



# Mid-Ohio Regional Planning Commission

## Monthly Legislative Update

MAY 2016

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## TOP ADVOCACY ITEMS

<i>Priority</i>	<i>Status</i>
<b>Promote Energy Efficiency and an Abundant Supply of Safe, Reliable, and Affordable Sources of Energy for our Growing Region</b>	<p>In response to a report of the state’s Energy Mandates Study Committee, MORPC, took the following positions:</p> <ul style="list-style-type: none"> <li>» MORPC opposes the indefinite freeze of the Ohio energy mandates.</li> <li>» 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.</li> </ul> <p>They are being communicated to the Ohio General Assembly as applied to Senate Bill 320, the Ohio Senate Republican’s response to the Energy Mandate Study Committee. MORPC Director of Energy &amp; Air Quality Christina O’Keefe attended a SB320 Interested Parties meeting to provide feedback based on MORPC’s positions. MORPC is also currently reviewing the recently introduced House Bill 554.</p>
<b>Seek Federal Funding for Regional Projects</b>	<p>As a result of the recently-enacted FAST Act, a Notice of Funding Opportunity was issued for the FASTLANE program. Local projects that submitted applications for funding included 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 that applied for funding included 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>
<b>Explore Possibility of Passing Legislation to Increase Local Government License Plate Fees for Funding Infrastructure</b>	<p>Rep. Margaret Ann Ruhl introduced HB 528, which would give local governments permissive authority to increase fees up to \$15 collectively for infrastructure.</p>
<b>Establish MORPC as Top MPO Resource for Ohio Congressional Delegation on Transportation Issues</b>	<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. The \$50 million grant award winner will be announced in June.</p>



## TOP ADVOCACY ITEMS

<i>Priority</i>	<i>Status</i>
<b>Work With Our Regional Partners to Identify Significant Projects and Grant Opportunities to Benefit the Region</b>	SB 310, a \$2.6 billion capital appropriations proposal introduced in the Senate April 12, cruised through the legislative process in a month’s time. 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.
<b>Secure Additional Resources for the Clean Ohio Program</b>	The recently passed 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.

## TOP NEWS

### ***SB235 Approved by Ohio Senate***

Legislation in SB235 (Beagle-Coley), which would exempt the increased value of commercial parcels from property tax until construction commences, drew a much closer vote of 22-11, including several Republicans who opposed the bill and one Democrat who supported it.

Sen. Bill Coley (R-Middletown) responded to several members of the minority who said the legislation, though fiscally neutral to the state, would cost local governments.

“The state does not benefit because we have a groundbreaking. The state benefits when we have a ribbon cutting,” Coley stated, saying many projects that will be built would not be built without the tax exemption. “There will be a lot more construction in this state as a result of this bill.”

At the vote on SB235, Sens. Hottinger (R-Newark) and Randy Gardner (R-Bowling Green) crossed over with Democrats to vote no, while Sen. Cecil Thomas (D-Cincinnati) joined Republicans in voting yes.

MORPC has been actively involved in voicing concern with the following aspects of SB 235 and believe they would discourage redevelopment and actually hurt local government economic development efforts:

- » The scope of the tax exemption is too broad. This legislation may have the unintended effect of eliminating the incremental increase in value for existing Tax Increment Financing (TIF) projects involving commercial and industrial developments.
- » The lack of local control of the tax exemption is problematic. State law already provides several economic incentive programs for local government to work in partnership with the private sector to redevelop property. Under SB 235, developers would be entitled to a tax break as a matter of right – irrespective of the plausibility of or failure to make the planned improvements. Local government officials are in the best position to work in partnership with their community and private sector to promote, evaluate, and execute development and redevelopment projects that involve an exemption from local taxes. Local government should be provided an opportunity to scrutinize them prior to a tax exemption being permitted.



## TOP NEWS

MORPC supported an amendment that would have remove Central Ohio from the scope of SB 235 and focused on counties with populations of 200,000 and bordering another state – this would be Butler, Hamilton, Clermont, Lucas and Mahoning counties are automatically eligible. It does give any Ohio local governments (county, city or township) the ability to voluntarily opt in to participate.

