



STATEHOUSE REPORT

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Medicaid MCO re-cap and “to do”

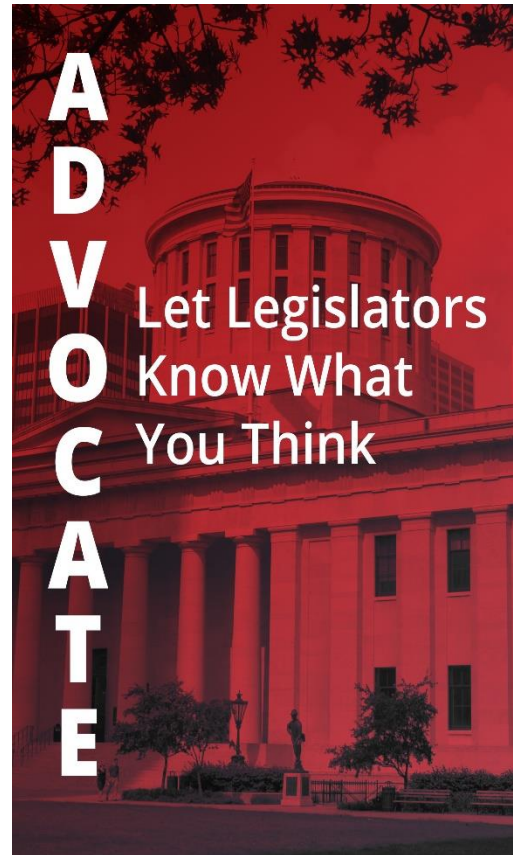
Re-cap: As you know, the conference committee included a provision that puts a process in place to seek federal approval for resetting the franchise fee included in the Executive budget proposal to provide an additional \$207 M each year for 6 years for counties and transit authorities. However, the state match for reimbursement to the providers would have to come from this amount providing a net amount of around \$143 M. The Governor vetoed this provision, and the House has overridden that veto.

The Senate asked that we negotiate with the administration to determine if there can be an agreement reached as an alternative to this provision. Those negotiations are proceeding, but resolution on specific details has not surfaced yet. Two important questions that CCAO has been focused on are:

1. How much money will be allocated to counties and transit to make up for this loss?
2. How long will these dollars continue to flow?

The Senate next meets September 20th and is still willing to override the veto if negotiations are not successful.

To do: Counties and transit authorities will be receiving [“transitional funding”](#) of \$207 M that will be distributed in two equal installments on or before November 1, 2017 and on or after January 1, 2018 but before February 1, 2018. On or before October 15, 2017 counties must establish a County and Transit Authority Medicaid Sales Tax Transition Fund to receive distributions from the state. CCAO is working on a template that will be available to help you with this process.



County officials and others are urged to continue to talk with their lawmakers on the importance of replacing this lost revenue and resolving this serious budget issue soon. Explaining how this loss revenue will impact county services and the importance of replacing the lost revenue stream is important.

Wind turbine setback bill

Sen. Cliff Hite on Thursday announced a bill to loosen wind setback requirements. The Findlay Republican made the announcement at the Hog Creek Wind Farm site in Dunkirk alongside local business leaders, saying the bill (SB 188) will strengthen Ohio businesses and land more revenue in the coffers of local governments and schools.



"It just moves it a little bit into what some people wanted who were against these projects - more safety room - but it doesn't hinder people who want to do these projects," Sen. Hite said. "So it was a really nice compromise."

The bill would increase the setback to a minimum of one and two-tenths times the total height of the turbine compared to the currently required one and one-tenth requirement. But it would decrease overall setbacks by requiring a distance of at least 1,225 feet in horizontal distance from the exterior - rather than the property line as under current law - of the nearest, habitable residential structure.



Senator Hite

The bill also seeks to strengthen public notification requirements. In doing so it would require developers to hold a public meeting no later than 90 days before filing an application and provide notice through publication in newspapers and through a letter to each property owner and tenant residing on property abutting the proposed wind farm.

In addition to spurring wind farm development, Sen. Hite said the bill would open up new markets to Ohio-based wind turbine manufacturers.

"Ohio leads the United States in wind turbine manufacturing companies and entities. They're doing well selling their stuff all over the country except here," Sen. Hite said. "I want Ohio people doing Ohio projects and this is a chance."

Setbacks were discussed during the state budget process but were not included in the final bill. House leaders have said the budget wasn't the right venue for that conversation but that they're willing to engage in the conversation.

