

**As Reported by the Senate Finance and Financial Institutions
Committee***

**124th General Assembly
Regular Session
2001-2002**

Sub. H. B. No. 524

**REPRESENTATIVES Carey, Faber, Schmidt, Evans, Calvert, Flowers, Latta,
Coates, Aslanides, Ogg, Redfern, Lendrum
SENATOR Carnes**

A B I L L

To amend sections 105.41, 133.06, 135.18, 135.181,	1
151.01, 151.09, 151.40, 175.03, 727.01, 3318.03,	2
3318.04, 3318.05, 3318.06, 3318.061, 3318.08,	3
3318.084, 3318.11, 3318.36, 3318.362, 3318.363,	4
3318.38, 3333.17, 3345.05, 5705.19, 5705.218,	5
5709.081, 5709.82, 5739.01, and 5741.01 and to	6
enact sections 3311.25, 3318.023, 3318.056,	7
3318.062, and 3702.5213 of the Revised Code and to	8
amend Sections 4.03 and 5.04 of Sub. H.B. 73 of the	9
124th General Assembly, Sections 13, 13.01, 13.05,	10
13.12, and 69 of Am. Sub. H.B. 94 of the 124th	11
General Assembly, Sections 32, 45, 56.01, and 63.09	12
of Am. Sub. H.B. 94 of the 124th General Assembly,	13
as subsequently amended, and Section 30 of Am. Sub.	14
H.B. 405 of the 124th General Assembly to modify	15
conditions for the operation of state programs, to	16
make certain supplemental and capital	17
appropriations, and to make capital	18
reappropriations for the biennium ending June 30,	19
2004.	20

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

Section 1. That sections 105.41, 133.06, 135.18, 135.181, 21
151.01, 151.09, 151.40, 175.03, 727.01, 3318.03, 3318.04, 3318.05, 22
3318.06, 3318.061, 3318.08, 3318.084, 3318.11, 3318.36, 3318.362, 23
3318.363, 3318.38, 3333.17, 3345.05, 5705.19, 5705.218, 5709.081, 24
5709.82, 5739.01, and 5741.01 be amended and sections 3311.25, 25
3318.023, 3318.056, 3318.062, and 3702.5213 of the Revised Code be 26
enacted to read as follows: 27

Sec. 105.41. (A) There is hereby created the capitol square 28
review and advisory board, consisting of ~~nine~~ eleven members as 29
follows: 30

(1) Two members of the senate, appointed by the president of 31
the senate, both of whom shall not be members of the same 32
political party; 33

(2) Two members of the house of representatives, appointed by 34
the speaker of the house of representatives, both of whom shall 35
not be members of the same political party; 36

(3) Five members appointed by the governor, with the advice 37
and consent of the senate, not more than three of whom shall be 38
members of the same political party, one of whom shall represent 39
the office of the state architect and engineer, one of whom shall 40
represent the Ohio arts council, one of whom shall represent the 41
Ohio historical society, one of whom shall represent the Ohio 42
building authority, and one of whom shall represent the public at 43
large; 44

(4) One member, who shall be a former president of the 45
senate, appointed by the current president of the senate. If the 46
current president of the senate, in the current president's 47

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discretion, decides for any reason not to make the appointment or
if no person is eligible or available to serve, the seat shall
remain vacant.

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(5) One member, who shall be a former speaker of the house of
representatives, appointed by the current speaker of the house of
representatives. If the current speaker of the house of
representatives, in the current speaker's discretion, decides for
any reason not to make the appointment or if no person is eligible
or available to serve, the seat shall remain vacant.

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(B) Terms of office of each appointed member of the board shall be for three years, except that members of the general assembly appointed to the board shall be members of the board only so long as they are members of the general assembly. Each member shall hold office from the date of the member's appointment until the end of the term for which the member was appointed. In case of a vacancy occurring on the board, the president of the senate, the speaker of the house of representatives, or the governor, as the case may be, shall in the same manner prescribed for the regular appointment to the commission, fill the vacancy by appointing a member. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of the term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

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(C) The board shall hold meetings in a manner and at times prescribed by the rules adopted by the board. A majority of the board constitutes a quorum, and no action shall be taken by the board unless approved by at least five voting members or by at
least six voting members if a person is appointed under division
(A)(4) or (5) of this section. At its first meeting, the board

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shall adopt rules for the conduct of its business and the election 80
of its officers, and shall organize by selecting a chairperson and 81
other officers as it considers necessary. Board members shall 82
serve without compensation but shall be reimbursed for actual and 83
necessary expenses incurred in the performance of their duties. 84

(D) The board may do any of the following: 85

(1) Employ or hire on a consulting basis professional, 86
technical, and clerical employees as are necessary for the 87
performance of its duties; 88

(2) Hold public hearings at times and places as determined by 89
the board; 90

(3) Adopt, amend, or rescind rules necessary to accomplish 91
the duties of the board as set forth in this section; 92

(4) Sponsor, conduct, and support such social events as the 93
board may authorize and consider appropriate for the employees of 94
the board, employees and members of the general assembly, 95
employees of persons under contract with the board or otherwise 96
engaged to perform services on the premises of capitol square, or 97
other persons as the board may consider appropriate. Subject to 98
the requirements of Chapter 4303. of the Revised Code, the board 99
may provide beer, wine, and intoxicating liquor, with or without 100
charge, for those events and may use funds only from the sale of 101
goods and services fund to purchase the beer, wine, and 102
intoxicating liquor the board provides. 103

(E) The board shall do all of the following: 104

(1) Have sole authority to coordinate and approve any 105
improvements, additions, and renovations that are made to the 106
capitol square. The improvements shall include, but not be limited 107
to, the placement of monuments and sculpture on the capitol 108
grounds. 109

(2) Subject to section 3353.07 of the Revised Code, operate 110

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the capitol square, and have sole authority to regulate all uses
of the capitol square. The uses shall include, but not be limited
to, the casual and recreational use of the capitol square.

(3) Employ, fix the compensation of, and prescribe the duties
of the executive director of the board and other employees the
board considers necessary for the performance of its powers and
duties;

(4) Establish and maintain the capitol collection trust. The
capitol collection trust shall consist of furniture, antiques, and
other items of personal property that the board shall store in
suitable facilities until they are ready to be placed in the
capitol square.

(5) Perform repair, construction, contracting, purchasing,
maintenance, supervisory, and operating activities the board
determines are necessary for the operation and maintenance of the
capitol square;

(6) Maintain and preserve the capitol square, in accordance
with guidelines issued by the United States secretary of the
interior for application of the secretary's standards for
rehabilitation adopted in 36 C.F.R. part 67.

(F)(1) The board shall lease capital facilities improved or
financed by the Ohio building authority pursuant to Chapter 152.
of the Revised Code for the use of the board, and may enter into
any other agreements with the authority ancillary to improvement,
financing, or leasing of those capital facilities, including, but
not limited to, any agreement required by the applicable bond
proceedings authorized by Chapter 152. of the Revised Code. Any
lease of capital facilities authorized by this section shall be
governed by division (D) of section 152.24 of the Revised Code.

(2) Fees, receipts, and revenues received by the board from
the state underground parking garage constitute available receipts

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as defined in section 152.09 of the Revised Code, and may be
pledged to the payment of bond service charges on obligations
issued by the Ohio building authority pursuant to Chapter 152. of
the Revised Code to improve or finance capital facilities useful
to the board. The authority may, with the consent of the board,
provide in the bond proceedings for a pledge of all or a portion
of those fees, receipts, and revenues as the authority determines.
The authority may provide in the bond proceedings or by separate
agreement with the board for the transfer of those fees, receipts,
and revenues to the appropriate bond service fund or bond service
reserve fund as required to pay the bond service charges when due,
and any such provision for the transfer of those fees, receipts,
and revenues shall be controlling notwithstanding any other
provision of law pertaining to those fees, receipts, and revenues.

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(3) All moneys received by the treasurer of state on account
of the board and required by the applicable bond proceedings or by
separate agreement with the board to be deposited, transferred, or
credited to the bond service fund or bond service reserve fund
established by the bond proceedings shall be transferred by the
treasurer of state to such fund, whether or not it is in the
custody of the treasurer of state, without necessity for further
appropriation, upon receipt of notice from the Ohio building
authority as prescribed in the bond proceedings.

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(G) All fees, receipts, and revenues received by the board
from the state underground parking garage shall be deposited into
the state treasury to the credit of the underground parking garage
operating fund, which is hereby created, to be used for the
purposes specified in division (F) of this section and for the
operation and maintenance of the garage. All investment earnings
of the fund shall be credited to the fund.

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(H) All donations received by the board shall be deposited

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into the state treasury to the credit of the capitol square 174
renovation gift fund, which is hereby created. The fund shall be 175
used by the board as follows: 176

(1) To provide part or all of the funding related to 177
construction, goods, or services for the renovation of the capitol 178
square; 179

(2) To purchase art, antiques, and artifacts for display at 180
the capitol square; 181

(3) To award contracts or make grants to organizations for 182
educating the public regarding the historical background and 183
governmental functions of the capitol square. Chapters 125., 127., 184
and 153. and section 3517.13 of the Revised Code do not apply to 185
purchases made exclusively from the fund, notwithstanding anything 186
to the contrary in those chapters or that section. All investment 187
earnings of the fund shall be credited to the fund. 188

(I) Except as provided in divisions (G), (H), and (J) of this 189
section, all fees, receipts, and revenues received by the board 190
shall be deposited into the state treasury to the credit of the 191
sale of goods and services fund, which is hereby created. Money 192
credited to the fund shall be used solely to pay costs of the 193
board other than those specified in divisions (F) and (G) of this 194
section. All investment earnings of the fund shall be credited to 195
the fund. 196

(J) There is hereby created in the state treasury the capitol 197
square improvement fund, to be used by the board to pay 198
construction, renovation, and other costs related to the capitol 199
square for which money is not otherwise available to the board. 200
Whenever the board determines that there is a need to incur those 201
costs and that the unencumbered, unobligated balance to the credit 202
of the underground parking garage operating fund exceeds the 203
amount needed for the purposes specified in division (F) of this 204

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section and for the operation and maintenance of the garage, the board may request the director of budget and management to transfer from the underground parking garage operating fund to the capitol square improvement fund the amount needed to pay such construction, renovation, or other costs. The director then shall transfer the amount needed from the excess balance of the underground parking garage operating fund.

(K) As the operation and maintenance of the capitol square constitute essential government functions of a public purpose, the board shall not be required to pay taxes or assessments upon the square, upon any property acquired or used by the board under this section, or upon any income generated by the operation of the square.

(L) As used in this section, "capitol square" means the capitol building, senate building, capitol atrium, capitol grounds, and the state underground parking garage.

(M) The capitol annex shall be known as the senate building.

Sec. 133.06. (A) A school district shall not incur, without a vote of the electors, net indebtedness that exceeds an amount equal to one-tenth of one per cent of its tax valuation, except as provided in divisions (G) and (H) of this section and in division (C) of section 3313.372 of the Revised Code, or as prescribed in section 3318.052 of the Revised Code, or as provided in division (J) of this section.

(B) Except as provided in divisions (E), (F), and (I) of this section, a school district shall not incur net indebtedness that exceeds an amount equal to nine per cent of its tax valuation.

(C) A school district shall not submit to a vote of the electors the question of the issuance of securities in an amount

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that will make the district's net indebtedness after the issuance
of the securities exceed an amount equal to four per cent of its
tax valuation, unless the superintendent of public instruction,
acting under policies adopted by the state board of education, and
the tax commissioner, acting under written policies of the
commissioner, consent to the submission. A request for the
consents shall be made at least thirty days prior to the election
at which the question is to be submitted, except that the
superintendent of public instruction and the tax commissioner may
waive this thirty-day deadline or grant their consents after the
election if the school district shows good cause for such waiver
or consent after the election.

(D) In calculating the net indebtedness of a school district,
none of the following shall be considered:

(1) Securities issued to acquire school buses and other
equipment used in transporting pupils or issued pursuant to
division (D) of section 133.10 of the Revised Code;

(2) Securities issued under division (F) of this section,
under section 133.301 of the Revised Code, and, to the extent in
excess of the limitation stated in division (B) of this section,
under division (E) of this section;

(3) Indebtedness resulting from the dissolution of a joint
vocational school district under section 3311.217 of the Revised
Code, evidenced by outstanding securities of that joint vocational
school district;

(4) Loans, evidenced by any securities, received under
sections 3313.483, 3317.0210, 3317.0211, and 3317.64 of the
Revised Code;

(5) Debt incurred under section 3313.374 of the Revised Code;

(6) Debt incurred pursuant to division (B)(5) of section

3313.37 of the Revised Code to acquire computers and related hardware;	266 267
(7) Debt incurred under section 3318.041 <u>3318.042</u> of the Revised Code.	268 269
(E) A school district may become a special needs district as to certain securities as provided in division (E) of this section.	270 271
(1) A board of education, by resolution, may declare its school district to be a special needs district by determining both of the following:	272 273 274
(a) The student population is not being adequately serviced by the existing permanent improvements of the district.	275 276
(b) The district cannot obtain sufficient funds by the issuance of securities within the limitation of division (B) of this section to provide additional or improved needed permanent improvements in time to meet the needs.	277 278 279 280
(2) The board of education shall certify a copy of that resolution to the superintendent of public instruction with a statistical report showing all of the following:	281 282 283
(a) A history of and a projection of the growth of the student population;	284 285
(b) The history of and a projection of the growth of the tax valuation;	286 287
(c) The projected needs;	288
(d) The estimated cost of permanent improvements proposed to meet such projected needs.	289 290
(3) The superintendent of public instruction shall certify the district as an approved special needs district if the superintendent finds both of the following:	291 292 293
(a) The district does not have available sufficient	294

additional funds from state or federal sources to meet the 295
projected needs. 296

(b) The projection of the potential average growth of tax 297
valuation during the next five years, according to the information 298
certified to the superintendent and any other information the 299
superintendent obtains, indicates a likelihood of potential 300
average growth of tax valuation of the district during the next 301
five years of an average of not less than three per cent per year. 302
The findings and certification of the superintendent shall be 303
conclusive. 304

(4) An approved special needs district may incur net 305
indebtedness by the issuance of securities in accordance with the 306
provisions of this chapter in an amount that does not exceed an 307
amount equal to the greater of the following: 308

(a) Nine per cent of the sum of its tax valuation plus an 309
amount that is the product of multiplying that tax valuation by 310
the percentage by which the tax valuation has increased over the 311
tax valuation on the first day of the sixtieth month preceding the 312
month in which its board determines to submit to the electors the 313
question of issuing the proposed securities; 314

(b) Nine per cent of the sum of its tax valuation plus an 315
amount that is the product of multiplying that tax valuation by 316
the percentage, determined by the superintendent of public 317
instruction, by which that tax valuation is projected to increase 318
during the next ten years. 319

(F) A school district may issue securities for emergency 320
purposes, in a principal amount that does not exceed an amount 321
equal to three per cent of its tax valuation, as provided in this 322
division. 323

(1) A board of education, by resolution, may declare an 324
emergency if it determines both of the following: 325

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(a) School buildings or other necessary school facilities in 326
the district have been wholly or partially destroyed, or condemned 327
by a constituted public authority, or that such buildings or 328
facilities are partially constructed, or so constructed or planned 329
as to require additions and improvements to them before the 330
buildings or facilities are usable for their intended purpose, or 331
that corrections to permanent improvements are necessary to remove 332
or prevent health or safety hazards. 333

(b) Existing fiscal and net indebtedness limitations make 334
adequate replacement, additions, or improvements impossible. 335

