



## Meetings This Week (11/18 - 11/22)

RUMA Discussion with ODOT & Interested Parties  
Rep. Brian Hill - roads and bridges issues  
Rep. Kirk Schuring (phone call)- JEDDs/JEDZs  
Sen. Tim Schaffer (phone call) - fiscal officer bill

## Legislative Activity This Week (11/18 - 11/22)

### House State & Local Government

**HB 221 CREDIT UNIONS** (Terhar, L., Heard, T.) To permit credit unions to serve as public depositories under certain

circumstances and to allow credit unions to participate in the Development Services Agency's Capital Access Loan Program and its various small business loan guarantee programs.

*The sponsors explained the reasons behind the bill and urged committee members to support the bill. The bill is a reintroduction of legislation from the 129th General Assembly, which the OTA supports.*

**HB 289 JEDZ/JEDD CHANGES** (Schuring, K.) To require subdivisions to obtain written approval from owners and lessees of real property located within a proposed or existing joint economic development zone (JEDZ) or joint economic development district (JEDD) before approving, amending, or renewing the JEDZ or JEDD contract, to require that income tax revenue derived from a JEDZ or JEDD approved, amended, or renewed after the bill's effective date be used to carry out the JEDZ or JEDD economic development plan before being used for other purposes, and to institute contiguity requirements for which subdivisions may create a JEDZ or JEDD.

*Please see page 2 of this alert for more information on this issue.*

**HB 321 GOVERNMENT RECORDS** (Duffey, M., Hagan, C.) To create the DataOhio Board, and to specify requirements for posting public records online.

**HB 322 UNIFORM ACCOUNTING** (Duffey, M., Hagan, C.) To require the Auditor of State to adopt rules regarding a uniform accounting system for public offices.

**HB 323 PUBLIC DATA** (Duffey, M., Hagan, C.) To establish an online catalog of public data at Data.Ohio.gov.

**HB 324 LOCAL GOVERNMENT INFORMATION** (Duffey, M.) To establish the Local Government Information Exchange Grant Program and to make an appropriation.

*Although introduced as four separate bills, Sponsors Duffey & Hagan presented sponsor testimony together before the committee on Tuesday. The bills were referred to the Shared Services & Government Efficiency Subcommittee for further review.*

### Senate State Government Oversight & Reform

**HB 69 TRAFFIC CAMERAS** (Maag, R.) To prohibit the use of traffic law photo-monitoring devices by municipal corporations, counties, townships, and the State Highway Patrol to detect traffic signal light and speed limit violations, except in certain circumstances.

*Several people came in to testify in support of the legislation, including two Democrat representatives.*

### Senate Ways & Means

**SB 149 ECONOMIC DEVELOPMENT** (Beagle, B.) To authorize tax credits for contributions of money to economic and infrastructure development projects undertaken by local governments and nonprofit corporations.

*A nonprofit association that creates sustainable affordable housing testified in support of the measure. It was noted that in other states, nonprofits can use public-private tax credit partnerships to facilitate development.*

**SB 208 NONRESIDENT TAXPAYERS** (Schaffer, T.) To require municipal corporations with more than \$100 million in annual income tax collections to provide a tax credit to nonresident taxpayers.

*Senator Schaffer provided sponsor testimony. He noted that there are six communities that have a GRF that exceeds \$100 million.*

### House Ways & Means

**HB 335 GREEN FLEET LOANS** (Butler, J.) To create the Green Fleets Loan Guarantee Program to guarantee the repayment of loans made to governmental entities and private businesses to fund the conversion of all or a portion of their fleet vehicles to run on natural gas fuel; to require the inspection of certain natural gas vehicles; to create a weight limit exemption for compressed natural gas vehicles; and to clarify the regulatory authority of the Fire Marshal with regard to filling stations dispensing gaseous fuel.

*Rep. Butler provided sponsor testimony on the bill. He stated that conversions cost about \$4,000-\$8,000 per vehicle and that this bill will provide a mechanism to help those that wish to convert their fleet.*

**HB 219 ECONOMIC DEVELOPMENT** (Butler, J.) To authorize tax credits for contributions of money to economic and infrastructure development projects undertaken by local governments and nonprofit corporations.

*Similar to SB 149 above, several proponents testified in support of the measure.*

## Annexation Bill (HB 277) Update

On behalf of the OTA, Rep. Peter Stautberg introduced HB 277, which addresses several of our legislative priorities pertaining to annexation. The bill has had two hearings before the House State & Local Government Committee. As mentioned last week, several township officials testified in support of the bill at the 2nd hearing and the bill will have another proponent hearing on Tuesday, December 3.



