



STATEHOUSE REPORT

Published by: County Commissioners Association of Ohio

209 East State Street • Columbus, Ohio 43215-4309
Phone: 614-221-5627 • Fax: 614-221-6986 • www.ccao.org

April 24, 2015

House passes budget (HB 64) – includes indigent defense reimbursement at 50%

The Ohio House on Wednesday passed its version of the fiscal years 2016-2017 budget which provides for \$131.6 billion in all-funds expenditures, including \$71.6 billion in general revenue appropriations. The bill cleared the House on a 63-35 mostly party-line vote after the chamber tabled a dozen Democrat-backed amendments that largely echoed similar amendments offered by the Democrats in the House Finance Committee on Monday.

The House deleted nearly all of the governor's tax proposals, diverted the governor's proposed tax package and other initiatives to study committees, and made sweeping changes to education and health care-related provisions. The budget also contained the two key provisions supported by CCAO. The county reimbursement rate for providing indigent defense was increased from 40% to 50% by providing an additional \$12 M each year of the biennium beyond the appropriation contained in the as introduced version of the bill. Language was also included to restore the unfunded mandate language pertaining to adult protective services that is contained in current law and clarify the meaning of the phrase "arranging for" adult protective services. The budget bill also provides for an appropriation of \$1.25 million to pay for the cost of the Secretary of State mailing absentee ballot applications to voters for the 2016 presidential election.



Speaker Rosenberger

House Speaker Cliff Rosenberger (R-Clarksville) said he was pleased with the House's product. "Working with the governor's initial proposal allowed us to build from his strong and innovative vision for Ohio," he said in a statement. "Especially in the areas of tax reform, school funding, veterans services and the healthcare industry, Am. Sub. House Bill 64 continues to move Ohio on a glide path toward greater economic success and a better place for our students and families to live."

The House-passed budget would provide a 6.3% across-the-board income tax cut, lower the top rate to below 5% and provide more than \$1.2 billion in tax relief over the biennium. It also includes a permanent 75% small business tax deduction on the first \$250,000 of income. Education-related provisions included adding an additional \$179 million in K-12 funding into the foundation formula to ensure no district receives less foundation funding than in FY 15 and adding another \$102 million to offset a resumed phase-down of state reimbursements for lost local tangible personal property and kilowatt-hour tax revenue. The

House further put its stamp on Medicaid-related provisions of the governor's budget by adopting language to: implement cost transparency measures, require the Department of Medicaid to seek waivers allowing health savings accounts and work requirements, and return eligibility determination to the legislature, among other changes

House Finance & Appropriations Committee Chairman Rep. Ryan Smith (R-Bidwell), who detailed the panel's amendments in a floor speech, praised the chamber's version, saying it's "pro-growth, it's pro-business and it's going to take Ohio to a better place."

However, Governor Kasich was critical of the House's approach in a message relayed by spokesman Rob Nichols. "Restrained, responsible budgeting has helped get Ohio back on track, which is why the governor is so troubled by the House budget. Their spending increases and rosy budget projections threaten the progress Ohio has made in the past four years and the rejection of tax reform is a missed opportunity that, if allowed to remain, would erode our improving economic climate," he said. "As a former congressional budget committee chairman, he's seen this situation before: after the fiscal crisis subsides people think it's okay to slip back to old habits. The governor will do everything possible to prevent that from happening."

Democrats, on the other hand, argued that the spending bill falls short and fails to lay out a plan for strengthening the middle class and the state's economy. Rep. Nicholas Celebrezze (D-Parma), who unsuccessfully attempted to offer a floor amendment on the bill, said while the updated budget is better than the one presented by the administration, however, "numerous provisions were peppered into this bill that attack the very core principles of (the Democratic) party." Rep. Denise Driehaus (D-Cincinnati), the Ranking Minority Member on the Finance Committee, said the House budget is "out of line with what the people of the state so desperately crave - a bipartisan plan to build the middle class, to reduce poverty, create prosperity and to ensure that each and every Ohioan has the opportunity to succeed." "We made some progress, but there remain so many missed opportunities in this budget and issues that went unaddressed," she said, urging against the legislation.

