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NAIOP OF OHIO

NAIOP Weekly Legislative Report
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Report created on June 27, 2011

Supported Bills

- HB10 REMEDIATION OF CONTAMINATED SITE (SEARS, B)** To authorize refundable tax credits for the completion of a voluntary action to remediate a contaminated site and for the return of such sites to productive use, and to exempt persons through 2017 who have issued covenants not to sue under the Voluntary Action Program from certain fees and penalties for one year after the issuance of such a covenant.
- Current Status:* 3/2/2011 - House Ways and Means, (Fifth Hearing)
All Bill Status: 2/23/2011 - House Ways and Means, (Fourth Hearing)
2/16/2011 - House Ways and Means, (Third Hearing)
2/9/2011 - House Ways and Means, (Third Hearing)
2/2/2011 - House Ways and Means, (Second Hearing)
1/26/2011 - House Ways and Means, (First Hearing)
1/11/2011 - Referred to Committee House Ways and Means
1/11/2011 - Introduced
- HB17 TAX CREDIT FOR HIRING UNEMPLOYED (BAKER, N)** To authorize a \$2,400 income tax withholding credit for an employer that hires and employs a previously unemployed individual.
- Current Status:* 1/11/2011 - Referred to Committee House Ways and Means
All Bill Status: 1/11/2011 - Introduced
- HB18 TAX CREDIT - EXPANDING BUSINESSES (BAKER, N)** To authorize a nonrefundable tax credit for a business that increases payroll and expands into a vacant facility.
- Current Status:* 2/23/2011 - House Ways and Means, (Fifth Hearing)
All Bill Status: 2/16/2011 - House Ways and Means, (Fourth Hearing)
2/9/2011 - House Ways and Means, (Third Hearing)
2/2/2011 - House Ways and Means, (Second Hearing)
1/26/2011 - House Ways and Means, (First Hearing)
1/11/2011 - Referred to Committee House Ways and Means
1/11/2011 - Introduced

Oppose

- HB50 TYPE-II ANNEXATION (SNITCHLER T)** To require that a political subdivision owner be included in determining the number of owners needed to sign a petition for an expedited type-II annexation.
- Current Status:* 6/21/2011 - House Local Government, (Fifth Hearing)
All Bill Status: 6/14/2011 - **BILL AMENDED**, House Local Government, (Fifth

Hearing)
5/24/2011 - **SUBSTITUTE BILL ACCEPTED**, House Local Government, (Fourth Hearing)
3/1/2011 - House Local Government, (Second Hearing)
2/22/2011 - House Local Government, (Second Hearing)
2/15/2011 - House Local Government, (First Hearing)
2/1/2011 - Referred to Committee House Local Government
1/26/2011 - Introduced

Monitoring

- HB134 CAPITAL GAINS INVESTMENTS (SCHURING K)** To reduce the income tax rate on capital gains reinvested in Ohio-based investments.
Current Status: 6/1/2011 - House Ways and Means, (Fourth Hearing)
All Bill Status: 5/11/2011 - House Ways and Means, (Third Hearing)
3/30/2011 - House Ways and Means, (Third Hearing)
3/23/2011 - House Ways and Means, (Second Hearing)
3/16/2011 - House Ways and Means, (First Hearing)
3/2/2011 - Referred to Committee House Ways and Means
3/1/2011 - Introduced
- HB198 PROPERTY TAX COMPLAINTS (COLEY II W)** To permit property tax complaints to be initiated only by the property owner.
Current Status: 5/12/2011 - House Financial Institutions, Housing and Urban Development, (Second Hearing)
All Bill Status: 5/4/2011 - House Financial Institutions, Housing and Urban Development, (First Hearing)
4/12/2011 - Referred to Committee House Financial Institutions, Housing and Urban Development
4/12/2011 - Introduced
- SB89 LABOR REQUIREMENTS (JORDAN K)** To prohibit state agencies from requiring or prohibiting certain labor requirements as a condition of performing public works and prohibit the appropriations of state funds for public works when political subdivisions require or prohibit certain labor.
Current Status: 3/8/2011 - Referred to Committee Senate Joint Committee on Agency Rule Review
All Bill Status: 2/23/2011 - Introduced
- SB115 PROPERTY SALE GAINS (KEARNEY E)** To exempt from income taxation any gains from the sale of Ohio property used in a trade or business and held for at least two years.
Current Status: 3/24/2011 - Senate Ways & Means & Economic Development, (First Hearing)
All Bill Status: 3/15/2011 - Referred to Committee Senate Ways & Means & Economic Development
3/9/2011 - Introduced

Bills Introduced Since 6/20/2011

- HB270 LEGISLATIVE BLACK CAUCUS LICENSE PLATES (WILLIAMS S)** To create the "Ohio Legislative Black Caucus Foundation" license plate.

