

Ohio Township Association Legislative Alert



March 17, 2017

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ACTION NEEDED!

Request More Money for Transportation Needs

As we have reported over the last few weeks, the OTA and Ohio Municipal League (OML) have been lobbying members of the Ohio Senate to include in [HB 26](#), the transportation budget, language that would allow townships and municipalities to levy an additional \$5.00 permissive MVL fee. This week [testimony was presented](#) to the Senate Transportation, Commerce & Workforce Committee requesting an amendment to HB 26. The OTA thanks Painesville Township and Benton Township for their testimony.

What We Are Hearing

In speaking with several Senate members this week (and reported in a Statehouse newspaper), there is definite interest in providing local governments additional funds to help with infrastructure needs. The debate is centering around how to provide those additional funds - permissive MVL fees or additional money being funneled to current transportation funding programs.

WE NEED TOWNSHIPS TO ACT!

You are strongly encouraged to contact your [Ohio Senator](#) and ask for additional funding for township roads be included in HB 26.

What is the Ask?

The OTA and OML would like to see townships and municipalities be given the permissive authority to levy an additional \$5.00 MVL fee. Language in HB 26 already gives counties this authority.

Additionally, the OTA supports any Senate funding innovation that can provide more road and bridge resources. Ideally, the OTA would like to see the \$5.00 fee AND an increase in other funding sources.

The OTA cannot support any reduction in funds from current amounts or no increase in funding at all.

ACTION NEEDED!

US Census Needs Township Participation!

The 2020 Census of the nation is right around the corner and the US Census Bureau needs the help of Ohio's townships to make sure that all township residents are being counted. Specifically, the US Census Bureau is requesting townships to:

- Complete the Boundary and Annexation Survey (BAS); and
- Review and comment on the US Census Bureau's residential address (LUCA) list for their township.

Boundary and Annexation Survey (BAS)

The Census Bureau conducts the Boundary and Annexation Survey (BAS) to update their records regarding changes to legal boundaries, names, and governmental status of all governmental units effective on or before January 1 of the survey year. All townships should have received **a letter** from US Census Bureau in December 2016. If you have not responded to the BAS letter, please do so by May 31.

Local Update of Census Addresses (LUCA) Program

The Local Update of Census Addresses (LUCA) program is a voluntary decennial operation but one that is vitally important to the accuracy of the decennial census. In 2010, Ohio had only 16.1% of the jurisdictions across the state participate in LUCA and only 7.3% of townships.



LUCA is the only opportunity for townships to review and update the US Census Bureau's residential address list for their jurisdiction. Why should a township participate in LUCA? Although the primary purpose of the decennial census is to apportion seats in the US House of Representatives, census data are used to:

- distribute federal funds for over 1,000 programs;
- provide statistical support for grant applications; and
- help your community plan for future needs.

For more information on LUCA and how your township can participate, please [click here](#).

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!

OTA Activity This Week

Sen. Manning's office - additional \$5.00 MVL fee for townships and municipalities; use of firearms in townships

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

Sen. Peterson - additional \$5.00 MVL fee for townships and municipalities; additional revenue for Local Transportation Improvement Program (LTIP)

Rep. Arndt - HB 39 (Clearing of Sidewalks in Townships)

Rep. Goodman's office (phone) - potential amendment to HB 39

Sen. Gardner - additional \$5.00 MVL fee for townships and municipalities; centralized collection of municipal income tax; LGF proposal in biennium budget

U.S. Census Bureau, Development Services Agency - encouraging local governments to help with Local Update of Census Addresses

Ohio Fire Marshal (phone) - Community Risk Reduction

Speaker's Office - priority legislation for townships

Auditor of State's staff (phone) - recent AG opinion, obligation threshold for townships

Recently Introduced Legislation

[HB 118 PROPERTY TAX COMPLAINTS](#) (Merrin) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner.

[HB 128 BUILDING INSPECTIONS](#) (Roegner) To permit a general contractor or owner of specified buildings to enter into a contract with a third-party private inspector or a certified building department for building inspection and to make other changes relating to building inspections.

Committee Activity This Week (3/13-3/17)

Tuesday, March 14

Senate Transportation, Commerce & Workforce

[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.

