



STATEHOUSE REPORT

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New Substitute Energy Mandate Bill in the works

This week [Sen. Bill Seitz \(R-Cincinnati\)](#) began circulating to interested parties a [new draft](#) version of his Senate Bill 320 legislation to extend the renewable energy freeze till 2019. This draft would resume the energy benchmarks up to the year 2020 while removing all penalties and compliance measurements associated with the standards up to that point.

In addition, the draft substitute version would eliminate benchmarks for 2021-22 and 2024-25, and begin noncompliance penalties of the renewable energy benchmarks in 2021 starting at \$45 times the number of credits by which the utility fell short of compliance. The result would be a series of unenforceable guidelines until penalties kick in after 2021.

SB 320

Renewal Energy

CCAO Position: Monitoring

Sponsor: Sen. Bill Seitz

Status: Senate Energy and Natural Resources Committee

Key Provisions:

- Revises the requirements for renewable energy, energy efficiency, and peak demand reduction.
- To permit property owners to petition municipal corporations and townships for the purpose of developing and implementing special energy improvement projects.
- To require deployment and permit cost recovery of advanced energy analytics technology by electric distribution utilities.
- To revise the law governing net metering service provided by electric utilities and electric services companies.

This new concept may not be agreeable to Governor Kasich, who has pushed for a more "common sense" plan for ending the freeze and implementing attainable standards. Asked about the draft substitute, Kasich spokeswoman Emmalee Kalmbach said the governor's office doesn't comment on pending legislation but that "the governor has been clear regarding the need to set and achieve reasonable energy standards and we'll continue to work with the General Assembly towards that end."

The draft sub bill would also shift back noncompliance fines for solar energy resource benchmarks. Under the substitute version, noncompliance in that category would equal fines of \$200 per megawatt hour under compliance for 2020, \$100 per megawatt hour for 2023, and \$50 per megawatt hour for 2026 and following years. In

contrast, the current bill requires a \$300 per megawatt hour for years 2014-16 with that penalty to be reduced by \$50 every two years to a minimum of \$50 by 2023.

The substitute bill still needs to be introduced in the Senate Energy & Natural Resources Committee. Senate President Keith Faber has indicated that he expects the Senate to work on this measure when it returns from the election.

For additional information on energy mandates, please contact CCAO staffer Brian Mead at bmead@ccao.org or 614-220-7982.



Sen. Bill Seitz

Columbus Dispatch story sheds light on opiates and the child protective system

The Columbus Dispatch kicked off a series on the opiate epidemic this week which includes an [article](#) on the drug's most vulnerable victims – kids. The lengthy article followed the Valle family who reside in Adams County. The Valles have witnessed the tragedy that heroin inflicts first hand and it led them to not only become foster parents for children in crisis, but to adopt two nieces and two nephews whose parents have not been able to break the cycle of drug abuse. In the interview Mrs. Valle said "It has devastated my whole family. People don't understand what all this does to kids. It confuses them, it frightens them, it hurts them. Kids are resilient, yes. But they have to have a chance."

Interviews with the Public Children Services Association of Ohio (PCSAO) revealed some sobering statistics from the child protection system, including a rise in babies born addicted to drugs from 14 in every 10,000 live births in 2004 to 134 in every 10,000 live births in 2014. PCSAO's data also indicates that at least half of all the children taken into custody last year had parents who used drugs and the majority of those cases involved opiates.

Another challenge is the effect on the child protection workforce. Opiate cases can be particularly traumatic for case workers and agencies are struggling with high turnover. An interview with Lorra Fuller, Executive Director of Scioto County Children Services, describes how hard it is to keep good case workers in the face of an opiate epidemic. When asked about the emotional toll these cases take on her employees, Fuller said "If you can leave it at work you will be fine. If you cannot, you won't."

The strain on the child protection system is becoming more and more visible as children in custody go up and funding goes down. A look at Scioto County's Children Services agency shows a \$700,000 cut in state and federal funding since 2010. Children Services agencies who don't have property tax levies "are drowning at this point" according to Angela Sausser, Executive Director at PCSAO.

It's clear that the toll opiates are taking on children and the system designed to protect them needs to be addressed in a meaningful way now. "Everybody's patting themselves on the back, saying we've shut down the pill mills, we've got more treatment, we're doing all kinds of stuff," said Joel Potts, executive director of the Ohio Job and Family Services Directors' Association. "Well, what about the kids?"