- HB271 OHIO WORKS PROGRESS ADMINISTRATION** (ANTONIO N, FOLEY M) To create the Ohio Works Progress Administration, and to require the General Revenue Fund surplus revenue to be used for operation of the Ohio Works Progress Administration.
- HB272 STREET RACING PENALTIES** (CELESTE T, RUHL M) To increase the penalties for street racing and to create the offense of "street racing manslaughter."
- HB273 ECONOMIC DEVELOPMENT AWARDS** (HENNE M, HAGAN C) To require the Department of Development to report economic development award information to the General Assembly and public remove responsibility of the Attorney General to publish economic development award reports.
- HB274 TRANSFER FEE COVENANT** (LETSON T) To provide that a transfer fee for purposes of a transfer fee covenant does not include any payment required pursuant to a conservation easement or agricultural easement.
- HB275 RIGHT TO CURE AGREEMENT** (YOUNG R, SLABY L) To allow suppliers and consumers to enter into a Right to Cure agreement.
- HB276 DEFINITION OF AGRICULTURE FOR ZONING** (BUCHY J, GENTILE L) To include the production from certain feedstocks of biodiesel, biomass energy, electric or heat energy, and biologically derived methane gas in the definition of "agriculture" for purposes of the laws governing zoning, township zoning, and current agricultural use valuation.
- HB277 HORSE-RACING TRACK MOVE** (BLESSING L, GERBERRY R) To permit a horse-racing permit holder who is eligible to become a video lottery sales agent to apply to the State Racing Commission to move its track to another location.
- HB278 FINANCIAL RESPONSIBILITY** (STEBELTON G, OKEY M) To increase the minimum amounts required for valid proof of financial responsibility and to amend sections 4509.01, 4509.20, 4590.41, and 4509.51 of the Revised Code two years after the effective date of this act to increase again the minimum amounts required for valid proof of financial responsibility.
- HB279 KINSHIP CAREGIVERS** (GROSSMAN C, DRIEHAUS D) To expand the class of persons who may execute a caretaker authorization affidavit or is designated as attorney in fact under a power of attorney in fact for purpose of authority of care, custody, and control of a child and to enhance Ohio's policies regarding kinship caregivers.
- HB280 OHIO NATIONAL GUARD SCHOLARSHIP PROGRAM** (DOVILLA M, WACHTMANN L) To authorize the administrators of the Ohio National Guard Scholarship Program and the Ohio War Orphans Scholarship Program to apply for, and receive and accept grants, and to receive and accept gifts, bequests, and contributions, from public and private sources.
- HB281 PREGNANCY PREVENTION** (ANTONIO N) Regarding assistance for pregnancy prevention and hospital services for victims of sexual assault.

Week in Review

Friday, June 24, 2011

AGRICULTURE

Gov. John Kasich and others Thursday announced highlights of the upcoming 2011 Ohio State Fair, including the return of fireworks and the availability of Ohio-made beer and wine. Kasich said he would forego the tradition of staying overnight at the fair, citing his daughter's allergies, but has asked former Gov. George Voinovich to stay in his place.

ATTORNEY GENERAL

Ohio Attorney General Mike DeWine said Ohio has joined other states and the federal government to reach an agreement in principle with pharmaceutical manufacturer UCB Inc. to settle allegations that the company marketed the anti-epileptic drug Keppra for off-label purposes and caused the Ohio Medicaid program to pay false reimbursement claims. Ohio will receive more than \$1.3 million in state and federal funds under the agreement.

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Page 3

6/27/2011

Attorney General Mike DeWine announced the formation of a new Gun Crime Advisory Group to help his office focus efforts on removing guns from violent, repeat criminals.

Attorney General Mike Dewine said he plans to bring consumer and business groups together for suggestions on how to update Ohio's Consumer Sales Practices Act, and endorsed a legislative proposal from Reps. Lynn Slaby (R-Copley) and Ron Young (R-Leroy) to add a right-to-cure provision to the act.

Attorney General Mike DeWine, along with 37 other state attorneys general, announced Thursday a \$40.75 million settlement, pending court approval, with pharmaceutical companies GlaxoSmithKline LLC (GSK) and SB Pharmco Puerto Rico Inc. (SB Pharmco) to resolve concerns about their alleged substandard manufacturing processes.

Attorney General Mike DeWine said Wednesday that a Tennessee company that raised funds in Ohio on behalf of several charities has agreed to discontinue solicitations in Ohio for at least five years because of allegations about its solicitation practices.

AUDITOR OF STATE

Auditor Dave Yost said new lease negotiations for his office at 88 E. Broad St. in Columbus resulted in \$1 million in savings through an agreement for less total square footage and the lowering of the per-foot price from \$12 to \$7.

BALLOT ISSUES

Opponents of collective bargaining changes in SB5 (Jones) announced their campaign for a referendum on the bill has collected more than 714,000 signatures, compared to just 231,149 valid signatures needed to make the ballot. The backers of the referendum on SB5 -- We Are Ohio -- are planning to file their signatures a day early, along with a parade to celebrate the filing. The group plans to file its petitions with the secretary of state on Wednesday, June 29, a day before the June 30 deadline. The group invited its volunteers to participate in a parade that will march to the secretary of state's office.

Secretary of State Jon Husted's office said Thursday that the Ohio Ballot Board won't be splitting a referendum on collective bargaining legislation SB5 (Jones) after reports surfaced that pro-SB5 forces were pushing for that option. Citing unnamed sources, the *Columbus Dispatch* reported that Kasich administration and Republican officials were asking members of the Ohio Ballot Board, which creates the language for the ballot, to split the expected referendum into separate issues, giving voters a chance to weigh in on different provisions.

The Ohio Liberty Council, a coalition of Tea Party groups pushing a constitutional amendment challenging the federal health care law, has passed the minimum threshold of signatures it needs to get the issue on the November ballot, the Ohio Republican Party said Wednesday. The group said the total signatures collected, which are due July 6, is nearing 400,000.

FY12-13 BUDGET

A coalition of newspapers, environmentalists and attorneys sent a letter to lawmakers protesting a provision in the budget capping damages for unlawful destruction of public records at \$10,000. They said the potential for large civil penalties against local governments for records destruction -- the motivation for the provision to be included -- is being exaggerated.

Advocates for Ohio's Future, a coalition of health and human services interests, called on state leaders to set aside an additional \$37 million in the budget for Ohio's safety net programs.

The Ohio Campground Owners Association objected to an excise tax on campgrounds inserted in the budget as part of the creation of a Lake Facilities Authority for remediating distressed watersheds.

Reps. Mike Dovilla (R-Berea), Nan Baker (R-Westlake) and Marlene Anielski (R-Walton Hills) sent a letter to the budget conference committee urging them to lessen cuts to suburban school districts hit by an accelerated phase-out of Tangible Personal Property Tax reimbursements.

Ahead of a meeting of the HB153 Conference Committee, legislative leaders gave a few indications of where they're headed or would like to go on a budget compromise. House Speaker Bill Batchelder (R-Medina) said after Wednesday's House session that lawmakers would split the difference between the Office of Budget and Management and Legislative Service Commission on revenue estimates. The excess gained from that would go to replenish the Budget Stabilization Fund and increase appropriations in a few areas, including nursing homes, MRDD, and PASSPORT programs. Niehaus said he expects the committee to vote the budget out on Friday with the conference report on the Senate floor on Tuesday, June 28.

House Speaker Bill Batchelder (R-Medina) said some major budget items remain unresolved in conference committee, including removing lottery privatization from the budget and dealing with it in separate legislation; Gov. John Kasich's plan for a tax break for investment in Ohio companies, noting courts have weighed in on such tax breaks; and removing a Senate-added provision allowing sales of beer with alcohol content of up to 18 percent. Kasich said he expects more for-profit and nonprofit charter schools in the budget as well as teacher merit pay.

