

LEGISLATIVE ACTIVITY THIS WEEK:

FY 2014-2015 Budget - HB 59

Hearings are taking place in several Subcommittees of the House Finance Committee. All agencies and commissions/boards have been asked to give testimony. School groups will be asked to testify next week regarding the proposed changes to school funding and other education issues in the budget.

There have been some questions raised regarding the broadening of the sales tax and how it may apply to townships. We are researching those questions and will let you know as information becomes available.

Transportation Budget - HB 35

We are still working with the Ohio Contractors Association on a potential increase in township force account limits. In HB 35, ODOT is granted a 20% increase in certain state force account limits and so we are hoping townships will receive the same courtesy. We will keep you posted!

Notification to Former Employees/Contractors of OPERS Eligibility - IMPORTANT!!!!!!

Rep. Schuring and Rep. Ramos introduced a bill (HB 67) on Wednesday to extend the time in which a political subdivision has to notify previous employees/contractors of their potential OPERS eligibility. *(Information was included in the January 4, 2013 legislative alert, which may be found on OTA website.)*

SB 343 (129th General Assembly) included language that required all public employers to notify previous employees/contractors by March 7, 2013 of their potential OPERS eligibility. The previous employees/contractors then have until January 7, 2014 to file with OPERS for eligibility. Those that do not file within that one year would not be eligible to claim OPERS membership after January 7, 2014 unless a medical issue prevented them from meeting the deadline.

House Bill 67 will delay the implementation date until September 7, 2013 and then past employees/contractors will have until August 7, 2014 to file for eligibility with OPERS. It is the hope of the sponsors that the time extension will allow public employers and OPERS time to address unforeseen issues with this new law.

The OTA supports the time extension and will work diligently with the sponsors, other interested parties and OPERS to address the issues with this notification requirement.

MEETINGS THIS WEEK:

- Rep. Ron Hood - new member meeting
- Local Government Groups - OPERS employee/employer forms
- Rep. Mike Curtain - new member meeting
- Maggie Lewis - dispute resolution classes for elected officials
- Sen. Uecker (Phone call) - fiscal officer integrity bill

RECENTLY INTRODUCED:

HB 41 OIL GAS DRILLING (Hagan, R.) To authorize a political subdivision to enact and enforce health and safety standards for oil and gas drilling and exploration.

HB 56 TIF EXEMPTIONS (Gerberry, R.) To allow a board of township trustees to reduce the percentage or term of a property tax exemption granted to a business under a tax increment financing agreement if the business fails to create the number of new jobs the business agreed to create in the agreement.

HB 59 BUDGET BILL (Amstutz, R.) To make operating appropriations for the biennium beginning July 1, 2013, and ending June 30, 2015; to provide authorization and conditions for the operation of state programs.

HB 67 PERS DETERMINATIONS (Schuring, K.) To delay determinations by the Public Employees Retirement System of eligibility for retirement system membership and to declare an emergency

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 signal light and speed limit violations.

HB 72 COUNTY RECORDS (Brenner, A.) To modernize and make other changes regarding how the county recorder's office maintains records.

SB 5 CALL LOCATIONS (Brown, E., Manning, G.) To require wireless service providers to provide call location information to law enforcement officers or agencies in certain emergency situations.

SB 6 FINANCIAL CONTINUING EDUCATION (Schaffer, T.) To establish education programs and continuing education requirements for the fiscal officers of townships and municipal corporations, to establish procedures for removing those fiscal officers, county treasurers, and county auditors from office, and to create fiscal accountability requirements for public schools, counties, municipal corporations, and townships.

SB 10 ELECTION LAWS (Coley, B., Smith, S.) To revise the law regarding polling places and voting machines.

SB 12 OIL GAS EMPLOYEES (Cafaro, C.) To require three-year employment of oil and gas training program graduates who are Ohio residents, and to make appropriations to support oil and gas training programs, including employee training grants to oil or gas well owners.

SB 16 TRESPASSING (Schiavoni, J.) To provide 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; to provide 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 to provide 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.

SB 34 RENEWABLE ENERGY (Jordan, K.) To repeal the requirement that electric distribution utilities and electric services companies provide 25% of their retail power supplies from advanced and renewable energy resources by 2025.

SB 35 SPECIAL ELECTIONS (Jordan, K.) To eliminate the ability to conduct special elections in February and August.

SB 36 FIREARMS (Jordan, K.) To prohibit any agency and its employees and agents from seizing or authorizing the seizure of any firearm from any person lawfully in possession or control of the firearm except when a law enforcement officer reasonably believes the immediate seizure of the firearm is necessary for the safety of the officer or another person or to preserve the firearm as evidence, to prohibit the establishment of a firearm registry, and to prohibit law enforcement officers and

international agents from enforcing a firearms registration requirement or firearm ban.

COMMITTEE SCHEDULE FOR WEEK OF FEBRUARY 25:

Tuesday, February 26

House Finance & Appropriations, (Chr. Amstutz, R., 466-1474), Rm. 313, 9 a.m.

