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OHIO REPORT

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Senate Finance Committee - June 3, 2003 - Sub. HB 95 - OMNIBUS amendment synopsis

Primary & Secondary Education

- SC-2063-1 - Clarifies that entry-year program funds may be used by public and chartered nonpublic schools.
- SC-2066 - Provides a replacement tax payment for taxing districts having a nuclear power plant for losses incurred due to a reduction in the assessed value of electric company tangible personal property between tax years 2000 and 2001.
- SC-2076 - Increases the maximum scholarship award for the Cleveland Pilot Project Scholarship program from \$2,500 to \$3,000.
- SC-2077 - Makes changes to the autistic voucher pilot program.
- SC-2078 - Modifies the bill's provisions regarding credit for previous expenditures under the school building assistance expedited local partnership program.
- SC-2079 - Specifies that if the stakeholders and the Department of Education cannot agree on a Regional Education Delivery System by January 31, 2004, the department must develop plans and submit them to the General Assembly by February 15, 2004.
- SC-2085 - Corrects an earmark in 200-410 Professional Development that was inadvertently left out of the sub bill for the Ohio University Leadership Program.
- SC-2086 - Requires, instead of permits, certain funds within OhioReads to be used for the STARS program.
- SC-2116 - Changes the bill's requirements regarding school districts using certified student software packages.
- SC-2137 - Creates a 1-year grace period for ESC's to propose creation of school districts.
- SC-2207 - Revises the method for allotting 200-545 Career-Tech Education Enhancements funding for equipment.
- SC-2268 - OBM technical amendment.
- SC-2271 - Increases the GRF 200-501 base cost line item appropriation by \$4,400,000 in FY 04 and \$19,200,000 in FY 05 to provide transitional aid for school districts to assist schools in transitioning to the use of "current ADM."

Higher Education

- SC-1935 - Clarifies that the calculations used for tuition caps are based upon the instructional and general fees charged by the state institution of higher education in the previous academic year.
- SC-2062-1 - Earmarks funds in each fiscal year from the 235-508 AFIT line item and from the 235-553 DAGSI line item in Board of Regents for the Wright Brothers Institute Nanomaterials and Advanced Data Management and Analysis.
- SC-2111 - Changes the name of the Belmont Technical College to Belmont Community College and directs Regents to recognize the conversion.
- SC-2129 - Clarifies that the moneys in 235-588 Ohio Resource Center for Mathematics, Science, and Reading shall be used for purposes consistent with the State Board of Education standards and policies.
- SC-2135 - Changes the denial of student aid for rioting offenses to anyone convicted of rioting offenses, not just those committed while in college.
- SC-2159 - Allows the Board of Regents to charge for good and services when not part of their routine responsibilities and deposits any proceeds in their general services fund.

- SC-2160 - Removes language regarding review and potential elimination of funding for the Ohio Aerospace Institute.
- SC-2162-1 Requires the Board of Regents to study the feasibility of recognizing and transferring credits from career colleges to state institutions under articulation & transfer.
- SC-2163 - Creates a custodial fund for Regents to accept awards and grants.
- SC-2204 - Reinstates two earmarks in the Rural Universities line item for COAD/ILGARD/GOA Appalachian Leadership Initiative and the Washington State Community College day care center, which were inadvertently omitted from the bill.

