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# STATEHOUSE REPORT

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November 14, 2014

## Legislative action needed: HB 661/Compensation scheduled for hearings

The end of the 130th General Assembly is drawing to close as the lame duck session is underway for the biennial cycle. One of the top priorities for the Association during the next four weeks is addressing compensation for county commissioners and other officials whose salary is statutorily provided by the Ohio Revised Code.

House Bill 661, sponsored by Rep Gerald Stebelton (R-Lancaster), is a compilation of proposals, including the one supported by the Ohio Council of County Officials (OCCO) along with proposals from the Ohio Township Association and the Ohio Association of Elections Officials. The OCCO proposal has the unanimous support of all of the county officials' groups, which include Judges, County Commissioners, Prosecutors, Auditors, Treasurers, Clerks of Court, Sheriffs, Coroners, Engineers, and Recorders. Specifically, HB 661 provides the following:

**[HB 661](#) is scheduled for sponsor testimony Tuesday, Nov 17 at 2 p.m. in [House Finance Committee](#).**

**Proponent Testimony is scheduled Wednesday, Nov 18 at 9 a.m.**

**Please contact your legislators & members of [House Finance Committee](#) to urge support for [HB 661](#)!**

- For county elected officials other than judges, a reduction in the number of population pay classes of counties from eight to six. This would modernize the pay structure and provide a modest pay raise for county officials. The structure would be phased-in during 2015-2016. Those officials who are not in-term, such as the county auditors and the commissioners who take office in 2015, would be eligible to receive the change in compensation, while most other county officials would not realize any increase until 2017.
- A traditional cost of living adjustment (COLA) capped at 3 percent and maintained on a permanent basis. For non-judicial, elected county officials the COLA would start in 2017; for judges it would start in 2015.
- In addition, the proposal would provide county boards of elections members a similar class reduction adjustment coupled with COLA beginning in 2017.

- For judges, a 5 percent pay increase in 2015-2018 along with implementation of the COLA. (This increase would be paid by the state.)
- For township trustees and fiscal officers, a nominal one percent increase along with the implementation of the COLA in 2015 followed by a COLA adjustment each year thereafter.
- For legislators and statewide officeholders, a COLA adjustment beginning in 2015 and annually thereafter.
- The cost impact of this proposal on counties would be incremental because of the staggered nature of county elections and constitutional provisions regarding pay increases.

Legislative action is needed yet this year, with an effective date before January 1, 2015, in order for the pay increases for judges, county auditors, one of the three county commissioner positions, state representatives, some state senators, statewide elected officials and board of elections members to begin in 2015. Increases for county prosecutors, treasurers, clerks of courts, sheriffs, coroners, engineers, recorders, and the other two county commissioner spots would not occur until 2017.

[Click here](#) for a CCAO memo and overview prepared by the Ohio Council of County Officials (OCCO) which summarizes the proposal. CCAO encourages you to review this proposal and feel free to contact CCAO Staffers Cheryl Subler or John Leutz if you have questions.

***Most importantly, CCAO is asking members to talk with their legislators about [HB 661](#) and encourage their support for the measure.*** Because the bill needs to be in effect before January 1, 2015, an emergency clause is included in the bill, which requires more support in the General Assembly. In addition, please contact members of the [House Finance Committee](#) and urge their support as well!

After you've talked with your legislators, please contact Subler or Leutz at CCAO to let us know how your conversations went. Either call or text their cells at 614-746-8507 (Subler) and 614-299-2800 (Leutz).

## **Substitute House Bill 490 – Agriculture and Natural Resources**

Originally, HB 490 was seen as a vehicle for proposals aimed at dealing with the state's toxic algae problem, but the substitute bill adopted by the House Agriculture & Natural Resources Committee included only a few minor provisions that touch on that topic, such as a study on nutrient loading in waterways. With regards to addressing toxic algal bloom, Chairman Rep. Dave Hall (R-Millersburg) said the next biennial budget will be a more appropriate vehicle to address toxic algal blooms since many of the solutions will require funding.



