

## Ohio Township Association Legislative Alert



**March 10, 2017**

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### **ACTION NEEDED!**

#### **Does Your Township Have the \$5 Permissive MVL fee?**

Pursuant to R.C. §4504.18, a township may levy a \$5.00 fee from the sale of passenger license plates to vehicles registered to residents of the township. The revenue from this permissive tax shall be used for the construction, reconstruction, improvement, maintenance and repair of township roads, bridges and culverts; for purchasing, erecting and maintaining traffic signs, markers, lights and signals; for purchasing road machinery and equipment, and planning, constructing and maintaining suitable buildings to house such equipment; for paying any costs apportioned to the township for installing railroad crossings; and to supplement revenue already available for all of the above purposes.

Included in [HB 26](#), the transportation budget bill, is language granting counties the ability to levy an additional \$5 MVL fee. The OTA and OML are asking members of the Ohio Senate to adopt an amendment to HB 26 that would give townships and municipalities the ability to also levy an additional \$5 MVL fee. Should the Ohio Senate include such an amendment, a resident of Ohio could potentially see their motor vehicle plate registration fee increase by a maximum of \$10.

#### **Would you be interested in testifying or providing written testimony requesting legislative authority to levy an additional \$5 MVL fee?**

The OTA is looking for a few township officials to share with members of the Ohio Senate how this proposed amendment would benefit your township. The Senate Transportation, Commerce & Workforce Committee will hold two hearings next week on [HB 26](#) and we would like Committee members to hear personally from township officials that would consider enacting an additional \$5 MVL fee to provide critical funds for transportation infrastructure. If you are interested in testifying on Tuesday, March 14 or providing written comments, please contact [Heidi Fought by email](#) or at 614.863.0045.

#### **Contact your Senator today and urge support of the amendment!**

The OTA encourages you to reach out to your Senator and request that they support the amendment described above that will be offered by Senator Manning. To see a list of Ohio Senate members, please visit the [132nd General Assembly website](#).

### **ACTION NEEDED!**

#### **HB 69 Would Provide Fairness to Townships**

This week, the House State & Local Government Committee heard [Rep. Cupp's sponsor testimony](#) on [HB 69](#). This legislation would require reimbursement of certain township fire and emergency medical service levy revenue should a municipality enact a residential TIF pursuant to [R.C. §5709.40](#) on land that is still connected to the township and the township is providing the

services to the TIF territory. The bill would also authorize a township to waive the reimbursement requirement or to negotiate an agreement for partial reimbursement with the municipal corporation creating the TIF.

HB 69 is slated for proponent/opponent/interested party testimony in the House State & Local Government Committee on Wednesday, March 15 at 2:30 p.m. in room 122 of the Ohio Statehouse. The OTA and the Coalition of Large Ohio Urban Townships (CLOUT) support this legislation and will be testifying on the bill. There are townships that have seen significant revenue loss due to municipalities creating these TIFs and taking the increased fire/EMS levy valuation yet still requiring the township to provide the fire/EMS to the more developed territory.

#### **Would this legislation benefit your township?**

If so, the OTA encourages you to contact your House member and members of the [House State & Local Government Committee](#) to express your support of the bill!

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## **OBM Updates Proposed LGF Numbers for Townships**

### **Local Government Fund Proposal**

As you read in the [Feb. 14 alert](#), the Office of Budget and Management released more details about Governor Kasich's proposal to alter how a portion of the LGF is distributed. For a complete description of the proposal, please visit the Ohio [Office of Budget and Management's website](#). You will be able to download an [explanation document](#).

### **ATTENTION - SPREADSHEET UPDATED!**

OBM has revised the proposed estimates for townships. [Please click here for the new Excel sheet with the revised estimates](#) for LGF distributions to townships using this new capacity-driven formula. Please take a few minutes to view what your township, and others in your county are projected to receive!

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## **OTA Activity This Week**

NATaT Board Meeting

Billy Kirkland, Deputy Director, White House Intergovernmental Affairs - tax issues, infrastructure

Sen. Manning - \$5.00 MVL fee for townships and municipalities

OML - additional \$5.00 MVL fee for townships and municipalities; centralized collection of municipal income tax

OML, CCAO, CEAO, MORPC - permissive MVL proposal

Ohio's Research Initiative for Locals (ORIL) - Peer Exchange report out session

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## **Recently Introduced Legislation**

[SB 95 PIPING MATERIALS](#) (Terhar) To require a public authority to consider all piping materials that meet the engineering specifications for a state-funded water or waste water project.

[SB 97 ECONOMIC DEVELOPMENT](#) (LaRose, Yuko) To establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances.

[HB 121 PIPE MATERIALS](#) (Edwards) To require a public authority to consider all piping materials that meet the engineering specifications for a state-funded water or waste water project.

[HB 122 ECONOMIC DEVELOPMENT](#) (Hambley, Rogers) To establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances.

