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## Legislative Update

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MONDAY, FEBRUARY 23 2009

### **GOVERNORS PLEDGE TO COOPERATE ON FISCAL STABILITY; \$15B MEDICAID FUNDS TO BE RELEASED**

WASHINGTON - Governors emerged from a meeting Monday with President Barack Obama pledging to make wise use of their portion of the \$787 billion stimulus funds coming their way, and to deal with their own problems without waiting for further help. The first \$15 billion of that will be released Wednesday to help states with their Medicaid programs.

The president, convening a fiscal stability summit, also released further details of his plan to cut the deficit in half by the end of his first term, something he said is required in order to avoid a subsequent crisis.

Mr. Obama, who announced Vice President Joe Biden will oversee implementation of the stimulus funds, said the Medicaid money "is not a blank check. This money is intended to go directly to help struggling Americans keep their health care coverage."

Ohio's website to track the use of the stimulus funds was singled out along with a handful of others by Mr. Obama, who urged all states to follow suit so voters can be assured the entire stimulus money is being used effectively.

Governor Ted Strickland said the main message of the meeting was to cooperate to get people back to work and the economy rejuvenated.

As for Ohio's process of reviewing plans for using the stimulus funds, he said meetings are held frequently with leaders of both parties. "It has been very bipartisan. We just want to do it right," he said.

Michigan Governor Jennifer Granholm welcomed the quick action. "The sooner the better is what we keep saying," she said on a mid-day appearance on MSNBC. As soon as we are able to get these funds, the sooner we'll be able to deploy them in a reasonable, rational manner."

Ms. Granholm and other governors said the discussion with the president about the stimulus, health care, housing and the economy were frank, and noted Mr. Obama acknowledged genuine differences about implementing the aid. But the president also expressed doubt that governors are engaging in an honest discussion by dwelling too much on more unemployment benefits, which some Republicans are refusing because of the strings attached.

"I think there are some very legitimate concerns on the part of some about the sustainability of expanding unemployment insurance," the president said. "What hasn't been noted is that that is \$7 billion of a \$787 billion program. And it's not even the majority of the expansion of unemployment insurance. If we agree on 90 percent of this stuff, and we're spending all our time on television arguing about 1, 2, 3 percent of the spending in this thing, and somehow it's being characterized in broad brush as wasteful spending, that starts sounding more like politics. And that's what right now we don't have time to do."

While saying the governors' meeting with the president was a positive meeting overall, Mr. Strickland remained critical of those objecting to the unemployment aid because it would establish an obligation they cannot afford to continue. Some of the funds would increase benefits and others would go to part-time workers who've lost their jobs.

"No one has to take the money, but people are hurting," Mr. Strickland said. "What's the big deal? We should use the resources to help people who need it now. If

Mississippi Governor Haley Barbour, one of the Republicans who announced their intention to refuse part of the money, stressed his disagreement is over a small part of what the state is to get and blamed the media for over blowing the dispute.

"The unemployment boost would require us to raise taxes in two years and I am not going to raise taxes on our businesses," he said.

Still, Mr. Barbour did express his appreciation for the stabilization aid the measure does provide to the states. And he said the president's main concern - to keep the focus on the overall goal - is a good one. "Most things in there, there will not be any significant disagreement about," he said.

NGA Chair Governor Ed Rendell of Pennsylvania, a Democrat, said all the governors agree that they have an obligation to spend the money effectively, wisely and efficiently. "The American people are looking for a sign of hope and that will happen when the stimulus begins to roll out," he said.

Mr. Rendell, who would have preferred more funds in the stimulus bill for infrastructure, said it is too early to tell whether a second one will be needed down the road, especially given state deficit problems across the country. But he said he and other governors understand that is their own responsibility without having to look again to Washington.

"Let's see how this works first," he said.

Opening the fiscal responsibility summit, Mr. Obama said he is embarking on both a short-term strategy that does mean adding to the deficit and a long-term strategy to halve it in four years.

"These are extraordinary measures and they will come at a cost," he said. "I also want to make clear. We cannot and will not sustain deficits like this without end. That means taking responsibility now and getting spending under control."

Some governors are skeptical of the administration accomplishing the deficit-reduction goal in light of the long term turnaround expected from the economy and rising health care costs. And, Mr. Obama did call the health care issue the single most important challenge in solving long-term fiscal responsibility.

Ms. Granholm expressed confidence that the shifts in spending priorities that the deficit reduction plan will mean will not hurt Michigan. "He's got to do what he's got to do," she said. "I am confident that his values and priorities are aligned with ours."

Mr. Strickland expressed similar confidence as "a governor who is willing to make tough decisions" to deal with his own state's budget problems. "I am a governor who has avoided raising taxes in Ohio. I will use our resources to manage things in wise ways," he said.

### **EARLY BILL INTRODUCTIONS SHOW HOUSE DEMOCRATS CAUTIOUS WITH CONTROVERSIAL LEGISLATION**

House Democrats, who finally gained the upper hand in the lower chamber this year, have been relatively restrained in their legislative offerings since announcing their initial 13 priority measures earlier this month. As of Monday, the 33-member Senate is off to a much faster start in terms of bill introductions than the 99-member House. The upper chamber, which won't be burdened by deliberations over the biennial budget until later in the spring, has produced a total of 55 measures compared to 39 in the lower chamber.

Despite more than a decade and a half in the minority, newly empowered House Democrats appear to be choosing their legislation carefully in the weeks following the release of their priority issues. Speaker Armond Budish (D-Beachwood) and other caucus leaders are in the process of reviewing and prioritizing bills "that are most responsive to the concerns of everyday Ohioans," according to spokesman Keary McCarthy.

"We are also preparing for a very significant budget proposal and an education reform plan, which we expect to be introduced in the House this week," he added.

House Majority Leader Jennifer Garrison (D-Marietta) said recently that the caucus was reviewing past proposals that floundered under Republican rule to determine which would be appropriate for reintroduction this session.

Many of the caucus' proposals so far appear to avoid the more controversial subjects that have fueled partisan tensions in the past, with a few notable exceptions. For example, Rep. Clayton Luckie (D-Dayton) introduced a bill (HB 21) that would likely draw opposition from charter schools. The measure, which is scheduled for a hearing before the House Education Committee Tuesday, would permit school districts to stop transporting high school students that attend community schools.