(2) Upon the declaration of an emergency, the board of 336
education may, by resolution, submit to the electors of the 337
district pursuant to section 133.18 of the Revised Code the 338
question of issuing securities for the purpose of paying the cost, 339
in excess of any insurance or condemnation proceeds received by 340
the district, of permanent improvements to respond to the 341
emergency need. 342

(3) The procedures for the election shall be as provided in 343
section 133.18 of the Revised Code, except that: 344

(a) The form of the ballot shall describe the emergency 345
existing, refer to this division as the authority under which the 346
emergency is declared, and state that the amount of the proposed 347
securities exceeds the limitations prescribed by division (B) of 348
this section; 349

(b) The resolution required by division (B) of section 133.18 350
of the Revised Code shall be certified to the county auditor and 351
the board of elections at least seventy-five days prior to the 352
election; 353

(c) The county auditor shall advise and, not later than 354
sixty-five days before the election, confirm that advice by 355
certification to, the board of education of the information 356

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required by division (C) of section 133.18 of the Revised Code; 357

(d) The board of education shall then certify its resolution 358
and the information required by division (D) of section 133.18 of 359
the Revised Code to the board of elections not less than sixty 360
days prior to the election. 361

(4) Notwithstanding division (B) of section 133.21 of the 362
Revised Code, the first principal payment of securities issued 363
under this division may be set at any date not later than sixty 364
months after the earliest possible principal payment otherwise 365
provided for in that division. 366

(G) The board of education may contract with an architect, 367
professional engineer, or other person experienced in the design 368
and implementation of energy conservation measures for an analysis 369
and recommendations pertaining to installations, modifications of 370
installations, or remodeling that would significantly reduce 371
energy consumption in buildings owned by the district. The report 372
shall include estimates of all costs of such installations, 373
modifications, or remodeling, including costs of design, 374
engineering, installation, maintenance, repairs, and debt service, 375
and estimates of the amounts by which energy consumption and 376
resultant operational and maintenance costs, as defined by the 377
Ohio school facilities commission, would be reduced. 378

If the board finds after receiving the report that the amount 379
of money the district would spend on such installations, 380
modifications, or remodeling is not likely to exceed the amount of 381
money it would save in energy and resultant operational and 382
maintenance costs over the ensuing fifteen years, the board may 383
submit to the commission a copy of its findings and a request for 384
approval to incur indebtedness to finance the making or 385
modification of installations or the remodeling of buildings for 386
the purpose of significantly reducing energy consumption. 387

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If the commission determines that the board's findings are 388
reasonable, it shall approve the board's request. Upon receipt of 389
the commission's approval, the district may issue securities 390
without a vote of the electors in a principal amount not to exceed 391
nine-tenths of one per cent of its tax valuation for the purpose 392
of making such installations, modifications, or remodeling, but 393
the total net indebtedness of the district without a vote of the 394
electors incurred under this and all other sections of the Revised 395
Code shall not exceed one per cent of the district's tax 396
valuation. 397

So long as any securities issued under division (G) of this 398
section remain outstanding, the board of education shall monitor 399
the energy consumption and resultant operational and maintenance 400
costs of buildings in which installations or modifications have 401
been made or remodeling has been done pursuant to division (G) of 402
this section and shall maintain and annually update a report 403
documenting the reductions in energy consumption and resultant 404
operational and maintenance cost savings attributable to such 405
installations, modifications, or remodeling. The report shall be 406
certified by an architect or engineer independent of any person 407
that provided goods or services to the board in connection with 408
the energy conservation measures that are the subject of the 409
report. The resultant operational and maintenance cost savings 410
shall be certified by the school district treasurer. The report 411
shall be made available to the commission upon request. 412

(H) With the consent of the superintendent of public 413
instruction, a school district may incur without a vote of the 414
electors net indebtedness that exceeds the amounts stated in 415
divisions (A) and (G) of this section for the purpose of paying 416
costs of permanent improvements, if and to the extent that both of 417
the following conditions are satisfied: 418

(1) The fiscal officer of the school district estimates that 419

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receipts of the school district from payments made under or
pursuant to agreements entered into pursuant to section 725.02,
1728.10, 3735.671, 5709.081, 5709.082, 5709.40, 5709.41, 5709.62,
5709.63, 5709.632, 5709.73, 5709.78, or 5709.82 of the Revised
Code, or distributions under division (C) of section 5709.43 of
the Revised Code, or any combination thereof, are, after
accounting for any appropriate coverage requirements, sufficient
in time and amount, and are committed by the proceedings, to pay
the debt charges on the securities issued to evidence that
indebtedness and payable from those receipts, and the taxing
authority of the district confirms the fiscal officer's estimate,
which confirmation is approved by the superintendent of public
instruction;

(2) The fiscal officer of the school district certifies, and
the taxing authority of the district confirms, that the district,
at the time of the certification and confirmation, reasonably
expects to have sufficient revenue available for the purpose of
operating such permanent improvements for their intended purpose
upon acquisition or completion thereof, and the superintendent of
public instruction approves the taxing authority's confirmation.

The maximum maturity of securities issued under division (H)
of this section shall be the lesser of twenty years or the maximum
maturity calculated under section 133.20 of the Revised Code.

(I) A school district may incur net indebtedness by the
issuance of securities in accordance with the provisions of this
chapter in excess of the limit specified in division (B) or (C) of
this section when necessary to raise the school district portion
of the basic project cost pursuant to Chapter 3318. of the Revised
Code. The school facilities commission shall notify the
superintendent of public instruction whenever a school district
will exceed ~~the nine per cent~~ either limit pursuant to this
division.

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(J) A school district whose portion of the basic project cost of its classroom facilities project under sections 3318.01 to 3318.20 of the Revised Code is greater than or equal to one hundred million dollars may incur without a vote of the electors net indebtedness in an amount up to two per cent of its tax valuation through the issuance of general obligation securities in order to generate all or part of the amount of its portion of the basic project cost if the controlling board has approved the school facilities commission's conditional approval of the project under section 3318.04 of the Revised Code. The school district board and the Ohio school facilities commission shall include the dedication of the proceeds of such securities in the agreement entered into under section 3318.08 of the Revised Code. No state moneys shall be released for a project to which this section applies until the proceeds of any bonds issued under this section that are dedicated for the payment of the school district portion of the project are first deposited into the school district's project construction fund.

Sec. 135.18. (A) The treasurer, before making the initial deposit in a public depository pursuant to an award made under sections 135.01 to 135.21 of the Revised Code, shall require the institution designated as a public depository to pledge to and deposit with the treasurer, as security for the repayment of all public moneys to be deposited in the public depository during the period of designation pursuant to the award, eligible securities of aggregate market value equal to the excess of the amount of public moneys to be at the time so deposited, over and above such portion or amount of such moneys as is at such time insured by the federal deposit insurance corporation or by any other agency or instrumentality of the federal government. In the case of any deposit other than the initial deposit made during the period of designation, the amount of the aggregate market value of

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securities required to be pledged and deposited shall be equal to 484
the difference between the amount of public moneys on deposit in 485
such public depository plus the amount to be so deposited, minus 486
the portion or amount of the aggregate as is at the time insured 487
as provided in this section. The treasurer may require additional 488
eligible securities to be deposited to provide for any 489
depreciation which may occur in the market value of any of the 490
securities so deposited. 491

(B) The following securities shall be eligible for the 492
purposes of this section: 493

(1) Bonds, notes, or other obligations of the United States; 494
or bonds, notes, or other obligations guaranteed as to principal 495
and interest by the United States or those for which the faith of 496
the United States is pledged for the payment of principal and 497
interest thereon, by language appearing in the instrument 498
specifically providing such guarantee or pledge and not merely by 499
interpretation or otherwise; 500

(2) Bonds, notes, debentures, letters of credit, or other 501
obligations or securities issued by any federal government agency 502
or instrumentality, or the export-import bank of Washington; 503
bonds, notes, or other obligations guaranteed as to principal and 504
interest by the United States or those for which the faith of the 505
United States is pledged for the payment of principal and interest 506
thereon, by interpretation or otherwise and not by language 507
appearing in the instrument specifically providing such guarantee 508
or pledge; 509

(3) Obligations of or fully insured or fully guaranteed by 510
the United States or any federal government agency or 511
instrumentality; 512

(4) Obligations partially insured or partially guaranteed by 513
any federal agency or instrumentality; 514

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(5) Obligations of or fully guaranteed by the federal national mortgage association, federal home loan mortgage corporation, federal farm credit bank, or student loan marketing association; 515
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(6) Bonds and other obligations of this state; 519

(7) Bonds and other obligations of any county, township, school district, municipal corporation, or other legally constituted taxing subdivision of this state, which is not at the time of such deposit, in default in the payment of principal or interest on any of its bonds or other obligations, for which the full faith and credit of the issuing subdivision is pledged; 520
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(8) Bonds of other states of the United States which have not during the ten years immediately preceding the time of such deposit defaulted in payments of either interest or principal on any of their bonds; 526
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(9) Shares of no-load money market mutual funds consisting exclusively of obligations described in division (B)(1) or (2) of this section and repurchase agreements secured by such obligations; 530
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(10) A surety bond issued by a corporate surety licensed by the state and authorized to issue surety bonds in this state pursuant to Chapter 3929. of the Revised Code, and qualified to provide surety bonds to the federal government pursuant to 96 Stat. 1047 (1982), 31 U.S.C.A. 9304. 534
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(C) If the public depository fails to pay over any part of the public deposit made therein as provided by law, the treasurer shall sell at public sale any of the bonds or other securities deposited with the treasurer pursuant to this section or section 131.09 of the Revised Code, or shall draw on any letter of credit to the extent of such failure to pay. Thirty days' notice of such sale shall be given in a newspaper of general circulation at 539
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Columbus, in the case of the treasurer of state, and at the county
seat of the county in which the office of the treasurer is
located, in the case of any other treasurer. When a sale of bonds
or other securities has been so made and upon payment to the
treasurer of the purchase money, the treasurer shall transfer such
bonds or securities whereupon the absolute ownership of such bonds
or securities shall pass to the purchasers. Any surplus remaining
after deducting the amount due the state or subdivision and
expenses of sale shall be paid to the public depository.

(D) An institution designated as a public depository may, by
written notice to the treasurer, designate a qualified trustee and
deposit the eligible securities required by this section with the
trustee for safekeeping for the account of the treasurer and the
institution as a public depository, as their respective rights to
and interests in such securities under this section may appear and
be asserted by written notice to or demand upon the trustee. In
such case, the treasurer shall accept the written receipt of the
trustee describing the securities which have been deposited with
the trustee by the public depository, a copy of which shall also
be delivered to the public depository. Thereupon all such
securities so deposited with the trustee are deemed to be pledged
with the treasurer and to be deposited with the treasurer, for all
the purposes of this section.

(E) The governing board may make provisions for the exchange
and release of securities and the substitution of other eligible
securities therefor except where the public depository has
deposited eligible securities with a trustee for safekeeping as
provided in this section.

(F) When the public depository has deposited eligible
securities described in division (B)(1) of this section with a
trustee for safekeeping, the public depository may at any time
substitute or exchange eligible securities described in division

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(B)(1) of this section having a current market value equal to or
greater than the current market value of the securities then on
deposit and for which they are to be substituted or exchanged,
without specific authorization from any governing board, boards,
or treasurer of any such substitution or exchange.

(G) When the public depository has deposited eligible
securities described in divisions (B)(2) to (9) of this section
with a trustee for safekeeping, the public depository may at any
time substitute or exchange eligible securities having a current
market value equal to or greater than the current market value of
the securities then on deposit and for which they are to be
substituted or exchanged without specific authorization of any
governing board, boards, or treasurer of any such substitution or
exchange only if:

(1) The treasurer has authorized the public depository to
make such substitution or exchange on a continuing basis during a
specified period without prior approval of each substitution or
exchange. Such authorization may be effected by the treasurer
sending to the trustee a written notice stating that substitution
may be effected on a continuing basis during a specified period
which shall not extend beyond the end of the period of designation
during which the notice is given. The trustee may rely upon such
notice and upon the period of authorization stated therein and
upon the period of designation stated therein.

(2) No continuing authorization for substitution has been
given by the treasurer, the public depository notifies the
treasurer and the trustee of an intended substitution or exchange,
and the treasurer fails to object to the trustee as to the
eligibility or market value of the securities being substituted
within ten calendar days after the date appearing on the notice of
proposed substitution. The notice to the treasurer and to the
trustee shall be given in writing and delivered personally or by

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certified or registered mail with a return receipt requested. The trustee may assume in any case that the notice has been delivered to the treasurer. In order for objections of the treasurer to be effective, receipt of the objections must be acknowledged in writing by the trustee.

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(3) The treasurer gives written authorization for a substitution or exchange of specific securities.

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(H) The public depository shall notify any governing board, boards, or treasurer of any substitution or exchange under division (G)(1) or (2) of this section. Upon request from the treasurer, the trustee shall furnish a statement of the securities pledged against such public deposits.

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(I) Any federal reserve bank or branch thereof located in this state or federal home loan bank, without compliance with Chapter 1111. of the Revised Code and without becoming subject to any other law of this state relative to the exercise by corporations of trust powers generally, is qualified to act as trustee for the safekeeping of securities, under this section. Any institution mentioned in section 135.03 of the Revised Code that holds a certificate of qualification issued by the superintendent of financial institutions or any institution complying with sections 1111.04, 1111.05, and 1111.06 of the Revised Code, is qualified to act as trustee for the safekeeping of securities, other than those belonging to itself, under this section. Upon application to the superintendent in writing by any such institution, the superintendent shall investigate the applicant and ascertain whether or not it has been authorized to execute and accept trusts in this state and has safe and adequate vaults and efficient supervision thereof for the storage and safekeeping within this state of such securities. If the superintendent finds that the applicant has been so authorized and does have such vaults and supervision thereof, the superintendent shall approve

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the application and issue a certificate to that effect, the 642
original or any certified copy of which shall be conclusive 643
evidence that the institution therein named is qualified to act as 644
trustee for the purposes of this section with respect to 645
securities other than those belonging to itself. 646

Notwithstanding the fact that a public depository is required 647
to pledge eligible securities in certain amounts to secure 648
deposits of public moneys, a trustee shall have no duty or 649
obligation to determine the eligibility, market value, or face 650
value of any securities deposited with the trustee by a public 651
depository. This applies in all situations including, without 652
limitation, a substitution or exchange of securities. 653

Any charges or compensation of a designated trustee for 654
acting as such under this section shall be paid by the public 655
depository and in no event shall be chargeable to the state or the 656
subdivision or to the treasurer or to any officer of the state or 657
subdivision. The charges or compensation shall not be a lien or 658
charge upon the securities deposited for safekeeping prior or 659
superior to the rights to and interests in such securities of the 660
state or the subdivision or of the treasurer. The treasurer and 661
the treasurer's bonders or surety shall be relieved from any 662
liability to the state or the subdivision or to the public 663
depository for the loss or destruction of any securities deposited 664
with a qualified trustee pursuant to this section. 665

Sec. 135.181. (A) As used in this section: 666

(1) "Public depository" means that term as defined in section 667
135.01 of the Revised Code, but also means an institution which 668
receives or holds any public deposits as defined in section 135.31 669
of the Revised Code. 670

(2) "Public deposits," "public moneys," and "treasurer" mean 671
those terms as defined in section 135.01 of the Revised Code, but 672

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also have the same meanings as are set forth in section 135.31 of
the Revised Code.

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(3) "Subdivision" means that term as defined in section
135.01 of the Revised Code, but also includes a county.

