



Meetings This Week (10/7 - 10/11)

Rep. Henne - annexation and taxes

Legislative Activity This Week (10/7 - 10/11)

Senate State Government Oversight & Reform

Am. HB 69 TRAFFIC MONITORING DEVICES (Maag, Mallory)
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.

The bill had its first hearing in the Senate on Tuesday.

Sponsors Reps. Maag and Mallory explained the precipice behind the bill - preventing law enforcement from ticketing drivers for traffic light and speed limit violations via cameras. While public safety personnel have advocated for the use of cameras to deter traffic violations, the sponsors dismissed the argument that the cameras actually do promote public safety; rather, the use of the cameras is simply to bolster revenue for the municipality.

House State & Local Government

HB 4 LOCAL GOVERNMENT PERFORMANCE GRANTS (Stautberg) To establish the Local Government Performance Measurement Grant Program.

At the second hearing, the committee heard proponent testimony on Tuesday. Several proponents came forth including the Huron City Manager and three employees from the City of Loveland. All expressed concern over the loss of funding at the local level and how the grant program could lead to the implementation of operational efficiencies in local government across Ohio by benchmarking and setting forth performance measurements.

House Ways & Means

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

In his sponsor testimony on Wednesday, Rep. Butler stated that his bill would create a public-private partnership tool that would provide a state business tax credit for contributions to not-for-profit or local governments working on capital improvement projects in a defined geographical area. He noted that the legislation is patterned after programs in other states.

Senate Public Safety, Local Government & Veterans' Affairs

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

The OTA had not previously been monitoring this legislation but at the 2nd hearing on Wednesday, several groups testified before the committee seeking amendments to the legislation. Given the nature of the following suggested amendments, the OTA will now be monitoring the legislation - ability for a zoo to place a continuous levy before voters, tax law clarifications, ability for a county to create an entertainment district and delaying the elimination of the property tax rollback language until after the November 2013 election.

SB 172 LAND USE PROGRAMS (Patton) To modify the laws governing land reutilization programs and property tax foreclosures.

Sponsor Sen. Tom Patton provided the committee an overview of his legislation on Wednesday. He stated that the bill encompasses a series of amendments that are the direct result of four years of operational experience on the part of county land banks and the changes are intended to provide clarification and consistency to existing law concerning land banking and tax foreclosure.

Senate Tax Reform Subcommittee

The Subcommittee held its 2nd hearing on tax reform this week. Witnesses included Tax Commissioner Joe Testa who provided the members with an update on the impact of the recent tax reform changes and the state's efforts in regards to the Streamlined Sales Tax Project. Other witnesses included Policy Matters Ohio, Ohio Manufacturers Association, Buckeye Institute for Public Policy Solutions and the Associated General Contractors of Ohio.

Recently Introduced Legislation

HB 289 DEVELOPMENT ZONES (Schuring) 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.

Referred to House State & Local Government Committee



Committees Next Week (10/14 - 10/18)

TUESDAY, OCTOBER 15

House Transportation, Public Safety & Homeland Security, 1:30 p.m., Rm. 122

HB 278 VEHICLE WEIGHTS (Slaby) To require that a vehicle with a gross vehicle weight rating or an actual gross vehicle weight of more than 10,000 pounds be driven only in either of the two right-hand lanes of a freeway with three lanes of travel in the same direction, except in limited circumstances.

1st Hearing - Sponsor Testimony

House State and Local Government, 3:00 p.m., Rm. 121

HB 10 FISCAL OFFICER ACCOUNTABILITY (Hagan, C.) 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.

1st Hearing - Sponsor Testimony

WEDNESDAY, OCTOBER 16

House Commerce, Labor & Technology, 4:00 p.m., Rm. 114

HB 190 PREVAILING WAGE (Hood) To increase the threshold to trigger the requirement that prevailing wage be paid for work on vertical public improvement projects and to allow political subdivisions and state institutions of higher education to elect whether to be subject to the Prevailing Wage Law for a public improvement project.

3rd Hearing - Opponent Testimony

THURSDAY, OCTOBER 17

Senate Tax Reform Subcommittee, 10:00 a.m., S. Hearing Rm.

All Testimony

Definition of Indigent Policy Now Available

A township is not relieved of any duty it may have to bury a person at the expense of the township if a body is claimed by a person that is indigent. It is a question of fact whether a particular individual that is claiming the body of a dead person is indigent, or without the ability to pay for private interment. Normally, a person claiming the body of a deceased resident will make arrangements for a private burial/cremation at their own expense. However, if the person claiming the body is indigent, the township is required to bury/cremate at the township's expense.

Included in the budget was new language defining indigent for purposes of a burial at the expense of a township (ORC Sec. 9.15). Here is the new language, effective September 29:

As used in this section, "indigent person" means a person whose income does not exceed one hundred fifty per cent of the federal poverty line, as revised annually by the United States department of health and human services in accordance with section 673 (2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C. 9902, as amended, for a family size equal to the size of the person's family.

Before the legislative change, it was unclear as to who was an indigent or who was not, as there was no definition for the purposes of ORC Sec. 9.15. The inclusion of a percentage of the poverty threshold provides townships a clear direction when assessing a person's indigence.

