

Ohio Township Association Legislative Alert



October 13, 2017

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Legislative Activity This Week

Tuesday, October 10

Rep. Merrin - HB 342, HB 371, HB 168, HB 267

Wednesday, October 11

Passed in the House

HB 79 FIREARMS TRAINING (Retherford, Hagan) To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training and has been authorized by the law enforcement agency to carry firearms while on duty; and to grant such a professional the same right to carry a concealed handgun in this state as a concealed handgun licensee.

Vote - 87-6

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 Jan. 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.

Vote - 77-12

House Insurance

HB 268 WORKERS COMPENSATION (Henne) To make changes to the Workers' Compensation Law with respect to self-insuring employers.

Sponsor Henne won support for a substitute bill that allows employers rated Baa2 to participate in the self-insurance program.

HB 269 WORKERS COMPENSATION (Henne) To rename the entities who carry out workers' compensation functions in this state, to require the Administrator of Worker Safety and Rehabilitation to develop incentives for employers to participate in safety consultations and loss prevention programs, to require an employee who is receiving temporary total disability compensation to comply with a return to work plan, and to make changes with respect to compensation for permanent total disability and death benefits.

George Keiser, a member of the North Dakota House of Representatives, provided proponent testimony that detailed his state's workers' compensation system for the panel, which is similar to Sponsor Henne's proposal. He said North Dakota is one of four states, including Ohio, that doesn't offer alternative workers' compensation options; however, the state has managed to achieve the lowest rates in the nation even though its benefits compare favorably to what other states offer. He said the state focuses on assisting the most severely injured workers, includes COLA adjustments for some workers, supports retraining programs and provides for home and vehicle modifications when needed. Rep. Keiser also said his state has clear statutory language that prohibits the use of surplus funds for unrelated purposes.

House Government Accountability & Oversight

HB 312 POLITICAL SUBDIVISION SPENDING (Schuring, Greenspan) Regarding use of credit cards and debit cards by political subdivisions.

State Auditor Dave Yost testified in support of the measure, saying Ohio's patchwork approach to this issue leaves room for fraud. The committee adopted a substitute bill that sponsors said is the result of 10 interested party talks in recent months. The substitute's changes include:

- Decrease the culpable mental state to "knowingly" and decrease the related penalty to a misdemeanor of the first degree.*
- Require the name of a political subdivision to appear on each credit card or check and the subdivision to appoint a compliance officer if the fiscal officer does not possess the cards.*
- Change the compliance officer's required review to semiannual for townships and library districts and exempt boards of education for a school district, educational service center or information technology center from participating in the review.*
- Expand the misuse of credit card criminal offense to be applicable to public servants, which includes persons performing ad hoc governmental functions and candidates for public office.*
- Exempt debit card accounts receiving grant monies from the bill.*
- Expand the definition of credit card to include credit card accounts and change references to credit and debit cards to credit and debit card "accounts."*

HB 342 TAX LEVIES (Merrin) To permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies.

Sponsor Merrin provided testimony on the bill stating that it would simplify things in the voting booth when it comes to ballot language by requiring levies to be portrayed as a rate in dollars for each \$100,000 of taxable value rather than for each \$100. He claimed that doing so would make the amount easier to understand and be a more accurate reflection of current property values that have risen since the existing language requirement was put into effect decades ago.

Senate Ways & Means

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.

There was no testimony on the bill; however, an amendment was accepted that would allow for amendments to Joint Economic Development Zones (JEDZs) to decrease the size of the zone without having to go through the new procedure that was put in place a few years ago.

Energy & Natural Resources

SB 188 WIND TURBINE SETBACKS (Hite) To revise wind turbine setback provisions for economically significant wind farms.

Nearly two dozen proponents testified in support of loosening the setbacks on wind turbines. Businesses, environmental groups and local government entities pushed their case to walk back the setback restrictions that critics say have crushed wind farm development in the state. The bill has been billed by Sponsor Hite as a "compromise" for those wishing to preserve landowner rights while opening up the state to more wind development.

Friday, October 13

Rep. Carfagna - potential township legislation

Legislative Committees for Next Week (10/16-10/20)

Wednesday, October 17

House Public Utilities (Ch. Cupp), Rm. 116, 3 p.m.

