

<u>BILL</u>	<u>TITLE</u>	<u>PRIMARY SPONSOR(S)</u>	<u>DESCRIPTION</u>	<u>STATUS</u>	<u>AGC POSITION</u>	<u>CONCERNS</u>	<u>AGC ACTION</u>
HB 179	Workers Compensation Claim Reimbursement	Representative Blessing	Require a health insurer to allow an employee, during the time an employee's workers' compensation claim is pending approval, to pay for services provided to care for an employee's workplace injury or occupational disease and to require the Administrator of Workers' Compensation or self-insuring employers, as appropriate, to reimburse that health care insurer or employee for expenses they paid for a claim once it is deemed compensable.	House Commerce & Labor Committee	Interested Party	Ensure that it is not easily subject to abuse	Following bill if there's any movement
HB 206	Scrap Metal	Representatives Domenick, Healy	Establish new record-keeping requirements for dealers in scrap copper, scrap aluminum siding or scrap catalytic converters.	House Commerce & Labor Committee	Support	Ensure it helps address scrap metal theft in construction.	Following bill if there's any movement
HB 243	Prevailing Wage Law Repeal	Representative Brinkman	Repeal prevailing wage law in Ohio.	House Commerce & Labor Committee	Oppose	Association's position has always been "mend it, don't end it"	Following bill if there's any movement
HB 244	Cable Relocation	Representative Brinkman	Authorize townships to relocate underground overhead cables, wires and appurtenant equipment upon petition; to pay for a relocation by assessing abutting and otherwise specially benefited properties; to collect interest on unpaid assessments for an underground relocation project or an artificial lighting district project; and to exempt townships from liability for outages or other damage caused by a relocation project, and to exempt the owners of the cables, wires and appurtenant equipment from liability, unless the outage or other damage was caused by the owner's negligence.	Passed House & Senate; Signed by Governor 3/14/2008; Effective 90 days	Interested Party	Make sure it doesn't inadvertently include commercial construction.	Participated in hearings
HB 257	Home Inspectors	Representative Schneider	Require the certification of home inspectors and to regulate the certification and performance of home inspectors.	Passed House; In Senate Insurance, Commerce & Labor Committee	Interested Party	Make certain it doesn't negatively affect commercial contractors.	Participated in hearings
HB 285	Business Fines	Representative R. McGregor	Waive fines or penalties for paperwork violations that are first-time offenses committed by small businesses.	Passed House & Senate; Signed by Gov 6/17/08; effective 90 days	Support	Helps small businesses.	Participated in hearings
HB 322	Green Building	Representatives Hughes, Skindell	Adopt rules governing construction and demolition debris recycling and water and energy usage with respect to certain public works projects.	House Economic Development & Environment Committee	Interested Party	Make certain that it's workable for contractors.	Attended interested party meetings and made suggested changes; following bill if there's any movement
HB 338	Utility Infrastructure Development	Representative Reinhard	Creates the Utility Infrastructure Development Program to provide funding for utility infrastructure development projects to attract new business opportunities to Ohio.	In House State Government & Elections Committee	Interested Party	Ensure it encourages development without over-reaching authority to inhibit commercial building	Participated in hearings

HB 340	Interior Designer Board	Representative Flowers	Create the State Board for Certified Interior Designers and to permit interior designers who meet certain requirements to be certified by that Board.	In House Commerce & Labor Committee	Interested Party	Make certain it doesn't adversely affect commercial contractors.	Participated in hearings
HB 355	Qui Tam	Representative Hughes	Provide for the recovery of damages and civil penalties for defrauding the state of money, property, or services in relation to the Medicaid Program and to authorize private persons to bring qui tam civil actions to remedy the frauds.	House Civil & Commercial Law Committee	Oppose	Has serious potential for fraudulent use by disgruntled employees; Employer incurs all financial burden, even when it wins the case; financial rewards for whistle blowing	Attended meetings about bill; advised legislators of potential problems; recommended amendments; following bill if there's any movement
HB 428	School Employee Misconduct	Representative Setzer	Regarding the reporting and discipline for school employee misconduct.	Passed House & Senate; Signed by Governor 6/12/2008; Effective 90 days	Support	Includes language excludes contractors from background checks on school projects if they don't have contact with children.	Participated in hearings; supported language to clarify contractors' background check requirements
HB 437	Home Improvement Contractor Law	Representative Schindel	To establish the Ohio Home Improvement Contractor Law, to deem that specified violations of the law constitute a violation of the Ohio Consumer Sales Practices Act, and to provide civil remedies for owners who are damaged by a contractor who violates the law.	In House Civil & Commercial Law Committee	Interested Party	Potential problem with definition of home improvement contractor (if same as companion bill).	Monitored sponsor testimony on bill; will provide definition correction
HB 444	Construction Licensing	Representative J. Stewart	Expand licensing requirements for certain specific trades and discipline unlicensed contractors.	Passed House; referred to Senate Insurance, Commerce & Labor Committee	Interested Party	Ensure it doesn't inadvertently include other trades.	Participated in hearings
HB 461	Workers Compensation	Representative Bachelder	Allow an employer to reimburse the Administrator of Workers' Compensation for the first \$15,000 of medical bills incurred in any type of workers' compensation claim rather than allow an employer to pay directly only those medical bills incurred in medical-only claims.	In House Commerce & Labor Committee	Support	Help prevent contractors from becoming penalty rated for small claims.	Participated in hearings on legislation.
HB 483	Elevator Contractors	Representative J. McGregor	Create Elevator Section of the Ohio Construction Industry Licensing Board require the licensure of elevator contractors and elevator mechanics and establish laws governing elevator servicing inspections.	In House Commerce & Labor Committee	Interested Party	Make certain Elevators don't infringe on rights of other trades; improve safety in elevator construction/servicing.	Participated in hearings
HB 496	Capital Reappropriations	Representative Hottinger	To make capital reappropriations for biennium ending June 30, 2010, and certain appropriations.	Passed House & Senate; Signed by Governor 3/31/3008; effective 90 days	Interested Party	Addresses appropriation and reappropriation of funds for state capital improvements.	Monitored legislation.