Human Services

- SC-1906 (OBM JFSA20-REV01) - Restores, with several substantive changes, provisions regarding partnership agreements between JFS and boards of county commissioners. Also, replaces workforce development partnership agreements with workforce development grant agreements. This language is the product of several months of negotiations between JFS and interested parties.
- SC-1908-1 - Requires a Medicaid pilot program to be operated in at least three counties to see if acute illnesses and hospitalizations among chronically ill children can be prevented or reduced through a system of care coordination. This pilot is capped at \$3 million.
- SC-1917 - Restores the definition of "home health agency" as it was inadvertently omitted from the code during the last biennium.
- SC-1925-1 - Provides for certification of community health workers by the Board of Nursing.
- SC-1928 - Modifies the sub bill's home care check-in system for publicly funded home care services.
- SC-1934 - Cleans up language from prior versions of the bill dealing with stillbirth certificates.
- SC-1983-1 - Requires JFS to seek for FY 04 and FY 05 a waiver of the food stamp program's work requirements for individuals residing in a county that has an unemployment rate of over 10%. The total time for eligibility for this category of individual shall not exceed 9 months. JFS must submit a report on the implementation of the waiver.
- SC-2030 - Earmarks, in the same fashion as the last budget bill, \$600,000 per fiscal year for the Ohio Alliance of Boys & Girls Clubs from the TANF/Title XX funds.
- SC-2058-3 - Earmarks \$50,000 per fiscal year in the 440-413 Healthy Communities line item for the Columbus Yassenoff Jewish Community Center for nutrition and exercise education programs for children.
- SC-2090 - Permits nurse education programs to partner with community health agencies for the Nurse Education Grant Program already in the bill.
- SC-2122 - Amends stakeholder and MRDD agreed to "swap or seize" language into the bill.
- SC-2123 - Deletes the phrase "authorized by that waiver" in an MRDD section of the bill. According to stakeholders and MRDD, this is technical clean up.
- SC-2133 - Provides that disabled Medicaid recipients under age 21 cannot be required to obtain services through managed care organizations.
- SC-2145 - Allows non-injection methods for immunizations.
- SC-2201 - Specifies that the Director of Health must consult with the OT, PT & AT Board when adopting rules for that section.
- SC-2205 - Repeals section 72 of HB 850 of the 122nd GA (now outdated) that dealt with a deficit in Area Agency on Aging Region 9.
- SC-2226-1 - Changes the 440-416 line item earmark for women's health services to require licensed professionals provide the services and show that they do not discriminate or coerce people into the program, that they do offer voluntary services, do not require an individual to receive any other service, and provide priority to low-income individuals.
- SC-2229 - Requires JFS to study expanding breast and cervical cancer treatment by including women who received screenings that were not paid for with federal funds distributed as grants to early detection programs.
- SC-2242 - Clarifies that the welfare diversion project in Butler County is to be administered by the Butler County United Way.
- SC-2247 - Requires the Director of JFS to continue the "parent expansion" eligibility for the Medicaid program using "FMAP" moneys.

- Then requires additional "FMAP" moneys to be deposited into the Family Services Stabilization Fund. The funds received from the federal government for "state fiscal relief" shall be deposited into the Budget Stabilization Fund.
- SC-2248 - Reinstates the Department of Aging's Long-Term Care Consumer Guide and appropriates \$285,000 per fiscal year for that purpose.
- SC-2255 - Removes from the bill a debt collection amendment for MRDD that was added in the sub bill. The agency has asked for this to be removed.
- SC-2267 - Adds language regarding priority for home and community-based services for MRDD. (This is a technical amendment cleaning up incorrect dates in the current version of the bill.)
- SC-2278 - Requires the JFS director to seek federal Medicaid funds for the administrative costs for habilitation center services, home and community based services, and county board of MRDD services.
- SC-2281 - Earmarks \$50,000 in each fiscal year from the 440-416 line item for the Mayerson Foundation.

Justice & Corrections

- SC-1875-1 - Authorizes the Attorney General to assess collection costs when debts are owed to the state and not paid in a timely manner.
- SC-1930-1 & SC-2211 - Makes Attorney General recommended changes to the law to ensure compliance with the Tobacco Master Settlement Agreement.
- SC-2002 - Allows awards of reparations to a minor dependent of a crime victim in certain circumstances.
- SC-2039 - Adds \$250,000 per fiscal year to the public defender's office and earmarks at least this amount be used for legal assistance for juveniles.
- SC-2040 - Adds \$750,000 per fiscal year to ODADAS for alcohol and drug addiction services in correctional facilities through the Therapeutic Communities Program.
- SC-2178 - Restores House-passed fund levels for the CBCF funding and Administrative Operations lines in the Department of Rehabilitation and Corrections.
- SC-2228-1 - Increases the 196-424 line item for Criminal Justice Services by \$250,000 in each fiscal year.
- SC-2279 - Earmarks \$50,000 per fiscal year for Lighthouse Youth Services in 470-510, Youth Services.

