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# STATEHOUSE REPORT

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209 East State Street • Columbus, Ohio 43215-4309  
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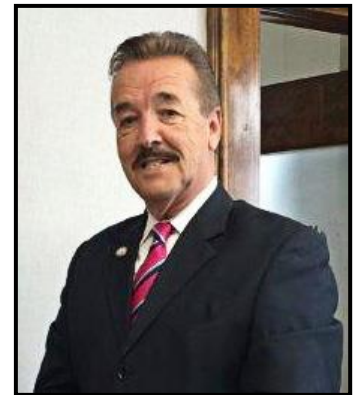
**March 13, 2015**

## **CCAO President Halleck issues call to action on indigent defense**

This week CCAO President Mike Halleck, in a [letter](#) to our membership, asked all commissioners to personally call their state representatives and ask them to support CCAO's amendment to [HB 64](#), the state biennial budget bill, to increase the indigent defense reimbursement rate to 50 percent for counties.

### **An additional \$12 million per year is all that is required to achieve a 50 percent reimbursement rate to counties for indigent**

As you are well aware, the states have a constitutional mandate to provide legal representation to indigent persons. Ohio has chosen to transfer this responsibility to its counties, initially reimbursing them for 50 percent of the costs incurred for providing indigent counsel. Today, state reimbursement stands at 40 percent. \$12 million in additional GRF funding would provide 50 percent reimbursement. The total GRF contribution including this additional \$12 million CCAO is seeking is still more than \$5 million below the GRF appropriation in 2009. While CCAO supports a longer-term transition of this responsibility for indigent defense from counties to the state, this important renewal of a 50/50 partnership is CCAO's Number 1 issue for this budget bill.



**Mike Halleck**  
**Columbiana County**  
**Commissioner**  
**CCAO President**

If your representatives support our position to increase the reimbursement rate to 50 percent, have them contact their respective caucus member (former county commissioner and Representative Terry Boose for the House Republican Caucus, Representative John Rogers for the House Democratic Caucus) and sign on as a co-sponsor to their amendment.

After talking to your House member, please let us know what they said about this important issue by emailing John Leutz at [jleutz@ccao.org](mailto:jleutz@ccao.org) or texting him a message at (614) 299-2800.

Indigent defense is our primary issue, and our members are our best representatives to communicate our message.

Please contact your House member today and convince them to support increasing the indigent defense reimbursement rate to 50 percent.

## **CCAO testifies on increasing the county indigent defense reimbursement rate to 50 percent**

CCAO Legislative Counsel John Leutz appeared this week before the House Finance Committee's Transportation Subcommittee that is reviewing the State Public Defender Commission's budget request to offer [testimony](#) requesting that the reimbursement rate to counties for the costs they incur in legal counsel for indigent defendants be increased to 50 percent.

Since the 1960s, Ohio has required that counties provide indigent defense, with the state providing a 50 percent reimbursement, Leutz said. In 1979, however, the state modified funding to appropriate a total amount for reimbursement and then proportionally reduced that rate to counties.

"CCAO's first, foremost and primary priority is restoring the county reimbursement rate to 50 percent," Mr. Leutz said, adding the move would increase the appropriation by \$12 million each year, setting it at \$21.6 million.

He also lent support for testimony provided by State Public Defender Tim Young that requested taking steps to begin the transition of responsibility for indigent defense from the counties to the state. This would include three provisions: immediately increasing county reimbursement to 50 percent; allowing the State Public Defender Commission to establish statewide, uniform hourly rates and per-case caps for appointed counsel; and evaluating local delivery systems and basing reimbursement on system standards and accountability. This proposal would require an additional \$20 million in each year of the biennium.

Leutz also indicated that the budget would also adjust the percentage share of the Indigent Defense Support Fund that goes to the Public Defender Commission operations by 1 percent, but that change is "an affront to the extensive efforts of CCAO and the State Public Defender to work with the legislature to identify and secure dedicated, recurring, non-GRF resources to help fund reimbursement and assist in reducing the reliance upon the LGF." Leutz specifically asked that the language be deleted from the bill.