Criminal Code reform slowly developing

There appears to be a desire in the General Assembly to enact some of the Criminal Justice Recodification's Committee's proposals, but little support to move them in a single omnibus bill. Adoption of the panel's [lengthy list of final recommendations](#) would result in substantial changes to many sections of the state's criminal code.

"I think that they did yeoman's work on an important task of trying to make the code not just more understandable but more consistent and maybe a little more coherent," Senate President Larry Obhof (R-Medina) noted, "Whether we take that up as a whole or at some point try to parcel out parts of that to say here's a particular area where we had some really good work done and try to take that one bite at a time, I think we will consider their recommendations and discuss how we move forward."

It will be a challenge to see the recommendations developed by the panel taken up in a single bill. Representative Bill Seitz (R-Cincinnati) said. "I'm not sure that works just because there are too many moving parts." What Seitz does not want to see, however, is the panel's work shelved. "I certainly hope that the valiant work of the talented committee does not just gather dust on a shelf and we move forward to consider its recommendations in a series of bills," he said.

The chapter that saw the most recommended changes during the process covers drug offenses. Members emphasized delineating between those in the business of selling drugs and those caught in a cycle of addiction. Some believe those recommendations could be taken up in a separate bill.

"I think we did some good work on the drug section," said Representative Mathan Manning (R-N. Ridgeville), who was a member of the panel and also chairs the House Criminal Justice Committee. "We want to make sure we get these people into treatment."

One of the major recommended changes deals with prison capacity. The recommendation would allow the director of the Department of Rehabilitation and Correction to release prisoners when the state's prison system is overcrowded, as it has perpetually been in recent years. Under the recommendation, whenever the state's prison population exceeds 43,500 males or 3,500 females for 30 consecutive days, the DRC director shall select eligible inmates for overcrowding parole release. At last count, the prison population stood at more than 50,000.

No more than 500 males and 500 females would be released per month under the proposal. Those targeted for release would be inmates who pose the lowest risk and have served the highest percentage of the sentence imposed by the courts.

"As a general rule, I don't think that we want to just en masse let people out," Sen. Obhof said. "I think the real question is a more underlying concern about what our criminal code does or doesn't say about who belongs in jail. If we think there are too many people in prison, that's probably a good sign that we've ratcheted up the penalties too much on activities that we don't really think are prison-worthy."

"That's the analysis, by and large, that I think the commission was focused on. Those are the kind of questions that the legislature will have to decide over the next 18 months or two years," the Senate president added. "If we have too many people in prison, what's the reason for that? Is it because we've made too many things illegal? Is it because we've made too many misdemeanors felonies? Do we need to hit the reset button on some of those?"

Statehouse, Etc.



New House member - House Republicans voted unanimously to appoint current West Chester Twp. trustee George Lang to the 52nd Ohio House district seat. He replaces Margaret Conditt, who resigned Sept. 8 to spend more time with her family. "It is with a high degree of enthusiasm, excitement and motivation I stand to serve with you - both the Democrats and the Republicans," Rep. Lang told colleagues.

Bills Introduced



SB 187

TAX DELINQUENCIES (EKLUND, J.)

To allow municipal corporations to charge delinquent taxpayers the costs of collecting municipal income taxes regardless of whether the costs are incurred before or after a judgment is entered against the taxpayer.

SB 188

WIND TURBINE SETBACKS (HITE, C.)

To revise wind turbine setback provisions for economically significant wind farms.

HB 340

PUBLIC ASSISTANCE (YOUNG, R.)

Regarding the release of information concerning public and medical assistance recipients.

HB 341

PUBLIC RECORDS (HUFFMAN, S., CERA, J.)

To include judges as individuals whose residential and familial information is exempt from disclosure under the Public Records Law, and whose addresses public offices, upon request, must redact from records available to the general public on the internet.

HB 342

TAX LEVIES (MERRIN, D.)

To permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies.

HB 343

PROPERTY VALUES (MERRIN, D.)

To require local governments that contest property values to formally pass an authorizing resolution for each contest and to notify property owners.