*Chairman Hall*

So with algal blooms off the table, House members adopted a new version ([Sub HB 490](#)) this week addressing telecom deregulation, puppy mills, septic systems, farm equipment, and wild deer sanctuaries. The bill contains the administration's proposals to: transfer oversight of livestock manure from Department of Natural Resources to the Department of Agriculture; expand the state's authority to enforce pollution regulations and impose tougher penalties on violators; overhaul compliance with the federal Planning and Community Right-to-Know Act, which requires oil and gas facilities to report information about hazardous materials, and a host of other issues including:

- Failing septic systems within a private sewer district: the sub bill includes language that would allow a home owner to “opt out” from hooking into a sewer line that was created by a private developer.
- The water advisory board created in Great Lakes Compact: a provision revisiting the issue of withdrawing large amounts of water under the multi-state Great Lakes Compact.
- Telecom deregulation: the new section resembles last session's proposal to free incumbent telephone companies from a requirement to provide landlines in areas where a competitive option, like cell phone service, is available. However, it makes the change contingent on the federal government taking action.
- Puppy Mills: another new add-on would alter a photo identification requirement for high-volume dog breeders. Also a separate provision would allow Amish dog breeders more flexibility to use self-insurance programs.
- Oil and Gas unitization process: several oil and gas related proposals, such changes to unitization to ensure state parks could not be drawn into a drilling unit. Another provision would clarify the valuation of minerals under political subdivisions for the purpose of the ad valorem tax.

The committee has had two days of testimony. They will pick up testimony next Tuesday, with committee vote on the bill early next week. For additional information on Sub HB 490 please contact CCAO staffer Brian Mead at [bmead@ccao.org](mailto:bmead@ccao.org) or 614-220-7982.

## **Sales tax holiday bill (SB 243) up for hearings next week**

The House Finance Committee has scheduled hearings on Tuesday and Wednesday next week on SB 243 which was passed by the Senate in February. The bill exempts from the sales tax transactions occurring on the first Friday of August and through the following Sunday of each year (the back-to-school shopping season) including clothing (up to \$100), school supplies (up to \$20 per item), personal computers (up to \$1000), and personal computer software and accessories (up to \$750). A Legislative Service Commission fiscal note estimates sales tax revenue losses of up to \$7 million per year for county and transit authority revenue and \$1 million per year for the Local Government Fund (LGF) and the Public Library Fund (PLF) together. CCAO has serious reservations regarding this legislation since, if passed, it would directly impact a locally enacted county revenue source.

## Legislation of Interest



SB 385 **PERS BENEFITS** (Brown, E.) To provide that Public Employees Retirement System members retiring on or after January 1, 2015, who have attained age sixty with fifteen or more years but less than twenty years of service credit on that date, are treated as retiring on or before December 1, 2014, for purposes of qualifying for any retiree health care coverage provided by the Retirement System and to declare an emergency. Am. 145.58.

HB 655 **TAX CREDITS** (Beck, P., Adams, J.) To reduce the job retention and capital investment requirements of the Job Retention Tax Credit for businesses in targeted areas or industries, to require that a Job Creation or Retention Tax Credit awarded to such a business equal 100% of its new or retained income tax withholding, and to modify the credits' annual report requirement to provide that employers must submit reports only if required by the Director of Development Services. Am. 122.17 and 122.171

HB 657 **COMPANION ANIMALS** (Beck, P., Milkovich, Z.) To allow a restaurant to permit a dog that is a companion animal in outdoor dining areas if certain conditions are satisfied. Am. 3717.01 and to enact section 3717.54

HB 659 **UNDERGROUND UTILITY FACILITIES** (Sprague, R.) Regarding the enforcement of the law governing the protection of underground utility facilities. Am. 3781.25 and to enact sections 3781.34, 3781.341, 3781.342, 3781.36, 4905.041, 4913.01, 4913.03, 4913.05, 4913.07, 4913.09, 4913.13, 4913.15, 4913.151, 4913.152, 4913.16, 4913.17, 4913.171, 4913.19, 4913.21, 4913.22, 4913.23, 4913.25, 4913.27, 4913.29, 4913.31, 4913.43, 4913.45, 4913.47, 4913.50, and 4913.52