## CCAO Director addresses House Ways and Means Committee on tax matters affecting counties

CCAO Executive Director Suzanne Dulaney provided the House Ways and Means Committee with an [overview](#) of tax related matters of direct interest to county commissioners as the General Assembly contemplates numerous tax law changes included in the Governor's proposed biennial appropriations bill ([HB 64](#)).



*Suzanne Dulaney  
Executive Director*

Highlights from CCAO's testimony include:

- **LGF Revenue** – While the governor's budget shows growth in LGF revenues over the course of the biennium, such increases depend on all the governor's changes to the tax; law being adopted. CCAO asked that "steps are taken to protect the local government distributions and the services they support should the overall impact of tax reforms negatively impact LGF."
- **Sales Tax** – CCAO expressed support for broadening the state's sales and use tax base to include additional services and internet, catalogue, and telephone sales. On the other hand, CCAO expressed concern about both the state and counties becoming more reliant on the same revenue source and its impact on influencing purchasing decisions in border counties. HB 64 continues the long term state trend of shifting the tax burden from income taxes to consumption (sales) taxes by proposing income tax cuts and an increase in the state sales tax rate from 5  $\frac{3}{4}$  to 6  $\frac{1}{4}$ .
- **TPP and Public Utility Reimbursements** – The state budget as introduced proposes to resume accelerated phase down of tangible personal property taxes (TPP) and public utility tangible property taxes (PUTP). CCAO, which opposes the accelerated phase out of these taxes, stressed that the accelerated phase out of these important revenue sources affect not only county general funds in 9 counties still receiving reimbursement, but hundreds of levy funded county agencies supporting mental health/developmental disabilities, children services, aging, health departments, special districts, and debt support in counties across the state. CCAO drew attention to developmental disability services, children services, and health services, all of which would experience multi-million dollar revenue losses over the two state budget.
- **Severance Tax** – CCAO expressed support for increases in severance taxes on oil and gas to a rate reasonably similar to the severance tax rates of other oil and gas producing states, with significant revenue to be returned to local governments with special emphasis to impacted counties.

In closing, CCAO expressed support for a strong state and local partnership as most state programs and services are delegated to counties for implementation.

The members of the House Ways and Means Committee include: Jeff McClain, Chair, Gary Scherer, Vice Chair, Jack Cera, Ranking Minority Member, Ron Amstutz, Nan Baker, John Barnes, Terry Boose, Tony Burkley, Michael Curtin, Jonathan Dever, Denise Driehaus, Stephen Hambley, Michael Henne, Robert McColley, Bill Reineke, John Rogers, Scott Ryan, Tim Schaffer, Michael Sheehy, Marilyn Slaby, and Emilia Sykes. Commissioners with legislators serving on the Ways and Means Committee are encouraged to contact those members to express support and/or concerns for the issues identified in the CCAO testimony.

For additional information regarding this testimony, please contact either Suzanne Dulaney or Brad Cole of CCAO staff at [sdulaney@ccao.org](mailto:sdulaney@ccao.org) or [bcole@ccao.org](mailto:bcole@ccao.org).

## **Water Quality Update: New early warning system bill introduced**

The House's point man on algae recently unveiled his latest offering: legislation designed to give public drinking water systems a heads up that a toxic algal bloom could be headed their way. A bill expected to pass the House later this week is designed to prevent future harmful algal blooms in Lake Erie, but Rep. Dave Hall's (R-Millersburg) latest measure is more of a reactive approach that recognizes the problems are likely to continue for a while.

"We can't just turn around the algal blooms overnight," Rep. Hall said in an interview with Gongwer News Service. "So this bill is just allowing the communities along Lake Erie to have an early warning awareness of a bloom coming about."



*Rep. Dave Hall*

Rep. Hall, a joint co-sponsor of the proposal to restrict application of manure and fertilizer on farm fields when it's most likely to run off into streams ([HB 61](#)), said his new bill ([HB 101](#)) would require the Department of Natural Resources and the Ohio Environmental Protection Agency to develop a system to detect toxic algal blooms.

The agencies would then quickly communicate the information to any local communities that could be affected to give their public water systems time to prepare and treat drinking water or shut down water intake valves if necessary, he said.

"If it's a buoy that detects the algae or testing with Stone Laboratories, or tugboat captains, or NASA, they'll gather as much information and get it to the locals as soon as possible," he said.

