



Mid-Ohio Regional Planning Commission

Monthly Legislative Update

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TOP ADVOCACY ITEMS

<i>Priority</i>	<i>Status</i>
Secure ODOT TRAC Funding for Regional Projects	ODOT opened the 2014 TRAC application cycle on April 1 and accepted applications through May 30, 2014.
Arrive at Solution for Uniform Municipal Income Tax Issue	Leadership in the Senate has made it clear that House Bill 5, in some form, will be passed by that legislative chamber. MORPC maintains its opposition to HB 5. MORPC is now working with legislators and other municipal advocates to arrive at a compromise. The bill has received two hearings in the Senate.
Explore Possibility of Passing Legislation to Increase Local Government License Plate Fees for Funding Infrastructure	A legislative proposal has been drafted. MORPC and the associations representing the counties, county engineers, townships and municipalities are trying to identify opportunities to get the language inserted into legislation.
Preserve Energy Efficiency Standards and Advanced Energy Targets Enacted In SB 221.	MORPC submitted a letter of opposition to Senator Balderson, the sponsor of SB 310 – legislation that would suspend the implementation of the energy efficiency standards and advanced energy targets enacted in SB 221. Once the bill passed the Senate, MORPC engaged in a flurry of phone calls and meetings with Central Ohio legislators in addition to the Chair and Ranking Democrat of the Public Utilities Committee. Unfortunately, the compromise version of the bill was passed by the General Assembly.
Establish MORPC as Top MPO Resource for Ohio Congressional Delegation on Transportation Issues	The Transportation Reauthorization Bill, MAP-21, expires October 1, and MORPC is working with our Congressional delegation on the next version of the legislation.
Address Threat of Federal Highway Trust Fund Running Out of Funds in August and Urge Congressional Action to Avoid Deep Cuts in Highway and Transit Funding	MORPC signed on to a joint letter of concern urging congressional members to take action. MORPC staff will discuss this issue with congressional members and staff during a June 11 trip to Washington, D.C.



TOP NEWS IN OHIO

SB 310 Passes the House

The contentious bill to overhaul Ohio's energy standards adopted six years ago was passed Wednesday, May 28, by the Ohio House with a vote 55-42. Senate Bill 310 (SB 310) will now be passed on to the governor for signage. SB 310, if enacted, will freeze the annual increase in "green" energy and energy efficiency standards for two years while a committee convenes to discuss the effectiveness of the bill thus far and set a new course for the bill. If the committee does not take action, the annual increase would re-start in 2017 and continue until 2027.

MORPC's opposition to the bill was driven by our 2014 Public Policy Agenda, which included promoting energy efficiency and safe, reliable and affordable sources of energy for our region as one of its top objectives. Another key point of MORPC's opposition to SB 310 is that the legislation creates uncertainty in the marketplace for continued investments in energy efficiency, renewable energy and advanced energy for more than 2 million residents and approximately 43,500 businesses in Central Ohio to control their energy costs. Of equal concern, is that SB 310 will harm Central Ohio's ability to be prepared and to plan for the ramifications of stricter federal regulations of the Clean Air Act that were announced on June 1 by the US EPA.

MORPC actively voiced its concerns and opposition through letters to both House and Senate members. MORPC also followed up with one on one conversations with key members of the House Public Utilities Committee including Chair Peter Stautberg and Ranking Minority Representative Sandra Williams to discuss the impacts this bill would have on Central Ohio. While MORPC's proposal for an amendment to improve the language in regards to energy efficiency was not successful, MORPC did achieve increased awareness among legislators about the significant changes coming with the new US EPA proposals as well as MORPC's expanded role in energy issues.

Senate Finance Committee's Take Up Municipal Income Tax Uniformity

More than six months after passing a divided house, the Senate Finance Committee took up House Bill 5 (HB 5), a bill aimed to make Ohio's municipal income tax law more uniform. HB 5 is still opposed by a number of municipalities that claim they will lose funding. MORPC continues to oppose the bill in its current form. The provisions of primary concern in the bill are as follows:

- » The mandatory 5-year net operating loss carry forward (NOL);
- » The mandatory pass through entity loss offset of other income;
- » The increase in the number of days the casual entrants can work in a municipality without incurring tax liability therein from 12 to 20 days; and
- » The "throwback provision," which would eliminate the ability of municipalities to tax goods shipped or sold from a municipal corporation and delivered elsewhere.

