



Mid-Ohio Regional Planning Commission

Monthly Legislative Update

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Mid-Ohio Regional
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TOP ADVOCACY ITEMS

<i>Priority</i>	<i>Status</i>
<p>Highlight the Valuable Roles, Duties, and Rights of Local Governments</p>	<p>MORPC Executive Director William Murdock submitted proponent testimony on House Bill 529, the state capital budget bill, to the Ohio House Finance Committee on March 6. Since last fall, MORPC staff has worked closely with other regional agencies and partners to ensure the capital budget bill maximized economic and sustainable development for our growing region. The \$2.6 billion bill passed both legislative chambers and was signed by Governor Kasich on March 30.</p> <p>In order to provide members of each committee with additional insight on bills related to expanded broadband and small cell technology, MORPC staff convened a joint meeting of the Regional Data Advisory Committee (RDAC), Regional Policy Roundtable and Smart Region Task Force earlier this month. There are several pieces of legislation moving rather quickly at the statehouse related to broadband and small cell wireless technology. One of these bills is House Bill 378, on which MORPC Regional Data & Mapping Director Aaron Schill submitted proponent testimony to the House Finance committee. The bill creates a grant program for the expansion of broadband into unserved areas. An interested party meeting was held February 21, which MORPC staff attended. On March 20, the House Finance Committee voted out the bill with bipartisan support, 21-2.</p>
<p>Promote Energy Efficiency and an Abundant Supply of Safe, Reliable, and Affordable Sources of Energy for our Growing Region</p>	<p>The Senate continues its work on House Bill 114. MORPC Energy & Air Quality Director Christina O’Keeffe provided written opposition testimony on the bill to the Ohio Senate Energy and Natural Resources Committee. O’Keeffe expressed MORPC’s opposition to the elimination of the state’s energy efficiency requirements, how opt-outs lead to increased costs, and how energy efficiency benchmarks would be reduced to 17.2 percent from 22.2 percent by 2027 in the bill.</p> <p>MORPC supports inserting language into the bill that would increase the available federal funding to the Ohio Home Weatherization Assistance Program (HWAP), specifically requesting the annual transfer of LIHEAP funding (Low Income Home Energy Assistance Program, or “HEAP”) allowable under the program requirements to be maxed out at 25% (from 20%), and believes the bill can be enhanced by including incentives such as energy special improvement districts (E-SIDS).</p> <p>MORPC staff will continue to monitor the bill and seek common ground on this critical issue for our region and state. Although the bill has not received a formal hearing since January, expect to see significant attention by the Ohio Senate in the next month, as Senate leadership continues to consider the bill a priority. Also, MORPC is evaluating Senate Bill 238, introduced by Senator Matt Dolan, which reduces the state’s setback requirements for wind turbines.</p>



TOP ADVOCACY ITEMS

<i>Priority</i>	<i>Status</i>
Establish MORPC as Top Resource on Transportation Issues	<p>House Bill 415, which would divert a portion of surplus revenues realized by the State of Ohio to transportation funding, passed the Ohio House of Representatives on February 28. The bill would allocate 50% of the state's surplus revenue each year to a newly-created Local Government Road Improvement Fund that would be distributed to counties. The legislation had bipartisan support by an 81-15 margin. This legislation is now before the Senate Finance Committee. Staff will continue to monitor it through the legislative process.</p> <p>House Bill 95, which would create an enhanced driving penalty for "distracted driving" that only comes into play when a driver is pulled over for another moving violation, was voted out of the Senate Local Government, Public Safety and Veterans Affairs Committee unanimously last fall. The bill was voted out of the House in June and MORPC Executive Director William Murdock submitted written proponent testimony to both the House and Senate committees. Senate President Larry Obhof said he needs to further discuss the bill with his caucus prior to a vote on the senate floor.</p>
Seek Federal Funding for Regional Projects	<p>On March 23, President Trump signed the \$1.3 trillion spending bill to fund the federal government through September 30, 2018. Some key programs receiving additional funds include:</p> <ul style="list-style-type: none">» Transportation Investment Generating Economic Recovery (TIGER) grant, which tripled FY2017's funding level to \$1.5 billion» Surface Transportation Block Grant Program (STBGP), which received a one-time increase of \$198 billion with full funding of Fixing America's Surface Transportation (FAST) Act highway programs» Community Development Block Program (CDBG) and HOME Investment Program funding increases to \$3.3 billion and \$1.3 billion, respectively» Energy Efficiency and Renewable Energy Program (EERE) funding increase to \$2.32 billion» Low-Income Home Energy Assistance Program (LIHEAP) funding increase to \$3.64 billion» New Broadband Loan and Grant Program, which is now funded at \$600 million as a pilot program