The legislation would also encourage development of a protocol for water systems to follow when algae-produced toxins are found in source water, he said, adding, "That's the way we're headed in this bill."

The proposal is a direct response to Toledo's water crisis last summer, when a toxic algal bloom forced the city to shut down its drinking water system for several days, leaving nearly 500,000 residents in the region without tap water.

"This is basically a bill that helps us get to where we need to go in helping local communities understand that we're going to be monitoring. We're going to be working with your water treatment facilities and the government. Understanding that this stuff isn't going to go away overnight, we need to work together and develop a plan," he said.



*Shelby County Commissioner Tony Bornhorst*

Rep. Hall said the measure could be amended into the biennial budget, where he hopes to secure appropriations necessary to implement the early warning system, as well as funding to help public water systems train their employees to better respond to toxic algae.

The bill also calls for further study into the causes of harmful algal blooms, like zebra mussels, Canada geese and other factors, he said. "We've been developing tests and studies on the impact of agriculture and we need to see what else is out there that's causing our issues."

### **House Finance Subcommittee on Agriculture, Development and Natural Resources**

Most funding for water quality priorities that are in the biennial budget, are being heard in the House Finance Subcommittee on Agriculture, Development and Natural Resources that is being chaired by Rep. Andy Thompson. CCAO and many commissioners gave testimony this week. CCAO gave testimony to request \$2 million increase for funding of Soil and Water Conservation Districts; this would restore the state/local partnership to a dollar-to-dollar match. The current funding level is at 80 percent. CCAO also asked for increased funding for OSU Extension as well as for an increase in funding agriculture and water quality research.

The following commissioners gave testimony to the House Finance Subcommittee on Agriculture, Development and Natural Resources this week:

Meigs County Commissioners Mike Bartrum, Tim Ihle, and Randy Smith gave testimony in favor of Ohio Rural Community Assistance Program (RCAP) and escrow accounts for privately owned water systems. Belmont County Commissioner Ginny Favede gave testimony for the Governor's Office of Appalachia and OMEGA. Clermont County Commissioner Bob Proud gave testimony on the Ohio Valley Regional Development Commission. Shelby County Commissioner Tony Bornhorst gave testimony for increased funding for local Soil and Water Conservation Districts, while Wayne County Commissioner Ann Obrecht provided written testimony OSU Extension, Soil and Water Conservation Districts, Ohio Agriculture Research and Development Center and Ohio State Agriculture Technical Institute. A copy of CCAO's



testimony and commissioners' testimonies can be found on the committee's webpage or by [clicking here](#).

For additional information on water quality issues, please contact CCAO staffer Brian Mead at [bmead@ccao.org](mailto:bmead@ccao.org) or 614-220-7982.

## CCAO testifies on adult protective services bill

A bill that would make changes to Ohio's adult protective services (APS) program is making its way through the Ohio House, receiving approval on Tuesday by the House Judiciary Committee. CCAO provided an interested party [testimony](#) on the legislation, [HB 24](#), this week.

(Separately, CCAO will be testifying on APS provisions and other health and human services-related provisions in the budget bill next week in the House Finance Health and Human Services Subcommittee – see the last paragraph of this story for more information.)



*Rep. Mike Dovilla*



*Rep. Wes Retherford*

HB 24 was reintroduced this General Assembly by joint sponsors Rep. Mike Dovilla (R-Berea) and Rep. Wes Retherford (R-Hamilton), who led the effort on the same piece of legislation, HB 49, last year. CCAO worked successfully with the bill sponsors on identifying a substitute version of HB 49, which was adopted by the House in the 130<sup>th</sup> General Assembly, which vastly improved Ohio's APS program in a way that was realistic and implementable given the fact that the bill did not have an appropriation.

The two did champion additional funding for APS in HB 483 of the 130<sup>th</sup> GA and the legislature invested \$10M into Ohio's APS system. However, the Administration viewed the funds as one-time, and set up two application-based funds for county JFS departments – one for planning, and one for innovation. (Applications are currently being accepted for these funds with deadlines forthcoming – [click here](#) for additional information.)