CRIMINAL JUSTICE

Sentencing reforms in HB86 (Blessing-Heard) finally cleared the General Assembly this week. The Senate Judiciary-Criminal Justice Committee approved a substitute bill with numerous changes Tuesday, and the full Senate approved the bill Wednesday on a bipartisan vote of 30-3, following addition on the floor of a few amendments, including removal of a notification provision for foster home placements. The House reluctantly concurred with Senate amendments Thursday, with Rep. Lou Blessing (R-Cincinnati) saying there wasn't enough time for a conference committee, given the budget effects of the bill. He said the House would come back in the fall with a bill to clean up some of the Senate changes. Gov. John Kasich vowed to sign the bill next week.

ECONOMIC DEVELOPMENT

A day that promised a major upside for Gov. Kasich's job czar was overshadowed Wednesday by new charges that venture capitalist Mark Kvamme suffers from a "blatant conflict of interest" in his continuing role with California's Sequoia Capital, where the governor's director of job creation helps lead an "outsourcing team." Kvamme addressed the largest audience in memory at the Columbus Metropolitan Club (CMC) on Capitol Square. Afterward, a large group of reporters probed Kvamme about his current cabinet-level role as director of job creation and his candidacy for JobsOhio, stating that he would be interim or permanent CEO if the governor chose him.

EDUCATION

Bob Sommers, director of the Governor's Office of 21st Century Education, dropped out as a top-three finalist for the state superintendent position. He said in a letter to Board of Education President Debe Terhar that attorneys told him he'd be barred from communicating with Gov. John Kasich's office for a year if he took the job because of state ethics laws. Terhar said the board doesn't plan to re-open the search, saying "We have two terrific candidates for the job." Those candidates are Robert Schiller, former state superintendent in Michigan and Illinois, and Stephen Dackin, superintendent of Reynoldsburg City School District.

Interim State Superintendent Stan Heffner said in his weekly update to educators that new value-added measures adopted by the State Board of Education should make it easier for districts to boost their rankings by shortening the timelines for value-added growth to figure into rankings.

ELECTIONS

Secretary of State Jon Husted said he hopes Ohio's presidential primary will stay in May, where it will be moved with the passage of elections reforms in HB194 (Mecklenborg).

Republican senators seemed unable to make up their minds this week on requiring photo ID for voting. They added a provision requiring it in elections legislation HB194 on Tuesday, only to strip it back out the next day. Then they scheduled a standalone photo ID bill, HB159, for a vote Thursday, but waffled back and forth on whether it would come out of committee that day. Senate session was recessed until late afternoon Thursday to allow work on the bill, but when after it finally cleared committee, the Senate decided not to take it up that day. "It just wasn't ready. We'll take it up next week," said Senate President Tom Niehaus (R-New Richmond). The elections bill, HB194, did end up passing the Senate on a party line vote.

Journalists and political scientists debated Ohio's status as a battleground state in the 2012 presidential election during a luncheon at the state's summer elections officials conference. Mike Curtin, associate publisher emeritus of *The Columbus Dispatch*, said Ohio became a battleground in the 20th century because of industrial development and a wave of immigrants. *Plain Dealer* columnist Tom Suddes predicted Texas Gov. Rick Perry would be the GOP nominee and said Gov. John Kasich could be his running mate.

The Ohio Help America Vote Act (HAVA) State Plan Committee Tuesday approved the latest round of plan amendments, clearing the way for the revised plan to be posted on the Ohio Secretary of State's (SOS) website for 30 days for public comment. Matt Damschroder, election director for Secretary of State Jon Husted, explained that it was unclear whether the state needs to formally change its plan now that the major HAVA goals addressing a statewide database, providing new voting equipment and outreach and education have been met.

ELECTIONS 2012

Christopher Galloway, a township trustee and president of the Lake County Township Association, joined former Rep. Jamie Callender in announcing candidacy for the 18th Senate District in the 2012 election, although the seat could open up sooner, as media reports indicate Sen. Tim Grendell (R-Chesterland) has applied for a vacant Geauga County judicial seat.

EMPLOYMENT/UNEMPLOYMENT

Ohio's unemployment rate stayed flat from April to May at 8.6 percent, according to the Ohio Department of Job and Family Services. The rate was down from 10.2 percent a year earlier and remained lower than the national rate of 9.1 percent. Secretary of State Jon Husted's office said new business filings were up in May from a year earlier.

