Monday, August 24, 2020

Controlling Board Approves Millions More In Local Government Relief

Another $175 million in federal coronavirus aid dollars are headed to Ohio's local governments after a move by the Controlling Board Monday.

The General Assembly already authorized $350 million of the $1.2 billion in federal aid dollars earmarked for local governments in separate legislation earlier this year (HB 481).

The latest installment comes with the same restrictions on how the money can be spent – namely, direct costs associated with the pandemic.

Local governments and the state had been waiting for additional flexibility from the federal government so the money could potentially be used to address wider issues caused by a loss of tax revenue.

Todd Clark, chief financial officer for the Office of Budget and Management, said there are timelines for the use of the money. Local governments have until Oct. 15 to allocate it before the funds are returned to counties to be distributed to others in the county with additional costs, and until Dec. 28 before unspent funds are returned to the state.

Rep. Jack Cera (D-Bellaire) said the state appeared to be on a tight deadline to get the money out to local governments.

"I know we thought that we would hope that the feds would loosen what the money can be used for," he said. "At what point do we just distribute all this money out to the local governments, because we are running out of time?"

Controlling Board President Fletch Zimpher said those deadlines are being considered.

The County Commissioners Association of Ohio, Ohio Municipal League, Ohio Township Association and Ohio Mayors Alliance cheered the move in a joint statement.

"Local governments have used previously distributed CARES Act funds to fund public health and safety efforts, provide support to small businesses and individuals facing hardship, acquire supplies of PPE and to fund other relief efforts. These additional funds will continue and expand upon these initiatives," they said.

"Local governments are thankful for the strong partnership with Gov. DeWine and the General Assembly in responding to COVID-19. Local officials look forward to partnering with the governor and state lawmakers on pending legislation to distribute the remaining $680 million of CARES Act funds."

Lawmakers Announce Push To Oust DeWine; Speaker Opposes Effort

A small group of House Republicans on Monday unveiled draft articles of impeachment against Gov. Mike DeWine, arguing he should be removed from office over his handling of the coronavirus pandemic.

But plenty of support remains in the governor's corner and the announcement was met with quick criticism from both sides of the aisle, including from the state GOP, which labeled the move "despicable."

The governor was dismissive of the effort via a statement from his press secretary.
"Gov. DeWine is focused on saving lives during the pandemic," spokesman Dan Tierney said. "He is focused on helping the economy and getting Ohioans back to work. That is what he is focused on. Not this."

Led by Rep. John Becker (R-Union Twp.), the initiative thus far only entails a website — impeachdewine.com — and three other sponsors: Rep. Candice Keller (R-Middletown), Rep. Nino Vitale (R-Urbana) and Rep. Paul Zeltwanger (R-Mason). The website urges Ohioans to contact other lawmakers and request they sign onto the draft articles, which have yet to be officially introduced.

Rep. Becker, who is term-limited from the House next year and running for Clermont County commissioner, said the sponsors have tried to work with the governor but grew frustrated at Gov. DeWine’s repeated promises to veto any legislation that would curb his authority to maneuver the state through the health crisis.

"Well, his power needs to be curbed," Rep. Becker said in an interview. "An article of impeachment is something he cannot veto."

House Speaker Bob Cupp (R-Lima) called the effort "an imprudent attempt to escalate important policy disagreements with the Governor into a state constitutional crisis. Even serious policy disagreements do not rise to the level of impeachment under our constitution."

Speaker Cupp said there is debate and disagreement over the governor's orders. "I will continue to raise my concerns and disagreements and those of House members with the governor," he said. "However, informed dialogue and the law-making process are the best way to resolve these issues."

"There is much work to do to revive Ohio's economy, provide the testing and health care that those affected by COVID-19 need, and restart a high level of learning in our schools," the speaker added. "We should be united in working on these efforts instead."

Approval of the articles would require a simple majority of the House — 50 members — which would tee up a Senate trial requiring a two-thirds majority of senators to convict.