The OTA has put together a model policy for townships to use to assist in defining indigency. **Please find attached the "Model Policy for Defining Indigent for Purposes of Burial at Township's Expense."** We strongly encourage you to work with your legal counsel in modifying and adopting this model policy.

Tax Department Seeking Clarifications to Several Provisions Included in HB 59

Tax Commissioner Joe Testa offered testimony before the Senate Public Safety, Local Government & Veterans' Affairs Committee this week. He is seeking a series of amendments as technical corrections to HB 59, the biennium budget. The amendments include several provisions that have an impact on townships. The Commissioner is seeking legislation that would do the following:

- Clarify effective date of when grain handlers would be exempt from paying the Commercial Activity Tax (CAT)
- Clarify the freeze of the indexing on the personal income tax brackets and personal exemption
- Maintain the 10% and 2.5% rollback reimbursement on all unvoted (or inside) millage
- Clarify that a surviving spouse receives the homestead exemption grandfather clause
- Allow companies to claim certified historic preservation credits
- Delay all transfers to the Income Tax Reduction Fund
- Clarify withholding tax provisions regarding Pass-Through Entities

Tax Commissioner Testa also requested the Committee consider an emergency clause to ensure that all of the tax changes operate as they were intended in HB 59.



Does Your Township Have a JEDD or JEDZ?

The Ohio General Assembly, over 20 years ago, provided townships with the authority to participate in Joint Economic Development Districts (JEDDs) or Development Zones (JEDZs). There have been questions raised as to the use of these important economic development tools and the OTA would like to compile examples from townships which have used JEDDs/JEDZs to further economic development or for revitalization purposes. We will share these examples with members of the General Assembly to highlight the positive impact these development districts or zones have had in Ohio.

If your Township has implemented a JEDD or a JEDZ to further economic development or revitalize areas in your township, please send us information on the following: which type did you use, how many partners are included, and how has your township benefitted from the creation of the district or zone. Additionally, please include your contact information should there be follow-up questions. You may email the information to either Heidi (fought@ohiotownships.org) or Matt (detemple@ohiotownships.org) at the OTA office.

Minimum Wage Rate to Increase

Ohio's minimum wage is scheduled to rise to \$7.95 for non-tipped employees and \$3.98 per hour for tipped employees beginning January 1, 2014. The increase will apply to employees of businesses with annual gross receipts exceeding \$292,000. The increase comes as part of a Constitutional Amendment passed by Ohio voters in 2006, which requires the state's minimum wage to increase on the first day of each year by the rate of inflation.

Currently, Ohio's minimum wage employees earn \$7.85 per hour or \$3.93, depending on whether they receive tips, and work for businesses with annual gross receipts that exceed \$288,000. Minimum wage employees at businesses with lower gross annual receipts or who are 14 and 15-years-old, meanwhile, will continue to earn \$7.25 per hour, as their compensation is tied to the federal minimum wage.

OTA Seeking Workshop Suggestions

The 2014 Winter Conference & Trade Show will take place at the Columbus Convention Center Feb. 12-15, 2014. How can you help in the planning process? Can you recommend a speaker or have a workshop topic suggestion? Email Heidi Fought at fought@ohiotownships.org. Workshops will be finalized at the Nov. 15 Board meeting.

Ohio Ethics Commission October Newsletter Now Available

The Ohio Ethics Commission has released its October 2013 newsletter. Please visit <http://www.ethics.ohio.gov/education/newsletters/13-10.pdf> to view it.

Unemployment Fraud Penalties Hiked

As of October 21, new penalties will take effect for unemployment claimants who commit fraud and for employers whose inaction leads to benefits being paid in error.

Along with an existing requirement for violators to repay funds and forego benefits for a time, the new law provides for fines totaling 25% of amounts fraudulently obtained. The new guidelines also require the agency to charge employers who repeatedly fail to respond to requests for information about unemployment compensation claimants.

For more information, please visit the Unemployment Compensation website - www.unemployment.ohio.gov.

Public Records Management Session

The Ohio Historical Society - Local Government Records Program is presenting a *new* "Just the Basics for Townships" webinar on **Tuesday, October 22, 2013 at 2:00 pm**. The cost is \$20.00 per registration.

"Just the Basics for Townships" will introduce records-keepers to the most up-to-date records management best practices in Ohio, including the procedures for creating and filing records retention schedules and certificates of disposal with the OHS-LGRP. Key concepts will include:

- Pertinent Definitions and Ohio Revised Code
- Township Records Commissions
- Inventory Preparation
- Determining Retention Periods
- Township-Specific Issues
- The RC Forms (RC-1, RC-2, and RC-3)
- Procedural Changes
- Storage/Environmental Considerations

After registration you will be sent information on how to access the webinar. The instructions also include a quick and automatic test that ensures you can access the webinar from your computer. It only takes a minute or two and has instructions for trouble-shooting. *The test is required in order to access the webinar.*

You can register for this webinar online at the Ohio History Store by clicking on "Workshops," then "State Archives Workshops," and finally on "Just the Basics Webinar." *The Ohio History Store only accepts credit card and PayPal payments.* You can also return the bottom of the **attached flyer** via email, fax, or postal mail with a check or indicate that you would like to be invoiced.

To register, visit: <http://www.ohiohistorystore.com/State-Archives-Workshops-C51.aspx>. Please register by Friday, October 18, 2013.