…that we're ready to go," Lt. Gov. Husted said. "That we don't have to think about what this should look like. That we have heard the voices. That we have buy in on it and we're ready to proceed when the time comes."

Senate President Larry Obhof (R-Medina) said parties have already expressed interest in participating.

"I think it is important to get Ohio's economy open safely and as soon as possible," Sen. Obhof said. "Ohioans are eager to get back to work and to share their thoughts on how to do so. We've already had a number of business owners ask to participate."

Speaker Larry Householder (R-Glenford) said the governor called Tuesday morning to ask for the chamber's support.
"We appreciate him recognizing the opinion of Ohio House members," Speaker Householder said. "The Ohio House is in a strong position to provide the administration recommendations obtained by the testimonials of small business owners through the OHIO 2020 Task Force over the past several weeks."

One day earlier, Speaker Householder expressed frustration with the forced closure of small businesses and accused Gov. DeWine of meeting his caucus' input with "deaf ears."

Asked about that Tuesday, Gov. DeWine described his relationship with lawmakers as "open" and said he remains receptive to ideas.

"The problems we are encountering are problems we seek the members of the General Assembly's help on," he said. "I don't expect everyone to agree with every decision we make, but I have the ultimate responsibility through the health department on issues of health."

Gov. DeWine reiterated it's too soon to outline the plan to reopen daycare centers, bureaus of motor vehicles or libraries. He also said he's not opposed to graduation ceremonies being held if they adhere to social distancing and other safety recommendations.

Lt. Gov. Husted added that employers should expect the state to issue a FAQ in the coming days to help companies work through reopening requirements.

Gov. DeWine also promised details in the near future on cost cuts in light of decreasing state revenue. He had previously called for agency heads to submit recommended cost cuts of up to 20% where possible. (See Gongwer Ohio Report, March 23, 2020)

"We have to balance our accounts and we've already made cuts," he said. "We're going to have some announcements at the end of this week in regard to some additional things we're doing. We're consulting with the four leaders of the legislature and we'll have some announcements later on."

The state reported 16,128 confirmed COVID-19 cases, with another 641 probable cases, and 757 confirmed deaths, with another 42 probable deaths. Overall, 3,340 Ohioans have been hospitalized with 1,004 ICU admissions.

**Advocacy Groups Worry About Voter Confusion**

Voting rights groups on Tuesday said unprecedented changes to the election process approved in the wake of the coronavirus pandemic led to additional hurdles for many voters.

Mike Brickner, Ohio state director for All Voting is Local, said at a virtual press conference that of about 1.9 million absentee ballots requested throughout the primary process, about 500,000 had not been returned to county election boards by the end of Monday.

He said voting rights groups have been receiving calls from residents who were unsure about how to proceed after ballots were received late in the process.

Secretary of State Frank LaRose said Tuesday that ballots could be dropped off at county locations until 7:30 pm.

"We are seeing some larger numbers of people who have gotten their absentee ballot and are turning them into their secure ballot box at their board of elections, but we are hearing from voters who are unsure about the provisional process and are asking for advice," Mr. Brickner said.

While Tuesday's in-person voting was largely restricted to people with disabilities and homeless Ohioans, a directive from the secretary of state's office states that elections boards also "must provide a provisional ballot" if a voter states they are not in either of those categories.

Catherine Turcer, executive director of Common Cause Ohio, said signs at county election boards highlight the ability for disabled and homeless Ohioans to vote in person but not the availability of provisional ballots.
Mr. Brickner said his group also has received reports from about five counties where voters were incorrectly told by operators at elections boards that in-person provisional ballots could not be cast.

Jen Miller, executive director of the League of Women Voters of Ohio, said her group was still hearing from residents who were confused about when the extended primary was set to end and how to cast their ballots.

"We know the issues are significant," she said. "We'll never fully know how many individuals were impacted and just gave up or just were unable to vote, and that is concerning."

While she stopped short of saying her organization would file suit, Ms. Miller said she expects the conclusion of the extended primary election to result in litigation.

