



Mid-Ohio Regional Planning Commission

Monthly Legislative Update

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<i>Priority</i>	<i>Status</i>
<p>Promote Energy Efficiency and an Abundant Supply of Safe, Reliable, and Affordable Sources of Energy for our Growing Region</p>	<p>In response to a report of the state’s Energy Mandate Study Committee, MORPC, at its March 10th Commission meeting, took the following positions:</p> <ul style="list-style-type: none"> » MORPC opposes the indefinite freeze of the Ohio energy mandates. In addition, » MORPC supports a combination of incentives and mandates to help achieve the goals of increased energy efficiency and renewable energy for diversity in our energy mix along with determining the best approach for maximizing the credit of advanced energy projects. <p>They are being communicated to the Ohio General Assembly.</p>
<p>Seek Federal Funding for Regional Projects</p>	<p>As a result of the recently-enacted FAST Act, a Notice of Funding Opportunity was issued for the FASTLANE program. Local projects include an expansion of a portion of Alum Creek Drive in Franklin County and the Intermodal Gateway Project in Marion.</p> <p>Additionally, the latest \$500 million round of TIGER grants was announced. Local projects include the Columbus Regional Airport Authority’s and Norfolk Southern’s partnership on an expansion of Rickenbacker, as well as the Intermodal Gateway Project in Marion.</p>
<p>Explore Possibility of Passing Legislation to Increase Local Government License Plate Fees for Funding Infrastructure</p>	<p>MORPC continues to work with statewide organizations and members of the region’s Ohio General Assembly delegation to increase this optional tool available for local governments. Rep. Margaret Ann Ruhl has circulated a co-sponsor memo in the Ohio House of Representatives for a bill that would give local government permissive authority to increase fees up to \$15 collectively for infrastructure.</p>



<p>Establish MORPC as Top MPO Resource for Ohio Congressional Delegation on Transportation Issues</p>	<p>The City of Columbus was one of seven finalists in the US Department of Transportation’s first-ever Smart Cities grant program. A total of 78 cities submitted applications. The other finalists were: Austin, Texas; Denver, Colorado; Kansas City, Missouri; Pittsburgh, Pennsylvania; Portland, Oregon; and San Francisco, California.</p> <p>MORPC worked with the City of Columbus to help prepare its proposal which was submitted last month. Additional key partners in the Columbus grant application include The Ohio State University and Battelle.</p> <p>The \$50 million grant award winner will be announced in June.</p>
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<i>Priority</i>	<i>Status</i>
<p>Work With Our Regional Partners to Identify Significant Projects and Grant Opportunities to Benefit the Region</p>	<p>Senate President Keith Faber and Speaker Cliff Rosenberger unveiled a \$2.6 billion capital appropriations proposal introduced in the Senate April 12. Highlights include \$650 million for local school construction, repairs and renovation; \$484 million for higher education institutions; \$500 million for infrastructure; \$275 million for parks and natural resources; \$100 million for health and human service programs; and \$160 million for community projects. Unfortunately, MORPC’s proposed project – a regional data lab – was not funded in the state capital bill.</p> <p>A break-down of the capital bill projects by counties is available on MORPC’s website.</p>



Secure Additional Resources for the Clean Ohio Program

The recently-introduced state capital bill contains \$100 million of funding for the Clean Ohio fund. MORPC had been engaged in the legislative effort to secure funding for this program and will work with the Clean Ohio Coalition to safeguard the funding as the bill moves through the legislative process. A reception honoring the 15th year of the program will be held at the Statehouse April 19th.

SB 235

MORPC submitted an interested party letter, on April 13, 2016, regarding Senate Bill 235 to the Ohio Senate Ways and Means Committee. The legislation would exempt developable properties and redevelopment properties from incurring property taxes due to land improvements before building construction. The letter expressed several concerns with the bill and how it would need to be reworked prior to passage. The central issues of the bill are provided below:

- » There is no defined tax exemption period
- » The scope of the tax exemption is too broad
- » The lack of local control of the tax exemption is problematic

In addition, the letter suggested that the sponsors Senator Coley (R-Liberty Township) and Senator Beagle (R-Tipp City) should hold an interested parties meeting on these concerns. The Ohio Municipal League and the County Auditors Association have also expressed similar concerns to the committee.