ENVIRONMENT

The Ohio Environmental Protection Agency is taking comment on draft general air permits-to-install and operate for diesel engines and has finalized general PTIOs covering mineral extraction, aggregate processing and aggregate processors using portable units. The agency is taking public comments on draft general permits through June 24.

Ohio EPA has added a new notification tool that allows communication with public water systems, the agency said Monday. Ohio EPA can initiate a group call to designated public water systems to provide emergency alerts or compliance reminders. The system has been described as a reverse 911 alert system since it allows immediate notification to those supplying public drinking water.

Former Ohio Gov. Bob Taft testified before the Senate Agriculture, Environment and Natural Resources Committee on Thursday in opposition to the Republican-sponsored HB231 (Wachtmann), which is intended to implement the Great Lakes Compact in Ohio. Speaking as a concerned Ohioan and board member of the Alliance for the Great Lakes, Taft said several bill provisions directly conflict with the compact.

On Thursday, the Natural Resources Defense Council released a state-by-state look at implementation of the Great Lakes Compact. The report is particularly critical of Ohio because of actions included in HB231, which passed the House Wednesday. The report, *Protecting a Shared Future, Assessing and Advancing the Sustainable Management of the Great Lakes through Water Conservation and Efficiency*, looks at where the water conservation and efficiency requirements of the compact stand, and suggests some strategic actions states can take to promote environmental protection and economic development.

The Ohio Environmental Protection Agency (Ohio EPA) released on the agency's website on Thursday the 2011 Harmful Algal Bloom (HAB) response strategy at ohioalgaefinfo.com, including up-to-date information about the latest advisories or water quality. The final report, "Ohio Harmful Algal Bloom Response Strategy," is a coordinated effort between the Ohio EPA, Ohio Department of Health and Ohio Department of Natural Resources.

GAMING

Gov. John Kasich reached a deal with Penn National Gaming similar to his pact with Rock Ohio Caesars, with Penn set to pay the state an additional \$110 million, while Kasich will agree to back applying the Commercial Activity Tax to wagers minus payouts and to support installation of video slots at racetracks, some of which could be moved.

However, the Ohio Roundtable vowed a lawsuit, saying constitutional changes are needed to authorize aspects of Kasich's deals with the casinos, and promising also to sue over potential privatization of the lottery. "It seems that somehow the governor's office hasn't figured out that if you create a business plan in the state constitution, the only place you can amend that business plan is in the state constitution," said the Roundtable's David Zanotti.

Reps. Lou Blessing (R-Cincinnati) and Ron Gerberry (D-Canfield) quickly rolled out HB277, a bill to allow horseracing tracks that are eligible to install video slots to move to another location, in line with Gov. John Kasich's deal with casino operators. Blessing said the legislation is necessary to ensure racetrack slots and casinos don't cannibalize one another's sales by being too close together. The House passed the bill Thursday.

GENERAL ASSEMBLY/STATEHOUSE

Rep. Matt Lundy (D-Elyria) asked Attorney General Mike DeWine to weigh in on whether the governor's office must deliver public records Lundy requested, which was turned down by the governor's office on the basis that it was "overly broad." Lundy said the Supreme Court case cited as the basis for denials of overly broad requests is being misinterpreted by the governor's office.

The House concurred with Senate amendments Tuesday to HB133 (Adams), the state parks drilling bill, on a 57-38 vote. The chamber also passed HB25, dealing with animal cruelty; HB116, dealing with bullying; HB167, dealing with tax exemptions for student financial aid; SB84, dealing with advertising for musical acts; and HCR16, which congratulates military and intelligence forces for the Osama Bin Laden raid.

The Senate on Tuesday passed HB1B163 (Balderson), an update to Ohio's coal mining laws; SB117 (Seitz-Schiavoni), which amends areas of Ohio's probate law; and SCR11 (Lehner), which changes calculations for determining graduating rates.

Senate Republicans are taking applications until close of business July 1 for upcoming vacancies in the seats of Sens. Jimmy Stewart (R-Albany), who is leaving to work for the Ohio Gas Association, and Karen Gillmor (R-Tiffin), who was appointed to the Industrial Commission.

House Republicans fell one vote shy Wednesday of placing a proposed constitutional amendment to block parts of the federal health care overhaul in Ohio on the ballot, while passing legislation for compliance with the Great Lakes Compact, HB231, over Democrats' assertions that it will harm the environment.

