



# Mid-Ohio Regional Planning Commission

## Monthly Legislative Update

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## TOP ADVOCACY ITEMS

<i>Priority</i>	<i>Status</i>
<p><b>Promote Energy Efficiency and an Abundant Supply of Safe, Reliable, and Affordable Sources of Energy for our Growing Region.</b></p>	<p>MORPC worked with members of the General Assembly to ensure that the state had as meaningful of an energy policy as possible. Proposals such as the introduced versions of SB 320 and HB 554 would have potentially extended the freeze on energy mandates indefinitely. However, a new version of HB 554 was introduced. Leaders of MORPC’s Regional Policy Roundtable and Sustainability Advisory Committee convened a conference call to discuss the revised version of the bill. It was agreed that MORPC should take a neutral position on the new language, but made recommendations on how to further improved the legislation. A letter was transmitted to the General Assembly reflecting this position. The bill was passed by the House and Senate that provided nonbinding energy efficiency and renewable energy targets for two years but resumed mandates in these areas of the energy market thereafter. On Tuesday, December 27, Governor Kasich vetoed the bill. Legislative efforts to override were abandoned.</p>
<p><b>Highlight the Valuable Roles, Duties, and Rights of Local Governments</b></p>	<p>An amendment pushed by AT&amp;T would state that it is Ohio’s public policy to “expedite the installation and operation of micro wireless facilities in order to facilitate the deployment of advanced wireless service throughout the state.” Local officials were strongly opposed to the original proposal, saying it prevents cities and villages from having an adequate say on where these 5G antennas are installed. While changes were made that addressed some local control concerns, fee structures, and other issues, MORPC’s municipal members still feel the legislation is problematic. MORPC is continuing to host conversations with interested members to assess the impact of the legislation and possible next steps.</p> <p>The measure was amended into Senate Bill 331, which would set state standards for where pet stores can buy dogs, preempting local ordinances. Also included in the bill was a measure prohibiting local jurisdictions from establishing a minimum wage different from the state minimum wage rate, among others.</p>
<p><b>Seek Federal Funding for Regional Projects</b></p>	<p>The U.S. Department of Transportation accepted applications for up to \$850 million in Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE) grants. The FASTLANE program provides dedicated, discretionary funding for projects that address critical freight issues facing our nation’s highways and bridges. Locally, an application was submitted for the Rickenbacker Inland Port Interstate Connector FASTLANE grant application, which includes adding a third through lane in each direction to the existing stretch of Alum Creek Drive along a 2.6-mile stretch between State Route 317 to the south and Groveport Road to the north. The application was submitted by the Columbus Regional Airport Authority (CRAA) in partnership with Norfolk Southern Railway, the Franklin County Engineer’s Office, and MORPC.</p>



## TOP ADVOCACY ITEMS

<i>Priority</i>	<i>Status</i>
<p><b>Ensure the Ability of Local Governments to Use Economic Development Tools that are Beneficial to Their Communities</b></p>	<p>MORPC joined a coalition on opposition to SB 235 – a bill that would have compelled local governments to provide favorable tax treatment to property owners who claimed that they intended to develop property but whose pledges were not held accountable by local governments – to House leadership and our region’s General Assembly delegation. In these expressions of opposition, MORPC indicated that, while our organization welcomed the creation of new tools that can be used by our members’ economic development teams to incentivize the renovation or development of property, any new incentives that the General Assembly creates need to be subject to the scrutiny of local officials.</p> <ul style="list-style-type: none"> <li>» A substitute version of SB 235 was rolled out with new language that would:</li> <li>» Prohibit any requested freeze in the taxable value of property from occurring unless a local government approves it.</li> <li>» Reduce the amount of time that the taxable value of property could be frozen from 10 years to 6 years.</li> <li>» Create a “clawback” mechanism where owners of property who had committed to redevelop their property in exchange for having the taxable value of their property frozen, but did not follow through on their commitment, would be required to pay a penalty of back taxes.</li> </ul> <p>Upon review of SB 235, MORPC concluded that the new language in the legislation is significantly better than the version of the bill that was passed by the Senate.</p> <p>SB 235 also became a “Christmas tree” bill, containing a host of other issues and measures. While Governor Kasich signed the bill he vetoed provisions that would have:</p> <ul style="list-style-type: none"> <li>» Carried over appropriations for unnamed sporting events</li> <li>» Exempted oil and gas companies from paying sales taxes</li> <li>» Exempted digital products from sales tax.</li> </ul>
<p><b>Position MORPC as a Leader in the Transportation Industry</b></p>	<p>Hyperloop One selected MORPC’s Midwest Connect proposal as one of 35 finalists in the Global Challenge. This is considered a significant achievement as more than 2,600 applications were submitted from over 100 countries. MORPC’s proposal identifies a corridor between Chicago and Pittsburgh via Columbus. MORPC and the other U.S. semi-finalists will participate in a Hyperloop showcase event on April 6 in Washington, DC.</p> <p>Hyperloop is a new mode of transportation that moves freight and people quickly, safely, on-demand and direct from origin to destination. Passengers or cargo are loaded into the Hyperloop vehicle, or pod, and accelerate gradually via electric propulsion through a low-pressure tube.</p>