"When an election runs so chaotically and so poorly for so many stakeholders – from boards of elections to voters – it would be surprising to not have some sort of outcry in the courts," she said.

Mr. Brickner said he puts the blame on lawmakers for issues voters were reporting on the final day of the extended election.

"I think that all the voting rights advocate groups, the secretary of state and the elections officials' association all told the legislature this was not a reasonable timeline for elections officials or for voters," he said.

Ms. Miller said state and local officials need to take several lessons away from the extended primary for use in future elections that will potentially see impacts from the pandemic.

"Everyone should get ballots in the mail, prepaid, bottom line," she said. "Let us replicate as best we can vote by mail in other states and those best practices."

"Get rid of all of that application process that is difficult for voters and is difficult for boards of elections," she continued.

**Wednesday, April 29, 2020**

**Elections Officials Take Notes In Largely Mail-Based Primary**

Ohio's primary election was unlike any the state had seen before, and election officials see some ways to improve as similar protocols might be needed again later this year.

The March 17 election, for which voting was extended to Tuesday, was mostly conducted by mail, and ballots are still being collected and counted by county boards of elections.

Boards were relieved that provisions for limited in-person voting didn't lead to long lines amid the coronavirus pandemic, said Aaron Ockerman, executive director of the Ohio Association of Election Officials.

"That was certainly a concern that we had, especially given the recent experiences in Wisconsin," he said in an interview.

Nevertheless, there were some significant delays in reporting from counties, which were directed to send results to the secretary of state's office only once at the end of initial tabulations rather than throughout the evening. A handful of counties didn't get posted to the SOS website until hours after midnight.

About 22.6% of registered voters cast ballots as of Tuesday night's count, the secretary of state's office reported. A total of 1.76 million ballots had been cast, with nearly 200,000 absentee ballots reported outstanding, in addition to more than 44,000 provisional ballots.

Many counties, including the state's largest, reported results in the early morning hours of Wednesday. Hamilton County's election board attributed the delay to "a large number of vote-by-mail ballots" received Tuesday. The county finally reported about 4 a.m.

"Just opening up 30,000 pieces of mail takes a long time," Mr. Ockerman said.
He praised work by the U.S. Postal Service in ensuring ballots arrived at election boards in time to be counted Tuesday. Boards received tens if not hundreds of thousands of ballots on Tuesday, and those all needed to be counted before results could be tabulated, he said.

Despite those totals, hundreds of thousands of ballots are still outstanding and could still be counted if they were postmarked by Monday and are received by May 8, he said.

Secretary of State Frank LaRose praised elections officials for their work in the difficult circumstances.

"Ohio, you rose to the occasion," Secretary LaRose said in a video early Wednesday. "We came together even in the midst of this global pandemic to make sure we could run a free and fair election. Our elections officials overcame great adversity – these patriotic, bipartisan teams, hundreds of men and women throughout the state, in the midst of this pandemic made sure that we had a free and fair election where every Ohioan had a chance to have their voice heard without jeopardizing their health."

"This pandemic has changed a lot in our lives but there are things that will never change. In our democracy, every voice matters and every vote will be counted," he added.

One county had some early issues with reporting. Seneca County didn't have a problem getting results in by the 10 p.m. deadline, doing so fairly early in the night, but the tallies were determined to be inaccurate. The board of elections attributed the issue to a data input error and corrected the results later in the night after "some troubleshooting issues and the bipartisan auditing of the election three times," the board said in a news release.

"We made a mistake that led to some errors in the initially reported unofficial results. After quickly identifying the problem, we were able to triple check our work and issue corrected unofficial totals," Board Deputy Director Lori Ritzler said in a statement. "We are fully committed to accuracy and worked into the early morning hours to make sure we could fix the mistake that was made. Everyone is human, and the best hope for us is that we will all have learned a valuable lesson from this. I know I have."

With Tuesday's count over, elections officials are preparing to turn their attention to the next task – special elections in August and the general election in November.

"I think the big thing we saw here in Ohio that is obviously a lesson for other states that are looking to transition to mail," Mr. Ockerman said. "We have a statutory framework that is just very slow in that it requires us to mail back and forth lots of times to our voters."

