

Ohio Township Association Legislative Alert



May 19, 2017

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

Various Senate Finance Subcommittees continued to take testimony on the budget bill ([HB 49](#)) this week. Amendments for consideration are due next week and the first round of Senate changes are expected the first week of June. Please [click here to view a chart](#) of the items included in [Am. Sub. HB 49](#) that directly or indirectly impact townships.

Recently Introduced Legislation

[HB 218 PARK DISTRICTS](#) (Seitz) To expand a probate court's powers and duties with regard to a park district.

[HB 219 SPEED LIMITS](#) (Bocchieri) To specify that a speed limit becomes effective at a reasonable distance from the appropriate sign giving notice of the speed limit.

[HB 221 WATER SEWER PROJECTS](#) (Holmes) To expressly include, as eligible projects under the State Capital Improvements Program administered by the Ohio Public Works Commission, water and sewer laterals located on private property.

[HB 225 OIL GAS WELLS](#) (Thompson) To allow a landowner to report an idle and orphaned well or abandoned well, to require the Chief of the Division of Oil and Gas Resources Management to inspect and classify such a well, to require the Chief to begin plugging a well classified as distressed-high priority within a specified time period, and to authorize an income tax deduction for reimbursements paid by the state to a landowner for costs incurred to plug an idle or orphaned well.

[HB 226 FIREWORKS](#) (Seitz, Sweeney,) To establish a fireworks study group to review and make recommendations regarding the Fireworks Law, to extend to July 1, 2020, the moratorium on issuing fireworks manufacturer and wholesaler licenses, to eliminate, beginning January 1, 2021, the moratorium on geographic transfer of fireworks manufacturer and wholesaler licenses, and, beginning July 1, 2020, to impose a fee on the retail sale of consumer grade fireworks in this state and to expand the ability of individuals to obtain 1.3G display fireworks and obtain and use 1.4G consumer fireworks.

Meetings This Week

CLOUT Executive Committee Meeting

Senate President Larry Obhof - HB 49 impact on townships

Senate President Pro Tem Bob Peterson - HB 49 impact on townships

Senate Majority Floor Leader Randy Gardner - HB 49 impact on townships

Senate Majority Whip Gayle Manning - HB 49 impact on townships

Senate Finance Chairman Scott Oelslager - HB 49 impact on townships

Senator Lou Terhar - HB 49 impact on townships

Rep. Jack Cera - HB 105 (Oil and Gas), entertainment tax for townships

Rep. LaTourette's office (phone) - lighting districts in townships

CCAO & OML staff - HB 49 provisions

Ohio School Boards Association - HB 49 provisions

Legislative Activity This Week

Tuesday, May 16

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.

The Committee heard proponent testimony from a variety of county and township officials imploring the General Assembly to pass HB 105 and return some of the oil and gas severance tax revenue back to the area of the state impacted by the operations. To read the testimony presented, [please click here](#) and then click on May 16. Thank you to the following township officials that testified in person or provided written testimony: Terry Bell, Dale Dietrich, Carl Mangun, Scott Porter and Franklin Shaffer.

House State & Local Government Committee

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.

The OTA provided proponent testimony before the Committee, encouraging support for the proposed grant program in the bill. To read the OTA's testimony, please [click here](#). The Ohio Cemetery Association and the Catholic Conference of Ohio also testified in support of the legislation.

House Economic Development, Commerce & Labor

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.

Bryan Williams, Director of Government Affairs for Associated Builders and Contractors, testified in support of the bill. He stated that the bill is necessary because many building departments stymie the timely construction of projects in their jurisdiction simply because they are unable or unwilling to hire more inspectors or they lack the professional expertise to inspect a unique and complicated aspect of a specific project.

Thursday, May 17

Senate Finance General Government & Agency Subcommittee

HB 49 BIENNIAL BUDGET (Smith) To make operating appropriations for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of state programs.

The Subcommittee continued to take agency and public testimony on the budget bill. The OTA presented testimony on the various township-specific sections in the bill. To read the testimony, please [click here](#).

Committee Activity Next Week (May 22-26)

Tuesday, May 23

House State & Local Government (Ch. Anielski, 644-6041), Rm. 116, 10 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.

3rd Hearing-All testimony-Possible vote

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.

1st Hearing-Sponsor testimony

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

1st Hearing-Sponsor testimony

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.

1st Hearing-Sponsor testimony

HB 210 PHOTO MONITORING (Patton) To prohibit a local authority from deriving more than 30 percent 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.

1st Hearing-Sponsor testimony

SB 37 POLICE CHIEF TRAINING (Hite) To require the Ohio Peace Officer Training Commission to develop and conduct a chief of police training course for newly appointed village, city, and township chiefs of police.

2nd Hearing-All testimony

House Economic Development, Commerce & Labor (Ch. Young, 644-6074), Rm. 017, 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.

