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

Ohio’s legislators have returned from the brief recess for Thanksgiving and are scheduled to remain in session until the middle of December, at which point they will break again until after the first of the year.

 Most of the headlines around capitol square recently have not been on policy measures, but have instead focused on some high-profile resignations by legislators and staff members in both the House and Senate. Long-time legislator Cliff Hite resigned from the Senate after complaints were filed by a staff member for inappropriate behavior. The next resignation came when Michael Premo resigned as the chief of staff for the Ohio Senate Democratic Caucus amid allegations of inappropriate conduct toward staff. Mr. Premo joined the caucus in 2015. Then, Rep. Wes Goodman resigned after he acknowledged that he participated in prohibited conduct in his state office. Mr. Goodman won election to the House in November 2016 in the heavily conservative 87th House District, which covers Morrow, Crawford, Wyandot and parts of Marion and Seneca Counties.

 Senate Republicans have already selected a replacement for the 1st district seat that was vacated by former Senator Hite. Senate President Larry Obhof announced that Rep. Rob McColley was chosen over five other applicants for the seat. McColley currently serves as the House’s assistant majority whip and is in his second term representing northwest Ohio’s 81st House District.

 In similar news, the Ohio Senate Republican Caucus named a new chief a staff after Jason Mauk resigned after six years to lead the Republican Senate Campaign Committee. Senate President Larry Obhof recently announced that John Barron, formerly the Senate Majority GOP's chief legal counsel and currently a top official with the Ohio Casino Control Commission (OCCC), will replace Mauk as chief of staff. Mr. Barron currently serves as the deputy executive director and general counsel for OCCC. He also previously worked as the top lawyer in the lieutenant governor's office and the Department of Development, and served as deputy legal counsel in the governor's office. He began his legal career as an assistant attorney general in the Ohio Attorney General's Office, where he was selected as the Simon Karas Fellow, a position that allowed him to work with the State Solicitor on major appellate issues. In announcing Jason Mauk’s resignation, President Obhof said, "Jason helped guide the Senate through some of the state's most significant policy achievements of the past decade. We look forward to working with him in his new role."

 In election news, two of Ohio’s highest-profile Republicans seeking to replace Governor Kasich next year have officially joined forces. Attorney General Mike DeWine and Secretary of State Jon Husted announced that they will run together, with DeWine at the top of the ticket and Husted running as lieutenant governor. Mr. Husted said the decision to join the ticket was made after campaigning across the state and hearing from fellow Republicans who were tired of the party infighting. “Republicans have been fighting with each other long enough,” he said. “Had I continued my run for governor, Mike and I would have fought a brutal campaign that would have left the winner bruised and broken with only a few months to rebuild in time for the general election.” Shortly after the announcement, the other two Republicans in the race, Lt. Gov. Mary Taylor and U.S. Rep. Jim Renacci reiterated that they are staying in the race.

 On the legislative front, new legislation has been introduced (HB 422) by Representatives Ginter and Rogers that would seek a change in the revised code to establish a process for determining the fair market value of a utility property after it is acquired. Advocates for the legislation argue that a fair market value is needed to be determined in order to set appropriate rates after an acquisition takes place. The legislation has been assigned to the House Energy and Natural Resources Committee.

We have also been closely monitoring 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 five hearings before the House State and Local Government Committee dozens of witnesses have testified on the bill. The bill’s proponents have offered numerous amendments, with the goal of addressing opponents’ concerns. Both bills have received hearings this fall, which indicate the strong advocacy efforts being implemented by proponents of the legislation.

 Looking ahead, policy-makers are beginning to work on the next major state spending measure – the capital appropriations bill for Fiscal Years 2019 and 2020. The legislation, which is designed to fund capital improvements with state-issued debt, is slated for introduction and passage by April 2018 – giving legislators a few short months to pass the bill once they return from recess early next year. The previous capital budget included over $2.5 billion in appropriations, including $160 million in community projects.

