

Ohio Township Association Legislative Update

Ohio Township Association
Winter Conference
February 2020

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Our Roadmap:

- Political landscape
- Important legislation
- Review of legislative process
- Advocacy
- Creation of OTA priorities

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And in your corner...

LEGISLATIVE AND EXECUTIVE BRANCH CONSULTANTS
REPRESENTING:
Manufacturing ★ Professional Services ★ Independent Business
Professional Associations ★ Local Elected Officials



Pictured from left to right: Marie Kappes, Victor Hignley, Kelly O'Reilly, Brooke Cheney, Andrew Huffman, Richard Hillis, and Matt Whitehead.

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2020 – Major election year

- All 99 Ohio House seats will be up for election.
- 16 of 33 Ohio Senate seats will be up for election.
- 2 Ohio Supreme Court races.
- Presidential elections.
- All U.S. Congressional seats.
- Primary election is scheduled for March 17th
- General election is scheduled for November 3rd

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Ohio House

- New Speaker, Rep. Larry Householder (Glenford)
 - Previously Speaker 2001-2004
- Elected in 2019 52-46 over Speaker Ryan Smith
 - Created a coalition of 26 Republicans and 26 Democrats
- Of the 99 Ohio House Members, 46 are new to the Chamber*
- Can serve up to three terms as Speaker.
- There are 6 former trustees in the legislature; all in the Ohio House
- *including senators who are technically "freshmen"

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Ohio Senate

- President Larry Obhof (Medina)
 - Term limited in 2020
- Current Majority Leadership team
 - Bob Peterson, President Pro Tem
 - Matt Huffman, Majority Floor Leader
 - Jay Hottinger, Majority Whip

In 2021, there will be a new majority leadership team installed.

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OTA Priorities

- Find the entire platform on the OTA website.
- One of the OTA's important functions is to secure legislation from the General Assembly which enables township government **to function more efficiently and to resist any effort that would deprive townships of any rights, duties or privileges which they now possess.**
- The Association accomplishes this by tracking legislation and educating members of the General Assembly on township issues. In preparation for the 133rd General Assembly, the OTA began discussing and collecting legislative priorities in 2018.
- Below are typical topics addressed by our legislative priorities.

Tax and Finance	Simplifying Operations
Growth and Development	Transportation and Infrastructure
Land Use Regulation	Safety Services
Cemeteries	Employment Issues

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OTA Priorities

- Planning will begin this summer for the creation of the legislative priorities for the 134th General Assembly.
- Ideas shared by County Township Associations.
- Draft shared with the OTA Board of Directors for discussion in August.
- Full platform is voted upon at the November Board of Directors meeting.
- Will be sent to all legislators in January 2021 for the start of the 134th General Assembly.

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Important legislation

- House Bill 444 - Township Omnibus Bill
- House Bill 163 - Water rate bill
- House Bill 143 - Firefighter tax credit bill
- House Bill 330 - Firefighter cancer bill
- House Bill 308 - First Responders PTSD bill
- Miscellaneous bills/issues

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House Bill 444 (Baldrige, Abrams)

- The township omnibus bill.
- 10 separate possible bills rolled into one bill.
- Reflects input provided by townships around the state or are on the township priority agenda.
- Some items are requested by and are priorities of the Coalition of Large Ohio Urban Townships (CLOUT).
- Introduced in December 2019; awaiting committee assignment. Likely assigned to the House State and Local Government Committee.

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House Bill 444, continued

Notice of Conforming Boundaries

- When a city or village conforms boundaries, it has a fiscal impact on the township. The OTA requests that a municipality be required to provide adequate notice to townships before acting on a resolution to conform boundaries.

Noise Resolutions

- Townships can regulate noise in any area zoned for residential use or to which a D liquor permit has been issued. The OTA requests that a township be permitted to regulate noise township-wide.

Nuisance Statutes Consistency

- Townships have three nuisance statutes in the Revised Code that help them deal with structures, property, and junk vehicles. Unfortunately, all three of those statutes use different language as it relates to collection on the costs a township incurs to abate said nuisance. The OTA is seeking an update to the code that makes all three sections uniform.

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House Bill 444, continued

Transfer of Cemeteries

- Townships are required to take control of cemeteries from religious or benevolent organizations without stipulation.
- For example, there is no requirement that a church transfer cemetery records or cemetery funds to the township should they wish to transfer a cemetery.
- Furthermore, there is nothing to prevent a cemetery from being transferred simply because a church or benevolent society wishes to stop caring for it. The OTA would like to put some minimum standards in place regarding the transfer of cemeteries and clarify the process by which an entity may transfer a cemetery.

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House Bill 444, continued

Excavation Notification

- Under current law, a company is required to file for a permit for new projects in township rights-of-way. However, no permit is required for an excavation to repair or replace an existing pole or line. The OTA requests that a company simply be required to provide notice to a township fiscal officer if they will be in the township right-of-way.