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(B) In lieu of the pledging requirements prescribed in
sections 135.18 and 135.37 of the Revised Code, an institution
designated as a public depository at its option may pledge a
single pool of eligible securities to secure the repayment of all
public moneys deposited in the institution and not otherwise
secured pursuant to law, provided that at all times the total
market value of the securities so pledged is at least equal to one
hundred five per cent of the total amount of all public deposits
to be secured by the pooled securities, including the portion of
such deposits covered by any federal deposit insurance. Each such
institution shall carry in its accounting records at all times a
general ledger or other appropriate account of the total amount of
all public deposits to be secured by the pool, as determined at
the opening of business each day, and the total market value of
securities pledged to secure such deposits.

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(C) The securities described in division (B) of section
135.18 of the Revised Code shall be eligible as collateral for the
purposes of division (B) of this section, provided no such
securities pledged as collateral are at any time in default as to
either principal or interest.

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(D) The state and each subdivision shall have an undivided
security interest in the pool of securities pledged by a public
depository pursuant to division (B) of this section in the
proportion that the total amount of the state's or subdivision's
public moneys secured by the pool bears to the total amount of
public deposits so secured.

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(E) An institution designated as a public depository shall

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designate a qualified trustee and deposit with the trustee for
safekeeping the eligible securities pledged pursuant to division
(B) of this section. The institution shall give written notice of
the qualified trustee to any treasurer or treasurers depositing
public moneys for which such securities are pledged. The treasurer
shall accept the written receipt of the trustee describing the
pool of securities so deposited by the depository, a copy of which
also shall be delivered to the depository.

(F) Any federal reserve bank or branch thereof located in
this state or federal home loan bank, without compliance with
Chapter 1111. of the Revised Code and without becoming subject to
any other law of this state relative to the exercise by
corporations of trust powers generally, is qualified to act as
trustee for the safekeeping of securities, under this section. Any
institution mentioned in section 135.03 or 135.32 of the Revised
Code which holds a certificate of qualification issued by the
superintendent of financial institutions or any institution
complying with sections 1111.04, 1111.05, and 1111.06 of the
Revised Code is qualified to act as trustee for the safekeeping of
securities under this section, other than those belonging to
itself or to an affiliate as defined in division (A) of section
1101.01 of the Revised Code. Upon application to the
superintendent in writing by any such institution, the
superintendent shall investigate the applicant and ascertain
whether or not it has been authorized to execute and accept trusts
in this state and has safe and adequate vaults and efficient
supervision thereof for the storage and safekeeping of such
securities. If the superintendent finds that the applicant has
been so authorized and does have such vaults and supervision
thereof, the superintendent shall approve the application and
issue a certificate to that effect, the original or any certified
copy of which shall be conclusive evidence that the institution

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named therein is qualified to act as trustee for the purposes of 736
this section with respect to securities other than those belonging 737
to itself or to an affiliate. 738

(G) The public depository at any time may substitute, 739
exchange, or release eligible securities deposited with a 740
qualified trustee pursuant to this section, provided that such 741
substitution, exchange, or release does not reduce the total 742
market value of the securities to an amount that is less than one 743
hundred five per cent of the total amount of public deposits as 744
determined pursuant to division (B) of this section. 745

(H) Notwithstanding the fact that a public depository is 746
required to pledge eligible securities in certain amounts to 747
secure deposits of public moneys, a trustee shall have no duty or 748
obligation to determine the eligibility, market value, or face 749
value of any securities deposited with the trustee by a public 750
depository. This applies in all situations including, but not 751
limited to, a substitution or exchange of securities, but 752
excluding those situations effectuated by division (I) of this 753
section in which the trustee is required to determine face and 754
market value. 755

(I) If the public depository fails to pay over any part of 756
the public deposits made therein as provided by law and secured 757
pursuant to division (B) of this section, the treasurer shall give 758
written notice of this failure to the qualified trustee holding 759
the pool of securities pledged against public moneys deposited in 760
the depository, and at the same time shall send a copy of this 761
notice to the depository. Upon receipt of such notice, the trustee 762
shall transfer to the treasurer for public sale such of the pooled 763
securities as may be necessary to produce an amount equal to the 764
deposits made by the treasurer and not paid over, less the portion 765
of such deposits covered by any federal deposit insurance, plus 766
any accrued interest due on such deposits; however, the amount 767

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shall not exceed the state's or subdivision's proportional
security interest in the market value of the pool as of the date
of the depository's failure to pay over the deposits, as such
interest and value are determined by the trustee. The treasurer
shall sell at public sale any of the bonds or other securities so
transferred. Thirty days' notice of such sale shall be given in a
newspaper of general circulation at Columbus, in the case of the
treasurer of state, and at the county seat of the county in which
the office of the treasurer is located, in the case of any other
treasurer. When a sale of bonds or other securities has been so
made and upon payment to the treasurer of the purchase money, the
treasurer shall transfer such bonds or securities whereupon the
absolute ownership of such bonds or securities shall pass to the
purchasers. Any surplus after deducting the amount due the state
or subdivision and expenses of sale shall be paid to the public
depository.

(J) Any charges or compensation of a designated trustee for
acting as such under this section shall be paid by the public
depository and in no event shall be chargeable to the state or
subdivision or to the treasurer or to any officer of the state or
subdivision. The charges or compensation shall not be a lien or
charge upon the securities deposited for safekeeping prior or
superior to the rights to and interests in such securities of the
state or subdivision or of the treasurer. The treasurer and the
treasurer's bonders or surety shall be relieved from any liability
to the state or subdivision or to the public depository for the
loss or destruction of any securities deposited with a qualified
trustee pursuant to this section.

(K) In lieu of placing its unqualified endorsement on each
security, a public depository pledging securities pursuant to
division (B) of this section that are not negotiable without its
endorsement or assignment may furnish to the qualified trustee

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holding the securities an appropriate resolution and irrevocable
power of attorney authorizing the trustee to assign the
securities. The resolution and power of attorney shall conform to
such terms and conditions as the trustee prescribes.

(L) Upon request of a treasurer no more often than four times
per year, a public depository shall report the amount of public
moneys deposited by the treasurer and secured pursuant to division
(B) of this section, and the total market value of the pool of
securities pledged to secure public moneys held by the depository,
including those deposited by the treasurer. Upon request of a
treasurer no more often than four times per year, a qualified
trustee shall report the total market value of the pool of
securities deposited with it by the depository and shall provide
an itemized list of the securities in the pool. These reports
shall be made as of the date the treasurer specifies.

Sec. 151.01. (A) As used in sections 151.01 to 151.09 and
151.40 of the Revised Code and in the applicable bond proceedings
unless otherwise provided:

(1) "Bond proceedings" means the resolutions, orders,
agreements, and credit enhancement facilities, and amendments and
supplements to them, or any one or more or combination of them,
authorizing, awarding, or providing for the terms and conditions
applicable to or providing for the security or liquidity of, the
particular obligations, and the provisions contained in those
obligations.

(2) "Bond service fund" means the respective bond service
fund created by section 151.03, 151.04, 151.05, 151.06, 151.07,
151.08, 151.09, or 151.40 of the Revised Code, and any accounts in
that fund, including all moneys and investments, and earnings from
investments, credited and to be credited to that fund and accounts
as and to the extent provided in the applicable bond proceedings.

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(3) "Capital facilities" means capital facilities or projects 831
as referred to in section 151.03, 151.04, 151.05, 151.06, 151.07, 832
151.08, 151.09, or 151.40 of the Revised Code. 833

(4) "Costs of capital facilities" means the costs of 834
acquiring, constructing, reconstructing, rehabilitating, 835
remodeling, renovating, enlarging, improving, equipping, or 836
furnishing capital facilities, and of the financing of those 837
costs. "Costs of capital facilities" includes, without limitation, 838
and in addition to costs referred to in section 151.03, 151.04, 839
151.05, 151.06, 151.07, 151.08, 151.09, or 151.40 of the Revised 840
Code, the cost of clearance and preparation of the site and of any 841
land to be used in connection with capital facilities, the cost of 842
any indemnity and surety bonds and premiums on insurance, all 843
related direct administrative expenses and allocable portions of 844
direct costs of the issuing authority, costs of engineering and 845
architectural services, designs, plans, specifications, surveys, 846
and estimates of cost, financing costs, interest on obligations 847
from their date to the time when interest is to be paid from 848
sources other than proceeds of obligations, amounts necessary to 849
establish any reserves as required by the bond proceedings, the 850
reimbursement of all moneys advanced or applied by or borrowed 851
from any person or governmental agency or entity for the payment 852
of any item of costs of capital facilities, and all other expenses 853
necessary or incident to planning or determining feasibility or 854
practicability with respect to capital facilities, and such other 855
expenses as may be necessary or incident to the acquisition, 856
construction, reconstruction, rehabilitation, remodeling, 857
renovation, enlargement, improvement, equipment, and furnishing of 858
capital facilities, the financing of those costs, and the placing 859
of the capital facilities in use and operation, including any one, 860
part of, or combination of those classes of costs and expenses. 861

(5) "Credit enhancement facilities," "financing costs," and 862

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"interest" or "interest equivalent" have the same meanings as in 863
section 133.01 of the Revised Code. 864

(6) "Debt service" means principal, including any mandatory 865
sinking fund or redemption requirements for retirement of 866
obligations, interest and other accreted amounts, interest 867
equivalent, and any redemption premium, payable on obligations. If 868
not prohibited by the applicable bond proceedings, debt service 869
includes costs relating to credit enhancement facilities that are 870
related to and represent, or are intended to provide a source of 871
payment of or limitation on, other debt service. 872

(7) "Issuing authority" means the Ohio public facilities 873
commission created in section 151.02 of the Revised Code for 874
obligations issued under section 151.03, 151.04, 151.05, 151.07, 875
or 151.09 of the Revised Code, or the treasurer of state, or the 876
officer who by law performs the functions of that office, for 877
obligations issued under section 151.06, 151.08, or 151.40 of the 878
Revised Code. 879

(8) "Net proceeds" means amounts received from the sale of 880
obligations, excluding amounts used to refund or retire 881
outstanding obligations, amounts required to be deposited into 882
special funds pursuant to the applicable bond proceedings, and 883
amounts to be used to pay financing costs. 884

(9) "Obligations" means bonds, notes, or other evidences of 885
obligation of the state, including any appertaining interest 886
coupons, issued pursuant to sections 151.01 to 151.09 or 151.40 of 887
the Revised Code. 888

(10) "Principal amount" means the aggregate of the amount as 889
stated or provided for in the applicable bond proceedings as the 890
amount on which interest or interest equivalent on particular 891
obligations is initially calculated. Principal amount does not 892
include any premium paid to the state by the initial purchaser of 893

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the obligations. "Principal amount" of a capital appreciation 894
bond, as defined in division (C) of section 3334.01 of the Revised 895
Code, means its face amount, and "principal amount" of a zero 896
coupon bond, as defined in division (J) of section 3334.01 of the 897
Revised Code, means the discounted offering price at which the 898
bond is initially sold to the public, disregarding any purchase 899
price discount to the original purchaser, if provided for pursuant 900
to the bond proceedings. 901

(11) "Special funds" or "funds," unless the context indicates 902
otherwise, means the bond service fund, and any other funds, 903
including any reserve funds, created under the bond proceedings 904
and stated to be special funds in those proceedings, including 905
moneys and investments, and earnings from investments, credited 906
and to be credited to the particular fund. Special funds do not 907
include the school building program assistance fund created by 908
section 3318.25 of the Revised Code, the higher education 909
improvement fund created by division (F) of section 154.21 of the 910
Revised Code, the highway capital improvement bond fund created by 911
section 5528.53 of the Revised Code, the state parks and natural 912
resources fund created by section 1557.02 of the Revised Code, the 913
coal research and development fund created by section 1555.15 of 914
the Revised Code, the clean Ohio conservation fund created by 915
section 164.27 of the Revised Code, the clean Ohio revitalization 916
fund created by section 122.658 of the Revised Code, or other 917
funds created by the bond proceedings that are not stated by those 918
proceedings to be special funds. 919

(B) Subject to Section 21, 2m, 2n, 2o, or 15, and Section 17, 920
of Article VIII, Ohio Constitution, the state, by the issuing 921
authority, is authorized to issue and sell, as provided in 922
sections 151.03 to 151.09 or 151.40 of the Revised Code, and in 923
respective aggregate principal amounts as from time to time 924
provided or authorized by the general assembly, general 925

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obligations of this state for the purpose of paying costs of 926
capital facilities or projects identified by or pursuant to 927
general assembly action. 928

(C) Each issue of obligations shall be authorized by 929
resolution or order of the issuing authority. The bond proceedings 930
shall provide for or authorize the manner for determining the 931
principal amount or maximum principal amount of obligations of an 932
issue, the principal maturity or maturities, the interest rate or 933
rates, the date of and the dates of payment of interest on the 934
obligations, their denominations, and the place or places of 935
payment of debt service which may be within or outside the state. 936
Unless otherwise provided by law, the latest principal maturity 937
may not be later than the earlier of the thirty-first day of 938
December of the twenty-fifth calendar year after the year of 939
issuance of the particular obligations or of the twenty-fifth 940
calendar year after the year in which the original obligation to 941
pay was issued or entered into. Sections 9.96, 9.98, 9.981, 9.982, 942
and 9.983 of the Revised Code apply to obligations. The purpose of 943
the obligations may be stated in the bond proceedings in general 944
terms, such as, as applicable, "financing or assisting in the 945
financing of projects as provided in Section 21 of Article VIII, 946
Ohio Constitution," "financing or assisting in the financing of 947
highway capital improvement projects as provided in Section 2m of 948
Article VIII, Ohio Constitution," "paying costs of capital 949
facilities for a system of common schools throughout the state as 950
authorized by Section 2n of Article VIII, Ohio Constitution," 951
"paying costs of capital facilities for state-supported and 952
state-assisted institutions of higher education as authorized by 953
Section 2n of Article VIII, Ohio Constitution," "paying costs of 954
coal research and development as authorized by Section 15 of 955
Article VIII, Ohio Constitution," "financing or assisting in the 956
financing of local subdivision capital improvement projects as 957

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authorized by Section 2m of Article VIII, Ohio Constitution," 958
"paying costs of conservation projects as authorized by Section 2o 959
of Article VIII, Ohio Constitution," or "paying costs of 960
revitalization projects as authorized by Section 2o of Article 961
VIII, Ohio Constitution." 962

(D) The issuing authority may appoint or provide for the 963
appointment of paying agents, bond registrars, securities 964
depositories, clearing corporations, and transfer agents, and may 965
without need for any other approval retain or contract for the 966
services of underwriters, investment bankers, financial advisers, 967
accounting experts, marketing, remarketing, indexing, and 968
administrative agents, other consultants, and independent 969
contractors, including printing services, as are necessary in the 970
judgment of the issuing authority to carry out the issuing 971
authority's functions under this chapter. When the issuing 972
authority is the Ohio public facilities commission, the issuing 973
authority also may without need for any other approval retain or 974
contract for the services of attorneys and other professionals for 975
that purpose. Financing costs are payable, as may be provided in 976
the bond proceedings, from the proceeds of the obligations, from 977
special funds, or from other moneys available for the purpose. 978

(E) The bond proceedings may contain additional provisions 979
customary or appropriate to the financing or to the obligations or 980
to particular obligations including, but not limited to, 981
provisions for: 982

(1) The redemption of obligations prior to maturity at the 983
option of the state or of the holder or upon the occurrence of 984
certain conditions, and at particular price or prices and under 985
particular terms and conditions; 986

