



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

September 26, 2014

Sewer connection rule update

On Monday, Sept. 22, the Joint Committee on Agency Rule Review (JCARR) made no changes to Ohio Department of Health's ([ODH](#)) [proposed administrative rules](#) to regulate Household Sewer Treatment Systems (septic systems). The rules will go into effect on Jan. 1, 2015. ODH has developed a fact sheet for constituents that answer the most common questions about the rules. To access the fact sheet please click [here](#).

Opt-out Rule, possible for "Lame Duck"

ODH had considered a rule that would have allowed a homeowner to "opt-out" from connecting to a newly run public sewer line. This proposal was removed and was not part of the proposed rules sent to JCARR.

After the JCARR Meeting, a few legislators commented that they would like to see a legislative fix to create an "opt-out" proposal. [Sen. Bob Peterson \(R-Sabina\)](#), chairman of JCARR, said during debate over these rules, the issue was raised about local governments requiring homeowners with functioning septic tanks to connect to sewer lines.



Sen. Bob Peterson

"If you have an existing septic system in the works and it's brand new and a sewer line comes through, why should you be required to hook up if you just invested \$10,000, \$15,000, \$20,000 in a new system?" he said in an interview with Gongwer News Service. "Admittedly it happens very rarely, but in those instances where it does happen, we should look at if there's an exemption to allow you to not have to hook up, not have to pick up the costs of connection."

[Rep. Ross McGregor \(R-Springfield\)](#), the vice chairman of JCARR, said he's considering an amendment that would exempt some homeowners that have a functioning septic system from having to connect to a new municipal sewer line. Rep. McGregor said he's contemplating a measure that would base homeowners' eligibility for the exemption on how old their septic systems are. Rep. McGregor said he's spoken to [Rep. Dave Hall \(R-Millersburg\)](#), chairman of the House Agriculture & Natural Resources Committee, about a potential amendment to the mid-biennium review measure dealing with environmental issues ([HB 490](#)). House Bill 490 is slated to pass when the legislature returns after November's election.

For additional information on ODH's Sewer Connection Rules please contact CCAO staffer Brian Mead at bmead@ccao.org or 614-220-7982.

APS and Children Services funding recommendations issued

Workgroups created to make recommendations around how to invest \$10M in adult protective services funding and \$6.8M in children services funding have solidified recommendations to the ODJFS director. In turn, the ODJFS director will be making a request to the Controlling Board (tentatively scheduled for the Oct. 20 Controlling Board meeting) to release those funds.

Children Services Funding

The children services funding workgroup has arrived at a recommendation to use the \$6.8M to create an efficiency and innovation fund for one-time expenditures. Public children services agencies (in most counties, the county department of job and family services) will be able to make application for a to-be-determined maximum dollar amount to fund a proposal that focuses on the general child welfare themes of adoption, visitation, recurrence, or reentry.

While no written recommendation from ODJFS has yet been released, ODJFS Director Cynthia Dungey announced the department would be looking to fund proposals that would yield measurable outcomes, in order to enable the tracking of the one-time investments.

A subcommittee of the workgroup is being convened by ODJFS to assist the department in developing scoring criteria for proposals, and includes CCAO.

Adult Protective Services Funding

The workgroup, under the leadership of the Governor's Office of Health Transformation Director Greg Moody, will be making the following recommendations to the state Controlling Board around allocation of the \$10M.

- Implement a statewide APS data collection and reporting system (\$1,500,000).
- Implement a statewide APS hotline (\$500,000).
- Provide one-time all-system training aligned to meeting core requirements (\$631,200).
- Provide one-time APS Planning Funds for counties to meet core requirements (\$4,400,000).
- Provide a one-time APS Innovation Fund to encourage multidisciplinary collaboration and build system capacity to meet core minimum requirements (\$2,968,800).

The workgroup also recommends it continue to meet and advise ODJFS in identifying core minimum requirements for the state and counties necessary to ensure an effective APS system statewide. The thought around timing is that during the period that counties can receive planning and innovation funds, the biennial budget will be introduced and enacted, enabling the state and counties to know what state support for the APS system will be moving forward.

To view the latest draft, but not yet finalized, version of the APS workgroup report, click [here](#). (The draft Controlling Board request begins on page 9 of that report.)

For additional information or to share your thoughts on either issue, please contact CCAO policy analyst Laura Abu-Absi at labu-absi@ccao.org.

Oil and gas tax hike should be used to fight Lake Erie algal blooms, Ohio lawmaker says

This story was originally published in The Plain Dealer September 26, 2014.

By Jeremy Pelzer, Northeast Ohio Media Group

http://www.cleveland.com/open/index.ssf/2014/09/lake_erie_algal_blooms.html

COLUMBUS, Ohio — Money from a proposed tax increase on oil and gas drilling in Ohio should be used to help combat toxic algal blooms in Lake Erie, a key state lawmaker said Thursday.

