

As Introduced

**129th General Assembly
Regular Session
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H. B. No. 548

Representative Pillich

Cosponsors: Representatives Foley, Fedor, Antonio, Milkovich, Yuko

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A B I L L

To amend sections 121.40 and 121.403, to enact 1
sections 121.4011, 121.4012, 121.4013, 121.4014, 2
121.4015, and 121.4016 of the Revised Code to 3
establish the Ohio Service Corps Intern Program, 4
and to make an appropriation. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 121.40 and 121.403 be amended and 6
sections 121.4011, 121.4012, 121.4013, 121.4014, 121.4015, and 7
121.4016 of the Revised Code be enacted to read as follows: 8

Sec. 121.40. (A) There is hereby created the Ohio commission 9
on service and volunteerism consisting of twenty-one voting 10
members including the superintendent of public instruction or the 11
superintendent's designee, the chancellor of the Ohio board of 12
regents or the chancellor's designee, the director of youth 13
services or the director's designee, the director of aging or the 14
director's designee, the chairperson of the committee of the house 15
of representatives dealing with education or the chairperson's 16
designee, the chairperson of the committee of the senate dealing 17
with education or the chairperson's designee, and fifteen members 18
who shall be appointed by the governor with the advice and consent 19

of the senate and who shall serve terms of office of three years. 20
The appointees shall include educators, including teachers and 21
administrators; representatives of youth organizations; students 22
and parents; representatives of organizations engaged in volunteer 23
program development and management throughout the state, including 24
youth and conservation programs; and representatives of business, 25
government, nonprofit organizations, social service agencies, 26
veterans organizations, religious organizations, or philanthropies 27
that support or encourage volunteerism within the state. The 28
director of the governor's office of faith-based and community 29
initiatives shall serve as a nonvoting ex officio member of the 30
commission. Members of the commission shall receive no 31
compensation, but shall be reimbursed for actual and necessary 32
expenses incurred in the performance of their official duties. 33

(B) The commission shall appoint an executive director for 34
the commission, who shall be in the unclassified civil service. 35
The governor shall be informed of the appointment of an executive 36
director before such an appointment is made. The executive 37
director shall supervise the commission's activities and report to 38
the commission on the progress of those activities. The executive 39
director shall do all things necessary for the efficient and 40
effective implementation of the duties of the commission. 41

The responsibilities assigned to the executive director do 42
not relieve the members of the commission from final 43
responsibility for the proper performance of the requirements of 44
this section. 45

(C) The commission or its designee shall do all of the 46
following: 47

(1) Employ, promote, supervise, and remove all employees as 48
needed in connection with the performance of its duties under this 49
section and may assign duties to those employees as necessary to 50
achieve the most efficient performance of its functions, and to 51

that end may establish, change, or abolish positions, and assign 52
and reassign duties and responsibilities of any employee of the 53
commission. Personnel employed by the commission who are subject 54
to Chapter 4117. of the Revised Code shall retain all of their 55
rights and benefits conferred pursuant to that chapter. Nothing in 56
this chapter shall be construed as eliminating or interfering with 57
Chapter 4117. of the Revised Code or the rights and benefits 58
conferred under that chapter to public employees or to any 59
bargaining unit. 60

(2) Maintain its office in Columbus, and may hold sessions at 61
any place within the state; 62

(3) Acquire facilities, equipment, and supplies necessary to 63
house the commission, its employees, and files and records under 64
its control, and to discharge any duty imposed upon it by law. The 65
expense of these acquisitions shall be audited and paid for in the 66
same manner as other state expenses. For that purpose, the 67
commission shall prepare and submit to the office of budget and 68
management a budget for each biennium according to sections 69
101.532 and 107.03 of the Revised Code. The budget submitted shall 70
cover the costs of the commission and its staff in the discharge 71
of any duty imposed upon the commission by law. The commission 72
shall not delegate any authority to obligate funds. 73

(4) Pay its own payroll and other operating expenses from 74
line items designated by the general assembly; 75

(5) Retain its fiduciary responsibility as appointing 76
authority. Any transaction instructions shall be certified by the 77
appointing authority or its designee. 78

(6) Establish the overall policy and management of the 79
commission in accordance with this chapter; 80