(2) The form of and other terms of the obligations; 987

(3) The establishment, deposit, investment, and application 988

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of special funds, and the safeguarding of moneys on hand or on 989
deposit, in lieu of the applicability of provisions of Chapter 990
131. or 135. of the Revised Code, but subject to any special 991
provisions of sections 151.01 to 151.09 or 151.40 of the Revised 992
Code with respect to the application of particular funds or 993
moneys. Any financial institution that acts as a depository of any 994
moneys in special funds or other funds under the bond proceedings 995
may furnish indemnifying bonds or pledge securities as required by 996
the issuing authority. 997

(4) Any or every provision of the bond proceedings being 998
binding upon the issuing authority and upon such governmental 999
agency or entity, officer, board, commission, authority, agency, 1000
department, institution, district, or other person or body as may 1001
from time to time be authorized to take actions as may be 1002
necessary to perform all or any part of the duty required by the 1003
provision; 1004

(5) The maintenance of each pledge or instrument comprising 1005
part of the bond proceedings until the state has fully paid or 1006
provided for the payment of the debt service on the obligations or 1007
met other stated conditions; 1008

(6) In the event of default in any payments required to be 1009
made by the bond proceedings, or by any other agreement of the 1010
issuing authority made as part of a contract under which the 1011
obligations were issued or secured, including a credit enhancement 1012
facility, the enforcement of those payments by mandamus, a suit in 1013
equity, an action at law, or any combination of those remedial 1014
actions; 1015

(7) The rights and remedies of the holders or owners of 1016
obligations or of book-entry interests in them, and of third 1017
parties under any credit enhancement facility, and provisions for 1018
protecting and enforcing those rights and remedies, including 1019
limitations on rights of individual holders or owners; 1020

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(8) The replacement of mutilated, destroyed, lost, or stolen obligations;	1021 1022
(9) The funding, refunding, or advance refunding, or other provision for payment, of obligations that will then no longer be outstanding for purposes of this section or of the applicable bond proceedings;	1023 1024 1025 1026
(10) Amendment of the bond proceedings;	1027
(11) Any other or additional agreements with the owners of obligations, and such other provisions as the issuing authority determines, including limitations, conditions, or qualifications, relating to any of the foregoing.	1028 1029 1030 1031
(F) The great seal of the state or a facsimile of it may be affixed to or printed on the obligations. The obligations requiring execution by or for the issuing authority shall be signed as provided in the bond proceedings. Any obligations may be signed by the individual who on the date of execution is the authorized signer although on the date of these obligations that individual is not an authorized signer. In case the individual whose signature or facsimile signature appears on any obligation ceases to be an authorized signer before delivery of the obligation, that signature or facsimile is nevertheless valid and sufficient for all purposes as if that individual had remained the authorized signer until delivery.	1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043
(G) Obligations are investment securities under Chapter 1308. of the Revised Code. Obligations may be issued in bearer or in registered form, registrable as to principal alone or as to both principal and interest, or both, or in certificated or uncertificated form, as the issuing authority determines. Provision may be made for the exchange, conversion, or transfer of obligations and for reasonable charges for registration, exchange, conversion, and transfer. Pending preparation of final	1044 1045 1046 1047 1048 1049 1050 1051

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obligations, the issuing authority may provide for the issuance of 1052
interim instruments to be exchanged for the final obligations. 1053

(H) Obligations may be sold at public sale or at private 1054
sale, in such manner, and at such price at, above or below par, 1055
all as determined by and provided by the issuing authority in the 1056
bond proceedings. 1057

(I) Except to the extent that rights are restricted by the 1058
bond proceedings, any owner of obligations or provider of a credit 1059
enhancement facility may by any suitable form of legal proceedings 1060
protect and enforce any rights relating to obligations or that 1061
facility under the laws of this state or granted by the bond 1062
proceedings. Those rights include the right to compel the 1063
performance of all applicable duties of the issuing authority and 1064
the state. Each duty of the issuing authority and that authority's 1065
officers, staff, and employees, and of each state entity or 1066
agency, or using district or using institution, and its officers, 1067
members, staff, or employees, undertaken pursuant to the bond 1068
proceedings, is hereby established as a duty of the entity or 1069
individual having authority to perform that duty, specifically 1070
enjoined by law and resulting from an office, trust, or station 1071
within the meaning of section 2731.01 of the Revised Code. The 1072
individuals who are from time to time the issuing authority, 1073
members or officers of the issuing authority, or those members' 1074
designees acting pursuant to section 154.02 of the Revised Code, 1075
or the issuing authority's officers, staff, or employees, are not 1076
liable in their personal capacities on any obligations or 1077
otherwise under the bond proceedings. 1078

(J)(1) Subject to Section 2l, 2m, 2n, 2o, or 15, and Section 1079
17, of Article VIII, Ohio Constitution and sections 151.01 to 1080
151.09 or 151.40 of the Revised Code, the issuing authority may, 1081
in addition to the authority referred to in division (B) of this 1082
section, authorize and provide for the issuance of: 1083

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(a) Obligations in the form of bond anticipation notes, and 1084
may provide for the renewal of those notes from time to time by 1085
the issuance of new notes. The holders of notes or appertaining 1086
interest coupons have the right to have debt service on those 1087
notes paid solely from the moneys and special funds that are or 1088
may be pledged to that payment, including the proceeds of bonds or 1089
renewal notes or both, as the issuing authority provides in the 1090
bond proceedings authorizing the notes. Notes may be additionally 1091
secured by covenants of the issuing authority to the effect that 1092
the issuing authority and the state will do all things necessary 1093
for the issuance of bonds or renewal notes in such principal 1094
amount and upon such terms as may be necessary to provide moneys 1095
to pay when due the debt service on the notes, and apply their 1096
proceeds to the extent necessary, to make full and timely payment 1097
of debt service on the notes as provided in the applicable bond 1098
proceedings. In the bond proceedings authorizing the issuance of 1099
bond anticipation notes the issuing authority shall set forth for 1100
the bonds anticipated an estimated schedule of annual principal 1101
payments the latest of which shall be no later than provided in 1102
division (C) of this section. While the notes are outstanding 1103
there shall be deposited, as shall be provided in the bond 1104
proceedings for those notes, from the sources authorized for 1105
payment of debt service on the bonds, amounts sufficient to pay 1106
the principal of the bonds anticipated as set forth in that 1107
estimated schedule during the time the notes are outstanding, 1108
which amounts shall be used solely to pay the principal of those 1109
notes or of the bonds anticipated. 1110

(b) Obligations for the refunding, including funding and 1111
retirement, and advance refunding with or without payment or 1112
redemption prior to maturity, of any obligations previously 1113
issued. Refunding obligations may be issued in amounts sufficient 1114
to pay or to provide for repayment of the principal amount, 1115

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including principal amounts maturing prior to the redemption of 1116
the remaining prior obligations, any redemption premium, and 1117
interest accrued or to accrue to the maturity or redemption date 1118
or dates, payable on the prior obligations, and related financing 1119
costs and any expenses incurred or to be incurred in connection 1120
with that issuance and refunding. Subject to the applicable bond 1121
proceedings, the portion of the proceeds of the sale of refunding 1122
obligations issued under division (J)(1)(b) of this section to be 1123
applied to debt service on the prior obligations shall be credited 1124
to an appropriate separate account in the bond service fund and 1125
held in trust for the purpose by the issuing authority or by a 1126
corporate trustee. Obligations authorized under this division 1127
shall be considered to be issued for those purposes for which the 1128
prior obligations were issued. 1129

(2) Except as otherwise provided in sections 151.01 to 151.09 1130
or 151.40 of the Revised Code, bonds or notes authorized pursuant 1131
to division (J) of this section are subject to the provisions of 1132
those sections pertaining to obligations generally. 1133

(3) The principal amount of refunding or renewal obligations 1134
issued pursuant to division (J) of this section shall be in 1135
addition to the amount authorized by the general assembly as 1136
referred to in division (B) of the following sections: section 1137
151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, or 151.40 1138
of the Revised Code. 1139

(K) Obligations are lawful investments for banks, savings and 1140
loan associations, credit union share guaranty corporations, trust 1141
companies, trustees, fiduciaries, insurance companies, including 1142
domestic for life and domestic not for life, trustees or other 1143
officers having charge of sinking and bond retirement or other 1144
special funds of the state and political subdivisions and taxing 1145
districts of this state, the sinking fund, the administrator of 1146
workers' compensation subject to the approval of the workers' 1147

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1148 compensation board, the state teachers retirement system, the
 1149 public employees retirement system, the school employees
 1150 retirement system, and the Ohio police and fire pension fund,
 1151 notwithstanding any other provisions of the Revised Code or rules
 1152 adopted pursuant to those provisions by any state agency with
 1153 respect to investments by them, and are also acceptable as
 1154 security for the repayment of the deposit of public moneys. The
 1155 exemptions from taxation in Ohio as provided for in particular
 1156 sections of the Ohio Constitution and section 5709.76 of the
 1157 Revised Code apply to the obligations.

1158 (L)(1) Unless otherwise provided or provided for in any
 1159 applicable bond proceedings, moneys to the credit of or in a
 1160 special fund shall be disbursed on the order of the issuing
 1161 authority. No such order is required for the payment, from the
 1162 bond service fund or other special fund, when due of debt service
 1163 or required payments under credit enhancement facilities.

1164 (2) Payments received by the state under interest rate hedges
 1165 entered into as credit enhancement facilities under this chapter
 1166 shall be deposited to the credit of the bond service fund for the
 1167 obligations to which those credit enhancement facilities relate.

1168
 1169 (M) The full faith and credit, revenue, and taxing power of
 1170 the state are and shall be pledged to the timely payment of debt
 1171 service on outstanding obligations as it comes due, all in
 1172 accordance with Section 2l, 2m, 2n, 2o, or 15 of Article VIII,
 1173 Ohio Constitution, and section 151.03, 151.04, 151.05, 151.06,
 1174 151.07, 151.08, or 151.09 of the Revised Code. Moneys referred to
 1175 in Section 5a of Article XII, Ohio Constitution, may not be
 1176 pledged or used for the payment of debt service except on
 1177 obligations referred to in section 151.06 of the Revised Code. Net
 1178 state lottery proceeds, as provided for and referred to in section
 1179 3770.06 of the Revised Code, may not be pledged or used for the

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payment of debt service except on obligations referred to in 1180
section 151.03 of the Revised Code. The state covenants, and that 1181
 covenant shall be controlling notwithstanding any other provision 1182
 of law, that the state and the applicable officers and agencies of 1183
 the state, including the general assembly, shall, so long as any 1184
 obligations are outstanding in accordance with their terms, 1185
 maintain statutory authority for and cause to be levied, collected 1186
 and applied sufficient pledged excises, taxes, and revenues of the 1187
 state so that the revenues shall be sufficient in amounts to pay 1188
 debt service when due, to establish and maintain any reserves and 1189
 other requirements, and to pay financing costs, including costs of 1190
 or relating to credit enhancement facilities, all as provided for 1191
 in the bond proceedings. Those excises, taxes, and revenues are 1192
 and shall be deemed to be levied and collected, in addition to the 1193
 purposes otherwise provided for by law, to provide for the payment 1194
 of debt service and financing costs in accordance with sections 1195
 151.01 to ~~151.08~~ 151.09 of the Revised Code and the bond 1196
 proceedings. 1197

(N) The general assembly may from time to time repeal or 1198
 reduce any excise, tax, or other source of revenue pledged to the 1199
 payment of the debt service pursuant to Section 2l, 2m, 2n, 2o, or 1200
 15 of Article VIII, Ohio Constitution, and sections 151.01 to 1201
 151.09 or 151.40 of the Revised Code, and may levy, collect and 1202
 apply any new or increased excise, tax, or revenue to meet the 1203
 pledge, to the payment of debt service on outstanding obligations, 1204
 of the state's full faith and credit, revenue and taxing power, or 1205
 of designated revenues and receipts, except fees, excises or taxes 1206
 referred to in Section 5a of Article XII, Ohio Constitution, for 1207
 other than obligations referred to in section 151.06 of the 1208
 Revised Code and except net state lottery proceeds for other than 1209
 obligations referred to in section 151.03 of the Revised Code. 1210
 Nothing in division (N) of this section authorizes any impairment 1211
 of the obligation of this state to levy and collect sufficient 1212

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excises, taxes, and revenues to pay debt service on obligations 1213
outstanding in accordance with their terms. 1214

(O) Each bond service fund is a trust fund and is hereby 1215
pledged to the payment of debt service on the applicable 1216
obligations. Payment of that debt service shall be made or 1217
provided for by the issuing authority in accordance with the bond 1218
proceedings without necessity for any act of appropriation. The 1219
bond proceedings may provide for the establishment of separate 1220
accounts in the bond service fund and for the application of those 1221
accounts only to debt service on specific obligations, and for 1222
other accounts in the bond service fund within the general 1223
purposes of that fund. 1224

(P) Subject to the bond proceedings pertaining to any 1225
obligations then outstanding in accordance with their terms, the 1226
issuing authority may in the bond proceedings pledge all, or such 1227
portion as the issuing authority determines, of the moneys in the 1228
bond service fund to the payment of debt service on particular 1229
obligations, and for the establishment and maintenance of any 1230
reserves for payment of particular debt service. 1231

(Q) For obligations issued pursuant to sections 151.01 to 1232
151.09 of the Revised Code, the issuing authority shall by the 1233
fifteenth day of the July of each fiscal year, certify or cause to 1234
be certified to the office of budget and management the total 1235
amount of moneys required during the current fiscal year to meet 1236
in full all debt service on the respective obligations and any 1237
related financing costs payable from the applicable bond service 1238
fund and not from the proceeds of refunding or renewal 1239
obligations. The issuing authority shall make or cause to be made 1240
supplemental certifications to the office of budget and management 1241
for each debt service payment date and at such other times during 1242
each fiscal year as may be provided in the bond proceedings or 1243
requested by that office. Debt service, costs of credit 1244

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enhancement facilities, and other financing costs shall be set 1245
forth separately in each certification. If and so long as the 1246
moneys to the credit of the bond service fund, together with any 1247
other moneys available for the purpose, are insufficient to meet 1248
in full all payments when due of the amount required as stated in 1249
the certificate or otherwise, the office of budget and management 1250
shall at the times as provided in the bond proceedings, and 1251
consistent with any particular provisions in sections 151.03 to 1252
151.09 of the Revised Code, transfer a sufficient amount to the 1253
bond service fund from the revenues derived from excises, taxes, 1254
and other revenues, including net state lottery proceeds in the 1255
case of obligations referred to in section 151.03 of the Revised 1256
Code. 1257

(R) Unless otherwise provided in any applicable bond 1258
proceedings, moneys to the credit of special funds may be invested 1259
by or on behalf of the state only in one or more of the following: 1260

(1) Notes, ~~bond~~ bonds, or other direct obligations of the 1261
United States or of any agency or instrumentality of the United 1262
States, or in no-front-end-load money market mutual funds 1263
consisting exclusively of those obligations, or in repurchase 1264
agreements, including those issued by any fiduciary, secured by 1265
those obligations, or in collective investment funds consisting 1266
exclusively of those obligations; 1267

(2) Obligations of this state or any political subdivision of 1268
this state; 1269

(3) Certificates of deposit of any national bank located in 1270
this state and any bank, as defined in section 1101.01 of the 1271
Revised Code, subject to inspection by the superintendent of 1272
financial institutions; 1273

(4) The treasurer of state's pooled investment program under 1274
section 135.45 of the Revised Code. 1275

