

# NAIOP

COMMERCIAL REAL ESTATE  
DEVELOPMENT ASSOCIATION

**CENTRAL OHIO CHAPTER**

## **Legislative Report**

### **ECONOMIC DEVELOPMENT**

U.S. Sen. Rob Portman (R-OH) met with business and government leaders Friday to discuss ways to best use opportunity zones, as well as improve federal rules about them. Ohio -- and Columbus in particular -- has already positioned itself well to market its 320 zones compared to other states, he said, praising the Ohio Development Services Agency (DSA) portal unveiled in April.

### **ELECTIONS 2019**

The following endorsements were made over the week:

- The Ohio Senate campaign of Republican Jerry Cirino announced that he has been endorsed by a number of Portage County officials including the following: County Commissioner Sabrina Christian-Bennett; Mayor of Aurora Ann Womer Benjamin; County Auditor Janet Esposito; County Recorder Lori Calcei; Mayor of Hiram Lou Bertrand; and Mayor of Streetsboro Glenn Broska.

### **ENVIRONMENT**

The Ohio Attorney General's Office and the Ohio Environmental Protection Agency (EPA) have reached a settlement with Sunny Farms Landfill that requires the Seneca County dump to pay \$1.71 million in civil penalties for alleged violations of water pollution, solid waste and air pollution laws. The landfill also has agreed to pay \$2.01 million for underreported and mischaracterized fees for waste at the facility.

### **GENERAL ASSEMBLY/STATEHOUSE**

Sen. Joe Uecker (R-Loveland) will resign Saturday, Aug. 31 to take a position with the Ohio Department of Transportation (ODOT), the senator announced Thursday.

### **GREAT LAKES**

Low-flying eyes in the sky are improving the accuracy of water quality assessments in the Great Lakes and the rivers that flow into them, according to the University of Toledo (UT). A new UT study found drones armed with sensors are useful tools in the fight against harmful algal blooms, particularly for monitoring key spots within Lake Erie, such as near drinking water inlets and off the shore of public beaches. Researchers compared data gathered by the drones with satellite data and boat-based water sampling at 10 locations over Lake Erie and the Maumee River.

Five years after a water crisis in Toledo left half a million residents without safe tap water for three days, environmental scientists from the U.S. and Canada boarded research vessels and fan out across western Lake Erie to collect water samples at nearly 200 locations in four hours in a united effort to create a high-resolution picture of this summer's harmful algal bloom (HAB) with the goal of ultimately protecting the public drinking water supply.

### **NATIONAL CONFERENCE OF STATE LEGISLATURES (NCSL)**

Monday's opening General Session of the National Conference of State Legislatures annual summit featured a discussion with country music legend Dolly Parton about her foundation's Imagination Library program, which recently received support in Ohio's new biennial operating budget. The library program mails one book per month to children from birth to age 5.

As e-commerce giant Amazon puts more warehouses and data centers in Ohio and other communities across the U.S. and the globe, it's also expanding as a buyer and developer of renewable energy, with an eventual goal of powering all operations enterprise-wide with renewable sources. At Monday's Energy Policy Summit meeting at the National Conference of State Legislatures annual summit in Nashville, Illinois Sen. Dave Koehler interviewed Nat Sahlstrom, head of the global energy practice at Amazon Web Services. Sahlstrom said the company is interested in meeting its goal in a way that creates policies and structures simplifying renewable energy development and acquisition for other businesses and organizations that want to follow.

Policymakers should be planning for a future where the average person lives a century, not just in terms of their health needs but their roles as workers, consumers and major drivers of state and local tax revenue, an AARP expert said Monday at the National Conference of State Legislatures (NCSL) annual summit. Monday's pre-conference session, titled "Implications of Living to 100: Preparing State Policymakers," kicked off with a keynote address from Susan Reinhard, senior vice president and director for the AARP Public Policy Institute, and a former deputy health and human services commissioner in New Jersey and former Rutgers University nursing faculty member.