## JEDZ/JEDD Bill (HB 289) Update

The OTA is continuing to work with Rep. Schuring and interested parties on the bill. There have been two interested party meetings and several versions of the bill drafted. At this time, the OTA does not support HB 289 but we are continuing to work with all parties.

### WHAT THE "AS INTRODUCED" BILL WOULD DO:

- establishes contiguity requirements for political subdivisions that create, amend, renew or add a new political subdivision to a JEDD or JEDZ after effective date
- requires a political subdivision to obtain signed petitions of support from 100% owners/lessees of real property located within a JEDD or JEDZ before creating, amending or renewing the JEDD or JEDZ
- requires the money collected from a JEDD or JEDZ to be utilized first for the purpose of carrying out the economic development plan for the JEDD or JEDZ

To view the bill in its entirety, please visit [www.legislature.state.oh.us](http://www.legislature.state.oh.us).

### REASON BEHIND BILL:

What is the reason for the bill? Newspaper stories characterized two potential central Ohio JEDDs as "tax grabs" and "abuses of the law." Both JEDDs being discussed include(d) land owned by political subdivisions whereby employees working on the land would be subject to the proposed income tax.

### LEGISLATIVE ACTION THUS FAR:

The bill was referred to the House State & Local Government Committee. The bill has had three hearings thus far - sponsor testimony and 2 proponent hearings. Several witnesses came in to testify in support of the proposed changes. Many were employees or businesses that would be impacted by the creation of the two proposed JEDDs mentioned above. At the third hearing Wednesday, a substitute was offered by Rep. Schuring.

### PROPOSED CHANGES IN SUBSTITUTE BILL:

- removes restriction for use of revenue derived from district or zone but would require the petition to include a statement as to how the income will be utilized
- expands contiguity requirement to allow municipality or township to leap over one or two political subdivisions to seek partners for a district or zone
- allows existing districts or zones to be reauthorized under current law
- requires the expansion of a zone or district to follow new petition requirements of HB 289
- requires majority of current property owners/lessees, business owners and assessed valuation property owners to sign petition creating zone or district

### WHAT NOW?

The OTA will continue to meet with Rep. Schuring and interested parties. We will be asking townships to provide us with information and possibly testify on the measure.

## JEDZ/JEDD Moratorium Introduced (HB 358)

**HB 358 JEDZ/JEDD MORATORIUM** (Schuring, K.) To impose a 90-day moratorium on the authority of townships and municipal corporations to approve new joint economic development zone contracts and new joint economic development district contracts devised under the nonrestricted procedures and on the authority to amend existing contracts for any purpose other than to revise the contract's duration, and to declare an emergency. For purposes of the moratorium, a contract is approved or amended when the legislative authority of the township or municipal corporation enacts a resolution or ordinance approving or amending the contract.

## Share Your Thoughts on Legislation - Call/Email Today

**HB 277 (Annexation), HB 289 (JEDZ/JEDD Changes) and the Open Data bills (HB 321, 322, 323, 324) are currently before the House State & Local Government Committee.** You are encouraged to call the members and express your thoughts on these important pieces of legislation!