Several measures sponsored by members of the new House majority address changes to government operations. Rep. Steve Dyer (D-Green) sponsored a proposal (HB 37) to create an online database of companies that bid for a government contract, but lost because they were found not to be "responsible" under the "responsive and responsible" standard for competitive bidding. In addition, the bill would require public entities to conduct investigations when apparent low bidders are suspected of failing or fail to meet the threshold.

Another of Rep. Dyer's proposals (HB 36) would require expanded minutes for legislative committee meetings or a transcribed record in lieu of minutes as well as sworn testimony of all witnesses testifying before legislative committees.

Rep. Lorraine Fende (D-Willowick) introduced a bill (HB 22) that would authorize public entities to limit the number of bulk data requests and to charge fees to cover costs associated with complying with the requests and redacting certain information.

For their part, Republicans have proposed some changes to government operations that are far more drastic in scope. Rep. John Adams (R-Sidney) sponsored a bill (HB 25) that would consolidate 24 cabinet departments and more than 300 boards and commissions into 11 core agencies to eliminate about 11,000 state employees and save about \$1 billion a year. A companion measure (SB 52) is pending in the Senate.

Several Democratic bills in both chambers attempt to tackle various aspects of the foreclosure crisis. The House caucus tabbed two proposals (HB 3; HB 9) with priority status, while Democrats in the Senate have introduced separate legislation. Sen. Dale Miller (D-Cleveland) proposed creation of a residential foreclosure tracking system and requiring the Department of Commerce to prepare an annual report on foreclosure filings and sales in each county (SB 53).

### **LAWMAKERS TO CONTINUE CANCER CAUCUS IN NEW SESSION**

A special legislative caucus created to focus on cancer-related issues will continue into the new session with Rep. Eugene Miller of Cleveland as chairman, the House announced Monday.

Rep. Miller has been asked to lead the effort by House Speaker Armond Budish (D-Beachwood).

"I am proud to serve as chairman of the Cancer Caucus," Rep. Miller said in a statement. "This group is a powerful force in advocating for cancer research and awareness, especially as it relates to possible legislation."

In previous meetings, caucus members have heard presentations from cancer patients, survivors, researchers and others about the disease, screening options and treatment strategies.

Some areas of discussion have served as precursors for the enactment of related legislation.

The first caucus meeting for the new session is set for 8 a.m., Wednesday, March 18 in Room 017 of the Statehouse. At that meeting, representatives of the American Cancer Society will speak about colorectal cancer and malignant melanoma.

Rep. Miller said the disease affects all Ohioans. "Cancer knows no party affiliation, color, age or gender - only the infliction of pain and suffering on its victims," he said. "It affects us all, and we need to promote good public policy to save lives and eventually find a cure."

TUESDAY, FEBRUARY 24 2009

### **PARTISAN RIFT EVIDENT OVER BWC DRUG FREE PLANS, GOP AMENDMENTS TO BUREAU BUDGET; GROUP RATING DEBATED**

Majority Democrats tabled several House GOP amendments to preserve Drug Free Workplace programs and limit other changes at the Bureau of Workers' Compensation during a hearing on the agency's budget Tuesday.

After unanimously adopting several changes to the BWC's biennial spending plan (HB 15), members of the House Insurance Committee split along party lines in rejecting Republicans' amendments.

Action on the measure will be delayed until the Workers' Compensation Council has time to review it and make recommendations, according to Chairman Dan Dodd (D-Licking Twp.). The next regularly scheduled meeting is Mar. 11.

He said the new House appointments to the council made Tuesday were: Rep. Dodd; Rep. Tom Letson (D-Warren); and Rep. Lynn Wachtmann (R-Napoleon).

Rep. Jay Hottinger (R-Newark) offered an amendment that would have blocked the bureau from eliminating or revising Drug Free Workplace programs for two years. Republicans expressed alarm last week that BWC staff recommended the board eliminate discounts associated with the initiatives.

"These two programs are exceedingly and extraordinarily important and popular to the business community," he said about the programs that offer reduced rates to companies that implement certain measures designed to prevent substance abuse among employees. "Its important to business community that we provide an incentive."

Rep. Matthew Dolan (R-Novelty) was critical of Democrats' decision to table the amendment.

"It's surprising to me that Democrats would be against maintaining a drug free workplace," he said after the hearing.

"The majority of the amendments that did pass were initiated by Republicans and the Democrats seized on the good ideas," he said. "That's part of being in the majority too."

Rep. Letson said the BWC Board of Directors just agreed to impose a one-year moratorium on any changes to the Drug Free Workplace programs last week.

"We don't want to, in any sense, give the impression that we do not want a drug-free workplace. We believe that it's a valuable idea. It's just that there may be other methods to promote that idea than this particular program," he said in an interview.

A recent independent study questioned whether the drug-free programs were cost effective in their current form, he said.

In addition, his caucus was hesitant to insert the programs into law, Rep. Letson said, noting they are currently implemented through the agency's rules. "I personally don't think they should become a creature of statute, even by this backdoor method, because once you put them in a statute they're going to be there for awhile."

Majority Democrats also blocked GOP amendments to require the bureau issue one-year notice before adopting any rules that would change premium rates for employers and prohibit BWC from charging higher rates when a worker is injured by a third party.

The panel unanimously adopted several amendments, including an appropriation for the Workers' Compensation Council that Chairman Dodd said was inadvertently omitted from the original bill.

He said the change appropriates \$471,200 each year of the biennium for the council and increases funding for the worker's compensation fraud unit to \$828,200, he said.

Rep. Letson said additional amendments will: ensure that the workers' compensation surplus fund has a "revenue neutral" position; include the Workers' Compensation Council in distribution lists; and correct an oversight that could allow for a newly appointed member of the BWC Board of Directors to start their term prior to the expiration of their predecessor's term.

Chairman Dodd won unanimous support for a rider that he said would codify currently uncodified billing provisions for the deputy inspector general.

**Committee Testimony:** Prior to consideration of the amendments, the panel heard testimony from Drug Free Solutions President Marty Herf, who oversaw implementation of Drug Free Workplace programs when he was chief risk officer at the BWC.

Substance abuse among employees drives up insurance and workers' compensation costs since workers with drug problems are far more likely to file a claim, he said.

Research shows that drug free workplace programs reduce accidents, he added, citing a study showing the average construction company experiences a 51% reduction in its injury rate within two years of implementing a program.

"It's not what BWC will get, but what they won't get - claims.... Fewer and less costly claims is good for both employers and BWC," he said. "Ohio needs to promote and improve its Drug Free Workplace model, not remove incentive to Ohio employers to promote safety in their workplaces."

