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| **GOVERNMENTAL POLICY GROUP, INC.**  17 SOUTH HIGH STREET – SUITE 245  COLUMBUS, OHIO 43215-3413  PHONE: 614-461-9335  FAX: 614-461-9336  **Coalition of Ohio Regional Districts**  Legislative Activities Report  **September 2017** |

Although lawmakers were not expected to return from summer recess until the middle of September, the Senate convened on August 22st, to take up veto overrides to HB 49, the state operating budget. Of the governor’s 47 line-item vetoes, the House voted to override 11 of them in July. The Senate then agreed to 6 of those overrides. Most of the items overridden dealt with the Medicaid program and Controlling Board authority. It is important to note that legislators have until the end of the General Assembly to act on any pending vetoes and leaders in both chambers have indicated a desire to do so. The action by the Ohio General Assembly is somewhat unprecedented, considering Ohio’s lawmakers had taken only two successful override votes in the past 38 years. Both the House and Senate are scheduled to return to session in the middle of September.

A pair of legislators have introduced a bill aimed at tightening the controls on the use of government credit cards. HB 312, which has the backing of Auditor Dave Yost, was developed after it was found that some local governments did not have policies in place to prevent credit card abuse. Auditor Yost has said that since 2011, there have been at least 35 cases involving government credit card fraud, totaling $1.2 million in misused taxpayer money. The legislation, which is expected to receive bi-partisan support, has yet to be assigned to a committee.

When legislators return in September, CORD will once again need to fight legislation aimed at changing how public entities select piping materials. Two bills, HB 121 and SB 95, have been introduced and have received hearings in their respective chambers. Advocates suggest the legislation increases competition and saves the state money. Opponents have raised concerns about the bills, saying that they have the potential to delay projects and could lead to bid protests and litigation over pipe selection. Of the two bills, HB 121 has garnered the most attention. In its three hearings before the House State and Local Government Committee dozens of witnesses have testified on the bill. CORD and other opponents have been successful in defeating similar legislation in previous General Assemblies, including HB 214 of last session.

Although just over a quarter of the 132nd General Assembly is completed, the race for the top position in the Ohio House of Representatives is heating up as three candidates are maneuvering behind the scenes to gain support from their caucus. Rep. Larry Householder, Rep. Ryan Smith, and Rep. Rob McColley have all expressed interest replacing Speaker Cliff Rosenberger as speaker of the House of Representatives. Rep. Smith has made his intentions clear and has spent the most time approaching members. Rep. Householder, who has already served as Speaker, has a fundraising advantage over his two opponents. Rep. McColley has just recently expressed interest in the position and, having served as co-chairman of OHROC, is well-versed in the way of campaign fundraising. Smith, only has a single term remaining in the House, Householder would be able to serve as Speaker for three terms, and McColley has two terms remaining.

In other news, Rep. Margaret Conditt (R-Liberty Twp.) announced that she will resign from the House in September in order to spend more time with her family. Rep. Conditt is serving her third full term in the Ohio House in the 52nd District. She currently serves as vice chair of the Community and Family Advancement Committee, and is a member of the Criminal Justice and Public Utilities Committees. The House Republican Caucus has selected a three-person panel to interview applicants. The caucus is expected to seat a replacement during the September 13th session.

We have been tracking the following legislation during the 132nd General Assembly:

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| **HB3** | **DATAOHIO BOARD CREATION** (DUFFEY M, HAGAN C) To create the DataOhio Board, to specify requirements for posting public records online, to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices, to establish an online catalog of public data at data.Ohio.gov, to establish the Local Government Information Exchange Grant Program, and to make appropriations. | |
|  | ***Current Status:*** | 2/8/2017 - Referred to Committee House Finance |
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| **HB26** | **TRANSPORTATION-PUBLIC SAFETY BUDGET** (MCCOLLEY R) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs. | |
|  | ***Current Status:*** | 3/31/2017 - **SIGNED BY GOVERNOR**; Some provisions line-item vetoed, eff. 6/30/2017 |
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| **HB29** | **MUNICIPAL WATER RESERVOIR BUFFERS** (LELAND D, BOGGS K) To eliminate law authorizing the maintenance of buffers around municipal water reservoirs by contiguous property owners. | |
|  | ***Current Status:*** | 4/25/2017 - House Energy and Natural Resources, (First Hearing) |
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| **HB31** | **CONTRACTING ADVISORY COUNCIL-ABOLITION** (CUPP B) To abolish the Government Contracting Advisory Council. | |
|  | ***Current Status:*** | 6/21/2017 - Senate Government Oversight and Reform, (First Hearing) |
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| **HB40** | **GOVERNMENT EXPENDITURE DATABASE** (DEVER J, GREENSPAN D) To require the Treasurer of State to establish the Ohio State Government Expenditure Database. | |
|  | ***Current Status:*** | 2/28/2017 - House State and Local Government, (Third Hearing) |
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| **HB49** | **OPERATING BUDGET** (SMITH R) Creates FY 2018-2019 main operating budget. | |
|  | ***Current Status:*** | 8/22/2017 - Consideration of Governor's Veto |
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| **HB51** | **DEPARTMENT REVIEW SCHEDULE** (FABER K) To require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet, and to require that Auditor of State performance audits be scheduled to coincide with the periodic review. | |
|  | ***Current Status:*** | 5/16/2017 - **REPORTED OUT AS AMENDED**, House State and Local Government, (Fourth Hearing) |
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| **HB54** | **STATE REVENUE OBLIGATIONS** (BLESSING III L) To authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities. | |
|  | ***Current Status:*** | 3/15/2017 - Referred to Committee Senate Finance |
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| **HB69** | **LEVY REVENUE REIMBURSEMENT** (CUPP B) 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. | |
|  | ***Current Status:*** | 6/28/2017 - Referred to Committee Senate Ways and Means |
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| **HB103** | **FISCAL EMERGENCY PROVISIONS** (REINEKE W) To modify the composition and powers of the financial planning and supervision commission of a political subdivision that is in a state of fiscal emergency and to clarify the duties of that political subdivision. | |
|  | ***Current Status:*** | 7/17/2017 - **SIGNED BY GOVERNOR**; Eff. 90 days |
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| **HB114** | **RENEWABLE ENERGY STANDARDS** (BLESSING III L) To revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program. | |
|  | ***Current Status:*** | 6/14/2017 - Senate Energy and Natural Resources, (Second Hearing) |
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| **HB121** | **PIPE MATERIAL SPECIFICATIONS** (EDWARDS J) To require a public authority to consider all piping materials that meet the engineering specifications for a state-funded water or waste water project. | |
|  | ***Current Status:*** | 5/9/2017 - House State and Local Government, (Third Hearing) |
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| **HB122** | **ESTABLISH ECONOMIC STUDY COMMITTEE** (HAMBLEY S, ROGERS J) To establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances. | |
|  | ***Current Status:*** | 5/9/2017 - **REPORTED OUT**, House State and Local Government, (Third Hearing) |
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| **HB163** | **PREVAILING WAGE PUBLIC IMPROVEMENT PROJECTS** (ROEGNER K, RIEDEL C) To allow political subdivisions, special districts, and state institutions of higher education to elect to apply the Prevailing Wage Law to public improvement projects. | |
|  | ***Current Status:*** | 5/9/2017 - House Economic Development, Commerce and Labor, (First Hearing) |
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| **HB180** | **EQUAL PAY ACT** (CLYDE K, HOWSE S) To require a contractor or person submitting a bid or other proposal for a state contract or a business entity applying for a grant or other economic incentive from a state agency to obtain an equal pay certificate, to require state agencies and political subdivisions to establish a job evaluation system to identify and eliminate sex-based wage disparities among classes of employees, and to prohibit an employer from retaliating against an employee who discusses the employee's salary or wage rate with another employee. | |
|  | ***Current Status:*** | 5/1/2017 - Referred to Committee House Government Accountability and Oversight |
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| **HB221** | **PRIVATE PROPERTY SEWER AND WATER** (HOLMES G) 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. | |
|  | ***Current Status:*** | 5/23/2017 - Referred to Committee House Finance |
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| **HB249** | **RESIDENTIAL UTILITY RESELLING** (DUFFEY M) To permit the Public Utilities Commission to adopt rules governing residential utility reselling. | |
|  | ***Current Status:*** | 6/6/2017 - Referred to Committee House Public Utilities |
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| **HB254** | **POW/MIA REMEMBERANCE** (WIGGAM S) To enact the POW/MIA Remembrance Act requiring the POW/MIA flag to be displayed at certain buildings operated by the state on Armed Forces Day, Memorial Day, Flag Day, Independence Day, National POW/MIA Recognition Day, and Veterans' Day. | |
|  | ***Current Status:*** | 6/6/2017 - Referred to Committee House Armed Services, Veterans Affairs and Homeland Security |
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| **HB262** | **INDEPENDENT BUDGET PROCESS** (BUTLER, JR. J, ROMANCHUK M) To provide for the preparation of a state biennial budget independent of that submitted by the Governor and to authorize the Legislative Service Commission, upon the request of the Speaker of the House of Representatives or the President of the Senate, to arrange for an independent actuarial review of a proposed bill, specified analyses of economic policy initiatives and state benchmarking data, and a study of the state's long-range financial outlook. | |