Despite an improving economy and significant advancements in medical technology, overall health and wellbeing is declining in the U.S., a National Conference of State Legislatures (NCSL) session was told on the first day of NCSL's annual conference. The Task Force on Innovations in State Health Systems, co-chaired by Ohio House Minority Leader Emilia Sykes and South Dakota Sen. Deb Soholt, is looking at ways to change the trajectory of the various health issues that are facing states, including how to get people to be more accountable for their health.

Nearly 70 lawmakers from 23 states and the District of Columbia gathered Wednesday on the steps of the Tennessee Capitol to urge action on gun control measures, including Ohio House Minority Leader Emilia Sykes (D-Akron) and Ohio Sen. Sandra Williams (D-Cleveland), sponsor of a red flag proposal. Those gathered also advocated for expanded background check requirements for gun purchases. The dozens of legislators said while the weekend's mass shootings in El Paso and Dayton lend immediacy to the issue, the problem is much broader than those high-profile events.

A Utah legislative staffer offered a primer Tuesday for other states on how to assess and plan for the risks a recession poses to their states' budgets, while an economist offered some motivation for doing so -- a prediction that the U.S. economy will enter recession in the second half of 2020. Dan White, director of government consulting and fiscal policy research for Moody's Analytics, told attendees of the "Stress Testing State Budgets" session at the meeting of the National Conference of State Legislatures (NCSL) annual summit about economic indicators that forecast a drop in the business cycle, but with a grain of salt.

Things are looking good for states fiscally overall, and budget directors have a positive outlook for the next two fiscal years, according to an analysis by the National Conference of State Legislatures (NCSL). Erica MacKeller, a senior policy specialist for NCSL, told a session at NCSL's annual conference that general revenue fund growth for states over the next biennium is expected to grow by 2.1 percent, while expenditures are expected to grow by 4.1 percent. She said both numbers are in line with the past several years.

As hemp production moves from limited pilot projects for research to full legalization and wide-scale production, growers, regulators and others around the industry are grappling with the practical concerns of interstate shipments, skeptical law enforcement officers, THC testing protocols and a host of other growing pains. Following limited latitude for hemp pilot projects in 2014 federal legislation, the 2018 Farm Bill legalized hemp nationwide. During a Tuesday session at the National Conference of State Legislatures annual summit, a panel discussed lessons learned from the pilot projects and progress on finalizing regulations for fully legal production.

As secretaries of state were preparing for the 2016 election, they caught wind that the federal government was going to declare elections infrastructure as a critical infrastructure. Tennessee Secretary of State Tre Hargett said one thing secretaries of state from both sides of the aisle could agree on -- they all hated it. Elections, he said, are a purview of the states, and the possible designation added uncertainty to how it would affect them.

As states look for new ways to fund transportation projects within their state, a panel of experts at the National Conference of State Legislatures (NCSL) said governments have been doing a poor job of maintaining the roads they have and explaining the need for increased spending to the public. Bruce Starr, vice president of government affairs at icitizen, who moderated the panel, opened the session by saying that the changing transportation environment will require more of a complete rethink of how roads are funded.

Illinois Gov. J.B. Pritzker rallied Democratic state legislators Thursday with a recitation of progressive policy successes in his state and implored them to emphasize kitchen table issues for working and middle class families as they head into the 2020 election. The breakfast session and a nearby meeting of Republicans were the only explicitly partisan events of the National Conference of State Legislatures (NCSL) annual summit.

Former Wisconsin Gov. Scott Walker addressed Republican state lawmakers during a breakfast on the last day of the National Conference of State Legislatures (NCSL), telling them not to focus on the what when it comes to politics, but to instead focus "on the why." He said lawmakers need to tell people why they are doing something, rather than just what they are doing.