**Group Rating Controversy:** Shortly after a coalition of business groups objected to proposed changes in the BWC's group rating program, another organization expressed support for staff's recommendation to overhaul the system.

In a letter to the BWC Board of Directors, the group, wevehadenough.net, said the proposed changes were long overdue.

"We understand that a self-appointed group of trade associates and third-party administrators have once again attempted to interfere with the planned improvements, purporting to represent the employer community. They do not," the letter says about the coalition objecting to the changes.

"They represent the interests of group sponsors and TPAs, who have long benefited from the current dysfunctional group rating plan, which by the BWC's own admission, grants undeserved discounts to group participants and unfairly overcharges non-group employers," wevehadenough.net Executive Director Connie Nahra writes.

Numerous studies have concluded that the group rating program has no effect on loss frequency or severity, she said. "The fact is that the group rating program excessively rewards random good fortune and excessively penalizes random bad fortune."

Ms. Nahra also says the coalition's objection that employers were not allowed sufficient time to review proposed changes is "nonsense" and urges the board to implement the proposal.

"In the end, the group sponsors are making a thinly veiled effort to delay implementation of corrective action, and thereby "run out the clock" on yet another policy year," she said. "They are shamelessly making this effort because the huge, undeserved discounts enjoyed by group rated employers at the expense of non-group employers, continue to be the single greatest marketing tool ever handed to Ohio trade associations."

### **REQUESTS FOR FEDERAL STIMULUS MONEY POUR INTO GOVERNOR'S WEBSITE**

From reopening a village grocery in Adams County to building interstate bridges in Cuyahoga County, a list Gov. Ted Strickland's office released Tuesday showed no shortage of ideas for spending federal stimulus cash.

At least 7,495 proposals have been submitted through a government website thus far from local governments, corporations and individuals seeking money for an array of projects. Amounts requested range from thousands to millions of dollars.

One of smaller proposals would use \$360,000 in federal funds to refurbish and reopen a neighborhood grocery/gas station in Adams County. Sponsors said it would provide four to seven jobs in an "economically challenged" Appalachian village "with very few similar services."

At the higher end is a proposal from the City of Cleveland for \$200 million to complete construction of one or two high level bridges to carry traffic from Interstate 90 across the Cuyahoga River Valley.

In Washington County, a private firm wants \$200 million to install a new biomass fueled steam-electric cogeneration unit in Belpre. A tiny sampling of other projects: \$110 million to help build a rail transit line in Cincinnati; \$50 million for rapid transit and development in Warrensville/Van Aken; and \$31 million for construction of a reservoir and pump station in Allen County. Mr. Strickland's office unveiled "a sortable, searchable excel spreadsheet" of all the requests received, and underscored that none of them has been approved.

"The fact that a project has been submitted to the website by an entity and appears on this list of requests - including projects submitted by state entities - in no way means that the project is slated to receive funding. No funding decisions have been made regarding the use of state managed formula federal stimulus funds," the office said.

The current submissions list was last updated Monday. Amanda Wurst, the governor's press secretary, said there is no cut off date at this point for accepting proposals.

"They are going to the appropriate state agency so the state agency can do the appropriate follow-up," she said. "We're continuing to analyze the final version of the (stimulus) bill and make sure we can take advantage of every opportunity available to us."

### **DP&L RATE AGREEMENT LIMITS PRICE HIKES**

Dayton Power & Light customers would see modest increases in their electric rates over the next three years under terms of a rate-setting agreement filed Tuesday with state utility regulators.

The stipulation, signed by the utility, representatives of residential consumers and others, extends the company's current rate plan through 2012, with a handful of adjustments.

Under the proposed Electric Security Plan, the typical residential consumer's rates will move from \$88.92 per month this spring to \$94 per month by 2012, according to a coalition of consumer and environmental advocates.

"We believe this ESP agreement provides stability for both DP&L and its customers, limiting increases in rates over the next four years," said Paul Barbas, DPL President and Chief Executive Officer. "Additionally, the ESP enables the Company to implement energy efficiency programs which will assist customers in managing and reducing their energy costs."

The plan, which is needs approval from the Public Utilities Commission of Ohio, calls on the company to follow the terms of law regarding advanced energy and energy efficiency and freezes distribution rates through 2012.

Consumer and environmental groups also welcomed the agreement.

"We were pleased to put in place a plan that will limit rate increases through 2012," Consumers' Counsel Janine Migden-Ostrander said. "Coupled with energy efficiency measures, consumers who take advantage of this cheapest alternative to new generation may see decreases in their electric bills."

Sierra Club energy advisor Ned Ford said the company negotiated in good faith. "The strong agreement in this case will allow DP&L and its customers to move forward with the energy efficiency and renewable energy resources required under SB 221 in a way which will save customers money and increase environmental benefit," he said.

The plan creates an economic development rider that begins at no cost to customers. Any arrangement that calls for related discounts will be negotiated separately.

The PUCO staff, Industrial Energy Users-Ohio, Ohio Partners for Affordable Energy, Edgemont Neighborhood Coalition, Dominion Retail, The Kroger Company, Ohio Manufacturers' Association, Ohio Hospital Association, City of Dayton, Constellation NewEnergy, Honda of America, and others, signed the stipulation.

### **INTRODUCED IN THE HOUSE**

HB 42 BEAVER DAMS (Evans) To establish requirements and procedures for the removal of beaver dams and beavers as ordered by boards of township trustees. Am.. 505.99, 1531.02, 505.872, 505.873, 505.874, 505.875, and 505.876.

### **REFERRED TO HOUSE COMMITTEE**

#### **Commerce & Labor:**

HB 32 COMPETITIVE BIDDING (Ruhl) To increase the competitive bidding threshold for contracts entered into by a board of park trustees for certain municipal park improvements.

HB 37 COMPETITIVE BIDDING (Dyer) To require the Department of Administrative Services to maintain a web site database including apparent low bidders who failed to be awarded a contract because they were found not to be "responsible," and to require public entities to conduct investigations when apparent low bidders are suspected of failing or fail to meet the "responsible" prong of the "responsive and responsible" competitive bidding threshold.

#### **Elections & Ethics:**

HB 28 SHERIFF QUALIFICATIONS (Gerberry) To change the education and experience requirements necessary for eligibility to be a candidate for the office of sheriff.

#### **Financial Institutions, Real Estate & Securities:**

HB 30 RETIREMENT INCENTIVES (Combs) To require an analysis of each proposed retirement incentive plan for Public Employees Retirement System members and to prohibit a member who participates in such a retirement incentive plan from being re-employed by the same employer.

