

Ohio Township Association Legislative Alert



June 8, 2018

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Committee Schedule Next Week

****No House or Senate committees are scheduled to meet next week. The House is scheduled to be in session the week of June 18 and the Senate is scheduled to return the week of June 25.****

Legislative Activity This Week

Tuesday, June 5

Senate Insurance & Financial Institutions

SB 292 CREDIT UNIONS (Terhar) To revise the laws governing credit unions and to allow credit unions to serve as public depositories.

Sponsor Terhar presented an overview of the legislation that he has introduced in previous general assemblies. He noted that the bill would update the state's charter under which the credit unions would operate. He also mentioned that there are two areas still left to address - method by which the credit union can partner with communities and how restrictive the field of membership should be.

House Ways & Means

HB 571 LODGING TAXES (Greenspan) To specify that, for the purposes of the sales and use tax and local lodging taxes, the "price" on the basis of which a hotel intermediary must collect and remit the tax is the total amount paid by the customer for the hotel lodging, as advertised by the hotel intermediary.

In a very well done [Power Point presentation](#), Sponsor Greenspan outlined the provisions of the bill, which the OTA supports. In his [sponsor testimony](#), he explained how online travel companies are charging the sales and hotel taxes on one amount but remitting payment to the state and locals on the lesser, contracted amount with the hotel.

HB 575 VOLUNTEER TAX CREDITS (Keller, Rezabek) To grant income tax credits to persons who serve as volunteer firefighters or emergency medical service technicians.

Rep. Becker offered, and the committee accepted, an amendment that would clarify that a full-time firefighter or EMT must volunteer with a community and meet the requirements of the bill to qualify for the tax credit.

Senate Finance

SB 225 BROADBAND GRANTS (Schiavoni, Eklund) To create the Ohio Broadband Development Grant Program and to make an appropriation.

A substitute version of the bill was accepted by the committee for consideration. Connected Nation, Policy Matters Ohio, the Corporation for Ohio Appalachian Development, Connect Ohio, local governments, businesses and educators testified in support of the measure. The OTA and Ohio Municipal League submitted [joint proponent testimony](#) in support of the legislation.

Senate Health, Human Services & Medicaid

SB 210 AUXILIARY CONTAINERS (Coley) To authorize a person to use an auxiliary container for any purpose, to prohibit a municipal corporation from imposing a tax or fee on auxiliary containers, and to clarify that the existing anti-littering law applies to auxiliary containers.

An Orange Township (Delaware Co.) resident testified in opposition to the bill. The [OTA also submitted opposition testimony](#) on the measure citing the prohibition for limited home rule townships to adopt regulations that are in the best interest of their communities.

Rep. Hill's office - HB 175 testimony

Sen. Coley's office - SB 210 opposition

Wednesday, June 6

Ohio House of Representatives

The Ohio House selected a new speaker to replace former Speaker Cliff Rosenberger, who resigned nearly two months ago. After 11 rounds of voting, Rep. Ryan Smith obtained the most votes and will lead the House of Representatives for the remainder of the year. In the final tally, Mr. Smith landed 44 votes, followed by Mr. Strahorn with 27, Mr. Thompson with 13 and Mr. Hughes with 7. With the selection of a new speaker, the House can now get back to business and hopefully take action on over 150 bills pending before the chamber.

Ohio Senate

SB 299 LAKE ERIE FUNDING (Gardner, O'Brien) To make appropriations for the protection and preservation of Lake Erie.

The Ohio Senate voted 33-0 to support the measure, which now heads to the House for hearings.

Senate Energy & Natural Resources

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.

Several witnesses testified in support of the provision added to reduce wind farm setbacks. The Industrial Energy Users-Ohio and Ohio Advanced Energy Economy testified as interested parties and the Ohio Coal Association and the Buckeye Institute testified as opponents.

Recently Introduced Legislation

SB 307 LEGISLATIVE INTENT (Obhof) To eliminate the rule of construction regarding a court's considerations in determining the intention of the legislature when a statute is ambiguous.

Supreme Court Decision Upholds Sovereign Immunity for Political Subdivisions

On Tuesday, the Ohio Supreme Court released its decision in *Pelletier v. City of Campbell*, reversing the lower courts and holding that the City of Campbell (Mahoning Co.) was entitled to summary judgment in its favor, by virtue of its sovereign immunity under R.C. §2744.02. The case stemmed from a woman that ran a stop sign, which she claims she did not see, due to foliage covering the stop sign. She then sued the City of Campbell.

Specifically, the Ohio Supreme Court, in its [decision](#), held that the stop sign was in good repair because it was "in good or sound condition and was not deteriorated or disassembled."

Furthermore, the foliage "near or in the vicinity of" the stop sign was not actually on the stop sign, and so the City's sovereign immunity was not abrogated by the failure to remove an obstruction (the foliage) from the stop sign under R.C. 2744.02(B)(3). Therefore, the Court re-instituted the City's sovereign immunity and directed the trial court to dismiss Ms. Pelletier's claims against the City.

Federal Update

The House and Senate were in session this week. The House considered seven bills under suspension of the rules including the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (H.R. 3249), which would formally establish a DOJ grant program to combat gun and gang violence and authorize \$50 million annually for the program from FYs 2019-2021; the Water Resources Development Act (WRDA) of 2018 (H.R. 8), which authorizes federal water infrastructure, flood control, storm damage and other projects and changes how the U.S. Army Corps of Engineers reviews projects supported or sponsored by non-federal interests; and the FY 2019 Energy-Water Development, Legislative Branch, Military Construction-VA minibuss appropriations package (H.R. 5895), which would fund the U.S. Army Corps of Engineers, Bureau of Reclamation, Congressional entities, Department of Defense military construction activities, and the VA.



The House Appropriations Committee marked-up the FY 2019 Interior-Environment bill on Wednesday. The Senate Appropriations Committee marked-up the FY 2019 Transportation-HUD and Military Construction-VA Appropriations bills on Thursday.



Looking for State Fair Volunteers

Each year, the Ohio Township Association presents trophies and other awards for 4-H participants at the Ohio State Fair.

The fair will take place July 25 - Aug. 5, and the OTA needs your help. If you are interested in presenting a state fair award on behalf of the OTA, please contact Ron Miller, OTA Finance/State Fair Committee Chairman, at ronmill789@gmail.com or 419.569.9920 or Heidi Fought at the State Association at fought@ohiotownships.org.

At least two volunteers are needed each day. Volunteers receive a free parking pass and two free admission passes. Photos and thank you letters from recipients are included in the November/December *Ohio Township News* magazine.

Ohio Township Association

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