The measure is currently moving on a separate track from the biennial budget bill, HB 64, which contains APS law changes recommended by the Administration. While some of the proposed changes are identical to those contained in HB 24, there are some vast differences.

Chief among the differences is a law change proposed in HB 64 that would strike current law that provides counties must arrange for protective services “to the extent of available funds.” While the biennial budget bill contains a \$3.5M/year appropriation - a vast improvement over the current appropriation of \$500,000/year - such funds are simply not adequate to ensure counties will not be faced with a ballooning unfunded mandate.

ODJFS intends to distribute the \$3.5M by providing each county with a base allocation of \$30,000 and then retaining the rest of the funds at the state level for administration and oversight of the APS program. This would be a cut in funding to the two largest counties and would not provide for a full-time caseworker in most counties.

CCAO will be providing testimony on the budget provisions around adult protective services next week in the [House Finance Health and Human Services Subcommittee](#). We invite you to contact your legislators to provide support for the intent of HB 64 but express the need to either protect counties from adding to the current unfunded mandate of APS delivery, or provide adequate funding to counties for the program.

House Finance HHS Subcommittee Members include Representatives Robert Sprague (Chair), Mark Romanchuk, Barbara Sears, Emilia Sykes, and Nicki Antonio.

Contact CCAO Senior Policy Analyst Laura Abu-Absi at [labu-absi@ccao.org](mailto:labu-absi@ccao.org) or (614) 221-5627 for additional information.

## **DD, Behavioral Health among hot topics in Finance HHS Committee**

The House Finance Health and Human Services Committee kicked off its first of two weeks of public testimony with roughly 100 testimonies from citizens, associations, service providers and advocacy groups. Tuesday alone, over 60 individuals signed up to testify on proposed changes in the developmental disabilities and behavioral health arenas.

Other topics touched on this week in testimony included provider payment rates and other proposed Medicaid changes such as charging premiums for beneficiaries; increasing funding for early childhood education and adult protective services; and employment and training programs.

Next week, CCAO will be testifying in the subcommittee on HHS-related provisions of particular interest to counties. Also testifying next week will be the JFS Directors Association, the Public Children Services Association of Ohio, and the Ohio Child Support Enforcement Agency Directors Association.

A brief recap of some areas of testimony can be found below. For additional information, contact CCAO policy analyst Laura Abu-Absi. Individual testimonies can be found online at <http://www.ohiohouse.gov/committee/finance-subcommittee-on-health-and-human-services>.

### *Developmental Disabilities*

Developmental disabilities changes receiving the bulk of testimony include proposals to reduce the number of individuals served in institutions such as intermediate care facilities and transitioning them to home- and community-based services. The proposed budget bill contains a number of proposed reforms to the delivery of developmental disability services, including rate changes and restructuring, driven in large part by both changes in federal law and regulation and also advocacy and threatened legal action by Disability Rights Ohio aimed at ending segregation of developmentally disabled individuals.

### *Behavioral Health*

The committee heard from behavioral health board directors as well as judges and providers working with individuals in drug courts testifying for the need for additional dollars to provide stability to boards as they work to wrap needed services around individuals receiving treatment through Medicaid expansion. Boards argued that while Medicaid expansion did free up some local levy dollars, many services necessary for successful recovery are not Medicaid eligible. (In

responding to a question from a committee member on this point, one panel participant highlighted the fact that jail inmates are currently not eligible for Medicaid reimbursement.)

#### *Adult Protective Services and Early Childhood Education*

Advocates for Ohio's Future, a statewide coalition of health and human services organizations in Ohio, testified on the need to increase the investment in adult protective services beyond the proposed \$3.5M and the need to increase investment in publicly funded child care. The group also asked for an increase in provider rates.

#### *Employment and Training*

Advocates for Ohio's Future, the Ohio Association of Second Harvest Foodbanks, and former Athens County JFS Director Jack Frecht testified on employment and training programs for individuals on public assistance, including past/current policies as well as the governor's proposal for Comprehensive Case Management. Asks included comprehensive assessments for individuals, providing wrap-around services to help overcome identified barriers, and increasing the investment in such programs by leveraging available federal funds.

