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GOVERNMENT AFFAIRS UPDATE

Associated General Contractors of Ohio's Government Affairs Update provides information about government related matters of interest to the commercial building industry and AGC's advocacy efforts. It is e-mailed to AGC of Ohio members and available online at www.agcoho.com/advocacy.html. Direct questions and comments to Andrea Ashley, Vice President of Government Relations: andrea@agcoho.com or (614) 486-6446.

April 15, 2016

RESIDENCY PROHIBITION LEGISLATION DELAYED YET AGAIN OVER CONTROVERSIAL PLA AMENDMENT PUSHED BY ASSOCIATED BUILDERS & CONTRACTORS

The Ohio House State Government Committee on Tuesday held a hearing on [SB 152](#) (Uecker, R-Miami Township), legislation that would prohibit residency quotas on public improvements. The bill was slated for a vote, and once again the vote was postponed at the last minute due to efforts to insert project labor agreement (PLA) language.

The House Speaker Cliff Rosenberger (R-Clarksville) has made clear that he wants PLA language included in the bill. The Associated Builders and Contractors (ABC) and some "far-right leaning" House Republicans are pushing for the amendment. However, since the vote in committee was cancelled, one can surmise that they are having a hard time finding enough votes to pass the bill with the amendment on the House floor.

Assuming the House is able to get the votes, the Senate most likely will not concur with the change. The PLA language being proposed is the same language that was inserted in the biennial budget bill (HB 64) by the House, and later removed by the Senate. And, an overwhelming majority of Senate Republicans have stated they oppose adding the PLA language to [SB 152](#). Interestingly, the drama has caught the ear of statehouse press and has received [coverage](#) outside statehouse news services.

While AGC of Ohio does not support PLAs, we have maintained we do not want that or any other controversial amendment added to [SB 152](#); it will only continue to delay or potentially prevent passage of the bill. As a result of political gamesmanship, [SB 152](#) and its companion bill, [HB 180](#), have languished in committee for nearly six months. Unfortunately, the ultimate losers in this situation are the contractors who are stuck with these ridiculous mandates and Ohio construction workers who live outside the city using local hire requirements.

OHIO HOUSE INTRODUCES MEDICAL MARIJUANA LEGISLATION

On Thursday, the House introduced legislation to legalize medical marijuana in Ohio. [HB 523](#) (Huffman, R-Tipp City) will move through a special committee, with the goal of being on the governor's desk by June.

[HB 523](#) is designed to lay out a framework for allowing physicians to recommend and patients to obtain marijuana for medicinal purposes, and rules governing the system will be created by a Medical Marijuana Control Commission formed under the Department of Health. It also includes protections for employers

with drug-free workplace policies, and still allows employers to terminate employees who violate drug-free policies, even if the employee has a doctor's recommendation to use marijuana.

Last month, the Ohio House Medicinal Marijuana Taskforce took testimony from interested parties about legalizing medical marijuana. AGC of Ohio [advocated](#) that any effort to legalize medical marijuana should not hurt an employers' ability to maintain a drug free workplace program that includes medical marijuana as a prohibited drug.

AGC of Ohio is currently reviewing the bill, and will be sending out information to members for feedback. House leaders have indicated the bill will move quickly to counter any potential outside ballot issues.

OHIO SENATE BEGINS HEARINGS ON CAPITAL APPROPRIATIONS BILL THIS WEEK; VOTE EXPECTED NEXT WEEK

As expected, the \$2.62 billion [capital appropriations budget measure](#) for fiscal years 2017-2018 was introduced in the Senate on Tuesday. [SB 310](#) is scheduled for a committee vote next Tuesday, April 19, and a floor vote expected the following day. House and Senate leadership have indicated that they want a "clean" bill. The fast-track schedule could have it to the governor's desk in just a few weeks.

The proposed spending is about \$200 million more than the last capital budget and includes:

- \$650 million for K-12 buildings through the Ohio School Facilities Commission (OSFC)
- \$500 million for local infrastructure through the Public Works Commission
- \$323 million for improvements to dams, state parks and forests through the Department of Natural Resources allotment
- \$160 million for "community projects"
- \$150.8 million for the Department of Rehabilitation and Correction
- \$100 million for health and human services and Youth Services facilities
- \$100 million for transportation projects
- \$68.5 million for the Department of Administrative Services
- \$428 million for higher education projects

A county-by-county spending breakdown is available [here](#).

The funding measure includes a few policy items proposed by the Administration. Of particular interest is a plan to allow local schools to issue Certificates of Participation, or lease-purchase agreements, to help cover the local match for OSFC projects.

[SIGN UP](#) TO PARTICIPATE IN STATE SURVEY TO IDENTIFY WORKFORCE NEEDS

The Governor's Office of Workforce Transformation has asked AGC of Ohio to [identify members](#) willing to participate in a survey designed to help the agency pinpoint Ohio's employers most urgent job needs. The data from the survey will be used to align workforce programs and resources to the needs of business, helping to address workforce shortages and skills gaps. (For example, the state has required that 85 percent of local education and training efforts for unemployed Ohioans be directed at the occupations included on the In-Demand Jobs list.)