## TOP NEWS

### ***Slower Growth Coming in 2017 for Central Ohio, Economist Predicts***

Ohio's capital region is likely to see lower growth in 2017 than 2016 but should match or inch above national figures, economist Bill Lafayette said in his annual forecast for the Columbus Metropolitan Club during a panel discussion.

Lafayette is the former Columbus Chamber of Commerce vice president of economic analysis, founder of Regionomics, a contributor to the publication *On The Money*, and a MORPC board member. The other panelist was Ohio State University professor and economist Ian Sheldon and Mark Williams, business reporter for the Columbus Dispatch.

Lafayette predicts net growth of 16,000 jobs or 1.5 percent over the year for Columbus' 10-county metro area, compared to 20,000 seen in 2016. While slower, the outlook is still one other areas of the state wish they could have, he said. On the upside, central Ohio's population is growing faster than the state and nation, and Franklin County's faster still. Also, he said, the region is seeing higher concentrations of foreign-born residents, who contribute the area's diversity, start new businesses and add cultural knowledge.

Challenges, he said, include a more dismal outlook for manufacturing employment and a "big, big worry" about underperformance in the retail sector. However, he said, new jobs from Amazon's recent construction of distribution centers in the region should add to job numbers for non-store retail.

Part of the slowdown is compensation for the overcharged growth of some sectors in recent years, such as health care. "It doesn't take a Ph.D. in economics to figure out that above average growth cannot last forever," Lafayette said. He noted a key struggle for Ohio is its slow population growth; outside Central Ohio, the state has actually lost population in the last few years. "That impacts a lot of segments of the economy that cater to a local market, like retail, like personal services, like some business services."

### ***Addiction/Substance Abuse***

Gov. John Kasich signed SB319 (Eklund), the opioid portion of his administration's mid-biennium review, but said solving the problem of drug addiction in Ohio will succeed through efforts from the community up, not from the government down.

### ***Attorney General***

Attorney General Mike DeWine told attendees of the joint winter conference for the County Commissioners Association of Ohio (CCAO) and County Engineers Association of Ohio (CEAO) that the state needs to "rethink" its relationship with local governments, noting the financial concerns caused by the opioid epidemic, Local Government Fund (LGF) cuts and the upcoming loss of the Medicaid managed care organization (MCO) sales tax.

### ***FY16-17 Budget***

Gov. John Kasich told the House of Representatives that Ohio is "on the verge of a recession ...." This followed a release earlier in the day from the Office of Budget and Management (OBM) that said preliminary data show state tax revenues were \$99 million below expectations in November, a 5 percent dip from official forecasts. This brings the year-to-date shortfall to \$259 million.



## TOP NEWS

### *Economy*

Ohio and the state capital place a little better than mid-pack in a new national ranking of economic indicators and energy markets. The Buckeye State and its major cities led few WalletHub categories, though Cincinnati fell in the top 20 cities for places to start a career, and Ohio broke the top 10 for highest total tax rates.

### *Elections 2018*

Treasurer Josh Mandel officially announced his campaign for U.S. Senate. Mandel is seeking a rematch with U.S. Sen. Sherrod Brown (D-OH), who defeated him in 2012.

### *Energy*

The Public Utilities Commission of Ohio (PUCO) ruled 3-1 to impose new restrictions on sub-metered utilities after nearly three years of debate on the resale of marked-up electricity at the commission, in the General Assembly and among members of the Ohio Consumers' Counsel Governing Board. Chairman Asim Haque said the change will bring "discipline" to a new class of regulated utilities in Ohio.

### *General Assembly/Statehouse*

Sen. Larry Obhof (R-Medina) officially took the reins as president of the Ohio Senate, as fellow senators elected him unanimously and outgoing President Keith Faber (R-Celina), now a representative in the Ohio House, relinquished the gavel at the opening session of the 132nd General Assembly. Joining Obhof in leadership are Sen. Bob Peterson (R-Sabina) as president pro tempore; Sen. Randy Gardner (R-Bowling Green) as majority floor leader; and Sen. Gayle Manning (R-North Ridgeville) as majority whip.