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HB 659 **UNDERGROUND UTILITY FACILITIES** (Sprague, R.) Regarding the enforcement of the law governing the protection of underground utility facilities. Am. 3781.25 and to enact sections 3781.34, 3781.341, 3781.342, 3781.36, 4905.041, 4913.01, 4913.03, 4913.05, 4913.07, 4913.09, 4913.13, 4913.15, 4913.151, 4913.152, 4913.16, 4913.17, 4913.171, 4913.19, 4913.21, 4913.22, 4913.23, 4913.25, 4913.27, 4913.29, 4913.31, 4913.43, 4913.45, 4913.47, 4913.50, and 4913.52

HB 660 **PUBLIC SAFETY ANSWERING POINTS** (Henne, M., Antonio, N.) To require the statewide emergency services internet protocol network steering committee to update the operational standards for public safety answering points. Am. 128.021

HB 661 **PAY RAISES** (Stebelton, G.) To reinstate the cost of living adjustment for members of the General Assembly and statewide elected executive officers; to increase the compensation of justices and judges of the courts, county elected officials, township trustees and fiscal officers, and board of elections members and to reinstate the annual cost of living adjustment to their compensation; to reduce the number of population classifications used to determine the compensation of county elected officials; to make an appropriation; and to declare an emergency. Am. 101.27, 141.011, 141.04, 325.03, 325.04, 325.06, 325.08, 325.09, 325.10, 325.11, 325.14, 325.15, 325.18, 505.24, 507.09, and 3501.12

HB 664 **WORKFORCE GRANTS** (Schuring, K.) To establish the Workforce Grant Program, to authorize an income tax credit equal to 25% of the student loan payments a grant recipient makes per year, and to make an appropriation. Am. 5747.98 and to enact sections 3333.92 and 5747.78.

HB 665 **REDEVELOPMENT DISTRICTS** (Schuring, K.) To authorize municipal corporations to create downtown redevelopment districts for the purpose of promoting the rehabilitation of historic buildings, creating jobs, and encouraging economic development in commercial and mixed-use commercial and residential areas. Am. 133.04, 133.06, 709.024, 709.19, 3317.021, 5501.311, 5709.12, 5709.82, 5709.83, 5709.831, 5709.832, 5709.85, 5709.91, 5709.911, 5709.913, and 5715.27 and to enact sections 1710.14, 1724.12, 5709.45, 5709.46, and 5709.47.

HJR 11 **CONGRESSIONAL DISTRICTS** (Huffman, M.) Proposing to enact Section 43 of Article II of the Constitution of the State of Ohio to establish a constitutional process for congressional redistricting.

HJR 12 **LEGISLATIVE DISTRICTS** (Huffman, M.) Proposing to amend Sections 1, 2, 6, 7, 12, and 13; to amend, for the purpose of adopting a new section number as indicated in parentheses, Section 13 (14); to enact new Section 13; and to repeal Section 14 of Article XI of the Constitution of the State of Ohio to revise the redistricting process for General Assembly districts.

## Hearing Schedule

### Monday, November 17

House Agriculture & Natural Resources, (Chr. Hall, D., 466-2994), Rm. 116, 10:00 am  
(Updated: 8:31 a.m., November 7, 2014)

HB 490 **MBR ENVIRONMENT** (Hall, D., Thompson, A.) To revise certain laws governing agriculture, natural resources, and environmental protection. --9th Hearing-All testimony-Possible amendments, substitute & vote

### Tuesday, November 18

Senate State Government Oversight & Reform, (Chr. Burke, D., 466-8049), North Hearing Rm., 9:00 am (Updated: 2:11 p.m., November 14, 2014)

SB 343 **ADULT CHANGING STATIONS** (Lehner, P.) To require public buildings to have at least one rest room facility with an adult changing station. --1st Hearing-Sponsor & proponent

SB 20 **ELECTIONS LAW** (Turner, N.) To revise the Election Law. --1st Hearing-Sponsor

SB 110 **VOTER REGISTRATION** (Turner, N.) To permit sixteen and seventeen year olds to preregister to vote and to revise the law concerning compensated voter registration. --1st Hearing-Sponsor