That could entail legislative proposals to streamline the process of getting applications and ballots to voters without repeated mailings, he said. That might entail allowing absentee ballot requests to be made online or authorizing the direct mailing of request or ballots.

"There are clearly some statutory things we can do that would make things go a lot more smoothly," he said.

Voter rights groups voiced concerns with the election, saying the way it was designed created "adverse conditions" for voters and for boards of elections.

"At a time when Ohioans of all backgrounds are banding together amid a pandemic, sacrificing personally to flatten the curve and move forward together, it is unconscionable that the state legislature failed constituents for no good reason," Jen Miller, executive director of the League of Women Voters of Ohio, said in a statement. "We can, and must, do better."

Camille Wimbish, election administration director for Ohio Voice, said the legislature threw "an election into dangerous chaos" and "chose which Ohioans could, and which could not, vote for their leaders."

Lack of access to transportation and increased personal health risks were among the problems identified by the groups, said Mike Brickner, Ohio state director of All Voting is Local.
"Let's take the lessons from this primary, and get to work safeguarding future elections," said Catherine Turcer, Executive Director of Common Cause Ohio. "Voters want the legislature to enact smart, practical solutions such as streamlining vote-by-mail so that we can have elections in Ohio that are free, fair, and safe for all."

The Lawyers' Committee for Civil Rights Under Law, meanwhile, blasted the state for providing "an example of all things that can go wrong when states move to an election built largely around vote-by-mail but fail to automatically provide ballots to every voter like other vote-by-mail states do."

"In the final analysis, this election will likely have one of the lowest voter participation rates of any recent presidential primary election in Ohio," Kristen Clarke, the group's president and executive director, said in a statement. "Unfortunately, contrary to the state's motto, all things are not possible in Ohio when it comes to access to voting."

**Brown, Mayors Push For Local Government Support**

U.S. Sen. Sherrod Brown on Wednesday urged his colleagues in Congress to pursue "robust" and "flexible" funding to support local governments through the coronavirus pandemic.

The Cleveland Democrat's continued call for local government funding in the next federal stimulus measure came during his weekly call with reporters and as congressional leaders and the White House continue haggling over what Congress' fourth aid package might look like.

Echoing concerns from local government officials in recent weeks, Sen. Brown said Ohio's unique reliance on funding cities largely through income taxes makes them especially susceptible to fiscal challenges given the economic toll of the virus.

"Ohio communities have stepped up to meet this challenge and they're doing it all while watching their tax dollars dry up," Sen. Brown said. "We can't leave Ohio communities behind in the middle of the worst crisis of our lifetime. We won't stand for it."

State tax revenue was down 10.5% over projections in March with a sharper decline expected for April's numbers.

Joining the senator's call were Republican Mayor David Scheffler of Lancaster and Democratic Mayor Tim DeGeeter of Parma, who reiterated concerns shared by the Ohio Mayor's Alliance earlier this month.

Mayor Scheffler said Lancaster is expected to have a $2-4 million revenue shortfall, which represents 10-20% of the city's budget. Nearly 70% of that budget covers police and fire services, he said.

He's accepted plans from department heads to cut up to 10% of costs but said layoffs will be inevitable.

"Personnel costs are 84% of budgeted amounts so layoffs will be a big part of paring costs to make ends meet, including the dismissal of 18 firefighters and 15 police officers," Mr. Scheffler said. "This would likely mean closing one of our three firehouses, police service reductions and slower response times. A federal financial rescue package that allows for lost revenue replacement is critical to maintaining safety forces and the well-being of our residents."

Mayor DeGeeter said the financial impact won't end anytime soon, likely stretching into 2021.

"Every day, we are making tough decisions," he said. "We are trying to provide services, but I am concerned about what our city's financial outlook will be without federal support. We need direct emergency stabilization funding to survive, and we need it quickly."

County governments and townships have also sounded the alarm in light of the economic standstill tied to the pandemic.

