



STATEHOUSE REPORT

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April 17, 2015

House planning on passing its version of state budget bill (HB 64) next week

CCAO's two key budget priorities have been included by the House. The bill provides funding for 50% reimbursement for indigent defense and restores current language around a county's responsibility in Adult Protective Services to avoid ambiguity as to county government's scope of responsibility. We urge you to contact your representatives over the weekend and specifically thank them for including these two provisions in the budget bill.

There are also several other amendments included in the bill that are in alignment with our Legislative Program:

- Creating a grant program for capital improvements for county and independent fairgrounds
- Relieving county commissioners from an antiquated requirement to reimburse an owner if their animal is killed by a dog
- Additional funding for Ohio Agricultural Research & Development, OSU Cooperative Extension and Sea Grant programs
- Creating the Medicaid Jail Pilot Project
- Eliminating a population threshold requirement in order to create land banks
- Eliminating the county unfunded mandate to reimburse vendors for the expense of adjusting cash registers when a local sales tax rate is increased, thus providing parity with the state which does not have this mandate when its rate is changed.

The Ohio Council of County Officials' annual legislative reception is **Tuesday, April 21 at 5 p.m. in the Statehouse Atrium**. All county elected officials are invited to attend, free of charge.

If you have questions, please contact CCAO Staffer Mary Jane Neiman at mjneiman@ccao.org or at (614) 220-7979.

- Increasing the Airports Improvements line by \$5.25 M per year for loans and grants to airports and beginning work on ways to provide a more permanent funding mechanism
- Granting counties permission to enter into sale/leaseback agreements

There will be one more major change to the budget bill in the form of an omnibus amendment to the current substitute bill which will occur before the House Finance Committee reports the bill to the House. The Committee will either report the bill on Tuesday or Wednesday next week and then the full House will vote on the budget bill the next day.

The following is a summary of the major provisions of interest to counties contained in the current version of Sub HB 64, prior to the adoption of the omnibus amendment by the Finance Committee before it reports the bill to the full House.

CCAO Priorities:

Indigent Defense. Provides additional \$12 million a year, thus increasing reimbursement to counties from 40 percent to 50 percent. CCAO is very appreciative of the state support and partnership.

Adult Protective Services (APS). Restores protection against additional unfunded mandates in current law relative to a county's obligation to provide or arrange for adult protective services. Also clarifies that an APS agency may contract with a private entity to perform specified duties.

Additional changes provided by sub-bill based on subject areas:

Agriculture and Rural Affairs

- **Fairgrounds.** Creates a grant program for capital improvements for county and independent fairgrounds with a 2:1 state match.
- **Junior fair subsidy.** Increases the Junior Fair subsidy by \$250,000.
- **Remove mandate to pay for dog kills.** Relieves counties from the mandate of reimbursing an owner if their livestock is killed by a dog.
- **OSU Cooperative Extension, OARDC & Sea Grant.** Provides a 5% increase in funding. Also clarifies that 4-H volunteers only need to be fingerprinted once by OSU Cooperative Extension.
- **Ag science.** Directs The Ohio State University Agricultural Technical Institute (ATI) to obtain and upgrade infrastructure and equipment necessary to offer distance education courses in agricultural science through the College Credit Plus program, and provides \$750,000 for that purpose.

General Government and Operations

- **Compensation.** Removes proposed judicial pay raises.
- **County buildings.** Grants counties permissive authority to enter into sale/leaseback agreements.

