



STATEHOUSE REPORT

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CCAO & OAEO testify in support of reduction of poll workers

The Senate Government Oversight and Reform Committee heard proponent testimony from both CCAO and the Ohio Association of Elections Officials (OAEO) on SB 212. The bill, sponsored by Senator Joe Uecker (R-Loveland), would allow a board of elections, beginning in 2017, to reduce the number of poll workers from four to two in a polling location if both electronic poll books are utilized and the polling location includes more than one precinct.

CCAO Legislative Counsel John Leutz [testified](#) in support of SB 212 on behalf of CCAO. Leutz indicated that use of electronic poll books have created a more efficient voting experience, reducing both a reliance on traditional paper books and voter wait-time. "The efficiency that has been gained through the use of centralized check-in and e-poll books is bringing us to the point where four poll workers in each precinct in a multi-precinct polling location are no longer needed," he said. "Moreover, poll workers are our single biggest Election Day expense, and recruiting a sufficient number of them can be challenging in some areas. Thus, SB 212 would allow county boards of elections to address these issues where it makes sense," Leutz noted.

Ken Terry, the director of the Allen County Board of Elections and OAEO legislative co-chair testified for OAEO. Terry stressed that the provision would be permissive, meaning no county would be required to reduce the number of poll workers. Terry also supported the provision that would end the requirement that the board of election send a notice to a person's address when the board cancels that person's registration because of a report of their death. He said errors, while rare, have made it not worth the effort. "Unfortunately, the law has ended up angering many voters," he said. "While mistakes do happen when managing voter rolls that contain millions of people, protections already exist to make sure voters can exercise their right to vote, and have that vote counted, even if they were accidentally or erroneously removed from the rolls."

SB 212

Reduction of poll workers

Sponsor: Sen. Uecker

CCAO Position: Support

Key Provisions:

Permissive, beginning 2017, number of poll workers can be reduced from 4 to 2 if using electronic poll books and more than one precinct voting at the polling location.

CCAO urges you to contact your state senators and ask them to support SB 212. Contact CCAO staffer, John Leutz, at jleutz@ccao.org or 614-221-220-7994 if you have questions or desire more information.

CCAO lends support to legislation revising county treasurer settlement fees

CCAO Managing Director of Research Brad Cole testified in support of legislation (HB 252) which proposes to increase county settlement fees for the collection of real and public utility property taxes and assessments. The testimony was presented to the House Local Government Committee which had a second hearing on the legislation this past week. The legislation is jointly sponsored by Representatives Bob Hackett (R-London), former Madison County Commissioner, and Scott Ryan (R-Newark), former Licking County Treasurer.

In his testimony, Cole said that the County Treasurers Association had approached CCAO seven years ago to seek our support for revisions to treasurer settlement fees. Existing law permits county treasurers and county auditors to retain set percentages of all real and public utility collections to be deposited in the county general fund to reimburse the county for the cost of collecting and disbursing property tax revenue to schools, municipal corporations, townships, and county agencies eligible to receive such property taxes.

The existing settlement fee formula was last adjusted in 1986. One of the goals of HB 252 is to permit all counties to experience a rate of settlement fee growth consistent with the growth in property tax collections. Cole noted in his testimony that under the current formula small and medium size counties experience a rate of settlement fee growth that does not come close to the rate of growth in property tax distributions.

The fiscal note on HB 252 indicates that all counties would experience a \$13,500 increase in treasurer settlement fees in the first year. In subsequent years, the bill provides a mechanism whereby settlement fees would be indexed to the growth in property taxes through an annual calculation performed by the tax commissioner.

For additional information regarding this issue, please contact CCAO staffer, Brad Cole at bcole@ccao.org.

CCAO supports authorizing Roth deferred comp option

CCAO Executive Director Suzanne Dulaney testified before the Senate State and Local Government Committee in support for SB 220. The bill would allow county and state employees to contribute to a Roth option as part of government deferred compensation plans.

HB 252
Update county treasurer settlement fees
Sponsor: Reps Hackett & Ryan
CCAO Position: Support
Key Provisions:
Last updated in 1986, this bill would enable counties to experience a rate of settlement fee growth consistent with the growth of property tax collections.

CCAO support stems from the CCAO Deferred Compensation Advisory Committee's recommendation that express statutory permission be obtained to clarify that Roth contributions are authorized under law.

Unlike most deferred compensation investments, Roth contributions do not lower current taxable income, and withdrawals are tax free under certain conditions. Thus, rather than granting a tax break for money placed into the plan, the tax break is provided on the money withdrawn from the plan during retirement.

So far, CCAO is not aware of any opposition to the bill. The state deferred compensation program also supports SB 220.

If you would like further information, please feel free to contact CCAO Staffer Cheryl Subler at csubler@ccao.org or at 614-220-7980.

Employment Services sales tax exemption bill draws witnesses as hearings continue

In a fifth hearing before the House Economic and Workforce Development Committee, members heard from elements of the business community that continue to support the repeal of the sales tax on employment services (HB 343) while hearing from local governments that oppose the loss of state and local funding.