#### **State Government:**

HB 36 LEGISLATIVE MEETINGS (Dyer) To require expanded minutes for legislative committee meetings or a transcribed record of committee proceedings in lieu of minutes, and to require sworn testimony of all witnesses testifying before legislative committees.

### **HOUSE COMMITTEE HEARING**

#### **Finance & Appropriations**

HB 2 TRANSPORTATION BUDGET (Ujvagi) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of those programs. (2nd Hearing-All testimony-Possible substitute & amendments)

#### **CONTINUED**

HB 1 STATE BUDGET (Sykes) To make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of state programs.

#### **CONTINUED-SUBSTITUTE (See separate story)**

#### **Insurance**

HB 15 BWC BUDGET (Sykes) To create the Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission Fund; to make other changes to the Workers' Compensation Law; to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2009, and ending June 30, 2011; and to provide authorization and conditions for the operation of the Bureau's programs. (3rd Hearing-All testimony-Possible amendments & vote)

#### **CONTINUED-AMENDED**

HB 16 INDUSTRIAL COMMISSION BUDGET (Sykes) To make appropriations for the Industrial Commission for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of Commission programs. Full Text (3rd Hearing-All testimony-Possible amendments & vote)  
CONTINUED (No testimony)

### **INTRODUCED IN THE SENATE**

SJR 2 HEALTH CARE (Coughlin) Proposing to enact Section 43 of Article II of the Constitution of the State of Ohio to prohibit the General Assembly from enacting certain laws regarding health care.

### **COMMITTEE HEARING**

#### **State & Local Government & Veterans Affairs**

SB 7 FRAUD REPORTING (Wagoner) To require the Auditor of State to establish a fraud-reporting system for residents and public employees to file anonymous complaints of fraud and misuse of public funds by public offices or officials. (1st Hearing-Sponsor)  
CONTINUED

#### **Finance & Financial Institutions**

SB 18 ENVIRONMENTAL FINES (Gibbs) To require the proceeds of fines paid by certain political subdivisions under environmental laws to be expended by the state in the county that incurred the fine or in which the political subdivision that incurred the fine is located and to require the proceeds of fines paid by private entities under environmental laws to be deposited in the General Revenue Fund. (1st Hearing-Sponsor)  
CONTINUED

Sen. Gibbs said in sponsor testimony that the bill was inspired by fines that the Ohio Environmental Protection Agency levied on a public and private entity in his district over sewage treatment regulations.

The first component of the bill, he said, would require that OEPA fines levied on counties, municipal corporations or townships "be expended back within the entity that was fined towards environmental programs. The second component requires any fines levied against a private sector entity...be credited to the general revenue fund" rather than the agency's budget, he said.

Sen. Gibbs said both fines came "years" after the violations. In the case of the county, OEPA filed for a contempt of court ruling because the county was only 98% in compliance, he said. "This caused great concern for my district because the EPA would be hard-pressed to find any treatment plant in 100% compliance consistently and this legal action was a complete surprise."

A similar situation arose with a food manufacturing plant, Sen. Gibbs said. In both instances, settlements were proposed but rejected by OEPA.

"It appears the EPA was focused only on improving their own financial resources while diminishing the local resources and increasing the burden for a business to thrive and prosper," he said.

Responding to a question from Sen. Miller, the sponsor said the agency's behavior in these circumstances, which he surmised are not isolated incidents, was akin to a "small town cop" writing tickets to bolster revenue. "I think it's an abuse of power," he said.

Sen. Smith asked whether mediation, rather than legislation, was the right course. Sen. Gibbs said in both cases the entities "bent over backwards" to work with OEPA only to face lawsuits years down the road.

Chairman Carey said the measure addresses the policy issue of potential conflicts that result with an agency that has fine authority and in turn pays for its operations with fines.

Sen. Seitz said that if fines are curbed, then policymakers face the choice of an agency needing more GRF or fees to operate.

SB 53 FORECLOSURE TRACKING (Miller, D.) To require the Director of Commerce to establish a residential foreclosure tracking system and prepare an annual report on residential foreclosure filings and sales in each county. (1st Hearing-Sponsor)  
CONTINUED

Sponsor Sen. Dale Miller said the purpose of his bill "is to create an organized registry and tracking system for foreclosures of residential properties in Ohio by mortgage holders."

"The foreclosure crisis is one of the most important problems facing the United States and the State of Ohio in particular. We all know that whatever gets measured has more attention paid to it," he said. "By creating this foreclosure registry, we will be better able to track our progress in dealing with home foreclosures and we will give legislators and the administration the informational tools they need to make effective policy in dealing with the foreclosure crisis."

Sen. Miller said the current system is "fragmented and depends on the compilation of data from multiple sources. In particular, currently available data on foreclosures can contain duplicated information...."

In response to a question from the chairman, Sen. Miller said the Department of Commerce is reviewing his proposal but has yet to weigh in on it.

SB 1 REVITALIZATION DEBT AUTHORITY (Hughes) To implement the additional debt for conservation and revitalization programs provided by Section 2q of Article VIII of the Ohio Constitution, to authorize the issuance of that debt, to make new appropriations for the purpose of continuing programs established by Am. Sub. H.B. 554 of the 127th General Assembly, the Bipartisan Job Stimulus Act, and to declare an emergency. (3rd Hearing-All testimony-Possible substitute, amendments & vote)

CONTINUED (No testimony)

Chairman Carey said he planned to process the measure in time for a possible Tuesday floor vote next week.

SB 2 FEDERAL STIMULUS FUNDING (Carey) To provide for the distribution of moneys received by the state from the federal American Recovery and Reinvestment Act of 2009 by making appropriations and to declare an emergency. (3rd Hearing-All testimony-Possible substitute, amendments & vote)

CONTINUED (No testimony)

WEDNESDAY, FEBRUARY 25 2009

### **NEW BIENNIUM BUDGET PLAN ENTAILS LESS IN GRF, BUT \$1 BILLION MORE IN ALL-FUNDS APPROPRIATIONS**

Late changes to the federal stimulus package will not result in cutbacks to Gov. Ted Strickland's biennium budget due to an increase in Medicaid spending, the House Finance & Appropriations Committee was told Wednesday.

Office of Budget and Management Director Pari Sabety said the revised plan (HB 1), as rolled out in bill form on Tuesday, entails increased appropriations, due in part to the availability of more matching entitlement funds from the federal government.