Sen. Joe Schiavoni (D-Boardman) was officially re-elected as minority leader, as were Sen. Charleta Tavares (D-Columbus) as assistant minority leader and Sen. Edna Brown (D-Toledo) as minority whip. Sen. Cecil Thomas (D-Cincinnati) joined the Democrats' leadership team as assistant minority whip, replacing former Sen. Lou Gentile (D-Steubenville), who was defeated for re-election in November.

Rep. Cliff Rosenberger (R-Clarksville) again took the reins of the Ohio House when he was unanimously re-elected speaker, announcing that HB1 will be a Democratic bill. Rosenberger outlined his priorities for this session in his speech after he was elected, saying that a bill brought by Rep. Emilia Sykes (D-Akron) and former Rep. Christie Kuhns (D-Cincinnati) that seeks to extend protection orders to victims of dating violence will be HB1. Rosenberger said it is the right thing to do and that it is about putting aside partisanship.

Speaker Cliff Rosenberger (R-Clarksville) announced the formation of a new standing House committee on aging and long-term care, and said he would be forming a task force on Alzheimer's disease and dementia. He said the state has the moral obligation to ensure the protection and well-being of older Ohioans and making sure they have affordable long-care options. Discussions on funding of transportation infrastructure in Ohio need to continue, the Joint Legislative Task Force on Department of Transportation Issues said in its final report.

While Gov. John Kasich said this week that he plans to include congressional redistricting reform in his budget proposal, Senate President Larry Obhof (R-Medina) reiterated his belief that it is the job of the Legislature to draw congressional map lines. Obhof also discussed his own priorities, saying early bills will be discussed at the Republican caucus retreat later this month. He said he expects priorities to include unemployment compensation reform, energy policy reforms, and tax simplification, which he said will likely happen as part of the overall budget process.



## TOP NEWS

### ***Governor***

“In the next budget, it’s going to be tough.” Gov. John Kasich measured his remarks inside and outside the year-end gathering of the JobsOhio Board of Directors, where the Republican said he’s “not going to put the next governor in the position to inherit what I inherited.”

Gov. John Kasich blocked several measures sent to his desk before the end of the year, drawing criticism from Republican legislators who vowed to prioritize similar policy proposals in the 132nd General Assembly. The governor vetoed two bills outright, including energy standards legislation 131-HB554 (Amstutz) and state agency review bill 131-SB329 (Jordan). Kasich employed his line-item veto on “Christmas tree” 131-SB235 (Beagle-Coley), nixing an appropriation carryover for sporting events, an expanded sales tax exemption for the oil and gas industry and a sales tax exemption for digital jukeboxes.

The Kasich administration put out a request for a contractor to help it with data analytics as the governor seeks to mine data to help come up with policy solutions on topics ranging from infant mortality and opiate addiction to school dropouts and unemployment.

### ***Judicial***

Ohio law enforcement dash-cam recordings are public records that cannot be shielded in their entirety, but portions considered “investigatory work product” can be withheld, the Ohio Supreme Court ruled 7-0 in the case of *State ex rel. Cincinnati Enquirer v. Ohio Dept. of Public Safety*.

### ***Local Government***

A new report from the Ohio Municipal League (OML) calls for enhanced cooperation and increased funding from the state, as many localities continue to struggle with manufacturing job losses, opioid addiction and cuts to the Local Government Fund (LGF), among other problems. “What we’re doing right now is not working. It’s not working for our communities,” OML Executive Director Kent Scarrett told reporters at a Statehouse press conference releasing the report, “[Stronger Municipalities Mean a Stronger Ohio Economy: A Strategic Framework & Action Agenda.](#)”

### ***Military Affairs***

The Ohio Military Facilities Commission (OMFC) is announcing first-round funding after its creation in the recently ended General Assembly. The commission opened the application period for its Ohio Military and Defense Installations/Entities Infrastructure Improvements Grant Program.

### ***Natural Resources***

While there have been significant advances in addressing harmful algal blooms (HABs) in Lake Erie and across the country, researchers from Ohio State University (OSU) have found significant challenges remain. Scientists have found viable strategies for curbing the toxic algae blooms that have threatened water supplies. Farmers are willing to adopt these strategies. The American public is willing to help pay for them. However, OSU researchers also found more farmers need to adopt these practices to make a difference and identified a looming funding gap for enacting these plans.