TOP NEWS

Rosenberger Resigns

House Speaker Cliff Rosenberger (R-Clarksville) said Tuesday evening that he will resign from the Ohio House on May 1 while maintaining innocence in a federal inquiry that caused him to retain a defense attorney. Speaker Pro Tempore Kirk Schuring (R-Canton) will take over leadership until the House elects a new speaker.

FY19-20 Capital Appropriations

Gov. John Kasich touted funding in the \$2.6 billion capital budget that he signed while urging lawmakers to continue the expansion of Medicaid under the Affordable Care Act after he leaves office. Kasich signed HB529 (Ryan) during a ceremony held at Twin Valley Behavioral Health Hospital in Columbus. The bill includes \$112 million to replace the main hospital at Twin Valley.

Census

U.S. Census Bureau estimates released show Ohio has grown by 1.1 percent overall between April 2010 and July 1, 2017, with county data showing substantive growth in Central and Southwest Ohio and steep declines in parts of Northern Ohio.

Great Lakes

Two Northern Ohio lawmakers, Sen. Randy Gardner (R-Bowling Green) and Rep. Steve Arndt (R-Port Clinton), are seeking to create a new Clean Lake Capital Fund that would be authorized to appropriate up to \$100 million per year for five years to address Lake Erie toxic algae issues. Funding may include establishing facilities to improve manure application processes, projects to reduce open lake disposal of dredged materials, funds to local governments for water-quality-based green infrastructure and water management projects to help reduce nutrient and sediment runoff affecting the lake, among other strategies, according to a news release from the Senate GOP.

Judicial

The Supreme Court of Ohio must decide a government immunity case presenting sharply conflicting accounts of a police shooting in which two Bellevue patrolmen fired two dozen rounds at an armed James David Sr. before he died with his wife looking on.

Local Government

Cities and villages were rejected in their bid to block enforcement of new state laws on municipal taxes, though their legal challenge continues in appellate court. Judge David Cain of Franklin County Common Pleas Court previously ruled against the municipalities in their lawsuit claiming municipal tax language in the budget, HB49 (R. Smith) and an earlier law, 130-HB5 (Grossman), is unconstitutional, he rejected a request to stay his ruling pending the outcome of the communities' appeal to the 10th District Court of Appeals.

Auditor Dave Yost released a report, "Path out of the Red: How to Escape and Avoid Fiscal Emergency," that detailed conditions that most commonly lead to fiscal emergencies and offered advice to local governments on how to stay solvent, highlighting real solutions employed by localities to remove themselves from the designation.

Natural Resources

Gov. John Kasich has announced a three-year extension of an agreement among Ohio, West Virginia and Pennsylvania to continue efforts to maximize growth in the shale gas region and collaborate on areas critical to the success of the industry. With the extension of the agreement, first signed in 2015, the three neighboring states within the Appalachian



TOP NEWS

Basin will continue to discuss ways to cooperate in marketing efforts to attract new businesses, strengthen workforce development programs, spur investments in expanding infrastructure and delivery of natural gas and liquids, and encourage its academic institutions to expand and collaborate on research.

The 10th District Court of Appeals has ruled that the Ohio Department of Natural Resources (ODNR) does not have to cede the Sawmill Wetlands to a private developer. The ruling reverses the decision by the Franklin County Court of Common Pleas, which had ruled the state must award the property to JD So Cal Ltd. for breaching its contract with the company.

People

The Central Ohio Transit Authority (COTA) announced that Joanna Pinkerton will be the new president and CEO of the organization. According to COTA, Pinkerton came from the Ohio State University, where she served as the chief operating officer of the Transportation Research Center Inc. and previously as the chief operating officer for the university's Center for Automotive Research (CAR).

State of the State

Gov. John Kasich delivered his final "State of the State" address in Westerville, his adopted hometown. In the speech, he turned philosophic, focusing on values rather than accomplishments or policy issues. He did announce the creation of new state park to be named for Olympic great Jesse Owens and the proposed rebuilding of the Central Ohio hospital for the mentally ill that is in the proposed FY19-20 capital appropriations bill.

Taxation

The 10th District Court of Appeals refused this week to enjoin enforcement of municipal tax laws that dozens of cities and villages are challenging as violations of home rule powers.

Transportation/Infrastructure

The Ohio Department of Transportation (ODOT) plans to spend \$2.35 billion on nearly 1,000 construction projects in 2018, aiming to preserve existing roads and bridges, enhance capacity and improve safety. "Roads and bridges don't get better over time. That's why 90 cents of every dollar we're investing this year is to take care of what we have," ODOT Director Jerry Wray said in a news release. "We're using better data and more frequent maintenance to address the small issues with our infrastructure before they become big issues."

Utilities

The Public Utilities Commission of Ohio (PUCO) approved results for American Electric Power (AEP) of Ohio's wholesale auction, which ultimately will determine its default generation rates beginning June 1. At the March 6 auction, four suppliers submitted winning bids for a one-year product at an average clearing price of \$52.01 per megawatt hour (MWh) for AEP's service period June 2018 to May 2019. Six suppliers also won bids for a two-year product at an average clearing price of \$48.29 MWh for the period June 2018 to May 2020. Finally, six suppliers won bids for a three-year product at an average clearing price of \$46.53 MWh for the period June 2018 to May 2021.

Energy experts told the Public Utilities Commission of Ohio (PUCO) that the cost of utility-scale batteries has dropped to the point of making energy storage cheaper than the construction of traditional transmission and distribution (T&D) lines in certain situations.



MORPC LEGISLATIVE TRACKING

Goal 1: Promote regionalism at the local, state, and federal levels of government fostering economic growth, prosperity, efficient use of resources, and a high quality of life for Central Ohio residents.

- HB3** DATAOHIO BOARD CREATION (DUFFEY M, HAGAN C) To create the DataOhio Board, to specify requirements for posting public records online, to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices, to establish an online catalog of public data at data.Ohio.gov, to establish the Local Government Information Exchange Grant Program, and to make appropriations.
Current Status: 12/12/2017 - House Finance, (Third Hearing)
State Bill Page: [w://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-3](http://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-3)
- HB122** ESTABLISH ECONOMIC STUDY COMMITTEE (HAMBLEY S, ROGERS J) To establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances.
Current Status: 4/11/2018 - Senate Government Oversight and Reform, (Fourth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-122>
- HB281** BROADBAND EXPANSION PROGRAM (CARFAGNA R) To establish the residential broadband expansion program within the Development Services Agency to award matching grants for last mile broadband expansion in municipal corporations and townships and to make an appropriation.
Current Status: 2/20/2018 - Referred to Committee Senate Finance
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-281>
- HB371** TAXES ON UNSOLD PROPERTY (MERRIN D) To exempt from property taxation the increased value of land subdivided for residential development until construction commences or the land is sold.
Current Status: 3/1/2018 - Re-Referred to Committee
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-371>
- HB378** OHIO BROADBAND DEVELOPMENT (SMITH R, CERA J) To create the Ohio Broadband Development Grant Program and to make an appropriation.
Current Status: 3/20/2018 - SUBSTITUTE BILL ACCEPTED & REPORTED OUT, House Finance, (Eighth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-378>
- HB478** SMALL CELL WIRELESS (SMITH R, LATOURETTE S) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way.
Current Status: 4/11/2018 - Senate Public Utilities, (Fifth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-478>