(7) Assist in coordinating and preparing the state 81
application for funds under sections 101 to 184 of the "National 82

and Community Service Act of 1990," 104 Stat. 3127 (1990), 42 83
U.S.C.A. 12411 to 12544, as amended, assist in administering and 84
overseeing the "National and Community Service Trust Act of 1993," 85
P.L. 103-82, 107 Stat. 785, and the americorps program in this 86
state, and assist in developing objectives for a comprehensive 87
strategy to encourage and expand community service programs 88
throughout the state; 89

(8) Assist the state board of education, school districts, 90
the chancellor of the board of regents, and institutions of higher 91
education in coordinating community service education programs 92
through cooperative efforts between institutions and organizations 93
in the public and private sectors; 94

(9) Assist the departments of natural resources, youth 95
services, aging, and job and family services in coordinating 96
community service programs through cooperative efforts between 97
institutions and organizations in the public and private sectors; 98

(10) Suggest individuals and organizations that are available 99
to assist school districts, institutions of higher education, and 100
the departments of natural resources, youth services, aging, and 101
job and family services in the establishment of community service 102
programs and assist in investigating sources of funding for 103
implementing these programs; 104

(11) Assist in evaluating the state's efforts in providing 105
community service programs using standards and methods that are 106
consistent with any statewide objectives for these programs and 107
provide information to the state board of education, school 108
districts, the chancellor of the board of regents, institutions of 109
higher education, and the departments of natural resources, youth 110
services, aging, and job and family services to guide them in 111
making decisions about these programs; 112

(12) Assist the state board of education in complying with 113

section 3301.70 of the Revised Code and the chancellor of the 114
board of regents in complying with division (B)(2) of section 115
3333.043 of the Revised Code; 116

(13) Advise, assist, consult with, and cooperate with, by 117
contract or otherwise, agencies and political subdivisions of this 118
state in establishing a statewide system for volunteers pursuant 119
to section 121.404 of the Revised Code; 120

(14) Establish and administer the Ohio service corps 121
internship program. 122

(D) The commission shall in writing enter into an agreement 123
with another state agency to serve as the commission's fiscal 124
agent. Before entering into such an agreement, the commission 125
shall inform the governor of the terms of the agreement and of the 126
state agency designated to serve as the commission's fiscal agent. 127
The fiscal agent shall be responsible for all the commission's 128
fiscal matters and financial transactions, as specified in the 129
agreement. Services to be provided by the fiscal agent include, 130
but are not limited to, the following: 131

(1) Preparing and processing payroll and other personnel 132
documents that the commission executes as the appointing 133
authority; 134

(2) Maintaining ledgers of accounts and reports of account 135
balances, and monitoring budgets and allotment plans in 136
consultation with the commission; and 137

(3) Performing other routine support services that the fiscal 138
agent considers appropriate to achieve efficiency. 139

(E)(1) The commission, in conjunction and consultation with 140
the fiscal agent, has the following authority and responsibility 141
relative to fiscal matters: 142

(a) Sole authority to draw funds for any and all federal 143

programs in which the commission is authorized to participate; 144

(b) Sole authority to expend funds from their accounts for 145
programs and any other necessary expenses the commission may incur 146
and its subgrantees may incur; and 147

(c) Responsibility to cooperate with and inform the fiscal 148
agent fully of all financial transactions. 149

(2) The commission shall follow all state procurement, 150
fiscal, human resources, statutory, and administrative rule 151
requirements. 152

(3) The fiscal agent shall determine fees to be charged to 153
the commission, which shall be in proportion to the services 154
performed for the commission. 155

(4) The commission shall pay fees owed to the fiscal agent 156
from a general revenue fund of the commission or from any other 157
fund from which the operating expenses of the commission are paid. 158
Any amounts set aside for a fiscal year for the payment of these 159
fees shall be used only for the services performed for the 160
commission by the fiscal agent in that fiscal year. 161

(F) The commission may accept and administer grants from any 162
source, public or private, to carry out any of the commission's 163
functions this section establishes. 164

Sec. 121.403. (A) The Ohio commission on service and 165
volunteerism may do any of the following: 166

(1) Accept monetary gifts or donations; 167

(2) Sponsor conferences, meetings, or events in furtherance 168
of the commission's purpose described in section 121.40 of the 169
Revised Code and charge fees for participation or involvement in 170
the conferences, meetings, or events; 171

(3) Sell promotional items in furtherance of the commission's 172

purpose described in section 121.40 of the Revised Code. 173

(B) All monetary gifts and donations, funds from the sale of 174
promotional items, contributions received from the issuance of 175
Ohio "volunteer" license plates pursuant to section 4503.93 of the 176
Revised Code, and any fees paid to the commission for conferences, 177
meetings, or events sponsored by the commission shall be deposited 178
into the Ohio commission on service and volunteerism gifts and 179
donations fund, which is hereby created in the state treasury. 180
Moneys in the fund may be used only as follows: 181