House votes to change presidential primary date in 2016

The House approved legislation ([HB 153](#)) by a vote of 56 to 41 that would change the date of the presidential primary election to the second Tuesday after the first Monday in March. Rep. Mike Dovilla (R-Berea) said the change would allow the state to send a stronger delegation to the Republican National Committee's nominating convention, as well as ensure Ohio gets greater attention from candidates. Rep. David Leland (D-Columbus) offered a failed amendment to move the primary to May, which he said would allow Ohio Democrats to get extra delegates for their convention. He called the proposal amendment a "win-win" for both parties.



Rep Dovilla

Senate passes SJR 1 that would create a pay commission to set salaries of public officials

[SJR 1](#) proposes a constitutional amendment that would need to be approved by the voters which would create a nine-member Public Office Compensation Commission to recommend salaries for a variety of public officials including all county offices. If adopted at this November's

election, the panel's first meeting would occur at the end of February 2016 and its recommendations would take effect in July 2016. After the first process, the commission would convene in even-numbered years.



President Faber

Senate President Keith Faber (R-Celina), who sponsored the proposal, said the change would remove politicians from the often-controversial decisions regarding elected official pay levels. He said the commission is authorized to recommend both increases and reductions in pay, depending on various factors. Sen. Faber said 19 states already have some form of a compensation commission, and the proposed process would produce an "objective review" of factors to generate a more fair, transparent and impartial allocation of pay.

The legislature could reject the commission's pay-related recommendations by a three-fifths vote of each chamber. Additionally, the commission would have to offer information supporting its conclusions if it suggests pay adjustments in excess of 3%. Sen. Faber said the commission would take the responsibility for setting pay out of lawmakers' hands, eliminating the potential for "political mischief" that can occur as part of the current process. He added that while most Ohioans don't appear convinced that politicians should get pay raises, they are more supportive of creating a commission to review compensation. Prior to the floor vote, a committee amendment was adopted that would allow for mid-term reductions in judicial pay if lawmakers declare a fiscal emergency and pass legislation with a supermajority to reduce pay for all elected officials

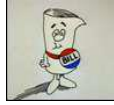
Senate outlines its budget hearing process

The biennial budget bill ([HB 64](#)) received from the House has been formally referred to three Senate standing committees: Finance, Medicaid and Ways & Means, all of which will be able to amend the legislation, according to Senate President Keith Faber (R-Celina).

The Ways & Means Committee will review the tax components and the Senate Medicaid Committee will hear Medicaid-related provisions. The Finance Committee will review a number of issues, and will have overall responsibility of unifying all of the committees' efforts. Senator Faber said the chamber's Finance subcommittees will also play a role in recommending changes to the budget. The president noted that executive and House budget proposals that are different than what was in place at the end of the last fiscal year will have to be detailed to senators. "It has to be defended," he said. "It has to be explained to the Senate or their presumption should be it will not be in our first sub bill. When we do our sub bill, it's going to be based on the hearing, testimony and the priorities articulated by the Senate."

Senator Scott Oelslager (R-N. Canton), who chairs the Finance Committee, issued a [list](#) of agencies and subject areas that will be discussed in the various Senate subcommittees. Dates and times of specific testimony will be provided in later schedules issued by the committee chairs.

Bills Introduced



SB 149

WORKERS' COMPENSATION ([Schiavoni, J.](#)) To make an individual who has lost the use of a body part due to a brain injury or spinal cord injury eligible for partial disability and permanent total disability compensation under the Workers' Compensation Law. Am. 4123.57 and 4123.58

SB 150

MOTOR FUEL ([Hite, C.](#)) To create a qualified immunity for the dispensing of incompatible motor fuel, to limit the Product Liability Law with respect to motor fuel and motor fuel additives, and to prohibit an insurer from denying a claim on the basis that an underground storage tank is not compatible with a motor fuel if the State Fire marshal has determined otherwise.