Health and Human Services

- **Comprehensive case management.** Removes Governor's proposed Comprehensive Case Management program, and specifies that it is the intent of the General Assembly that any publicly administered case management services for employment and training be governed at the county level through county JFS departments or workforce development agencies.
- **Healthier Buckeye Council and local Healthier Buckeye program.** Strengthens the Ohio Healthier Buckeye council. Requires each county to designate a local Healthier Buckeye Council. Establishes a grant program for healthier buckeye councils.
- **Medicaid.** Requires the Department of Medicaid to seek waivers to allow health savings accounts and work requirements. Gives General Assembly oversight over Medicaid coverage for optional eligibility groups. Creates the "Healthy Ohio" program creating a HSA-type account for the expansion, families and children population. Requires CDJFS department to refer willing un- and under-employed participants to workforce development agencies for employment and training services.
- **Work requirements.** In addition to aforementioned Medicaid work requirement provision, codifies that Ohio rules require work requirements for the TANF and SNAP programs.
- **Children.** Raises Children's Services (line 600-523) by \$300,000 a year and earmarks the money for children's crisis centers.
- **Food deserts.** Creates the Health Food Financing Initiative to support access to healthy food in underserved areas. Appropriates \$1.5 million in FY16 and \$2 million in FY17.
- **Mental health and addiction services.** Expands the drug addiction treatment program for specialized docket programs to an additional 15 counties (originally Crawford, Franklin Hardin and Mercer - additional 15 are Adams, Allen, Butler, Clinton, Delaware, Fairfield, Gallia, Hamilton, Hocking, Jackson, Lawrence, Lucas, Montgomery, Noble, Summit, and Warren) and provides an additional \$4.5 million per year for this purpose. Allocates \$5M/year for specialized docket support. Earmarks \$500,000 from line 336-504 (Community Innovations) to improve county access to anti-opiate drugs. Deletes mental health continuum of care language.

- **Developmental disabilities.** Removes changes related to independent providers. Adopts the agreement between the administration and providers reached to replace the administration proposed ICF/MR changes. Creates a commission to review the issue when the state proposed to close a developmental center. Specifies that it is the General Assembly's intent for individuals served by workshops to (1) be informed of options; and (2) continue to receive services in a variety of settings if those settings offer community integration. In addition, provides support to maintain current county waiver levels for the developmentally disabled.
- **Dental coverage.** Increases Medicaid dental reimbursement rates for Appalachian counties to improve access.
- **County hospitals.** Expands the range of investments available to a county hospital in a charter county. Raises the hospital franchise fee to 4.0%.
- **County homes.** Restores the nursing facility formula to statute. Revises/changes nursing facility reimbursement changes. Changes nursing facility quality proposals.

Jobs, Economic Development and Infrastructure

- **Enterprise zones.** Extends the sunset of Ohio enterprise zones for two years.
- **Maritime port funding.** Recreates the Maritime Port Funding Study Council.
- **Airports.** Increase line 777-471 (Airport Improvements) by \$5.25 million per year for loans and grants to airports. Also requires the Ohio Department of Transportation to work to draft legislation that moves aviation fuel from the sales tax to the gas tax by June 30, 2017.
- **Tourism development district.** Provides for the establishment of a tourism development district; however, language in the bill does not fully reflect intent of sponsor, thus, an additional amendment is forth coming. The proposal would be to establish a pilot project for Stark County to create and provide financing for a tourism development district.
- **Solid waste.** Excludes various clay and shale products from the definition of "solid waste" in the Solid, Infectious Waste Law and from "industrial waste" in the Water Pollution Control Act.
- **Industrial waste.** Exempts slag from the definition of industrial waste.

Justice and Public Safety

- **Jail/Medicaid pilot project.** Creates a Medicaid in Jails Pilot Project for Jackson and Montgomery Counties where patients are enrolled in Medicaid 30 days before release to ease re-entry.

- **Jail privatization.** Authorizes a county to contract with a private company to manage a county jail facility.
- **Community-based corrections.** Limits the ability of employees of community-based correctional and district community-based correction facilities subject to collective bargaining on June 1, 2005, only if the public employer chooses to do so.
- **MARCS.** Permits the MARCS steering committee to establish a subcommittee to represent local governments.
- **PSAPs training.** Compels the statewide emergency services internet protocol network steering committee to update the operational standards for public safety answering points to contain policies including PSAPs prioritize life-saving questions and get proper training.
- **Paramedics.** Requires the Emergency Medical, Fire and Transportation Board to create an expedited certifications program for veterans who received training as a paramedic.