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

|  |  |
| --- | --- |
| **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:*** | 11/28/2017 - House Finance, (Second Hearing) |
|   |
| **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 |
|   |
| **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) |
|   |
| **HB31** | **CONTRACTING ADVISORY COUNCIL-ABOLITION** (CUPP B) To abolish the Government Contracting Advisory Council. |
|   | ***Current Status:*** | 11/21/2017 - **SIGNED BY GOVERNOR**; eff. 90 days |
|   |
| **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) |
|   |
| **HB49** | **OPERATING BUDGET** (SMITH R) Creates FY 2018-2019 main operating budget. |
|   | ***Current Status:*** | 8/22/2017 - Consideration of Governor's Veto |
|   |
| **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) |
|   |
| **HB54** | **STATE REVENUE OBLIGATIONS** (BLESSING III L, GAVARONE T) 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:*** | 9/26/2017 - **BILL AMENDED**, Senate Finance, (Fourth Hearing) |
|   |
| **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:*** | 11/29/2017 - Senate Ways and Means, (Sixth Hearing) |
|   |
| **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. 10/17/17 |
|   |
| **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:*** | 10/18/2017 - Senate Energy and Natural Resources, (Third Hearing) |
|   |
| **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:*** | 11/1/2017 - **BILL AMENDED**, House State and Local Government, (Fifth Hearing) |
|   |
| **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:*** | 9/27/2017 - Referred to Committee Senate Government Oversight and Reform |
|   |
| **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:*** | 9/19/2017 - House Economic Development, Commerce and Labor, (Second Hearing) |
|   |
| **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 |
|   |
| **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 |
|   |
| **HB249** | **RESIDENTIAL UTILITY RESELLING** (DUFFEY M) To permit the Public Utilities Commission to adopt rules governing residential utility reselling. |
|   | ***Current Status:*** | 10/17/2017 - House Public Utilities, (Second Hearing) |
|   |
| **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:*** | 10/24/2017 - **REPORTED OUT**, House Armed Services, Veterans Affairs and Homeland Security, (Third Hearing) |
|   |
| **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 |
|   |
| **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:*** | 9/20/2017 - House Civil Justice, (Second Hearing) |
|   |
| **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:*** | 10/24/2017 - **BILL AMENDED**, House Civil Justice, (Third Hearing) |
|   |
| **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:*** | 10/10/2017 - House Criminal Justice, (Second Hearing) |
|   |
| **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:*** | 11/29/2017 - House State and Local Government, (Fourth Hearing) |
|   |
| **HB303** | **SERVICE ANIMAL USE** (LIPPS S, KELLY B) To prohibit places of public accommodation from preventing the use of a service animal. |
|   | ***Current Status:*** | 10/10/2017 - House Economic Development, Commerce and Labor, (First Hearing) |
|   |
| **HB312** | **LOCAL GOVERNMENT CREDIT CARDS** (SCHURING K, GREENSPAN D) Regarding use of credit cards and debit cards by political subdivisions. |
|   | ***Current Status:*** | 11/1/2017 - **BILL AMENDED**, House Government Accountability and Oversight, (Fifth Hearing) |
|   |
| **HB342** | **LOCAL TAX ISSUES-ELECTION DATES** (MERRIN D) 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. |
|   | ***Current Status:*** | 11/1/2017 - House Government Accountability and Oversight, (Second Hearing) |
|   |
| **HB371** | **TAXES ON UNSOLD PROPERTY** (MERRIN D) To exempt from property taxation the increased value of land subdivided for residential development until construction commences or the land is sold. |
|   | ***Current Status:*** | 11/28/2017 - House Ways and Means, (Third Hearing) |
|   |
| **HB380** | **WORKERS COMP-ILLEGAL ALIENS** (SEITZ B, HOUSEHOLDER L) To prohibit illegal and unauthorized aliens from receiving compensation and certain benefits under Ohio's Workers' Compensation Law. |
|   | ***Current Status:*** | 11/29/2017 - House Insurance, (Second Hearing) |
|   |
| **HB399** | **HEALTH INSURANCE SAVINGS INCENTIVES** (HENNE M, BUTLER, JR. J) To enact the Ohio Right to Shop Act to require health insurers to establish shared savings incentive programs for enrollees. |
|   | ***Current Status:*** | 10/31/2017 - Introduced |
|   |
| **HB413** | **PERS ADJUSTMENT-DEVELOPMENTAL DISABILITIES EMPLOYEES** (SCHERER G) Regarding Public Employees Retirement System (PERS) annual cost-of-living adjustments granted to allowance and benefit recipients and PERS service credit for services as a nonteaching school employee of a county board of developmental disabilities. |
|   | ***Current Status:*** | 11/9/2017 - Introduced |
|   |
| **HB422** | **MUNICIPAL WATER-WORKS ACQUISITIONS** (GINTER T, ROGERS J) To govern acquisitions of municipal water-works and sewage disposal system companies by certain larger nonmunicipal water-works or sewage disposal system companies. |
|   | ***Current Status:*** | 11/21/2017 - Introduced |
|   |
| **SB2** | **ENVIRONMENTAL PROTECTIONS LAWS** (HITE C) To revise specified laws relating to environmental protection. |
|   | ***Current Status:*** | 7/7/2017 - **SIGNED BY GOVERNOR**; eff. 10/6/2017 |
|   |
| **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:*** | 11/6/2017 - **SIGNED BY GOVERNOR**; Eff. 90 days |
|   |
| **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:*** | 10/18/2017 - **BILL AMENDED**, Senate Energy and Natural Resources, (Second Hearing) |
|   |
| **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:*** | 9/27/2017 - Senate Energy and Natural Resources, (Fourth Hearing) |
|   |
| **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 |
|   |
| **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:*** | 9/12/2017 - Referred to Committee House Government Accountability and Oversight |
|   |
| **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 |
|   |
| **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:*** | 10/25/2017 - Senate Energy and Natural Resources, (Second Hearing) |
|   |
| **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) |
|   |
| **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 |
|   |
| **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:*** | 9/7/2017 - Referred to Committee Senate Transportation, Commerce and Workforce |
|   |
| **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:*** | 9/6/2017 - Senate Finance, (First Hearing) |