



STATEHOUSE REPORT

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

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House Agriculture Committee Summer Hearings

As was discussed in last week's [Statehouse Report](#), the House Agriculture and Rural Development Committee is conducting summer hearings. This week the committee held its third hearing in Columbiana County and its fourth hearing in Preble County.

On Tuesday, the committee was greeted by CCAO President and Columbiana County Commissioner Mike Halleck, as well as fellow Columbiana County Commissioner Tim Weigle, before hearing testimony on economic development in rural areas.



CCAO's Brian Mead gave testimony on the need for better rural infrastructure and access to broadband. He also thanked the House Members for their support in increasing funding to OSU Extension and for establishing the County Agricultural Society Facilities Grant Program in the most recent budget.

The committee heard from the Ohio Gas Association about the growing oil and gas industry in Eastern Ohio. It also heard from Carroll Electric Cooperative, Century Link a telecommunications and broadband provider, and Advantage Capital Partners who invests in rural businesses.

To access the committee's testimony please click on this [link to the committee's webpage](#).

Thursday, the committee traveled to the western side of the state and held its hearing at Growing Acres Farm in Preble County. Preble County Commissioners Chris Day and Rodney Creech were on hand to welcome the committee.

Testimony from expert witnesses on crop production, fertilizer and nutrient management, as well as water quality were provided. Darke County OSU Extension Educator Sam Custer updated the committee on new agricultural practices used by farmers to help reduce phosphorus runoff.

The last hearing will be held in Gallia County, next Wednesday, September 9, 1:00 p.m., at Green Valley Gathering Place (296 Green Valley Drive, Bidwell, OH 45614). The committee will hear testimony on livestock production.



Rep. Jeff Rezabek and Comm Chris Day

For more information on the summer hearings or any questions on agriculture or environmental issues, please contact CCAO staffer Brian Mead at bmead@ccao.org or 614-579-2514.

Proposal to fund sewer, water infrastructure improvements introduced

Reprinted from Gongwer News Service

Senate Minority Leader Joe Schiavoni is proposing a \$1 billion bond program to boost sewer and water system capital improvements in an effort to improve water quality and create jobs.

The Boardman Democrat filed a joint resolution (**SJR 3**) that if adopted and approved by voters would permit the issuance of state bonds to preserve and expand sewer and water systems across the state.

Under the proposal, the General Assembly could grant no more than \$100 million in general obligation bonds in each fiscal year over the next decade to fund infrastructure improvements or maintenance for those projects.

The bonds could be used for acquisition, construction, reconstruction, expansion, improvement, planning or equipping costs related to wastewater treatment systems; water supply systems; and storm water and sanitary collection, storage and treatment facilities.

Should it pass the General Assembly, the measure would take effect immediately upon a successful vote at the ballot.

"I believe if you talk to residents ... they recognize the need for this and this would not take money out of their individual pockets to do a lot of these projects," Sen. Schiavoni said in an interview. "That's what happens in a lot of these communities - they say, 'Well we have to raise user fees in order to complete the project' and that's a sore spot for residents."

At first glance, the resolution appears to give communities funding opportunities similar to those available under the Ohio Public Works Commission's State Capital Improvements Program. But Sen. Schiavoni said SCIP falls short of meeting the state's water infrastructure needs.

SCIP, which was renewed by voters in 2014, allows the state to issue general obligation bonds up to \$175 million between fiscal years 2017 and 2021 and \$200 million in FY 2022 to 2026 for the improvement of roads, bridges, water supply systems, wastewater systems, storm water collection systems, and solid waste disposal facilities.

"Most of the money used in the SCIP program is used on roads and bridge," Sen. Schiavoni said. "Only a small amount of that money is used for these projects that are in desperate need of upgrade."



Sen Schiavoni

Information provided by PWC Director Michael Miller bears that out.

According to the commission, nearly \$193.7 million in assistance was facilitated through the most recent SCIP program year between July 2014 and March 2015. Of that, \$2.5 million - or about 1.3% - went to water, sewer or sanitary subdivisions with the remainder split between cities, counties, townships and villages.

