|  |
| --- |
|  |
| **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  **December 2019** |

Ohio EPA Director Laurie Stevenson announced $500,000 in funding to extend sewer lines in Pomeroy as the first H2Ohio-funded infrastructure project. The project is the first of several such projects expected to be unveiled in the coming weeks and funded via H2Ohio. "Ohio's communities rely on clean drinking water and wastewater infrastructure to protect public health, which is why the H2Ohio Initiative is focusing on addressing failing home sewage treatment systems and helping disadvantaged communities build infrastructure," said Governor DeWine in a statement. In outlining his administration's goal for the dollars, Governor DeWine previously stressed replacing worn-out infrastructure, including failing septic tanks. The Pomeroy project will include construction of 15,000 linear feet of 8-inch sanitary sewer lines, 92 manholes and a new lift station. The infrastructure will serve about 80 homes, or 200 people, who will join the village of Pomeroy's wastewater treatment system upon completion. The remainder of the $3.7 million project will be covered with principal forgiveness dollars from the agency's state revolving loan fund.

Ohio EPA's funding announcement comes days after the Department of Natural Resources outlined the first wave of wetlands to be created or rehabilitated through H2Ohio. That plan includes six projects in northwest Ohio with more to come. The aim is to create wetland vegetation that will absorb phosphorus and other pollutants that would otherwise enter waterways including Lake Erie and fuel harmful algal blooms. "The critical importance of clean water cannot be overstated," Director Mertz said. "Access to a high-quality water supply impacts everything from wildlife habitats to neighborhoods, schools, and main street businesses – which makes clean water the right area to invest." The six wetland projects announced are part of 23 total projects in progress.

Another bill CORD is watching closely is HB 264, which would allow the Ohio Water Development Authority to refinance loans for certain public water and wastewater infrastructure projects. CORD testified in support of the legislation in October, and the bill was favorably reported from the House State and Local Government Committee in November. The bill now awaits a floor vote before being sent to the Senate for further deliberation.

Senate President Larry Obhof and Speaker Larry Householder have criticized each other for not moving the other chamber’s priority bills, including HB 7, which creates a long-term funding plan for H2Ohio. The Senate has its own priority measure on water quality pending in the House, SB 2, which creates a statewide watershed planning and management program. President Obhof said talks on the water quality measures are ongoing. "I view SB 2, HB 7 and a number of other things related to water quality as all not mutually exclusive," Sen. Obhof said. He added they are "not necessarily part of the same package, but they're all being looked at by the same people in each chamber, all being worked on together. I don't think there are any issues."

The House Public Utilities Committee is inching closer to a vote on SB 33, which would create a new criminal offense and impose fines and civil liability for damage done to “critical infrastructure” facilities. At the most recent hearing for the bill, scores of advocates continued to voice opposition, mostly in written testimony. Their objections come despite amendments accepted at the committee's last meeting in an effort to head off some of those concerns. One of the opponents stated, "even if a peaceful group is protesting on public property outside the pipeline, they're still being held responsible if someone breaks the law and trespasses." The remark quickly drew skepticism from Committee Republicans, noting that the language would only install liability if the group knowingly directed, authorized, facilitated or encouraged the act or compensated the person for the offense. The lone proponent witness, representing industry groups and companies pushing for the measure’s passage, urged members to base their vote on the language of the bill and not the opponents’ interpretation of it. "SB 33 does not affect one's constitutional right to protest," he said. "The current bill seeks to increase criminal and civil penalties for very specific intentional acts. If a 'protestor' decides to take matters into one's own hands and destroys property or endangers the public, that 'protestor' forfeits any protected right to free speech." Chairman Rep. Jamie Callender said it's likely the committee will vote on the matter at its next meeting.

House Republicans tabbed Mark Fraizer, a member of Newark City Council, to fill a vacancy in the 71st District. Mr. Fraizer won the nod over six other applicants and was seated in the House immediately. He will succeed former Rep. Scott Ryan, who resigned to move into an administration post. The new lawmaker, who has worked in the banking sector since 2011, is a senior project manager in information technology at Huntington National Bank. He was first elected to council in 2015 and was reelected in November. He is also a former legislative page. Fraizer holds a degree from Otterbein University.