Expressing support for the bill and opposition to the tax at a hearing this past week were the Associated Builders and Contractors of Ohio and the National Federation of Independent Businesses (NFIB).

Opposition to the bill was presented by the Ohio Library Council which stands to lose 25% of a funding increase in Public Library Fund (PLF) revenue which had been approved by the legislature as part of the last budget. Under current law, public libraries receive 1.70 percent of the state GRF, a percentage that was increased by about \$10 million as part of the last state budget. The fiscal note on HB 343 indicates that local governments will lose approximately \$4.6 million in Local Government Funds (LGF) and PLF revenue, an amount split almost equally between the two funds.

In addition to the local government fund losses, the state GRF stands to lose \$131 million annually, and counties and transit authorities stand to lose an additional \$33 million per year in permissive sales and use tax dollars. CCAO [testified](#) as an opponent to HB 343 at a hearing late last year.

SB 220

Authorize deferred compensation plans to provide Roth option

Sponsor: Sen. Hottinger

CCAO Position: Support

Key Provisions:

Permissive authority for deferred comp plans to provide Roth. Public employees could gain tax benefits authorized by federal law.

HB 343

Exempts employment services from sales & use tax

Sponsor: Reps. Young & Romanchuk

CCAO Position: Oppose

Key Provisions:

Counties & transit authorities revenue loss would be \$33 Million; LGF and PLF revenue loss would be \$4.6 Million. The sales & use tax is the #1 revenue source for most county general funds.

According to supporters of HB 343, one of the principal objections to the existing tax is that Ohio is the only state that applies the sales tax on employment services to both the administrative fee charged by the employment services company for arranging temporary employees as well as the wages and compensation of temporary services employees. Opponents to the tax claim that the sales tax is in effect a tax upon a tax to the extent temporary services wages includes taxes on workers compensation, unemployment compensation, social security and Medicare taxes.

The counter argument to the business community is that most services to which a sales tax might apply are going to include the cost of wages paid to employees that provide the services. It is difficult to separate an administrative fee associated with delivering a service from the compensation to employees for providing the service. Examples of services to which sales tax currently apply include automotive repairs and cleaning services among others.

For additional information on this topic please contact CCAO Staffer Brad Cole at bcole@ccao.org

Statehouse, Etc.

Permanent Sales Tax “Holiday” Proposed. Senator Kevin Bacon (R-Minerva Park) has introduced [Senate Bill 264](#) to permanently institute the sales tax holiday for certain back-to-school clothing and school supplies. Last year he sponsored legislation for the 2015 August pilot program. Now he is seeking to make the holiday permanent. CCAO is waiting for information from the Ohio Department of Taxation regarding the performance of the 2015 pilot program. For more information, contact CCAO Staffer Brad Cole at bcole@ccao.org.

House Medical Marijuana Task Force holds first meeting. The House Medical Marijuana Task Force held its first of seven meetings this week. The task force was formed by Speaker Cliff Rosenberger (R-Clarksville) after hearing discussions about medical marijuana during the debate over marijuana legalization during the Issue 3 campaign last November. At that time the Speaker found it to be very obvious that the people of Ohio were very curious about medical marijuana and the task force was formed to explore the issue in depth.



Rep. Kirk Schuring (R-Canton), said the task force’s goal is to evaluate what the best action would be for the state to take on the issue. Schuring indicated that there are no preconceived notions about medical marijuana and that the task force intends to give everyone ample opportunity to make their case, pro or con, on medical marijuana issue.

The task force includes representatives from law enforcement, the medical field, industry groups and two former members of ResponsibleOhio, the group that backed a constitutional amendment legalizing recreational and medical marijuana that voters rejected in November. The legislative members of the panel, in addition to Rep. Schuring, are Rep. Dan Ramos (D-Lorain) and Rep. Steve Huffman (R-Tipp City).

The task force plans to meet six more times through the end of March, with a seventh hearing possible in April if needed. The chair indicated that it was his desire to keep hearings to about three hours apiece, and that there wouldn't be any specific order or agenda. Speakers will be given about five to 10 minutes for opening statements and at most about half an hour for questions from the task force. The task force plans to use phones or other technologies to accommodate experts who can't appear before the task force in person.

Chief Justice creates task force to examine the grand jury process. In an effort to restore confidence in the criminal justice system and grand jury proceedings, Ohio Supreme Court Chief Justice Maureen O'Connor named a task force this week that has been charged with examining the Ohio grand jury system.

The 18-member task force will be led by Franklin County Common Pleas Court Judge Stephen McIntosh and includes judges, prosecutors, defense attorneys, law professors, legislators, members of law enforcement and community leaders. Chief Justice O'Connor noted that criticism of both the criminal justice system and the grand jury system has resulted in a lack of confidence from the public. "I'd like to change that," she said. "I would like to help people improve their perception. That is really paramount here: to help people understand what the grand jury does and figure out ways to better communicate what the grand jury does," she said.