To read the interested party letter please visit our website at <http://morpc.org/government-affairs/regional-policyroundtable/index>.



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Agriculture

Large-scale changes to agricultural practices will be required to meet the goal of reducing levels of algae-promoting phosphorus in Lake Erie by 40 percent, according to a new study. The study, which integrates results from six modeling teams, was released by the University of Michigan (UM) Water Center. It concludes that meeting the 40 percent reduction target set by governments of Ohio, Michigan, Ontario, the U.S. and Canada will require widespread use of strong fertilizer-management practices, significant conversion of cropland to grassland and more targeted conservation efforts.

The U.S. Department of Agriculture (USDA) announced recently the availability of more than \$90 million in competitive grants to help strengthen local and regional food systems, develop new market opportunities for producers, and support farmers growing fruits, vegetables, tree nuts, flowers and nursery crops (known collectively as specialty crops). These grants programs are administered by USDA's Agricultural Marketing Service (AMS) and include the Specialty Crop Block Grant Program, the Farmers Market and Local Food Promotion Program, and the Federal-State Marketing Improvement Program **Ballot Issues**

Proponents of a proposal to require the state to issue bonds to pay for clean energy projects have returned to the attorney general for the sixth time with new language for a constitutional issue. The last time the group Yes for Ohio's Energy Future submitted its proposal, the Ohio Ballot Board split it into two separate issues, despite having certified previous issues as one. The proposal would require the General Assembly to issue \$1.3 billion in general obligation bonds each year for 10 years to pay for energy infrastructure capital improvement projects, as well as consumer and business energy cost reduction and jobs training programs in the clean energy field. Ohio Attorney General Mike DeWine certified the petition for the proposed amendments to the Ohio Constitution. Later, the Ohio Ballot Board approved as a single issue the clean energy proposal, but not before grilling an attorney on new language meant to address last fall's vote on putting anti-monopoly protections in the Ohio Constitution.

Backers of a proposed amendment to institute new ethics rules on Ohio legislators officially filed a lawsuit in the Ohio Supreme Court challenging an Ohio Ballot Board decision to split the issue into three separate issues. The suit claims the Ballot Board process is unconstitutional and that the proposed measure, which would limit lawmaker pay to the median Ohio household income, among other provisions, has a single subject — ethics for the Legislature. Ethics First - You Decide Ohio, the group behind the amendment, also asked for an expedited hearing on its lawsuit. The Ohio Supreme Court responded by asking Attorney General Mike DeWine, a named defendant, to respond.

Backers of a constitutional amendment that would legalize medical marijuana can begin collecting signatures for their effort after the Ohio Ballot Board certified the amendment as one issue. The committee behind the amendment, Ohioans for Medical Marijuana, which was formed by the national Marijuana Policy Project (MPP), was represented by Christopher Finney, who cited Ohio Supreme Court precedent in determining whether the proposal should be one issue. He said all of the provisions of the amendment revolve around the topic of medical marijuana.

FY16-17 Budget

State revenues continue coming in just short of estimates, with February tax receipts running \$2.2 million or 0.2 percent below estimates for the month. For the year-to-date, revenues are that same percentage under — 0.2 percent — for a total shortfall on the year so far of \$22.7 million. This is according to preliminary revenue figures released by the Office of Budget and Management (OBM).



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Economic Development

To support continued efforts to expand access to state contracts for small, minority- and women-owned businesses, the state of Ohio is hosting its annual Ohio Business Expo on April 19 from 10 a.m. to 2 p.m. at the Ohio History Center, 800 E. 17th Ave., Columbus, 43211. Admission and parking are free. ***Elections 2016***

A Franklin County judge ruled that Secretary of State Jon Husted misconstrued the Ohio Revised Code section concerning allowing 17-year-old Ohioans to cast a ballot in the presidential race, and said that any such votes cast should count. After initially saying he would appeal, Husted later recanted, explaining that because the 10th District Court of Appeals would not hear his appeal until the day before the election and “because even if we were to prevail, there is no effective way to responsibly make the changes necessary to implement an orderly election.” Instead, he directed all county boards of elections to comply with the court order.