Unfortunately, this amendment was not offered. The Ohio Senate Ways and Means Committee passed the bill out of committee, on April 27, after accepting an amendment from Sen. Beagle. Beagle said interested parties have a desire to put a time limit on the freeze referenced in the bill, so the amendment sets it at 10 years.

### ***Governor Kasich Ends Presidential Bid***

Gov. John Kasich dropped out of the Republican presidential race on May 4. Gov. Kasich's decision to suspend his efforts came after he improbably became the last challenger to Donald Trump, who emerged as the presumptive GOP nominee when Ted Cruz dropped out. The two-term governor attempted to distinguish himself from the the raucous GOP field by avoiding direct attacks and striking a more positive tone.

### ***FY17-18 Capital Appropriations***

Legislative leaders unveiled the \$2.6 billion capital budget and announced plans for quick approval, with votes in both chambers having already taken place. Major categories of construction spending are K-12 education, higher education, local road and water infrastructure, parks, dams and natural areas, prisons, state transportation facilities, and community projects. MORPC created a regional map of community projects included in the [capital budget](#).

The capital budget, SB310 (Oelslager), increases the types of projects that are eligible for grants under the Ohio Public Works Commission's (PWC) Clean Ohio Green Space Initiative. The bill modifies the language so that grants can be provided to acquire green space or develop green space separately. The bill provides \$75 million for this initiative, which aims to preserve open spaces, sensitive ecological areas and river and stream corridors.

Nearly \$157 million of the proposed FY17-18 capital appropriations are going to what the administration terms "community projects" -- economic development projects of local or regional importance.

### ***Employment/Unemployment***

Ohio's unemployment rate ticked up to 5.1 percent in March after it was 5.0 percent in February, but the state also added 18,300 jobs over the month, according to the Ohio Department of Job and Family Services (ODJFS).

### ***Energy***

Sen. Bill Seitz (R-Cincinnati) introduced his bill to extend the current renewable energy "freeze" another three years, promising a definite end date rather than the indefinite freeze recommended by the majority caucus but opposed by the governor's office. Language in SB320, co-sponsored by Sens. Troy Balderson (Zanesville) and Shannon Jones (R-Springboro), would retain the current 2.5 percent state portfolio standard for renewable energy and 0.12 percent standard for solar energy through Saturday, Dec. 31, 2019.

Religious groups from across the state called for the reinstatement of Ohio's clean energy standards at a Statehouse rally. Speakers from Moms Clean Air Force in Ohio said energy freeze legislation 130-SB310 (Balderson) has discouraged investment in Ohio and allowed harmful emissions to continue polluting the air.



## TOP NEWS

### ***Environment***

The Ohio Environmental Protection Agency (Ohio EPA) announced that The Ohio Diesel Emissions Reduction Grant (DERG) program has awarded 26 grants totaling more than \$15 million for refurbishing or replacing aging diesel engines with newer, cleaner diesel technology or alternative fuel technology.

### ***General Assembly/Statehouse***

The House seated Bill Dean as the new 74th District representative to replace Bob Hackett, who moved to the Senate after the retirement of Sen. Chris Widener. Dean had won the Republican primary for the seat. Senate President Keith Faber (R-Celina) responded to news that Sen. Bill Seitz (R-Cincinnati) is planning to introduce legislation to extend the green energy “freeze” of 130-SB301 (Balderson). “I generally support the extension of the freeze as long as we have the U.S. Supreme Court case on the Obama coal regulations,” Faber said, referring to the Clean Power Plan now on hold as a multi-state challenge proceeds at the appellate level.

The Ohio House officially ratified the GOP caucus changes in leadership, which included Rep. Kirk Schuring (R-Canton) as the new majority floor leader, replacing term-limited Rep. Barbara Sears (R-Sylvania), and Rep. Sarah LaTourette (R-Chesterland) as the new assistant majority whip. She replaced Rep. Dorothy Pelanda (R-Marysville), who moved up to majority whip, replacing Rep. Mike Dovilla (R-Berea), who resigned from leadership. He, too, is leaving the chamber at the end of the year. The other two majority leadership posts remain unchanged: Rep. Ron Amstutz (R-Wooster) as speaker pro tem and Rep. Jim Buchy (R-Greenville) as assistant majority floor leader.

