

Dear Township Officials:

The Ohio Senate introduced their version of the budget (Am. Sub. HB 1) late Friday afternoon. There were several provisions in the As Passed by the House version of the bill that we lobbied to have removed and there were other items that we lobbied for inclusion. You may read the bill online at http://www.legislature.state.oh.us/bills.cfm?ID=128_HB_1. Please find below a short synopsis of each item and what the Senate did.

Tangible Personal Property Tax

The Senate included SB 111 in the Senate version of HB 1. This will hold local governments and schools harmless *indefinitely* from losses due to the elimination of the tangible personal property tax. Current law provides for 100% reimbursement of TPP lost revenue through 2010. The inclusion of SB 111 in Am. Sub. HB 1 will provide 100% reimbursement indefinitely. (ORC Sections 5751.20-5751.23 of the Senate version of HB 1)

OTA supports the inclusion of this language

Household Sewage Treatment Systems (HSTS) Rules Moratorium

Included in the Senate version is a six month extension on the HSTS Rules moratorium. Current law requires HB 231 HSTS rules go into effect in July 2009 unless alternative rules or state law is passed. The six month extension will provide all interested parties an additional six month window to get new law or rules in place. (Section 120.01 - at end of bill)

OTA supports the inclusion of this language

Collective Bargaining for Full-Time Township Fire Departments

In the As Introduced and the House Passed versions of HB 1 there was language that would require all full-time township fire departments, regardless of population, to be subject to collective bargaining rules. Current law states that only townships with a population of 5,000 (or as big as a city pursuant to RC Chapter 7) or more in the unincorporated territory are subject to collective bargaining. The OTA had requested that the language be removed and the Senate agreed to remove the language.

OTA supports the elimination of this language

Mandated Cafeteria Plans and Autism Coverage

Included in the As Passed by the House version of HB 1 were several health insurance mandates that would have applied to public and private employers. One such mandate was that any employer with 10 or more employees would have been required to offer a cafeteria plan (under Section 125 of the IRS Code) for health insurance, regardless if the employer was offering health insurance or reimbursing for health insurance. Another provision would have mandated that insurance companies offer coverage for autism, which would have raised the cost of health insurance coverage for employers. The Senate removed all of these costly health insurance provisions in the Senate Version of HB 1.

OTA supports the elimination of these provisions

Small Fire Department Grants

Included in the House passed version of HB 1 was a provision that expanded the eligibility of fire departments for small fire department grants. In the budget, there is approximately \$1.6 million set aside for small departments as defined by volunteer fire departments, fire departments that serve one or more small municipalities or small townships, joint fire districts comprised of fire departments that primarily serve small municipalities or small townships, local units of government responsible for such fire departments, and local units of government responsible for the provision of fire protection services for small municipalities or small townships. The Senate kept this language in HB 1.

OTA supports the inclusion of this language

Miami University - Center for Public Management & Regional Affairs (CPMRA)

In the House Passed version of the budget bill, CPMRA revenue was cut by 40%. The OTA lobbied the Senate to restore that funding. Unfortunately, the Senate actually **cut** all of the funding for CPMRA, along with funding for several other universities. If you have used CPMRA at any point, please call your state Senator and express your concern with the cut and ask for the funding to be restored.

OTA opposes the elimination of this funding

Force Account Increases (Not in HB 1 - just an update)

Discussions are continuing between the Ohio County Engineers Association and the Ohio Contractors Association. A tentative agreement has been reached, which could be included in an omnibus amendment to HB 1 this week, that would increase force account limits by 25%. For roads and bridges, there will be an annual index of up to 4% per year for 5 years. In addition, an alternative option for force account work will be included. This is a proposal that the Contractors have put forth called "Scope of Work". These are not intended to be the final changes to the force account law but the hope is that these changes will give all parties something they want, and that between now and the conference committee, all interested parties can continue to negotiate changes to force account laws that we all support, and put those changes in the conference committee report. We will update you as additional information becomes available.

OTA supports increasing the force account limits for townships

Grade Separators

Included in the Senate version of HB 1 is language that makes the Ohio Turnpike Commission responsible for major maintenance and repair and replacement of grade separations at intersections of any turnpike project with county and township roads. It also specifies that the governmental entity with jurisdiction over the county or township road is responsible for routine maintenance of grade separations. This language is HB 131.

OTA supports the inclusion of this language

Abating Nuisance

While townships have the authority to abate nuisances pursuant to RC 505.87, municipalities and counties have the ability to initiate a civil action in certain courts for nuisance abatement. Language was included in the Senate version of HB 1 which would authorize a township to be included among the current entities allowed to initiate a public nuisance action under the Public Nuisance Law, Chapter 3767 and provides that nothing in this provision of law authorizing the initiation of a civil action to abate a public nuisance shall be construed to limit or prohibit a municipal corporation or township that has adopted an ordinance or resolution to participate in the fire loss claims program from receiving insurance proceeds under the program.

OTA supports the inclusion of this language

Heidi M. Fought
Director of Governmental Affairs
Ohio Township Association
6500 Taylor Road, Suite A
Blacklick, OH 43004
(614) 863-0045
(614) 863-9751 Fax

NOTICE: This electronic mail transmission is for the use of the named individual or entity to which it is directed and may contain information that is privileged or confidential. It is not to be transmitted to or received by anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It is not to be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, delete it from your system without copying or forwarding it, and notify the sender of the error by replying via e-mail or by calling the Ohio Township Association at (614) 863-0045 so that our address record can be corrected.