Both caucuses held firm in their positions on SJR1 (Grendell), leaving the 59 majority Republican representatives a person short of the 60-vote threshold required for the General Assembly to propose a constitutional amendment on the ballot.

Also passed in the House session Wednesday were HB120 (Carey-Gentile), creating a task force to study areas of the state without access to potable drinking water; HB157 (Schuring-Letson), addressing dyslexia detection and education for teachers; HB218 (Hottinger), which aligns Ohio with federal standards on off-label uses of anti-cancer medications eligible for insurance coverage; HB245 (Yuko), which designates September as "Pain Awareness Month;" and HCR13 (Beck), which honors Vietnam War veterans on the 55th anniversary of the first casualty.

In other action, the Senate on Wednesday passed both HB92 (Martin-Beck), which aligns Ohio's adoption law with that of most other states by allowing the adoption of adults, and SB187 (Grendell), a naming bill, unanimously 33-0.

Among several measures approved Thursday in the House were SB122, which implements an updated version of the Interstate Compact on Juveniles; SB171, the Sunset Review Committee recommendations; HCR20, which urges the Pro Football Hall of Fame to induct Dick Schafrath; HB162, dealing with civil service exams and professional licenses for veterans and their spouses; HB170, which changes the statute of limitations for actions on written contracts; HB224, which makes it easier for military and overseas voters to apply for and cast absentee ballots; HB225, which makes changes to how local governments operate; and HB243, which removes per-county and population limits on the issuance of A3a liquor permits.

In other legislative action, the House Judiciary and Ethics Committee reported out HB212 (Grossman), which addresses adoption placements; the House State Government and Elections Committee reported out HCR19 (Yuko), which urges rights for Macedonians; the Senate Agriculture, Environment and Natural Resources Committee reported out HB185 (Carey), which designates July as "Ohio Aggregates and Industrial Minerals Awareness Week"; the Senate Judiciary - Criminal Justice Committee reported out HB64 (Ruhl-Burke), which adds synthetic cannabinoids to the list of Schedule I substances; the House Criminal Justice Committee reported out HB24 (Combs), dealing with sex offender notifications in nursing homes; the House Health and Aging Committee reported out HB100 (Williams), which creates a lupus education and awareness program; the House Veterans Affairs Committee reported out HR116 (Bubp), urging installation of a prayer plaque at the World War II Memorial; the Senate Health, Human Services and Aging Committee reported out HB152 (Mallory), dealing with charitable boxing; HB215 (Dovilla), designating an "Elder Abuse Awareness Day"; SB83 (Oelslager), granting additional prescriptive authority to advanced practice nurses; and SB141 (Gillmor), dealing with medical treatment of athletic teams visiting from out of state; the Senate Highways and Transportation Committee reported out SB187 (Grendell), a highway naming bill; the Senate Judiciary - Civil Justice Committee reported out HJR1 (Huffman-Fende), which changes qualifications for judges; and HB63 (Young), which deals with courts' consent for minors to receive abortions; and the Senate Government Oversight and Reform Committee reported out HB188 (Batchelder), which would create a constitutional modernization commission.

GOVERNOR

Gov. John Kasich signed an executive order banning state agencies from using public dollars to contract for services provided outside the country.

HEALTH & HUMAN SERVICES

A group called Stand Up for Ohio held a rally and food drive in Columbus to urge federal lawmakers to restore full funding for the Women, Infant and Children and Commodity Supplemental Food programs.

The Ohio Department of Job and Family Services (ODJFS) has unveiled a new, streamlined Program Enrollment and Benefit Information guide that it says will save Ohio taxpayers tens of thousands of dollars annually in printing costs and could save Ohio's largest counties hundreds of thousands of dollars annually in postage.

The Ohio Community Service Council (OCSC) announced Friday that twenty-six organizations have received AmeriCorps grants to address issues facing Ohioans and the nonprofit organizations or community agencies that are recipients. The grant will support more than 700 AmeriCorps members across the state who will help students succeed academically, mentor at-risk youth, assist veterans with employment opportunities, address food security issues, promote healthy nutrition and reduce obesity rates, clean up waterways and trails, prepare young people for the workforce, and help nonprofits recruit volunteers and achieve their mission, according to the council.