Speaker of the House Cliff Rosenberger (R-Clarksville) announced a series of changes among the leadership of the various House committees. The following are the new committee chairs: Rep. Tim Ginter (R-Salem) of the House Community and Family Advancement Committee; Rep. Mark Romanchuk (R-Mansfield) of the House Economic and Workforce Development Committee; Rep. Mike Dovilla (R-Berea) of the House Public Utilities Committee; Rep. Tim Schaffer (R-Lancaster) of the House Ways and Means Committee; Rep. Barbara Sears (R-Sylvania) to the House Insurance Committee; Rep. Jonathan Dever (R-Cincinnati) of the House Financial Institutions, Housing and Urban Development Committee; and Rep. Robert McColley (R-Napoleon) of the House Finance Transportation Subcommittee. Changes were also made to a number of vice chair assignments.

### ***Marijuana***

Ohioans for Medical Marijuana, the state group behind a proposed constitutional amendment to legalize marijuana for medical use, announced key additions to the campaign. Brandon Lynaugh will serve as campaign manager; Trevor Vessels will serve as deputy campaign manager; Aaron Marshall will serve as communications director; and Lee Roberts will serve as political director for the campaign.

The House moved quickly to consider legislation based on the recommendations of the House Medical Marijuana Task Force, naming Rep. Kirk Schuring (R-Canton) chair of a new select committee that will meet three times a week to review the bill. “I would hope that we could get it over to the Senate by the end of April so they can have an ample opportunity to do what they need to do. In May, we’d like to have it out of the General Assembly and on to the governor’s desk to be signed at the end of May.”

The House Select Committee on Medical Marijuana unanimously reported out HB523 (Huffman) after adopting dozens of changes in a sub bill and additional minor changes. However, backers of a campaign to legalize medical marijuana at the ballot this fall said they’re still not happy despite the revisions. Rep. Kirk Schuring (R-Canton), chairman of the committee and its predecessor study task force, expressed confidence lawmakers will still be able to enact a legalization bill before the General Assembly breaks for the summer.



## TOP NEWS

### ***Mid-Biennium Review***

Gov. John Kasich's administration unveiled the next portion of the mid-biennium review, this one with a focus on prescription drug abuse and proposing reforms aimed at strengthening oversight by the Ohio Board of Pharmacy, encouraging responsible treatment and preventing overdoses. The reforms were announced during an event with Lt. Gov. Mary Taylor and other members of the Governor's Cabinet Opiate Action Team (GCOAT) at CompDrug Inc. in Columbus.

### ***Public Safety***

Launching a multi-faceted public awareness campaign, the Ohio Collaborative Community-Police Advisory Board announced that the number of law enforcement agencies seeking state certification under new peace officer standards has surpassed the 100 mark. The head of the Ohio Legislative Black Caucus (OLBC), Rep. Alicia Reece (D-Cincinnati), who is not an official member of the board, said the General Assembly will have to embrace those standards in legislation to ensure they support permanent change in Ohio.

A record number of free bicycle helmets will be going to children across Ohio this spring because of a continued partnership between the Ohio Department of Transportation (ODOT) and the Ohio Chapter of the American Academy of Pediatrics (Ohio AAP), the groups announced. More than 10,000 bicycle helmets will be distributed as part of the Ohio AAP's "Put a Lid on It! Bike Helmet Safety Awareness" campaign in conjunction with the Bike Helmet Safety Awareness promotion that runs May 9 through May 21.

### ***Transportation***

The Ohio Turnpike and Infrastructure Commission (OTIC) approved \$200 million in bond funding for the following four Ohio Department of Transportation (ODOT) infrastructure projects: I-77 widening from the turnpike to State Route 82 in Cuyahoga County (\$24 million); I-271 widening from the I-271/480 east interchange to the Miles Road interchange in Cuyahoga County (\$90 million); I-76/I-77 reconstruction of interchanges in Summit County (\$80 million); and I-680/State Route 164 construction of a new interchange in Mahoning County (\$6 million).