At the first Senate hearing, on May 27, the bill's sponsors Rep. Grossman and Rep. Henne gave testimony that the issue has had ample time for discussion and will make Ohio more competitive. The Senate Finance Committee held a robust conversation with the bill sponsors on the concerns of the opponents. MORPC continues to oppose HB 5 and continues to meet with members of the finance committee to express our concerns.

Progress of MBR Legislation

On June 4, the Senate approved the conference committee report on HB 483. Included in that report was the removal of a municipal tax provision reporting requirement opposed by many MORPC members.



TOP NEWS IN OHIO

Also included in HB 483 are provisions related to Clean Ohio grants. All of the following apply:

- » The Ohio public works commission shall deposit the grant repayment into the Clean Ohio Conservation Fund created in section 164.27 of the Revised Code.
- » The commission shall return the grant repayment to the natural resource assistance council that approved the grant application.
- » The grant repayment shall be used for the same purpose as the grant was originally approved for, as provided in section 164.22 of the Revised Code.

Overall, 7 of the 11 MBR bills were finalized and sent to Governor Kasich for approval.

Save the Date

MORPC members are invited to join the Kegler Brown Hill + Ritter Government Affairs team for an educational breakfast seminar to get an insider view into how things are done in the Ohio Statehouse. Save the date for Wednesday, August 6, from 8:30 – 10:30 a.m. at the Kegler Brown office downtown. More details coming soon!

NEW BILLS INTRODUCED

HB538 (JobsOhio-Brownfields Cleanup)

On May 14, Representative Denise Driehaus introduced HB538, a bill to require that, if JobsOhio provides financial assistance for the cleanup and remediation of brownfields, at least 85% of the assistance must be in the form of grants.

HB556 (Property Tax Rollbacks Restoration)

On May 21, Representative John Rogers introduced HB556, legislation seeking to restore the application of the 10% and 2.5% property tax rollbacks to tax levies approved on or after the effective date of Am. Sub. H.B. 59 of the 130th General Assembly.

HB570 (Political Subdivisions-Compliance Failures)

On May 27, Representative John Rogers introduced HB570. The bill would require that a portion of forfeitures assessed for violations or compliance failures resulting in property damage be paid to the political subdivision in which the damage occurred or to a political subdivision or state agency that incurred costs in remediating the violation or compliance failure.

HB571 (Energy Property Tax-Political Subdivisions)

On May 27, Representative John Rogers introduced HB571, legislation to authorize subdivisions to levy a fixed-sum emergency property tax for police, fire, or emergency medical services purposes.

SB334 (Agritourism)

On May 7, Representatives Shannon Jones and Bob Peterson co-sponsored SB334. The bill intends to limit the authority of a board of county commissioners or board of township trustees to prohibit agritourism through zoning, to apply current agricultural use valuation to land used for agritourism for property tax purposes, to establish immunity in a civil action for agritourism providers, and to authorize the Director of Agriculture to adopt rules regarding amusement rides at agritourism locations.