SB 146 **VOTING** (Turner, N.) To revise the requirements for the Bureau of Motor Vehicles voter registration training program and to create the Motor Voter Act Study Committee. --1st Hearing-Sponsor

SB 212 **DRUG TESTING** (Turner, N.) To establish a controlled substance assessments and testing for members of the General Assembly. --1st Hearing-Sponsor

SB 320 **UNIFORM PURCHASES** (Tavares, C.) To require state agencies to purchase only uniforms and other apparel items that are made with American textiles, materials, and supplies. --1st Hearing-Sponsor

HB 449 **RESIDENCY STATUS** (Gonzales, A.) With respect to residency status for certain veterans, spouses, and dependents at state institutions of higher education. --1st Hearing-Sponsor

Senate Energy & Natural Resources, (Chr. Balderson, T., 466-8076), South Hearing Rm., 9:15 a.m.

HB 506 **EMISSION STANDARDS** (Thompson, A., Cera, J) To require the Director of Environmental Protection to adopt rules establishing standards of performance for carbon dioxide emissions from existing coal-fired and natural gas-fired electric generating units and to specify factors on which the standards must be based. --1st Hearing-Sponsor

SB 304 **MICROBEADS** (Skindell, M.) To prohibit the sale of microbeads. --1st Hearing-Sponsor

House Agriculture & Natural Resources, (Chr. Hall, D., 466-2994), Rm. 116, 10:00 am (Updated: 8:31 a.m., November 7, 2014) - if needed

HB 490 **MBR ENVIRONMENT** (Hall, D., Thompson, A.) To revise certain laws governing agriculture, natural resources, and environmental protection. --10th Hearing-All testimony-Possible amendments, substitute & vote

House Judiciary, (Chr. Butler, J., 644-6008), Rm. 122, 10:00 am (Updated: 5:17 p.m., November 13, 2014)

HB 595 **JUDGESHIP** (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-All testimony-Possible vote

HB 438 **POWERS OF ATTORNEY** (Pelanda, D., Grossman, C.) Regarding temporary physical care powers of attorney for children. -- 4th Hearing-All testimony-Possible vote

SB 177 **COMPANION ANIMALS** (Skindell, M., Hughes, J.) To include the protection of companion animals in temporary protection orders, domestic violence protection orders, anti-stalking protection orders, and related protection orders. --2nd Hearing-Proponent-Possible amendments

House Transportation, Public Safety & Homeland Security, (Chr. Damschroder, R., 466-1374), Rm. 122, 1:00 pm (Updated: 3:03 p.m., November 13, 2014)

HB 617 **BMV PAYMENTS** (DeVitis, T.) To require the Registrar of Motor Vehicles and all deputy registrars to accept credit and debit cards for all transactions. --1st Hearing-Sponsor



HB 637 **ELECTRONIC DEVICES** (Damschroder, R.) To prohibit the use of an electronic wireless communications device in a school zone during hours when children are present outside or in a construction zone during hours of actual work and to make driving a vehicle while using a handheld electronic wireless communications device to write, send, or read a text-based communication a primary rather than secondary traffic offense. --1st Hearing-Sponsor

House Finance & Appropriations, (Chr. Amstutz, R., 466-1474), Rm. 313, 2:00 pm (Updated: 1:58 p.m., November 13, 2014)

HB 661 **PAY RAISES** (Stebelton, G.) To reinstate the cost of living adjustment for members of the General Assembly and statewide elected executive officers; to increase the compensation of justices and judges of the courts, county elected officials, township trustees and fiscal officers, and board of elections members and to reinstate the annual cost of living adjustment to their compensation; to reduce the number of population classifications used to determine the compensation of county elected officials; to make an appropriation; and to declare an emergency. --1st Hearing-Sponsor

HB 324 **LOCAL GOVERNMENT INFORMATION** (Duffey, M.) To establish the Local Government Information Exchange Grant Program and to make an appropriation. --1st Hearing-Sponsor-Possible amendment, substitute & vote

SB 243 **SALES TAX HOLIDAY** (Bacon, K.) To provide a three-day sales tax 'holiday' each August during which sales of back-to-school clothing, school supplies, personal computers, and personal computer accessories are exempt from sales and use taxes. --2nd Hearing-Proponent