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## Committee Hearings Next Week (3/13-3/17)

### Tuesday, March 14

**Senate Transportation, Commerce & Workforce (Ch. LaRose, 466-4823), Finance Hearing Rm., 9 a.m.**

**HB 26 TRANSPORTATION BUDGET** (McColley) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs.  
*3rd Hearing-All testimony*

**House Public Utilities (Ch. Seitz, 466-8258), Rm. 116, 3 p.m.**

**HB 114 RENEWABLE ENERGY** (Blessing) To revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program.  
*1st Hearing-Sponsor testimony-Pending referral*

### Wednesday, March 15

**Senate Transportation, Commerce & Workforce (Ch. LaRose, 466-4823), S. Hearing Rm., 9 a.m.**

**HB 26 TRANSPORTATION BUDGET** (McColley) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs.  
*4th Hearing-All testimony*

**Senate Government Oversight & Reform (Ch. Coley, 466-8072), Finance Hearing Rm., 9:45 a.m.**

**HB 34 PUBLIC NOTICES** (Hambley, Ryan) To authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail.

*1st Hearing-Sponsor testimony*

**SB 79 AGENCY REVIEWS** (Jordan) To require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet, and to require that Auditor of State performance audits be scheduled to coincide with the periodic review.

*1st Hearing-Sponsor testimony*

**SB 88 FISCAL EMERGENCIES** (Terhar) To modify the composition and powers of the financial planning and supervision commission of a political subdivision that is in a state of fiscal emergency and to clarify the duties of that political subdivision.

*1st Hearing-Sponsor testimony*

**House State & Local Government (Ch. Anielski, 644-6041), Rm. 122, 2:30 p.m. or after session**

**HB 39 SNOW REMOVAL** (Arndt, Gavarone) To authorize certain townships to require the removal of snow and ice from sidewalks abutting property.

*3rd Hearing-All testimony-Possible vote*

**HB 69 TIF DISTRICTS** (Cupp) To require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district.

*2nd Hearing-All testimony*

**HB 103 FISCAL PLANNING COMMISSIONS** (Reineke) To modify the composition and powers of the financial planning and supervision commission of a political subdivision that is in a state of fiscal emergency and to clarify the duties of that political subdivision.

*1st Hearing-Sponsor testimony*

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## National Association of Towns & Townships (NATaT) Update



### **FCC Comments Concerning Deployment of Small Cell Infrastructure**

As mentioned in [last week's alert](#), the FCC issued a Public Notice seeking comments on ways in which it could promote wireless infrastructure deployment by issuing a declaratory ruling, including but not limited to those suggested in a Petition for Declaratory Ruling filed by Mobilitie, LLC. The FCC sought to

determine how local land-use regulations or actions affect wireless infrastructure deployment. The Public Notice also listed the following potential issues to address in declaratory ruling:

- Local governments' practices that "prohibit or have the effect of prohibiting" provision of service.
- Reasonable period of time for review of siting applications.
- Application processing fees and charges for use of rights-of-way.

The National Association of Towns and Townships, along with the National League of Cities, the National Association of Telecommunications Officers and Advisors, the National Association of Counties, the National Association of Regional Councils, and the Government Finance Officers Association, filed comments with the FCC on March 8. To read the comments, please [click here](#).

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## OTA Looking for Prevailing Wage Information

As reported in [last week's alert](#), Senator Huffman introduced [SB 72](#), which would allow political subdivisions, special districts, and state institutions of higher education to elect to apply the Prevailing Wage Law to public improvement projects.

### WE NEED YOUR HELP!

Do you have examples of where complying with prevailing wage drove up the cost of a township project? Whether it was a building or a road, we have heard stories but now we are looking for specific examples and townships that are willing to share their stories. Specifically, we are looking for examples from the following counties.

Ashland	Hocking	Pickaway
Athens	Lake	Portage
Crawford	Marion	Preble
Cuyahoga	Medina	Richland
Darke	Miami	Sandusky
Fairfield	Montgomery	Seneca
Geauga	Morgan	Stark
Guernsey	Muskingum	Wyandot

If you have examples or would be willing to share your township's story with the General Assembly, please email [fought@ohiotownships.org](mailto:fought@ohiotownships.org).

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## Guernsey County Hosting Public Records/Ethics Training

The Guernsey County Township Association will be hosting a Public Records Training (presented by Ohio Auditor of State) and an Ethics Commission Training (presented by the Ohio Ethics Commission) on Monday May, 22, 2017. The training will be held at Zane State - Cambridge Campus in the Paul Brown Epic Center. The Public Records Training will be from 9:00 a.m. to 12:15 p.m. and the Ethics presentation will begin at 1:15 p.m.

To register for one or both of the trainings, please visit the Auditor of State's website by [clicking here](#). Should you have any questions, please contact Elizabeth "Betty" Duche', President of the Guernsey County Township Association, by email at [eduche@windstream.net](mailto:eduche@windstream.net) or by phone at 740.679.2387.

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### Ohio Township Association

6500 Taylor Road, Suite A, Blacklick, OH 43004  
614.863.0045 | [www.OhioTownships.org](http://www.OhioTownships.org)  
[fought@ohiotownships.org](mailto:fought@ohiotownships.org)