Save the date: CCAO will host a webinar entitled “*A Day in the Life of a Child Protection Case Worker*” on Wednesday, October 12th at 9:30 am. Details and registration can be found [here](#).

For more information please contact CCAO Policy Analyst [Kate Neithammer](#) at 614-220-7996.

Criminal Recodification Committee approves proposal to change drug laws

Members of the Criminal Recodification Committee voted to get a proposal drafted by the Legislative Service Commission that changes the state's drug laws. The focus of the proposal is to reduce the number of addicted Ohioans being sent to prison by:

- Delineating between traffickers, distributors and users
- Providing pathways to treatment for low-level offenders
- Allowing certain offenders to more easily seal their records



Those who are charged with drug crimes and receive sentences of one year or less (about 5,000 people per year) would no longer be eligible to serve in a Department of Rehabilitation and Correction facility. Anyone charged with drug possession, marijuana possession or petty trafficking would be eligible for “intense supervision” which will uniformly identify, treat, and rehabilitate drug users

Those found guilty of drug possession, marijuana possession or petty trafficking would also be eligible to apply for automatic sealing of their records one year after the discharge of the offense as long they have not previously been found guilty of more than two misdemeanor offenses, one felony offense or one felony and one misdemeanor offense.

DRC Director Gary Mohr praised the work of the group in a statement saying, “Significant strides were made towards saving lives because treatment in the community is more effective than sending addicted Ohioans to prison.”

As we continue to follow this new approach, it will be critical to make sure the local infrastructure is in place to successfully treat these individuals. The last thing we want to do is unwittingly create a path that leads from the state prison to the county jail instead of the treatment they so desperately need.

For more information please contact CCAO Legislative Counsel [John Leutz](#) at 614-220-7994.

Statehouse, Etc.



Ohio Joins Lawsuit. Ohio has joined 21 other states in a lawsuit against the U.S. Department of Labor over a rule extending overtime eligibility to more than four million salaried workers. The lawsuit accuses the executive branch of exceeding its constitutional authority in boosting the overtime eligibility for salaried employees from those making \$23,660 per year or less to \$47,476 annually or less. If implemented, the new rule will impact 133,756 Ohioans, the White House said in a [fact sheet](#). The change is slated to take effect on December 1.

Bills Introduced



- [SB 355](#)** ■ **LOAN ACT** ([Peterson, B.](#)) To create the Ohio Consumer Installment Loan Act. En. 1321.62, 1321.63, 1321.631, 1321.632, 1321.64, 1321.641, 1321.642, 1321.643, 1321.644, 1321.65, 1321.651, 1321.66, 1321.661, 1321.662, 1321.663, 1321.664, 1321.665, 1321.666, 1321.667, 1321.668, 1321.669, 1321.67, 1321.671, 1321.672, 1321.673, 1321.674, 1321.68, 1321.681, 1321.69, 1321.70, 1321.701, and 1321.702
- [HB 597](#)** ■ **MARIJUANA RECIPROCITY** ([Koehler, K.](#)) Regarding the Medical Marijuana Control Program and reciprocity agreements. Am. 3796.16
- [HB 598](#)** ■ **LOAN ACT** ([Terhar, L.](#)) To create the Ohio Consumer Installment Loan Act. Am. 1321.62, 1321.63, 1321.631, 1321.632, 1321.64, 1321.641, 1321.642, 1321.643, 1321.644, 1321.65, 1321.651, 1321.66, 1321.661, 1321.662, 1321.663, 1321.664, 1321.665, 1321.666, 1321.667, 1321.668, 1321.669, 1321.67, 1321.671, 1321.672, 1321.673, 1321.674, 1321.68, 1321.681, 1321.69, 1321.70, 1321.701, and 1321.702

Hearing Schedule



Monday, September 26

[2020 Tax Policy Commission](#), (Chr. [Peterson, B.](#), 466-8156), Senate South Hearing Rm., 2:30 pm
Testimony regarding tax policy in Ohio.

Tuesday, September 27

[Senate Public Utilities](#) ([Committee Record](#)), (Chr. [Seitz, B.](#), 466-8068), Finance Hearing Rm., 1:00 pm
Confirmation hearing on governor's appointment of Asim Haque, Public Utilities Commission of Ohio

Wednesday, September 28

[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