HB 35 TRANSPORTATION BUDGET (McGregor, R.) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2013, and ending June 30, 2015, and to provide authorization and conditions for the operation of those programs. (4th Hearing-All testimony-Possible substitute)

HB 51 TURNPIKE OPERATIONS (McGregor, R., Patmon, B.) To authorize the Ohio Turnpike Commission to issue revenue bonds for infrastructure projects, to rename the Ohio Turnpike Commission as the Ohio Turnpike and Infrastructure Commission, to repeal authority allowing the Director of Budget and Management and the Director of Transportation to execute a contract with a private entity for the purpose of outsourcing turnpike-related highway services, to make other changes in the law governing the Ohio Turnpike Commission, and to make an appropriation. (3rd Hearing-All testimony-Possible substitute)

House Insurance, (Chr. Hackett, B., 466-1470), Rm. 121, 10 a.m.

HB 34 BWC BUDGET (Hackett, B.) To allow the Administrator of Workers' Compensation to pay for specified medical benefits during an earlier time frame, to make changes to the Health Partnership Program, to eliminate the \$15,000 Medical-Only Program, to make other changes to the Workers' Compensation Law, and to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2013, and ending June 30, 2015; and to provide authorization and conditions for the operation of the Bureau's programs. (2nd Hearing-All testimony-Possible vote)

House Policy & Legislative Oversight, (Chr. Dovilla, M., 466-4895), Rm. 115, 2 p.m.

HB 7 INTERNET CAFES (Huffman, M.) To permit the Bureau of Criminal Identification and Investigation to investigate criminal activity related to the Gambling Law, to make changes related to schemes of chance. (2nd Hearing-Proponent)

Senate Transportation, (Chr. Manning, G., 644-7613), Finance Hearing Rm., 2:30 p.m. (or immediately following session)

HB 35 TRANSPORTATION BUDGET (McGregor, R.) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2013, and ending June 30, 2015, and to provide authorization and conditions for the operation of those programs. (Informal hearing - pending referral)

HB 51 TURNPIKE OPERATIONS (McGregor, R., Patmon, B.) To authorize the Ohio Turnpike Commission to issue revenue bonds for infrastructure projects, to rename the Ohio Turnpike Commission as the Ohio Turnpike and Infrastructure Commission, to repeal authority allowing the Director of Budget and Management and the Director of Transportation to execute a contract with a private entity for the purpose of outsourcing turnpike-related highway services, to make other changes in the law governing the Ohio Turnpike Commission, and to make an appropriation. (Informal hearing - pending referral)

Senate State Government Oversight & Reform, (Chr. Burke, D., 466-8049), South Hearing Rm., 4 p.m.

HB 67 PERS DETERMINATIONS (Schuring, K.) To delay determinations by the Public Employees Retirement System of eligibility for retirement system membership and to declare an emergency (Informal hearing)

Wednesday, February 27

House Health & Aging, (Chr. Wachtmann, L., 466-3760), Rm. 116, 9:30 a.m.

HB 67 PERS DETERMINATIONS (Schuring, K.) To delay determinations by the Public Employees Retirement System of eligibility for retirement system membership and to declare an emergency (1st Hearing-All testimony-Possible vote)

House Finance & Appropriations, (Chr. Amstutz, R., 466-1474), Rm. 313, 10 a.m.

HB 35 TRANSPORTATION BUDGET (McGregor, R.) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2013, and ending June 30, 2015, and to provide authorization and conditions for the operation of those programs. (5th Hearing-All testimony-Possible amendments, substitute & vote)

HB 51 TURNPIKE OPERATIONS (McGregor, R., Patmon, B.) To authorize the Ohio Turnpike Commission to issue revenue bonds for infrastructure projects, to rename the Ohio Turnpike Commission as the Ohio Turnpike and Infrastructure Commission, to repeal authority allowing the Director of Budget and Management and the Director of Transportation to execute a contract with a private entity for the purpose of outsourcing turnpike-related highway services, to make other changes in the law governing the Ohio Turnpike Commission, and to make an appropriation. (4th Hearing-All testimony-Possible amendments, substitute & vote)

HB 34 BWC BUDGET (Hackett, B.) To allow the Administrator of Workers' Compensation to pay for specified medical benefits during an earlier time frame, to make changes to the Health Partnership Program, to eliminate the \$15,000 Medical-Only Program, to make other changes to the Workers' Compensation Law, and to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2013, and ending June 30, 2015; and to provide authorization and conditions for the operation of the Bureau's programs. (2nd Hearing-Possible vote-Pending referral)

Senate Public Safety, Local Government & Veterans Affairs, (Chr. LaRose, F., 466-4823), North Hearing Rm., 10:15 a.m.

SB 5 CALL LOCATIONS (Brown, E., Manning, G.) To require wireless service providers to provide call location information to law enforcement officers or agencies in certain emergency situations. (1st Hearing - Sponsor)

House Ways & Means, (Chr. Beck, P., 466-6027), Rm. 116, 4 p.m.