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The income from investments referred to in division (R) of 1276
 this section shall, unless otherwise provided in sections 151.01 1277
 to 151.09 or 151.40 of the Revised Code, be credited to special 1278
 funds or otherwise as the issuing authority determines in the bond 1279
 proceedings. Those investments may be sold or exchanged at times 1280
 as the issuing authority determines, provides for, or authorizes. 1281

(S) The treasurer of state shall have responsibility for 1282
 keeping records, making reports, and making payments, relating to 1283
 any arbitrage rebate requirements under the applicable bond 1284
 proceedings. 1285

Sec. 151.09. (A) As used in this section: 1286

(1) "Costs of conservation projects" includes related direct 1287
 administrative expenses and allocable portions of the direct costs 1288
 of those projects of the department of agriculture, the department 1289
 of natural resources, or the Ohio public works commission. 1290

(2) "Obligations" means obligations as defined in section 1291
151.01 of the Revised Code issued to pay costs of projects for 1292
 conservation purposes as referred to in division (A)(1) of Section 1293
 2o of Article VIII, Ohio Constitution. 1294

(B)(1) The issuing authority shall issue general obligations 1295
 of the state to pay costs of conservation projects pursuant to 1296
 division (B)(1) of Section 2o of Article VIII, Ohio Constitution, 1297
 section 151.01 of the Revised Code, and this section. The issuing 1298
 authority, upon the certification to it by the Ohio public works 1299
 commission of amounts needed in and for the purposes of the clean 1300
 Ohio conservation fund created by section 164.27 of the Revised 1301
 Code, the clean Ohio agricultural easement fund created by section 1302
 901.21 of the Revised Code, and the clean Ohio trail fund created 1303
 by section 1519.05 of the Revised Code, shall issue obligations in 1304
 the amount determined by the issuing authority to be required for 1305
 those purposes. The total principal amount of obligations issued 1306

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under this section shall not exceed two hundred million dollars. 1307
1308

(2) In making the certification required under division 1309
(B)(1) of this section, the Ohio public works commission shall 1310
consult with the department of agriculture and the department of 1311
natural resources. The commission shall certify amounts that 1312
correspond to the distribution of the net proceeds of obligations 1313
provided in division (C) of this section. 1314

(C) Net proceeds of obligations shall be deposited as 1315
follows: 1316

(1) Seventy-five per cent into the clean Ohio conservation 1317
fund created by section 164.27 of the Revised Code; 1318

(2) Twelve and one-half per cent into the clean Ohio 1319
agricultural easement fund created by section 901.21 of the 1320
Revised Code; 1321

(3) Twelve and one-half per cent into the clean Ohio trail 1322
fund created by section 1519.05 of the Revised Code. 1323

(D) There is hereby created in the state treasury the 1324
conservation projects bond service fund. All moneys received by 1325
the state and required by the bond proceedings, consistent with 1326
section 151.01 of the Revised Code and this section, to be 1327
deposited, transferred, or credited to the bond service fund, and 1328
all other moneys transferred or allocated to or received for the 1329
purposes of that fund, shall be deposited and credited to the bond 1330
service fund, subject to any applicable provisions of the bond 1331
proceedings, but without necessity for any act of appropriation. 1332
During the period beginning with the date of the first issuance of 1333
obligations and continuing during the time that any obligations 1334
are outstanding in accordance with their terms, so long as moneys 1335
in the bond service fund are insufficient to pay debt service when 1336
due on those obligations payable from that fund, except the 1337

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principal amounts of bond anticipation notes payable from the
 proceeds of renewal notes or bonds anticipated, and due in the
 particular fiscal year, a sufficient amount of revenues of the
 state is committed and, without necessity for further act of
 appropriation, shall be paid to the bond service fund for the
 purpose of paying that debt service when due.

Sec. 151.40. (A) As used in this section: 1344

(1) "Bond proceedings" includes any trust agreements, and any
 amendments or supplements to them, as authorized by this section.

(2) "Costs of revitalization projects" includes related
 direct administrative expenses and allocable portions of the
 direct costs of those projects of the department of development or
 the environmental protection agency.

(3) "Issuing authority" means the treasurer of state. 1352

(4) "Obligations" means obligations as defined in section
151.01 of the Revised Code issued to pay the costs of projects for
 revitalization purposes as referred to in division (A)(2) of
 Section 2o of Article VIII, Ohio Constitution.

(5) "Pledged liquor profits" means all receipts of the state
 representing the gross profit on the sale of spirituous liquor, as
 referred to in division (B)(4) of section 4301.10 of the Revised
 Code, after paying all costs and expenses of the division of
 liquor control and providing an adequate working capital reserve
 for the division of liquor control as provided in that division,
 but excluding the sum required by the second paragraph of section
 4301.12 of the Revised Code, as it was in effect on May 2, 1980,
 to be paid into the state treasury.

(6) "Pledged receipts" means, as and to the extent provided
 in bond proceedings:

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(a) Pledged liquor profits. The pledge of pledged liquor profits to obligations is subject to the priority of the pledge of those profits to obligations issued and to be issued, and guarantees made and to be made, pursuant to Chapter 166. of the Revised Code.	1368 1369 1370 1371 1372
(b) Moneys accruing to the state from the lease, sale, or other disposition or use of revitalization projects or from the repayment, including any interest, of loans or advances made from net proceeds;	1373 1374 1375 1376
(c) Accrued interest received from the sale of obligations;	1377
(d) Income from the investment of the special funds;	1378
(e) Any gifts, grants, donations, or pledges, and receipts therefrom, available for the payment of debt service;	1379 1380
(f) Additional or any other specific revenues or receipts lawfully available to be pledged, and pledged, pursuant to further authorization by the general assembly, to the payment of debt service.	1381 1382 1383 1384
(B) The issuing authority shall issue obligations of the state to pay costs of revitalization projects pursuant to division (B)(2) of Section 20 of Article VIII, Ohio Constitution, section 151.01 of the Revised Code as applicable to this section, and this section. The issuing authority, upon the certification to it by the clean Ohio council of the amount of moneys needed in and for the purposes of the clean Ohio revitalization fund created by section 122.658 of the Revised Code, shall issue obligations in the amount determined by the issuing authority to be required for those purposes. The total principal amount of obligations issued under this section shall not exceed two hundred million dollars. The provisions and authorizations in section 151.01 of the Revised Code apply to the obligations and the bond proceedings except as otherwise provided or provided for in those obligations and bond	1385 1386 1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397 1398

proceedings. 1399

(C) Net proceeds of obligations shall be deposited in the 1400
clean Ohio revitalization fund created in section 122.658 of the 1401
Revised Code. 1402

(D) There is hereby created the revitalization projects bond 1403
service fund, which shall be in the custody of the treasurer of 1404
state, but shall be separate and apart from and not a part of the 1405
state treasury. All money received by the state and required by 1406
the bond proceedings, consistent with section 151.01 of the 1407
Revised Code and this section, to be deposited, transferred, or 1408
credited to the bond service fund, and all other money transferred 1409
or allocated to or received for the purposes of that fund, shall 1410
be deposited and credited to the bond service fund, subject to any 1411
applicable provisions of the bond proceedings, but without 1412
necessity for any act of appropriation. During the period 1413
beginning with the date of the first issuance of obligations and 1414
continuing during the time that any obligations are outstanding in 1415
accordance with their terms, so long as moneys in the bond service 1416
fund are insufficient to pay debt service when due on those 1417
obligations payable from that fund, except the principal amounts 1418
of bond anticipation notes payable from the proceeds of renewal 1419
notes or bonds anticipated, and due in the particular fiscal year, 1420
a sufficient amount of pledged receipts is committed and, without 1421
necessity for further act of appropriation, shall be paid to the 1422
bond service fund for the purpose of paying that debt service when 1423
due. 1424

(E) The issuing authority may pledge all, or such portion as 1425
the issuing authority determines, of the pledged receipts to the 1426
payment of the debt service charges on obligations issued under 1427
this section, and for the establishment and maintenance of any 1428
reserves, as provided in the bond proceedings, and make other 1429
provisions in the bond proceedings with respect to pledged 1430

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receipts as authorized by this section, which provisions are 1431
controlling notwithstanding any other provisions of law pertaining 1432
to them. 1433

(F) The issuing authority may covenant in the bond 1434
proceedings, and such covenants shall be controlling 1435
notwithstanding any other provision of law, that the state and 1436
applicable officers and state agencies, including the general 1437
assembly, so long as any obligations issued under this section are 1438
outstanding, shall maintain statutory authority for and cause to 1439
be charged and collected wholesale or retail prices for spirituous 1440
liquor sold by the state or its agents so that the available 1441
pledged receipts are sufficient in time and amount to meet debt 1442
service payable from pledged liquor profits and for the 1443
establishment and maintenance of any reserves and other 1444
requirements provided for in the bond proceedings. 1445

(G) Obligations may be further secured, as determined by the 1446
issuing authority, by a trust agreement between the state and a 1447
corporate trustee, which may be any trust company or bank having 1448
its principal place of business within the state. Any trust 1449
agreement may contain the resolution or order authorizing the 1450
issuance of the obligations, any provisions that may be contained 1451
in any bond proceedings, and other provisions that are customary 1452
or appropriate in an agreement of that type, including, but not 1453
limited to: 1454

(1) Maintenance of each pledge, trust agreement, or other 1455
instrument comprising part of the bond proceedings until the state 1456
has fully paid or provided for the payment of debt service on the 1457
obligations secured by it; 1458

(2) In the event of default in any payments required to be 1459
made by the bond proceedings, enforcement of those payments or 1460
agreements by mandamus, the appointment of a receiver, suit in 1461
equity, action at law, or any combination of them; 1462

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(3) The rights and remedies of the holders or owners of obligations and of the trustee and provisions for protecting and enforcing them, including limitations on rights of individual holders and owners.

(H) The obligations shall not be general obligations of the state and the full faith and credit, revenue, and taxing power of the state shall not be pledged to the payment of debt service on them. The holders or owners of the obligations shall have no right to have any moneys obligated or pledged for the payment of debt service except as provided in this section and in the applicable bond proceedings. The rights of the holders and owners to payment of debt service are limited to all or that portion of the pledged receipts, and those special funds, pledged to the payment of debt service pursuant to the bond proceedings in accordance with this section, and each obligation shall bear on its face a statement to that effect.

Sec. 175.03. (A)(1) The Ohio housing finance agency shall consist of eleven members. Nine of the members shall be appointed by the governor with the advice and consent of the senate. The director of commerce and the director of development, or their respective designees, shall also be voting members of the agency. Of the nine appointed members, at least one shall have experience in residential housing construction; at least one shall have experience in residential housing mortgage lending, loan servicing, or brokering; at least one shall have experience in the licensed residential housing brokerage business; at least one shall have experience with the housing needs of senior citizens; at least one shall be from a background in labor representation in the construction industry; at least one shall represent the interests of nonprofit multifamily housing development ~~organizations~~ corporations; at least one shall represent the interests of for-profit multifamily housing development

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~~corporations~~ organizations; and two shall be public members. The 1495
governor shall receive recommendations from the Ohio housing 1496
council for appointees to represent the interests of nonprofit 1497
multifamily housing development corporations and for-profit 1498
multifamily housing development organizations. Each appointee 1499
representing multifamily housing interests currently shall be 1500
employed with an organization that is active in the area of 1501
affordable housing development or management. No more than six of 1502
the appointed members of the agency shall be of the same political 1503
party. Of the appointments made to the agency for the eighth and 1504
ninth appointed members in accordance with this amendment, one 1505
shall be for a term ending on January 31, 2005, and one shall be 1506
for a term ending on January 31, 2006. Thereafter, each appointed 1507
member shall serve for a term ending on the thirty-first day of 1508
January which is six years following the date of termination of 1509
the term which it succeeds. Each member shall hold office from the 1510
date of the member's appointment until the end of the term for 1511
which the member was appointed. Any member appointed to fill a 1512
vacancy occurring prior to the expiration of the term for which 1513
the member's predecessor was appointed shall hold office for the 1514
remainder of such term. Any appointed member shall continue in 1515
office subsequent to the expiration date of the member's term 1516
until the member's successor takes office, or until a period of 1517
sixty days has elapsed, whichever occurs first. Each appointed 1518
member may be removed from office by the governor for misfeasance, 1519
nonfeasance, malfeasance in office, or for failure to attend in 1520
person three consecutive meetings of the agency. 1521

(2) The director of development or the director's designee 1522
shall be the chairperson of the agency. The agency shall elect one 1523
of its appointed members as vice-chairperson and such other 1524
officers as it deems necessary, who need not be members of the 1525
agency. Each appointed member of the agency shall receive 1526
compensation at the rate of one hundred fifty dollars per agency 1527

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meeting attended in person, not to exceed a maximum of three
thousand dollars per year. All members shall be reimbursed for
their actual and necessary expenses incurred in the discharge of
their official duties.

(3) ~~six~~ Six members of the agency constitute a quorum, and
the affirmative vote of six members shall be necessary for any
action taken by the agency. No vacancy in membership of the agency
impairs the right of a quorum to exercise all the rights and
perform all the duties of the agency. Meetings of the agency may
be held at any place within the state. Meetings of the agency,
including notice of the place of meetings, shall comply with
section 121.22 of the Revised Code.