A Michigan energy executive said Wednesday he expects the power sector will be able to consistently push down emissions rates in the coming decades, while climate policy experts reviewed state efforts to encourage that movement and emissions-reduction trends in the transportation sector as well. The session at the National Conference of State Legislatures (NCSL) Legislative Summit focused on state actions to reduce carbon emissions, featuring remarks from Skiles Boyd, vice president of environmental management and resources for DTE Energy; James Bradbury of the Georgetown Climate Center; and Janet Peace of the Center for Climate and Energy Solutions.

The federal Family First Prevention Services Act provides the best opportunity in 50 years to improve the nation's child welfare system, Tim Decker, a senior fellow with the Annie E. Casey Foundation and the former director of Missouri Children's Division, told attendees at a session Wednesday at the National Conference of State Legislatures (NCSL) Legislative Summit.

Lawmakers from states that have legalized sports gambling and those contemplating it reviewed their decisions on tax rates, regulation, enforcement and mobile betting at a Tuesday session of the National Conference of State Legislatures annual summit. Tuesday's panel was moderated by Kentucky Rep. Adam Koenig and featured remarks from Nevada Attorney General Aaron Ford; Ohio Sen. Bill Coley, president of the National Council of Legislators from Gaming States (NCLGS); Michigan Rep. Brand Iden, vice president of NCLGS; West Virginia Del. Shawn Fluharty; Pennsylvania Rep. Robert Matzie; and New Jersey Assemblywoman Carol Murphy.

## **POLITICS**

Ohio Republican Party Chair Jane Murphy Timken Monday called for Rep. Candice Keller (R-Middletown) to resign after Keller's social media comments regarding the El Paso and Dayton shootings received widespread circulation online. The Dayton shooting left nine dead, as well as the shooter, while the death toll in El Paso rose to 22 Monday. Keller is currently in a three-way primary race for the 2020 nomination to replace term-limited Sen. William Coley (R-West Chester) in the 4th District, along with fellow Rep. George Lang (R-West Chester) and West Chester Township Trustee Lee Wong. Tom Zawistowski, president of the Tea Party-affiliated We the People Convention, Tuesday called for the immediate resignation Timken because of her lack of support for Keller.

## Bills Introduced Since 8/5/2019

- HB315 FIREARM SALES-SUICIDE PREVENTION** (LISTON B) To require federally licensed firearms dealers to provide suicide prevention information to the purchaser of a firearm.
- HB316 RED FLAG PROTECTION ORDERS** (RUSSO A, SWEENEY B) To enact the Extreme Risk Protection Order Act to allow family members, household members, and law enforcement officers to obtain a court order that temporarily restricts a person's access to firearms if that person poses a danger to themselves or others.
- HB317 FIREARM TRANSFERS** (ROBINSON P, MILLER A) To enact the Protect Law Enforcement Act to require a firearm transfer to be made through a dealer, through a law enforcement agency, or pursuant to a specified exception, and to require a background check when a firearm is transferred.
- SB180 INDUSTRIAL DEVELOPMENT BONDS** (SCHAFFER T) To authorize the issuance of industrial development bonds by a township and to authorize counties, townships, and municipal corporations to issue industrial development bonds without requiring the county, township, or municipal corporation to designate a community improvement corporation as its agency for industrial, commercial, distribution, and research development.
- SB181 WORKFORCE-EDUCATION PARTNERSHIPS** (COLEY W) To require the Chancellor of Higher Education to create a template for workforce-education partnership programs.

