



## **OHIO TOWNSHIP ASSOCIATION**

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### **HB 444 – Township Omnibus Bill Proponent Testimony May 5, 2020 House State and Local Government Committee**

Good afternoon Chairman Wiggam, Vice Chair Stephens, Ranking Member Kelly, and members of the House State and Local Government Committee. My name is Marisa Myers, and I am the Director of Governmental Affairs for the Ohio Township Association. On behalf of the Ohio Township Association (OTA), I appreciate the opportunity to testify as a proponent of House Bill 444, the township omnibus bill.

As many of you know, townships are creatures of statute. Any updates to the function of Ohio townships under the law must be addressed in the Ohio Revised Code – no matter how big or how small. For this reason, the OTA often pursues omnibus bills in an attempt to address multiple township-related items at once.

House Bill 444 addresses a number of issues important to Ohio townships, including:

#### **Notice of Conforming Boundaries**

When a city or village conforms boundaries, it has a fiscal impact on the township. This legislation requires that municipalities provide ten days' notice to an affected township before a vote to conform boundaries.

#### **Nuisance Statutes Consistency**

Townships have three nuisance statutes in the ORC that help them deal with structures, property, and junk vehicles. Unfortunately, all three of those statutes use different language as it relates to collection on the costs a township incurs to abate said nuisance. This legislation will update the code to make all three sections uniform.

#### **Transfer of Cemeteries**

Townships are required to take control of cemeteries from religious organizations and cemetery associations without stipulation. For example, there is no requirement that a church transfer cemetery records or cemetery funds to the township should they wish to transfer a cemetery. Furthermore, there is nothing to prevent a cemetery from being transferred simply because a church or benevolent society wishes to stop caring for it. This legislation will put some minimum standards in place regarding the transfer of cemeteries and clarify the process by which an entity may transfer a cemetery.

#### **Excavation Notification**

Under current law, a company is required to file for a permit for new projects in township rights-of-way. However, no permit is required for an excavation to repair or replace an existing pole or line. For instances of repair or replacement, this legislation will have companies provide notice to a township fiscal officer three days before they will be in the township right-of-way.

#### **Industrial Development Bonds**

Industrial Development Bonds are a unique type of revenue bond organized by state and local governments. The bonds are sponsored by a government entity, but the proceeds are directed to a

private, for-profit business. They are used as economic development tools. This legislation will allow for townships to utilize these bonds as cities and counties currently can. This change is also a priority for the Coalition of Large Ohio Urban Townships.

### **Levy Commencement**

A recent Supreme Court decision upheld a county board of elections decision to disqualify a township property tax levy because the trustees' resolution and proposed ballot language stated that the renewal and increase would commence in the last year of an existing levy. The court found it was clear a levy could be submitted to the voters in an existing levy's last tax year, but it was unclear, if approved, that the levy could commence in the final tax year of the existing levy. HB 444 would clarify R.C. §5705.25 regarding when a levy can commence.

### **EMR Ambulance Response**

Under current law, EMS providers at the Emergency Medical Responder (previously First Responder) level cannot respond an ambulance from the station alone even if they are meeting a higher level EMT or paramedic at the scene. This leads to increased response times, while waiting to rendezvous at the station. HB 444 would allow EMRs to respond an ambulance allow, provided they are meeting the higher-level emergency professional on the scene, thereby saving time and best utilizing township resources.

### **Housing Authority Boards**

The decisions of a Metropolitan Housing Authority Board can affect townships, but they currently do not have a seat at the table in charter counties. This legislation would ensure that a township with the largest ratio of housing units under the Board's jurisdiction has a seat on the Board.

### **Continuous Police/Fire Levy**

Unlike police levies and fire levies, a joint police and fire levy cannot be continuous and must be voted on every 5 years (ORC 5705.19 (AAA)(3)(a)). This legislation allows for the option of continuous joint police and fire levies as well. This change is also a priority for the Coalition of Large Ohio Urban Townships.

The Ohio Township Association supports HB 444 and thanks Representatives Baldrige and Abrams for addressing these issues. We strongly encourage your support as well. Mr. Chairman, thank you for the opportunity to testify before you this afternoon and I would be happy to answer any questions you or committee members may have.