Hearing Schedule



LEGISLATIVE COMMITTEES

Tuesday, September 19

House Ways & Means

(Chr. [Schaffer, T.](#), (614) 466-8100), Rm. 121, 9:00 am

HB 292

OHIO RESIDENCY ([SCHERER, G.](#))

--1st Hearing-Sponsor

Senate Insurance & Financial Institutions

(Chr. [Hottinger, J.](#), (614) 466-5838), Finance Hearing Rm., 9:30 am

SB 121

MAMMOGRAM COVERAGE ([EKLUND, J.](#))

--1st Hearing-Sponsor

Senate Local Government, Public Safety & Veterans Affairs

(Chr. [Uecker, J.](#), (614) 466-8082), South Hearing Rm., 9:45 am

HB 8

RECORDS EXEMPTION ([HAMBLEY, S.](#), [REZABEK, J.](#))

--3rd Hearing-All testimony

HB 125

COURT JURISDICTIONS ([CRAIG, H.](#), [SEITZ, B.](#))

--2nd Hearing-Proponent-Possible amendments

SB 127

WASTE COLLECTION VEHICLES ([LAROSE, F.](#))

--2nd Hearing-Proponent

Senate Judiciary

(Chr. [Bacon, K.](#), (614) 466-8064), North Hearing Rm., 10:15 am

SB 64

JUVENILE BINDOVERS ([THOMAS, C.](#))

--1st Hearing-Sponsor

SB 125

CHILD SUPPORT ([BEAGLE, B.](#))

--1st Hearing-Sponsor

SB 158

ELDER FRAUD ([WILSON, S.](#))

--3rd Hearing-All testimony

SB 180

FIREARM LAWS ([UECKER, J.](#), [HOTTINGER, J.](#))

--1st Hearing-Sponsor

House Rules & Reference

(Chr. [Rosenberger, C.](#), (614) 466-3506), Rm. 119, 11:00 am

House Economic Development, Commerce & Labor

(Chr. [Young, R.](#), (614) 644-6074), Rm. 113, 1:30 pm

HB 163

PREVAILING WAGE ([ROEGNER, K.](#), [RIEDEL, C.](#))

--2nd Hearing-Proponent

HB 211

HOME INSPECTORS ([HUGHES, J.](#))

--3rd Hearing-All testimony-Possible substitute

Senate Finance

(Chr. [Oelslager, S.](#), (614) 466-0626), Finance Hearing Rm., 2:30 pm

HB 54

REVENUE OBLIGATIONS ([BLESSING, L.](#), [GAVARONE, T.](#))

--3rd Hearing-Opponet & interested party

HB 132

FANTASY CONTESTS ([DEVER, J.](#), [MCCOLLEY, R.](#))

--2nd Hearing-Proponent

Wednesday, September 20

Senate Ways & Means

(Chr. [Eklund, J.](#), (614) 644-7718), South Hearing Rm., 9:00 am

SB 113

FUEL TAX ([COLEY, B.](#))

--2nd Hearing-Proponent

HB 69

TIF DISTRICTS ([CUPP, R.](#))

--2nd Hearing-Proponent

House Finance

(Chr. [Smith, R.](#), (614) 466-1366), Rm. 313, 9:30 am

HB 168

CEMETERY REGISTRATION ([STEIN, D.](#))

--2nd Hearing-Possible amendments & vote

HB 281

BROADBAND EXPANSION ([CARFAGNA, R.](#))

--1st Hearing-Sponsor

Senate Rules & Reference

(Chr. [Obhof, L.](#), (614) 466-7505), Majority Conf. Rm., 11:00 am

House Session

(Chr. [Rosenberger, C.](#), (614) 466-3357), House Chamber, 1:30 pm

Senate Session

(Chr. [Obhof, L.](#), (614) 466-4900), Senate Chamber, 1:30 pm

Senate Energy & Natural Resources

(Chr. [Balderson, T.](#), (614) 466-8076), Finance Hearing Rm., 2:30 pm or after session

SB 51

LAKE ERIE ([SKINDELL, M.](#), [EKLUND, J.](#))

--3rd Hearing-All testimony-Possible vote

SB 165

BRINE SALES ([DOLAN, M.](#), [SKINDELL, M.](#))

--1st Hearing-Sponsor

House Civil Justice

(Chr. [Butler, J.](#), (614) 644-6008), Rm. 121, 2:30 pm or after session

HB 267

POLITICAL SUBDIVISION LIABILITY ([INGRAM, C.](#))

--2nd Hearing-Proponent

HB 271

ACCESSIBILITY LAWS ([MCCOLLEY, R.](#), [REZABEK, J.](#))

--2nd Hearing-Proponent