Gov. John Kasich signed an executive order to implement emergency rules for the State Medical Board to set standards for the operation of pain clinics as part of the fight against prescription drug abuse.

The budget for the Ohio Rehabilitation Services Commission, which is set only at maintenance-of-effort levels for drawing down federal funding, as proposed is leaving nearly \$30 million in federal funding on the table and could be at risk of federal penalties if complications with its local partnerships drop its budget below maintenance-of-effort levels.

On Wednesday, Ohio Department of Alcohol and Drug Addiction Services (ODADAS) Director Orman Hall delivered a presentation on "Attacking Ohio's Opiate Epidemic" to the House Health and Aging Committee. He estimated that the distribution of prescription opioids has increased in Ohio more than nine-fold between 1997 and 2010, translating to an increase from seven pills per capita to 67 pills per capita. At 130.2 pills for every man, woman and child, Jackson County had the highest rate in 2010. The lowest rate was in Holmes County at 18.2 pills per capita. Scioto County lead the state in total doses dispensed, at 9.7 million doses or 123 pills per capita.

Rep. Nickie J. Antonio (D-Lakewood) and Senate Minority Leader Capri Cafaro (D-Hubbard) on Wednesday introduced the Ohio Prevention First Act. The bill is designed to reduce Ohio's unintended pregnancy rate and make Ohio a healthier place for women, children and families, through comprehensive, age appropriate education and health care initiatives.

The Ohio Department of Health (ODH) Thursday confirmed the first evidence of West Nile virus (WNV) in Ohio in 2011 in two mosquito pools collected by the city of Columbus. No human or horse cases of WNV have been confirmed in 2011, but these results indicate that WNV is already active this summer in Ohio.

HIGHER EDUCATION

Youngstown State University trustees approved an increase of 3.5 percent in tuition, the maximum allowed by the proposed state budget, and Ohio University trustees were expected to do the same at the end of this week.

INSURANCE

The Ohio Insurance Institute said storms May 20-26 amounted to the third costliest natural disaster in recent state history, after the 2008 wind storm caused by Hurricane Ike and the deadly 1974 tornadoes in Xenia.

JUDICIAL

The Ohio Supreme Court ruled Tuesday that a clerk of courts has no duty to retrieve documents from a judge under the state Public Records Act, which does not apply to the courts. Similarly, a citizen requesting such documents is not entitled to attorneys' fees or statutory damages, which normally apply to public records not released within a "reasonable period of time."

NATURAL RESOURCES

State and federal officials said they were surveying trees in Bethel, near Cincinnati, following detection in Ohio of the invasive Asian longhorned beetle, which can kill several types of trees by tunneling into

branches and trunks during its larval stage. Gov. John Kasich followed up quickly with an executive order restricting sale and transport of plant and wood products in the affected area.

PENSION FUNDS

The executive directors of the five state retirement system said in letters and testimony to an Ohio Retirement Study Council subcommittee that the plan to hire an independent firm to do an outside review of state pensions has the potential to be costly and delay needed reforms. But Rep. Kirk Schuring (R-Canton), the subcommittee chairman, said he was very mindful of cost and timelines.

PEOPLE

Carleton McKenna & Company LLC, a Cleveland-based investment banking and valuation service firm, announced the hiring of Dominic Brault as managing director.

Mark Hill, a teacher member from Worthington on the State Teachers Retirement System Board of Directors, was elected vice chairman of the board.

James R. Castle, CEO of the Ohio Hospital Association, will retire at year's end after 23 years of service.

Ohio School Facilities Commission (OSFC) Director Richard Hickman announced on Thursday the hiring of David Chovan as chief financial officer and Jon Walden as manager of contracts and compliance.

STATE GOVERNMENT

The Columbus Chamber and Columbus Region Logistics Council offered their support in the Joint Committee on Agency Rule Review to state Board of Building Standards rules for egress standards and fire protection systems after the Department of Commerce changed previously filed rules to address concerns about their potential to create a lack of competitiveness for the Ohio logistics industry.

TAXATION

The Internal Revenue Service announced Thursday an increase in the optional standard mileage rates for the final six months of 2011. Taxpayers may use the optional standard rates to calculate the deductible costs of operating an automobile for business and other purposes. The rate will increase to 55.5 cents a mile for all business miles driven from July 1, 2011, through Dec. 31, 2011.