## **CCAO director presents to House Transportation Committee**

CCAO Executive Director Suzanne Dulaney gave an [introductory presentation](#) to the Ohio House Transportation & Infrastructure Committee, highlighting the role of counties in providing vital infrastructure as well as the Association's legislative priorities that will come before the committee.

Dulaney explained that county governments operate under the so-called Dillon's rule, meaning that a county's authority to act is tied to express statutory authority granted by the General Assembly. Accordingly, she said counties serve as an administrative arm of the state and play an important role in the delivery of transportation services. Further, she said counties also play a role in the administration of public infrastructure related to sewer, water supply and drainage facilities in cooperation with municipal and township governments.

Dulaney also said county governments are responsible for approximately 25 percent of all road miles and 60 percent of all bridges in the state, funded by gasoline taxes and motor vehicle license taxes with assistance from the State Capital Improvement Program and, most recently, the Local Bridge Project from ODOT that provides \$120 million for bridge funding.

She reminded committee members that the gas tax and motor vehicle license fees have been stagnant for years as construction costs have increased. She said a legislative priority will include a joint proposal by CCAO, Ohio Township Association, the Ohio Municipal League and the Mid-Ohio Regional Planning Commission to give permissive authority to local governments to raise the motor vehicle license tax. She also encouraged the state and federal governments to re-examine gas tax rates and the future challenges counties face while maintaining infrastructure as fuel efficiency improves and alternative fuels emerge.



## HB 81: eliminate Feb special election & pre-pay others

Rep. Stephen Hambley (R-Brunswick) used extensive data that he and his office collected to dispel many of the myths that surround special elections and to make the case to eliminate February special elections as well as to require jurisdictions to pay the county for administering a special election in the same fiscal year.



**Rep. Stephen Hambley**

Under current law, Ohio typically has four opportunities a year for voters to cast a ballot: the February special, the May primary, the August special, and the November general. In presidential election years, the February special election is already eliminated, due to the fact that Ohio's primary is moved up to March. Thus, the elimination of the February special, as proposed in [House Bill 81 \(HB81\)](#), would affect only the three non-presidential election years in the four-year cycle.

In providing sponsor testimony for [HB 81](#), Rep. Hambley compared the passage rates of various types of ballot issues between the February and August elections. He concluded that there is no truly discernible pattern in the passage rates between the two specials.

“These elections don’t make it easier to pass levies; they simply take up staff time and resources at the board of elections that could be utilized on other things,” he said.

NUMBER OF LOCAL SPECIAL ELECTIONS										
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
FEBRUARY	83	33	48	No Special	36	15	12	No Special	9	2
AUGUST	72	48	30	57	26	34	37	59	28	15
Total Both Elections	155	81	78	57	62	49	49	59	37	17

PERCENTAGE OF LOCAL ELECTIONS WITH WIN										
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
FEBRUARY	39%	61%	35%		47%	27%	50%		78%	0%
AUGUST	43%	N/A	27%	40%	50%	41%	46%	47%	43%	47%
Average Both Elections	41%		32%	40%	48%	37%	47%	47%	51%	41%

So, if February elections don’t lead to higher passage rates than August, do special elections have higher passage rates than primaries or general elections? According to research Rep. Hambley conducted in the 1990’s, tax levies involving added millage had better success rates in general elections than in primary elections. He added that data shows the frequency of an election doesn’t appear to impact the ability to pass an initiative, but rather the timing is critical.

Rep. Hambley noted that the number of special elections has dropped over the past 10 years, with the February special elections particularly striking. In the 2014 February special election, there were only TWO local ballot issues in the entire state.

[HB 81](#) also would require a political subdivision to prepay 60 percent of the estimated cost of a special election and subsequently to settle-up with the county after the election has been certified. Under current law, a county is reimbursed the following fiscal year, which can cause budgeting challenges for a board of elections.

[HB 81](#) co-sponsors include: Reps. John Becker, Bill Blessing, Tim Brown, Ron Hood, Kyle Koehler, Jeffery Rezabek, and Andy Thompson.

The bill is being considered by the House Government Accountability and Oversight Committee. The members include: Reps. Tim Brown (Chair), Bill Blessing (Vice-Chair), Kathleen Clyde (Ranking Member), Jim Buchy, Jim Butler, Mike Curtin, Tim Derickson, Ron Gerberry, Doug Green, David Leland, Robert McColley, Dorothy Pelanda, and Ryan Smith. CCAO encourages individuals to reach out to their House member(s), the bill sponsor, as well as the members of the Committee to express support for [HB 81](#).