HB 536	Paid Sick Day	By Initiative (Beatty)	Require employers to provide paid sick leave. Initiative provided by Ohioans for Healthy Families, a coalition of labor and community groups.	In House Commerce & Labor Committee	Oppose	Would significantly increase costs for employers; difficult administering in construction	Participated in hearings; will work with Ohioans to Protect Jobs to address initiative.
HB 554	Economic Stimulus	Representative Hottinger	To establish the Ohio Bioproducts Development Program and Ohio Biomedical Development Program; to expand the economic development programs administered by the Dept. of Development; to provide additional money for capital improvement projects of local subdivisions; to modify the authority of the Coal Development Office and to administer coal research and development projects; to provide for advanced energy products; to extend the historical building rehabilitation tax credit; and to make an appropriation. (Companion bill SB 335 - Carey)	Passed House & Senate; Signed 6/12/2008	Support	Could create construction projects related to capital improvements for local subdivisions and historical building rehabilitation. \$200 million for local infrastructure improvements.	Monitored legislation.
HB 555	Workers Compensation	Representative Zehringer	To prohibit an employee from receiving workers' compensation benefits if employee receives benefits for the same injury/illness in another state; and to make changes to the Workers' Compensation Law regarding interstate workers' compensation claims.	Companion bill - SB 334 - passed both houses	Support	Helps prevent contractors from being hit twice with the same workers' comp claim; includes version of association's reciprocity language; allows employers to purchase out-of-state workers' comp coverage from Ohio BWC.	Participated in hearings; provided input on reciprocity language.
HB 562	Capital Appropriations/Budget Corrections	Representative Hottinger	To make capital and other appropriations and to provide authorization and conditions for the operation of state programs.	Passed House & Senate; Waiting for Governor's signature/line item veto.	Interested Party	Appropriates \$1.3 billion for capital improvements.	Monitored legislation.
HJR 5	Clean Ohio Fund	Representative Sears	Proposing to authorize an issuance of general and other obligations of the state to pay the costs relating to environmental and related conservation, preservation, and revitalization purposes. (Companion bill SJR 7 - Wagoner)	Passed House & Senate; Will be a ballot issue in Nov.	Support	Could create construction projects related to revitalization.	Monitored legislation.
SB 139	Prevailing Wage & Multiple Prime Exemptions	Senator Mumper	Permit state institutions of higher education to use either single or multiple prime bidding for public improvement projects; to exempt from the Prevailing Wage Law projects constructed by state institutions of higher education and projects constructed by private, non-profit organizations that receive public moneys to construct those projects; and to prohibit the Ohio School Facilities Commission from approving school district projects that specify the payment of prevailing wages.	In Senate Finance & Financial Institutions Committee	Support in part; oppose in part	Outright bans prevailing wage; support owners contract choice; oppose prevailing wage directives	Following bill if there's any movement