The text of the 10-page resolution outlines 10 articles that accuse Gov. DeWine of violating the constitution by in part: shutting down businesses and schools, closing polls during the March primary, mandating face coverings, banning liquor sales to non-Ohio residents and relying on "wildly inaccurate forecasts and…misleading COVID-19 data."

Rep. Becker said he expects to formally introduce the resolution in the next few weeks, but will "let it sit for a while" to see whether adequate support exists.

"It really has to do with the pain I'm hearing from people," he said. "People are suffering. They've lost their businesses, their jobs. Weddings have been canceled, proms. The list goes on. It's not just economic. It's the fabric of society."

The sponsors also fault the administration for what they consider a lack of transparency and question the data and expert opinions driving the governor's decision making throughout the pandemic.

"He's managed through what was determined an emergency health crisis, which I believe has now passed, and it's time to get back to a lot more input as far as how decisions are made," Rep. Zeltwanger said.

Rep. Keller called it a "very difficult conversation" and a "sad day."

"This pattern of disregarding not only the law, but the will of the people has gotten to a fever pitch," she said.

Some want to go further, with Rep. Vitale writing on Facebook that although the impeachment is a good first step, "Dictator DeWine needs to be charged and tried for crimes against humanity, in my opinion."

"It is despicable that anyone who considers themselves to be conservative would make an attempt to impeach Gov. DeWine," Ms. Timken said. "In a time of harsh political division, and an important election year, Republicans should be united. Ohio and the world have witnessed an unprecedented global pandemic – one that Gov. DeWine has done a great job at leading us through. The attack by John Becker and his allies is a baseless, feeble attempt at creating attention for themselves, and it shifts the focus away from what should be the top priority for real Republicans: re-electing President Trump."

Democrats were similarly critical, with Minority Leader Emilia Sykes (D-Akron) renewing her call for the House to reconvene from summer recess to tackle pressing issues including the COVID-19 response.

"Instead of working to rebuild the public's trust...Republicans continue to fight one another over political power," Rep. Sykes said. "Ohioans deserve better leadership and I hope Republicans refocus their attention towards the struggling Ohioans who need them to serve instead of enriching and promoting themselves."

David Pepper, chair of the Ohio Democratic Party, contrasted the impeachment effort with the fact that majority House Republicans refrained from expelling Rep. Larry Householder (R-Glenford) from the chamber given his indictment and arrest for racketeering.

"The Ohio GOP's message to voters is clear – corruption and bribery are A-OK with us, but having the audacity to listen to public health experts during a global pandemic is an impeachable offense," Mr. Pepper said.

**Senate Schedules More Sessions As HB6 Repeal Debate Looms**

The Senate on Monday scheduled additional sessions for next week, giving lawmakers more time to sort out pressing issues such as the possible repeal of a controversial law (HB 6) at the center of a Statehouse scandal.

Senate President Larry Obhof finalized the schedule change Monday, slotting an if-needed session for Sept. 1 and a regular session Sept. 2. Both meetings are set for 1:30 p.m.

The Medina Republican has said there remains an interest in the chamber of discussing the bipartisan measure (SB 346) to repeal the wide-ranging energy law at the heart of the criminal allegations against former speaker Rep. Larry Householder (R-Glenford).

"There's enough concern among members they want to have a conversation about it," spokesman John Fortney said.

The legislation has not yet been assigned to a committee and lawmakers who had a hand in crafting the Senate version, including Chair Sen. Steve Wilson (R-Maineville), have said they believe the policy at the core of the bill is sound but that they are willing to hear the discussion.

The call for a repeal from opponents, however, continues to grow. The Coalition to Restore Public Trust announced a nearly seven-figure digital ad campaign targeting certain legislative districts in the push for an HB6 repeal.

More than two dozen legislative districts will be targeted with the goal of urging the public to contact lawmakers to push for a repeal. Organizers said it will highlight lawmakers who stood up against HB6.

"This ad campaign will communicate directly with constituents in these legislative districts to educate them on the corruption surrounding House Bill 6. It will also provide them a vehicle to contact their legislator directly to urge them to fully repeal this flawed and tainted legislation," said Michael Hartley, the group's executive director.