## **Permissive license tax amendment to be considered by Senate Transportation, Commerce and Labor Committee**

The Senate Transportation, Commerce and Labor Committee will consider a proposal backed by CCAO, the Ohio Municipal League, the Ohio Township Association, the Mid-Ohio Regional Planning Commission and the County Engineers Association of Ohio that would increase the authority for the permissive motor vehicle license fees as part of the state transportation budget (HB 53). The amendment will be offered by Sen. Frank LaRose during the Committee's hearing on Monday, March 16 (see Committee Hearing Schedule at the end of this Report for complete details).

We urge commissioners to contact the [Members](#) of the Committee to express your support for this amendment.

The local government permissive motor vehicle license tax proposal would authorize counties, municipalities, and townships to increase license fees by a combined total of \$15 in \$5 dollar increments. Counties could levy one \$5 dollar exclusively for county purposes at any time, a second \$5 could be levied by the county with the proceeds split among local governments, and a third \$5 would be available to any municipality or township at any time.

Key Provisions of the additional permissive license tax authority:

- Counties could levy a \$5 permissive license tax in any year for the following registration year
- Any municipality or township could levy a \$5 permissive license tax for the following registration year
- Any county for a period of 4 years would have exclusive authority to levy a \$5 license tax with the proceeds split 50 percent to the municipality or urban township for

municipal/urban township registrations and 50 percent to the county, and 30 percent to the township and 70 percent to the county for township registrations.

- After 4 years any county may enact the license tax in any jurisdiction that has not enacted a tax.

For additional information on the status of current motor vehicle license taxes levied statewide, please see attached CCAO County Data Exchange Bulletins CDE 2013-01, CDE 2013-02, CDE 2013-03, and CDE 2013-04. If you have further questions contact Brad Cole at [bcole@ccao.org](mailto:bcole@ccao.org) or 614-220-7981.

## **Report: Strategy on how Ohio gov's post electronic info**

Making government information more readily available and searchable in electronic "open data" format is one of the goals of a new state report to the Governor and General Assembly. "Open Data: The Opportunities, Barriers and Costs for Ohio" outlines 10 recommendations for consideration.

According to the [report](#), "open data" makes pure public records and data available in technical formats so that data within records can be processed, analyzed, and re-used electronically without human intervention. For example, when an agency publishes the data from a spreadsheet online by exporting it to a file format, such as .csv, the file can be read by a number of computers including various spreadsheet and database programs. An example of the public record NOT in an open data format is a spreadsheet containing an agency's operational statistics that is converted to a basic print-equivalent PDF and then published on the Internet.



The prior state budget bill, HB 59, required the Ohio Department of Administrative Services and the Ohio Development Services Agency to provide reports to the General Assembly and the Governor that propose recommendations on standards for state and local agencies to post open data online. The report's recommendations are as follows:

1. Develop an open data strategy.
2. State small, follow a defined strategy and mature incrementally.
3. Define success measures to meet open data initiatives goals.
4. Prioritize data sets to publish as open data.
5. Adopt technical and data definitional standards.
6. Leverage national best practices and publish guidance on identify, assessing and publishing open data.
7. Address open data barriers.
8. Continue work to improve the state's uniform chart of accounts.
9. Include data sources and disclaimers on data outputs.
10. Monitor the DATA Act's requirements.

In regards to recommendation #8, the report specifically suggests that the state should consider an incremental approach to standardization, whereby a small number of summary-level categories are defined in accordance with widely-accepted accounting standards. In addition, the state should work with representative associations and local leaders to sample and analyze local data and its comparative value as it exists today to determine to what degree it fits the summary-level categories.

Click here to review the report. If you have recommendations for future action, please share your thoughts with CCAO Staffer Cheryl Subler at [csubler@ccao.org](mailto:csubler@ccao.org) or 614-220-7980.