Overall, 62% of those total funds - about \$120.7 million - went to support roads and bridges. The remaining 37.7% - about \$73 million - went to water-related projects, including: \$98,000 to solid waste, \$7.4 million to stormwater, \$40.5 million to wastewater, and \$24.9 million to water supply.

Sen. Schiavoni said the resolution has received bipartisan support thus far. Senator John Eklund (R-Chardon) and Senator Bill Seitz (R-Cincinnati) have signed on as cosponsors along with nine Democrats.

"I know most of our members signed on, but all of our members are supportive of the idea," Sen. Schiavoni said.

"I've talked to a number of other (Republican members) that note and recognize the need for these improvement projects all throughout the state," Sen. Schiavoni continued. "I do think that all the members are concerned with this issue.... I don't know if this is the way they'll want to go about it, but it feel this is a fair way to do it."

When asked, a spokesperson for Senate President Keith Faber said, "We can't speak for the entire caucus at this point, but President Faber has some concerns about overextending the state's debt capacity. Ohioans just approved a renewal of the public works program last year, and we have a capital budget coming up next year. He is open to discussion, but believes we need to be fiscally disciplined about taking on more debt obligations before existing programs have a chance to run their course."

With the SCIP renewal having passed by a 65-35% margin in 2014, Sen. Schiavoni is optimistic voters will likewise support this measure should it pass the General Assembly.

The proposal would help address lingering concerns about algae-polluted water sources and would translate into an economic boost, he said.

"It leads to economic growth immediately because it puts more people to work but at the same time when businesses and residents look to move to the state of Ohio they're looking to see what our infrastructure is like," he said. "And if they see problems they may go elsewhere."

Bill introduced to require counting of un-postmarked ballots

Rep. Kathleen Clyde introduced HB 309 this week which would stop the discarding of absentee ballots that arrive on time to boards of elections without a postmark. Clyde stated that election officials had contacted her about the need for such a bill and noted that 19 voters' ballots in Portage County, a county which she represents, were thrown out due to the issue. The proposed legislation, Rep. Clyde said, would ensure the state counts the votes of all Ohioans who mail their ballots on time.

"We need to resolve these errors in favor of the voter and count the vote," Rep. Clyde said in a statement. "Election officials have explored options to get every ballot postmarked but there will always be pieces of mail that slip through without postmarks. Ohio's voting laws should deal with such realities, not ignore them and punish voters." With several elections reportedly having been decided by just one vote in the last two years, such legislation is critical, the Democrat contended.



Rep. Clyde

"Throwing out even one ballot over a minor error like this harms the integrity of our elections and impacts the policies of our state," she said. "Quick passage of HB309, a simple bill with a common sense fix to Ohio's voting laws, would ensure that ballots with missing postmarks are counted starting with the next election on Nov. 3."

Secretary of State Jon Husted's office, however, raised concerns on its potential impacts. Spokesman Josh Eck countered that the proposed legislation could create a situation in which voters could submit non-postmarked ballots after Election Day to intentionally affect the outcome of a certain race.

"If this is a problem, which I emphasize if, then her legislation creates a scenario that is worse because it creates the possibility where somebody could intentionally create fraud under the same problem that she is trying to fix," he said in an interview. Mr. Eck called the proposal "legislation in search of a problem."

Bill announced to encourage addicted pregnant women to seek treatment

State Representatives Doug Green (R-Mt. Orab) and Sean O'Brien (D-Bazetta) this week announced legislation called "Maiden's Law," which is aimed at encouraging expectant mothers who are addicted to heroin and opiates to seek medical help.

