

Ohio Township Association Legislative Alert



May 12, 2017

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Senate Committee Hearings on Am. Sub. HB 49 (Biennium Budget) Have Begun

As reported last week, the Ohio House passed the budget and the Senate has begun hearings on the two-year spending plan for the state. Please [click here to view a chart](#) of the items included in Am. Sub. HB 49 that directly or indirectly impact townships.

HB 49 (As Passed by the House)
FY 2018-2019 Budget Bill
132nd General Assembly

ISSUE	DESCRIPTION	PAGES
Funding for Government Projects by Foreign Entity (Sec. 9.58, 9.581, 9.582, 9.583, 9.584)	- Prohibits a foreign entity from providing financing for a local government project, either directly or indirectly, unless they do the following: - within two days, the foreign entity contacts the political subdivision proposing the project and notifies the port authority, if project is located within a port authority, or the county in which the project will be located; and - Upon entering into a financing agreement, the foreign entity provides written confirmation to the port authority or county, as applicable, that an agreement has been reached.	Pages 22-25
Training for Peace Officers (Sec. 109.803)	- Requires the AG to include rules that (1) allow peace officers to earn up to four hours of continuing professional training hours by providing drug use prevention education in K-12 schools; (2) allow a peace officer to earn training hours for providing drug use prevention in K-12 schools; and (3) prohibit training hours earned this way from being used to offset hands-on training otherwise required.	Pages 124-126
Creates DataOhio Program (Sec. 117.432, 117.58)	- Within two years after the effective date, the Auditor of State shall establish appropriate uniform accounting procedures and charts of accounts that may be used by all public offices. - Public offices that maintain financial records in accordance with the rules established by the auditor of state under this section shall be deemed by the auditor of state to have earned a "DataOhio Transparency Award-Uniformity of Accounting." - Auditor of State shall establish, administer, and operate a web site - data.ohio.gov - to function as the state's primary online catalog of public records and data sets of public records shared for this purpose by any public office in the state. - Public records and data sets of public records shall be made available online and in an open format, and may be cataloged through the use of links, uploaded data files, streaming data, or other technologies that allow convenient online public access.	Pages 127-128
Data Management and Analytics Program (Sec. 125.32)	- Permits the Department of Administrative Services (DAS) to establish an enterprise data management and analytics program to gather, combine and analyze data provided by one or more agencies to measure the outcome of state-funded programs, develop policies to promote the effective, efficient and best use of state resources, and to identify, prevent or eliminate fraudulent use of state funds, resources or programs.	Pages 261-263
Local Government Fund Percentage (Sec. 131.51)	- Codifies the percentage of the IGF to the state GRF - 1.66% of the total tax revenue credited to the general revenue fund during the preceding month.	Pages 283-285

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Recently Introduced Legislation

[HB 204 GRANTS DEPARTMENT](#) (Barnes) To create the Department of Grants and Philanthropic Gestures.

[HB 207 PHOTO MONITORING](#) (Patton) To prohibit a municipal corporation or township that does not operate either a fire department or an emergency medical services organization from utilizing traffic law photo-monitoring devices.

[HB 208 PHOTO MONITORING](#) (Patton) To prohibit a local authority with a population of 200 or fewer from utilizing traffic law photo-monitoring devices.

[HB 209 PHOTO MONITORING](#) (Patton) To prohibit a local authority, in any year, from issuing a

total number of traffic tickets based on the use of traffic law photo-monitoring devices that exceeds two times the population of the local authority.

[HB 210 PHOTO MONITORING](#) (Patton) To prohibit a local authority from deriving more than 30 per cent of the total annual revenue of the local authority from the issuance of tickets for traffic law violations based on evidence recorded by traffic law photo-monitoring devices.

Legislative Activity This Week

Tuesday, May 9

House State & Local Government

[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.

Prior to unanimously reporting the measure to the full House for a vote, the Committee accepted an amendment that expressly stated the bill only applies to TIFs created after the effective date of the legislation.

[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.

The Committee heard from over 15 witnesses in opposition to the bill. Opponents include: American Council of Engineering Companies of Ohio, Ohio Society of Professional Engineers, Ohio Rural Water Association, Ohio Section - American Water Works Association, Association of Ohio Metropolitan Wastewater Agencies, County Commissioners Association of Ohio, National Society of Professional Engineers, Ohio Society of Professional Engineers, and the Ohio Municipal League.

[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.

The bill was unanimously reported to the full House for passage.

[HB 168 CEMETERY REGISTRATION](#) (Stein) To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, and to make an appropriation.

Rep. Stein provided sponsor testimony before the Committee. He noted that the legislation stems from the 2014 Ohio Cemetery Law Task Force Report.

House Economic Development, Commerce & Labor

[HB 163 PREVAILING WAGE](#) (Roegner, Riedel) To allow political subdivisions, special districts, and state institutions of higher education to elect to apply the Prevailing Wage Law to public improvement projects.

Sponsors Roegner and Riedel provided testimony before the committee stating that the bill would restore local decision making and lower construction costs for local governments.