The head of the Ohio Legislative Black Caucus (OLBC) says a new study released by the Ohio Department of Transportation (ODOT) reinforces the already-established fact that minority-owned businesses receive a disproportionately small portion of state highway contracts. Joined by Rep. Stephanie Howse (D-Cleveland), Rep. Alicia Reece (D-Cincinnati) called on the state to do more to connect minority contractors to transportation infrastructure jobs.

### ***Utilities***

Commissioner Asim Haque of the Public Utilities Commission of Ohio (PUCO) will become its fifth chairman in just over five years after Gov. John Kasich handed him the job on May 9. Currently vice chair, Haque will take over the top spot when outgoing Chairman Andre Porter departs on Friday, May 20. (See *The Hannah Report*, 4/29/16.)

Haque's first day at PUCO was June 24, 2013, when he also replaced Porter after his first stint on the commission. Before and since then, Haque has distinguished himself in number of ways, previously leading his own energy and utilities practice at Ice Miller LLP, representing Honda of American Mfg. before the commission, rising to PUCO vice chair, serving as a board member of the National Association of Regulatory Utility Commissioners (NARUC), as president-elect of the Mid-Atlantic Conference of Regulatory Utilities Commissioners (MACRUC), as member-elect of the North American Electric Reliability Corporation (NAERC), twice earning a spot in the National Business Journal's "Who's Who in Energy," and twice receiving the designation "Ohio Super Lawyers Rising Star."



### TOP NEWS

The Federal Energy Regulatory Commission (FERC) blocked consumer-subsidized power purchase agreements (PPA) granted American Electric Power of Ohio and FirstEnergy by the Public Utilities Commission of Ohio (PUCO), ordering the utilities to submit the PPAs to FERC for a full review should they still wish to proceed.

### MORPC LEGISLATIVE TRACKING

- HB130** PUBLIC RECORDS-DATA BOARD (HAGAN C, DUFFEY M) To create the DataOhio Board, to specify requirements for posting public records online, to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices, to establish an online catalog of public data at data.ohio.gov, to establish the Local Government Information Exchange Grant Program, and to make an appropriation.  
*Current Status:* 4/20/2016 - REPORTED OUT, House Finance, (Third Hearing)  
*Recent Status:* 4/12/2016 - BILL AMENDED, House Finance, (Second Hearing); 12/2/2015 - House Finance, (First Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-130>
- HB150** (GROSSMAN C, SCHERER G) To require hotel intermediaries to collect and remit applicable sales and use tax on the full amount paid for hotel lodging, to require hotel intermediaries to supply customers with itemized invoices, to specify that a hotel intermediary is presumed to have "substantial nexus" with Ohio if the intermediary arranges lodging at Ohio hotels, and to specify that hotels are not liable for the failure of a hotel intermediary to properly collect or remit applicable taxes.  
*Current Status:* 4/12/2016 - House Ways and Means, (Third Hearing)  
*Recent Status:* 6/9/2015 - House Ways and Means, (Second Hearing); 5/19/2015 - House Ways and Means, (First Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-150>
- HB180** RESIDENCY REQUIREMENTS (MAAG R) 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:* 5/4/2016 - REPORTED OUT, Senate Government Oversight and Reform, (Second Hearing)  
*Recent Status:* 10/21/2015 - Senate Government Oversight and Reform, (First Hearing); 9/15/2015 - Referred to Committee Senate Government Oversight and Reform  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-180>
- 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:* 5/11/2016 - Senate Ways and Means, (Third Hearing)  
*Recent Status:* 5/4/2016 - Senate Ways and Means, (Second Hearing); 4/27/2016 - Senate Ways and Means, (First Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-182>



