

Ohio Township Association Legislative Alert



March 24, 2017

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Senate Passes Transportation Budget, House Refused to Concur Setting Up Conference Committee Next Week

This week, the Ohio Senate passed the Transportation Budget ([HB 26](#)) after several omnibus amendments were accepted. While the OTA is disappointed that townships were not given the authority to levy an additional \$5 MVL fee, we are happy that the Senate provided additional MUCH NEEDED revenue to local governments by way of the Local Transportation Infrastructure Program (LTIP). The Ohio Senate allocated an extra \$48 million to LTIP, which provides grant funding to local governments for road and bridge projects.

The House did refuse to concur on the Senate-passed version of HB 26, thus requiring the formation of a conference committee to iron out the differences between the two versions. Conference committee members are:

[Senator Frank LaRose](#)
[Senator Scott Oelslager](#)
[Senator Charleta Tavares](#)

[Representative Ryan Smith](#)
[Representative Rob McColley](#)
[Representative Alicia Reece](#)

The conference committee is expected to meet on Monday.

ACTION NEEDED! Census Bureau Needs Township Participation!

The 2020 Census of the nation is right around the corner and the US Census Bureau is requesting townships:

- 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 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?

The 2020 Census Local Update of Census Addresses Operation (LUCA)

What is LUCA?
LUCA is the only opportunity offered to tribal, state, and local governments to review and comment on the U.S. Census Bureau's residential address list for their jurisdiction prior to the 2020 Census. The Census Bureau relies on complete and accurate address lists to reach every living quarter and associated population for censuses in the census.

Why participate in LUCA?

- To help ensure an accurate residential census count in your community.
- To help the federal government distribute more than \$400 billion in state funds for education, programs, and services.
- To help your community plan for future needs.

Who can participate in LUCA?
Active, functioning legal governments can participate in LUCA. These include:

- Federally recognized tribes with a reservation and/or off-reservation communities
- States
- Counties
- Cities (incorporated cities)
- Townships (incorporated or not)

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Timeline:

- January 2017: Addressing and registration forms mailed to the 13,000 local governments.
- October 2017: Training webinars, call center, and training webinars will be available online at the LUCA website.
- February 2018: Participation feedback mailed to registered participants. Participants have 30 calendar days from the receipt of feedback to complete their comments.
- August 2018: Feedback reviewed and incorporated into the results of Address Confidentialization.
- April 1, 2020: Census Day.

If you are unable to participate in LUCA, you may designate an alternate reviewer for your government, such as your county, state data center, or regional planning agency.

Census U.S. Department of Commerce
2020 Census Bureau
www.census.gov

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](#).

TIF Districts Created by Municipalities *Has Your Township Been Impacted?*

Is your township still connected to a city or village? Does your township provide the fire or EMS to that city or village? Has that city or village created a Tax Increment Financing (TIF) district pursuant to R.C. Sec. 5709.40? Has your township lost increased valuation on any fire or EMS levies due those TIFs?

If you answered yes to the above questions, we need to hear from you!

There is a bill (**HB 69 TIF DISTRICTS**) pending before the House State & Local Government Committee that would require a municipality that creates a TIF district pursuant to R.C. Sec. 5709.40 to reimburse township fire and EMS levies if the township is providing the primary fire or EMS to the territory included in the TIF district.

If your township has been impacted, please contact, Heidi Fought, OTA Director of Governmental Affairs at 614.863.0045 or by email at fought@ohiotownships.org.

OTA Activity This Week

Rep. Keller - township issues and township funding

Sen. Gardner - LGF

U.S. Senate Commerce Committee staff- broadband deployment issues (in cooperation with NATaT)

Recently Introduced Legislation

SB 103 EMERGENCY PROGRAMS (Coley) To permit a board of county commissioners, as an alternative to entering into an agreement to establish a countywide emergency management agency, to enter into a contract of not longer than four years with the county sheriff or a chief of a fire department that has countywide authority to implement a countywide emergency management program.

SB 113 FUEL TAX (Coley) To levy an additional registration tax on passenger cars, noncommercial motor vehicles, and commercial cars and trucks beginning on January 1, 2020; to authorize a per-gallon motor fuel retail price reduction for consumers that is equal to the state per-gallon motor fuel tax of \$.28; and to exempt each gallon of motor fuel that is sold at the reduced retail price from the state motor fuel tax.

SB 118 WORKERS COMPENSATION (LaRose, Brown) To make peace officers, firefighters, and emergency medical workers diagnosed with post-traumatic stress disorder arising from employment without an accompanying physical injury eligible for compensation and benefits under Ohio's Workers' Compensation Law for up to one year and to prohibit such a person from receiving a disability benefit from a state retirement system for post-traumatic stress disorder arising from employment without an accompanying physical injury during the time period the person receives compensation and benefits under the Workers' Compensation Law for the disorder.

Committee Activity This Week (3/20-3/24)

Monday, March 20

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.

The committee accepted a substitute bill that included a variety of changes to the version passed by the House. The new version pending before the Committee retains the ability of a county to levy an additional \$5 permissive MVL fee. Additionally, as we reported last week, the Senate allocated more money to the Local Transportation Improvement Program.