While only 10 parks and recreation levies appeared on Ohio primary election ballots, 100% were approved by voters.

In an election that nationally seems to be about going against the status quo, Ohio voters went with what they know. Only one incumbent in the Ohio House, Senate, or U.S. Congress was knocked off, though an unexpected candidate emerged in the race to succeed retired U.S. House Speaker John Boehner (R-West Chester). The defeated incumbent was Rep. Tony Burkley (R-Payne), who lost to retired businessman Craig Riedel in the GOP primary. Warren Davidson, a military veteran, won the race to succeed Boehner.

The U.S. Supreme Court issued another ruling on redistricting, rejecting a challenge to Texas’ state legislative maps that sought to base districts on the total eligible voter population, rather than the raw population totals. The decision in *Evenwel v. Abbott* was unanimous, with five justices joining Justice Ruth Bader Ginsburg’s opinion and Justices Samuel Alito and Clarence Thomas filing separate concurring opinions. ***Federal***

U.S. Sen. Sherrod Brown (D-OH) is reintroducing legislation that he says will help local communities afford costly repairs to aging sewer systems, and is more likely to pass this time. Brown discussed the Clean Water Affordability Act with reporters on a conference call, saying his confidence in legislation he has been introducing since 2009 is boosted by the passage of a transportation bill despite a divided Congress late last year. He said members of Congress are seeing the benefits of investments in infrastructure improvements.

The Senate approved a House-amended version of the Older Americans Reauthorization Act of 2015. The bill reauthorizes aging programs for three years and includes reauthorization of the U.S. Department of Health and Human Services’ (HHS) Area Agencies on Aging (AAA) program. The bill takes steps to streamline federal level administration of programs, promote the efficient and effective use of transportation services, and improve coordination between programs at the federal state, and local levels. Additionally, the reauthorization adjusts the formula that allots state grants to account for geographic changes in the older population. The President is expected to sign the reauthorization bill into law.

The Senate has started work on the Federal Aviation Administration (FAA) reauthorization bill. Similar to the process to pass the FAST Act, the Senate voted to take up a tax-related House-passed measure to use as the “shell” for the Senate FAA bill. Last week, Senate Commerce, Science, and Transportation Chairman John Thune (R-SD) formally offered an amendment to strike the text of the House bill and replace it with the committee’s FAA bill.

General Assembly/Statehouse

Senate President Keith Faber (R-Celina) named Sen. Frank LaRose (R-Copley) chair of the Senate Transportation, Commerce and Labor Committee, replacing Sen. Gayle Manning (R-North Ridgeville), who becomes vice chair.



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In addition, Sen. Joe Uecker (R-Loveland) replaces LaRose as chair of the Senate State and Local Government Committee, and Sen. Tom Patton (R-Strongsville) was named chair of the Senate Finance Committee's Corrections Subcommittee, replacing Uecker.

New House and Senate companion bills will reform the Joint Committee on Agency Rule Review (JCARR) process by adding a seventh prong and give lawmakers on the panel more power to bring agencies before them to answer questions about policies that don't have corresponding rules.

Reps. Kent Smith (D-Euclid) and Kristin Boggs (D-Columbus) said they plan to introduce legislation that would use "1 percent" of Ohio's more than \$2 billion Rainy Day Fund to steady 31 communities appearing on the state auditor's fiscal distress list. The lawmakers pointed toward funding cuts to local governments since Gov. John Kasich took office, which they tallied at about \$1.7 billion from 2011 to the present.

Natural Resources

Horizontal shale production has seen a major rebound following disappointing results in the third quarter of 2015. Oil production surged 10 percent and natural gas 24 percent to end the year, during which both sectors grew by an average of nearly 80 percent over the previous fourth quarter, according to a new report from the Ohio Department of Natural Resources (ODNR). ODNR says "fracking" operations produced 303 billion cubic feet (Mcf) of natural gas and 6.2 million barrels of oil in the last three months of 2015. That compares to 246 billion Mcf of natural gas and 5.7 million barrels of oil from July to September.