Speaking with Northeast Ohio Media Group editors, House Agriculture and Natural Resources Committee Chair [Dave Hall](#) said the money should be spent on upgrading cities' sewage-treatment systems and offering farmers low-interest loans to reduce runoff.

Hall, a Millersburg Republican, also defended criticism that he and other lawmakers haven't moved quickly enough after toxic algae led [Toledo to ban drinking water for three days this summer](#). [Algal blooms are increasingly plaguing Lake Erie](#) and other bodies of water during warm weather, thanks in part because of phosphorus-rich runoff that washes down into tributary rivers.

Hall said he has yet to talk about his idea with Gov. John Kasich, who has called for raising oil and gas taxes to help pay for a proposed 8.5 percent across-the-board income tax cut. [A severance tax hike plan passed by the Ohio House](#) last May would use the revenue to cut state income taxes and boost funding to local governments in eastern Ohio drilling areas.



Chairman Dave Hall

Hall said Ohio lawmakers need to set a goal of addressing the algal bloom issue in Lake Erie by the end of the decade. "I believe by 2020, we can have the water quality issue turned around and bring the lake back," Hall said, comparing his deadline to [President John F. Kennedy's famous challenge in 1961](#) to land a man on the moon by 1970.

It's also still unclear what lawmakers will do about algal blooms when they return to Columbus this November. Hall said last month that he intends to hold committee hearings on the issue, but so far that hasn't happened. Earlier this year, the [Ohio General Assembly passed a law requiring farmers who use commercial fertilizer to be certified by the state](#). But that measure doesn't take effect until 2017, and critics say much more needs to be done.

Hall said he's solicited additional ideas to include in budget-review legislation, but so far he hasn't heard back from any lawmakers.

Hall represents a largely rural district, but he dismissed the idea that he's holding back on stricter agricultural regulations to benefit his constituents. Rather, he said, he wants to make sure that whatever action is taken against algal blooms is the right thing to do. "I look at this as not stalling – it's just getting it right," he said.

For additional information on Lake Erie Algal Blooms, please contact CCAO staffer Brian Mead at bmead@ccao.org or 614-220-7982.

Bill Introductions

[HB 623](#) ADDRESS CONFIDENTIALITY ([Clyde, K.](#)) To establish an address confidentiality program for individuals who reasonably believe that they are in danger of being threatened or physically harmed by another person, to exclude the residential and familial information of a federal law enforcement officer from the definition of a public record, to include federal law enforcement officers among the protected individuals who are authorized to request a public office other than the county auditor to redact the person's address from any record made available to the general public on the internet, and to include those officers among the protected individuals who may request the county auditor to replace the person's name with the person's initials on the general tax list and duplicate.

[HB 624](#) GUARDIANSHIP ([Pelanda, D.](#)) To provide a ward's bill of rights and to require that a guardian receive the Ohio Guardianship Guide prepared by the Attorney General and acknowledge such receipt.

[HB 625](#) WATER SYSTEMS ([Sheehy, M.](#), [Patterson, J.](#)) To establish requirements and procedures pertaining to levels of microcystin in public water systems.

[SB 364](#) HEALTH INSURANCE ([Cafaro, C.](#)) To limit the out-of-pocket cost to an individual covered by a health plan for drugs used to treat rare diseases. Am. 1739.05 and to enact sections 1751.691 and 3923.851

[SB 365](#) WARD BILL OF RIGHTS ([Jones, S.](#)) To provide a ward's bill of rights and to require that a guardian receive the Ohio Guardianship Guide prepared by the Attorney General and acknowledge such receipt. En. 2111.011.

[SB 366](#) ADDRESS CONFIDENTIALITY ([Turner, N.](#)) To establish an address confidentiality program for individuals who reasonably believe that they are in danger of being threatened or physically harmed by another person, to exclude the residential and familial information of a federal law enforcement officer from the definition of a public record, to include federal law enforcement officers among the protected individuals who are authorized to request a public office other than the county auditor to redact the person's address from any record made available to the general public on the internet, and to include those officers among the protected individuals who may request the county auditor to replace the person's name with the person's initials on the general tax list and duplicate, and to amend the version of section 149.43 of the Revised Code that is scheduled to take effect on March 20, 2015, to continue the provisions of this act on and after that effective date. Am. 149.43, 149.45, 319.28, 319.54, 2903.213, 2903.214, 3113.31, 3503.15, and 3509.03 and to enact sections 111.31, 111.32, 111.321, 111.33 to 111.40, 2901.44, and 3503.151.

Hearing Schedule

Wednesday, Oct. 1

[House Study Committee on Unemployment Compensation Debt & Reducing Burdens on Ohio Businesses](#) (Committee Record), (Chr. [Sears, B.](#), 466-1731), Ohio Operating Engineers, 4250 Soldiers Home-Miamisburg Road, Miamisburg, 1:00 pm

Public Testimony-Unemployment Compensation Debt Impacts