HB 158

DISABILITY TERMS ([Dever, J.](#), [Howse, S.](#)) To change the variations of the term "mentally retarded" to "person with an intellectual disability." Am. 1.02, 121.22, 121.37, 135.801, 145.01, 145.012, 145.298, 145.332, 149.431, 152.04, 152.09, 154.02, 154.07, 154.20, 173.25, 173.27, 173.38, 173.381, 305.07, 307.02, 313.12, 325.07, 711.23, 1751.01, 1751.14, 2101.17, 2101.24, 2108.521, 2109.01, 2111.01, 2111.10, 2111.49, 2151.011, 2151.281, 2151.353, 2151.414, 2151.415, 2151.421, 2151.425, 2151.651, 2152.02, 2152.12, 2152.14, 2152.51, 2152.811, 2305.111, 2311.14, 2317.021, 2503.37, 2721.05, 2744.01, 2901.13, 2903.341, 2905.32, 2907.24, 2919.23, 2929.01, 2929.04, 2929.06, 2930.061, 2930.16, 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, 2945.482, 2945.491, 2949.29, 2950.01, 2951.041, 2967.22, 3107.02, 3323.01, 3701.881, 3707.20, 3721.01, 3763.06, 3791.031, 3923.24, 3923.241, 4112.01, 4303.272, 4399.05, 4723.071, 4757.41, 4971.16, 5101.46, 5101.611, 5103.02, 5119.44, 5120.051, 5120.11, 5120.17, 5120.173, 5121.04, 5122.01, 5123.01, 5123.012, 5123.02, 5123.021, 5123.03, 5123.033, 5123.04, 5123.044, 5123.0410, 5123.0413, 5123.0418, 5123.081, 5123.092, 5123.093, 5123.122, 5123.165, 5123.169, 5123.17, 5123.171, 5123.18, 5123.19, 5123.196, 5123.20, 5123.27, 5123.34, 5123.35, 5123.351, 5123.36, 5123.37, 5123.374, 5123.375, 5123.40, 5123.41, 5123.42, 5123.421, 5123.422, 5123.43, 5123.44, 5123.441, 5123.45, 5123.451, 5123.47, 5123.50, 5123.51, 5123.52, 5123.541, 5123.542, 5123.55, 5123.57, 5123.58, 5123.601, 5123.61, 5123.611, 5123.612, 5123.614, 5123.62, 5123.63, 5123.64, 5123.65, 5123.651, 5123.67, 5123.69, 5123.701, 5123.71, 5123.74, 5123.75, 5123.76, 5123.79, 5123.80, 5123.81, 5123.82, 5123.83, 5123.84, 5123.85, 5123.86, 5123.87, 5123.88, 5123.89, 5123.91, 5123.92, 5123.93, 5123.95, 5123.96, 5123.99, 5126.01, 5126.022, 5126.023, 5126.04, 5126.041, 5126.042, 5126.043, 5126.046, 5126.05, 5126.051, 5126.054, 5126.055, 5126.058, 5126.059, 5126.0510, 5126.08, 5126.082, 5126.11, 5126.15, 5126.22, 5126.25, 5126.30, 5126.31, 5126.33, 5126.333, 5126.40, 5126.46, 5126.49, 5126.52, 5126.55, 5126.58, 5139.06, 5139.08, 5139.12, 5139.27, 5139.39, 5139.54, 5164.25, 5164.342, 5164.881, 5165.01, 5166.20, 5166.22, 5168.68, 5301.22, 5305.17, 5307.19, 5310.12, 5321.01, 5705.05, 5705.091, 5705.19, 5705.222, 5709.40, 5709.73, 5709.78, 5711.07, 5747.03, 5815.28, and 5815.35

HB 162

SEVERANCE TAX ([Cera, J.](#)) To change the basis, rates, and revenue distribution of the severance tax on oil and gas, to create a grant program to encourage compressed natural gas as a motor vehicle fuel, to authorize an income tax credit for landowners holding an oil or gas royalty interest, and to exclude some oil and gas sale receipts from the commercial activity tax base. Am. 1509.02, 1509.071, 1509.11, 1509.34, 1509.50, 1513.08, 1513.182, 1514.11, 5747.98, 5749.01, 5749.02, 5749.06, 5749.11, and 5751.01 and to enact sections 164.29, 190.01, 190.02, 190.03, 190.04, 190.05, 321.50, 321.51, 505.96, 1509.075, 3737.15, 3745.50, 5501.37, 5747.56, 5747.63, and 5749.18

HB 164

RECORD SEALING ([Pelanda, D.](#), [Rogers, J.](#)) To allow a person who is convicted of an offense that may not be sealed to apply to have the conviction sealed if, before the person makes that application, the offense is changed so that it may be sealed. Am. 2953.36