"It is absolutely necessary that House Bill 6 be repealed in full – not in bits and pieces – because every word of it was born in deception," he added. "This robust ad campaign will allow Ohioans to show legislators the light or make them feel the heat."

**Lawsuits:** Add AEP Ohio to the list of energy companies being sued for their ties to efforts to support passage of HB6.

The lawsuit, which has the potential to become class action, was filed on behalf of a shareholder in the U.S. District Court Southern District of Ohio.
The complaint centers in part on AEP's financial support for Empowering Ohio's Economy Inc., a dark money group that put money toward Generation Now – the 501(c)(4) at the heart of the criminal case against the former speaker.

AEP lobbied in favor of HB6 after lawmakers added language extending cost recovery for Ohio Valley Electric Corp. plants. CEO Nick Akins said earlier this month the company acted properly but committed to additional transparency and full cooperation with investigators.

Four Ohio GOP Congressmen Join Dems To Pass Postal Funding Measure
A rare weekend vote on a bill to send billions of dollars to the U.S. Postal Service and reverse recent operational changes illustrated a divide among Ohio's Republican members of Congress heading into November's election.

Of the 26 congressional Republicans who supported the measure, which passed 257-50 on Saturday, four, or about 15%, are Ohioans.


Rep. Balderson said in a statement the legislation was necessary to ensure the agency can provide adequate service in the run-up to the presidential election.

"Preserving the integrity of our elections is of the utmost importance, and ensuring our postal service has the resources it needs to deliver Americans' mail in a timely manner – including absentee ballots – is essential to the function of our republic," he said. "The needs of America's families -- like those I represent in Ohio -- come first, and this legislation will support them as well as bolster jobs across the country."

U.S. Rep. Brad Wenstrup (R-Cincinnati), one of seven Ohio Republicans to vote against the measure, said the legislation was a response to a "fabricated Postal Service crisis.

"The Post Office, by its own admission, has enough funding to operate through August 2021," he said in a statement. "Instead of calling the House back to vote on targeted assistance for American families, students, and small businesses, or to help Operation Warp Speed develop a vaccine, the Speaker reconvened for a vote to spend irresponsible and currently unneeded amounts of money on a funding problem that does not currently exist."

The USPS also declined to support the bill.

"We are concerned that some of the requirements of the Bill, while well meaning, will constrain the ability of the Postal Service to make operational changes that will improve efficiency, reduce costs, and ultimately improve service to the American people," the agency said in a statement.

"We reiterate that the Postal Service is fully capable and committed to delivering the nation's election mail securely and on time, and will do everything necessary to meet this sacred duty."

Along with driving additional funding to the USPS, the measure would prevent operational changes from being enacted at the agency through January and prevent postal facility closures and consolidation.

U.S. Rep. Tim Ryan (D-Warren) said the legislation is a response to "the Trump Administration's attacks on the Postal Service."

"This is impacting Americans across the board, whether you are in a red state or blue state, whether you live in a city, suburb, or rural America -- postal service delays impact your life. I am proud to have helped pass this critical legislation to protect the postal service and the 600,000 Americans it employs," he said.

Senate Majority Leader Mitch McConnell of Kentucky told the Louisville Courier-Journal last week he did not expect to move forward with standalone legislation on the USPS as negotiations between the two houses continue over a fourth pandemic relief package.
Statehouse Update

The House-passed legislation became a repeated topic of conversation at Postmaster General Louis DeJoy's much-anticipated appearance before the U.S. House Committee on Oversight & Reform on Monday.

U.S. Rep. Jim Jordan (R-Urbana) at the hearing repeatedly asked Mr. DeJoy why Democratic lawmakers were "out to get" him.

"They passed the bill before they even talked to you – before they even had a hearing," he said. "They're not interested in any bipartisan solution."

Rep. Jordan also noted that dozens of House Democrats had already called for the postmaster general's removal ahead of his testimony.

