



Chairman Seitz;

I am writing today to ask for further study on the effects of HB 133, the Disaster Relief Act sponsored by Rep. Ryan. The Ohio Municipal League understands the intent of the legislation, and our primary goal in the wake of any kind of natural disaster is to see our local communities safe and provided for, with those local businesses up and running again as quickly as possible.

However, the language in HB 133 is not only a preemption upon municipalities' local licensing authority, but it would also create what we believe are unanticipated consequences that would hurt our local businesses in the long term.

The language in the bill would prohibit the requirements for state or local occupational licensing for certain out-of-state disaster businesses that would qualify out-of-state employees who perform disaster work in Ohio during the designated period of time: ten days prior to emergency declaration to 60 days after the declaration expires. These exemptions only apply to businesses who did no work in Ohio the preceding year (excluding disaster work).

The Ohio Municipal League wants to see municipal utilities and communications infrastructure repaired after a natural disaster as soon as possible, and we maintain that no other entity is better situated to ensure the safety and quality of repairs to local infrastructure and businesses than our local governments. Barring municipalities from this licensing could compromise the health, safety and welfare of the communities in which these providers are operating.

Additionally, the bill would give out-of-state disaster relief services providers a distinct advantage over in-state providers. These exemptions would make it easy for our-of-state businesses to underbid in-state businesses. This is why we believe more consideration must be given to this legislation before it is passed.

The bill leaves several unanswered questions that concern Ohio's municipalities. How realistic will it be to monitor the individual employees of a business to determine if they qualify? What if an employee worked for another company in the previous year in Ohio and was not part of a disaster relief project? Will a list of employees and their Social Security Numbers be provided from the business to review if there was withholding in the prior year for any of them? We ask this legislation not be passed before these concerns can be addressed.

Several months ago, the Ohio Municipal League met with Rep. Ryan and had a productive discussion in which we were able to briefly outline our concerns with the legislation. We hope that you, along with the rest of the committee, take our concerns into consideration and halt the continued erosion of local control in our state as well as avoid any undue preference given to out-of-state businesses and jobs.

Thank you for your time and consideration.

Kent Scarrett  
Executive Director  
Ohio Municipal League