## MORPC LEGISLATIVE TRACKING

- 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:* 5/6/2016 - SIGNED BY GOVERNOR; eff. in 90 days  
*Recent Status:* 5/5/2016 - Sent to Governor for Signature; 4/20/2016 - Consideration of Senate Amendments; House Does Concur, Vote 96-0  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-233>
- HB302** ANNEXED TERRITORY-LEVY (HENNE M) To provide that, beginning five years after a type-II annexation is approved, the annexed territory is subject to a fire, police, or EMS tax levy only if the levy is imposed by the subdivision that provides the fire, police, or EMS service to the territory.  
*Current Status:* 4/12/2016 - House Local Government, (Third Hearing)  
*Recent Status:* 12/1/2015 - House Local Government, (Second Hearing); 11/17/2015 - House Local Government, (First Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-302>
- HB413** TOWNSHIP LAWS (BRINKMAN T) To add to the purposes for which a board of township trustees may go into executive session, to permit a township to charge for recycling services, to reduce the population threshold for a township to adopt a limited home rule form of government, to authorize a township to purchase, lease, or provide underwater rescue and recovery equipment for fire and rescue purposes, to authorize boards of township trustees to pay for group life insurance for any employee, to make other changes to the township laws, to allow taxing units to use the proceeds of a fire, police, or emergency services tax levy to pay costs related to the service for which the tax is levied, and to expand the public infrastructure improvements townships, municipal corporations, and counties may pay for using money from their public improvement tax increment equivalent funds.  
*Current Status:* 5/3/2016 - Senate State and Local Government, (First Hearing)  
*Recent Status:* 4/27/2016 - Referred to Committee Senate State and Local Government; 4/20/2016 - PASSED BY HOUSE; Vote 96-0  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-413>
- 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:* 4/20/2016 - REPORTED OUT, Senate Ways and Means, (Second Hearing)  
*Recent Status:* 4/13/2016 - Senate Ways and Means, (First Hearing); 2/23/2016 - Referred to Committee Senate Ways and Means  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HCR-7>
- SB22** LOCAL GOVERNMENT FUND-ALLOCATION INCREASE (TAVARES C) To increase monthly allocations to the Local Government Fund from 1.66% to 3.68% of the total tax revenue credited to the GRF each month.  
*Current Status:* 5/3/2016 - Senate Finance, (First Hearing)  
*Recent Status:* 2/4/2015 - Referred to Committee Senate Finance; 2/2/2015 - Introduced  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-22>



## MORPC LEGISLATIVE TRACKING

- SB75** AGRITOURISM-ZONING (JONES S, PETERSON B) To limit the authority of a board of county commissioners or board of township trustees to prohibit agritourism through zoning, to apply current agricultural use valuation to land used for agritourism for property tax purposes, and to establish immunity in a civil action for agritourism providers.  
*Current Status:* 5/4/2016 - PASSED BY HOUSE; Vote 92-1  
*Recent Status:* 5/4/2016 - Bills for Third Consideration; 5/3/2016 - REPORTED OUT, House Agriculture and Rural Development, (Second Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-75>
- SB146** DISTRACTED DRIVING-ENHANCED PENALTY (HUGHES J, SEITZ B) To establish an enhanced penalty for committing a moving violation while distracted.  
*Current Status:* 5/3/2016 - House Judiciary, (Third Hearing)  
*Recent Status:* 10/13/2015 - House Judiciary, (Second Hearing); 10/6/2015 - House Judiciary, (First Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-146>
- 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:* 5/4/2016 - Consideration of House Amendments; Senate does not concur, Vote 25-8  
*Recent Status:* 4/20/2016 - Senate Civil Justice, (Third Hearing); 4/13/2016 - Senate Civil Justice, (Second Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-152>
- SB185** SPECIAL IMPROVEMENT DISTRICTS (SEITZ B) To revise the law governing special improvement districts created for the purpose of developing and implementing plans for special energy improvement projects.  
*Current Status:* 4/12/2016 - SUBSTITUTE BILL ACCEPTED, Senate Energy and Natural Resources, (Fourth Hearing)  
*Recent Status:* 10/7/2015 - BILL AMENDED, Senate Energy and Natural Resources, (Third Hearing); 9/29/2015 - Senate Energy and Natural Resources, (Second Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-185>



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