House Policy & Legislative Oversight, (Chr. Dovilla, M., 466-4895), Rm. 115, 2:00 pm (Updated: 6:27 p.m., November 13, 2014)

HJR 11 **CONGRESSIONAL DISTRICTS** (Huffman, M.) Proposing to enact Section 43 of Article II of the Constitution of the State of Ohio to establish a constitutional process for congressional redistricting. --1st Hearing-Sponsor (Pending referral)

HJR 12 **LEGISLATIVE DISTRICTS** (Huffman, M.) Proposing to amend Sections 1, 2, 6, 7, 12, and 13; to amend, for the purpose of adopting a new section number as indicated in parentheses, Section 13 (14); to enact new Section 13; and to repeal Section 14 of Article XI of the Constitution of the State of Ohio to revise the redistricting process for General Assembly districts. --1st Hearing-Sponsor (Pending referral)

HB 594 **CRYSTALLINE ALCOHOL** (Gerberry, R., Buchy, J.) To prohibit the sale or offering for sale for human consumption of powdered or crystalline alcohol. --2nd Hearing-All testimony -Possible amendments & vote

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. --1st Hearing-Sponsor

HB 663 **DEATH PENALTY** (Buchy, J., Huffman, M.) To provide confidentiality and license protection for persons and entities involved in executing a sentence of capital punishment by lethal injection and to void as against public policy any agreement that prevents the supplying of any drug or drugs to be used in executing a sentence of capital punishment by lethal injection, 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 date. --2nd Hearing-All testimony-Possible amendments

HCR 55 **LICENSE SUSPENSIONS** (McGregor, R.) To declare that the Ohio General Assembly is opposed to the enactment of a state law, pursuant to a federal mandate, which would require the suspension or revocation of a driver's license of any individual convicted of any violation of the federal Controlled Substance Act or another drug law; to urge the Governor of Ohio to submit a written certification stating the Governor's opposition to such a law along with this resolution to the United States secretary of Transportation; and accordingly to prevent the United States Secretary of Transportation from withholding a specified percentage of federal transportation apportionments pursuant to 23 U.S.C. 159. --2nd Hearing-all testimony-Possible amendments & vote

Senate Finance, (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 pm or after session (Updated: 12:05 p.m., November 13, 2014)

HB 223 **FORECLOSURE PROCESS** (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. --3rd Hearing-All testimony

Senate Ways & Means, (Chr. Peterson, B., 466-8156), South Hearing Rm., 3:30 pm (Updated: 11:17 a.m., November 14, 2014)

HB 5 **MUNICIPAL TAX COLLECTIONS** (Grossman, C.) To revise the laws governing income taxes imposed by municipal corporations. --2nd Hearing-Opponent-Possible amendments

HB 494 **TRANSPORTATION PROJECTS** (Schuring, K.) To authorize counties to undertake regional transportation improvement projects funded by the issuance of securities and by revenue pledges from the state and political subdivisions and taxing districts located within the cooperating counties. --1st Hearing-Sponsor

House Financial Institutions, Housing & Urban Development, (Chr. Adams, R., 466-8114), Rm. 017, 4:00 pm (Updated: 4:02 p.m., November 13, 2014)

HB 615 **RENTAL PROPERTIES** (Perales, R.) To require a separate, exterior means of egress for dwelling areas above the second story of certain residential rental properties. --1st Hearing-Sponsor

HB 652 **CREDIT UNIONS** (Batchelder, B., Hackett, B.) Relative to the operation of credit union share guaranty corporations, including with respect to the primary guaranteed amount, license renewals, reinsurance and lines of credit, corrective action agreements with participating credit unions, special premium assessments, and investments. --2nd Hearing-All testimony-Possible amendment & vote



## Wednesday, November 19

House Finance & Appropriations, (Chr. Amstutz, R., 466-1474), Rm. 313, 9:00 am (Updated: 1:59 p.m., November 13, 2014)