Townships and municipalities requested the Ohio Senate to consider an amendment to HB 26 that would give those jurisdictions the authority to levy an additional \$5.00 MVL fee.

Thank you to [Painesville Twp. \(Lake Co.\)](#) and [Benton Twp. \(Monroe Co.\)](#) for providing written testimony!

Wednesday, March 15

Senate Government Oversight & Reform

[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.

Sponsors Hambley and Ryan presented testimony to the committee. They emphasized the cost savings that the different local governments could realize with the enactment of the legislation.

[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.

Sponsor Terhar presented testimony to the committee.

House State & Local Government

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

There were no witnesses that testified and no amendments accepted.

[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.

The OTA and CLOUT, along with township officials from four central Ohio townships testified in support of the bill. To view the testimony, please [click here](#). Thank you Norwich, Plain and Jackson Townships in Franklin County and Violet Township in Fairfield County for the 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.

Sponsor Reineke provided testimony to the committee and noted that the legislation will increase independence and accountability on the Financial Planning and Supervision Commission, ensuring the entity in fiscal emergency will craft a sound recovery plan.

Committee Hearings Next Week (3/20-3/24)

Monday, March 20

[Senate Transportation, Commerce & Workforce](#) (Ch. LaRose, 466-4823), Fin. Hearing Rm., 3 p.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.
5th Hearing-All testimony-Possible substitute

Tuesday, March 21

House Ways & Means (Ch. Schaffer, 466-8100), Rm. 121, 9 a.m.

- All testimony on tax related provisions of the budget bill

HB 118 PROPERTY TAX COMPLAINTS (Merrin) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner.

1st Hearing-Sponsor testimony

Senate Transportation, Commerce & Workforce (Ch. LaRose, 466-4823), Fin. 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.

6th Hearing-All testimony

Senate Local Government, Public Safety & Veterans Affairs (Ch. Uecker, 466-8082), S. Hearing Rm., 9:45 a.m.

SB 43 BUILDING CODES (Bacon) To enable limited home rule townships to adopt building codes regardless of any similar codes adopted by the county in which the township resides.

2nd Hearing-Proponent 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.

2nd Hearing-All testimony

Wednesday, March 22

House Ways & Means (Ch. Schaffer, 466-8100), Rm. 116, 9 a.m.

- All testimony on tax related provisions of the budget bill. The panel will convene at 9 a.m. and then reconvene at 7 p.m. to accept additional public testimony.

HB 105 WELL FUND (Cera, Hill) To limit the amount of revenue that may be credited to the Oil and Gas Well Fund and to allocate funds in excess of that amount to local governments, fire departments, and a grant program to encourage compressed natural gas as a motor vehicle fuel.

1st Hearing-Sponsor testimony

Senate Government Oversight & Reform (Ch. Coley, 466-8072), N. Hearing Rm., 10 a.m.

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.

2nd Hearing-Proponent testimony

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.

2nd Hearing-Proponent testimony

Senate Transportation, Commerce & Workforce (Ch. LaRose, 466-4823), Fin. Hearing Rm., 10:15 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.

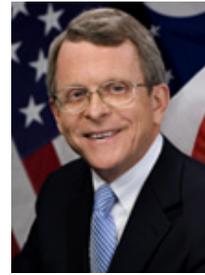
7th Hearing-All testimony-Possible amendments & vote

Recent Attorney General Opinions

2017-007 Health Insurance

Syllabus:

R.C. 505.60(D) does not authorize a board of township trustees to reimburse a township officer or employee for out-of-pocket premiums attributable to health care coverage otherwise obtained for the officer or employee's immediate dependents when the officer or employee elects to participate in the township's health care plan, but elects not to participate in the township's health care plan for his immediate dependents.



