

1 RESOLUTION NO. 2013-101

First Reading Passage Requested

(J. Dodson)

2 SPONSOR Mr. Pry and Ms. Kurt and Council of the Whole

3 DATE March 18, 2013

4 COMMITTEE Public Works

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6
7 **A Resolution opposing Substitute Ohio House Bill 35 and Ohio House Bill 59, which re-**
8 **allocates Commercial Activity Tax revenue and increases the maximum weight limit from**
9 **80,000 pounds to 90,000 pounds, and urging the Governor, and all State Senators and State**
10 **Representatives representing Summit County to oppose these actions, for the Engineer and**
11 **the Executive, and declaring an emergency.**

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13 WHEREAS, Substitute House Bill 35 ("HB 35"), commonly known as the
14 Transportation Bill, and House Bill 59 ("HB 59") deal with revenue from the Commercial
15 Activity Tax ("CAT") and truck weight limits; and

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17 WHEREAS, HB 35 and HB 59 are before the Ohio Senate Transportation Committee;
18 and

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20 WHEREAS, the proposed HB 59 would re-allocate revenue on CAT tax motor fuels,
21 estimated at \$140 million, from local governments solely to the Ohio Department of
22 Transportation and the State of Ohio for retirement of Ohio Public Work bonds; and

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24 WHEREAS, counties and other local governments have already suffered major cuts in
25 funding from the State of Ohio's budget; and

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27 WHEREAS, Ohio's counties, townships, and municipalities maintain 83% of road miles
28 in Ohio and county engineers maintain 61% of all public bridges in Ohio; and

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30 WHEREAS, the County Engineer and the County Engineer's Association of Ohio
31 recommend that CAT tax revenue formulas remain the same as current formulas; and

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33 WHEREAS, HB 35 also proposes an increase in the maximum weight limit of trucks
34 from 80,000 pounds to 90,000 pounds; and

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36 WHEREAS, current language in HB 35 proposes that the increase in weight is for all
37 state roads; and

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39 WHEREAS, all trips begin and end on local roads; and

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41 WHEREAS, larger trucks will cause more damage and deterioration to the county
42 highway system and to county bridges; and

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44 WHEREAS, larger and heavier trucks are safety risks for other motorists sharing the
45 roadway; and

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47 WHEREAS, truck licenses and fees do not cover the costs for counties to repair and
48 maintain roads for 90,000 pound vehicles; and
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4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
5 that it is necessary and in the best interest of the County of Summit to oppose Substitute HB 35
6 and HB 59, and the proposed changes to CAT tax revenue allocations, and the proposed increase
7 in maximum truck weight limits, and urge the Governor, State Representatives and State
8 Senators representing Summit County to oppose this action.

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10 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
11 of Ohio, that:

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13 SECTION 1

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15 This Council hereby opposes Substitute House Bill 35, also known as the Transportation
16 Bill, and House Bill 59, and the proposed changes to the allocation of Commercial Activity Tax
17 ("CAT") tax revenues and increases in maximum truck weight limits contained therein, and
18 urges the Governor, State Senators and State Representatives to oppose this bill.

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20 SECTION 2

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22 The Clerk of Council is hereby directed to send a certified copy of this Resolution to all
23 State Senators and State Representatives representing Summit County, and Governor John
24 Kasich.

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26 SECTION 3

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28 This Resolution is hereby declared an emergency in the interest of the health, safety and
29 welfare of the citizens of the County of Summit, and for the further purpose of immediately
30 opposing proposed changes to CAT tax revenues and maximum truck weight limits.

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32 SECTION 4

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34 Provided this Resolution receives the affirmative vote of eight members, it shall take
35 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
36 effect and be in force at the earliest time provided by law.

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38 SECTION 5

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40 It is found and determined that all formal actions of this Council concerning and relating
41 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
42 deliberations of this Council and of any of its committees that resulted in such formal action,
43 were in meetings open to the public, in compliance with all legal requirements, including Section
44 121.22 of the Ohio Revised Code.
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1 RESOLUTION NO. 2013-101
2 PAGE THREE

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5 INTRODUCED March 18, 2013

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7 ADOPTED March 18, 2013

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11 CLERK OF COUNCIL


12 PRESIDENT OF COUNCIL

13 APPROVED March 19, 2013

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16 EXECUTIVE

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18 ENACTED EFFECTIVE March 19, 2013
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~~Voice Vote: 11-0 YES: Komunale, Crawford, Feeman, Kostandaras
Prentice, Rodgers, Roemer, Schmidt, Shapiro~~

Voice Vote: 11-0 YES: Komunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro