

Ohio Township Association Legislative Alert



June 28, 2018

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Legislative Activity This Week

Monday, June 25

Rep. Carfagna - HB 500 Omnibus Township Bill

CCAO - aggregate mining operations and zoning, HB 343 Tax Valuation Challenges

Rep. McColley's office - aggregate mining operations and zoning

Local Gov't & School Groups - HB 371 Tax Levies

Rep. Duffey - HB 602 Fair Water Pricing Act

Tuesday, June 26

House Finance

HB 602 WATER SEWER SERVICES (Duffey, Lanese) To penalize a municipal corporation for engaging in certain actions related to its provision of water and sewer services outside of its territory by reducing or withholding payments the municipal corporation receives from the Local Government Fund and rendering the municipal corporation ineligible for state water and sewer development funds.

The Committee heard or read testimony from a variety of witnesses. Opponents, such as the [Ohio Municipal League](#), the [City of Columbus](#), the [Ohio Mayors Alliance](#), the City of Lima, the [Association of Ohio Metropolitan Wastewater Agencies](#), the [City of Dayton](#) and the [American Municipal Electric Association](#), argued that the bill is a preemption of city and village home rule rights. They also stated that rates in most cities and villages are not set arbitrarily but rather based on guidelines established by national standards. Committee members extensively questioned the City of Columbus about their practice of charging higher rates or denying service to areas. Mr. George Helbing testified as a proponent of the legislation.

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

The House Finance Committee approved several amendments to SB 299 prior to favorably reporting the measure to the full House for passage. One of those amendments was an appropriation of \$7.1 million to help the 18 counties in southeast Ohio affected by flooding this spring. The money will be used to cover local match required to draw down federal emergency management (FEMA) funding. Also tacked on to the bill was an appropriation of \$1 million in Broadband Development Grants to fund data collection and analysis regarding deployment, conduct on the ground testing, create annual state and county maps detailing broadband availability and deployment and engage in local technology planning. Finally, an amendment was accepted that would provide \$740,000 in supplemental revenue to townships that have nuclear power plants within their jurisdiction and have seen a 30% or more drop in taxable value. There are two such townships. The amendment provides that the additional revenue would be phased out over ten years. Similar language has been introduced in the past but has yet to be passed by both chambers. The full House passed the measure and the Senate concurred on the House changes. The bill will be effective 90 days after the Governor signs it.

Senate Local Government, Public Safety & Veterans Affairs

HB 125 TRAFFIC VIOLATIONS (Craig, Seitz) To specify the jurisdiction of municipal and county courts over traffic ordinances, to clarify that certain township officers do not have the authority to enforce traffic and motor vehicle equipment violations on interstate highways, and to establish requirements governing fines, fees, or other charges for traffic violations and infractions imposed by a municipality that does not have the authority to establish a mayor's court.

The Committee, prior to favorably reporting the measure to the full Senate for a vote, accepted an amendment that clarified the bill only deals with civil traffic infractions and not criminal charges.

House Ways & Means

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

The bill was pulled from the calendar at the sponsors' request.

Senate Ways & Means

HB 343 PROPERTY VALUES (Merrin) To require local governments that contest property values to formally pass an authorizing resolution for each contest and to notify property owners.

The Committee heard testimony from both proponents and opponents of the legislation. Proponents include the [Ohio Chamber of Commerce](#), the Ohio Real Estate Investors Association, the Ohio Council on State Taxation, the Ohio Manufactured Homes Association and the Ohio Apartment Association. Opponents of the bill include the [Ohio Township Association](#), County Commissioners Association of Ohio, the Coalition for Fair Taxation, and the three [statewide school associations](#).

House State & Local Government

SB 239 REGIONAL GOVERNMENT COUNCILS (Dolan) To modify the law concerning regional councils of governments.

The Committee favorably reported the measure to the full House for a vote. The House passed the bill and the Senate concurred on the changes. The bill will be effective 90 days after the Governor signs it.