|  | ***Current Status:*** | 6/20/2017 - Referred to Committee House Government Accountability and Oversight |
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| **HB267** | **LOCAL LIABILITY-VEHICLE NEGLIGENCE** (INGRAM C) To eliminate certain defenses to political subdivision liability for an employee's negligent operation of a motor vehicle and to reduce damages recoverable against a political subdivision in such actions by the contributory fault of the plaintiff or other parties. | |
|  | ***Current Status:*** | 6/20/2017 - Referred to Committee House Civil Justice |
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| **HB271** | **ACCESSIBILITY LAW VIOLATION NOTICE** (MCCOLLEY R, REZABEK J) To authorize an alleged aggrieved party to provide a notice of an alleged accessibility law violation in advance of filing a civil action and to establish the circumstances under which an alleged aggrieved party is entitled to attorney's fees in a civil action based on the violation. | |
|  | ***Current Status:*** | 6/20/2017 - Referred to Committee House Civil Justice |
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| **HB276** | **THREATENING UTILITY WORKERS** (REZABEK J, GREENSPAN D) To expand the offense of aggravated menacing to prohibit threatening a utility worker with intent to obstruct the operation of a utility. | |
|  | ***Current Status:*** | 6/20/2017 - Referred to Committee House Criminal Justice |
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| **HB291** | **EMPLOYEE DISHONESTY INSURANCE** (WIGGAM S) To authorize counties, townships, and municipal corporations to purchase an employee dishonesty and faithful performance of duty insurance policy, instead of a bond, for protection from loss due to the fraudulent or dishonest actions of, and the failure to perform a duty prescribed by law by, an officer, official, employee, or appointee for which a bond is required by law. | |
|  | ***Current Status:*** | 6/26/2017 - Introduced |
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| **HB303** | **SERVICE ANIMAL USE** (LIPPS S, KELLY B) To prohibit places of public accommodation from preventing the use of a service animal. | |
|  | ***Current Status:*** | 7/5/2017 - Introduced |
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| **HB312** | **LOCAL GOVERNMENT CREDIT CARDS** (SCHURING K, GREENSPAN D) Regarding use of credit cards and debit cards by political subdivisions. | |
|  | ***Current Status:*** | 7/26/2017 - Introduced |
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| **SB2** | **ENVIRONMENTAL PROTECTIONS LAWS** (HITE C) To revise specified laws relating to environmental protection. | |
|  | ***Current Status:*** | 7/7/2017 - **SIGNED BY GOVERNOR**; eff. 90 days |
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| **SB3** | **WORKFORCE DEVELOPMENT** (BEAGLE B, BALDERSON T) To revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, certificates of qualification for employment, and the Opportunities for Ohioans with Disabilities Agency, and to designate the first week of May as In-Demand Jobs Week. | |
|  | ***Current Status:*** | 6/21/2017 - **BILL AMENDED**, House Higher Education and Workforce Development, (Third Hearing) |
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| **SB31** | **HEALTH RULE WITHDRAW PROCESS** (EKLUND J) 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. | |
|  | ***Current Status:*** | 3/1/2017 - Senate Energy and Natural Resources, (First Hearing) |
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| **SB51** | **LAKE ERIE IMPROVEMENT DISTRICT** (SKINDELL M, EKLUND J) To authorize the creation of a special improvement district to facilitate Lake Erie shoreline improvement. | |
|  | ***Current Status:*** | 3/29/2017 - Senate Energy and Natural Resources, (Second Hearing) |
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| **SB72** | **PREVAILING WAGE LAW** (HUFFMAN M) To allow political subdivisions, special districts, and state institutions of higher education to elect to apply the Prevailing Wage Law to public improvement projects. | |
|  | ***Current Status:*** | 3/7/2017 - Referred to Committee Senate Finance |
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| **SB79** | **STATE DEPARTMENTAL REVIEW SCHEDULE** (JORDAN K) To require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet, and to require that Auditor of State performance audits be scheduled to coincide with the periodic review. | |
|  | ***Current Status:*** | 6/28/2017 - **PASSED BY SENATE**; Vote 24-9 |
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| **SB88** | **SUBDIVISION COMMISSIONS-FISCAL EMERGENCY** (TERHAR L) To modify the composition and powers of the financial planning and supervision commission of a political subdivision that is in a state of fiscal emergency and to clarify the duties of that political subdivision. | |
|  | ***Current Status:*** | 5/9/2017 - Referred to Committee House Government Accountability and Oversight |
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| **SB95** | **STATE PROJECTS-PIPING MATERIALS** (TERHAR L) To require a public authority to consider all piping materials that meet the engineering specifications for a state-funded water or waste water project. | |
|  | ***Current Status:*** | 4/5/2017 - Senate Energy and Natural Resources, (First Hearing) |
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| **SB157** | **PUBLIC UTILITY RESELLING REGULATION** (BACON K) To regulate the reselling of public utility service. | |
|  | ***Current Status:*** | 6/28/2017 - **BILL AMENDED**, Senate Public Utilities, (Fourth Hearing) |
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| **SB168** | **MEDICAID EXPANSION** (JORDAN K) To prohibit the Medicaid program from covering the expansion eligibility group and to require aggregate General Revenue Fund appropriations for state agencies to be reduced by specified amounts for the biennium beginning July 1, 2017, and ending on June 30, 2019. | |
|  | ***Current Status:*** | 6/28/2017 - Referred to Committee Senate Finance |
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| **SB174** | **WAGE PROTECTIONS-FAIR ACT** (TAVARES C) To enact the "Fair and Acceptable Income Required (FAIR) Act" and to revise the enforcement of the prohibitions against discrimination in the payment of wages. | |
|  | ***Current Status:*** | 8/2/2017 - Introduced |
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| **SJR4** | **CAPITAL IMPROVEMENTS FUNDING** (SCHIAVONI J) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund sewer and water capital improvements. | |
|  | ***Current Status:*** | 3/7/2017 - Referred to Committee Senate Finance |