

**Ohio Library Council
BOARD OF DIRECTORS**

ITEM NO.: 7.F.1

MEETING DATE: Jan. 20, 2023

SUBJECT: **Government and Legal
Services Report**

SUBMITTED BY: **Jay Smith**

REPORT FOR INFORMATION

PLF Update

The Ohio Department of Taxation (ODT) posted the January 2023 Public Library Fund (PLF) distribution of \$40,887,888 – which is \$853,889 (or – 2.05%) below ODT’s original estimate that was issued in July 2022; and \$28,410 (or + 0.07%) more than ODT’s updated estimate issued in December 2022.

According to the Office of Budget and Management (OBM), overall state tax receipts for the month of December came in about \$32 million above estimates. So far, State Fiscal Year 2023 tax collections are up \$510.3 million (or + 3.8%) above estimates.

OBM Director Kim Murnieks believes Ohio is in a strong position headed into the next biennium but has indicated the administration is taking a cautious and conservative approach given economic uncertainty. She stated the following in an interview with reporters last week:

“We’re still seeing a lot of economic uncertainty nationally, internationally, most economists are projecting a national recession sometime in the upcoming biennium, and as we work with the economic forecasts that underpin our budget forecasts, those are things that we are taking into account. Ohio has a lot in the positive, and we are really excited about the development projects that have been announced and the really strong signs that Ohio is on the move on a positive trajectory. And we will be focused in the upcoming budget on policies and projects that keep that trajectory moving upward for all Ohioans,” Murnieks said.

A look at the PLF distribution for the past three years and a link to an [Excel spreadsheet](#) listing each county’s distribution total for January 2023 can be found on the [OLC website](#).

Lame-Duck Legislative Wrap-Up

The 134th Ohio General Assembly ended in December. The following are some of the highlights from the Lame-Duck Session.

House Bill (HB) 458, legislation containing several elections related changes, passed the Senate on a 24-6 party-line vote on Tuesday and later received concurrence by the House. The bill now goes to the governor for signing. One of the provisions contained in the bill will require Ohioans to present a photo identification to vote in-person. Additionally, the bill changes the deadline for absent voters’ ballots to be returned and the cure period for provisional and absentee ballots is four days after Election Day. Other changes amended

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into the bill will allow the Ohio Secretary of State's Office to conduct absentee ballot application mailings with conditions including a report to the Legislature.

Senate Bill (SB) 178, legislation to reform the Ohio Department of Education, which would transfer much authority over education governance from the State Board of Education to an agency director appointed by the governor. In an attempt to get the bill across the finish line, the Senate amended SB178 into HB151, legislation which included a requirement for schools to prohibit transgender girls from playing girls' sports. HB151 passed the Senate by a vote of 23-7, but ultimately failed when the House voted 46-41 not to concur with the Senate changes. The Senate is expected to prioritize legislation reforming the Department of Education in the next general assembly.

Legal Update on Gov. DeWine's Executive Order on State Electronic Devices

On Jan. 8, Gov. DeWine signed an Executive Order prohibiting certain applications, platforms, and websites on state owned and state leased devices to help maintain cybersecurity within Ohio state government.

Since this order was issued, we have received several questions from members asking if this order applies to public libraries. Upon our initial review, the Executive Order extends only to State agencies, boards, and commissions. Governmental public libraries do not fall into any of these categories based on how the associated terms are defined and used generally in the Ohio Revised Code. Libraries are separate political subdivisions of the State and, as such, operate independently from other public entities such as State agencies.

Rep. Stephens Elected Speaker of the Ohio House for the 135th General Assembly

During the opening day session for the Ohio House of Representatives on Jan. 3, State Representative Jason Stephens (R-Kitts Hill) was elected Speaker of the Ohio House of Representatives. Of the 99 members of the Ohio House, Speaker Stephens received 54 votes and upset the presumptive nominee, State Rep. Derek Merrin (R-Monclova Twp.), who received 43 votes and fell short of the 50-vote threshold to seize the gavel. Rep. Merrin previously had been tentatively selected by the Ohio House Republican caucus to serve as Speaker-Elect following the November general election, an informal vote which was negated by the formal floor vote.

Speaker Stephens will lead the Ohio House. The House Democratic Caucus (32 members) voted for Stephens along with 22 of the 67 House Republicans. The following leadership votes included the re-election of Minority Leader Allison Russo (D- Upper Arlington), and adoption of a minority leadership slate with Rep. Dontavius Jarrells (D-Columbus) as assistant minority leader, Rep. Jessica Miranda (D-Forest Park) as minority whip, and Rep. Tavia Galonski (D-Akron) as assistant minority whip.

In addition, the House selected former Finance Chairman Scott Oelslager (R-Canton) to serve as speaker pro tempore. At this time, no additional majority leadership members were selected. More will be discussed during the board meeting.

President Huffman Retains Leadership of the Ohio Senate

Senate President Matt Huffman (R-Lima) was re-elected to his position during the Senate's opening day session on Jan. 3. Joining President Huffman's leadership team will be Sen.

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Kirk Schuring (R-Canton) as president pro tempore, Sen. Rob McColley (R-Napoleon) as majority floor leader, and Sen. Theresa Gavarone (R-Bowling Green) as majority whip. All were elected unanimously by Ohio Senate members.

Sen. Nickie Antonio (D-Lakewood) was chosen as Senate Minority Leader, with a leadership team consisting of Sen. Hearcel Craig (D-Columbus) as assistant minority leader, Sen. Kent Smith (D-Euclid) as minority whip, and Sen. Paula Hicks-Hudson (D-Toledo) as assistant minority whip.

Ohio Senate Announces Committee Assignments

The Ohio Senate announced the rosters for its standing committees for the 135th General Assembly. Sen. Matt Dolan (R-Chagrin Falls) returns as chair of Senate Finance. New committee chairs include Sen. Bill Reineke (R-Tiffin) of Energy and Public Utilities; Sen. Michael Rulli (R-Salem) of General Government; Sen. Sandra O'Brien (R-Rome) of Local Government; Sen. George Lang (R-West Chester) of Small Business and Economic Opportunity; and Sen. Jerry Cirino (R-Kirtland) of Workforce and Higher Education.

OLC Hosts State Budget Advocacy Webinar on February 8

According to Director Kim Murnieks, the Ohio Office of Budget and Management is preparing the Fiscal Year (FY) 2024-2025 Executive Budget. Once it's introduced by the administration, the Ohio House of Representatives will begin working on the state budget. This will be an extremely important time as the OLC and its member libraries continue their advocacy efforts to restore state funding for public libraries through the PLF. To prepare library directors, fiscal officers and trustees to work with the members of the new General Assembly, the OLC will be hosting a webinar on Wed., Feb. 8 from 2-3:30 p.m.

The webinar is free for OLC members; but you must register to attend. Registration is available on the [OLC website](#). When registering, click "Finalize This Transaction" instead of "Pay Now" as there is no cost to participate.

During the webinar we'll provide an update on the state budget, the PLF, and what it means for public libraries. We'll also cover effective advocacy tools and techniques for developing relationships with legislators as well as how we will continue our work with the Ohio House and Ohio Senate over the next several months.

OLC Legislative Day

The OLC Government Relations Committee and the Legislative Network are busy planning the OLC Legislative Day at the Statehouse on April 26. With this year being a "budget year", the event will be hosted at the Ohio Statehouse. More information on this event will be shared at the Board Meeting.