U.S. Rep. Carolyn Maloney, the committee's chair and a New York Democrat, said Democrats are attempting to undo changes that have led to widespread postal delays.

"The American people want to go back to the way things were," she said. "They don't want these changes. They want them reversed."

Tuesday, August 25, 2020

DeWine Clarifies Variances For Sports Venue Order

Gov. Mike DeWine on Tuesday spelled out a variance process for his recent order limiting capacity for sporting and performing arts events.

The governor also responded to a recent announcement by a handful of House Republicans that they are preparing articles of impeachment against him.

On the sports order, Gov. DeWine said venues will generally be limited to the lesser of 1,500 spectators or 15% of the fixed permanent seating capacity for outdoor events and the lesser of 300 or 15% for indoor events.

That limit was designed to allow family members of athletes and other participants to attend, the governor said. At smaller schools, that might not be possible within the limits, so the state has a process by which officials can request a variance to allow more than 15% of the capacity.

"In particular, it is essential that the variance plan demonstrate this proposed increased spectator limit will still allow at least six feet of social distancing between spectator groups," he said.

The plan will also have to demonstrate that spectators will not be allowed to congregate.

"The variance was not designed for a big stadium just to be able to have fans in there," he said. "The goal is to have spectators, but the only spectators really be family members of those who are participating in the event or those who are band members who may be playing at halftime or have some role in the halftime events."

College Students: The governor said he spoke Tuesday morning with university presidents about being wary of the coronavirus as students return to campus. He said the biggest issue will be keeping students focused on social distancing.

"I think the lessons that we see in colleges, quite candidly, are lessons that we're seeing among the population that's not going to college," he said. "The spread is occurring because people are letting their guard down."

Colleges might be able to protect students while they're in class and in dorms, but students might congregate and spread the virus at other times. Off-campus parties have been cited as problems across the nation, and Ohio State University recently issued interim suspensions for more than 200 students for failing to adhere to safety guidelines.

"If the students want to be on campus, they're going to have to control it and they're going to have the discipline and they're going to have to, frankly, have a little peer pressure on other students who maybe are doing things that are not very productive to staying in class," Gov. DeWine said.
The risk of spread is a serious concern as college students, as well as K-12 students, return to class in places that already have significant community spread, he said.

"Am I worried? Yes, I'm worried," he said.

**Latest Statistics:** The Department of Health reported 844 new COVID-19 cases Monday, below the 21-day average of 1,019. There were 10 new deaths, below the recent average of 20 and bringing the state to 3,996 since the start of the pandemic.

"We're nearing a grim statistic," Gov. DeWine said of the state approaching 4,000 reported deaths.

The state reported 97 hospitalizations, compared to a recent average of 87, and 15 ICU admissions, the same as the 21-day trend.

The governor highlighted a list of the 10 counties with the highest per-100,000 case rates, with all of them being predominantly rural counties with populations at or below 60,000. Darke County and Mercer County, both at 189 cases per 100,000, topped the list.

Joining the press call were the health commissioners of Clark and Medina counties, who outlined what their areas have experienced.

Clark County Health Commissioner Charles Patterson said the county started with outbreaks at workplaces, including Dole, but now the virus is widespread in the community and starting to infiltrate long-term care facilities.

Medina County Health Commissioner Krista Wasowski said cases in her county are mostly coming from community spread. Contact tracing has been a challenge, as many people are reluctant to give information about their contacts or don't worry about having contact with others if their symptoms are mild.

"It may be mild for you, but it might not be mild for that next person," she said.

Gov. DeWine said his administration continues to evaluate how long the 10 p.m. last call for alcohol sales will last. He also said the extra $300 per week in unemployment benefits offered by the federal government could be ready by mid-September. Those benefits would be retroactive.

The governor said he expects to have information Thursday on how schools will report COVID-19 cases.

**Gun Violence:** Pointing to recent shootings across the state, the governor again pushed for passage of his STRONG Ohio proposal (SB 221), saying it would help keep violent offenders found illegally in possession of firearms off the streets.