Taxation and Finance

- **Tax reform.** Removes all proposed tax increases. Provides a 6.3% across the board income tax cut beginning in TY15. Lowers the top rate to below 5%, and provides over \$1.2 billion in tax relief to Ohioans over the next two years. Also makes permanent the 75% small business tax deduction.
- **TPP/POTP reimbursements.** Retains the reductions in TPP/POTP reimbursements on local governments and agencies with one exception: exempts a local taxing authority from the TPP phase-out if it has a nuclear power plant in its jurisdiction.
- **Water-works property tax.** Reduces the tax rate on all new water-works property in 2015 or after to 25%. Current property will continue to be taxed at the higher rate.
- **Vendor reimbursement for sales tax rate increase.** Eliminates the mandate on counties and transit authorities to reimburse vendors for the expense of adjusting cash registers when they change their sales tax rate. This would provide parity with the State of Ohio, which is not required to reimburse vendors when the state rate is increased.
- **Land banks.** Removes the county population threshold of 60,000 to create a county land reutilization corporation, thus enabling all counties to establish a land bank if they choose.
- **CAUV.** Revises the amount of time from 3 years to 5 years that unproductive farmland to continue to be taxed at CAUV level if it is used to store dredged material.
- **Tax and expenditure policies.** Creates the Ohio 2020 Tax Policy Study Commission. Also, creates the Ohio Expenditure Committee to review all state expenditures and to identify areas for savings, efficiencies, as well as short and long term improvements.

- **Political contributions tax credit.** Eliminates the political contribution tax credit.
- **Limited tax application.** The following provisions apply in a limited manner:
 - Allows counties between 175,000 and 225,000 that have an amusement park with more than 2 million annual visitors to levy a 1% bed tax for a sports complex.
 - Authorizes a county or independent agricultural society hosting an annual harness horse race with at least 40,000 per day attendees to levy, with voter approval, a lodging tax for up to 5 years and to issue bonds to pay for permanent improvements.
 - Permits commissioners in a county of between 375,000 to 390,000 to create a regional arts and culture district and to levy a cigarette and alcoholic beverage tax, with voter approval, in support of such a district.

Water Quality and Infrastructure

- **Water infrastructure.** Strikes language related to public water asset management. Also removes proposed changes to the Water Pollution Control Fund.
- **Water quality.** Removes water quality provisions from HB 64 as they were handled in SB 1.
- **Lake Erie.** Increases funding to the Healthy Lake Erie program by \$500,000. Also, creates studies of the effects of zebra mussels and Canadian geese on the water quality of Lake Erie.
- **Buckeye Lake.** Provides a \$10 million capital appropriation to begin work on the rehabilitation of the Buckeye Lake dam, and requires all contracts to include incentives for early completion. Also provides \$500,000 to promote tourism in the Buckeye Lake region.
- **Indian Lake.** Appropriates \$125,000 for the Indian Lake Watershed.

County workgroup identifies ways to reduce public assistance reliance

A statutorily created group of nine county job and family services (CDJFS) directors has released a report on public policy changes that would help reduce the reliance individuals have on public assistance programs. (Separately, as noted in the overview of the sub-bill, the House removed the Governor’s proposed Comprehensive Case Management and Employment Program from the substitute budget bill unveiled this week, though conversations are still continuing on the initiative.)

Six priority areas were recommended by the workgroup to be a part of a new person-centered case management system:

- Defining person-centered case management and the importance of ensuring service providers serve individuals with multiple and substantial barriers (rather than targeting clients with few barriers);
- Targeting a subset of public assistance recipients for the program’s launch to ensure a successful and strategic implementation;
- Recognizing and both working toward and providing necessary resources to ensure individuals have successful economic independence, including:
 - Availability of jobs that pay wages which are sufficient to move people off of public assistance;
 - Resources and infrastructure in terms of person-centered case management programs and services;
 - Appropriate caseload sizes for person-centered case management;
 - Sharing of information and data between programs.
- Devising performance measures that clarify the responsibilities of both the agency and recipient, recognize realistic “success” benchmarks, and involve recipients in assessment and goal-setting;
- Identifying priority goals and outcomes between programs, in recognition that many public assistance recipients are involved in other public systems, as well as align programmatic definitions, requirements, and expectations when possible.
- Promoting a community conversation around poverty and encouraging a community-wide effort.

