



*Synopsis of House Committee Amendments**

Bill Rowland and other LSC staff Legislative Service Commission

Sub. S.B. 189

125th General Assembly
(H. Finance & Appropriations Committee)

School district performance ratings

Clarifies language regarding the prohibition against lowering a school district's performance rating for the 2003-2004 school year if the district meets certain criteria by specifying that the data to be used for evaluating the district's performance on ninth grade proficiency tests are the cumulative student passage rates through tenth grade (rather than the passage rates of tenth graders taking the tests).

Pilot Project Special Education Scholarship Program

--Clarifies that a scholarship under the Special Education Scholarship Program may not be used for a student to attend either (1) a public special education program operated under a contract, compact, or other bilateral agreement with the student's resident school district, or (2) a community school (charter school).

--Specifies that a parent whose child attends a public special education program operated under a contract, compact, or other bilateral agreement or a community school may not be prohibited from applying for and accepting a scholarship so that the parent may withdraw the child from that program or community school and use the scholarship for the child to attend a program for which the parent is required to pay for the services provided to the child.

--Repeats changes made to the program in Am. Sub. S.B. 2 of the 125th General Assembly by removing language specifying (1) that the scholarship may be used to pay for services "in addition to" those provided by the student's resident school district and (2) that another school district or another public entity for which a scholarship may be used is a district or entity "to either of which . . . [a] parent is required to pay tuition on behalf of the [parent's] child." The latter change does not appear to be substantive.

* This synopsis does not address amendments that may have been adopted on the House floor.

Department of Education – transfers to the School District Solvency Assistance Fund

Permits the Director of Budget and Management, at the request of the Superintendent of Public Instruction, to make transfers into the School District Solvency Assistance Fund (Fund 5H3) from the GRF and any fund administered by the Department of Education to provide assistance and grants to school districts in FYs 2004 and 2005 and provides that the assistance is to enable districts to remain solvent and to pay unforeseeable expenses of a temporary or emergency nature.

Procedures for a Local School District to Select a Different Educational Service Center

Prescribes issues the State Board of Education must consider in deciding whether to approve the annexation of a local school district to a different ESC.

Housing and dining facilities at community and technical colleges

Eliminates the prohibitions against community and technical colleges acquiring, constructing, maintaining, or operating housing and dining facilities and issuing bonds for such facilities.

Chemical Dependency Professionals Board

--Expands the list of professionals who may supervise a registered applicant's practice of alcohol and other drug prevention services.

--Provides that a licensed independent chemical dependency counselor who holds at least a master's degree in behavioral sciences meeting course requirements specified in rules may provide, for persons seeking an independent chemical dependency counselor or chemical dependency counselor III license, the portion of the training on the Diagnostic and Statistical Manual of Mental Disorders that is on chemical dependency conditions.

--Provides for rules of the Chemical Dependency Professionals Board to specify the number of the clock hours of training on the Diagnostic and Statistical Manual of Mental Disorders that must be on chemical dependency conditions.

--Provides that a person who holds, on December 23, 2002, a certificate or credentials accepted by the Department of Alcohol and Drug Addition Services as authority to practice as a certified chemical dependency counselor II may obtain a chemical dependency counselor II license from the Board without having to hold an associate's degree in behavioral science or a bachelor's degree in any field.

Ohio Commission to Reform Medicaid

Provides that a member of the Ohio Commission to Reform Medicaid is considered present at a Commission meeting even though the member's participation is through a telephone conference call if the meeting's purpose is to gather information, no



votes are taken at the meeting, and a room is made available for the public to observe the meeting.

Autism and early intervention Medicaid waivers

Eliminates provisions of current law that (1) prevent an individual from receiving services under an autism-related home and community-based services Medicaid waiver for more than three years, (2) make an individual who receives intensive therapeutic services under such a waiver forever ineligible to receive intensive therapeutic services under any other component of the Medicaid program, and (3) restrict Medicaid waivers regarding autism and early intervention-related home and community-based services to operating for only three to four years each.

Limitations on government contracts with persons who owe money to public entities

Changes the bill's provisions relative to current statutory limitations placed on government contracts with persons who owe money to public entities, by:

--Allowing state agencies and political subdivisions, in lieu of utilizing the Auditor of State's website, to independently verify that a person with whom they are about to contract has no unresolved finding for recovery;

--Specifying that state agencies and political subdivisions do not need to check the database maintained by the Auditor of State for the companies or agreements to which the contracting prohibition does not apply;

--Adding that the contracting prohibition also does not apply to a self-insurance pool, joint self-insurance pool, risk management program, or joint risk management program, unless a court has entered a final judgment against that entity which it has yet to satisfy;

--Requiring the Attorney General to notify the Auditor of State when a judgment is issued against bonding and insurance companies, and the pools and programs described immediately above;

--Redefining the type of contracts exempt from the contracting prohibition when multiple contracts are involved;

--Redefining "person" so that it no longer includes a person doing business under any name other than the person's legal name, and referring to state *funds* instead of state *money*.

Pay schedule E-1 for Step Seven Only

Clarifies that exempt employees who will be paid in accordance with the new Schedule E-1 for Step Seven Only will continue to be paid under that schedule as long as



the employee (1) remains in the position the employee held as of July 1, 2003, or (2) moves to another position assigned to Pay Range 12 or above and the employee's appointing authority assigns the employee to be paid a salary or wage in the appropriate pay range for that position in accordance with Schedule E-1 for Step Seven Only.

Distribution of moneys from sale of standing timber

--Creates the Forestry Holding Account Redistribution Fund and requires money derived from the sale of standing timber on state forest lands and state forest nurseries be deposited into the Fund.

--Alters the current distribution of money derived from the sale of such standing timber by providing that the direct costs incurred by the Division of Forestry regarding the sale of timber must be subtracted from the total sale proceeds, and of the remaining amount 25% must be transferred to the State Forest Fund, 10% must be transferred to the General Revenue Fund, and 65% must be paid to the appropriate county for further distribution to the county and affected townships and school districts.

Lottery prize awards

Extends the deadline for a lottery prize winner who is on active military duty to claim the lottery prize award to the 540th day, instead of the 180th day, after the prize award's announcement or the closing of the game.

Department of Administrative Services transfer - Bellepoint bridge reconstruction

Transfers \$75,000 in appropriation item CAP-786, Rural Areas Community Improvements, in the Department of Administrative Services, to appropriation item CAP-942, Local Parks Projects, in the Department of Natural Resources, and redirects the \$75,000 earmark for the Bellepoint Bridge Reconstruction to the Liberty Township Playground.

Department of Transportation, Public Utilities Commission Grade Crossing Profile and Safety Improvement Program

Cancels a FY 2002 encumbrance of \$645,000 in appropriation item 776-665, Railroad Crossing Safety Devices, within the Department of Transportation, and reestablishes the encumbrance in appropriation item 870-614, Grade Crossing Protection Devices-State, to be used for the newly created Grade Crossing Profile and Safety Improvement Program within the Public Utilities Commission.

Department of Development – shovel ready sites

Amends the temporary language for GRF appropriation item 195-516, Shovel Ready Sites, to require the Department of Development to make grants instead of contracting with three port authorities; include development entities approved by the



Director of Development as eligible for those grants; make FY 2004 funds available for immediate use on the pilot projects; require that after July 1, 2004, and upon documentation of expenditure of at least 90% of the FY 2004 funds, the FY 2005 funds are available for immediate use on the pilot projects; and add eligible uses for the moneys to include land acquisition, site preparation, construction activities, and professional fees (which cannot exceed 20% of the grant amount).

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