HB 59 BUDGET BILL (Amstutz, R.) To make operating appropriations for the biennium beginning July 1, 2013, and ending June 30, 2015; to provide authorization and conditions for the operation of state programs.

Testimony from Department of Taxation

Thursday, February 28

House Ways & Means, (Chr. Beck, P., 466-6027), Rm. 116, 9 a.m.

HB 59 BUDGET BILL (Amstutz, R.) To make operating appropriations for the biennium beginning July 1, 2013, and ending June 30, 2015; to provide authorization and conditions for the operation of state programs.

*Testimony will be heard on following issues: BTA, excise taxes, LGF, Tax Administration & Compliance
The OTA will be testifying on Thursday.*

AGREED UPON PROCEDURES BILL - HB 6:

In sponsor testimony on February 12 before the House State & Local Government Committee, Rep. Thompson said the proposed legislation intends to codify the Auditor of the State's Office policy concerning Agreed-Upon Procedures audits for eligible political subdivisions to lower costs and increase participation among these entities in this practice. As many as 1,400 government entities could qualify for AUP audits under this proposal, Mr. Thompson said. Currently, only 600 qualify for them. The proposal, the sponsor said, would specify that government entities must meet the definition for a qualifying subdivision to use these audits. He added that the legislation includes language to remove the AOS' exemption for filing a rule summary and fiscal analysis with the Joint Committee on Agency Rule Review, as well as a provision allowing the office to send rule change notices via email. Following Mr. Thompson's testimony, many committee members offered praise of the proposal before questioning the sponsors on specific parts of his bill. *The OTA supports this bill.*

INTERNET CAFES/SWEEPSTAKES PARLORS - HB 7:

The House has begun hearings on **HB 7** in the House Policy & Legislative Oversight Committee. The bill would heavily regulate the internet café/sweepstakes parlors and, according to some sources, effectively eliminate this type of industry in Ohio. We have heard from townships on both sides of this issue and have advocated for the rights to either ban OR regulate at the LOCAL level. Additionally, should townships have the right to regulate this industry within their jurisdiction, we have requested the right to charge the business a fee to operate within the township. This would be similar to the rights municipalities currently have.

A survey was sent out in the January 24 alert asking for township feedback regarding these types of business. **Attached are the survey results.**

ETHICS COMMISSION BULLETIN REGARDING ACCEPTANCE OF GIFTS:

The Ohio Ethics Commission issued a **bulletin (attached)** with updated guidance regarding the receipt of gifts and entertainment. This guidance is to help public officials and employees follow the requirements for accepting and disclosing such gifts in general and also those from family, friends, and acquaintances. The bulletin outlines prohibitions regarding public officials' or employees' acceptance of substantial gifts from vendors to their public agencies. The document contains specific guidance for those who are required to annually file a Financial Disclosure Statement with the Ethics Commission (which does not currently include trustees or fiscal officers). The bulletin also reminds these officials and employees that the Ethics Law requires that they determine the value and source of an item before accepting it. Nominal gifts are not prohibited under the Ethics Law and there is normally no prohibition from accepting a gift from family or personal friends.

OTA OFFERING GRANT WORKSHOPS AGAIN IN 2013:

The Ohio Township Association (OTA), in cooperation with Gatchell Grant Resources, is offering four grant workshops in 2013. Seminars will take place at OTA headquarters in Blacklick, Ohio, from 10:00 a.m. - 3:30 p.m.

The first session, to be held *March 25*, is titled *Grant Basics 101*. It is a repeat from 2012 and will include topics such as: grant readiness; application formats; examples of actual applications, including local, state and federal; and discussion as to why grants fail.

The remaining three sessions will be held April 15, June 24 and Sept. 16. These sessions are more advanced in nature and will discuss where to find grants that fit your township needs, what to do with them once you find them and how to administer the grant money once you receive it.

The cost for each session is \$65 and includes lunch. To register, visit the Events & Education, then Seminars page of the OTA website at www.ohiotownships.org or fill out and return the **attached registration form**. If 15 people are not registered at least two weeks prior to the session, it will be cancelled.

Land Use Planning & Development Near Transmission Pipelines in Ohio - Webinar Opportunity:

The US Department of Transportation will be hosting a webinar on land use planning and development near pipelines. The Land Planning near Transmission Pipelines in Ohio webinar is scheduled for April 24 from 1-2:15 PM EST.

The online registration is currently being set up and ***will be ready in a few days***. Here is the link to register: <http://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=85&nocache=5636>. **Attached is a promotional piece** with information about the webinar and the registration link is included.

Notice Revised Workplace Posters AVAILABLE:

The Department of Labor has released the new ***Federal Family Medical Leave Act Notice revised 2/5/13***. The updates include changes to the military family leave and allow for greater abilities to attend to personal matters and medical needs related to service members' families. Download a new poster at <http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>.