|  |
| --- |
|  |
| **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  **May 2019** |

The Ohio Senate began informal hearings on the state operating budget (HB 166). The House is still preparing their changes and is expected to pass the measure in the coming weeks once amendments for the substitute bill and the omnibus amendment are added and the bill. Senate subcommittees, including two standing committees (Higher Education Committee and General Government & Agency Review Committee), will begin their informal budget work next week. Differences between revenue projections, which differ by more than $700 million, by the DeWine Administration and the Legislative Service Commission will be a top concern for members of the Senate panel, Senate Finance Chairman Matt Dolan said. The bill must be signed by the governor by June 30th.

The H2Ohio Fund, the DeWine administration’s proposal to tackle water quality issues, will likely remain in the House’s version of the operating in some form according to Speaker Larry Householder. The massive spending proposal – $85 million for FY 2020 and up to $900 million over the next decade – will be divided between the Environmental Protection Agency, Department of Agriculture and Department of Natural Resources. In numerous testimonies before the House Finance Subcommittee on Agriculture Development and Natural Resources, supporters hailed the multi-faceted approach as more than about funding alone, but as a way to partner with people engaged in agriculture, conversation and environment as well as researchers at universities to address Ohio’s water quality challenges. House lawmakers are now considering ways to ensure the dollars in the fund are properly spent and put to good use.

In other legislative news, opponents have lined up to push back against a bill (SB 33) intended to protect critical infrastructure facilities from damage. CORD worked with stakeholders on this bill to ensure that water and wastewater infrastructure would be included and protected as “critical infrastructure” Opponents told members of the Senate Judiciary Committee that the measure could have unintended consequences and could violate citizens’ First Amendment rights. Leann Leiter of Earthworks said the proposal not only increases fines and penalties, but also expands liability to those who merely associate with peaceful and lawful protestors.

Lucas County Commissioners are suing the federal government over what the county claims is a “long-standing and indefensible failure” to protect Lake Erie under the Clean Water Act. The suit was filed in the U.S. District Court’s Northern District of Ohio. The commissioners argue that the U.S. EPA should not have accepted the state’s decision to not submit a basin-wide Total Maximum Daily Load limit for the lake’s western basin, which they argue are a requirement under the Clean Water Act.

In other Lake Erie News, the State and the City of Toledo are at odds over the Lake Erie “Bill of Rights”, and Attorney General Dave Yost is seeking to intervene in a lawsuit challenging the measure. In a February 26th special election, Toledo voters endorsed adding to the city’s charter language that grants Lake Erie the rights to exist, flourish and naturally evolve. In doing so, the language empowers Toledoans to file lawsuits on behalf of the lake over any action deemed to impede those rights. The next day, a Wood County Farmer filed a lawsuit leading to the U.S. District Court for the Northern District of Ohio to grant an injunction. The Attorney General’s office argues the amendment contradicts the state of Ohio’s statutory, regulatory and civil and criminal enforcement programs, and that municipal corporations do not have the authority to enact laws that apply outside their limit. The city said it would not oppose the state’s motion to join the proceeding.

Two legislators in the House announced this week that they will be leaving the legislature. Rep. Steven Arndt (R-Port Clinton) announced he will be retiring effective July 31st. Arndt serves as Chairman of the House Aging & Long-Term Care Committee. He is serving his third term in the House and previously served as an Ottawa County Commissioner for 27 years. Rep. Sara LaTourette (R-Chagrin Falls) also announced she will be resigning her seat to accept a position as executive director of Ohio Family and Children First. The position is tasked with streamlining and coordinating government services of children and families, which has been a key priority for the DeWine Administration. LaTourette has represented the 76th House District since 2014 and served as majority floor leader under House Speaker Ryan Smith last session.

Ohio added 6,300 jobs in March as the unemployment rate dropped to 4.4% according to the Department of Jobs and Family Services. The agency reported that the number of unemployed workers was down 7,000 from February to 258,000.

Below is a list of legislation we are currently tracking during the 133rd Ohio General Assembly:

|  |  |  |
| --- | --- | --- |
| **HB27** | **PUBLIC MOTOR VEHICLE LIABILITY** (INGRAM C) To modify political subdivision liability for an employee's negligent operation of a motor vehicle. | |
|  | ***Current Status:*** | 3/19/2019 - House Civil Justice, (Third Hearing) |
|  | | |
| **HB46** | **STATE GOVT EXPENDITURE DATABASE** (GREENSPAN D) To require the Treasurer of State to establish the Ohio State Government Expenditure Database. | |
|  | ***Current Status:*** | 5/1/2019 - House State and Local Government, (Fourth Hearing) |
|  | | |
| **HB62** | **TRANSPORTATION BUDGET** (OELSLAGER S) To increase the rate of and modify the distribution of revenue from motor fuel excise taxes, to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of those programs. | |
|  | ***Current Status:*** | 4/3/2019 - **SIGNED BY GOVERNOR**; eff. 90 days, Taxes eff. 7/1/19 |
|  | | |
| **HB78** | **PREVAILING WAGE-PUBLIC IMPROVEMENTS** (RIEDEL C, MANCHESTER S) 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:*** | 2/20/2019 - Referred to Committee House Commerce and Labor |
|  | | |
| **HB79** | **INDUSTRIAL COMMISSION BUDGET** (OELSLAGER S) To make appropriations for the Industrial Commission for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of Commission programs. | |
|  | ***Current Status:*** | 3/12/2019 - Re-Referred to Committee |
|  | | |
| **HB80** | **BWC BUDGET** (OELSLAGER S) To make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of the bureau's programs. | |
|  | ***Current Status:*** | 2/26/2019 - House Insurance, (First Hearing) |
|  | | |
| **HB84** | **CAPITAL IMPROVEMENTS-SEWER LATERALS** (HOLMES G) To expressly include, as eligible projects under the State Capital Improvements Program, water and sewer laterals located on private property. | |
|  | ***Current Status:*** | 3/27/2019 - House State and Local Government, (First Hearing) |
|  | | |
| **HB95** | **BRINE-CONVERSION OF WELLS** (SKINDELL M) To alter the Oil and Gas Law with respect to brine and the conversion of wells. | |
|  | ***Current Status:*** | 3/5/2019 - Referred to Committee House Energy and Natural Resources |
|  | | |
| **HB115** | **REGULATOR RESTRICTION REDUCTION** (RIEDEL C, ROEMER B) To require certain agencies to reduce the number of regulator restrictions and to amend the versions of sections 106.021 and 106.03 of the Revised Code that are scheduled to take effect August 18, 2019, to continue the provision of this act on and after that effective date. | |
|  | ***Current Status:*** | 4/10/2019 - House State and Local Government, (Second Hearing) |
|  | | |
| **HB163** | **WATER AND SEWER PRACTICES** (BRINKMAN T) To create a process for withholding local government funds and state water and sewer assistance from municipal corporations that engage in certain water and sewer practices with respect to extraterritorial service. | |
|  | ***Current Status:*** | 5/1/2019 - House Public Utilities, (Second Hearing) |
|  | | |
| **HB166** | **OPERATING BUDGET** (OELSLAGER S) To make operating appropriations for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of state programs. | |
|  | ***Current Status:*** | 5/2/2019 - Senate Finance Primary and Secondary Education Subcommittee, (Third Hearing) |
|  | | |
| **HB168** | **AFFIRMATIVE DEFENSE-HAZARDOUS SUBSTANCES** (ARNDT S) To establish an affirmative defense to a release or threatened release of hazardous substances from a facility for certain bona fide prospective purchasers. | |
|  | ***Current Status:*** | 4/30/2019 - House Civil Justice, (Second Hearing) |
|  | | |
| **HB197** | **TAX CODE CORRECTIONS** (POWELL J, MERRIN D) To enact the "Tax Code Streamlining and Correction Act" to make technical and corrective changes to the laws governing taxation. | |
|  | ***Current Status:*** | 4/16/2019 - Referred to Committee House Ways and Means |
|  | | |
| **HB218** | **PUBLIC-PRIVATE PARTNERSHIPS** (PATTON T) To authorize certain public entities to enter into public-private initiatives with a private party through a public-private agreement regarding public facilities. | |
|  | ***Current Status:*** | 4/24/2019 - Introduced |
|  | | |
| **HB220** | **GOVERNMENT BLOCKCHAIN USE** (CARFAGNA R) To allow a governmental entity to utilize distributed ledger technology, including blockchain technology. | |
|  | ***Current Status:*** | 4/24/2019 - Introduced |
|  | | |
| **SB1** | **REDUCE REGULATORY RESTRICTIONS** (MCCOLLEY R, ROEGNER K) To require certain agencies to reduce the number of regulatory restrictions and to continue the provision of this act on and after August 18, 2019. | |
|  | ***Current Status:*** | 3/5/2019 - Senate Government Oversight and Reform, (Third Hearing) |
|  | | |
| **SB2** | **STATEWIDE WATERSHED PLANNING** (PETERSON B, DOLAN M) To create a statewide watershed planning structure for watershed programs to be implemented by local soil and water conservation districts. | |
|  | ***Current Status:*** | 2/20/2019 - Referred to Committee Senate Agriculture and Natural Resources |
|  | | |
| **SB8** | **TAX CREDITS-OHIO OPPORTUNITY ZONE** (SCHURING K) To authorize tax credits for investments in an Ohio Opportunity Zone. | |
|  | ***Current Status:*** | 5/1/2019 - House Economic and Workforce Development, (First Hearing) |
|  | | |
| **SB10** | **THEFT IN OFFICE PENALTIES** (WILSON S) To expand the penalties for theft in office based on the amount stolen and to include as restitution audit costs of the entity that suffered the loss. | |
|  | ***Current Status:*** | 4/11/2019 - House Criminal Justice, (First Hearing) |
|  | | |
| **SB33** | **CRITICAL INFRASTRUCTURE FACILITIES OFFENSES** (HOAGLAND F) To modify certain criminal offenses with respect to critical infrastructure facilities and to impose fines and civil liability for damage to a critical infrastructure facility. | |
|  | ***Current Status:*** | 5/1/2019 - Senate Judiciary, (Sixth Hearing) |
|  | | |
| **SB38** | **WATER AND SEWER FUNDS-MUNICIPAL CORPORATIONS** (SCHURING K) To revise the law governing municipal corporation use of water and sewer funds. | |
|  | ***Current Status:*** | 3/26/2019 - Senate Local Government, Public Safety and Veterans Affairs, (First Hearing) |
|  | | |
| **SB50** | **INCREASE SOLID WASTE DISPOSAL FEE** (EKLUND J) To increase state solid waste disposal fee that is deposited into the Soil and Water Conservation District Assistance Fund, and to make an appropriation. | |
|  | ***Current Status:*** | 4/2/2019 - Senate Finance, (Second Hearing) |
|  | | |
| **SB86** | **UTILITY SERVICE RESELLERS** (MAHARATH T) To regulate certain resellers of utility service. | |
|  | ***Current Status:*** | 3/12/2019 - Referred to Committee Senate Energy and Public Utilities |