(1) To pay operating expenses of the commission, including 182
payroll, personal services, maintenance, equipment, and subsidy 183
payments; 184

(2) To support commission programs promoting volunteerism and 185
community service in the state; 186

(3) To support the Ohio service corps internship program; 187

(4) As matching funds for federal grants. 188

Sec. 121.4011. The Ohio commission on service and 189
volunteerism shall establish and administer an Ohio service corps 190
internship program. The program shall be designed to encourage 191
recent Ohio college graduates to remain in Ohio after graduation, 192
to enable recent Ohio college graduates to gain knowledge and 193
experience in the services provided to Ohio residents by Ohio 194
nonprofit corporations, and to assist recent Ohio college 195
graduates to retire student loan debt. Under the program, the 196
commission shall employ eligible recent Ohio college graduates and 197
place them in nonprofit corporate internships that are 198
participating in the program. 199

Sec. 121.4012. An individual who meets all of the following 200
qualifications is eligible to be an Ohio service corps intern: 201

<u>(A) Is a resident of this state;</u>	202
<u>(B) Is eighteen years of age or older; and</u>	203
<u>(C) Received, within the twelve months preceding the filing</u>	204
<u>of an application for employment, an associate or baccalaureate</u>	205
<u>degree from a state university or college as defined in division</u>	206
<u>(A)(1) of section 3345.12 of the Revised Code, a community college</u>	207
<u>established under Chapter 3354. of the Revised Code, a state</u>	208
<u>community college established under Chapter 3358. of the Revised</u>	209
<u>Code, a university branch established under Chapter 3355. of the</u>	210
<u>Revised Code, or a technical college established under Chapter</u>	211
<u>3357. of the Revised Code.</u>	212
<u>Sec. 121.4013. A nonprofit corporation that has a nonprofit</u>	213
<u>corporate internship in this state that meets standards</u>	214
<u>established by rule may apply to the Ohio commission on service</u>	215
<u>and volunteerism to have its nonprofit corporate internship</u>	216
<u>participate in the Ohio service corps internship program. The</u>	217
<u>commission shall review and approve or disapprove the application</u>	218
<u>under standards and according to procedures prescribed by rule.</u>	219
<u>Sec. 121.4014. An eligible individual may apply to the Ohio</u>	220
<u>commission on service and volunteerism for an Ohio service corps</u>	221
<u>corporate internship. The commission shall review and approve or</u>	222
<u>disapprove the applications under standards and according to</u>	223
<u>procedures prescribed by rule.</u>	224
<u>Sec. 121.4015. The Ohio commission on service and</u>	225
<u>volunteerism shall place an Ohio service corps intern in a</u>	226
<u>suitable nonprofit corporate internship that is participating in</u>	227
<u>the Ohio service corps internship program. An Ohio service corps</u>	228
<u>intern is not an employee of the nonprofit corporation providing</u>	229
<u>the nonprofit corporate internship in which the intern has been</u>	230
<u>placed.</u>	231

An Ohio service corps intern is a state employee, and shall 232
be paid directly by warrant of the director of budget and 233
management. An Ohio service corps intern is in the unclassified 234
service. An Ohio service corps intern is entitled to leave, 235
workers compensation, and all other benefits to which state 236
employees are entitled. An Ohio service corps intern is a state 237
employee pending placement in a nonprofit corporate internship and 238
during any interval between placements. 239

An Ohio service corps intern is entitled to annual 240
compensation of eighteen thousand dollars. The compensation shall 241
be adjusted annually on the first day of January. The adjustment 242
equals the percentage increase in the national consumer price 243
index between the first day of September in the preceding year and 244
the first day of September in the year preceding that year. 245

An Ohio service corps intern who has an outstanding student 246
loan is entitled, upon completion of each year of service as an 247
intern, to payment of an amount on behalf of the intern to the 248
holder of the loan toward retirement of the loan. 249

Sec. 121.4016. The Ohio commission on service and 250
volunteerism shall adopt rules under Chapter 119. of the Revised 251
Code for the Ohio service corps internship program that provide 252
the following: 253

(A) Procedures and forms according to which an eligible 254
individual shall apply to the commission for an Ohio service corps 255
internship; 256