The [report](#) and [executive summary](#) were delivered to both the Governor and General Assembly earlier this week.

The group, created in HB 483, was statutorily comprised of three CDJFS directors each from small, mid-sized and metropolitan counties appointed by the Governor.

Members were:

- Tim McCartney (Chair), Hamilton County Department of Job and Family Services
- Kate Offenberger, Carroll County Department of Job and Family Services
- David Dombrosky, Clark County Department of Job and Family Services
- Eileen Dray-Bardon, Columbiana County Department of Job and Family Services

- David Merriman, Cuyahoga County Department of Job and Family Services
- Shancie Jenkins, Delaware County Department of Job and Family Services
- Anthony Trotman, Franklin County Department of Job and Family Services
- Beth Rubin, Greene County Department of Job and Family Services
- Jody Walker, South Central Ohio Job and Family Services (Hocking, Ross, Vinton)

Bills Introduced



- SB 140** ■ **CASINO CREDITS** ([Coley, B.](#)) To require the Ohio Casino Control Commission and the State Lottery Commission to adopt rules to limit the amount of promotional gaming credits at casinos and video lottery terminal facilities and to permit the credits only under circumstances specified in the rules. Am. 3770.21, 3772.01, 3772.03, and 3772.23
- SB 142** ■ **FIREARMS** ([Jordan, K.](#)) To prohibit any agency and its employees and agents from seizing or authorizing the seizure of any firearm from any person lawfully in possession or control of the firearm except when a law enforcement officer reasonably believes the immediate seizure of the firearm is necessary for the safety of the officer or another person or to preserve the firearm as evidence, to prohibit the establishment of a firearm registry, and to prohibit law enforcement officers from enforcing a firearms registration requirement or firearm ban. En. 5502.23 and 5502.231
- SB 143** ■ **FELONY TRIALS** ([Eklund, J.](#)) To provide a prosecutor an additional fourteen days to commence a trial after a person charged with a felony has been discharged because the person has not been b
- HB 150** ■ **HOTEL INTERMEDIARIES** ([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. Am. 351.021, 353.06, 5739.01, 5739.09, 5739.
- HB 152** ■ **CONCEALED WEAPONS** ([Hood, R.](#), [Brinkman, T.](#)) To allow a person who has a concealed handgun license to carry concealed all firearms other than dangerous ordnance or firearms that state or federal law prohibits the person from possessing and to provide that a person 21 years of age or older and not legally prohibited from possessing or receiving a firearm by federal law does not need a concealed handgun license in order to carry or have concealed on the person's person or ready at hand a

firearm and is subject to the same laws regarding carrying a concealed firearm as a person who has a concealed handgun license. Am. 109.69, 109.731, 1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1213, 2923.16, and 4749.10 and to enact section 2923.111

HB 153 ■ **PRESIDENTIAL PRIMARY DATE** ([Dovilla, M.](#)) To change the date on which presidential primary elections are held. Am. 3501.01, 3513.01, and 3513.12

HCR 11 ■ **LAKE ERIE** ([Hall, D.](#)) To commend Governor John Kasich on his efforts to improve the water quality of Lake Erie and to affirm the Governor's ability to form an interstate compact with other states in furtherance of this objective.

HCR 13 ■ **TRANSPORTATION FUNDING** ([Grossman, C.](#)) To urge the Congress of the United States to enact a long-term federal transportation funding reauthorization bill that includes enhanced revenue.

HB 157 ■ **HEALTH INSURANCE** ([Butler, J.](#), [Johnson, T.](#)) To revise the laws governing health insurance coverage, medical malpractice claims, the Medicaid program, health care provider discipline, and required and permitted health care provider disclosures; and to create the Nonstandard Multiple Employer Welfare Arrangement Program and to terminate that program after five years.