## Tracked Bills

- HB48 LOCAL GOVT ROAD IMPROVEMENT FUND** (GREENSPAN D) To provide for a new Local Government Road Improvement Fund for local governments to fund road improvements.  
*Current Status:* 2/12/2019 - Referred to Committee House Finance
- HB62 TRANSPORTATION BUDGET** (OELSLAGER S) To increase the rate of and modify the distribution of revenue from motor fuel excise taxes, to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of those programs.  
*Current Status:* 4/3/2019 - **SIGNED BY GOVERNOR**; eff. 90 days, Taxes eff. 7/1/19
- HB75 PROPERTY VALUE CONTESTS** (MERRIN D) To require local governments that contest property values to formally pass an authorizing resolution for each contest and to notify property owners.  
*Current Status:* 4/9/2019 - **REPORTED OUT**, House Ways and Means, (Fourth Hearing)
- HB149 PROPERTY TAX EXEMPT-RESIDENTIAL SUBDIVISION** (MERRIN D) To enact the "Affordable Homebuilding and Housing Act" to temporarily exempt from property tax the increased value of land subdivided for residential development.  
*Current Status:* 4/10/2019 - House Economic and Workforce Development, (Second Hearing)

- HB168**      **AFFIRMATIVE DEFENSE-HAZARDOUS SUBSTANCES** (ARNDT S) To establish an affirmative defense to a release or threatened release of hazardous substances from a facility for certain bona fide prospective purchasers.  
*Current Status:* 6/26/2019 - Senate Agriculture and Natural Resources, (First Hearing)
- HB175**      **TAX EXEMPTION-GOODS MOVEMENT** (ANTANI N) To exempt from sales and use tax things used primarily to move completed manufactured products or general merchandise.  
*Current Status:* 4/2/2019 - Referred to Committee House Ways and Means
- HB176**      **OPEN MEETINGS-VISITORS BUREAUS** (BRINKMAN T, BECKER J) To require certain convention and visitors' bureaus to make available for inspection by the public all meeting minutes, vendor payment information, and financial information.  
*Current Status:* 4/2/2019 - Referred to Committee House State and Local Government
- HB209**      **ABOLISH ESTATE BY DOWER** (CARRUTHERS S, KICK D) To abolish the estate by dower.  
*Current Status:* 6/25/2019 - House Civil Justice, (Fourth Hearing)
- HB218**      **PUBLIC-PRIVATE PARTNERSHIPS** (PATTON T) To authorize certain public entities to enter into public-private initiatives with a private party through a public-private agreement regarding public facilities.  
*Current Status:* 6/19/2019 - **SUBSTITUTE BILL ACCEPTED**, House State and Local Government, (Second Hearing)
- HB251**      **CONTRACT ACTION-PERIOD OF LIMITATION** (LANG G, HILLYER B) To shorten the period of limitations for actions upon a contract.  
*Current Status:* 6/18/2019 - House Civil Justice, (Third Hearing)
- HB252**      **LAND REUTILIZATION** (GREENSPAN D) To create the Land Reutilization Demolition Program and to make an appropriation.  
*Current Status:* 6/30/2019 - Re-Referred to Committee
- HB288**      **EMINENT DOMAIN** (MANNING D) To amend the law regarding eminent domain and to declare an emergency.  
*Current Status:* 6/25/2019 - Referred to Committee House Civil Justice
- SB2**      **STATEWIDE WATERSHED PLANNING** (PETERSON B, DOLAN M) To create a statewide watershed planning structure for watershed programs to be implemented by local soil and water conservation districts.  
*Current Status:* 6/19/2019 - Referred to Committee House Energy and Natural Resources
- SB8**      **TAX CREDITS-OHIO OPPORTUNITY ZONE** (SCHURING K) To authorize tax credits for investments in an Ohio Opportunity Zone.

*Current Status:* 5/8/2019 - House Economic and Workforce Development,  
(Second Hearing)

**SB39**      **MIXED USE DEVELOPMENT PROJECTS-TAX CREDIT** (SCHURING K) To authorize an insurance premiums tax credit for capital contributions to transformational mixed use development projects.

*Current Status:* 6/30/2019 - Referred to Committee House Economic and Workforce Development

**SB95**      **STATE AND LOCAL TAX INDUCEMENTS** (KUNZE S, PETERSON B) To enhance state and local tax inducements for businesses making substantial fixed asset and employment investments and their suppliers.

*Current Status:* 6/19/2019 - Referred to Committee House Ways and Means