The task force will hold its first meeting on February 17 at 6 p.m. at the Thomas J. Moyer Ohio Judicial Center and is scheduled to issue a report and final recommendations by June 15. The recommendations could call for legislative action or administrative rule changes. The Chief Justice hopes the task force can not only instill greater confidence in the criminal justice system, but also educate the public on the role grand juries play in that system. Chief Justice O'Connor acknowledged that several recent high-profile police shootings have played a role in eroding the public's confidence in the criminal justice system. SB 258 that has been introduced into the Ohio General Assembly would require the attorney general to appoint a special prosecutor in cases in which a police officer uses deadly force on an unarmed suspect.

Kristin Boggs appointed to Ohio House. The House Democrats voted to appoint their newest member [Kristin Boggs](#) this week. Ms. Boggs previously worked as an assistant attorney general overseeing the legal unit of the Crime Victims Services section.

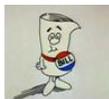
Rep. Boggs is the daughter of former State Senate Minority Leader, Ohio Department of Agriculture Director, Ashtabula County Commissioner, and CCAO President, Bob Boggs. Rep. Boggs will take over the seat held by former Rep. Michael Stinziano, who elected to Columbus City Council.

"I am looking forward to going to work for the people of the 18th House District; it will be an honor to serve the community. There are many important issues being debated at the statehouse, and I will strive to advance policies that keep central Ohio growing in the direction that our residents expect and deserve," Boggs said. "Columbus enjoys a world class university system, a growing economy and thriving cultural community— I will work hard to make sure that all individuals and families have opportunity, equality, and success."



Rep. Boggs

Bills Introduced



- [SB 262](#)** ■ **CHILD SUPPORT** ([Jones, S.](#)) To make changes to the laws governing child support. Am. 3119.01, 3119.02, 3119.021, 3119.04, 3119.05, 3119.06, 3119.22, 3119.23, 3119.24, 3119.29, 3119.30, 3119.302, 3119.31, 3119.32, 3119.61, 3119.63, 3119.76, 3119.79, 3119.89, 3121.36, and 3123.14 and to enact new sections 3119.022 and 3119.023 and sections 3119.051 and 3119.231, and to repeal sections 3119.022, 3119.023, and 3119.024
- [SB 263](#)** ■ **NEGOTIATED PLEAS** ([Hughes, J.](#)) To authorize a court, upon request of the prosecution, to cancel a negotiated plea in a felony or first degree misdemeanor case if the offender does not provide information, cooperate with law enforcement, or perform another function or activity when required as a condition of the underlying agreement. Am. 2929.45
- [SB 264](#)** ■ **TAX HOLIDAY** ([Bacon, K.](#)) To provide for a permanent three-day sales tax "holiday" each August during which sales of back-to-school clothing and school supplies are exempt from sales and use taxes. Am. 5739.02 and 5739.05
- [SB 265](#)** ■ **CASINO OPERATORS** ([Seitz, B.](#)) To specify that the criminal penalty related to casino operators and employees participating in casino gaming applies at their casino facility or an affiliated casino facility. Am. 3772.99
- [SB 266](#)** ■ **ELECTED OFFICE VACANCIES** ([Oelslager, S.](#)) To clarify the circumstances under which a political party may appoint a person to fill a vacancy in certain county elective offices. Am. 305.02
- [SB 267](#)** ■ **VEHICLE FUELS** ([Seitz, B.](#), [Peterson, B.](#)) To create the Gaseous Fuel Vehicle Conversion Program, to allow a credit against the income or commercial activity tax for the purchase or conversion of an alternative fuel vehicle, to apply the motor fuel tax to the distribution or sale of compressed natural gas, to authorize a temporary, partial motor fuel tax exemption for sales of liquid and compressed natural gas used as motor fuel, and to make an appropriation. Am. 5735.01, 5735.012, 5747.98, and 5751.98 and to enact sections 122.079, 5735.015, 5735.016, 5747.78, and 5751.55
- [HB 435](#)** ■ **STATE FINANCING** ([McClain, J.](#)) To authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities. Am. 158.01, 158.02, 158.03, 158.04, 158.05, 158.06, 158.07, 158.08, 158.09, 158.10, and 158.11
- [HB 436](#)** ■ **DUI SENTENCES** ([Cupp, R.](#), [Rogers, J.](#)) To authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order. Am. 4510.13
- [HB 437](#)** ■ **POLICE INVESTIGATIONS** ([Boyd, J.](#), [Kuhns, C.](#)) To require every law enforcement agency to adopt a written policy that requires an investigation into a death resulting from the actions of a law enforcement officer employed by the law enforcement agency and to require the investigation to be conducted by at least two law enforcement officers who are not employed by a law enforcement agency that employs any law enforcement officer involved in the officer-involved death. En. 2901.51.

Hearing Schedule



Tuesday, February 9

House Session, (Chr. [Rosenberger, C.](#), 466-3357), House Chamber, 11:00 am

Senate Session, (Chr. [Faber, K.](#), 466-4900), Senate Chamber, 1:30 pm

Wednesday, February 10

Senate Session, (Chr. [Faber, K.](#), 466-4900), Senate Chamber, 1:30 pm

House Session, (Chr. [Rosenberger, C.](#), 466-3357), House Chamber, 1:30 pm