Including additional federal matching funds provided for Medicaid in the current year, the final federal stimulus bill provided \$135.7 million more for Ohio than OBM originally expected, Ms. Sabety said. Ohio is in line to get more than \$8.2 billion for a variety of government program areas from the \$787 billion federal stimulus package. All told, the administration proposes using more than \$5.8 billion in federal assistance to bolster all-funds state spending in FYs 2009-2011.

Under the changes the administration incorporated into the substitute version of the bill, the departments of Mental Health, Alcohol & Drug Addiction Services, and Mental Retardation & Developmental Disabilities receive additional Medicaid money while other programs remain at executive Blue Book levels. Because of the Medicaid-related shift, Mr. Strickland's plan for the upcoming biennium now entails roughly \$54.37 billion in general revenue fund appropriations versus about \$54.7 billion in the original, Blue Book version.

In terms of the all-funds budget, which includes the federal Medicaid component along with other non-GRF sources, the latest proposal would appropriate about \$121 billion over the biennium, according to an OBM special analysis of the final stimulus bill fund use in the state budget. The Blue Book version called for about \$120 billion in all-funds appropriations.

"Substitute House Bill 1 is a budget proposal that continues to invest in major priorities of the Strickland administration during an economic climate unlike any that we have seen in at least 50 years," Ms. Sabety said.

"We believe that this budget will help Ohio businesses and individuals to weather the storm. It will also position the state to emerge from this national downturn poised to once again be a major economic engine in the world. On a day when the Dow Jones average is about one-half the value of what it was one year ago, it is not the time to stick to business as usual."

"Now is the time to take decisive actions and make bold investments in what will benefit the state now and in the future," she said. "The federal stimulus helps provide Ohio with the resources to make those key investments."

Rep. Vernon Sykes (D-Akron), the House Finance chairman, questioned whether Ohio's "safety net" would remain intact under the plan. "We want to make sure there are no holes in our safety net" considering the dire economic times, he said.

Ms. Sabety responded that the administration attempted to ensure that the safety net was preserved in a general sense. "Let's be clear, we are in a time when more people are claiming unemployment than ever before" and other government services remain under pressure, she said. The OBM director continued to face questions from skeptical Republicans regarding the future sustainability of the plan because the proposal at had relies so much on one-time federal money and other nonrecurring revenue boosts.

In turn, Ms. Sabety continued to defend the administration's decision to accept the federal aid rather than raise taxes and make drastic cuts, dismissing criticisms of the governor in that regard as "Monday morning quarterbacking." She also reiterated that prior administrations, with the authorization of the legislature, had used significant sums of one-time money to fill out budgets.

Ms. Sabety said the latest plan deploys about \$5.5 billion in one-time funds, of which \$3.5 billion is in federal stimulus money.

Rep. Seth Morgan (R-Huber Heights) said, "The concern is if we refill the coffers...with state-raised money...we won't be able to maintain that level of service in the next biennium."

Rep. Bruce Goodwin (R-Defiance) later questioned how the state would deal with the budget two years from now "if the Monopoly money train stops in Washington."

Ms. Sabety said OBM's modeling indicates "growth and recovery" in the next biennium following the 2010-2011 biennium. She said revenues are projected to rise by \$1 billion in FYs 2012-2013, and that the current plan will provide for sustainability in the out years through a significant restructuring of the Medicaid entitlement, among other things.

### **DEMOCRATS TO UNVEIL SUBSTITUTE TRANSPORTATION BUDGET, AUTO TITLE FEE BOOST POSSIBLE; GOVERNOR'S PASSENGER TRAIN PLAN IN DISPUTE**

House Democrats planned to unveil a substitute \$7.5 billion transportation budget Thursday that gives Gov. Ted Strickland all he asked for - and more, such as a possible boost in vehicle title fees for clerks of courts.

Mr. Strickland's plan to revive conventional speed railroad passenger service along the "Three-C Corridor" of Cleveland-Columbus-Cincinnati remained a bone of contention with Republicans.

The House Finance & Appropriations Committee was scheduled to receive a substitute version of the two-year transportation-spending plan (HB 2) on Thursday.

A committee vote on the bill, along with an omnibus amendment, was expected next week, as was a House floor vote on the measure.

As introduced, the governor's proposal included a package of motor vehicle fee increases to raise \$106 million annually to offset funding shortfalls for the State Highway Patrol.

Democrats also were believed ready to include a boost in the \$5 title fee that court clerks now charge for autos, watercraft and recreational vehicles.

The Ohio Clerk of Courts Association asked legislators earlier this month for a \$10 adjustment that it said would "help to make all 88 counties solvent for the foreseeable future." The group pointed out that title fees have not increased in 16 years.

Rep. Ross McGregor (R-Springfield), the ranking minority member on the Finance Transportation and Justice Subcommittee, said Republicans were not trying to derail the governor's railroad plan.

"I think that we are concerned that - pardon the pun - the train is moving too fast regarding the reintroduction of passenger rail service," he said.

Rep. McGregor said Republicans would prefer to first see results of a study Amtrak is conducting for the state.

"What we would like to see is the completion of that study prior to expending resources on instituting passenger rail. We just think that's a prudent thing to do," he said in an interview.

"It's not trying to be obstructionist or say it's not a good idea. But when you're talking about this kind of money you really need to have a firm grasp on the detail," he said.

Rep. McGregor said the Ohio Department of Transportation has acknowledged that a passenger rail system would require an ongoing subsidy, but the amount is undetermined. "It could be a deal breaker," he said.

## **HOUSE COMMITTEE HEARING**

### **Housing & Urban Revitalization**

HB 3 HOME FORECLOSURES (Foley, Driehaus) To address the current mortgage foreclosure crisis. (1st Hearing-Sponsor-Possible substitute)

#### **CONTINUED**

Three witnesses provided testimony to the committee regarding a bill that seeks to offer both assistance and regulation for businesses and individuals involved in the current home foreclosure crisis.

The bill contains many provisions aimed at both lenders and borrowers, including increased filing fees, a six-month moratorium on foreclosure, and a provision that allows delinquent homeowners to remain in their homes pending the resale of the property.

Mike Adelman, vice president of state government relations at the Ohio Bankers League, opposed the six-month moratorium placed on home foreclosures. Mr. Adelman said some individuals eager to get out of a bad mortgage would not be able to do so under this provision.

"More banks will fall behind with the strain on lending," he said. "We must find a solution without punishing banks. Our process is already considerably longer than that of other states."