Specifically, the bill would encourage women in these circumstances to visit their doctor for prenatal screenings and receive treatment. To aid in this process, the legislation would establish that a children services agency cannot file a complaint or remove a child simply because the newborn's mother used a controlled substance while pregnant. To qualify for this protection, the mother is required to:

1. Enroll in a drug treatment program;
2. Successfully complete, or be in the process of completing, a program and is in compliance with the program's terms and conditions as determined by the treatment provider;
3. Maintain her regularly scheduled appointments and prenatal care recommended by her healthcare provider for the remaining duration of her pregnancy.



Rep. Doug Green (L) and Rep. Sean O'Brien (R)

“There are three goals that accompany this piece of legislation,” Green said. “Those are to have clean mothers, healthier babies, and, ultimately, keeping the mother and child together. There is no silver bullet in treating addiction, but when we can extend to someone an opportunity to recovery, we must act.”

“We want to make sure these mothers are getting the best prenatal care that they can, at the same time protecting the child.” Said Rep. O'Brien. “This

bill does not prevent children services from going into the home and for other reasons taking the child or taking other actions should it be required,” adding it simply states the child cannot be taken from the home based solely on having an addicted mother as long as she is following the program.

The bill has not yet been formally introduced, but the joint sponsors announced they have over 40 co-sponsors for the proposal. CCAO will review the legislation upon its introduction. To view the video of the press release, click [here](#). For more other information, please contact Laura Abu-Absi at labu-absi@ccaorg.org.

Democratic House members of the Energy Mandate Study Committee offer recommendations

Representatives Jack Cera (D-Bellaire) and Rep. Michael Stinziano (D-Columbus) this week urged their fellow members on the Energy Mandate Study Committee to recommend reinstating the currently frozen renewable energy benchmarks. Since February, the committee has fielded testimony on whether lawmakers should take action on Ohio's renewable energy portfolio standards, including energy efficiency and peak demand reduction mandates. The committee's full report is due by Sept. 30 and could call for reinstatement, repeal or a

compromise between the two. If the committee takes no action, the standards will return to effect in 2017 when the two-year freeze expires.

The Representatives issued their own 10-page report for their fellow committee members' consideration. "A responsible energy plan balances our existing wealth of natural resources with investments in innovative advanced energy technologies," Rep. Cera said in a statement. "We have seen the studies and heard the testimony and it's clear that without an 'all of the above' energy platform, Ohio will fall behind to the detriment of consumers, workers and families." The pair argued that restoring Ohio's energy benchmarks will save money, spur economic growth, and lower environmental health risks.



Rep. Cera

Rep. Stinziano

They advocate doing so on a revised schedule in order to "balance economic and environmental factors." The pair also indicated that the Committee's report should emphasize the possibilities of Ohio's energy future, recognize the importance of existing resources, like abundant coal and natural gas, and consider the effects of new energy laws on the Ohio communities from which those resources come.

The Representatives' report recommends:

- Reinstating renewable energy, energy efficiency, and peak demand reduction goals at significant levels to lower utility bills, cut carbon emissions, and create jobs across Ohio's diverse energy landscape"
- Incentivizing the creation of new jobs
- Reversing the state mandate that increased the minimum setback for wind turbines to allow communities to make zoning decisions about new windfarm development
- Calling for a more thorough and transparent vetting process of extra charges before the Public Utilities Commission of Ohio in an effort to shield consumers from run-away riders applied to utility bills and from excessive profiting
- Supporting investments in clean coal, co-generation and other alternative energy development without neglecting existing energy sources.

Healthy Water Ohio Coalition issues water management report

Launched in 2013, Healthy Water Ohio is a wide-ranging coalition that was convened to develop a long-term water management strategy to shore up Ohio's aquatic tourism, strengthen the agricultural industry, and address other state-wide water-related concerns. Their report is designed to be a roadmap for assuring that Ohio's water and food production resources are preserved and strengthened according to Steve Hirsch of the Ohio Farm Bureau Federation. In crafting the plan, the group fielded input from more than 200 people. The plan is broken down into five key subject areas including research, policy and jurisdiction, infrastructure, funding, and education and awareness.