**Developers Say Cracker Plant Decision Delayed Due To Virus**

Ohioans will have to wait even longer for a final investment decision to be made on a potential ethane cracker thanks to the novel coronavirus pandemic.

The move is the latest in a long string of delays for the Belmont County-based project that was announced in 2015 and first expected to be green lit the following year.
Developers PTT Global Chemical and Daelim say the decision will be placed on the backburner for now given the unfolding global impact of the pandemic.

"Despite the COVID-19 pandemic, a world-scale petrochemical complex in Ohio remains a top priority for the PTTGC America-Daelim Chemical USA partnership," the companies said in a statement. "While there are factors resulting from this health crisis that have kept us from acting as quickly as we would like, we continue to move as quickly as we can."

"While due to circumstances behind our control related to the pandemic, we are unable to promise a firm timeline for a final investment decision, we are working hard toward that decision," they added.

PTT officials previously said they wanted to begin commercial operation in early 2026 and that they view the prospective facility as a "second home base." JobsOhio has facilitated tens of millions in grants toward the project and state officials continue lobbying to land the project.

The plant, which has received all needed regulatory approvals, represents up to $10 billion in expected investment but has drawn concern from environmental groups who have urged Gov. Mike DeWine to pull state support.

Developers in February announced they were seeking to make a mid-year investment decision. Less than one month later, the U.S. economy and those of other nations were in the throes of turmoil from the virus and measures to slow its spread.

The companies have continued taking steps forward in the midst of the pandemic with the announcement in March of a 15-year property tax exemption deal reached with a local school system, Mead Township and Belmont County.

Thursday, April 30, 2020

DeWine To Modify, Extend Stay Home Order, Talks Status Of Prison System

Gov. Mike DeWine said Thursday he plans to extend Ohio's stay-at-home order, and the new order will include exceptions for businesses that are cleared to reopen at various points in May.

The governor previewed that move during his daily news briefing, which featured a discussion with Department of Rehabilitation and Correction Director Annette Chambers-Smith, who outlined steps the prison system is taking to address the spread of COVID-19.

Regarding the shelter order set that expires at the end of Friday, the governor said he would extend it with carve-outs related to the reopening of retail stores and other businesses. Other exceptions in the original order will continue.

"It's important as we go back to work and try to get people moving that we do it carefully," he said. "What we do impacts our ability to safely go back to work and get our economy moving."

The governor also said he will announce budget cuts "very soon," indicating that he has been consulting with legislative leaders.

"What cuts we make now are important but also that will set the tone for where we go from here," he said. "Being able to make the cuts now will help us as we go into the future."

Gov. DeWine and Health Director Dr. Amy Acton also hinted at upcoming announcements regarding the expansion of testing.

"We are going to start fairly soon to go out and sample the general population," the governor said.

Dr. Acton said upcoming testing initiatives will also involve a combination of traditional swab tests and blood tests that detect antibodies.

The Department of Health on Thursday reported the state now has 18,027 total cases and 975 total deaths, data that includes probable infections. A total of 3,533 Ohioans have been hospitalized with the disease and 1,035 have been in the intensive care unit.
In the last 24 hours, the state has reported an increase of 724 reported cases and 38 deaths, as well as 112 hospitalizations and 21 ICU admissions. The one-day death increase represented a return to more typical recent trends after an increase of 138 was reported Wednesday.

On the prison front, the governor announced the distribution of more than a million pieces of personal protection equipment that is coming for corrections facilities.

"Our corrections officers and others staffing our state prisons are really on the front line every single day and we appreciate their work," he said. "We really want to do everything we can to keep them safe."

Director Chambers-Smith also provided an update on what DRC has done to address outbreaks. The department tested everyone at three facilities – Marion Correctional Institution, Pickaway Correctional Institution and Franklin Medical – because of the distinct threat the virus posed to populations at those facilities, which house particularly vulnerable inmates.

DRC initially tested everyone at those facilities with the intent of isolating those with the virus from those without it, expecting relatively low numbers of asymptomatic people with the virus, she said.

"The science told us something different," she said. "There's way more people that are asymptomatic and positive than we ever would've dreamed."

While arresting the spread of the disease in prisons where inmates are in separate cells is possible, doing so in more congregate settings, as is the case for the majority of inmates, is more difficult, she said.

The system has seen the release of more than 1,000 inmates through various mechanisms since late March, Director Chambers-Smith said.

"What that's allowed us to do is go into the prisons and give people the ability to live farther apart in our available plant space," she said.

The director's appearance at the daily news conference came the same day two state corrections officers detailed what they say are dire situations in the facilities in which they serve.

Gov. DeWine said his administration has put together a working group to examine the corrections issues.

"I feel that the prisons are being well run. There has always been a PPE issue statewide. We've said that for weeks," he said.

**Unemployment Claims Top 1M Despite Downward Trend**

Nearly 93,000 Ohioans filed initial claims for unemployment compensation last week, according to the Department of Job and Family Services.

While still extremely high by historical standards, the latest data suggest a downward trend with new claims falling for the fourth consecutive week.

Initial claims over the six-week period ended last week sat at about 1.06 million, reflecting job losses related to the coronavirus pandemic and related government restrictions on business activity. The state received 715,512 claims in the previous two years combined.

Throughout the crisis, ODJFS has acknowledged capacity problems that have prevented some from filing claims, making the true number of jobs lost difficult to gauge. The department said in a statement it now has more than 1,600 workers taking calls related to unemployment compensation and operates seven days a week.

"Each claim is important to us, and we recognize the hardship that the COVID-19 pandemic has placed on many Ohio families," the agency stated. "We are expanding staff support, working longer hours, and adding more technological capacity so that we can serve Ohioans as quickly as possible."
ODJFS reported it has sent more than more than $1.45 billion in unemployment compensation payments to more than 481,000 workers over the six-week period.

The U.S. Department of Labor reported 3.8 million initial claims were received last week nationwide, down 603,000 compared with the previous week's revised total.

While Gov. Mike DeWine on Monday announced his initial plan to gradually reopen Ohio businesses shuttered to slow the spread of the coronavirus, administration officials have been quick to point out they don't expect the economy to rebound immediately.

Two House Democrats on Thursday asked the administration to allow Ohioans who choose not to return to work during the phased reopening to remain eligible for unemployment compensation in certain cases.

Rep. Tavia Galonski (D-Akron) and Rep. Lisa Sobecki (D-Toledo) wrote a letter to Gov. DeWine and Lt. Gov. Jon Husted asking for workers to retain benefit eligibility if they remain home over health concerns, because they are taking care of a family member who had COVID-19 or because they do not have access to child care.

"There is great uncertainty shared by Ohioans about returning to work because of the lack of personal protective equipment (PPE), COVID-19 testing and concerns about their family's safety. If an Ohioan decides it is in the best interest of their family to not return to work because of this pandemic, they should continue to be eligible for unemployment. It is as simple as that," Rep. Sobecki said in a statement.

Rep, Galonski added that Ohioans should not "be forced to decide between their health or earning a living."

"That's an unfair burden to place on anyone, especially during a global pandemic," she said. "We need a healthy workforce, but we also need to ensure that Ohioans can make autonomous decisions about their health."

Friday, May 1, 2020
Legislature Set To Resume Committee Work Next Week

Lawmakers are set to return to the Statehouse next week to slowly – and cautiously – resume committee work for the first time since passing a coronavirus response measure in late March.

Both chambers were last in session on March 25 to approve broad legislation (HB 197) addressing the COVID-19 pandemic, including language extending voting in the March 17 primary to April 28.

The legislation cleared the Senate in a unanimous vote during an unusual morning session in which members practiced "social distancing," waived the rule requiring they vote from the floor and dressed in casual attire. The House unanimously concurred in Senate amendments in the afternoon, with some members voting from the gallery or traveling from committee rooms to voice support for the measure.

Similar precautions will be taken next week when the House – which has sessions scheduled on Tuesday, Wednesday and Thursday – convenes. Just two committee hearing had been scheduled as of publication time.

The House Finance Committee will meet Tuesday and so far only one bill (HB 388) regarding surprise billing for medical care is on the agenda.

"I think it's a matter of easing us back into committees and session," Rep. Jamie Callender (R-Concord), who co-chairs the panel, said in an interview.

Rep. Callender said the panel will take precautions to prevent the spread of the coronavirus.

"I think we're going to be very cognizant of the situation. We're going to be very cognizant of social distancing," he said.

The House State and Local Government Committee also slated a hearing for Tuesday afternoon.
Speaker Householder announced last month that committees will begin meeting again the week of May 4. Among the safety measures members will take include maintaining social distancing by only using the rooms large enough to accommodate guidelines and utilizing overflow rooms for witnesses, media and other observers.

As for other committee meetings, Rep. Callender said he does expect a somewhat light schedule.

"I know that we won't have all of the committees meeting," he said. "We don't want to overwhelm the system to begin with."

The speaker also announced several measures that will be put into place to ensure the safety of staffers, including staggered start times with some work from home continuing.

The Senate, meanwhile, has an if-needed session scheduled for Wednesday.

John Fortney, a spokesman for the Senate Republican Caucus, said discussions are ongoing for what could potentially be on the agenda; Senate President Larry Obhof (R-Medina) previously said he expected to resume sessions in May.

While the agenda is not yet set, some lawmakers have suggested taking steps to rein in the powers of Gov. Mike DeWine, who on Friday extended and modified the state's stay-at-home order through May 29 via an order from Health Director Dr. Amy Acton.

Sen. Rob McColley (R-Napoleon) called for lawmakers to repeal the order, and several others have taken to social media to voice their displeasure with the situation.

Rep. Scott Wiggam (R-Wooster), for example, opined on Twitter that Ohioans "crushed the curve" but that Dr. Acton "moved the goal posts."

"The Ohio House must meet ASAP to rescind the stay-at-home order," he added. "I am ready to meet today."

**DeWine Issues New 'Stay Safe' Order That Prompt Calls For Rescinding**

The DeWine Administration on Friday issued a new "Stay Safe Ohio" order that extends key portions of a prior stay at home order that expires at the end of the day.

The new directive, signed by State Health Director Dr. Amy Acton, sets the new standards through May 29, although officials said during the daily pandemic update news conference that Ohioans should not to read too much into the date given the rapid pace of developments.

Nevertheless, Sen. Rob McColley (R-Napoleon), one of several GOP lawmakers who have called for more immediate resumption of economic activities in the state, wrote a scathing letter regarding the administration's moves and called for legislative action to rescind the order.

Along with extending facets of the prior order, such as stressing social distancing, mask wearing and attention to hygiene, the new order includes aspects of Gov. Mike DeWine's gradual reopening plan unveiled Monday.

The order allows certain businesses to open, provided they follow recommended workplace safety precautions.

It adds that schools, bars and restaurants, appearance and beauty enterprises, child care and entertainment and gymnasiums must remain closed.

Among other things, the new order outlines operational standards for public transit and encourages those traveling from Ohio to other states to self-quarantine for 14 days following their return.

Mr. DeWine and Lt. Gov. Jon Husted spent most of Friday's media availability recapping the reopening plans laid out in recent days and urged Ohioans to stick with the program to avoid a backslide into more flare-ups of the COVID-19 virus.

While conservatives and business groups continue to mount pressure to open things up more quickly, the governor reiterated that the success of the economic resumption will fall largely on the shoulders of consumers.
"Having that public confidence is absolutely essential for businesses to come back and make it," Gov. DeWine said.

As such, he and Mr. Husted urged citizens to continue wearing face coverings, maintain social distancing and consider the safety of others in their actions – particularly the more vulnerable in the population.

In order to not back-track, "I need your help," the governor said. "We need to continue to be careful."

Friday marked the easing of restrictions on medical service providers, and officials reiterated that further reopenings are pending in the coming days. Those include offices, industry and construction on Monday, and retail on May 12.

Mr. Husted said the next targeted sectors include personal care and restaurants, which he said have been the subject of recent meetings with business owners.