Taxation

- SC-1884-1 - HB 87, the ODOT/DHS budget, exempted school busses from the phased increases in gasoline tax rates by allowing school districts to apply for reimbursement from Taxation. The section is corrected and clarified to ensure that JVS's and ESC's are eligible for the reimbursement.
- SC-1956-1 - Corrects an error in the sub bill to ensure pre-need funeral trusts are not taxable under the temporary tax on trusts.
- SC-2087-1 - Increases the minimum corporate franchise tax from \$50 to \$1,000 for corporations with gross receipts of more than \$5 million annually or those having more than 300 employees.
- SC-2121 - Restores an S-corp tax section that was erroneously amended in SB 180 of the 124th General Assembly. This amendment clarifies that "double taxation" does not occur for these entities.
- SC-2130 - Modifies the sub bill's manufacturing property tax reduction to cover property installed after July 1, 2004 (rather than January 1, 2004) and phases in the reduction over 10 years.
- SC-2156 - Consolidates and revises law governing tax exemptions for pollution control property, and changes the permit from \$1,000 to a percentage not to exceed \$2,000.
- SC-2182 - Makes changes to the Municipal Tax provisions already in the bill.
- SC-2188 - Corrects the computation of the inventory tax phase down.
- SC-2234 - Delay the implementation of the food portion of the streamlined sales tax law until July 1, 2004. (This does not change the July 1, 2003 date for pharmaceuticals and durable medical equipment.)
- SC-2235 - Changes to the sales & use tax tables to reflect the temporary 1% increase. Also includes Department of Taxation clean-up to the sales tax section.
- SC-2253 - Allows the Tax Commissioner to use funds from a non-GRF line to pay travel costs associated with Streamlined Sales Tax meetings.
- SC-2274 - Makes a clarifying correction to the telecom language by adding "derived from amounts" after "receipts," per the Tax Department.

- SC-2275 - Reinserts the as introduced provisions eliminating a filing requirement for taxpayers whose total taxable property is valued at less than the \$10,000 threshold for tangible personal property. (Was to have been in the sub bill.)
- SC-2276 - Permits, per the Tax Department, remission of penalties imposed for late payments of real and personal property taxes if the failure to file in a timely fashion was due to "reasonable cause" and not willful neglect.

Transportation & Public Safety

- SC-1953 - Makes federally required changes, per the Department of Public Safety's request, to the commercial driver's license and railroad crossing sections of code. This will prevent the loss of a substantial amount of federal pass-through funding.
- SC-2083 - Clarifies the sub bill's authority for the executive director of the Division of Homeland Security under Public Safety in regard to appointing staff and entering into agreements.
- SC-2127 - Transfers the State Fire Marshal and various associated programs from the Department of Commerce to the Department of Public Safety.
- SC-2164 - Transfers private investigators and security guard regulation from Commerce to Public Safety on January 1, 2004.
- SC-2236R - Requires the Registrar of Motor Vehicles to make the original title documents available to the Attorney General upon request.

General Government

- SC-1921 - Pursuant to the "double-dipping" disclosure language that was in the Senate's substitute bill, requires a public employer intending to employ a PERS retiree to give public notice of the meeting at which the employment is being discussed. Also, removes a provision that would have penalized a retirement allowance of the person if the public meeting requirement is not met.
- SC-1927 - Makes several changes to the sub bill's metropolitan housing authority language including: one of the new appointees would have to reside in "assisted" housing and eliminates the bill's requirement about municipal corporation residence.
- SC-1931 - Eliminates the cap on interest charged on funds advanced to domestic insurers and health insuring corporations to be repaid out of future surplus earnings.
- SC-1955 - The substitute bill's version of the disposition of liquor permit funds was to have not changed the percentages in the disbursement formula for the increased fees. This removes the increase for the statewide fund.
- SC-2053 & SC-2139 - Increases the bid threshold for regional sewer and water districts from \$15,000 to \$25,000, as has been done for a variety of other political subdivisions in earlier versions of the bill.
- Increases thresholds for fire and ambulance districts and other certain township trustee thresholds.
- SC-2056-3 - Makes clarifications to the temp law regarding the Shovel Ready sites line item in Department of Development.
- SC-2065 - LSC amendment - corrects various technical issues in the sub bill.
- SC-2115 - Authorizes Liquor Control to sell at wholesale spirituous liquor in 50 milliliter sealed containers to any holder of a permit for consumption on premises where sold.
- SC-2148 - Revises the professional design firm and services language in the bill
- SC-2154 - Reinserts as introduced language in ODADAS' budget limiting the amount of funding in 038-401 that may be used for "priority projects."
- SC-2155-1 - Prohibits the Historical Society from closing any sites during the biennium and requires the society to submit a plan to implement recommendations of the Select Committee to Study the Effectiveness of Ohio's Historical Programs and Partnerships to the Controlling Board.
- The FY 05 appropriations are to be released by Controlling Board after an implementation plan is approved.
- SC-2158 - Makes changes to the sub bill's "charitable bingo bill clean-up."
- SC-2166 - Clarifies in temp law uses for the Base Realignment and Closure moneys added to the Department of Development in the substitute bill.
- SC-2167 & SC-2173 - Restores current law by removing the proposal that permits salaries of draftspersons the County Engineer appoints to be paid out of real estate assessment funds. Corrects other portions of the real estate assessment fund language.