Some of the measure the coalition will push for moving forward include:

- Establishing a formal research group and improving the coordination between water-related researchers

- Leveraging existing watershed districts to facilitate collaboration, providing indemnity for farmers and industries that voluntarily participate in research, and improving coordination among state agencies
- Conducting a needs assessment of water-related infrastructure
- Establishing the Ohio Water Trust and launching a state bond initiative to protect water resources
- Boosting efforts to educate government officials, Ohio students and the general public

According to Josh Knights, executive director of the Nature Conservancy in Ohio, the proposed Ohio Water Trust would be overseen by a board of stakeholders which would vet projects to improve water quality, reduce stormwater and other flooding, and accomplish other water-related goals.

Funding for the trust isn't yet finalized, but the group said support from water quality trades, agriculture and business sectors, government bond sales, water user fees, portions of boating and fishing license fees, and philanthropic contributions are all potential funding sources. The proposed bond issue should generate \$100 million annually to fund water-related projects. The proposed bond program appears similar to the existing Clean Ohio Fund, a \$400 million conservation program renewed by voters in 2008 and comes right after Minority Leader Joe Schiavoni introduced SJR 3 this week (see story above) which would create a ballot issue authorization annual general obligation bonds of up to \$100 million a year for water infrastructure improvements or maintenance.



Statehouse, Etc.

September is National Recovery Month. A [resolution](#) declaring such from the Governor was presented by Ohio Department of Mental Health and Addiction Services Director Tracy Plouck at a Statehouse rally held this week.

The Governor has also signed a [resolution](#) declaring September as Fetal Alcohol Spectrum Awareness and Prevention Month.

Secretary of State Jon Husted notes interest in running for governor. At the Columbus Metropolitan Club Wednesday luncheon event this week. Husted was asked by the forum commentator if he would like to be governor and the Secretary indicated that someday he would. He offered little insight on the time for such an announcement, however. Husted said that he needs to get through the controversial issues on this November's ballot and a presidential election next year before he will make a decision about which seat he'll set his sights on next. "You know we have 2015, 2016, let's wait until 2018 and we can talk about it," he said.

County charter proponents protest at Secretary of State Husted's appearance at the Columbus Metropolitan Club luncheon. Protestors objected to the Secretary's blocking of proposed amendments to establish county charter government in Athens, Medina and Fulton counties.

The proposed charters are primarily aimed at banning fracking in the three counties. Secretary Husted blocked the charters from appearing before voters in November, saying that permitting

counties to ban fracking violates law because the state determines regulations on that industry and there is also legal precedence on the matter and the state constitution prohibits local governments from discriminating against or impeding on oil and gas activities and operations.

Soon after the secretary directed local boards of elections to keep the issues off the ballot, Community Environmental Legal Defense Fund (CELDF) challenged his determination in the Ohio Supreme Court. A group of protestors gathered outside the event and also made an appearance inside during the forum holding signs and chanting, "Let the people vote" after the secretary of state left the podium. While those chanting outside while Mr. Husted was speaking contended that he was circumventing democracy with his decision to invalidate the amendments, Husted said that was not the case. Denying the proposal "doesn't mean we took the democratic process away from them," Husted said. "They just need to use it in the proper venue and the proper venue is before the legislature who created the law and or you could use the initiative process to take the issue to all of the voters of the state of Ohio. You just can't do it county to county."

Bills Introduced



SJR 3 **INFRASTRUCTURE BONDS** ([Schiavoni, J.](#)) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund sewer and water capital improvements.