(B) Standards and procedures according to which the 257
commission shall review and approve or deny an application for an 258
Ohio service corps internship; 259

(C) Procedures and forms according to which a nonprofit 260
corporation shall apply to the commission to have a nonprofit 261

<u>corporate internship participate in the Ohio service corps</u>	262
<u>internship program;</u>	263
<u>(D) Standards that a nonprofit corporate internship shall</u>	264
<u>meet to fulfill the purposes of the Ohio service corps internship</u>	265
<u>program;</u>	266
<u>(E) Standards and procedures for reviewing and approving or</u>	267
<u>disapproving applications for participation of a nonprofit</u>	268
<u>corporate internship in the Ohio service corps internship program;</u>	269
<u>(F) Standards governing the operation of nonprofit corporate</u>	270
<u>internships to ensure they fulfill the purposes of the Ohio</u>	271
<u>service corps internship program, and standards governing and</u>	272
<u>procedures for determining the length of nonprofit corporate</u>	273
<u>internships as they relate to the nonprofit corporate internship</u>	274
<u>and to the purposes of the Ohio service corps internship program;</u>	275
<u>(G) Standards and procedures ensuring that an Ohio service</u>	276
<u>corps intern is placed in a nonprofit corporate internship that</u>	277
<u>fulfills the purposes of the Ohio service corps internship program</u>	278
<u>as they relate to the intern;</u>	279
<u>(H) Standards and procedures for terminating the placement</u>	280
<u>and employment of an Ohio service corps intern who is not</u>	281
<u>conscientiously participating in the Ohio service corps internship</u>	282
<u>program;</u>	283
<u>(I) Standards and procedures for placing an Ohio service</u>	284
<u>corps intern in another, suitable nonprofit corporate internship</u>	285
<u>if a nonprofit corporate internship in which the intern has been</u>	286
<u>placed ends;</u>	287
<u>(J) Standards and procedures for administration of the</u>	288
<u>student loan repayment component of the Ohio service corps</u>	289
<u>internship program, including standards and procedures for</u>	290
<u>determining and verifying the amount of an Ohio service corps</u>	291
<u>intern's outstanding student loan, for identifying and verifying</u>	292

the holder of the loan, for determining the amount to be paid 293
annually on behalf of an intern to the holder of the loan toward 294
retirement of the loan, and for accounting for amounts that have 295
been paid toward the intern's student loan to the holder of the 296
loan by the commission on the intern's behalf; and 297

(K) Standards or procedures pertaining to any other subject 298
that is necessary if the Ohio service corps internship program is 299
to achieve its purposes. 300

The amount of a student loan payment on behalf of an Ohio 301
service corps intern shall not exceed twelve thousand dollars per 302
year. The length of an Ohio service corps internship shall be not 303
less than two nor more than three years. A nonprofit corporate 304
internship participating in the Ohio service corps internship 305
program shall be located in this state. 306

Section 2. That existing sections 121.40 and 121.403 of the 307
Revised Code are hereby repealed. 308

Section 3. All items in this section are hereby appropriated 309
as designated out of any money in the state treasury to the credit 310
of the designated fund. For all appropriations made in this act, 311
those in the first column are for fiscal year 2012 and those in 312
the second column are for fiscal year 2013. The appropriations 313
made in this act are in addition to any other appropriations made 314
for the FY 2012-FY 2013 biennium. 315

Appropriations

CSV COMMISSION ON SERVICE AND VOLUNTEERISM 316

General Revenue Fund 317

GRF 866401 Ohio Service Corps \$ 0 \$ 1,000,000 318

TOTAL GRF General Revenue Fund \$ 0 \$ 1,000,000 319

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 1,000,000 320

OHIO SERVICE CORPS 321

The foregoing appropriation item 866401, Ohio Service Corps, 322
shall be used to administer and implement the Ohio Service Corps 323
Program, which is created under section 121.4011 of the Revised 324
Code. 325

Section 4. Within the limits set forth in this act, the 326
Director of Budget and Management shall establish accounts 327
indicating the source and amount of funds for each appropriation 328
made in this act, and shall determine the form and manner in which 329
appropriation accounts shall be maintained. Expenditures from 330
appropriations contained in this act shall be accounted for as 331
though made in the main operating appropriations act of the 129th 332
General Assembly. 333

The appropriations made in this act are subject to all 334
provisions of the main operating appropriations act of the 129th 335
General Assembly that are generally applicable to such 336
appropriations. 337