(B)(1) The appointed members of the agency are not subject to
section 102.02 of the Revised Code. Each such appointed member
shall file with the agency a signed written statement setting
forth the general nature of sales of goods, property or services
or of loans to the agency in which such member has a pecuniary
interest or in which any member of the member's immediate family,
as defined in section 102.01 of the Revised Code, or any
corporation, partnership or enterprise of which the member is an
officer, director, or partner, or of which the member or a member
of the member's immediate family, as so defined, owns more than a
five per cent interest, has a pecuniary interest, and of which
sale, loan and interest such member has knowledge. The statement
shall be supplemented from time to time to reflect changes in the
general nature of any such sales or loans. No member shall
participate in portions of agency meetings dealing with, or vote
concerning, any such matter. ~~The~~

(2) The requirements of this section pertaining to disclosure
and prohibition from participation and voting do not apply to
agency loans to lending institutions or contracts between the
agency and lending institutions for the purchase, administration,

or servicing of loans notwithstanding that such lending 1560
institution has a director, officer, employee, or owner who is a 1561
member of the agency, and no such loans or contracts shall be 1562
deemed to be prohibited or otherwise regulated by reason of any 1563
other law or rule. 1564

(3) The members of the agency representing multifamily 1565
housing interests are not in violation of division (A) of section 1566
2921.42, division (D) of section 102.03, or division (E) of 1567
section 102.03 of the Revised Code in regard to a contract the 1568
agency enters into if both of the following apply: 1569

(a) The contract is entered into for a loan, grant, or 1570
participation in a program administered or funded by the agency 1571
and the contract was awarded pursuant to rules or guidelines the 1572
agency adopted. 1573

(b) The member does not participate in the discussion or vote 1574
on the contract if the contract secured a grant or loan that would 1575
directly benefit the member, a family member, or a business 1576
associate of the member. 1577

Sec. 727.01. Each municipal corporation shall have special 1578
power to levy and collect special assessments. The legislative 1579
authority of a municipal corporation may assess upon the abutting, 1580
adjacent, and contiguous, or other specially benefited, lots or 1581
lands in the municipal corporation, any part of the cost connected 1582
with the improvement of any street, alley, dock, wharf, pier, 1583
public road, place, boulevard, parkway, or park entrance or an 1584
easement of the municipal corporation available for the purpose of 1585
the improvement to be made ~~therein~~ in it by grading, draining, 1586
curbing, paving, repaving, repairing, treating the surface with 1587
substances designed to lay the dust ~~thereon~~ on it or preserve ~~such~~ 1588
~~surface~~ it, constructing sidewalks, piers, wharves, docks, 1589
retaining walls, sewers, sewage disposal works and treatment 1590

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plants ~~and~~, sewage pumping stations, water treatment plants, water 1591
pumping stations, reservoirs, and water storage tanks or 1592
standpipes, together with the facilities and appurtenances 1593
necessary and proper therefor, drains, storm-water retention 1594
basins, watercourses, water mains, or laying of water pipe, or the 1595
lighting, sprinkling, sweeping, or cleaning thereof, or removing 1596
snow therefrom, any part of the cost and expense of planting, 1597
maintaining, and removing shade trees thereupon; any part of the 1598
cost of a voluntary action, as defined in section 3746.01 of the 1599
Revised Code, undertaken pursuant to Chapter 3746. of the Revised 1600
Code by a special improvement district created under Chapter 1710. 1601
of the Revised Code, including the cost of acquiring property with 1602
respect to which the voluntary action is undertaken; ~~and in~~ 1603
~~addition~~, any part of the cost and expense of constructing, 1604
maintaining, repairing, cleaning, and enclosing ditches; ~~i~~ any part 1605
of the cost and expense of operating, maintaining, and replacing 1606
heating and cooling facilities for enclosed pedestrian canopies 1607
and malls; ~~i~~ any part of the cost and expense of acquiring and 1608
improving parking facilities and structures for off-street parking 1609
of motor vehicles or of acquiring land and improving ~~the same~~ it 1610
by clearing, grading, draining, paving, lighting, erecting, 1611
constructing, and equipping it for parking facilities and 1612
structures for off-street parking of motor vehicles, to the extent 1613
authorized by section 717.05 of the Revised Code; ~~provided, but~~ 1614
only if no special assessment made for the purpose of developing 1615
off-street parking facilities and structures ~~shall be~~ is levied 1616
against any land being used solely for off-street parking or 1617
against any land used solely for single or two-family dwellings; 1618
any part of the cost and expense of operating and maintaining the 1619
off-street parking facilities and structures; ~~i~~ and any part of the 1620
cost connected with changing the channel of, or narrowing, 1621
widening, dredging, deepening, or improving, ~~any~~ stream or 1622
watercourse, and for constructing or improving any levees or 1623

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boulevards ~~thereon~~ on any stream or watercourse, or along or about 1624
~~the same~~ any stream or watercourse, together with any retaining 1625
 wall, riprap protection, bulkhead, culverts, approaches, flood 1626
 gates, waterways, or drains incidental ~~thereto~~ to any stream or 1627
watercourse, or for making any other improvement of any river or 1628
 lake front, whether ~~such river front or lake front~~ it is privately 1629
 or publicly owned, which the legislative authority declares 1630
 conducive to the public health, convenience, or welfare. In 1631
 addition, a municipal corporation may levy a special assessment 1632
 for public improvement or public services plans of a district 1633
 formed under Chapter 1710. of the Revised Code, as provided in 1634
 that chapter. Except as otherwise provided in Chapter 1710. of the 1635
 Revised Code, special assessments may be levied by any of the 1636
 following methods: 1637

(A) By a percentage of the tax value of the property 1638
 assessed; 1639

(B) In proportion to the benefits ~~which~~ that may result from 1640
 the improvement; 1641

(C) By the front foot of the property bounding and abutting 1642
 upon the improvement. 1643

Sec. 3311.25. (A) Notwithstanding any other provision of this 1644
chapter, two or more city, local, or exempted village school 1645
districts whose territory is primarily located within a county may 1646
be merged as provided in this section, if both of the following 1647
apply: 1648

(1) The county has a population of less than one hundred 1649
thousand, as determined by the most recent federal decennial 1650
census. 1651

(2) The largest portion of the population of two or more 1652
school districts is primarily located within the county. 1653

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(B) A petition may be filed with the board of elections proposing that two or more school districts whose territory is primarily located within a county meeting the qualifications of division (A) of this section form a commission to study the proposed merger of the school districts. The petition may be presented in separate petition papers. Each petition paper shall contain, in concise language, the purpose of the petition and the names of five electors of each school district proposed to be merged to serve as commissioners on the merger study commission. The petition shall be governed by the rules of section 3501.38 of the Revised Code.

A petition filed under this section shall contain signatures of electors of each school district proposed to be merged, numbering not less than ten per cent of the number of electors residing in that district who voted for the office of governor at the most recent general election for that office. The petition shall be filed with the board of elections of the county described by division (A) of this section. The board of elections of the county in which the petition is required to be filed shall ascertain the validity of all signatures on the petition and may require the assistance of boards of elections of other counties if any of the school districts proposed to be merged are located partially in a county other than the one in which the petition is required to be filed.

(C)(1) If the board of elections of the county in which the petition is required to be filed determines that the petition is sufficient, the board shall submit the following question for the approval or rejection of the electors of each school district proposed to be merged at the next general election occurring at least seventy-five days after the date the petition is filed:
"Shall a commission be established to study the proposed merger of any or all of the school districts in this county and, if a merger

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is considered desirable, to draw up a statement of conditions for that proposed merger?" The ballot shall include, for each of the school districts proposed to be merged, the names of the five electors identified in the petition, who shall constitute the commissioners on behalf of that district.

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(2) If any of the school districts for which merger is proposed are located partially in a county other than the one in which the petition is required to be filed, the board of elections of the county in which the petition is required to be filed shall, if the petition is found to be sufficient, certify the sufficiency of that petition and the statement of the issue to be voted on to the boards of elections of those other counties. The boards of those other counties shall submit the question of merging and the names of candidates to be elected to the commission for the approval or rejection of electors in the portions of the school districts proposed to be merged that are located within their respective counties. Upon the holding of the election, those boards shall certify the results to the board of elections of the county in which the petition is required to be filed.

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(D) A petition shall not be deemed insufficient for all school districts proposed to be merged if it contains the signatures of less than ten per cent of the electors who voted for the office of governor at the most recent general election for that office in a particular school district. If the petition contains a sufficient number of signatures and is otherwise determined by the board of elections to be sufficient for at least two school districts proposed to be merged, the board shall submit the question of the proposed merger for the approval or rejection of voters under division (C) of this section in each of the districts for which the petition was determined to be sufficient. The board shall not submit the question of the proposed merger for the approval or rejection of voters under division (C) of this

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section for any school district for which a petition contains an 1718
insufficient number of signatures or for which the board otherwise 1719
determines the petition to be insufficient. 1720

(E)(1) If the question of forming a merger study commission 1721
as provided in division (C) of this section is approved by a 1722
majority of those voting on it in at least two school districts, 1723
the commission shall be established and the five candidates from 1724
each school district in which the question was approved shall be 1725
elected to the commission to study the proposed merger and to 1726
formulate any conditions of any proposed merger if a merger is 1727
considered desirable after study by the commission. Any school 1728
district that disapproved of the question of forming a merger 1729
study commission by a majority of those voting on it shall not be 1730
included in, and its proposed candidates shall not be elected to, 1731
the commission. 1732

(2) The first meeting of the commission shall be held in the 1733
regular meeting place of the board of county commissioners of the 1734
county in which the petition is required to be filed, at nine a.m. 1735
on the tenth day after the certification of the election by the 1736
last of the respective boards of elections to make such 1737
certification, unless that day is a Saturday, Sunday, or a 1738
holiday, in which case the first meeting shall be held on the next 1739
day thereafter that is not a Saturday, Sunday, or holiday. The 1740
president of the school board of the school district with the 1741
largest population of the districts that approved the question of 1742
forming a merger study commission under division (C) of this 1743
section shall serve as temporary chairperson until permanent 1744
officers are elected. The commission shall immediately elect its 1745
own permanent officers and shall proceed to meet as often as 1746
necessary to study the proposed merger, determine whether a 1747
proposed merger is desirable, and formulate any conditions for any 1748
proposed merger. All meetings of the commission shall be subject 1749

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to the requirements of section 121.22 of the Revised Code. 1750

(3) The conditions for a proposed merger may provide for the 1751
election of school board members for the new school district and 1752
any other conditions that a majority of the members of the 1753
commission from each school district find necessary. The 1754
conditions for the proposed merger also may provide that the 1755
merger, if approved, shall not become effective until the date on 1756
which any required changes in state law necessary for the school 1757
district merger to occur become effective. 1758

(4) As soon as the commission determines that a merger is not 1759
desirable or finalizes the conditions for a proposed merger, the 1760
commission shall report this fact, and the name of each school 1761
district proposed for merger in which the majority of the 1762
district's commissioners have agreed to the conditions for merger, 1763
to the board of elections of each of the counties in which the 1764
school districts proposed for merger are located. 1765

The question shall be submitted to the voters in each school 1766
district in which the majority of the district's commissioners 1767
have agreed to the conditions for merger at the next general 1768
election occurring after the commission is elected. The question 1769
shall not be submitted to the voters in any school district in 1770
which a majority of that district's commissioners have not agreed 1771
to the conditions for merger. The board of elections shall not 1772
submit the conditions for merger to the voters in any district if 1773
the conditions for merger include the merging of any district in 1774
which the majority of that district's commissioners have not 1775
agreed to the conditions for merger. 1776

The boards of elections shall submit the conditions of 1777
proposed merger for the approval or rejection of the electors in 1778
the portions of the school districts proposed to be merged within 1779
their respective counties. Upon the holding of that election, the 1780
boards of elections shall certify the results to the board of 1781

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elections of the county in which the petition is required to be filed.

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Regardless of whether the commission succeeds in reaching agreement, the commission shall cease to exist on the seventy-fifth day prior to the next general election after the commission is elected.

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(F) If the conditions of merger agreed upon by the merger commission are disapproved by a majority of those voting on them in any school district proposed to be merged, the merger shall not occur. If the conditions of merger are approved by a majority of those voting on them in each school district proposed to be merged, the merger shall be effective on the date specified in the merger conditions, unless the conditions of merger specify changes required to be made in state law for the merger to occur, in which case the merger shall be effective on the date on which those changes to state law become effective.

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Sec. 3318.023. Notwithstanding anything to the contrary in section 3318.02 of the Revised Code, each fiscal year, at the time that the Ohio school facilities commission conditionally approves projects of school districts under section 3318.01 to 3318.20 of the Revised Code for which it plans to provide assistance under those sections for that fiscal year, the commission also shall identify the next ten school districts from lowest to highest in order of the ranking calculated for the previous fiscal year under division (D) of section 3318.011 of the Revised Code that have not yet been conditionally approved for assistance under section 3318.01 to 3318.20 of the Revised Code. Those districts shall have priority in the order of such ranking with the lowest valuation having the highest priority for future assistance under those sections over all other school districts except for districts receiving assistance under division (B)(2) of section 3318.04,

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section 3318.37, or section 3318.38 of the Revised Code or 1813
districts that have priority under section 3318.05 of the Revised 1814
Code. 1815

Sec. 3318.03. Before conducting an on-site evaluation of a 1816
school district under section 3318.02 of the Revised Code, at the 1817
request of the district board of education, the Ohio school 1818
facilities commission shall examine any classroom facilities needs 1819
assessment that has been conducted by the district and any master 1820
plan developed for meeting the facility needs of the district. 1821

Upon conducting the on-site evaluation under section 3318.02 1822
of the Revised Code, the Ohio school facilities commission shall 1823
make a determination of all of the following: 1824

(A) The needs of the school district for additional classroom 1825
facilities; 1826

(B) The number of classroom facilities to be included in a 1827
project, including classroom facilities authorized by a bond issue 1828
described in section 3318.033 of the Revised Code, and the basic 1829
project cost of constructing, acquiring, reconstructing, or making 1830
additions to each such facility; 1831

(C) The amount of such cost that the school district can 1832
supply from available funds, by the issuance of bonds previously 1833
authorized by the electors of the school district the proceeds of 1834
which can lawfully be used for the project, including bonds 1835
authorized by the district's electors as described in section 1836
3318.033 of the Revised Code, and by the issuance of bonds under 1837
section 3318.05 of the Revised Code; 1838

(D) The remaining amount of such cost that shall be supplied 1839
by the state; 1840

(E) ~~If the state's portion of the basic project cost exceeds~~ 1841

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~~twenty-five million dollars, the~~ The amount of the state's portion 1842
to be encumbered in accordance with section 3318.11 of the Revised 1843
Code in the current and subsequent fiscal bienniums from funds 1844
appropriated for purposes of sections 3318.01 to 3318.20 of the 1845
Revised Code. 1846

The commission shall make a determination in favor of 1847
constructing, acquiring, reconstructing, or making additions to a 1848
classroom facility only upon evidence that the proposed project 1849
conforms to sound educational practice, that it is in keeping with 1850
the orderly process of school district reorganization and 1851
consolidation, and that the actual or projected enrollment in each 1852
classroom facility proposed to be included in the project is at 1853
least three hundred fifty pupils. Exceptions shall be authorized 1854
only in those districts where topography, sparsity of population, 1855
and other factors make larger schools impracticable. 1856

Sections 125.81 and 153.04 of the Revised Code shall not 1857
apply to classroom facilities constructed under sections 3318.01 1858
to 3318.20 of the Revised Code. 1859

Sec. 3318.04. (A) If the Ohio school facilities commission 1860
makes a determination under section 3318.03 of the Revised Code in 1861
favor of constructing, acquiring, reconstructing, or making 1862
additions to a classroom facility, the project shall be 1863
conditionally approved. Such conditional approval shall be 1864
submitted to the controlling board for approval thereof. The 1865
controlling board shall forthwith approve or reject the 1866
commission's determination, conditional approval, the amount of 1867
the state's portion of the basic project cost, and, ~~if the state's~~ 1868
~~portion exceeds twenty-five million dollars,~~ the amount of the 1869
state's portion to be encumbered in the current fiscal biennium. 1870
In the event of approval thereof by the controlling board, the 1871
commission shall certify such conditional approval to the school 1872
district board and shall encumber from the total funds 1873

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appropriated for the purpose of sections 3318.01 to 3318.20 of the Revised Code ~~the amount of the state's portion of the basic project cost or, if the state's portion exceeds twenty-five million dollars,~~ the amount approved under this section to be encumbered in the current fiscal biennium.

The basic project cost for a project approved under this section shall not exceed the cost that would otherwise have to be incurred if the classroom facilities to be constructed, acquired, or reconstructed, or the additions to be made to classroom facilities, under such project meet, but do not exceed, the specifications for plans and materials for classroom facilities adopted by the commission.

(B)(1) No school district shall have a project conditionally approved pursuant to this section if the school district has already received any assistance for a project funded under any version of sections 3318.01 to 3318.20 of the Revised Code, and the prior project was one for which the electors of such district approved a levy within the last twenty years pursuant to any version of section 3318.06 of the Revised Code for purposes of qualifying for the funding of that project, unless the district demonstrates to the satisfaction of the commission that the district has experienced since approval of its prior project an exceptional increase in enrollment significantly above the district's design capacity under that prior project as determined by rule of the commission.