HB 307 **DRIVER'S LICENSE SUSPENSIONS** ([Pelanda, D.](#)) To make the suspension of an offender's driver's license for a violation of specified drug offenses discretionary rather than mandatory, to authorize a court to terminate a driver's license suspension imposed for specified drug offenses committed out-of-state, to generally authorize a court to terminate a previously imposed mandatory suspension for specified drug offenses, to provide for the discretionary suspension of an offender's driver's license for possessing nitrous oxide in a motor vehicle, and to make consistent the provisions of law governing the ability of a court to grant limited driving privileges. Am. 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.141, 2925.22, 2925.23, 2925.31, 2925.32, 2925.33, 2925.36, 2925.37, 4510.021, 4510.17, and 4510.31

HB 308 **TAX EXEMPTION** ([Duffey, M.](#), [Stinziano, M.](#)) To exempt from sales and use tax textbooks purchased by post-secondary students. Am. 5739.02 and 5739.03

HB 309 **ABSENTEE BALLOTS** ([Clyde, K.](#)) To eliminate the requirement that absent voter's ballots received during the ten days after the day of an election contain a postmark and to specify circumstances under which those ballots must not be counted. Am. 3509.05

HB 311 **TEACHER RETIREMENT** ([Schuring, K.](#)) To base the percentage of an employee's salary that must be contributed to the State Teachers Retirement System to mitigate the effect of the employee's participation in an alternative retirement program on the average percentage used to amortize the Retirement System's unfunded actuarial accrued pension

liabilities. Am. 3305.063

HB 318 HOMELESSNESS COMMITTEE (Stinziano, M.) To create The Ohio Coordinating Committee to End Homelessness and to make an appropriation. Am. 176.10, 176.11, and 176.12

SB 208 SMALL BUSINESS TAX DEDUCTION (Beagle, B.) To make technical changes to the state income tax law, to modify the requirements for receiving the joint filing credit, and to provide that, for the 2015 taxable year, any taxable business income under \$125,000 for married taxpayers filing separately or \$250,000 for other taxpayers is subject to the graduated tax rates applicable to nonbusiness income, while business income in excess of those amounts remains subject to the existing 3% flat tax. Am. 9.66, 122.16, 122.172, 122.173, 5709.65, 5709.66, 5733.33, 5733.42, 5733.98, 5747.01, 5747.02, 5747.05, 5747.054, 5747.055, 5747.056, 5747.059, 5747.21, 5747.212, 5747.22, 5747.27, 5747.28, 5747.29, 5747.331, 5747.37, 5747.65, 5747.66, 5747.71, 5747.75, 5747.76, 5747.80, 5747.81, and 5747.98 and to repeal sections 5733.48, 5747.051, 5747.057, 5747.26, 5747.261, 5747.31, 5747.32, 5747.34, 5747.35, 5747.36, 5747.38, 5747.39, and 5747.77

SB 209 RURAL JOBS (Hite, C.) To enact the "Ohio Rural Jobs Act" which authorizes a nonrefundable tax credit for insurance companies that invest in rural business growth funds, which are certified to provide capital to rural and agricultural businesses. Am. 5725.98 and 5729.98 and to enact sections 122.15, 122.151, 122.152, 122.153, and 122.154

Hearing Schedule



Tuesday, September 8

House Healthcare Efficiencies Summer Study Committee, (Chr. **Huffman, S.**, 466-9624), Shawnee State University, 940 2nd St., Portsmouth, 1:00 pm

- Behavioral health

Wednesday, September 9

House Agriculture & Rural Development (Committee Record), (Chr. **Hill, B.**, 644-6014), Green Valley Gathering Place, 296 Green Valley Drive, Bidwell, 1:00 pm

- Livestock

Thursday, September 10

Ohio Retirement Study Council (Committee Record), (Chr. **Beagle, B.**, 228-1346), Rm. 121, 9:00 am

- Agenda to be announced

Tuesday, September 15

Senate Rules & Reference (Committee Record), (Chr. **Faber, K.**, 466-7584), Majority Conf. Rm., 11:00 am

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

Wednesday, September 16

Senate Rules & Reference (Committee Record), (Chr. **Faber, K.**, 466-7584), Majority Conf. Rm., 11:00 am

House Healthcare Efficiencies Summer Study Committee, (Chr. **Huffman, S.**, 466-9624), MetroHealth Main Campus, 2500 MetroHealth Drive, Cleveland, 12:00 pm

- Medicaid & Aging

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