MORPC LEGISLATIVE TRACKING

- HB5** MUNICIPAL CORPORATIONS INCOME TAXES (GROSSMAN C, HENNE M) To revise the laws governing income taxes imposed by municipal corporations.
Current Status: 6/3/2014 - Senate Finance, (Second Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_5
- HB10** FISCAL TOWNSHIPS-MUNICIPAL CORPORATIONS FISCAL OFFICERS (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.
Current Status: 6/4/2014 - House State and Local Government, (Fourth Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_10
- HB145** MOTOR VEHICLE-BICYCLE SAFETY (HENNE M) To provide that when a motor vehicle passes a bicycle the safe passing distance to the left is three feet, and to alter the protocol for proceeding into an intersection that has malfunctioning traffic lights.
Current Status: 5/27/2014 - REPORTED OUT, House Transportation, Public Safety and Homeland Security, (Fourth Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_145
- HB198** TAX INCREMENT FINANCING (BUTLER, JR. J, BURKLEY T) To establish a procedure by which political subdivisions proposing a tax increment financing (TIF) incentive district are required to provide notice to the record owner of each parcel within the proposed incentive district before adopting the TIF resolution.
Current Status: 5/28/2014 - Referred to Committee Senate Ways and Means
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_198
- HB223** RESIDENTIAL FORECLOSURE ACTIONS (GROSSMAN C, CURTIN M) To expedite the foreclosure and transfer of unoccupied, blighted parcels and certain abandoned properties and to make other changes relative to residential foreclosure actions.
Current Status: 5/27/2014 - Senate Finance, (Second Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_223
- HB277** STATE-POLITICAL SUBDIVISION ANNEXATIONS (STAUTBERG P) To require that the state or a political subdivision real estate owner be included in determining the number of owners needed to sign a petition for an expedited type-II annexation, unless the real estate is a road or road right-of-way.
Current Status: 5/21/2014 - Referred to Committee Senate State Government Oversight and Reform
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_277
- HB289** JOINT ECONOMIC DEVELOPMENT ZONE-DISTRICT (SCHURING K) To require subdivisions to obtain written approval from owners and lessees of real property located within a proposed or existing joint economic development zone (JEDZ) or joint economic development district (JEDD) before approving, amending, or renewing the JEDZ or JEDD contract.
Current Status: 5/30/2014 - Sent to Governor for Signature
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_289



MORPC LEGISLATIVE TRACKING

- HB321** DATAOHIO BOARD (DUFFEY M, HAGAN C) To create the DataOhio Board, and to specify requirements for posting public records online.
Current Status: 5/27/2014 - REPORTED OUT, House State and Local Government, (Sixth Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_321
- HB322** UNIFORM ACCOUNTING SYSTEM (DUFFEY M, HAGAN C) To require the Auditor of State to adopt rules regarding a uniform accounting system for public offices.
Current Status: 5/27/2014 - REPORTED OUT, House State and Local Government, (Sixth Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_322
- HB323** ONLINE PUBLIC DATA CATALOG (DUFFEY M, HAGAN C) To establish an online catalog of public data at data.Ohio.gov.
Current Status: 5/27/2014 - REPORTED OUT, House State and Local Government, (Sixth Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_323
- HB324** LOCAL GOVERNMENT INFORMATION EXCHANGE GRANT PROGRAM (DUFFEY M, HAGAN C) To establish the Local Government Information Exchange Grant Program and to make an appropriation.
Current Status: 6/3/2014 - Referred to Committee House Finance and Appropriations
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_324
- HB336** GASEOUS FUEL VEHICLE CONVERSION PROGRAM (O'BRIEN S, HALL D) To create the Gaseous Fuel Vehicle Conversion Program.
Current Status: 5/27/2014 - Senate Finance, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_336
- HB375** SEVERANCE TAX-HORIZONTAL OIL AND GAS WELLS (HUFFMAN M) To levy a severance tax on well owners of oil and gas severed from horizontal wells, to create a nonrefundable income tax credit for the amount of horizontal well severance tax paid, and to repeal a cost recovery assessment imposed on oil and gas well owners.
Current Status: 5/27/2014 - Senate Ways and Means, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_375
- HB483** MBR-OPERATION OF STATE PROGRAMS (AMSTUTZ R) To make operating and other appropriations and to provide authorization and conditions for the operation of state programs.
Current Status: 6/2/2014 - REPORTED OUT AS AMENDED, , (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_483
- HB494** TRANSPORTATION IMPROVEMENT 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.
Current Status: 6/3/2014 - Referred to Committee Senate Ways and Means
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_494