The Kasich administration outlined its legislative plan to better protect the public from lead contamination in drinking water.

Poverty

U.S. Rep. Steve Stivers (R-Hilliard) joined Ohio Rep. Ryan Smith (R-Gallipolis) and representatives of the Ohio Healthy Food Financing Task Force to kick off a new statewide initiative, Healthy Food for Ohio. This program, which was funded in part in the Ohio Department of Job and Family Service (ODJFS) budget for FY16-17 and which will be administered by the Finance Fund Capital Corporation (FCAP), is intended to kick start the establishing of groceries or other food retailers to bring fresh food to "food deserts" in the state.

State Government

At its April 1 meeting, in addition to hearing reports on financial disclosure, education and confidential investigations, the Ohio Ethics Commission discussed Advisory Opinion Draft 2016-01, which offers advice to public officials who are also employed by nonprofit corporations.

State of the State

Gov. John Kasich took a break from his presidential campaign to focus on Ohio as he delivered his sixth "State of the State" address — this time before a joint session of the Legislature in Marietta. Five of his six addresses have been given in sites other than the Statehouse — the traditional venue for this annual address. Among the items he wants to see tackled are reforming the state's process of drawing congressional districts; accelerating tax cuts already approved; adding an emphasis on arts back into the education system; reducing costs at the state's colleges and universities; making further tax cuts; and taking additional steps in the state's war on the opiate epidemic, including registering pharmacy techs. ***Transportation***

The U.S. Department of Transportation (USDOT) has announced that states now have the option of repurposing certain earmarked funds if the original earmark is more than 10 years old and if less than 10 percent of project funds have been



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obligated. USDOT Secretary Anthony Foxx said this means roughly \$2 billion in previously unused earmarks can be put back to work to support infrastructure projects across the country, as described in new guidance from the Federal Highway Administration (FHWA). According to a document provided by the agencies, there are 23 Ohio projects worth nearly \$24.5 million that could potentially be re-designated by the Ohio Department of Transportation (ODOT).

The Ohio Elections Commission approved an advisory opinion requested by Rep. John Becker (R-Cincinnati) on the propriety of spending campaign funds to pay for highway memorial markers, finding that the Ohio Department of Transportation (ODOT) is a “legitimate charitable organization” that can receive contributions “from entities subject to Ohio’s campaign finance laws.”

New statistics from the Federal Railroad Administration (FRA) show the number of deaths at Ohio rail crossings more than tripled in 2015, and the number of injuries increased.

MORPC LEGISLATIVE TRACKING

HB12 TIF-INCENTIVE DISTRICTS (BUTLER, JR. J, BURKLEY T) To establish a procedure by which political subdivisions proposing a tax increment financing (TIF) incentive district are required to provide notice to the record owner of each parcel within the proposed incentive district before creating the district, and to permit such owners, under specific conditions, to exclude their parcels from the incentive district by submitting a written response.

Current Status: 2/16/2016 - House Ways and Means, (Third Hearing)

Recent Status: 2/9/2016 - House Ways and Means, (Second Hearing); 3/17/2015 - House Ways and Means, (First Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-12>

HB182 JOINT ECONOMIC DEVELOPMENT DISTRICTS (SCHURING K) To revise the law governing the creation and operation of joint economic development districts (JEDDs) and enterprise zones.

Current Status: 2/23/2016 - Referred to Committee Senate Ways and Means

Recent Status: 2/10/2016 - PASSED BY HOUSE; Vote 95-0; 2/10/2016 - Bills for Third Consideration

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-182>



HB222 PUBLIC TRANSIT EMPLOYEE-ASSAULT (DRIEHAUS D, PERALES R) To increase the penalty for assault when the victim is an employee of an Ohio transit system whom the offender knows or has reasonable cause to know is such an employee engaged in the performance of the victim's duties; to permit the court to impose a fine of up to \$5000 and a six-month or lifetime prohibition from riding an Ohio transit system for assault committed in such specified circumstances; to authorize Ohio transit systems to post a warning sign indicating that abuse or assault of staff will not be tolerated and might result in a felony conviction; and to increase the penalty for evading payment of the known fares of a public transportation system.