- SC-2176 - Increases a federal line item in EPA (715-612 Public Water Supply) to reflect receipt of additional federal funds.
- SC-2183 - Per the EPA, reduces several of the license fee increases in the as introduced version of the bill for water systems. (Was to have been an OBM amendment for the sub bill, but was not completed in time).
- SC-2185 - Makes several technical modifications to the sub bill's prohibition on governmental entities contracting with vendors who owe "findings."
- SC-2195 - Makes changes to lottery prize awards transfer law to state that a court must find the transfer to be "in the best interests" of the prizewinner.
- SC-2197 & SC-2202 - Eliminates the population ceiling for municipal corporations and townships in which D-5i liquor permits can be issued. Changes the political subdivisions in which D-5j liquor permits may be issued.
- SC-2224 - Requires the issuance of a Sunday sales permit for a non-profit corporation that operates a national professional sports museum.
- SC-2231 - LSC technical amendment
- SC-2237 - Suspends for the biennium DAS' authority to collect commissions and fees in connection with the rental of property.
- SC-2238 - Increases the appropriation for the Statehouse News Bureau by \$74,492 in each fiscal year.
- SC-2239 - Increases and earmarks 195-507 Travel & Tourism grants by \$25,000 in each fiscal year for the Ohio River Trails Program.
- SC-2240 - Corrects an appropriation increase from the sub bill by moving \$500,000 per fiscal year in the Department of Agriculture's budget from the 700-406 Lab line item to 700-401 Animal Disease Control line item.
- SC-2241 - Per the agency's request, decreases the 035-321 LSC Operating line item by \$130,000 in FY 05.
- SC-2245 - Per the Secretary of State's Office, changes the deadlines for the presidential ballot certification.
- SC-2252 - Makes technical changes to the Talbert House earmark in the bill under ODADAS.
- SC-2259 - Corrects the as introduced version's continuing education exemption for certain managers of funeral homes.
- SC-2261 - Makes revenue neutral changes to various earmarks in EDU and OHS.
- SC-2263 - Eliminates the sunset for the Board of Orthotics.
(Was to have been in the sub bill but was requested for drafting incorrectly.)
- SC-2264 - Makes the exempt employee payroll language added for DAS effective immediately.
- SC-2265 - OBM technical changes removing outdated earmarks for the Afro-American Museum and the Hayes Presidential Center, as the line items are now separate again as opposed to the as introduced consolidated line item. Eliminates Public Safety earmark language for a line item that no longer exists.
- SC-2266 - OBM technical amendment for a reference in Development's 195-435 Biomed line item.
- SC-2270 - Requires notification to local elected officials regarding changes in the methodology of calculating Workers' Compensation payments by that county, taxing district, or other public institution.
- SC-2273 - Prohibits ODNr from charging fees to enter a state park or nature preserve during the FY 04-FY 05 biennium.
- SC-2283 - Creates the Legislative Audit Study Committee to study how other states perform legislative audit functions.
- SC-2284 - Increases and earmarks the Historic Grants line item by \$500,000 in FY 04 for the Village of Dennison Historic Center Street District.

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