## TOP NEWS

### ***Ohio Environment***

Ohio EPA has finalized the 2017 Program Management Plan for the Water Pollution Control Loan Fund (WPCLF). The fund provides financial and technical assistance to projects that improve the quality of Ohio's rivers, streams, lakes and other water bodies.

According to Ohio EPA, "Since 2011, Ohio has invested more than \$3.5 billion in addressing key infrastructure issues that help improve water quality statewide. These creative programs tackle challenges like Harmful Algal Blooms (HABS). For example, in Program Years (PY) 2015 and 2016, in response to HABS and their potential effect on drinking water systems, Ohio EPA made \$100 million available at zero percent interest to projects that helped reduce phosphorus and other nutrients being discharged into Ohio's water bodies."

Ohio EPA is continuing to use available funding to accelerate fixing combined sewer overflows (CSOs) as part of the state's comprehensive strategy to reduce excess nutrients in Ohio watersheds (particularly those that feed into Lake Erie). This three-year strategy comes after discussions with community leaders about how the agency could reshape state programs to help advance services, while also saving communities money in the long term.

In PY17, Ohio EPA is offering an additional \$100 million at a zero percent interest rate for these types of projects. Additionally, starting in PY17, Ohio EPA is proposing to commit an additional \$300 million (at zero percent interest) over the next three years for projects that address CSOs. This special "call for nominations" began in early November 2016 and is outside the regular annual nomination cycle for projects.

For PY17, Ohio EPA received project nominations that total approximately \$1.7 billion, and is making funds available to all applicants that meet program requirements. Additionally, up to \$30 million is available as principal forgiveness. Principal forgiveness projects that are within the funding range and meet all program requirements will receive the amount they requested during the nomination period. If final project costs exceed the amount requested, the agency will cover the remaining balance in the form of a low-interest loan.

Nominations for WPCLF funded projects are typically received by the end of August each year. Copies of the final 2017 Program Management Plan and supporting documents are [available online](#) or by contacting [defamail@epa.ohio.gov](mailto:defamail@epa.ohio.gov) or calling 614-644-2798.

### ***Politics/National Conventions***

The vice chairwoman of the Stark County Republican Party announced that she would challenge Matt Borges for chairmanship of the Ohio Republican Party (ORP) after Borges' public feuding with President-elect Donald Trump's campaign over the past year. Timken prevailed on the January 6 vote of the State Central Committee.

### ***Senior Options***

Following the recommendation of Human Services Levy Review Committee, the Franklin County commissioners are expected to approve a resolution from the Franklin County Office on Aging requesting a countywide property tax levy of 1.75 mills for a period of five years to support the agency's Senior Options Program. The proposed levy is a renewal of the 1.3 mills levy expiring at the end of 2017, plus an increase of 0.45 mills. The resolution calls on the county auditor to certify the value of taxable property in the county and the amount that would be raised by the levy. Another resolution will then be required to place the levy on the May 2, 2017 ballot.



### TOP NEWS

#### Workforce

Gov. John Kasich endorsed a number of recommendations from his Executive Workforce Board, saying he will work to implement many of those recommendations through rulemaking or through the biennial budget next year. Many of the recommendations seek to connect business and local schools, including establishing teacher externships, having school boards appoint three new members from the business community, and expanding mentorship programs.

#### Utilities

American Electric Power (AEP) of Ohio is moving forward on promises to develop 500 megawatts of wind energy and 40 megawatts (MW) of solar power as part of its electric security plan (ESP) approved by the Public Utilities Commission of Ohio (PUCO) on Nov. 3. The electric utility announced requests for proposals (RFP) Friday for up to 250 MW of wind capacity and individual proposals totaling as much as 100 MW of solar resources (each 10 MW or greater).

## MORPC LEGISLATIVE TRACKING

- HB12** TIF-INCENTIVE DISTRICTS (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 creating the district, and to permit such owners, under specific conditions, to exclude their parcels from the incentive district by submitting a written response.  
**Current Status:** 11/30/2016 - Senate Ways and Means, (First Hearing) NOTE The Senate Amended HB12 into SB 257 on 12/8/2016  
**State Bill Page:** <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-12>
- HB48** CONCEALED CARRY-MOTOR VEHICLE-ET AL (MAAG R) To extend to handguns affirmative defenses to a charge of carrying a concealed weapon or having or transporting a firearm in a motor vehicle, and to modify the prohibition against carrying a concealed handgun onto institutions of higher education, places of worship, day-care facilities, aircraft, certain government facilities, public areas of airport terminals and police stations, and school safety zones.  
**Current Status:** 12/7/2016 - PASSED BY SENATE; Amended on Floor, Bill Vote 23-9 NOTE 12/9/2016 THE HOUSE AMENDED HB 48 INTO SB 199 on 12/8/16.  
**State Bill Page:** <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-48>
- HB72** ENERGY IMPROVEMENT DISTRICTS (CONDITT M) To authorize port authorities to create energy special improvement districts for the purpose of developing and implementing plans for special energy improvement projects and to alter the law governing such districts that are governed by a nonprofit corporation.  
**Current Status:** 11/30/2016 - SUBSTITUTE BILL ACCEPTED, House Public Utilities, (Fifth Hearing) DIED IN THE HOUSE  
**State Bill Page:** <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-72>



## MORPC LEGISLATIVE TRACKING

- HB154** BICYCLE PASSING-TRAFFIC LIGHTS (HENNE M, SHEEHY 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:* 12/19/2016 - SIGNED BY GOVERNOR; eff. 90 days  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-154>
- HB302** ANNEXED TERRITORY-LEVY (HENNE M) To provide that, beginning five years after a type-II annexation is approved, the annexed territory is subject to a fire, police, or EMS tax levy only if the levy is imposed by the subdivision that provides the fire, police, or EMS service to the territory.  
*Current Status:* 4/12/2016 - House Local Government, (Third Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-302>
- HB347** CIVIL ASSET FORFEITURE (MCCOLLEY R, BRINKMAN T) To eliminate civil asset forfeiture proceedings and to modify the law governing criminal asset forfeitures.  
*Current Status:* 1/4/2017 - SIGNED BY GOVERNOR; eff. 90 days  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-347>
- HB528** MOTOR VEHICLE-LICENSE TAXES (RUHL M) To authorize additional permissive local motor vehicle license taxes up to a total of \$15.  
*Current Status:* 5/17/2016 - House Ways and Means, (First Hearing) DIED IN THE HOUSE  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-528>
- HB554** RENEWABLE ENERGY REQUIREMENTS (AMSTUTZ R) To revise the requirements for renewable energy, energy efficiency savings, and peak demand reduction and to revise provisions governing which customers can opt out of related programs.  
*Current Status:* 12/27/2016 - VETOED BY GOVERNOR  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-554>
- SB185** SPECIAL IMPROVEMENT DISTRICTS (SEITZ B) To revise the law governing special improvement districts created for the purpose of developing and implementing plans for special energy improvement projects.  
*Current Status:* 5/25/2016 - REPORTED OUT AS AMENDED, Senate Energy and Natural Resources, (Fifth Hearing) DIED IN THE SENATE  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-185>
- SB235** INCREASED VALUE-PROPERTY TAX (BEAGLE B, COLEY W) To enact section 5709.45 of the Revised Code to exempt from property tax the increased value of property on which industrial or commercial development is planned until construction of new commercial or industrial facilities at the property commences.  
*Current Status:* 12/27/2016 - SIGNED BY GOVERNOR; Some provisions line-item vetoed; eff. 90 days. NOTE SB270 AND HB592, ALONG WITH SOME LANGUAGE TO ACCEPT A RECOMMENDATION CREATED IN HB5, INTO SB235 ON 12.6.2016  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-235>



## MORPC LEGISLATIVE TRACKING

**SB331** DOG SALE-PET RETAILER-BESTIALITY BAN (PETERSON B) To regulate the sale of dogs from pet stores and dog retailers, to require the Director of Agriculture to license pet stores, and to revise the civil penalties applicable to dog breeders and other specified entities; to govern construction and attachment activities related to micro wireless facilities in the public way; to prohibit political subdivisions from establishing minimum wage rates different from the rate required by state law; to generally grant private employers exclusive authority to establish policies concerning hours and location of work, scheduling, and fringe benefits, unless an exception applies; to prohibit a person from engaging in sexual conduct with an animal and related acts, to provide for the seizure and impoundment of an animal that is the subject of a violation, and to authorize a sentencing court to require an offender to undergo psychological evaluation or counseling; to prohibit and establish an increased penalty for knowingly engaging in activities associated with cockfighting, bearbaiting, or pitting an animal against another; to remove the residency requirement for the appointment of an agent to a county humane society; and to make an appropriation.

**Current Status:** 12/19/2016 - SIGNED BY GOVERNOR; eff. 90 days

**State Bill Page:** <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-SB-331>

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