Supporters of the moratorium argue that the measure allows time for homeowners to take advantage of new programs and rules established by the federal government.

"Government help could be a long time away, and we don't know where the money will go," Mr. Adelman said. "I don't understand the 'magic' of the six-month figure."

Mr. Adelman also expressed his opposition to the proposed \$1,500 filing fee. "The tax would be a penalty on banks for situations out of their control, driving up the cost of future lending."

Paul Bellamy, Director of the Cuyahoga County Foreclosure Prevention Program, said indiscriminate foreclosure was reducing the viability of Ohio state and local economies. "Aggregated wealth is needlessly evaporating under the stress of the current, often irrational, foreclosure practices," he said.

He also described the snowball effect that is created for a neighborhood when houses begin to foreclose quickly, driving down the value of the remaining homes. "Ohio needs to cease this lose-lose process," he said.

The committee also heard testimony from Bill Faith, Director of the Housing and Homelessness Coalition of Ohio. He expressed his support of the proposed measures that would allow Ohioans to remain in their homes.

"The cumulative effect has wreaked havoc on our communities," he said. "We must provide assistance to keep houses occupied."

### **State Government**

HB 22 BULK DATA REQUESTS (Fende) To authorizes public offices to limit the number of bulk data requests, impose charges to cover the actual costs associated with bulk data requests, and charge for the cost of redacting certain information. (1st Hearing-Sponsor)

#### **CONTINUED**

Rep. Fende said the bill provides a mechanism to help local governments respond to bulk data requests filed by national data warehouse companies that frequently ask for scores of documents. She noted that the bill is not intended to impact the news media's ability to obtain government documents.

Rep. Fende said some companies file requests for countless documents, only to sell them to clients. The process, she said, creates "an enormous injustice" for local governments and taxpayers who finance the operations. She said the process brings significant costs for impacted governments, which often have to purchase software and add staff to meet the requests.

Rep. Fende said the bill defines a "bulk" request as one that seeks 50 images or more. She also said she is looking for a way to adjust the bill to accommodate the news media's need to obtain documents.

Rep. Lundy said he didn't want bill to create a new obstacle for the media to obtain records. He also observed that companies might seek a way around the law by designating a staff member as a reporter for their websites.

The sponsor noted that some officials have indicated that people have requested stacks of documents that have never been picked up. Rep. Stewart suggested that governments could bill requestors up front for documents that would be provided later. "That seems like sort of a fair trade," he said.

### **Economic Development**

HR 20 CITIES TASK FORCE (Patten) To create the Compact With Ohio Cities Task Force to help cities compete for residents and jobs, and to stimulate economic growth. (1st Hearing-Sponsor)  
SCHEDULED BUT NOT HEARD (Sponsor request)

### **Finance & Appropriations**

HB 1 STATE BUDGET (Sykes) To make operating appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of state programs. (OBM)  
CONTINUED

HB 2 TRANSPORTATION BUDGET (Ujvagi) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of those programs. (3rd Hearing-All testimony-Possible substitute, amendments & vote)  
CONTINUED

THURSDAY, FEBRUARY 26 2009

### **DEMOCRATS' TRANSPORTATION BUDGET ADDS \$26 MILLION IN FEES, EXPANDS RAIL STUDY, MODIFIES SEAT BELT, SPEED CAMS**

House Democrats introduced a substitute version of Gov. Ted Strickland's \$7.5 billion transportation budget Thursday that retains and in some cases expands his proposals for fee boosts, passenger trains, speed cameras, and other initiatives.

The House Finance & Appropriations Committee accepted the sub measure (HB 2) without objection, clearing the way for votes next week in the panel and on the House floor.

However, subsequent questions from committee members reflected a partisan policy split over Mr. Strickland's plan to revive conventional speed passenger train service on a Cleveland-Columbus-Dayton-Cincinnati route.

The bill would authorize the Ohio Department of Transportation and Ohio Rail Development Commission to spend anticipated federal stimulus money without having to return to the full General Assembly for approval.

In addition to the governor's recommended \$106 million in motor vehicle fee increases to help fund the State Highway Patrol, the substitute version would increase vehicle title fees that clerks of court charge.

The boost from the current \$5 to \$15 would generate an additional \$25.8 million a year to finance their title offices.

Among other changes, the House substitute would:

- Specify that a seat belt violation - which would become a primary offense - does not by itself constitute probable cause justifying authorities to search a vehicle.
- Require headlights of a vehicle to be lighted whenever windshield wipers are in use.
- Require civil citations for speeding from proposed camera systems along interstate construction zones to reflect the amount of the penalty, and the amount of the fee paid to the private company that operates the system.
- Add an additional member to the Ohio Rail Development Commission, a gubernatorial appointee to represent manufacturers.
- Require the transportation department and the rail commission to examine the financial and economic feasibility of developing a passenger rail system between Toledo and Columbus.
- Specify that adjustments to toll road systems, authorized in the bill, cannot be made without public notice and comment, and are subject to the administrative rules process.
- Require Transportation Innovation Authorities, created in the bill with power to charge tolls, to submit an annual audited financial report to the General Assembly.
- Restore part of an allowance for gasoline distributors and retailers that the governor proposed to eliminate. As a result, dealers would receive \$10.5 million annually, making the remaining \$43.5 million available for other purposes.

More changes in the bill, which includes budgets of the Department of Transportation and the Department of Public Safety, are coming next week.

House Finance Chairman Vernon Sykes (D-Toledo) said amendments - actual or conceptual - are due Monday at 9 a.m.

An omnibus amendment also is expected, with votes in the committee and on the House floor by the end of next week.

"The substitute bill is still a work in progress," Rep. Sykes said.

Legislators face a March 31 deadline for enacting the transportation budget, in order for it to take effect July 1.

The Republican-controlled Senate will start work on the bill even before it clears the House next week. The Senate Highways and Transportation Committee scheduled meetings next Wednesday and Thursday to discuss the spending plan.

House Republicans raised concern in initial questioning about what was not in the budget - specific financial details about the plan to restore passenger trains on the "Three-C Corridor," and to continue work on the Ohio HUB, multi-state high-speed rail system.

"I don't know how anybody can vote on this with no more information than we have," said Rep. Clyde Evans, (R-Rio Grande). "We don't know how much money it's going to cost to subsidize this."

Democrats said the state has to be able to move quickly in order to compete for federal infrastructure money.

Rep. Steve Dyer (D-Green) asked how long legislators have been talking about restoring passenger train routes.