Please consider taking part in this important survey to ensure the construction industry's workforce needs are heard! Fill out the information for your company, including the appropriate contact person, on the following web form: <https://www.tfaforms.com/418691>. We will send the information to the Governor's Office of Workforce Transformation, which will incorporate it into the distribution database for the survey. The survey will be sent to participating companies in August.

UPCOMING PROGRAMS/EVENTS

Navigating the Government Contracting Labor & Employment Battlefield

Free [webinar](#) - April 22, 2016; 1:00-2:00 p.m.; sponsored by AGC-member Thompson Hine. [Learn more.](#)

AGC of Ohio Online Safety Committee Meeting: OSHA Regulatory Activity, Safety Matters

The AGC of Ohio Safety Committee will host an online meeting to discuss recent OSHA regulatory activity, including silica, and other pertinent safety issues of interest to the participants. The meeting will take place on April 27 from 8-9:30 p.m. To participate, e-mail Andrea Ashley at andrea@agcoho.com, and she will forward you the appropriate link.



ON THE NATIONAL FRONT... Information courtesy of AGC of America

CONTRACTOR INPUT NEEDED FOR DRAFT 2017 CONSTRUCTION GENERAL PERMIT

U.S. EPA Proposes Draft, Gives Short 45-Day Comment Period

The U.S. Environmental Protection Agency is asking for public input on its [proposed 2017 Construction General Permit](#), which authorizes stormwater discharge from construction sites. Although the Agency's general permit directly applies in only a handful of states and territories, it serves as a national model for [state-issued Construction General Permits](#). AGC needs your help in crafting comments on how the proposed permit will significantly impact construction operations and overall environmental management on regulated construction sites. Please provide any comments to Leah Pilconis at pilconisl@agc.org by May 6. AGC has prepared a [discussion document](#) to facilitate members' input. [Read more.](#)

AGC OPPOSES REVISED EEO-1 REPORT WITH COMPENSATION AND HOURS-WORKED DATA

On April 1, AGC submitted comments to the Equal Employment Opportunity Commission opposing its proposal to revise the Employer Information Report (EEO-1). The proposal intends to collect compensation and hours-worked data, in addition to already collected race and gender data, from all employers with 100 or more employees. For more information on the proposal, [click here](#). Visit the EEOC website to see the [sample revised form](#). AGC will continue to monitor the developments of the proposal and will keep members informed. [Read more on AGC.org.](#)

AGC OF AMERICA'S ACTION ON FEDERAL LEGISLATION

AGC Urges Passage of Healthcare HRA Legislation: This week AGC joined over 60 national and multi-state organizations in requesting the House Ways & Means Committee to consider the Small Business Healthcare Relief Act. The bill would allow small businesses with fewer than 50 employees to offer Health Reimbursements Arrangements (HRAs) to employees for the payment of premiums or qualified medical expenses associated with insurance coverage without facing an outrageous fine.

AGC-Supported FAA Bill Close to Passage: The Senate is moving towards a final bill reauthorizing Federal Aviation Administration (FAA) programs. AGC supports the bill and sent a letter to the Senate highlighting the bill's increased funding levels for the Airport Infrastructure Program (AIP), provisions related to drones and the creation of one size standard for businesses participating in the FAA's Disadvantaged Business Enterprise (DBE) program. Unfortunately, the bill does not include an AGC priority – increasing the Passenger Facility Charge – which would result in more airport infrastructure funding. The current FAA authorization is operating under an extension until July 15. As the legislative process plays out, AGC will work to ensure the final FAA bill addresses the construction industry's priorities.

FEDERAL CONTRACTORS: CHANGE ORDER SURVEY

Change orders are a way of life on any construction projects. However, that is no excuse for federal agencies taking many months or even years to process and pay change orders. Please complete this [brief survey](#) to help AGC gauge how bad the change order process is on your federal construction projects.

All survey responses are anonymous and allow AGC to better articulate the problems you face when working for federal construction agencies. Again, to complete the survey, [click here](#).

LAST CALL: TAKE AGC [SURVEY](#) TO HELP ADVOCACY EFFORTS

If you have not already done so, take a few minutes to complete a brief [survey](#) designed to help AGC's advocacy efforts. Your feedback will help AGC of America and its chapters gauge the reach of our collective networks and enable us to effectively plan for future public policy discussions. By understanding our network of relationships with elected officials, we can build advocacy programs that help advance our positions on any number of issues that directly impact the construction industry.

The [survey](#) will take very little of your time, but your participation will make a **tremendous** difference. There is no right or wrong answer to any of the questions, we simply ask for your honest feedback. Some questions will ask if you personally know certain elected officials representing you at the state or federal level. Please do not feel like you are expected to, as most people will not.

We greatly appreciate your time and participation!