2017-008 County & Township Agreement for Roads

Syllabus:

1. A board of county commissioners and a board of township trustees may enter into an agreement pursuant to R.C. 9.482 or R.C. 307.15 whereby the county will repair and maintain driveways, parking areas, and structures owned by a township, and used by a non-profit recycling center.
2. A board of county commissioners may require a county engineer pursuant to R.C. 315.14 to maintain and repair driveways and parking areas owned by a township, but may not require a county engineer to maintain and repair township buildings used by a non-profit recycling center.
3. A board of county commissioners may use motor vehicle fuel excise and license tax revenues when a county engineer is required to repair and maintain a driveway and parking area on township property pursuant to an agreement under R.C. 9.482 or R.C. 307.15 between a board of county commissioners and a board of township trustees. (1990 Op. Att'y Gen. No. 90-097 (syllabus, paragraph 2), approved and followed, and 1976 Op. Att'y Gen. No. 76-074, approved and followed).

National Association of Towns & Townships (NATaT) Update



Volunteer Responder Incentive Protection Act (VRIPA) Introduced

This week, Reps. Dave Reichert (R-WA) and John B. Larson (D-CT) introduced the Volunteer Responder Incentive Protection Act of 2017 (VRIPA), a bipartisan bill that would provide a tax exemption on the benefits volunteer firefighters and emergency medical services (EMS) personnel receive from their communities. The bill number is [H.R. 1550](#). Ohio Congressmen Renacci and Ryan are co-sponsors of the legislation.

Request for Input - Rural Broadband Policy

Members of the US Senate Commerce Committee are extremely interested in advancing the deployment of and access to broadband services, particularly in rural communities. They have invited NATaT to assist in efforts to identify the best possible policy actions the federal government can do to further that goal.

In particular, the Committee is looking for suggestions regarding the following:

- One to three specific legislative proposals to advance broadband deployment.
- One to three specific regulatory actions the FCC can undertake to advance broadband deployment.
- One to three specific administrative actions other Federal agencies can undertake to advance broadband deployment.

Under the umbrella of broadband deployment and infrastructure, the Committee is considering ideas relating to a variety of issues, including but not limited to: spectrum policy, siting of broadband facilities, access to Federal property, Federal requirements and processes, new and existing Federal programs to support broadband financing or operations, and state and local issues.

Do you have any suggestions? If you do, please submit your suggestions by March 20 to OTA Executive Director Matt DeTemple via email at detemple@ohiotownships.org.

BWC Proposes Rebates to Employers

Ohio's employers could receive their third Bureau of Workers' Compensation premium rebate since 2013. The proposed rebate, before the BWC Board of Directors for a vote, would return \$1.1 billion to both public and private employers.

More than 200,000 employers would receive rebates equal to 66% of the employer's premium for the policy year ending June 30, 2016, or calendar year 2015 for public employers. Private employers could receive an estimated \$967 million. School districts \$41 million, and local governments \$92 million.



The proposed rebates were made possible by investment returns that have increased the net position of the State Insurance Fund to \$9.6 billion. BWC Administrator/CEO Sarah Morrison attributed the better-than-expected investment returns of 7% over the past three fiscal years to a diversified portfolio.

Rebate checks, if the proposal is approved by the BWC Board at the April meeting, may be issued as soon as July. It would mark the third rebate in four years, totaling about \$3 billion.

In addition to the rebates, BWC has returned \$4.8 billion to Ohio employers over the last six years through reduced premiums, credits and improved operations. Premiums have been reduced by nearly 30%, saving employers about \$2 billion. At the same time, BWC has tripled spending on safety grants, helping to lower the state's injury rate by 9%.

OTA Looking for Prevailing Wage Information

As reported in [the March 3 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.

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 or by phone at 740.679.2387.

OTA Baseball Outings Planned for 2017

Enjoy America's favorite pastime at the 2017 OTA Baseball Outings! We've reserved a limited number of seats at a Cleveland Indians and a Cincinnati Reds game this July. Bring your fellow township officials or make it a family day and have fun with the OTA!



Dates:
Saturday, July 1 - Cincinnati Reds Game
Saturday, July 8 - Cleveland Indians Game



Registration form may be downloaded by clicking [here](#).

For questions, please contact Elizabeth Antjas at 614.863.4500 or by email at antjas@ohiotownships.org.

Ohio Township Association

6500 Taylor Road, Suite A, Blacklick, OH 43004
614.863.0045 | www.OhioTownships.org
fought@ohiotownships.org



Ohio Township Association | 6500 Taylor Road, Suite A | Blacklick | OH | 43004

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