HB 324 **LOCAL GOVERNMENT INFORMATION** (Duffey, M.) To establish the Local Government Information Exchange Grant Program and to make an appropriation. --2nd Hearing-All testimony-Possible amendment, substitute & vote

HB 661 **PAY RAISES** (Stebelton, G.) To reinstate the cost of living adjustment for members of the General Assembly and statewide elected executive officers; to increase the compensation of justices and judges of the courts, county elected officials, township trustees and fiscal officers, and board of elections members and to reinstate the annual cost of living adjustment to their compensation; to reduce the number of population classifications used to determine the compensation of county elected officials; to make an appropriation; and to declare an emergency. --2nd Hearing-Proponent

SB 243 **SALES TAX HOLIDAY** (Bacon, K.) To provide a three-day sales tax 'holiday' each August during which sales of back-to-school clothing, school supplies, personal computers, and personal computer accessories are exempt from sales and use taxes. --3rd Hearing-Opponent & interested party

House Commerce, Labor & Technology, (Chr. Young, R., 644-6074), Rm. 114, 10:00 am (Updated: 4:30 p.m., November 13, 2014)

HB 525 **HOUSEHOLD SEWAGE** (Lynch, M.) To authorize a board of county commissioners or municipal legislative authority to reject the application of any rule adopted after January 1, 2014, by the Department of Health governing the design of household sewage treatment systems. --1st Hearing-Sponsor

HB 659 **UNDERGROUND UTILITY FACILITIES** (Sprague, R.) Regarding the enforcement of the law governing the protection of underground utility facilities. --1st Hearing-Sponsor

HB 662 **TENANT UTILITY BILLS** (Duffey, M., McGregor, R.) Regarding measurement of public utility service to premises administered by a landlord, condominium unit owners association, or manufactured home park operator. --1st Hearing-Sponsor

House Session, (Chr. Batchelder, B., 466-3357), House Chamber, 1:30 pm (Updated: 8:33 a.m., June 23, 2014)

Senate Session, (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 pm (Updated: 8:35 a.m., June 23, 2014)

Senate Public Utilities, (Chr. Seitz, B., 466-8068), Finance Hearing Rm., 2:30 pm or after session (Updated: 3:58 p.m., November 13, 2014)

SB 378 **UNDERGROUND UTILITIES** (Coley, B.) Regarding the enforcement of the law governing the protection of underground utility facilities. --1st Hearing-Sponsor & proponent

House Policy & Legislative Oversight, (Chr. Dovilla, M., 466-4895), Rm. 115, 3:30 pm or after session (Updated: 10:31 p.m., November 13, 2014)

HJR 11 **CONGRESSIONAL DISTRICTS** (Huffman, M.) Proposing to enact Section 43 of Article II of the Constitution of the State of Ohio to establish a constitutional process for congressional redistricting. --2nd Hearing-All testimony

HJR 12 **LEGISLATIVE DISTRICTS** (Huffman, M.) Proposing to amend Sections 1, 2, 6, 7, 12, and 13; to amend, for the purpose of adopting a new section number as indicated in parentheses, Section 13 (14); to enact new Section 13; and to repeal Section 14 of Article XI of the Constitution of the State of Ohio to revise the redistricting process for General Assembly districts. --2nd Hearing-All testimony

Senate Ways & Means, (Chr. Peterson, B., 466-8156), South Hearing Rm., 3:30 pm  
(Updated: 11:17 a.m., November 14, 2014)

HB 5 **MUNICIPAL TAX COLLECTIONS** (Grossman, C.) To revise the laws governing income taxes imposed by municipal corporations. --3rd Hearing-All testimony-Possible amendments

Senate Public Safety, Local Government & Veterans Affairs, (Chr. LaRose, F., 466-4823), North Hearing Rm., 4:30 pm (Updated: 6:23 p.m., November 13, 2014)

HB 10 **FISCAL CONTINUING EDUCATION** (Hagan, C.) To establish education programs and continuing education requirements for the fiscal officers of townships and municipal corporations, to establish procedures for removing those fiscal officers, county treasurers, and county auditors from office, and to create fiscal accountability requirements for public schools, counties, municipal corporations, and townships. --1st Hearing-Sponsor