The governor said his administration continues to work with representatives of the various sectors to develop best practices to follow as more of the economy opens up.

He urged patience while acknowledging that some believe the state is moving too quickly and others too slowly. Evidence of the latter crowd was again on display at the Statehouse Friday, where protesters gathered to urge the government to ease restrictions.

Gov. DeWine said he continues to see arguments from people urging quicker resumption of the economy in certain rural counties, saying that's a bad idea.

"It would be a disaster for this state" that would lead to people from adjacent counties "rolling in" for various activities, he said.

He added of the continued push for large group gatherings: "If we start doing that, it's not good. We have to continue to stay focused and stay disciplined."

Sen. McColley, who represents a large swath of rural northwest Ohio, said the governor isn't giving citizens enough credit. His calls for rescinding the order have won support among some Republicans.

"It appears that the Governor does not share the same faith and trust in Ohioans that many of us have. I know that I and many of my colleagues in the legislature have faith that Ohioans are capable accomplishing remarkable things and trust that they will look out for their friends, family and neighbors, without a government mandate to stay in their homes," he wrote.

"Therefore, I am urging President Obhof and the rest of my legislative colleagues to return to Columbus and pass legislation rescinding the Governor's stay at home order."

The Department of Health's Friday update on COVID-19 cases, including presumed infections, found a total of 18,743, which include 3,634 hospitalizations and 1002 deaths.

**House Economic Recovery Group Eyes Endgame**

House Republicans involved in a task force seeking to re-start Ohio's economy plan to regroup over the weekend to organize ideas, according to the group's chairman.

Rep. Paul Zeltwanger (R-Mason), who has led the House 2020 Economic Recovery Task Force since it began meeting four weeks ago, said members are working on ideas presented so far in order to tee them up for potential discussion before relevant committees.

"We are summarizing those and going to prioritize them in groups, if you will, and begin the process of kind of fitting those into the committee structure so we can get legislation if needed," Rep. Zeltwanger said in an interview following the group's Friday meeting.
Vice Chair Rep. Terrence Upchurch (D-Cleveland) said he too believes the time has come for the task force to enter the next phase of its work.

"We've heard a lot of stories and had some stories from diverse backgrounds and areas of the state," he said. "So, it's my hope as we move forward really to put together a report, a summary of the meetings – put together something that demonstrates what this task force has done."

Rep. Upchurch said he plans to seek a conversation with House leaders to ensure Democrats will play a role in crafting whatever recommendations the task force issues. Should the majority caucus pursue its own ideas, he said, a minority report could be an option.

"I think it's time now to start putting something together," Rep. Upchurch said. "There's been one theme that has been consistent…and that is that businesses are having a hard time right now and it's time we begin to put together a report and what it looks like in how we're going to help these businesses."

Rep. Zeltwanger said he anticipates the task force's recommendations will be bipartisan, saying: "It's a crisis impacting all areas."

The panel's virtual meeting Friday occurred the same day the first piece of Gov. Mike DeWine's phased reopening plan took effect and as Health Director Dr. Amy Acton issued a modified extension of the stay-at-home order until May 29 – a move that has earned criticism from Rep. Zeltwanger and other GOP members who have been pushing for a faster restart.

Up to this point, Republicans and Democrats in the House haven't been on the same page. Democrats put forward a reopening plan premised in part on adequate testing and contact tracing as well as the availability of child care and worker protections. Rep. Zeltwanger and other House Republicans, though, continue to favor a broader reopening strategy. Their plan had called for all businesses to reopen prior to Friday.

That's a viewpoint the chair reiterated during Friday's meeting while emphasizing that he was speaking as a representative and not as head of the task force.

"I believe we should allow them all to open today if you can do that responsibly and safely," Rep. Zeltwanger said. "I don't take this lightly at all. Hopefully, we are very, very close. The time is now. It's May 1 and we've all done our part."

The chair's comments were directed to Tim Dorsey, owner of Sandusky's Tim Dorsey Fitness, who echoed prior remarks from Speaker Larry Householder (R-Glenford) in bemoaning major retailers being allowed to operate while some smaller businesses are shuttered.