Current Status: 2/23/2016 - House Judiciary, (Second Hearing)

Recent Status: 6/9/2015 - House Judiciary, (First Hearing); 5/26/2015 - Referred to Committee House Judiciary

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-222>

HB233 REDEVELOPMENT DISTRICTS (SCHURING K) To authorize municipal corporations to create downtown redevelopment districts and innovation districts for the purposes of promoting the rehabilitation of historic buildings, creating jobs, encouraging economic development in commercial and mixed-use areas, and supporting grants and loans to technology-oriented and other businesses.

Current Status: 4/5/2016 - REPORTED OUT AS AMENDED, Senate Ways and Means, (Fourth Hearing)

Recent Status: 2/23/2016 - Senate Ways and Means, (Third Hearing); 2/17/2016 - Senate Ways and Means, (Third Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-233>

HB492 CAPITAL IMPROVEMENT-PILOT (ROGERS J, DRIEHAUS D) To create the Supplemental State Capital Improvements Pilot Program funded by a temporary transfer from the Budget Stabilization Fund and to make an appropriation.

Current Status: 3/21/2016 - Introduced

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-492>

HCR7 TAX EXEMPT MUNICIPAL BONDS (SPRAGUE R) To urge the President and the Congress of the United States to preserve the tax-exempt status of municipal bonds.

Current Status: 4/13/2016 - Senate Ways and Means, (First Hearing)

Recent Status: 2/23/2016 - Referred to Committee Senate Ways and Means; 2/17/2016 - ADOPTED BY HOUSE; Vote 93-0

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HCR-7>



SB48 BICYCLE HELMET REQUIREMENT (SKINDELL M) To require bicycle operators and passengers under 18 years of age to wear protective helmets when the bicycle is operated on a roadway and to establish the Bicycle Safety Fund to be used by the Department of Public Safety to assist low-income families in the purchase of bicycle helmets.

Current Status: 2/10/2016 - Senate Transportation, Commerce and Labor, (First Hearing)

Recent Status: 2/18/2015 - Referred to Committee Senate Transportation, Commerce and Labor;
2/11/2015 - Introduced

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-48>

SB152 GEOGRAPHIC EMPLOYMENT REQUIREMENTS (UECKER J) To enact section 9.49 and to repeal sections 153.013 and 5525.26 of the Revised Code to prohibit a public authority from requiring a contractor to employ a certain percentage of individuals from the geographic area of the public authority for the construction or professional design of a public improvement.

Current Status: 2/16/2016 - House State Government, (Fourth Hearing)

Recent Status: 2/3/2016 - BILL AMENDED, House State Government, (Third Hearing); 10/14/2015 - House State Government, (Second Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-152>

SB192 TRAFFIC LAW REVISION (BALDERSON T) To provide that when a motor vehicle passes a bicycle the safe passing distance to the left is three feet, and to alter the protocol for proceeding into an intersection that has malfunctioning traffic lights.

Current Status: 2/10/2016 - Senate Transportation, Commerce and Labor, (Second Hearing)

Recent Status: 12/9/2015 - Senate Transportation, Commerce and Labor, (First Hearing); 9/15/2015 - Referred to Committee Senate Transportation, Commerce and Labor

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-192>

SB235 INCREASED VALUE-PROPERTY TAX (BEAGLE B, COLEY W) To enact section 5709.45 of the Revised Code to exempt from property tax the increased value of property on which industrial or commercial development is planned until construction of new commercial or industrial facilities at the property commences.

Current Status: 4/13/2016 - Senate Ways and Means, (Fourth Hearing)

Recent Status: 4/5/2016 - SUBSTITUTE BILL ACCEPTED, Senate Ways and Means, (Third Hearing);
1/20/2016 - Senate Ways and Means, (Second Hearing)

State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-192>



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