Industrial Development Bonds

- Industrial Development Bonds are a unique type of revenue bond organized by state and local governments. The bonds are sponsored by a government entity, but the proceeds are directed to a private, for-profit business. They are used as economic development tools. The OTA requests that townships are able to utilize these bonds. This change is also a priority for the Coalition of Large Ohio Urban Townships.

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House Bill 444, continued

Levy Commencement

- A recent Supreme Court decision upheld a county board of elections decision to disqualify a township property tax levy because the trustees' resolution and proposed ballot language stated that the renewal and increase would commence in 2018, which was the last year of an existing levy.
- Property taxes levied in a particular tax year are collected the following calendar year.
- The court found it was clear a levy could be submitted to the voters in an existing levy's last tax year, but it was unclear, if approved, that the levy could commence in the final tax year of the existing levy.
- This change would clarify R.C. §5705.25 regarding when a levy can commence.

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House Bill 444, continued

EMR Ambulance Response

- Under current law, EMS providers at the Emergency Medical Responder (previously First Responder) level cannot respond an ambulance from the station even if they are meeting a higher level EMT at the scene. This leads to increased response times waiting to rendezvous at the station. This change would save time and help best utilize township resources.

Housing Authority Boards

- The decisions of a Metropolitan Housing Authority Board can affect townships, but they do not have a seat at the table. This change would amend ORC 3735.27 to include a representative of an applicable township on the board. This request only applies to charter counties, of which there are two.

Continuous Police/Fire Levy

- Unlike police levies and fire levies, a joint police and fire levy cannot be continuous and must be voted on every 5 years (ORC 5705.19 (AAA)(3)(a)).
- This distinction may have been an oversight, but the OTA would support making joint levies continuous as well.
- This change is also a priority for the Coalition of Large Ohio Urban Townships.

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House Bill 1 63 (Brinkman)

- Creates a judicial process by which a municipal corporation providing water or sewer services in other subdivisions may be penalized for engaging in either of the following practices with respect to pricing or providing the extraterritorial service:
 - Charging higher extraterritorial rates for similar property not justified pursuant to generally accepted municipal water or sewer industry pricing practices;
 - Requiring the extraterritorial subdivision to make direct payments to the municipal corporation as a condition of providing such services in excess of the cost related to extending such service.

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House Bill 1 63, continued

- Redistributes local government funds (LGF) of the "noncompliant municipal corporation" to subdivisions affected by its improper water or sewer practices and prohibits the municipal corporation from qualifying for state water and sewer development assistance.
- Creates a judicial process by which the noncompliant municipal corporation may terminate these consequences if it ceases the improper water or sewer practices.
- HB 163 is pending in the House Public Utilities Committee.

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House Bill 143 (Keller, Cera)

- Authorizes a refundable income tax credit for volunteer firefighters, emergency medical technicians, and peace officers.
- The credit is available to a taxpayer that serves either as a volunteer firefighter for a nonprofit or local government fire department, as a volunteer EMT for an emergency medical service organization, or as a volunteer peace officer, i.e., a person with law enforcement powers and responsibilities, for a public agency. **(The three categories of volunteers eligible for the credit are collectively referred to in the bill as "volunteer emergency responders.")**
- The amount of the credit varies according to how many "volunteer service years" the taxpayer has accrued. A volunteer service year is a year during which the taxpayer serves as a volunteer emergency responder either (1) on 10% of the department's, organization's, or agency's emergency response runs during that year or (2) on 10% of the days in that year during which volunteer emergency responders performed tasks other than making emergency response runs.
- The amount of the credit increases as the taxpayer accrues more volunteer service years.
- The bill is pending in the House Ways and Means Committee.

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House Bill 143 (Keller, Cera)

- A bill of similar spirit also exists at the federal level: H.R. 1241/S. 1210, also known as VRIPA (Volunteer Responder Incentive Protection Act).
- Amends the Internal Revenue Code of 1986 to exclude property tax benefits and up to \$600 per year in other benefits provided to volunteer firefighters and EMS personnel from employment taxes and wage withholding.
- This bill was recently included and passed in a package of budget bills and is effective for 2020.

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House Bill 330 (Patton)

- Requires the Administrator of Workers' Compensation to charge compensation and benefits paid from the State Insurance Fund on account of a firefighter disabled by cancer contracted in the course of and arising out of the firefighter's employment to the Surplus Fund Account.
- Requires a self-insuring employer to deduct compensation and benefits payable on account of a firefighter disabled by cancer contracted in the course of and arising out of the firefighter's employment from the paid compensation the self-insuring employer reports to the Administrator.
- The bill is pending in the House Insurance Committee.

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House Bill 308 (Patton)

- Makes a peace officer, firefighter, or emergency medical worker who is diagnosed with post-traumatic stress disorder (PTSD) eligible to receive compensation and benefits under Ohio's Workers' Compensation Law for up to one year, **regardless of whether the person suffers an accompanying physical injury.**
- Prohibits a claimant from receiving compensation or benefits under the Workers' Compensation Law for PTSD with no accompanying physical injury at the same time as the claimant is receiving a disability benefit from a state retirement system for that injury.