MORPC LEGISLATIVE TRACKING

- HB500** PUBLIC TRANSIT SYSTEM-FRANCHISE AWARD (YOUNG R) To permit a board of county commissioners, on behalf of a county transit board, to award a franchise for the operation of a public transit system.
Current Status: 4/1/2014 - House State and Local Government, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_500
- HB506** CARBON DIOXIDE EMISSIONS 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.
Current Status: 6/3/2014 - REPORTED OUT AS AMENDED, House Agriculture and Natural Resources, (Third Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_506
- HB533** BRENT SPENCE BRIDGE TOLL (MCGREGOR R, MALLORY D) To provide that a toll project may include the substantial reconstruction or replacement of an existing toll-free highway, bridge, or tunnel, and to impose toll.
Current Status: 6/3/2014 - Senate Transportation, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_533
- HB538** JOBSOHIO-BROWNFIELDS CLEANUP (DRIEHAUS D) To require that, if JobsOhio provides financial assistance for the cleanup and remediation of brownfields, at least 85% of the assistance must be in the form of grants.
Current Status: 5/27/2014 - Referred to Committee House Agriculture and Natural Resources
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_538
- HB556** PROPERTY TAX ROLLBACKS RESTORATION (ROGERS J) To restore the application of the 10% and 2.5% property tax rollbacks to tax levies approved on or after the effective date of Am. Sub. HB 59 of the 130th General Assembly.
Current Status: 5/21/2014 - Introduced
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_556
- HB570** POLITICAL SUBDIVISIONS-COMPLIANCE FAILURES (ROGERS J) To require that a portion of forfeitures assessed for violations or compliance failures resulting in property damage be paid to the political subdivision in which the damage occurred or to a political subdivision or state agency that incurred costs in remediating the violation or compliance failure.
Current Status: 5/27/2014 - Introduced
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_570
- HB571** EMERGENCY PROPERTY TAX-POLITICAL SUBDIVISIONS (ROGERS J) To authorize subdivisions to levy a fixed-sum emergency property tax for police, fire, or emergency medical services purposes.
Current Status: 5/27/2014 - Introduced
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_571



MORPC LEGISLATIVE TRACKING

- SB6** TOWNSHIP FISCAL OFFICERS EDUCATION PROGRAMS (SCHAFFER T) To establish education programs and continuing education requirements for the fiscal officers of townships and municipal corporations.
Current Status: 6/4/2014 - House State and Local Government, (Third Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_6
- SB310** ENERGY REDUCTION REQUIREMENTS (BALDERSON T) To make changes to the renewable energy, energy efficiency, and peak demand reduction requirements and to create a study committee.
Current Status: 5/28/2014 - Consideration of House Amendments; Concurred Vote 21-11
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_310
- SB334** AGRITOURISM (JONES S, PETERSON B) To limit the authority of a board of county commissioners or board of township trustees to prohibit agritourism through zoning and to authorize the Director of Agriculture to adopt rules regarding amusement rides at agritourism locations.
Current Status: 6/4/2014 - Senate Civil Justice, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_334

STATE + FEDERAL GOVERNMENT UPDATE

State

State + National Unemployment Numbers for April 2014

Ohio's unemployment rate continued its fast drop, going from 6.1 percent in March to 5.7 percent in April, the lowest it has been since early 2008. With 733,000 fewer unemployed individuals, the federal Bureau of Labor Statistics (BLS) said the national unemployment rate for April was 6.3 percent — a 0.4 percentage point drop from March.

Federal

Federal Transportation Funding

There is an increasing sense of urgency in Washington on transportation funding matters. The transportation trust fund is scheduled to go bankrupt this summer. Moreover, the previously enacted transportation reauthorization bill, MAP-21, is set to expire on September 30 of this year.

Some progress is being made. For example, the U.S. Senate Environment and Public Works Committee recently unveiled its version of the next transportation reauthorization bill. The six-year bill would spend about the same amount as 2014 appropriations (subject to upward adjustments for inflation). After conducting an initial hearing on the legislation, the Environment and Public Works Committee unanimously passed the bill out of committee. The Senate Commerce Committee and the Senate Banking Committee are all expected to weigh in with minor adjustments to the bill. Now, the Senate Finance Committee must undertake the difficult role of determining how to fund the six-year transportation package.

In the U.S. House, the Transportation and Infrastructure Committee is currently working on its version of the same bill. Preliminary indications are that the contents of the House version of the bill will not be released in the piecemeal fashion that they have been in the Senate.



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