(2) Notwithstanding division (B)(1) of this section, any school district that received assistance under sections 3318.01 to 3318.20 of the Revised Code, as those sections existed prior to May 20, 1997, may receive additional assistance under those sections, as they exist on and after May 20, 1997, prior to the expiration of the period of time required under division (B)(1) of this section, if the percentile in which the school district is

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located, as determined under section 3318.011 of the Revised Code, 1906
is eligible for assistance as prescribed in section 3318.02 of the 1907
Revised Code. 1908

The commission may provide assistance under sections 3318.01 1909
to 3318.20 of the Revised Code pursuant to this division to no 1910
more than five school districts per fiscal year until all eligible 1911
school districts have received the additional assistance 1912
authorized under this division. The commission shall establish 1913
application procedures, deadlines, and priorities for funding 1914
projects under this division. 1915

The commission at its discretion may waive current design 1916
specifications it has adopted for projects under sections 3318.01 1917
to 3318.20 of the Revised Code when assessing an application for 1918
additional assistance under this division for the renovation of 1919
classroom facilities constructed or renovated under a school 1920
district's previous project. If the commission finds that a school 1921
district's existing classroom facilities are adequate to meet all 1922
of the school district's needs, the commission may determine that 1923
no additional state assistance be awarded to a school district 1924
under this division. 1925

In order for a school district to be eligible to receive any 1926
additional assistance under this division, the school district 1927
electors shall extend the school district's existing levy 1928
dedicated for maintenance of classroom facilities under Chapter 1929
3318. of the Revised Code, pursuant to section 3318.061 of the 1930
Revised Code or shall provide equivalent alternative maintenance 1931
funds as specified in division ~~(B)~~(A)(2) of section 3318.06 of the 1932
Revised Code. 1933

(3) Notwithstanding division (B)(1) of this section, any 1934
school district that has received assistance under sections 1935
3318.01 to 3318.20 of the Revised Code after May 20, 1997, may 1936
receive additional assistance if the commission decides in favor 1937

of providing such assistance pursuant to section 3318.042 of the Revised Code. 1938
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Sec. 3318.05. The conditional approval of the Ohio school facilities commission for a project shall lapse and the amount reserved and encumbered for such project shall be released unless the school district board accepts such conditional approval within one hundred twenty days following the date of certification of the conditional approval to the school district board and the electors of the school district vote favorably on both of the propositions described in divisions (A) and (B) of this section within one year of the date of such certification, except that a school district described in division (C) of this section does not need to submit the proposition described in division (B) of this section. The propositions described in divisions (A) and (B) of this section shall be combined in a single proposal. If the district board or the district's electors fail to meet such requirements and the amount reserved and encumbered for the district's project is released, the district shall be given first priority for project funding as such funds become available. 1940
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(A) On the question of issuing bonds of the school district board, for the school district's portion of the basic project cost, in an amount equal to the school district's portion of the basic project cost less any deduction made under section 3318.033 of the Revised Code and less the amount of the proceeds of any securities authorized or to be authorized under division (J) of section 133.06 of the Revised Code and dedicated by the school district board to payment of the district's portion of the basic project cost; and 1957
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(B) On the question of levying a tax the proceeds of which shall be used to pay the cost of maintaining the classroom facilities included in the project. Such tax shall be at the rate 1966
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of not less than one-half mill for each dollar of valuation for a 1969
period of twenty-three years, subject to any extension approved 1970
under section 3318.061 of the Revised Code. 1971

(C) If a school district has in place a tax levied under 1972
section 5705.21 of the Revised Code for general ongoing permanent 1973
improvements of at least two mills for each dollar of valuation 1974
and the proceeds of such tax can be used for maintenance, the 1975
school district need not levy the additional tax required under 1976
division (B) of this section, provided the school district board 1977
includes in the agreement entered into under section 3318.08 of 1978
the Revised Code provisions earmarking an amount from the proceeds 1979
of that permanent improvement tax for maintenance of classroom 1980
facilities equivalent to the amount of the additional tax and for 1981
the equivalent number of years otherwise required under this 1982
section. 1983

(D) Proceeds of the tax to be used for maintenance of the 1984
classroom facilities under either division (B) or (C) of this 1985
section shall be deposited into a separate fund established by the 1986
school district for such purpose. 1987

Sec. 3318.056. A school district may adopt a resolution 1988
proposing that any of the following questions be combined with the 1989
questions specified in divisions (A) and (B) of section 3318.05 of 1990
the Revised Code: 1991

(A) A bond issue question under section 133.18 of the Revised 1992
Code; 1993

(B) A tax levy question under section 5705.21 of the Revised 1994
Code; 1995

(C) A combined bond issue and tax levy question under section 1996
5705.218 of the Revised Code; 1997

(D) A school district income tax question under section 1998

<u>5748.08 of the Revised Code.</u>	1999
<u>Any question described in divisions (A) to (D) of this section that is combined with a question proposed under divisions (A) and (B) of section 3318.05 of the Revised Code shall be for the purpose of either paying for any permanent improvement as defined in section 133.01 of the Revised Code or generating operating revenue specifically for the facilities acquired under the school district's project under Chapter 3318. of the Revised Code or for both to the extent such purposes are permitted by the sections of law under which each is proposed.</u>	2000 2001 2002 2003 2004 2005 2006 2007 2008
Sec. 3318.06. (A) After receipt of the conditional approval of the Ohio school facilities commission, the school district board by a majority of all of its members shall, if it desires to proceed with the project, declare all of the following by resolution:	2009 2010 2011 2012 2013
(A) (1) That by issuing bonds in an amount equal to the school district's portion of the basic project cost, including bonds previously authorized by the district's electors as described in section 3318.033 of the Revised Code, the district is unable to provide adequate classroom facilities without assistance from the state;	2014 2015 2016 2017 2018 2019
(B) (2) Unless the school district board has resolved to apply the proceeds of a property tax or the proceeds of an income tax, or a combination of proceeds from such taxes, as authorized under section 3318.052 of the Revised Code, that to qualify for such state assistance it is necessary to do either of the following:	2020 2021 2022 2023 2024 2025
(1) (a) Levy a tax outside the ten-mill limitation the proceeds of which shall be used to pay the cost of maintaining the classroom facilities included in the project;	2026 2027 2028
(2) (b) Earmark for maintenance of classroom facilities from	2029

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the proceeds of an existing permanent improvement tax levied under 2030
 section 5705.21 of the Revised Code, if such tax is of at least 2031
 two mills for each dollar of valuation and can be used for 2032
 maintenance, an amount equivalent to the amount of the additional 2033
 tax otherwise required under this section and sections 3318.05 and 2034
 3318.08 of the Revised Code. 2035

~~(C)~~(3) That the question of any tax levy specified in a 2036
 resolution described in division ~~(B)~~~~(1)~~(A)(2)(a) of this section, 2037
 if required, shall be submitted to the electors of the school 2038
 district at the next general or primary election, if there be a 2039
 general or primary election not less than seventy-five and not 2040
 more than ninety-five days after the day of the adoption of such 2041
 resolution or, if not, at a special election to be held at a time 2042
 specified in the resolution which shall be not less than 2043
 seventy-five days after the day of the adoption of the resolution 2044
 and which shall be in accordance with the requirements of section 2045
 3501.01 of the Revised Code. 2046

Such resolution shall also state that the question of issuing 2047
 bonds of the board shall be combined in a single proposal with the 2048
 question of such tax levy. More than one election under this 2049
 section may be held in any one calendar year. Such resolution 2050
 shall specify both of the following: 2051

~~(1)~~(a) That the rate which it is necessary to levy shall be 2052
 at the rate of not less than one-half mill for each one dollar of 2053
 valuation, and that such tax shall be levied for a period of 2054
 twenty-three years; 2055

~~(2)~~(b) That the proceeds of the tax shall be used to pay the 2056
 cost of maintaining the classroom facilities included in the 2057
 project. 2058

(B) A copy of ~~such a~~ resolution adopted under division (A) of 2059
this section shall after its passage and not less than 2060
 seventy-five days prior to the date set therein for the election 2061

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be certified to the county board of elections. 2062

The resolution of the school district board, in addition to 2063
meeting other applicable requirements of section 133.18 of the 2064
Revised Code, shall state that the amount of bonds to be issued 2065
will be an amount equal to the school district's portion of the 2066
basic project cost, and state the maximum maturity of the bonds 2067
which, ~~notwithstanding section 133.20 of the Revised Code,~~ may be 2068
any number of years not exceeding ~~twenty-three~~ the term calculated 2069
under section 133.20 of the Revised Code as determined by the 2070
board. In estimating the amount of bonds to be issued, the board 2071
shall take into consideration the amount of moneys then in the 2072
bond retirement fund and the amount of moneys to be collected for 2073
and disbursed from the bond retirement fund during the remainder 2074
of the year in which the resolution of necessity is adopted. 2075

If the bonds are to be issued in more than one series, the 2076
resolution may state, in addition to the information required to 2077
be stated under division (B)(3) of section 133.18 of the Revised 2078
Code, the number of series, which shall not exceed five, the 2079
principal amount of each series, and the approximate date each 2080
series will be issued, and may provide that no series, or any 2081
portion thereof, may be issued before such date. Upon such a 2082
resolution being certified to the county auditor as required by 2083
division (C) of section 133.18 of the Revised Code, the county 2084
auditor, in calculating, advising, and confirming the estimated 2085
average annual property tax levy under that division, shall also 2086
calculate, advise, and confirm by certification the estimated 2087
average property tax levy for each series of bonds to be issued. 2088

Notice of the election shall include the fact that the tax 2089
levy shall be at the rate of not less than one-half mill for each 2090
one dollar of valuation for a period of twenty-three years, and 2091
that the proceeds of the tax shall be used to pay the cost of 2092
maintaining the classroom facilities included in the project. 2093

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If the bonds are to be issued in more than one series, the board of education, when filing copies of the resolution with the board of elections as required by division (D) of section 133.18 of the Revised Code, may direct the board of elections to include in the notice of election the principal amount and approximate date of each series, the maximum number of years over which the principal of each series may be paid, the estimated additional average property tax levy for each series, and the first calendar year in which the tax is expected to be due for each series, in addition to the information required to be stated in the notice under division (E)(3)(a) to (e) of section 133.18 of the Revised Code.

The (C)(1) Except as otherwise provided in division (C)(2) of this section, the form of the ballot to be used at such election shall be:

"A majority affirmative vote is necessary for passage.

Shall bonds be issued by the (here insert name of school district) school district to pay the local share of school construction under the State of Ohio Classroom Facilities Assistance Program in the principal amount of (here insert principal amount of the bond issue), to be repaid annually over a maximum period of (here insert the maximum number of years over which the principal of the bonds may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue (here insert the number of mills estimated) mills for each one dollar of tax valuation, which amounts to (rate expressed in cents or dollars and cents, such as "thirty-six cents" or "\$0.36") for each one hundred dollars of tax valuation to pay the annual debt charges on the bonds and to pay debt charges on any notes issued in anticipation of the bonds?"

and, unless the additional levy 2126
of taxes is not required pursuant 2127
to division (C) of section 2128
3318.05 of the Revised Code, 2129

"Shall an additional levy of taxes be made for a period of 2130
twenty-three years to benefit the (here insert name 2131
of school district) school district, the proceeds of which shall 2132
be used to pay the cost of maintaining the classroom facilities 2133
included in the project at the rate of (here insert the 2134
number of mills, which shall not be less than one-half mill) mills 2135
for each one dollar of valuation? 2136

2137
FOR THE BOND ISSUE AND TAX LEVY 2138
AGAINST THE BOND ISSUE AND TAX LEVY " 2139

2140
(2) If authority is sought to issue bonds in more than one 2141
series and the board of education so elects, the form of the 2142
ballot shall be as prescribed in section 3318.062 of the Revised 2143
Code. If the board of education elects the form of the ballot 2144
prescribed in that section, it shall so state in the resolution 2145
adopted under this section. 2146

(D) If it is necessary for the school district to acquire a 2147
site for the classroom facilities to be acquired pursuant to 2148
sections 3318.01 to 3318.20 of the Revised Code, the district 2149
board may propose either to issue bonds of the board or to levy a 2150
tax to pay for the acquisition of such site, and may combine the 2151
question of doing so with the questions specified in division ~~(C)~~ 2152
(B) of this section. Bonds issued under this division for the 2153
purpose of acquiring a site are a general obligation of the school 2154
district and are Chapter 133. securities. 2155

The form of that portion of the ballot to include the 2156

question of either issuing bonds or levying a tax for site 2157
acquisition purposes shall be one of the following: 2158

(1) "Shall bonds be issued by the (here insert 2159
name of the school district) school district to pay costs of 2160
acquiring a site for classroom facilities under the State of Ohio 2161
Classroom Facilities Assistance Program in the principal amount of 2162
..... (here insert principal amount of the bond issue), to be 2163
repaid annually over a maximum period of (here insert 2164
maximum number of years over which the principal of the bonds may 2165
be paid) years, and an annual levy of property taxes be made 2166
outside the ten-mill limitation, estimated by the county auditor 2167
to average over the repayment period of the bond issue 2168
(here insert number of mills) mills for each one dollar of tax 2169
valuation, which amount to (here insert rate expressed 2170
in cents or dollars and cents, such as "thirty-six cents" or 2171
"\$0.36") for each one hundred dollars of valuation to pay the 2172
annual debt charges on the bonds and to pay debt charges on any 2173
notes issued in anticipation of the bonds?" 2174

(2) "Shall an additional levy of taxes outside the ten-mill 2175
limitation be made for the benefit of the (here insert 2176
name of the school district) school district for the 2177
purpose of acquiring a site for classroom facilities in the sum of 2178
..... (here insert annual amount the levy is to produce) 2179
estimated by the county auditor to average (here insert 2180
number of mills) mills for each one hundred dollars of valuation, 2181
for a period of (here insert number of years the millage 2182
is to be imposed) years?" 2183

Where it is necessary to combine the question of issuing 2184
bonds of the school district and levying a tax as described in 2185
division ~~(C)~~(B) of this section with the question of issuing bonds 2186
of the school district for acquisition of a site, the question 2187
specified in that division ~~(C) of this section~~ to be voted on 2188

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shall be "For the Bond Issues and the Tax Levy" and "Against the Bond Issues and the Tax Levy." 2189 2190

Where it is necessary to combine the question of issuing bonds of the school district and levying a tax as described in division ~~(C)~~(B) of this section with the question of levying a tax for the acquisition of a site, the question specified in that division ~~(C) of this section~~ to be voted on shall be "For the Bond Issue and the Tax Levies" and "Against the Bond Issue and the Tax Levies." 2191 2192 2193 2194 2195 2196 2197

Where the school district board chooses to combine the question in division (B) of this section with any of the additional questions described in divisions (A) to (D) of section 3318.056 of the Revised Code, the question specified in division (B) of this section to be voted on shall be "For the Bond Issues and the Tax Levies" and "Against the Bond Issues and the Tax Levies." 2198 2199 2200 2201 2202 2203 2204

If a majority of those voting upon a proposition hereunder which includes the question of issuing bonds vote in favor thereof, and if the agreement provided for by section 3318.08 of the Revised Code has been entered into, the school district board may proceed under Chapter 133. of the Revised Code, with the issuance of bonds or bond anticipation notes in accordance with the terms of the agreement. 2205 2206 2207 2208 2209 2210 2211

Sec. 3318.061. This section applies only to school districts eligible to receive additional assistance under division (B)(2) of section 3318.04 of the Revised Code and to big eight districts segmenting projects under section 3318.38 of the Revised Code. 2212 2213 2214 2215

The board of education of a school district in which a tax described by division (B) of section 3318.05 and levied under section 3318.06 of the Revised Code is in effect, may adopt a resolution by vote of a majority of its members to extend the term 2216 2217 2218 2219