MORPC LEGISLATIVE TRACKING

- HB529** CAPITAL APPROPRIATIONS (RYAN S) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30,2020.
Current Status: 3/30/2018 - SIGNED BY GOVERNOR; eff. 90 days
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-529>
- SB135** SUPPLEMENTAL APPROPRIATION-VOTING PROGRAM (LAROSE F) To make supplemental operating appropriations for the FY 2018-FY 2019 biennium and supplemental capital appropriations for the FY 2017-FY 2018 biennium to implement a voting machine and equipment acquisition program.
Current Status: 4/10/2018 - Senate Finance, (Fourth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-135>
- SB203** MUNICIPAL TAX RULE REINSTATEMENT (DOLAN M) To reinstate the municipal income tax “throw-back rule” used in apportioning business income among municipalities.
Current Status: 11/15/2017 - Referred to Committee Senate Finance
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-203>
- SB225** OHIO BROADBAND DEVELOPMENT GRANTS (SCHIAVONI J, EKLUND J) To create the Ohio Broadband Development Grant Program and to make an appropriation.
Current Status: 3/6/2018 - Senate Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-225>
- SB239** REGIONAL COUNCILS OF GOVERNMENTS (DOLAN M) To modify the law concerning regional councils of governments.
Current Status: 4/11/2018 - Senate Government Oversight and Reform, (Sixth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-239>



MORPC LEGISLATIVE TRACKING

Goal 2: Achieve an advanced and exceptional transportation system that connects Central Ohio's people and products to the world.

- HB95** DISTRACTED DRIVING PENALTY (HUGHES J, SEITZ B) To establish an enhanced penalty for committing a moving violation while distracted if the distraction is the apparent cause of the violation and to reenact provisions of law that specified that certain electronic wireless communications device violations were allied offenses of similar import.
Current Status: 10/24/2017 - REPORTED OUT, Senate Local Government, Public Safety and Veterans Affairs, (Fourth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-95>
- HB190** RAILROAD CROSSING REQUIREMENTS (LEPORE-HAGAN M, SCHURING K) To require vehicle operators to watch, listen, and stop for on-track equipment that may be approaching a railroad crossing.
Current Status: 3/21/2018 - PASSED BY HOUSE; Vote 92-0
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-190>
- HB219** SPEED LIMIT SIGN DISTANCES (BOCCIERI J) To specify that a speed limit becomes effective at a reasonable distance from the appropriate sign giving notice of the speed limit.
Current Status: 11/8/2017 - House Transportation and Public Safety, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-219>
- HB250** ELECTRIC BIKE REQUIREMENTS (BRINKMAN T) To establish requirements for the use of electric bicycles.
Current Status: 3/21/2018 - Senate Transportation, Commerce and Workforce, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-250>
- HB415** LOCAL GOV ROAD IMPROVEMENT (GREENSPAN D, RYAN S) To allocate one-half of any surplus revenue to a new Local Government Road Improvement Fund, from which money will be distributed directly to local governments to fund road improvements.
Current Status: 3/21/2018 - Referred to Committee Senate Finance
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-415>
- HB436** NEIGHBORHOOD STOP SIGNS & SPEED LIMITS (BOGGS K, LELAND D) To permit a local resident, neighborhood association, or neighborhood organization to request the erection of a stop sign at an intersection and to support a request for a lower prima facie speed limit on certain streets and highways.
Current Status: 2/14/2018 - House Transportation and Public Safety, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-436>
- SB6** OHIO BRIDGE PARTNERSHIP PROGRAM (HOAGLAND F) To extend the Ohio Bridge Partnership Program through the end of fiscal year 2019 and to require the Director of Transportation to submit a report to the Governor, Senate, and House of Representatives recommending ways to continue to fund the program.
Current Status: 12/13/2017 - House Transportation and Public Safety, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-6>



MORPC LEGISLATIVE TRACKING

- SB61** PUBLIC TRANSPORTATION (SKINDELL M) To make appropriations related to public transportation.
Current Status: 12/13/2017 - Senate Transportation, Commerce and Workforce, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-61>
- SB113** VEHICLE REGISTRATION TAX (COLEY W) To levy an additional registration tax on passenger cars, noncommercial motor vehicles, and commercial cars and trucks beginning on January 1, 2020; to authorize a per-gallon motor fuel retail price reduction for consumers that is equal to the state per-gallon motor fuel tax of \$.28; and to exempt each gallon of motor fuel that is sold at the reduced retail price from the state motor fuel tax.
Current Status: 9/20/2017 - Senate Ways and Means, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-113>



MORPC LEGISLATIVE TRACKING

Goal 3: Conserve and enhance the natural resources, water, air and land in our growing region.