3rd Hearing-Opponent testimony

Federal Update - NATaT



President to Release Detailed FY 2018 Budget

The Trump Administration is scheduled to publicly release its detailed FY 2018 budget on either Monday or Tuesday next week. House and Senate Appropriations Committees will then begin marking up and voting on all 12 annual appropriations bills for the remainder of May, June, and July, prior to the five-week summer recess in August. Additionally,

the Congressional Budget Office is scheduled to release its cost estimate for the House-passed version of the American Health Care Act early in the week of May 22.

MPO Rule Nullified

On May 12, President Trump signed a bill (S. 496) into law to nullify the December 2016 final rule from the Federal Highway Administration and Federal Transit Administration that would force many local Metropolitan Planning Organizations (MPOs) in the same region to merge. The bill, which the Senate passed on March 8 by Unanimous Consent and the House passed on April 27 by a vote of 417-3, is different than a resolution under the Congressional Review Act (CRA), in that once the rule is repealed, the Trump Administration or a future Administration will be free to try again with a rule that approaches the subject a bit differently (rules nullified under the CRA cannot be reissued "in substantially the same form"). The rule was broadly unpopular with MPOs

and other stakeholders and S. 496 has been endorsed by the National Association of Regional Councils (NARC) and the Association of Metropolitan Planning Organizations (AMPO).

Intergovernmental Relations Task Force Created in U.S. House

House Speaker Paul Ryan (R-WI) and Minority Leader Nancy Pelosi (D-CA) announced Thursday, May 18, the creation of a House Task Force on Intergovernmental Relations, a bipartisan group of lawmakers focused on balancing the interests between federal, state, tribal, and local governments.

The Task Force will be led by Congressman Rob Bishop (R-UT). Congressman Richard Neal (D-MA) will be the highest ranking Democrat on the panel. Seven of the largest state and local associations - including the National Governors Association, National League of Cities, and U.S. Conference of Mayors - will serve as an advisory council to the task force. NATaT officials will be meeting with Speaker Ryan next week and will be requesting a NATaT representative be added to the Task Force.

In announcing the task force, Speaker Ryan said the task force "will study ways to restore the proper balance of power between the federal government and states, tribal, and local governments, and eliminate unnecessary regulatory burdens facing communities across the nation."

Most members have some state or local experience, having served in the state legislature, as a local councilman or mayor, or - in the case of Rep. Charlie Crist (R-FL) - as governor.

CHAIRMAN: Speaker's Designee Rep. Rob Bishop (R-UT)

REPUBLICANS: Rep. Gary Palmer (R-AL), Rep. Luke Messer (R-IN), Rep. Mark Walker (R-NC), Rep. John Culberson (R-TX), Rep. Lee Zeldin (R-NY), and Rep. Jenniffer González-Colón (R-PR)

DEMOCRATS: Rep. Richard Neal (D-MA), Rep. Raúl Grijalva (D-AZ), Rep. Gerry Connolly (D-VA), Rep. Norma Torres (D-CA), Rep. Anthony Brown (D-MD), and Rep. Charlie Crist (D-FL)

ORIL Releases Study Regarding Using Crushed Recycled Glass in Roadway Construction

[Ohio's Research Initiative for Locals](#) (ORIL) has released a study regarding the use of crushed recycled glass in the construction of local roadways. ORIL is Ohio's new research program for Local Public Agencies (LPAs). The purpose of ORIL is to provide research support for local agencies to address problems specific to the local roadway system.

The program is administered by a 15-person board composed of County Engineers, City Engineers, a Township Representative, Academics and ODOT Technical Experts. The board is supported by non-voting members from the Ohio LTAP Center, ODOT's Research Program and the FHWA Ohio Division Office. To learn more about ORIL, please [click here](#).

USE OF CRUSHED RECYCLED GLASS STUDY SHORT DESCRIPTION:

Glass cullet is produced from crushing waste glass collected in municipal and industrial waste streams to a specific size. In Ohio, it is primarily used in new glass container manufacturing. One possible alternative is to use crushed glass in the construction of civil infrastructures. This study was initiated to assess the feasibility of using crushed recycled glass as an aggregate in local roadway construction. The current recycled glass market was surveyed to evaluate whether there will be sustained supply of recycled glass for construction use in Ohio. It was found that the State of Ohio has both a huge supply (as high as 319,000 tons in 2015) and manufacturing demand (as high as 295,000 tons in 2015) for recycled glass and currently the supply can meet the manufacturing demand in a practical manner. Both glass processors and material recycle facilities (MRFs) in Ohio showed strong interest in utilization of recycled glass in roadway constructions. However, the collected data indicate that projected annual supply of the



recycled glass that may be available for road construction is not sufficient for wide scale use on local applications. A cost-effective solution for a sustained supply of recycled glass for roadway construction use is to source glass directly from local MRFs and involve local aggregate suppliers. To achieve a cost effective use of recycled glass in roadway construction requires leadership from ODOT, ODNR and OEPA to encourage better coordination of MRFs, aggregate suppliers, and end users.

[To read the study in its entirety, please click here.](#)

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