### Chair - Rep. Terry Blair

(614) 466-6504; rep42@ohiohouse.gov

### Vice Chair - Rep. Marlene Anielski

(614) 644-6041; rep06@ohiohouse.gov

### Ranking Minority Member -

#### Rep. Kathleen Clyde

(614) 466-2004; rep75@ohiohouse.gov

#### Rep. Richard Adams

(614) 466-8114; rep80@ohiohouse.gov

#### Rep. Terry Boose

(614) 466-9628; rep57@ohiohouse.gov

#### Rep. Tim Brown

(614) 466-8104; rep03@ohiohouse.gov

#### Rep. Tony Burkley

(614) 644-5091; rep82@ohiohouse.gov

#### Rep. Rex Damschroder

(614) 466-1374; rep88@ohiohouse.gov

#### Rep. Ron Gerberry

(614) 466-6107; rep59@ohiohouse.gov

#### Rep. Cheryl Grossman

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#### Rep. Bob Hackett

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#### Rep. Brian Hill

(614) 644-6014; rep97@ohiohouse.gov

#### Rep. Matt Lundy

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#### Rep. Ron Maag

(614) 644-6023; rep62@ohiohouse.gov

#### Rep. Bill Patmon

(614) 466-7954; rep10@ohiohouse.gov

#### Rep. John Rogers

(614) 466-7251; rep60@ohiohouse.gov

#### Rep. Michael Sheehy

(614) 466-1418; rep46@ohiohouse.gov

#### Rep. Stephen Slesnick

(614) 466-8030; rep49@ohiohouse.gov

#### Rep. Ron Young

(614) 644-6074; rep61@ohiohouse.gov



## Fiscal Officer Bill Update (SB 6)

The OTA is continuing to work with Sen. Schaffer, the Auditor of State's office and other interested parties on the provisions of the Fiscal Officer Integrity Act (SB 6). The bill will require continuing education for township fiscal officers at different levels for newly elected (or appointed) officials and those that are reelected to the position. At present time, the bill will allow education credit for CPIM sessions, mandatory public records (HB 9) training and CLE sessions for certified public accountants. In addition to the Auditor of State's office, the OTA will be permitted to offer training sessions for credit at our conference, similar to how we offer CPIM sessions.

The main sticking point in the legislation for the OTA is language creating a new removal procedure for township fiscal officers. As we have previously mentioned, the Ohio Revised Code currently has a procedure for the removal of elected officials, including township fiscal officers (ORC Sec. 3.07-3.10). Additionally, a fiscal officer could be removed from office if found guilty of theft in office (ORC Sec. 2921.41), having an unlawful interest in a contract (ORC sec. 2921.42), or is convicted of a felony (ORC Sec. 2961.01).

The OTA has worked with Senator Schaffer and legislative staff on compromise language. The parties are continuing to discuss the issue of removing officials who engage in serious misconduct from office.

## SB 16 Passes Senate - Trespassing

The Ohio Senate, by a vote of 33-0, passed SB 16 on Wednesday. The bill is designed to help communities clean up abandoned land or similar places of amusement. The bill provides that a person is not criminally or civilly liable for trespassing on certain abandoned land or similar places of public amusement if the person enters or remains on the land or place of public amusement to remediate it and knows or has reasonable cause to believe that the land or place of public amusement is in one of those categories; provides the property owner with immunity from liability to a person who enters or remains on the land or place of public amusement in those circumstances subject to the statute governing liability to trespassers; and provides that a person who enters or remains on the land or place of public amusement in those circumstances is not entitled to any reimbursement for any cost of the remediation unless agreed to by the property owner. The bill now heads to the House for hearings.

## OTA Board Votes to Oppose Term Limit Bill

A few weeks ago, we reported that HJR 8 was introduced in the Ohio House. HJR 8, if passed by the General Assembly, would put before Ohio voters a constitutional amendment that would place a 12-year maximum term for ALL elected offices and appointed boards and commissions in Ohio.

There are exceptions to the proposal. Federal offices or party offices would be exempt, as would municipalities that have set limits less than 12 years. Additionally, the bill keeps the current 8-year limit for governor, auditor, treasurer, secretary of state, attorney general, speaker of the house and president of the senate.

Examples of offices that would be subject to the 12-year term limit include:

- Judges
- Township officials
- County officials
- Municipal officials
- School boards
- ESC boards
- All appointed boards & commissions

Last Friday, the OTA Board of Directors met and discussed this proposal. Comments received in the office were shared and following discussion, the Board voted to formally oppose HJR 8.

## Muni. Tax Bill Not Fast Tracked in Senate

As mentioned last week, the Ohio House voted to approve Sub. House Bill 5, the municipal income tax reform legislation. Interested parties on both sides of the issue fiercely debated the measure in the House over the past years. The bill, as described by the sponsors, will "make Ohio's municipal income tax structure more conducive to business growth and economic development."

The Ohio Senate will now take up the measure and hold hearings. It was reported this week that the Senate will take its time in reviewing the comprehensive changes included in the bill.

## RUMAs Reviewed

On Tuesday, ODOT District 11 hosted a meeting about Road Use Maintenance Agreements (RUMAs) being used in the oil and gas shale play in Eastern Ohio. Attendees included representatives from the OTA, ODNR, the oil and gas industry, a number of county engineers and others. SB 315 requires ODOT and ODNR to issue a report to the legislature about the pros and cons of RUMAs. The consensus of the group was that the RUMA process basically works. There are some operational issues (e.g., keeping heavy trucks on designated routes), but the group committed to work on those matters. Carroll County leads the way with over 190 RUMAs in place. Columbiana has 56 RUMAs, Harrison has 55 RUMAs, Belmont has 15 RUMAs and Jefferson has 5 RUMAs. Oil and gas companies have spent millions of dollars on county and township road improvements in these counties.