"Our legislation would give our judges, would give our prosecutors, our police a lot more ability to deal with these individuals and get them out of our communities," he said. "Ohio's laws on illegal gun possession aren't tough enough."

The effort would help the state deal with the small number of criminals responsible for much gun violence, he said.

"Having the ability to find that person in possession of a gun before they commit an offense and get them off the streets, and give the judge the discretion to sentence them for a significant period of time will save a lot of lives," he said.

Impeachment: Gov. DeWine also responded directly to an announcement from a small group of conservative Republican House members that they are drafting articles of impeachment over his handling of the COVID-19 crisis.

"My focus, as governor, is going to be continue to be, and my priorities are to keep people safe and to get our economy moving faster," he said. "If there are others in the legislature who want to spend their time drawing up resolutions and filing articles, it's a free country if that's how they want to spend their time. I would just say to them have at it. My focus is to do what I'm sworn to do and that is to protect the people of the state of Ohio, to get this economy moving faster, and to save lives. That's what I'm going to do."
The governor said he doesn't shy away from making decisions, especially as the state faces a once-in-a-century pandemic. He also defended his policies from a conservative standpoint.

"I'm a conservative. I think conservatives historically are to preserve life, to preserve liberty. The things that we've done and the things that we've talked about doing, keeping distance, wearing a mask, and the other things we've done, it's about preserving life," he said. "We're going to get through this. We don't need to lose any more than we're willing to lose."

The sacrifices made during the crisis are designed with a long-term goal in mind that the economy isn't further damaged by a second wave of the virus, he said.

"The biggest threat we have is this virus coming roaring back through Ohio," he said. "It's smoldering. It's there in some counties. We've got to put that fire out."

**Wednesday, August 26, 2020**

**Energy Law Implementation Continues Amid Calls For Repeal**

State regulators carried on with implementing a controversial energy law Wednesday even as the scandal tied to the act continues reverberating around Capitol Square.

During its virtual hearing, the Public Utilities Commission of Ohio adopted a staff recommendation to create a nonbypassable rate mechanism — called a "Clean Air Fund Rider" — to recover up to $170 million a year to subsidize the state's two nuclear plants and a handful of solar projects beginning Jan. 1.

The action came the same day Attorney General Dave Yost's office said he is considering seeking a court injunction to block HB 6 subsidies should the legislature not repeal it in a timely fashion.

The PUCO's order fulfills the letter of the law at the heart of the criminal allegations facing former speaker Rep. Larry Householder (R-Glenford) and four associates who are accused of orchestrating a racketeering scheme aimed at ensuring the law's passage.

The HB6 subsidies reserve up to $150 million for the nuclear plants and task the PUCO with structuring the monthly charges for residential and non-residential customers to make that happen.

Without discussion, the commission unanimously approved the creation of the rider, carrying out the law even as opponents and some supporters of the policy of the bill continue calling for a repeal.

The rider includes a flat 85-cent per month charge for residential customers and will include the Commercial Activity Tax. Non-residential customers will make up the difference in program revenue through charges that are statutorily not to exceed $2,400. Those amounts will be determined on a dollar per kilowatt hour sales rate for each non-residential customer's usage up to 833,000 kWhs per month.

The commission opted not to conduct a bill impact analysis, writing that the staff-recommended safeguards were sufficient and that "the simplicity of the math behind the development of (the rider) and the stated revenue target should allow the parties themselves ample opportunities to identify any potential bill impacts."

Commissioners also declined to impose any reconciliation or refund requirements outside of the statutory language. Nothing in the order, however, precludes reconciliations of the rider as a result of audits required by the statute.

The order directs each utility to provide staff the kWh-sales data to perform an annual allocation of the revenue requirement by Nov. 1 of each year.

"Each EDU shall provide semi-annual reports to the staff that provide the monthly revenues collected from its residential and non-residential customers through Rider CAF," staff wrote. "The report shall also include the kWhs sold each month for the residential and non-residential customers."