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House Bill 308 (Patton)

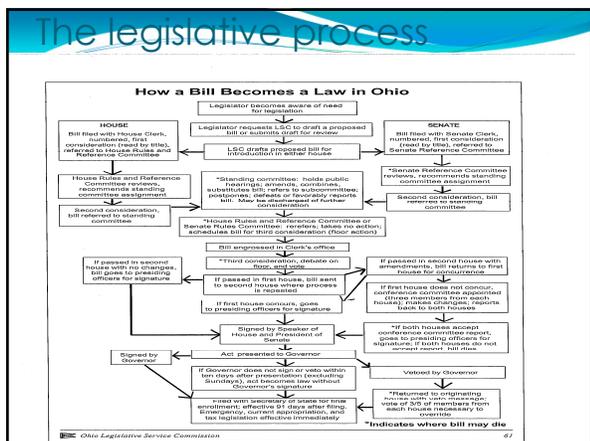
- Language was originally inserted in the biennial BWC budget, HB 80.
- House wanted the protections added; Senate had concerns about the addition/expansion and cost to the system.
- The business community and local governments were aligned in opposition to the use of BWC funds for PTSD diagnoses.
- The language was not inserted in the final version of the bill in June.
- HB 308 is pending in the House Insurance Committee.

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2020 Census

- The decennial census will be taken this year.
- Important to encourage citizen participation.
- This data is used for several purposes, most prominently for reapportioning political power. It is the basis for distributing seats in the U.S. House of Representatives and in various state legislatures.
- It is also used to determine the distribution of nearly \$900 billion for federally funded programs, which are apportioned based on an area's population, income, age, and other factors. These include some of the country's largest spending programs, including Medicaid, Medicare, food stamps, Section 8 housing vouchers, Pell Grants for students, and highway construction and maintenance.

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Who are these "advocates"?

- Other examples of professional lobbyists that work in Columbus for other groups:



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Who are these "advocates?"

YOU!



There are 5,232 of the most effective GRASSROOTS advocates!

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Case Studies

- Gas Tax increase coalition
- Estate Tax Elimination
- Additional LGF allocations

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Why should the approach matter to you?

- All sides of an issue must be explored in order to produce equitable government policies.
- Public officials cannot make fair and informed decisions without considering information from a broad range of interested parties.
- You provide the necessary expertise: there are few former township officials in the Ohio Legislature!

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How do you become a better advocate?:

Feedback and experience with legislators tell us that success is based on three characteristics:

- Competence
- Trustworthiness
- Likeability

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Competence: Do Your Homework

- Create a one page "white paper" outlining your position & be as specific as possible.
- Important to put it in writing when you can*

Recall	3 hours	3 days
Heard	65%	15%
Seen	70%	40%
Both	85%	65%

*When you can=you don't mind seeing it on the front page of the Dispatch tomorrow!

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Competence: Do Your Homework

- To increase your chances that your message will be well received by the decision makers:
 - Focus on local impact & give specific examples;
 - Find the proper scope for comparison and contrast;
 - "Consider the source" – think tanks, national legislative associations, etc.

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Trustworthiness: Keep your promises

- Research shows a 74% increase in "customer satisfaction" when customer's receive a rapid "we're working on it" response.
 - When working to persuade, it is important to think of the policymaker as that customer.
- When working with policymakers, respond quickly to staff; they can make or break your efforts.



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Likeability: Mind Your Manners

More good advice from Mom:

- Smile – Dopamine & Serotonin release: it is good for you and for them.
- Stop Talking and Listen
People who listen more than speak were viewed as more competent and capable.
- Don't Wear Out Your Welcome
Be mindful not to "over ask" legislators for assistance.



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Likeability: Mind Your Manners

- Technology and social media present new challenges and opportunities
 - Never put anything in an email that you wouldn't be proud having on the front page of the *Dispatch* or your local paper.
 - Be mindful of your email "tone" and presentation
 - ALL CAPS = SHOUTING
 - Watch for punctuation, spelling, etc.
 - Always include your name and the organization that you represent
 - Don't forget that all communications with legislators or constituents constitute a public record and can be accessed by the media, etc.

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Likeability: Mind Your Manners

Randy Weber @randyweber

Even Adolph Hitler thought it more important than Obama to get to Paris. (For all the wrong reasons.) Obama couldn't do it for right reasons

854 309

10 Jan 2015

I need to first apologize to all those offended by my tweet... <http://ow.ly/HamuM>
2:04 PM - 13 Jan 2015

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Feeling empowered yet,
OTA advocates?



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You must be involved!

- Invite your legislator out to tour/visit your workplace (www.legislature.state.oh.us)
- Be sure to attend the County Township Association meeting when your legislator will be in attendance.
- Visit your legislator in the district.
- Support your Statewide Association and stay in tune with the issues.
- Sign-up, receive and read the Legislative Alert!
- Bookmark and visit the OTA website frequently!

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Questions??

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