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

|  |  |  |
| --- | --- | --- |
| **HB7** | **H2OHIO PROGRAM** (GHANBARI H, PATTERSON J) To create the H2Ohio Trust Fund for the protection and preservation of Ohio's water quality, to create the H2Ohio Advisory Council to establish priorities for use of the Fund for water quality programs, and to authorize the Ohio Water Development Authority to invest the money in the Fund and to make recommendations to the Treasurer of State regarding the issuance of securities to pay for costs related to the purposes of the Fund. | |
|  | ***Current Status:*** | 10/22/2019 - Senate Finance, (First Hearing) |
|  | | |
| **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:*** | 12/4/2019 - Senate General Government and Agency Review , (Fifth 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:*** | 6/27/2019 - **SIGNED BY GOVERNOR**; eff. 6/27/19 |
|  | | |
| **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:*** | 7/22/2019 - **SIGNED BY GOVERNOR**; Eff. Immediately |
|  | | |
| **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:*** | 9/17/2019 - House Energy and Natural Resources, (First Hearing) |
|  | | |
| **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:*** | 9/26/2019 - **BILL AMENDED**, House Public Utilities, (Fourth 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:*** | 7/18/2019 - **SIGNED BY GOVERNOR**; Eff. Immediately |
|  | | |
| **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:*** | 12/4/2019 - Senate Agriculture and Natural Resources, (Fourth 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:*** | 11/19/2019 - Senate Ways and Means, (First Hearing) |
|  | | |
| **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:*** | 6/19/2019 - **SUBSTITUTE BILL ACCEPTED**, House State and Local Government, (Second Hearing) |
|  | | |
| **HB220** | **GOVERNMENT BLOCKCHAIN USE** (CARFAGNA R) To allow a governmental entity to utilize distributed ledger technology, including blockchain technology. | |
|  | ***Current Status:*** | 6/12/2019 - **REPORTED OUT AS AMENDED**, House Commerce and Labor, (Third Hearing) |
|  | | |
| **HB238** | **WHISTLEBLOWER PROTECTIONS** (CERA J, SCHERER G) To revise Ohio's whistleblower protection laws. | |
|  | ***Current Status:*** | 11/12/2019 - House Civil Justice, (Fourth Hearing) |
|  | | |
| **HB263** | **OCCUPATIONAL LICENSING-CRIMINAL CONVICTIONS** (KOEHLER K) To revise the initial occupational licensing restrictions applicable to individuals convicted of criminal offenses. | |
|  | ***Current Status:*** | 11/6/2019 - House Commerce and Labor, (Third Hearing) |
|  | | |
| **HB264** | **WATER DEVELOPMENT-LOAN REFINANCING** (WILKIN S, O'BRIEN M) To allow the Ohio Water Development Authority to provide for the refinancing of loans for certain public water and waste water infrastructure projects. | |
|  | ***Current Status:*** | 11/20/2019 - **REPORTED OUT**, House State and Local Government, (Fourth Hearing) |
|  | | |
| **HB308** | **PTSD COVERAGE - FIRST RESPONDERS** (PATTON T) Concerning workers' compensation and disability retirement for peace officers, firefighters, and emergency medical workers diagnosed with posttraumatic stress disorder arising from employment without an accompanying physical injury. | |
|  | ***Current Status:*** | 10/22/2019 - House Insurance, (Second Hearing) |
|  | | |
| **HB326** | **PUBLIC EMPLOYEE RETIREMENT-DISABILITY BENEFIT** (MILLER A) To allow a Public Employees Retirement System or School Employees Retirement System disability benefit recipient elected to certain offices to continue receiving a disability benefit during the term of office. | |
|  | ***Current Status:*** | 11/12/2019 - House Insurance, (First Hearing) |
|  | | |
| **HB340** | **DRAINAGE LAW** (CUPP B) To revise the state's drainage laws. | |
|  | ***Current Status:*** | 11/6/2019 - House State and Local Government, (First Hearing) |
|  | | |
| **HB343** | **EMERGENCY WATER AND SEWER** (PATTERSON J) To make an appropriation related to emergency water and sewer system funding. | |