SB 171	Scrap Metal	Senator Stivers	Make certain changes to the Pawnbrokers Law and the Secondhand Dealers Law.	Passed Senate & House; Signed by Governor 6/11/2008; Effective 90 days	Support	Ensure it's workable for contractors and deters scrap metal theft on jobsites.	Attended interested party meetings and hearings; help provide language; will provide proponent testimony
SB 225	Architect's Law	Senator Schaffer	Make changes to the Architects practice law.	Passed House & Senate; Signed by Governor on 3/21/2008; Effective in 90 days	Interested Party	Make certain it doesn't negatively affect commercial contractors.	Participated in hearings;
SB 234	Public Improvements - Bid Guaranty & Indemnification	Senator Spada	Permit the waiver of bid guaranty and performance indemnity requirements for public improvement projects valued at less than \$500,000	Senate State & Local Government & Veterans Affairs Committee	Oppose	Imposes a threat to the citizens of political subdivisions because they are approving contractors that cannot obtain a reasonable bond.	Spoke with legislators about potential problems with bill;
SB 254	Paperwork Violations	Senator Faber	Waive fines or penalties for paperwork violations that are first-time offenses committed by small businesses.	House companion bill - HB 285 - passed both houses	Support	Helps small businesses.	Participated in hearings;
SB 268	County Bidding	Senator Seitz	Allow a county contracting authority to use competitive sealed proposals instead of competitive sealed bidding when doing so would be advantageous to the county.	Passed Senate & House; Waiting for Gov. signature	Interested Party	Make certain construction bidding is not lumped into the bill.	Participated in hearings;
SB 270	School Employee Misconduct	Senator Cates	Regarding the reporting and discipline for school employee misconduct.	Merged with the House companion bill, HB 428 (Rep. Setzer), which passed both houses.	Support	Amendment to include language that does not require contractors to have background checks on school projects if they don't have contact with children.	Participated in hearings; supported language to clarify contractors' background check requirements
SB 275	Home Improvement Contractor Law	Senator Spada	Establish the Ohio Home Improvement Contractor Law, to deem that specified violations of the law constitute a violation of the Ohio Consumer Sales Practices Act, and to provide civil remedies for owners who are damaged by a contractor who violates the law.	Passed Senate; Waiting for House Committee referral	Interested Party	Definition of home improvement could cover commercial building contractors in some instances.	Participated in hearings; provided amendment language to update home improvement definition; submitted written testimony
SB 276	Conservation Revitalization Projects	Senator Stivers	Authorize a county, municipal corporation or township to issue public obligations to provide, or assist in providing, grants, loans, loan guarantees, or contributions for conservation and revitalization purposes.	Passed Senate; Referred to House Finance & Appropriations Committee	Interested Party	Could promotes development; ensure it doesn't result in an overreach to the point it would ultimately limit development	Participated in hearings;

SB 282	EDGE Set-Aside	Senator Kearney	Generally require that state agencies set aside a certain amount of purchases for which only EDGE business enterprises may compete.	In Senate Finance & Financial Institutions Committee	Oppose	Set-Aside programs are illegal in Ohio.	Following bill if there's any movement
SB 287	Workers Compensation	Senator Stivers	Allow an employer to reimburse the Administrator of Workers' Compensation for the first \$15,000 of medical bills incurred in any type of workers' compensation claim rather than allow an employer to pay directly only those medical bills incurred in medical-only claims.	In Senate Insurance, Commerce & Labor Committee	Support	Help prevent contractors from becoming penalty rated for small claims.	Participated in hearings on legislation.
SB 309	Private Rights of Action	Senator Seitz	Requires statutes that create the right for a private party to bring a legal action to clearly state the creation of such a right.	Passed Senate; Assigned to House Judiciary Committee	Support	Helps to clarify private rights of action.	Participated in hearings on legislation.
SB 334	Workers Compensation	Senator Faber	To prohibit an employee from receiving workers' compensation benefits if employee receives benefits for the same injury/illness in another state; and to make changes to the Workers' Compensation Law regarding interstate workers' compensation claims.	Passed Senate & House; Waiting for Gov. signature	Support	Helps prevent contractors from being hit twice with the same workers' comp claim; includes version of association's reciprocity language; allows employers to purchase out-of-state workers' comp coverage from Ohio BWC.	Participated in hearings; provided input on reciprocity language.
SB 335	Economic Stimulus	Senator Carey	To establish the Ohio Bioproducts Development Program and Ohio Biomedical Development Program; to expand the economic development programs administered by the Dept. of Development; to provide additional money for capital improvement projects of local subdivisions; to modify the authority of the Coal Development Office and to administer coal research and development projects; to provide for advanced energy products; to extend the historical building rehabilitation tax credit; and to make an appropriation. (Companion bill HB 554 - Hottinger)	House companion bill - HB 554 - passed both houses.	Support	Could create construction projects related to capital improvements for local subdivisions and historical building rehabilitation.	Monitored legislation.
SJR 5	Clean Ohio Fund	Senator Wagoner	Proposing to authorize an issuance of general and other obligations of the state to pay the costs relating to environmental and related conservation, preservation, and revitalization purposes. (Companion bill HJR 5 - Sears)	Companion bill - HJR 5% - passed both houses	Support	Could create construction projects related to revitalization.	Monitored legislation.

POTENTIAL LEGISLATION

	Retainage	ASA has a draft language that would change Ohio's retainage law to reflect the ConsensusDOCS subcontract language, amongst other provisions			Support certain provisions in the draft bill that address the Dugan & Meyers case; unsure about certain retainage provisions.	
	Surveyors	Rumors that bill could be introduced to ensure that a surveyor is provided on site when using any location/surveying equipment			Could be costly for contractors utilizing GPS or other location-based technologies on equipment	
	Underground Utilities Bill	Draft bill attempts would attempt to improve call before you dig notification system as a means of preventing or minimizing damage to subsurface facilities as a result of excavations; establishes Underground Protection Advisory Committee			Definition of excavator; membership requirements to advisory committee (utilities outnumber contractors); lack of utility liability for poorly marked lines	
	ADR for WC Claims	To allow an employer and an employee organization with whom the employer has entered into a collective bargaining agreement to elect to provide an alternative resolution procedure program to resolve contested workers' compensation claims			Support concept; working with other groups to iron out details of draft legislation	