"Speaking as a small business owner…why aren't the opportunities equal for everyone running their business big and small?" Mr. Dorsey asked.

Other witnesses said the crisis has exacerbated preexisting challenges – such as the lack of broadband access in broad swaths of rural Ohio. House sponsors have said the current public health crisis emphasizes the need to pass a priority measure (HB 13) to expand broadband access.

Candice Slaughter Warmke of Blue Rock Station in Philo said the lack of access has impaired her business's ability to transition to provide online services.

"Without adequate broadband in rural areas what was already a severe problem becomes insurmountable," Ms. Warmke said. "This issue will crush economic development in rural Ohio."

Teresa Geraci, co-owner of Beavercreek Pizza Drive and rental properties, urged policymakers to provide "clear regulations and guidance" on moving forward.

She said the state's goal in her view seems to have changed from ensuring the health care system isn't overwhelmed to having as close to zero cases as possible.
"If the goal is to have zero cases there is no price too steep," she said. "We need an agreed upon acceptable level of risk for the greater good."

Todd Mitchell of Great Lakes Sound said the situation has been devastating for the event industry. All events booked until July have been cancelled or postponed, he said, and the industry's busiest season is in jeopardy.

"The event industry is in a state of devastation," he said. "This has put a serious strain on our cash flow."

Others testifying before the panel included Mike Knisley of Ohio Building Trades, who said 70% of the workforce in that sector remains employed thanks in part to essential businesses. Madonna Rothwell, owner of Madonna's School of Dance in Beavercreek, also addressed the task force.

**Brown Blasts McConnell Over State, Local Government Funding**

The status of funding for state and local governments remains up in the air as federal lawmakers seek to craft the next coronavirus stimulus package.

But U.S. Senate Majority Leader Mitch McConnell of Kentucky has cast doubt that such appropriations will be in the bill.

His remarks earned the ire of U.S. Sen. Sherrod Brown (D-Cleveland) during a conference call organized by the American Federation of State, County and Municipal Employees.

"He seems to think this is only a problem in cities and states led by Democrats," he said. "But this virus knows no political party. Communities all over our country are hurting."

AFSCME President Lee Saunders echoed those sentiments, saying Mr. McConnell's recent contention that state governments could file for bankruptcy rather than be bailed out was callous and reckless.

"It's interesting how some folks can always find billions to bail out big corporations or give the super wealthy generous tax breaks," he said. "But when working people in our communities need help, when it comes to funding essential public services in a life or death situation, they become stern deficit hawks."

Mayors from across Ohio recently warned that without federal assistance, steep budget cuts are likely, some of which could result in the layoff of first responders.

"Local governments shouldn't have to choose between raising taxes or laying off corrections officers or police officers or firefighters or sanitation workers," Sen. Brown said.

Sen. Brown called for funding for local government to be both robust and flexible, a sentiment shared by U.S. Sen. Rob Portman (R-Terrace Park), who recently noted that Ohio's municipalities are in a particularly precarious situation due to the their heavy reliance on income tax revenue.

It has been suggested that Mr. McConnell and other Senate Republicans may push for limits on employer liability as employees return to work in exchange for local government funding, but Sen. Brown ruled that out as a non-starter.

"We're not going to negotiate from a position of saying the locals get crumbs, we'll save a few dollars for the local communities, but in return you're going to have to give up all kinds of legal protections for workers," he said.

The first round of stimulus, the CARES Act, contained $1.50 million in funding for state and local governments. However, due to population restrictions, Columbus is the only municipality in Ohio that will receive direct funding.

Sen. Brown called the $1.50 million figure a start but said much more needs to be done.

"Every day it gets harder," he said. "The longer that McConnell waits to say yes or sidelines funding for local governments and state governments, the more acute the problem is, the more layoffs they'll have, the more cuts to services. I don't think we've seen anything yet to compare it to what we're going to see if Congress doesn't move on this quickly."
The next round of COVID-19 stimulus must also include what Sen. Brown described as "pandemic premium pay," which he said are payments of up to $25,000 for frontline workers.

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