## Statehouse Etc.

**House Finance Committee Phone Number Directory** - With the budget deliberations proceeding in the House we wanted to provide you with a convenient reference for the House Finance Committee Members and their Columbus [office phone numbers](#). Please contact the members of the House Finance Committee regarding your concerns surrounding HB 64, the state biennial budget bill, and especially increasing indigent defense reimbursement to the counties to 50 percent.

**PTSD/Workers Comp Bill Re-Referred to Senate Finance** – SB 5 (Patton, Brown), legislation that would provide PTSD benefits to public first responders even if not arising out of a physical injury, has been re-referred to the Senate Finance Committee for testimony after passing the Senate Transportation, Commerce and Labor Committee on February 26. The bill received sponsor testimony in Senate Finance this week and is slated for proponent testimony next week on Tuesday, March 17. It is believed the bill was re-referred to the Senate Finance Committee after BWC Administrator Buehrer provided testimony to the Senate Transportation, Commerce and Labor Committee citing a likely cost to employers of approximately \$182 million per year should the bill become law.

**Constitutional Modernization Commission moving recommendation on term limits** - Members of the Ohio Constitutional Modernization Commission's Legislative Branch and Executive Branch Committee apparently will vote on a proposal to extend term limits from 8 to 12 years next month. The members of the committee also debated among themselves as to whether the plan to lengthen term limits to 12 years should apply to current lawmakers.

Committee Chairman Fred Mills said he planned to hold a vote on one or both of the recommendations at the committee's next meeting on April 9. It's uncertain whether the legislature will have enough time to act on a recommendation before the August deadline to place a constitutional amendment on the ballot. OCMC rules require proposals to be vetted at five monthly hearings before going to the General Assembly.

**Marijuana Legalization Amendment Certified** - The Ohio Attorney General's Office has certified a petition for the proposed Marijuana Legalization Amendment to the Ohio Constitution.

This proposal would levy a 15 percent tax on the marijuana industry and 5 percent tax on all retail sales of marijuana products.

Counties would get 35 percent of the tax revenue on a per capita basis to be used for public safety and health, including police, fire and EMS, road and bridge repair, and other infrastructure improvements. Municipalities and townships would get 55 percent of the tax to be used for the same purposes.

Once the summary language and initial signatures are certified, the Ohio Ballot Board must determine if the amendment contains a single issue or multiple issues. The petitioners must then collect signatures for each issue from registered voters in each of the 44 of Ohio's 88 counties, equal to 5 percent of the total vote cast in the county for the office of governor at the last gubernatorial election. Total signatures collected statewide must also equal 10 percent of the total vote cast for the office of governor at the last gubernatorial election.

The full text of the proposed amendment language submitted can be found at [www.OhioAttorneyGeneral.gov/BallotInitiatives](http://www.OhioAttorneyGeneral.gov/BallotInitiatives).

## Bills Introduced



- SB 118 HOUSEHOLD SEWAGE SYSTEMS (Eklund, J.)** To authorize a board of county commissioners or municipal legislative authority to elect to withdraw the county or municipal corporation from the application of any rule adopted after January 1, 2014, by the Department of Health governing the design of household sewage treatment systems. Am. 3718.026
- SB 120 OIL & GAS LAW (Schiavoni, J.)** To revise enforcement of the Oil and Gas Law, including increasing criminal penalties and requiring revocation of permits for violations of that Law relating to improper disposal of brine. Am. 1509.33 and 1509.99 and to enact section 1509.051
- SB 122 HOMESTEAD EXEMPTION (Gentile, L.)** To extend eligibility for the homestead exemption to elderly or disabled homeowners who did not receive the exemption for 2013 and have \$30,000 or more in Ohio adjusted gross income. Am. 323.151, 323.152, 323.153, 4503.064, 4503.065, and 4503.066
- HB 109 HEALTH BENEFIT EXCHANGE (Stinziano, M., Antonio, N.)** To create the Ohio Health Benefit Exchange. Am. 124.14, 3905.01, 3905.473, and 3924.01 and to enact sections 3965.01 to 3965.14.
- HB 119 IMITATION FIREARMS (Patmon, B.)** To generally ban the manufacture, sale, and public display of imitation firearms and the disguising of a firearm to make it resemble an imitation firearm. En. 2923.51, 2923.52, 2923.53, 2923.54, and 2923.55