Wednesday, May 10

House Agriculture & Rural Development

[HB 175 LIVESTOCK OWNERSHIP](#) (Brinkman) To allow an owner of residential property to keep, harbor, breed, or maintain small livestock on the property, and to prohibit zoning authorities from regulating certain agricultural activities conducted on residential property for noncommercial purposes.

Sponsor Brinkman provided testimony before the Committee. He stated that the bill would lessen the severity of food deserts by expanding opportunities for residents to raise small animals like chickens and rabbits. The Committee members questioned whether the proposal would trump home rule and local zoning regulations currently in place and Sponsor Brinkman stated yes.

Legislative Activity Next Week (May 15-19)

Tuesday, May 16

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

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.

2nd Hearing-Proponent testimony

House State & Local Government Committee (Ch. Anielski, 644-6041), Rm. 113, 10:00 a.m.

HB 168 CEMETERY REGISTRATION (Stein) To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, and to make an appropriation.

2nd Hearing - Proponent, Opponent & Interested Party testimony

House Insurance (Ch. Brinkman, 644-6886), Rm. 116, 9 a.m.

HB 27 BWC BUDGET (Brinkman) To make changes to the Workers' Compensation Law, to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of the Bureau's programs.

7th Hearing-All testimony-Possible amendments, substitute & vote

House Economic Development, Commerce & Labor (Ch. Young, 644-6074), Rm. 113, 1:30 p.m.

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.

2nd Hearing-Proponent testimony

Federal Update - NATaT



U.S. House Passes Bills to Strengthen FEMA Disaster Response & Recovery Programs

The U.S. House of Representatives last week unanimously approved three bills that will strengthen the federal disaster response and recovery programs of the Federal Emergency Management Agency (FEMA). The bipartisan bills approved will ensure that the federal government fairly considers the needs of America's smaller communities that are trying to rebuild from disasters, provide more certainty in disaster assistance decisions for state and local governments, and will improve FEMA transparency and efficiency for disaster grant applicants.

- H.R. 1665 directs FEMA to appropriately weigh and consider severe local impact when evaluating whether to recommend a major disaster declaration. This bill ensures a more level playing field for smaller communities when impacted by severe disasters.
- H.R. 1678 implements a statute of limitations on FEMA's ability to recover grant assistance from recipients after a disaster, in cases where there is no evidence of fraud, waste or abuse.
- H.R. 1679, the FEMA Accountability, Modernization and Transparency Act of 2017, modernizes FEMA's management of grant programs to improve applicant accessibility and transparency. The bill was approved by a unanimous vote.

House Passes American Health Care Act

On May 4, the U.S. House of Representatives passed, by a vote of 217-213, the "American Health Care Act of 2017" (H.R. 1628), with all 193 House Democrats and 20 House Republicans voting against the bill. The legislation repeals the core elements of the Affordable Care Act (ACA), including its subsidies to help people get insurance coverage, expansion of Medicaid, taxes and mandates for people to get coverage. In its place, the bill provides a new tax credit aimed at helping people buy insurance, though it would provide less help than the ACA to low-income people. The measure has deep cuts to Medicaid, the government healthcare program for low income people, including putting a new cap on payments and ending the ACA's expansion of the program after 2020. A key move which brought most of the House Freedom Caucus on board with the legislation was an amendment that allows states to apply for waivers to one of the ACA's key protections for people with pre-existing conditions, known as

community rating. Additionally, a last-minute addition of \$8 billion more in funding for people with pre-existing conditions was key to winning over several wavering moderates, though many experts doubt whether that will be close to enough funding. Senate Republican leadership indicated that they will write their own version of a healthcare bill, rather than work from the American Health Care Act. The House also passed on May 4, by a vote of 429-0, a bill (H.R. 2192) that would ensure that members of Congress and their staff would be covered under the American Health Care Act.



May OPERSource Now Available

The May 2017 issue of OPERSource is now available. To view the May issue, please [click here](#).

Register Now! Robert's Rules of Order Seminar on May 19

Do you understand how to amend a motion? Do you ever need to amend or revise your organization's bylaws? How do you make recommendations during a meeting? To answer the above questions and others that you may have, the Ohio Association of Parliamentarians invites you to attend their Annual Session.:

Stepping to the Rhythm of Robert: Revise-Amend-Recommend

May 19, 2017

8:30 a.m. to 5:00 p.m.

Forest Park Municipal Building

1201 West Kemper Road

Cincinnati, Ohio 45240

Nationally known professional parliamentarians will present the latest information on how to amend motions, revise and amend organizational documents, and make recommendations, as well as address other pertinent topics in parliamentary procedure.

This session is open to anyone who is interested in learning how to apply the principles that are contained in the authoritative text on conducting meetings, *Robert's Rules of Order Newly Revised* (11th Edition). The session will benefit board members and officers of nonprofit organizations, church and community boards, city clerks of council, newly elected governmental officials, student organization officers and members, and others who are interested in effective meeting management and decision making.

Registration fee: \$25 for Adults / \$10 for Students (Registration fee includes lunch.)

For additional information, contact Kathy Lives, PRP, at 513.742.0043 or liveskathy@yahoo.com.

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