|  | ***Current Status:*** | 10/2/2019 - Referred to Committee House State and Local Government |
|  | | |
| **HB368** | **COMPUTER CRIMES** (BALDRIDGE B) To enact the Ohio Computer Crimes Act. | |
|  | ***Current Status:*** | 11/21/2019 - House Criminal Justice, (Second Hearing) |
|  | | |
| **HB370** | **HISTORICAL SYMBOLS, MONUMENTS** (HILLYER B, BALDRIDGE B) To allow the Attorney General to defend political subdivisions in certain actions brought under the First Amendment to the United States Constitution or analogous provisions of the Ohio Constitution. | |
|  | ***Current Status:*** | 11/5/2019 - House Civil Justice, (Second Hearing) |
|  | | |
| **HB380** | **CONTRACTOR PAYMENT DEADLINE** (CROSS J, SWEENEY B) To require owners of construction projects to pay a contractor within thirty-five days of receiving a request for payment. | |
|  | ***Current Status:*** | 11/6/2019 - House Commerce and Labor, (First Hearing) |
|  | | |
| **HB398** | **GENERAL ELECTIONS - LEGAL HOLIDAY** (CRAWLEY E, SWEENEY B) To establish the day of each general election as a legal holiday for which government employees receive paid leave. | |
|  | ***Current Status:*** | 11/12/2019 - Referred to Committee House State and Local Government |
|  | | |
| **HB427** | **SAFE DRINKING WATER LAW - CONTAMINANTS** (WIGGAM S) To alter the requirements governing secondary contaminants under the Safe Drinking Water Law. | |
|  | ***Current Status:*** | 11/26/2019 - Introduced |
|  | | |
| **HJR2** | **CRITICAL INFRASTRUCTURE PROTECTION AMENDMENT** (MANNING D, CALLENDER J) Proposing to enact Section 12 of Article XV of the Constitution of the State of Ohio to provide Ohio critical infrastructure protection. | |
|  | ***Current Status:*** | 10/30/2019 - House Energy and Natural Resources, (First Hearing) |
|  | | |
| **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:*** | 6/12/2019 - House State and Local Government, (First 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:*** | 12/3/2019 - House Energy and Natural Resources, (Second Hearing) |
|  | | |
| **SB8** | **TAX CREDITS-OHIO OPPORTUNITY ZONE** (SCHURING K) To authorize tax credits for investments in an Ohio Opportunity Zone. | |
|  | ***Current Status:*** | 5/8/2019 - House Economic and Workforce Development, (Second 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:*** | 10/29/2019 - Re-Referred to Committee |
|  | | |
| **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:*** | 11/20/2019 - House Public Utilities, (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:*** | 11/12/2019 - Senate Energy and Public Utilities, (Second Hearing) |
|  | | |
| **SB135** | **DEFERRED COMPENSATION-AUTOMATIC ENROLLMENT** (HOTTINGER J) To authorize automatic enrollment of new employees in the Ohio Public Employees Deferred Compensation Program. | |
|  | ***Current Status:*** | 5/15/2019 - Referred to Committee Senate General Government and Agency Review |
|  | | |
| **SB171** | **17-DAY INTERIM BUDGET** (DOLAN M, O'BRIEN S) To enact a 17-day interim budget. | |
|  | ***Current Status:*** | 6/30/2019 - **SIGNED BY GOVERNOR**; Effective Immediately |
|  | | |
| **SB172** | **30 DAY BWC BUDGET** (DOLAN M, O'BRIEN S) To make operating appropriations for the Bureau of Workers' Compensation for the period beginning July 1, 2019, and ending July 31, 2019. | |
|  | ***Current Status:*** | 6/30/2019 - **SIGNED BY GOVERNOR**; Effective Immediately |
|  | | |
| **SB219** | **APPRENTICE PROGRAM** (WILLIAMS S) To establish a career pathways apprentice program. | |
|  | ***Current Status:*** | 10/23/2019 - Referred to Committee Senate Education |
|  | | |
| **SB244** | **CERTIFICATES OF TRANSITION** (RULLI M) To require fiscal officers of certain political subdivisions to provide certificates of transition to their successors when leaving office. | |
|  | ***Current Status:*** | 11/26/2019 - Introduced |
|  | | |
| **SJR1** | **CLEAN WATER IMPROVEMENTS** (GAVARONE T, O'BRIEN S) 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 clean water improvements. | |
|  | ***Current Status:*** | 10/1/2019 - Senate Finance, (First Hearing) |