## National Association of Towns & Townships (NATaT) Federal Update

### Weekly Federal Alerts Available

Each week NATaT publishes a weekly federal legislative alert. To view the federal update, please visit [www.ohiotownships.org](http://www.ohiotownships.org) and click on NATaT and then Federal Legislation.

## New Federal Regulations for CDL Holders

As of January 30, 2012, new Federal Motor Carrier Safety Administration (FMCSA) regulations began to require all commercial drivers license (CDL) holders to self-certify their expected type of commercial driving to the Ohio Bureau of Motor Vehicles (BMV) prior to any issuance of a CDL. If a CDL holder self-certifies Non-Excepted Interstate, the driver must also submit a completed medical examiners certificate (MECcert). The MECcert is also known as a "DOT card" or "med card". It is the card many CDL holders are already required to carry at all times when driving commercial motor vehicles.

All CDL holders will be asked to certify their type of driving upon issuance of a CDL at their local Deputy Registrar. All CDL drivers must self-certify in one of four categories **no later than January 30, 2014**. A self-certification form and a description of the categories can be found at <http://www.publicsafety.ohio.gov/links/bmv2159.pdf>.

If the CDL holder is required to carry a MECcert, the card will need to be provided to the Deputy Registrar, if not already on file with the Ohio BMV. All CDL holders who self-certify Non-Excepted Interstate and submit a MECcert are required to keep a valid medical card on file or modify the self-certification on file if their type of driving has changed. If a medical card expires and is not renewed, the driver is no longer eligible to operate a commercial motor vehicle.

Once a license is cancelled, the knowledge and skills tests must be taken in order to obtain a new operator license. Additional knowledge and skills tests will be required in order to obtain a CDL.

For more information, please visit [http://bmv.ohio.gov/cdl\\_fed\\_regulations.stm](http://bmv.ohio.gov/cdl_fed_regulations.stm).

## ODH Looking for Twp Smoking Policies

The Ohio Department of Health - Tobacco Use Prevention & Cessation Program is looking for examples of township smoking or tobacco use resolutions. Specifically, they are looking for policies that go beyond what is required by state law, such as prohibition of personal tobacco use, no smoking on entire campus, etc... Please send copies of such policies to:

Russ Roeder  
Tobacco Use Prevention & Cessation Program  
Ohio Department of Health  
Phone 614-728-2956; Fax 614-466-4556  
[Russell.Roeder@odh.ohio.gov](mailto:Russell.Roeder@odh.ohio.gov)

## OTA Website Update

The OTA launched a new website Oct. 31. We appreciate your patience during this transition, as there have been some unexpected glitches.

Currently, the online conference registration is unavailable. The OTA hopes to have the issue resolved by the middle of next week. In the meantime, feel free to register for the conference via the form in the November/December issue of the *Ohio Township News*, or online at [www.ohiotownships.org](http://www.ohiotownships.org) under Education, then Winter Conference. The form may be faxed or mailed.

Housing reservations are still available online. Follow the link below, and as a reminder, all housing reservations must be made online this year: <https://aws.passkey.com/event/10802500/owner/6761/landing>.

## Local Government Innovation Fund News

### Round 8 Application NOW AVAILABLE!

The application for Round 8 of the Local Government Innovation Fund is now available. Applications can be made for both the Local Government Innovation Program (grants and loans) and the Local Government Efficiency Program (grants and scholarships).

Applications are due December 9, 2013. All application materials can be found under Application Materials at [http://development.ohio.gov/cs/cs\\_localgovfund.htm](http://development.ohio.gov/cs/cs_localgovfund.htm).

## MVL & Permissive Tax Distribution Reports

The Ohio Bureau of Motor Vehicles (BMV) has launched the Motor Vehicle License and Permissive Tax Distribution Reports website. All MVL and permissive tax reports, beginning January 2014, will only be available online five business days after the end of each month.

To access your township's MVL and permissive tax reports, please follow these steps:

- Go to [www.bmv.ohio.gov](http://www.bmv.ohio.gov)
- Scroll down right-hand column to "For Government Only" section and click on it
- Click on "Motor Vehicle License and Permissive Tax Distribution Reports"

If you have questions about the new website or accessibility of the reports, please contact Leora Knight, Chief Tax Distribution, Department of Public Safety, at (614) 752-7685 or Stephanie Cook at (614) 752-7688.