Rep. Peter Ujvagi (D-Toledo) said discussion and study has been ongoing for at least 30 years, and recalled the strong advocacy for high-speed rail of the late Arthur Wilkowski, a Democratic representative from Toledo.

Rep. Dyer countered GOP concerns that the proposal was moving too quickly. "Perhaps we're not rushing into this," he said. "Perhaps we've waited too long."

Rep. Cheryl Grossman (R-Grove City) said she was not necessarily opposed to passenger rail, but that legislators needed to be as fiscally responsible as possible. "Show me the numbers. Show me the money," she said.

It has been 26 years since Ohio voters weighed in on the issue of high-speed rail. In the Nov. 2, 1982 election, they overwhelmingly rejected a penny increase in the state sales tax to build a system linking 13 cities.

And in the Nov. 4, 1975 election, voters turned down 65%-35% a constitutional amendment to permit the state to give or loan credit to assist federal corporations and state agencies for reorganization of rail systems.

FRIDAY, FEBRUARY 27 2009

### **OHIO UNEMPLOYMENT RATE SKYROCKETS TO 8.8%, HIGHEST IN MORE THAN 23 YEARS, ODJFS REPORTS**

The state's unemployment rate soared to 8.8% in January from a revised rate of 7.4% the month before, the Department of Job & Family Services reported Friday.

The reading reflected the biggest one-month jump in nearly 29 years and is the highest rate since November 1985, ODJFS spokesman Brian Harter said.

Ohio's employment dropped by 59,700 in January to 5,212,200. The agency said the number of unemployed is up 181,000 in the past 12 months to 524,000.

"Ohio's labor market showed continued decline in January," ODJFS Director Douglas Lumpkin said in a news release. Job loss went up in both goods-producing and service-providing industries.

The U.S. unemployment rate for January was 7.6%, which was an increase of 0.4% from December.

Mr. Harter said January has historically been a month in which unemployment has increased due to employment trends tied to the holiday shopping season. This year, the situation turned for the worse as major employers slashed thousands of positions.

Last month's huge jump was fueled by the rash of job shedding, including the fallout from DHL's decision to abandon its shipping operations in the state, that Ohio has seen over the last several months, he said. "A lot of the numbers from the Wilmington area are starting to come in."

In a further sign of that concerning cycle, Mr. Harter said initial claims for unemployment benefits, or filings by people who have never been in the system, increased 70.9% last month compared to January 2008.

January's reading was the highest since the state reported an 8.9% rate more than 23 years ago, according to ODJFS. The last time the unemployment rate jumped so high was in May of 1980, when it went to 9.3% from 7.2% in April.

Ohio's unemployment rate last hit double figures with a 10.1% reading in January 1984, according to agency data.

The state's unemployment report coincided with more bad news on the national economic front, as the U.S. Bureau of Economic Analysis announced Friday that the gross domestic product shrank faster than expected in the last quarter of 2008.

The GDP shrinkage, at a revised preliminary annual rate of 6.2% according to the BEA report, was the largest since the recession of the early 1980s.

### **HOUSE COMMITTEE CHAIRMAN CHECKS INTO POTENTIAL LIMITS ON BANKING FEES**

As the legislature gears up for another debate over regulating payday lenders, a new Democratic House committee chairman wants to try and rein in the various fees that banks charge their customers.

House Financial Institutions, Real Estate & Securities Chairman Joe Koziura (D-Lorain) said in a recent interview that banks were gouging consumers through continually increasing fees and penalties for cashing checks, overdraft charges, bounced checks, ATM use, and a whole range of basic services.

"If this committee hears payday lending again, I'd like to explore the fees they're charging," he said. "I think that needs just as much the light of day as payday lending does."

The bank fee issue should go hand in hand with any legislative attempt to address the high fees that payday lenders are charging because the high cost of banking is driving low-income consumers to other types of lenders, he said.

"These are working poor, these are not people who are on welfare or something. These are people who are working. They go to a bank, the bank won't cash their check for them, the bank won't give them a loan - there's something wrong with that," he said.

Efforts to limit bank fees at the state level could be constrained by federal law that has jurisdiction over much of the industry. However Chairman Koziura said he was in the process of studying what the state can do to address the issue.

Asked about potential Republican opposition to legislation regulating banking practices, Chairman Koziura said, "Oh, they always worry about banks. I don't worry about banks. I like to see banks healthy and doing well in Ohio, but they ought to treat people fair too."

Michael Adelman, vice president of state government relations for the Ohio Bankers League, said any attempt to limit bank fees would run contrary to the administration's efforts to boost economic development in the state.

"We want Ohio to be business-friendly, we want Ohio to be a destination state for jobs. I think this really flies in the face of what the governor is shooting for," he said.

"Is there an expectation that service should be free? Certainly it costs money to run a bank," he said. "This is a big surprise and I think that's a concern if it's coming from the chairman."

Roughly half of the banks in the state, about 130, are state-chartered institutions that are regulated by the Ohio Department of Commerce, he said. So there could be some latitude for the state to regulate their banking fees.

"I think it's really problematic if you're now looking to tell a state chartered bank, 'Hey, you can't charge for X,' but the competitor next door or across the street can," Mr. Adelman said. "I look forward to some good spirited debate on this issue."

Bill Faith, executive director of the Coalition on Homelessness and Housing in Ohio, which led the charge against payday lending last session, said he welcomed any attempt to crack down on banking fees.

"Banks, over last decade or more, banks have really jacked up all sorts of fees," he said. "You got to conclude that they're gouging people. There's no doubt about it."

However, he questioned whether the state would have jurisdiction over the institutions' fee practices. "The reality is, I don't know how well you could get at them."

### **STATE SETS MARCH 3 DEADLINE FOR TRANSPORTATION STIMULUS FUND REQUESTS; BAILOUT CASH ARRIVES IN OHIO**

Already swamped by thousands of requests for billions of dollars in transportation projects, Gov. Ted Strickland's administration has set a deadline of Tuesday, March 3 for further submissions.

The governor's office on Friday released an update for the processing of the transportation and Federal Highway Administration resources based on FHA's announcement late Thursday that state submissions for those stimulus funds are due by March 17.

Ohio is set to receive an estimated \$774 million in such funds. As of Tuesday, the administration's Recovery.ohio.gov website had received some 7,500 project requests.. By Friday, that number had swelled to more than 12,200. More information on the timeline for processing the requests is available on the website.