## Hearing Schedule



### Monday, March 16

**Senate Transportation, Commerce & Labor (Committee Record)**, (Chr. Manning, G., 644-7613), Finance Hearing Rm., 10:15 am

**HB 53 TRANSPORTATION BUDGET (Grossman, C.)** To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2015, and ending June 30, 2017, and to



provide authorization and conditions for the operation of those programs. **--2nd Hearing-Possible amendments**

## Tuesday, March 17

**House Local Government** ([Committee Record](#)), (Chr. [Anielski, M.](#), 644-6041), Rm. 018, 9:00 am

**HB 5 BUSINESS CASE STUDIES** ([Kunze, S.](#), [Koehler, K.](#)) To allow the Auditor of State to conduct business case studies regarding the efficiency of local public offices and state agencies, to authorize the Auditor of State to establish a shared equipment service agreement program among political subdivisions, and to specify that a political subdivision that uses the loaned equipment has potential liability for its use under the Political Subdivision Tort Liability Law. **--4th Hearing-All testimony-Possible amendments**

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

**House Finance: Health & Human Services Sub.** ([Committee Record](#)), (Chr. [Sprague, R.](#), 466-3819), Rm. 313, 12:00 pm or after session

- Public testimony on developmental disabilities, infant mortality, insurance and mental health & addiction

**House Government Accountability & Oversight** ([Committee Record](#)), (Chr. [Brown, T.](#), 466-8104), Rm. 114, 1:30 pm

**HB 47 REFRESHMENT AREAS** ([Blessing, L.](#), [Driehaus, D.](#)) To allow municipal corporations and townships with a population of more than 25,000 to create outdoor refreshment areas, to exempt persons within such an area from the open container law, and to declare an emergency. **--4th Hearing-All testimony-Possible amendments & vote**

**Senate Finance** ([Committee Record](#)), (Chr. [Oelslager, S.](#), 466-0626), Finance Hearing Rm., 2:30 pm

**SB 5 POST-TRAUMATIC STRESS** ([Patton, T.](#), [Brown, E.](#)) To make peace officers, firefighters, and emergency medical workers diagnosed with post-traumatic stress disorder arising from employment without an accompanying physical injury eligible for compensation and benefits under Ohio's Workers' Compensation Law. **--2nd Hearing-Proponent**

**Senate Energy & Natural Resources** ([Committee Record](#)), (Chr. [Balderson, T.](#), 466-8076), North Hearing Rm., 4:00 pm

**SB 45 LAKE ERIE DISTRICT** ([Eklund, J.](#), [Skindell, M.](#)) To authorize the creation of a special improvement district to facilitate Lake Erie shoreline improvement. **--2nd Hearing-Proponent**

## Wednesday, March 18

**Senate Transportation, Commerce & Labor** ([Committee Record](#)), (Chr. [Manning, G.](#), 644-7613), North Hearing Rm., 10:15 am

**HB 53 TRANSPORTATION BUDGET** ([Grossman, C.](#)) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2015, and ending June 30, 2017, and to provide authorization and conditions for the operation of those programs. **--3rd Hearing-Possible amendments & vote**

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

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

**House Finance: Health & Human Services Sub.** ([Committee Record](#)), (Chr. [Sprague, R.](#), 466-3819), Rm. 313, 2:00 pm or after session

- Public testimony on medicaid and job & family services

**Energy Mandates Study Committee**, (Chr. [Balderson, T.](#), 466-8076), Senate Finance Hearing Rm., 3:30 pm

- Presentation from a representative of PJM Interconnection.

**Senate Civil Justice** ([Committee Record](#)), (Chr. [Bacon, K.](#), 466-8064), South Hearing Rm., 4:00 pm

**SB 75 AGRITOURISM** ([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. --1st Hearing-Sponsor

**HB 17 VOLUNTEER IMMUNITY (Blessing, L., Landis, A.)** To provide civil immunity for architects, contactors, engineers, surveyors, and tradespersons providing volunteer services during a declared emergency. --1st Hearing-Sponsor

## Thursday, March 19

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House Finance: Transportation Sub. (Committee Record), (Chr. Grossman, C., 466-9690), Rm. 122, 9:00 am

- General Public testimony
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