HB 166

TAX LAWS (Green, D.) To extend the deadline for filing an application for the homestead exemption or 2 1/2% property tax rollback to the end of the tax year, to require that auditors certify Local Government Fund allocations to subdivisions by regular or electronic, rather than certified mail, and to repeal laws requiring county auditors to issue permits for traveling shows, issue licenses for new merchandise public auctions, certify the annual state tax interest rate to local courts, and provide certain certifications related to the repealed personal property tax. Am. 323.153, 1343.03, and 5747.51 and to repeal sections 319.19, 1318.01, 1318.02, 1318.03, 1318.04, 1318.05, 1318.06, 1318.07, 1318.08, 1318.99, 1901.313, 1907.202, 2303.25, 3765.01, 3765.02, 3765.03, 3765.04, 5709.23, and 5719.042

Hearing Schedule



Tuesday, April 28

House Insurance (Committee Record), (Chr. **Hackett, B.**, 466-1470), Rm. 121, 9:00 am

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. --**1st Hearing-Sponsor**

House Financial Institutions, Housing & Urban Development (Committee Record), (Chr. **Terhar, L.**, 466-8258), Rm. 122, 10:00 am

HB 134

BLIGHTED PROPERTY FORECLOSURES (Grossman, C., Curtin, M.) To establish summary actions to foreclose mortgages on vacant and abandoned residential properties, to expedite the foreclosure and transfer of unoccupied, blighted parcels, to make other changes relative to residential foreclosure actions, and to terminate certain provisions of this act on December 31, 2019, by repealing sections 3767.51, 3767.52, 3767.53, 3767.54, 3767.55, and 3767.56 of the Revised Code on that date. --**1st Hearing-Sponsor**

Senate Finance: Workforce Sub. (Committee Record), (Chr. **Beagle, B.**, 466-6247), North Hearing Rm., 10:00 am

- Budget presentations from Department of Job & Family Services, Development Services Agency, State Employment Relations Board, Commission on Service and Volunteerism, Counselor, Social Worker and Marriage & Family Therapist Board

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

HB 155

SAVINGS ACCOUNTS (Dever, J., Conditt, M.) To require the Treasurer of State to create a program offering federally tax-advantaged savings accounts used to pay for a person's qualified disability expenses and to disregard the value of and income from that account in determining whether that person is eligible for state or local means-tested public assistance. --**1st Hearing-Sponsor**

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. --**5th Hearing-All testimony-Possible vote**

Wednesday, April 29

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 State Government (Committee Record), (Chr. **Maag, R.**, 644-6023), Rm. 121, 2:00 pm or after session

HB 82 **PRIVATE PRISONS** (**Hambley, S.**) To permit a county, a group of counties, or a group of counties and municipalities to contract for the private operation and management of a correctional facility that houses felon inmates. --**2nd Hearing-Proponent**

HB 130 **DATA OHIO 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.--**1st Hearing-Sponsor**

Thursday, April 30

Joint Medicaid Oversight Committee (Committee Record), (Chr. **Sears, B.**, 466-1731), Rm. 313, 9:00 am

- Medicaid Waivers 201: Long term vision for waivers in Ohio; Plans for a single or unified waiver; Case management process in each system including provider oversight and incident management; Quality metrics and performance improvement; Use of wraparound services outside the waiver (i.e. housing, transportation, day services); Waiver use by system (i.e. entrance/exit data, average length of use, wait list); Self-direction
- Presented by Directors John McCarthy, ODM; John Martin, ODDD; and Bonnie Burman, ODA

Senate Medicaid (Committee Record), (Chr. **Burke, D.**, 466-8049), North Hearing Rm., 1:30 pm

- Budget presentations: 1:30pm Department of Aging; 2:30pm Joint Medicaid Oversight Committee; 2:45pm State Medical Board; 3:00pm State Pharmacy Board; 3:15pm Board of Nursing; 3:30pm Chemical Dependency Professionals' Board; 3:45pm State Board of Psychology; 4:00pm State Board Orthotics, Prosthetics, and Pedorthics; 4:15pm State Chiropractic Board; 4:30pm Ohio State Dental Board; 4:45pm Veterinary Medical Licensing Board; 5:00pm Board of Dietetics; 5:15pm Opportunities for Ohioans with Disabilities; 5:30pm Department of Health; 6:00pm Public Testimony
- Times subject to change