House Economic Development, Commerce & Labor

HB 625 AUXILIARY CONTAINERS (Lang, Lipps) To authorize a person to use an auxiliary container for any purpose, to prohibit a municipal corporation, charter county, or limited home rule township from imposing a tax or fee on auxiliary containers, and to clarify that the existing anti-littering law applies to auxiliary containers.

The [Ohio Township Association](#) and Ohio Municipal League submitted opposition testimony on the legislation.

Speaker Ryan Smith & members of the Ohio House - HB 500 Omnibus Township Bill

Wednesday, June 27

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.

Sen. Huffman offered an amendment, which was accepted without objection, to remove some sections pertaining to when electronic notices would not be allowed and to allow a recently elected public official to take public records training prior to taking office. The Committee unanimously reported the bill to the full Senate for passage.

HB 312 CREDIT CARDS (Schuring, Greenspan) Makes changes regarding use of credit cards and debit cards by political subdivisions.

A substitute version of the bill was accepted. The sub bill cleans up language in the bill and also continues a property tax abatement for the City of Lorain. The Committee unanimously reported the measure to the full Senate for approval. The full Senate passed the measure and the House concurred on the changes. The bill will be effective 90 days after the Governor signs it. The OTA will be working with the sponsors, the Auditor of State's office and others on a model credit card policy for townships incorporating the language of HB 312.

Ohio House of Representatives

PASSED IN THE HOUSE

HB 425 BODY CAMERAS (Antani, Craig) To provide that specified portions of peace officers' body-worn camera recordings and the infrastructure record of a public school are not

public records for purposes of the Public Records Law.

HB 500 TOWNSHIP OMNIBUS (Carfagna) To make various changes to township law. (81-0)

The OTA strongly supports this legislation. The OTA encourages you to reach out to your House member and thank them for their support of HB 500. To view Rep. Carfagna's floor speech and supporting speeches by Reps. Holmes, Ginter and O'Brien, please [click here](#) and go to 2:08:37 in the video.

Ohio Senate

PASSED IN THE SENATE

HB 168 CEMETERIES (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, to allow the Board of Embalmers and Funeral Directors to review and vote upon certain license suspensions by telephone, to make various other changes to the embalmers, funeral directors, and crematory licensing laws, and to make an appropriation. (31-0)

The OTA strongly supports this legislation. We encourage you to reach out to your Senator and thank them for their support. The bill will be effective 90 days after the Governor signs it.

Thursday, June 21

Rep. Merrin - healthcare issues

Rep. Ginter - HB 500 Omnibus Township bill

Recently Introduced Legislation

HB 712 PREVAILING WAGE (Hood, Dean) To repeal the Prevailing Wage Law.

Federal Update

Both the House and Senate were in session this week. The House considered the FY 2019 appropriations bill for the Department of Defense (H.R. 6157); a motion to go to conference on the FY 2019 National Defense Authorization Act (H.R. 5515); and an immigration bill that would give Dreamers (young undocumented immigrants who arrived in the U.S. as children) a pathway to citizenship, provide \$16.6 billion for the Trump Administration's border wall initiative, end the diversity visa lottery, increase the number of employment-based visas, and clarify that documented immigrant children could remain with their parents or legal guardians in detention instead of being separated (H.R. 6136).



The Senate overwhelmingly approved a three-bill FY 2019 "minibus" appropriations package (H.R. 5895) that includes the Energy and Water Development, Legislative Branch, and Military Construction-Veterans Affairs appropriations bills. The Senate continued consideration of its 2018 farm bill legislation (S. 3042) using the House-passed farm bill (H.R. 2) as the legislative vehicle.



Latest OPERSource Now Available

The Ohio Public Employees Retirement System (OPERS) has released the latest version of OPERSource, a newsletter that updates members and employers on governmental activity and pertinent issues. To view the latest version, please click [here](#).

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.

Specific Dates Needed:

Tuesday, July 24 - Market Lamb Showmanship
Thursday, August 2 - Breeding Sheep Showmanship
Thursday, August 2 - Clothing
Thursday, August 2 - Barrow Showmanship
Sunday, August 5 - Girl Scouts

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.



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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