The staff proposal turned up plenty of debate in stakeholder comments in recent weeks.
FirstEnergy companies had advocated for different process. By basing the formula on the number of customers multiplied by average chargers per customer class, the company said the commission could ensure a more "equitable" approach.

That approach, the company had argued, would take into account bill impacts related to extended cost recovery for Ohio Valley Electric Corp. plants – an aspect the companies argued would negatively impact their customers rates when combined with the staff plan.

AEP Ohio pushed back on that, arguing the PUCO has discretion and is not required to consider the entirety of the bill.

"The two sets of provisions are independent and attempting to soften or 'water down' the impact of the (legacy rider) provisions through CAF Rider rate design is unreasonable," AEP wrote.

The commission ultimately agreed, writing: "While both riders are established pursuant to legislative direction, there is no other connection between the two riders. Each rider is established with its own funding purpose and neither purpose references the other in the legislation."

The Ohio Manufacturers' Association also put forth its own recommendation while asking the commission not to include the Commercial Activity Tax in the rider. Duke Energy pushed back on that thinking, claiming that approach would amount to an "unfunded mandate."

The commission opted to reject the OMA's line of thinking, writing that had the General Assembly intended any CAT offset "it would have expressly done so."

Several parties voiced support for the staff plan in comments, including Dayton Power & Light, which also praised the idea of basing initial revenue on pre-COVID-19 revenue.

Industrial Energy Users-Ohio expressed similar support, opining the staff proposal "accurately reflects the letter and spirit of HB6."

Ohio Energy Group also signaled its support by noting the 833,000-kWh monthly recovery threshold for non-residential users is "easy to administer" since it forms the threshold for several other types of recovery mechanisms.

Meanwhile, the group pushing lawmakers to repeal HB6 applauded AG Yost for considering a move to try to block the subsidies in court.

Michael Hartley, executive director of the Coalition to Restore Public Trust said the potential injunction "should serve as further notice to Ohio's legislature that they must move expeditiously to remove this tainted legislation from Ohio law."

**Thursday, August 27, 2020**

**Senate Measure Would Send $650M More To Local Governments**

Legislation introduced in the Senate on Thursday would appropriate the rest of the more than $1 billion in federal coronavirus aid earmarked for Ohio's local governments.

That money, distributed through the federal CARES Act, was earmarked for locals but has largely been tied up at the state level due to hopes that the federal government would offer more flexibility in how it can be spent.

Earlier this year, the legislature appropriated $850 million of it in legislation that included a host of other items (HB 481). On Monday, the Controlling Board gave its OK to another $175 million along similar lines.

The state still has Coronavirus Relief Fund dollars available that were not set aside for local governments.

The latest bill (SB 357) would empty the pot of local-designated CARES Act money, sponsor Sen. Matt Dolan (R-Chagrin Falls) said an interview, appropriating $650 million more.

It also carries an emergency clause, as federal deadlines on when the money can be spent are looming.
"Without any changes coming from the federal government, this money not only has to be spent along the guidelines of COVID-related expenses, but it also has to all be spent by Dec. 30 of this year," he said.

The state held back the money hoping for more flexibility from the feds, but that hasn't arrived. Sen. Dolan said the language in this bill differs from prior allocations in that if the U.S. Treasury Department or Congress authorize other uses, that can be done at the local level without additional legislation.

"We had been waiting for additional guidelines, but we hadn't got them," he said.

This measure would also distribute money differently than in the prior effort. Instead of using the formula of distribution from the Local Government Fund, it would be done on a per capita basis, Sen. Dolan said. It still excludes cities and counties with large populations that received money directly from the federal government through the CARES Act.

The senator said he expects the Senate Finance Committee Track that he chairs to meet Tuesday and Wednesday to hear the measure, with the hope of voting it out Wednesday.

Senate President Larry Obhof (R-Medina) said it is important for the measure to get a hearing given the size of the appropriation, even though it is "not very complex."

"For something of that size and that consequence, I think it's more appropriate for us to air it out," he said.

The measure is needed because further appropriations through the Controlling Board are limited by restrictions on how much money can be spent in one line item through the board, Sen. Obhof said.