HB 249 SUBMETERING (Duffey) To permit the Public Utilities Commission to adopt rules governing residential utility reselling.

2nd Hearing-Proponent testimony

Wednesday, October 18

Senate Energy & Natural Resources (Ch. Balderson), Finance Hearing Rm., 2:30 p.m. or after session

SB 31 SEWAGE SYSTEMS (Eklund) To authorize a board of county commissioners or municipal legislative authority to elect to withdraw the county or municipal corporation from the application of any rule adopted by the Department of Health after January 1, 2014, that governs the design of household sewage treatment systems.

2nd Hearing-Proponent testimony-Possible amendments

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.

3rd Hearing-Opponent testimony

SB 165 BRINE SALES (Dolan, Skindell) To establish conditions and requirements for the sale of brine from certain oil or gas operations as a commodity and to exempt such a commodity from requirements otherwise applicable to brine.

2nd Hearing-Proponent testimony

Recently Introduced Legislation

HB 378 BROADBAND GRANTS (Smith, Cera) To create the Ohio Broadband Development Grant Program and to make an appropriation.

HJR 4 UNEMPLOYMENT COMPENSATION (Schuring) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program.

HB 382 UNEMPLOYMENT COMPENSATION (Schuring) To modify terms describing payments made under the Unemployment Compensation Law, to increase the amount of wages subject to unemployment compensation premiums, to require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, to allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, to reduce the maximum number of benefit weeks, and to make other changes to the Unemployment Compensation Law.

SB 217 BRINE DISPOSAL (Schiavoni) To revise enforcement of the Oil and Gas Law, including increasing criminal penalties and requiring revocation of permits for violations of that Law relating to improper disposal of brine.

Federal Update



The House was in session this week while the Senate is in recess until October 16. The House considered 17 bills under suspension of the rules. When the Senate returns next week, it may consider the FY 2018 Budget Resolution, an emergency supplemental appropriations measure, and the reauthorization of the Children's Health Insurance Program (CHIP), which expired on September 30.

President Trump signed an Executive Order (E.O.) this week to start lifting some insurance rules set by the Affordable Care Act (ACA) in the aftermath of the failed Republican bid to repeal the law. The E.O. is aimed at expanding insurance options for Americans who buy coverage on their own or work for a small employer, and would include broad instructions for the Departments of Health and Human Services, Labor, and Treasury to explore ways to loosen regulations and potentially lower premiums, as well as looking at three specific areas of health insurance. Lastly, on Tuesday, EPA Administrator Scott Pruitt issued a Notice of Proposed Rule-making proposing to repeal the "Clean Power Plan (CPP)," the Obama Administration's centerpiece regulation to fight climate change, which was designed to lower carbon emissions from existing U.S. power plants by 2030 to 32 percent below 2005 levels, requiring each state to adopt its own plans to achieve individualized targets.

Equifax Breach - Township Impact?

A question came in to the OTA office this week regarding the recent Equifax data breach and the potential impact on townships. According to the Attorney General's office, political subdivisions, as opposed to individual consumers, are likely not to be impacted. However, if they were using Equifax's payroll service, they could be impacted. That being said, it might still be worth a phone call to Equifax by concerned trustees or fiscal officers. To inquire with Equifax, please call (866) 447-7559.

To read more information about Attorney General DeWine's consumer tips for dealing with the Equifax data breach, please [click here](#).



FEEL THE HEAT *Fire Service Experience for Ohio Public Officials*

Saturday, November 4
8:30 a.m. - 4:00 p.m.
8895 E. Main St.
Reynoldsburg, Ohio

"[Feel the Heat](#)" provides an opportunity for public officials to learn first-hand about the challenges firefighters face on a daily basis. Ohio Fire Academy instructors work closely with public officials as they learn new skills and gain a better understanding of what it means to be a firefighter.

With your local fire chief as your sponsor, you will have an opportunity to participate in this orientation program. Classroom instruction will be combined with hands-on, realistic situations. For example, you will wear turn-out gear and use self-contained breathing apparatus to conduct search-and-rescue operations in a darkened maze. You will learn about and use a variety of hose techniques and put into practice your new skills in a live burn in the Burn Building.

Contact your local fire chief to register for this year's Feel the Heat event to be held November 4, 2017 at the Ohio Fire Academy.

Ohio Township Association

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