- HB62** WATER QUALITY IMPROVEMENT (PATTERSON J, SHEEHY M) To require the Director of Agriculture to adopt rules establishing the Ohio Water Quality Improvement Program, to exempt land enrolled in the Program from taxation, and to reimburse local taxing units for revenue lost due to that exemption.
Current Status: 5/10/2017 - House Agriculture and Rural Development, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-62>
- HB121** PIPE MATERIAL SPECIFICATIONS (EDWARDS J) To require a public authority to consider all piping materials that meet the engineering specifications for a state-funded water or waste water project.
Current Status: 11/1/2017 - BILL AMENDED, House State and Local Government, (Fifth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-121>
- HR85** FEDERAL ENVIRONMENTAL OVERHAUL (YOUNG R) To respectfully urge Congress and President Donald Trump to amend the Federal Clean Air Act to eliminate the requirement to implement the E-Check Program and direct the Administrator of USEPA to begin new rulemaking procedures under the Administrative Procedures Act to repeal and replace the 2015 National Ambient Air Quality Standards; to respectfully urge Congress and President Donald Trump to pass legislation to achieve improvements in air quality more efficiently while allowing companies to innovate and help the economy grow; to urge the Administrator of USEPA to alleviate burdensome requirements of the E-Check Program and the Clean Air Act if Congress and the President fail to act; and to encourage OEPA to explore alternatives to ECheck in Ohio.
Current Status: 5/24/2017 - ADOPTED BY HOUSE; Vote 72-25
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HR-85>
- SB95** STATE PROJECTS-PIPING MATERIALS (TERHAR L) To require a public authority to consider all piping materials that meet the engineering specifications for a state-funded water or waste water project.
Current Status: 10/25/2017 - Senate Energy and Natural Resources, (Second Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-95>
- SB112** GREEN INFRASTRUCTURE FUND (SCHIAVONI J) To establish the green infrastructure fund and to make an appropriation.
Current Status: 9/6/2017 - Senate Finance, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-112>
- SCR15** YEAR DESIGNATION-TRAILS (O'BRIEN S, WILSON S) To designate 2018 as "Ohio's Year of the Trails."
Current Status: 2/20/2018 - REPORTED OUT, House State and Local Government, (Third Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SCR-15>



MORPC LEGISLATIVE TRACKING

Goal 4: Promote energy efficiency and an abundant supply of safe, reliable, and affordable sources of energy for our growing region.

- HB114** RENEWABLE ENERGY STANDARDS (BLESSING III L) To revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program.
Current Status: 1/10/2018 - Senate Energy and Natural Resources, (Fourth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-114>
- HB247** ELECTRIC UTILITY CONSUMER PROTECTION (ROMANCHUK M) To require refunds to utility customers who have been improperly charged, to eliminate electric security plans and require all electric standard service offers to be delivered through market-rate offers, and to strengthen corporate separation requirements.
Current Status: 1/23/2018 - House Public Utilities, (Sixth Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-247>
- SB155** ELECTRIC DISTRIBUTION COST RECOVERY (TERHAR L, PETERSON B) To allow electric distribution utilities to recover costs for a national security generation resource.
Current Status: 1/10/2018 - Senate Public Utilities, (Seventh Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-155>
- SB184** WIND FARM SETBACK REQUIREMENTS (SKINDELL M) To alter the minimum setback requirement for wind farms of five or more megawatts.
Current Status: 9/27/2017 - Senate Energy and Natural Resources, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-184>
- SB217** OIL, GAS REVISED ENFORCEMENT (SCHIAVONI J) To revise enforcement of the Oil and Gas Law, including increasing criminal penalties and requiring revocation of permits for violations of that Law relating to improper disposal of brine.
Current Status: 11/15/2017 - Referred to Committee Senate Energy and Natural Resources
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-217>
- SB238** WIND TURBINE SETBACKS (DOLAN M) Regarding wind turbine setbacks for wind farms of at least five megawatts.
Current Status: 1/10/2018 - Senate Energy and Natural Resources, (First Hearing)
State Bill Page: <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-SB-238>

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