Tuesday, March 21

House Ways & Means

- All testimony on tax related provisions of the budget bill

The OTA and CLOUT submitted [written testimony](#) requesting consideration of the impact that centralized collection would have on JEDDs and JEDZs townships have created.

Senate Local Government, Public Safety & Veterans Affairs

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.

[Blendon Township](#) Administrator Bryan Rhodes testified in support of the bill. The OTA and CLOUT also provided [proponent testimony](#).

House State & Local Government

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.

State Auditor Yost testified in support of the bill and emphasized the need to revise the different provisions of the legislation. The Auditor noted that the bill is a result of two year's worth of work between his office and the statewide associations representing local governments.

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.

Sponsor Edwards provided testimony on the bill.

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

The bill was amended prior to passage by the full committee by a vote of 12-2. The amendment clarified that snow fall totals were per month for a period of November to March and that the bill does not change liability for a property owner that fails to remove snow.

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.

No one testified on the bill.

Wednesday, March 22

House Ways & Means

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.

Sponsors Cera and Hill provided testimony to the committee. They stated that the bill proposes a responsible and responsive distribution method for oil and gas severance tax dollars that will encourage development in shale areas of the state.

Senate Government Oversight & Reform

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.

In a repeat appearance from Tuesday, State Auditor Yost testified in support of the bill and emphasized the need to revise the different provisions of the legislation. The Auditor noted that the bill is a result of two year's worth of work between his office and the statewide associations representing local governments.

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.

Shelley Davis, administrator for the Cuyahoga County Board of Revision, testified in support of the bill. The OTA and County Auditors Association of Ohio submitted written [proponent testimony](#).

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.

The bill was amended and passed out of committee. Later in the day, the full Senate passed the measure. The House did not concur with the Senate changes, thus forcing a conference committee to hammer out the differences between the two versions.

Committee Hearings Next Week (3/27-3/31)

Monday, March 27

Conference Committee on HB 26 (Ch. Smith, 466-1366), Rm. 313, 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.

1st Hearing-Possible amendments & vote

Tuesday, March 28

House Finance (Ch. Smith, 466-1366), Rm. 313, 9 a.m.

HB 28 IC BUDGET (Brinkman) To make appropriations for the Industrial Commission for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of Commission programs.

1st Hearing-Sponsor-Possible amendments & vote-Pending referral

HB 49 BIENNIAL BUDGET (Smith) To provide authorization and conditions for the operation of state programs.

6th Hearing-All testimony

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

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

2nd Hearing-Proponent

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

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

3rd Hearing-All testimony

ARE YOU A LIMITED HOME RULE TOWNSHIP? WOULD YOU LIKE TO TESTIFY OR SUBMIT WRITTEN TESTIMONY ON THIS LEGISLATION? CONTACT THE OTA!

House State & Local Government (Ch. Anielski, 644-6041), Rm. 114, 10 a.m.

Wednesday, March 29

House Finance (Ch. Smith, 466-1366), Rm. 313, 9 a.m.

HB 49 BIENNIAL BUDGET (Smith) To provide authorization and conditions for the operation of state programs.

7th Hearing-All testimony

House Government Accountability & Oversight (Ch. Blessing, L., 466-9091), Rm. 114, 9:30 a.m.

HB 18 SPECIAL ELECTIONS (Pelanda, Retherford) To eliminate the requirement of holding a

special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances.

3rd Hearing-All testimony-Possible amendments & vote

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

3rd Hearing-All testimony-Possible vote

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.

2nd Hearing-Proponent

Thursday, March 30

House Finance (Ch. Smith, R., 466-1366), Rm. 313, 9 a.m.

HB 49 BIENNIAL BUDGET (Smith) To provide authorization and conditions for the operation of state programs.

8th Hearing-All testimony

Community Risk Reduction for Fire Departments ***Does Your Department Want to Volunteer?***

Community Risk Reduction (CRR) seems to be a buzz word in the fire service community right now - but it is often misunderstood. It is not simply a smoke alarm installation program or a school fire safety event. As noted on the Institution of Fire Engineers website at strategicfire.org, "Community Risk Reduction is a process to identify and prioritize local risks, followed by the integrated and strategic investment of resources (emergency response and prevention) to reduce their

occurrence and impact." In a nutshell, it is a method to make sure the right resources are being used in the most efficient way to decrease the risks that most impact a community. The most effective programs have identified positive outcomes through ongoing evaluation and measurement.



The concepts for CRR are not new, but there is now realization that many things that have always been done can be better organized, better planned and better facilitated. The goal is to focus efforts precisely on the areas that need the most attention, evaluate those results effectively and share those results with elected officials and the community.

Not sure how or where to start? A recommended place to begin is at the Institution of Fire Service Engineers Vision 20/20 project at strategicfire.org. There are tools, manuals, videos, training and network resources in the CRR Portal that can help you get started. You can find information about model programs and access presentations from recent symposiums.

The strategic plan for the Fire Prevention Bureau at the Ohio Division of State Fire Marshal is to begin providing support through their field educator team to help local departments identify your highest risks, to discover possible solutions to address them, and to help facilitate instruction for your officers and emergency responders. Please call the State Fire Marshal's office at 614-752-7115 to learn more about Community Risk Assessment.

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 vs. Chicago Cubs

Saturday, July 8 - Cleveland Indians vs. Detroit Tigers



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.

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