Sen. Dolan said he doesn't anticipate that the measure will pick up additional appropriations or amendments.

"Right now, I expect it to be clean," he said. "We continuously talk with the administration about the use of the remaining dollars. It doesn't mean if we don't do it in this bill, it can't be spent another way."

Obhof: 'Pretty Busy' Week Ahead For Senate, Backs Energy Law Repeal

The Senate is ready for a relatively packed September schedule, with a possible repeal of a controversial energy law on the agenda, the chamber's leader said Thursday.

Senate President Larry Obhof (R-Medina) also threw cold water on a proposal from Secretary of State Frank LaRose to prepay return postage for absentee ballots.

Sen. Obhof said he anticipates the chamber will be in Columbus for at least a couple weeks of the month and at least one week in October.

Next week's agenda will likely feature five or six committee meetings, with an if-needed session Tuesday and a session scheduled for Wednesday.

"We're going to consider a whole host of different things," he told reporters. "I expect a pretty busy agenda."

One potential agenda item is a newly introduced measure (SB 357) appropriating $650 million in federal CARES Act dollars for local governments.

The chamber will also begin hearings on a proposal (SB 346) to repeal the energy law (HB 6) at the center of a racketeering and bribery scandal involving former speaker Rep. Larry Householder (R-Glenford).

Sen. Obhof said he supports a complete repeal of the energy law and thinks it can happen by the end of the year.

"We're going to have internal discussions and I'm sure that the House is going through those now about whether it's a repeal in its entirety or if it's something more targeted toward specifically the subsidy because there were a lot of other policy issues in that bill as well," he said. "I favor a complete repeal."
Asked about a "repeal and replace" alternative, the Senate president said he didn't know how that would work and what it would entail. He pointed to a variety of provisions in the Senate's final version of the bill that didn't deal with the subsidies to nuclear power plants owned by the company now known as Energy Harbor that lie at the center of the scandal, but said the issue is one of process.

"I think the real question that people need to ask themselves is, if you knew in June or July of 2019, would you have passed the bill if you knew what you know now," he said. "I think the answer is no. We wouldn't have even given it any hearings. I think it's important that we send the message that if you think you can game legislation in Ohio through the types of means that were alleged here, you can't. If you do, and people find out about it, we're going to go back and we're going to rip it out."

Sen. Obhof also criticized an effort by a handful of House members to file articles of impeachment against Gov. Mike DeWine over the handling of the COVID-19 pandemic, calling it "grandstanding" and "fundamentally unserious."

He suggested that House members who accuse the DeWine Administration of overreach instead concur in Senate proposals to rein in the executive branch's response.

"They should stop grandstanding and they should start actually voting on the bills that we've sent them," he said.

**Friday, August 28, 2020**

**House Democrats Look To Force HB6 Repeal Vote**

House Democrats said Friday they will attempt to force a floor vote on a measure to repeal the nuclear subsidy law at the heart of the criminal complaint against Rep. Larry Householder.

Rep. Michael Skindell (D-Lakewood) and Rep. Michael O'Brien (D-Warren) will seek to do so through the rarely used discharge petition to push legislation out of a committee and onto the floor.

The lawmakers' goal with the administrative maneuver is to force a floor vote Tuesday on their bill (HB 738) to repeal the nuclear subsidy law (HB 6). Success, however, requires a majority of the chamber – 50 members – to sign onto the petition.

"Corruption has no place in our government, regardless of political party," the lawmakers wrote to colleagues in a joint letter. "When corruption is revealed, it is important we as lawmakers act quickly to fix what has been broken."

House rules permit any member to file a discharge petition related to any bill that has been in a committee for 30 days without action. HB738, however, has yet to be assigned to a committee. The rules also require such petitions to have a one-day layover, hence Democrats' plan to file the petition with the House Clerk Monday.

HB738 was introduced July 29 as one of three pending measures to repeal HB6 after the July 21 arrest and indictment of Rep. Householder and four others for an alleged dark money scheme to ensure the law's passage.

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