Hearing Schedule



Monday, April 20

House Finance & Appropriations, (Chr. [Smith, R.](#), 466-1366), Rm. 313, 3:00 pm

HB 64 ■ **BIENNIAL BUDGET** ([Smith, R.](#)) To make operating appropriations for the biennium beginning July 1, 2015, and ending June 30, 2017, and to provide authorization and conditions for the operation of state programs. --12th Hearing-Possible amendments & vote

Tuesday, April 21

House Finance & Appropriations, (Chr. [Smith, R.](#), 466-1366), Rm. 313, 10:00 am

- If needed

HB 64 ■ **BIENNIAL BUDGET** ([Smith, R.](#)) To make operating appropriations for the biennium beginning July 1, 2015, and ending June 30, 2017, and to provide authorization and conditions for the operation of state programs. --13th Hearing-Possible amendments & vote

House Agriculture & Rural Development, (Chr. [Hill, B.](#), 644-6014), Rm. 116, 11:00 am

HB 131 ■ **ANIMAL DISEASES** ([Pelanda, D.](#)) To include diseases of concern within the scope of the Animal Diseases Law, and to make changes to the laws governing weights and measures, livestock dealers, and auctioneers, the membership of the Farmland Preservation Advisory Board, and the pesticide licensing renewal process. --1st Hearing-Sponsor

HB 94 ■ **ANIMAL NEGLIGENCE** ([Barnes, J.](#)) To prohibit a person from negligently allowing an animal to be tethered outdoors under specified circumstances. --1st Hearing-Sponsor

House Government Accountability & Oversight, (Chr. Brown, T., 466-8104), Rm. 114, 1:30 pm

HB 153 **PRESIDENTIAL PRIMARY DATE** ([Dovilla, M.](#)) To change the date on which presidential primary elections are held. --2nd Hearing-All testimony-Possible vote

House Ways & Means, (Chr. McClain, J., 644-6265), Rm. 121, 1:30 pm

HB 26 **BULLION SALES** ([Maag, R.](#), [Hackett, B.](#)) To exempt from sales and use taxes the sale or use of investment metal bullion and coins. --3rd Hearing-All testimony

House Community & Family Advancement, (Chr. Derickson, T., 644-5094), Rm. 114, 4:00 pm

HB 50 **ADOPTION ASSISTANCE** ([Pelanda, D.](#), [Grossman, C.](#)) To extend the age for which a person is eligible for federal foster care and adoption assistance payments under Title IV-E to age twenty-one, to provide a ward's bill of rights, to require that a guardian receive the Ohio Guardianship Guide, and to make an appropriation. --4th Hearing-All testimony-Possible substitute

HB 63 **CHILD ABUSE REPORTING** ([Pelanda, D.](#), [Grossman, C.](#)) To require mandatory reporters of child abuse or neglect to notify the county public children services agency when an attorney in fact under a document that purports to grant parental rights requests services from them, to require the agency to investigate the child's placement with the attorney in fact, and to require the agency to file a dependency complaint if it determines that the placement is unsafe for the child. --3rd Hearing-All testimony-Possible substitute

Wednesday, April 22

House Health & Aging, (Chr. Gonzales, A., 466-4847), Rm. 116, 9:30 am

HB 89 **MEDICAID SCHOOL PROGRAM** ([DeVitis, T.](#)) Regarding the Medicaid School Program. --2nd Hearing-Proponent

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

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

Senate Civil Justice, (Chr. Bacon, K., 466-8064), Finance Hearing Rm., 2:30 pm or after session

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. --3rd Hearing-All testimony-Possible amendments

HB 11 **DELAWARE COURT** ([Brenner, A.](#), [Ruhl, M.](#)) To create a domestic relations division of the Delaware County Court of Common Pleas and to create a judgeship for that division. --2nd Hearing-Proponent

SB 134 **ATTORNEY FEES** ([Seitz, B.](#)) To make permissive actual damages and attorney's fees, to limit certain civil penalties, to allow respondents to recover attorney's fees in certain instances, and to exempt certain landlords from the housing provisions of the Ohio Civil Rights law. --2nd Hearing-Proponent

Thursday, April 23

House Session, (Chr. Rosenberger, C., 466-3357), House Chamber, 1:00 pm