"The transportation funds will help to position Ohio for growth today and economic progress tomorrow," Gov. Strickland said in a news release. "We are grateful for the opportunity to put these targeted federal stimulus resources to work in Ohio to create jobs and develop our infrastructure. We look forward to continuing to work closely in a bipartisan way with the Ohio legislature and leaders throughout Ohio to take full advantage of these stimulus funds in an efficient and accountable manner."

Republicans have raised concerns about the governor's plans to spend some of the money through the Controlling Board process rather than with separate legislation. Majority Senate Republicans have set a related measure (SB 2) for action next week.

### **GROUP CALLS FOR INDEPENDENT BWC INVESTIGATION INTO SPECIAL FAVORS, SAYS INSPECTOR GENERAL REPORT FLAWED**

A group of small employers says a previous state investigation into the Bureau of Workers' Compensation overlooked glaring evidence of special favors for the well connected, and recently asked Gov. Ted Strickland to revisit the issue.

The governor's office said Mr. Strickland has no plans to pursue the request.

Inspector General Tom Charles' report in 2007 blamed the liberal use of manual premium overrides for certain employers on one BWC official, but wevehadenough.net says a review of public documents used in the investigation shows the practice was far more widespread.

"Last year our organization received allegations that the report inadequately described the override problem at BWC, improperly analyzed the legalities of what happened, and failed to hold state officials accountable," the letter to Gov. Strickland and legislative leaders says.

"After reviewing the documents received, we believe that the allegations were accurate. The report covers up legal violations and other wrongdoings. And it protects BWC officials from accountability," the group said.

Inspector General Charles declined to comment on the group's allegations.

Strickland spokeswoman Amanda Wurst said, "The governor believes the Ohio Inspector General already examined many of these issues and provided recommendations that the Bureau of Workers' Compensation is implementing."

The organization of small business owners, which is also lobbying for changes to the BWC Group Rating program, alleges the inspector general report failed to address the legality of special overrides granted to state officials and legislators.

"The investigation materials indicate that some state officials received overrides for businesses they own," the letter says. "Because the inspector general's report did not address these possible conflicts of interest by state officials, we believe an outside investigation is needed to examine the issue."

Previously released BWC documents indicated that former Sen. Jeffrey Armbruster petitioned the bureau for a rate reduction for his private company. However, last summer the Franklin County Prosecutor's Office decided not to file criminal charges.

The wevehadenough.net group says many of the improper rate adjustments are linked to problems with BWC's group rating system, which is unfairly subsidized by companies not enrolled in the program.

Flaws in the IG report have perpetuated problems at the bureau, the letter says.

"We have been contacted by BWC employees who believe that because the report allowed so much illegal behavior and other malfeasance to go unexposed and unpunished, some BWC officials and middle managers are displaying even less regard for the law and considerations of fairness. From the report, they apparently received the impression that there will be no adverse consequences for such behavior."

## **COMMITTEE SCHEDULE FOR WEEK OF MARCH 2**

### **TUESDAY, MARCH 3**

**Senate Finance & Financial Institutions**, (Chr. Carey, 466-8156), Finance Hearing Rm., 10 a.m.

SB 1 REVITALIZATION DEBT AUTHORITY (Hughes) To implement the additional debt for conservation and revitalization programs provided by Section 2q of Article VIII of the Ohio Constitution, to authorize the issuance of that debt, to make new appropriations for the purpose of continuing programs established by Am. Sub. H.B. 554 of the 127th General Assembly, the Bipartisan Job Stimulus Act, and to declare an emergency. (4th Hearing-No testimony-Possible amendments, substitute & vote)

**Senate Finance & Financial Institutions**, (Chr. Carey, 466-8156), Finance Hearing Rm., 2:30 p.m. or after session

SB 18 ENVIRONMENTAL FINES (Gibbs) To require the proceeds of fines paid by certain political subdivisions under environmental laws to be expended by the state in the county that incurred the fine or in which the political subdivision that incurred the fine is located and to require the proceeds of fines paid by private entities under environmental laws to be deposited in the General Revenue Fund. (2nd Hearing-All testimony)

SB 53 FORECLOSURE TRACKING (Miller, D.) To require the Director of Commerce to establish a residential foreclosure tracking system and prepare an annual report on residential foreclosure filings and sales in each county. (2nd Hearing-All testimony)

SB 2 FEDERAL STIMULUS FUNDING (Carey) To provide for the distribution of moneys received by the state from the federal American Recovery and Reinvestment Act of 2009 by making appropriations and to declare an emergency. (4th Hearing-All testimony-Possible amendments, substitute & vote)

### **WEDNESDAY, MARCH 4**

**House Local Government/Public Administration**, (Chr. Chandler, 466-2004), Rm. 114, 10 a.m.

HB 7 BUILDING STANDARDS (Harris, Pillich) To require a building or structure erected or constructed using state capital moneys to adhere to certain sustainability standards. (1st Hearing-Sponsor)

**House Housing & Urban Revitalization**, (Chr. Foley, 466-3350), Rm. 116, 11 a.m.

HB 3 HOME FORECLOSURES (Foley, Driehaus) To address the current mortgage foreclosure crisis. (1st Hearing-Sponsor & proponent-Possible substitute)

**Senate Highways & Transportation**, (Chr. Patton, 466-8056), South Hearing Rm., 3:30 p.m.

HB 2 TRANSPORTATION BUDGET (Ujvagi) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of those programs. (1st Hearing-Pending Referral-ODOT presentation)

### **THURSDAY, MARCH 5**

**House Financial Institutions, Real Estate & Securities**, (Chr. Koziura, 466-5141), Rm. 121, 10 a.m.

HB 9 RENTAL FORECLOSURES (Celeste, Foley) To require that notice of foreclosure and related sale of residential rental property be given to tenants at that property and to specify that a rental agreement for a residential property that is sold pursuant to a foreclosure action converts to a month-to-month rental agreement. (2nd Hearing-Pro & opp)

HB 30 RETIREMENT INCENTIVES (Combs) To require an analysis of each proposed retirement incentive plan for Public Employees Retirement System members and to prohibit a member who participates in such a retirement incentive plan from being re-employed by the same employer. (1st Hearing-Sponsor)

**Senate Highways & Transportation**, (Chr. Patton, 466-8056), South Hearing Rm., 10 a.m.

HB 2 TRANSPORTATION BUDGET (Ujvagi) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2009, and ending June 30, 2011, and to provide authorization and conditions for the operation of those programs. (2nd Hearing-Pending Referral-ODOT & OBM presentations)