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of that tax beyond the expiration of that tax as originally 2220
approved under that section. The school district board may include 2221
in the resolution a proposal to extend the term of that tax at the 2222
rate of not less than one-half mill for each dollar of valuation 2223
for a period of twenty-three years from the year in which the 2224
school district board and the Ohio school facilities commission 2225
enter into an agreement under division (B)(2) of section 3318.04 2226
of the Revised Code or in the following year, as specified in the 2227
resolution or, as applicable in the case of a district segmenting 2228
a project under section 3318.38 of the Revised Code, from the year 2229
in which the last segment is undertaken. Such a resolution may be 2230
adopted at any time before such an agreement is entered into and 2231
before the tax levied pursuant to section 3318.06 of the Revised 2232
Code expires. If the resolution is combined with a resolution to 2233
issue bonds to pay the school district's portion of the basic 2234
project cost, it shall conform with the requirements of divisions 2235
(A), ~~(B)(1), (2), and (C)(3)~~ of section 3318.06 of the Revised 2236
Code, except that the resolution also shall state that the tax 2237
levy proposed in the resolution is an extension of an existing tax 2238
levied under that section. A resolution proposing an extension 2239
adopted under this section does not take effect until it is 2240
approved by a majority of electors voting in favor of the 2241
resolution at a general, primary, or special election as provided 2242
in this section. 2243

A tax levy extended under this section is subject to the same 2244
terms and limitations to which the original tax levied under 2245
section 3318.06 of the Revised Code is subject under that section, 2246
except the term of the extension shall be as specified in this 2247
section. 2248

The school district board shall certify a copy of the 2249
resolution adopted under this section to the proper county board 2250
of elections not later than seventy-five days before the date set 2251

in the resolution as the date of the election at which the 2252
question will be submitted to electors. The notice of the election 2253
shall conform with the requirements of division ~~(C)~~(A)(3) of 2254
section 3318.06 of the Revised Code, except that the notice also 2255
shall state that the maintenance tax levy is an extension of an 2256
existing tax levy. 2257

The form of the ballot shall be as follows: 2258

"Shall the existing tax levied to pay the cost of maintaining 2259
classroom facilities constructed with the proceeds of the 2260
previously issued bonds at the rate of (here insert the 2261
number of mills, which shall not be less than one-half mill) mills 2262
per dollar of tax valuation, be extended until (here 2263
insert the year that is twenty-three years after the year in which 2264
the district and commission will enter into an agreement under 2265
division (B)(2) of section 3318.04 of the Revised Code or the 2266
following year)? 2267

FOR EXTENDING THE EXISTING TAX LEVY 2268
2269

AGAINST EXTENDING THE EXISTING TAX LEVY " 2270

2271
Section 3318.07 of the Revised Code applies to ballot 2272
questions under this section. 2273

Sec. 3318.062. (A) If authority is sought to issue bonds in 2274
more than one series to pay the school district's portion of the 2275
basic project cost under sections 3318.01 to 3318.20 of the 2276
Revised Code, the form of the ballot shall be: 2277

"Shall bonds be issued by the (here insert name of 2278
school district) school district to pay the local share of school 2279
construction under the State of Ohio Classroom Facilities 2280
Assistance Program in the total principal amount of 2281

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(total principal amount of the bond issue), to be issued in 2282
(number of series) series, each series to be repaid annually over 2283
not more than (maximum number of years over which the 2284
principal of each series may be paid) years, and an annual levy of 2285
property taxes be made outside the ten-mill limitation to pay the 2286
annual debt charges on the bonds and on any notes issued in 2287
anticipation of the bonds, at a rate estimated by the county 2288
auditor to average over the repayment period of each series as 2289
follows: (insert the following for each series: "the 2290
..... series, in a principal amount of dollars, 2291
requiring mills per dollar of tax valuation, which amounts 2292
to (rate expressed in cents or dollars and cents, such as 2293
"36 cents" or "\$1.41") for each one hundred dollars in tax 2294
valuation, commencing in and first payable in 2295
.....)?" 2296

and, unless the additional levy 2297
of taxes is not required pursuant 2298
to division (C) of section 2299
3318.05 of the Revised Code, 2300

2301

"Shall an additional levy of taxes be made for a period of 2302
twenty-three years to benefit the (here insert name of 2303
school district) school district, the proceeds of which shall be 2304
used to pay the cost of maintaining the classroom facilities 2305
included in the project at the rate of (here insert the 2306
number of mills, which shall not be less than one-half mill) mills 2307
for each one dollar of valuation? 2308

2309

For the bond issue 2310
Against the bond issue " 2311

2312

(B) If it is necessary for the school district to acquire a 2313

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site for the classroom facilities to be acquired pursuant to 2314
sections 3318.01 to 3318.20 of the Revised Code, the district 2315
board may propose either to issue bonds of the board or to levy a 2316
tax to pay for the acquisition of such site, and may combine the 2317
question of doing so with the questions specified in division (A) 2318
of this section. Bonds issued under this division for the purpose 2319
of acquiring a site are a general obligation of the school 2320
district and are Chapter 133. securities. 2321

The form of that portion of the ballot to include the 2322
question of either issuing bonds or levying a tax for site 2323
acquisition purposes shall be one of the forms prescribed in 2324
division (D) of section 3318.06 of the Revised Code. 2325

(C) Where the school district board chooses to combine the 2326
question in division (A) of this section with any of the 2327
additional questions described in divisions (A) to (D) of section 2328
3318.056 of the Revised Code, the question specified in division 2329
(A) of this section to be voted on shall be "For the Bond Issues 2330
and the Tax Levies" and "Against the Bond Issues and the Tax 2331
Levies." 2332

(D) If a majority of those voting upon a proposition 2333
prescribed in this section which includes the question of issuing 2334
bonds vote in favor of that issuance, and if the agreement 2335
prescribed in section 3318.08 of the Revised Code has been entered 2336
into, the school district board may proceed under Chapter 133. of 2337
the Revised Code with the issuance of bonds or bond anticipation 2338
notes in accordance with the terms of the agreement. 2339

Sec. 3318.08. If the requisite favorable vote on the election 2340
 is obtained, or if the school district board has resolved to apply 2341
 the proceeds of a property tax levy or the proceeds of an income 2342
 tax, or a combination of proceeds from such taxes, as authorized 2343
 in section 3318.052 of the Revised Code, the Ohio school 2344

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facilities commission, upon certification to it of either the 2345
results of the election or the resolution under section 3318.052 2346
of the Revised Code, shall enter into a written agreement with the 2347
school district board for the construction and sale of the 2348
project, which agreement shall include, but need not be limited 2349
to, the following provisions: 2350

(A) The sale and issuance of bonds or notes in anticipation 2351
thereof, as soon as practicable after the execution of the 2352
agreement, in an amount equal to the school district's portion of 2353
the basic project cost, including any bonds previously authorized 2354
by the district's electors as described in section 3318.033 of the 2355
Revised Code and any securities authorized under division (J) of 2356
section 133.06 of the Revised Code and dedicated by the school 2357
district board to payment of the district's portion of the basic 2358
project cost of the project; provided, that if at that time the 2359
county treasurer of each county in which the school district is 2360
located has not commenced the collection of taxes on the general 2361
duplicate of real and public utility property for the year in 2362
which the controlling board approved the project, the school 2363
district board shall authorize the issuance of a first installment 2364
of bond anticipation notes in an amount specified by the 2365
agreement, which amount shall not exceed an amount necessary to 2366
raise the net bonded indebtedness of the school district as of the 2367
date of the controlling board's approval to within five thousand 2368
dollars of the required level of indebtedness for the preceding 2369
year. In the event that a first installment of bond anticipation 2370
notes is issued, the school district board shall, as soon as 2371
practicable after the county treasurer of each county in which the 2372
school district is located has commenced the collection of taxes 2373
on the general duplicate of real and public utility property for 2374
the year in which the controlling board approved the project, 2375
authorize the issuance of a second and final installment of bond 2376
anticipation notes or a first and final issue of bonds. 2377

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The combined value of the first and second installment of 2378
bond anticipation notes or the value of the first and final issue 2379
of bonds shall be equal to the school district's portion of the 2380
basic project cost. The proceeds of any such bonds shall be used 2381
first to retire any bond anticipation notes. Otherwise, the 2382
proceeds of such bonds and of any bond anticipation notes, except 2383
the premium and accrued interest thereon, shall be deposited in 2384
the school district's project construction fund. In determining 2385
the amount of net bonded indebtedness for the purpose of fixing 2386
the amount of an issue of either bonds or bond anticipation notes, 2387
gross indebtedness shall be reduced by moneys in the bond 2388
retirement fund only to the extent of the moneys therein on the 2389
first day of the year preceding the year in which the controlling 2390
board approved the project. Should there be a decrease in the tax 2391
valuation of the school district so that the amount of 2392
indebtedness that can be incurred on the tax duplicates for the 2393
year in which the controlling board approved the project is less 2394
than the amount of the first installment of bond anticipation 2395
notes, there shall be paid from the school district's project 2396
construction fund to the school district's bond retirement fund to 2397
be applied against such notes an amount sufficient to cause the 2398
net bonded indebtedness of the school district, as of the first 2399
day of the year following the year in which the controlling board 2400
approved the project, to be within five thousand dollars of the 2401
required level of indebtedness for the year in which the 2402
controlling board approved the project. The maximum amount of 2403
indebtedness to be incurred by any school district board as its 2404
share of the cost of the project is either an amount that will 2405
cause its net bonded indebtedness, as of the first day of the year 2406
following the year in which the controlling board approved the 2407
project, to be within five thousand dollars of the required level 2408
of indebtedness, or an amount equal to the required percentage of 2409
the basic project costs, whichever is greater. All bonds and bond 2410

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anticipation notes shall be issued in accordance with Chapter 133. 2411
of the Revised Code, and notes may be renewed as provided in 2412
section 133.22 of the Revised Code. 2413

(B) The transfer of such funds of the school district board 2414
available for the project, together with the proceeds of the sale 2415
of the bonds or notes, except premium, accrued interest, and 2416
interest included in the amount of the issue, to the school 2417
district's project construction fund; 2418

(C) If section 3318.052 of the Revised Code applies, the 2419
earmarking of the proceeds of a tax levied under section 5705.21 2420
of the Revised Code for general ongoing permanent or under section 2421
5705.218 of the Revised Code for the purpose of permanent 2422
improvements, or the proceeds of a school district income tax 2423
levied under Chapter 5748. of the Revised Code, or the proceeds 2424
from a combination of those two taxes, in an amount to pay all or 2425
part of the service charges on bonds issued to pay the school 2426
district portion of the project and an amount equivalent to all or 2427
part of the tax required under division (B) of section 3318.05 of 2428
the Revised Code. 2429

~~(C)~~(D) If section 3318.052 of the Revised Code does not 2430
apply, either of the following: 2431

(1) The levy of the tax authorized at the election for the 2432
payment of maintenance costs, as specified in division (B) of 2433
section 3318.05 of the Revised Code; 2434

(2) If the school district electors have approved a 2435
continuing tax of at least two mills for each dollar of valuation 2436
for general ongoing permanent improvements under section 5705.21 2437
of the Revised Code and that tax can be used for maintenance, the 2438
earmarking of an amount of the proceeds from such tax for 2439
maintenance of classroom facilities as specified in division (B) 2440
of section 3318.05 of the Revised Code. 2441

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(D) (E) Dedication of any local donated contribution as	2442
<u>provided for under section 3318.084 of the Revised Code, including</u>	2443
<u>a schedule for depositing such moneys applied as an offset of the</u>	2444
<u>district's obligation to levy the tax described in division (B) of</u>	2445
<u>section 3318.05 of the Revised Code as required under division</u>	2446
<u>(D)(2) of section 3318.084 of the Revised Code.</u>	2447
<u>(F)</u> Ownership of or interest in the project during the period	2448
of construction, which shall be divided between the commission and	2449
the school district board in proportion to their respective	2450
contributions to the school district's project construction fund;	2451
	2452
(E) (G) Maintenance of the state's interest in the project	2453
until any obligations issued for the project under section 3318.26	2454
of the Revised Code are no longer outstanding;	2455
(F) (H) The insurance of the project by the school district	2456
from the time there is an insurable interest therein and so long	2457
as the state retains any ownership or interest in the project	2458
pursuant to division (D) (F) of this section, in such amounts and	2459
against such risks as the commission shall require; provided, that	2460
the cost of any required insurance until the project is completed	2461
shall be a part of the basic project cost;	2462
(G) (I) The certification by the director of budget and	2463
management that funds are available and have been set aside to	2464
meet the state's share of the basic project cost as approved by	2465
the controlling board pursuant to section 3318.04 of the Revised	2466
Code;	2467
(H) (J) Authorization of the school district board to	2468
advertise for and receive construction bids for the project, for	2469
and on behalf of the commission, and to award contracts in the	2470
name of the state subject to approval by the commission;	2471
(I) (K) Provisions for the disbursement of moneys from the	2472

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school district's project account upon issuance by the commission	2473
or the commission's designated representative of vouchers for work	2474
done to be certified to the commission by the treasurer of the	2475
school district board;	2476
(J) (L) Disposal of any balance left in the school district's	2477
project construction fund upon completion of the project;	2478
(K) (M) Limitations upon use of the project or any part of it	2479
so long as any obligations issued to finance the project under	2480
section 3318.26 of the Revised Code are outstanding;	2481
(L) (N) Provision for vesting the state's interest in the	2482
project to the school district board when the obligations issued	2483
to finance the project under section 3318.26 of the Revised Code	2484
are outstanding;	2485
(M) (O) Provision for deposit of an executed copy of the	2486
agreement in the office of the commission;	2487
(N) (P) Provision for termination of the contract and release	2488
of the funds encumbered at the time of the conditional approval,	2489
if the proceeds of the sale of the bonds of the school district	2490
board are not paid into the school district's project construction	2491
fund and if bids for the construction of the project have not been	2492
taken within such period after the execution of the agreement as	2493
may be fixed by the commission;	2494
(O) (Q) Provision for the school district to maintain the	2495
project in accordance with a plan approved by the commission;	2496
(P) <u>Provision (R)(1) For all school districts except those</u>	2497
<u>undertaking a project under section 3318.38 of the Revised Code,</u>	2498
<u>provision</u> that all state funds reserved and encumbered to pay the	2499
state share of the cost of the project pursuant to section 3318.03	2500
of the Revised Code be spent on the construction or acquisition of	2501
the project prior to the expenditure of any funds provided by the	2502
school district to pay for its share of the project cost, unless	2503

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the school district certifies to the commission that expenditure 2504
 by the school district is necessary to maintain the tax-exempt 2505
 status of notes or bonds issued by the school district to pay for 2506
 its share of the project cost or to comply with applicable 2507
temporary investment periods or spending exceptions to rebate as 2508
provided for under federal law in regard to those notes or bonds, 2509
 in which ~~case~~ cases, the school district may commit to spend, or 2510
 spend, a portion of the funds it provides; 2511

(2) For school districts undertaking a project under section 2512
3318.38 of the Revised Code, provision that the state funds 2513
reserved and encumbered and the funds provided by the school 2514
district to pay the basic project cost of any segment of the 2515
project, or of the entire project if it is not divided into 2516
segments, be spent on the construction and acquisition of the 2517
project simultaneously in proportion to the state's and the school 2518
district's respective shares of that basic project cost as 2519
determined under section 3318.032 of the Revised Code. 2520

~~(Q)~~(S) A provision stipulating that the commission may 2521
 prohibit the district from proceeding with any project if the 2522
 commission determines that the site is not suitable for 2523
 construction purposes. The commission may perform soil tests in 2524
 its determination of whether a site is appropriate for 2525
 construction purposes. 2526

~~(R)~~(T) A provision stipulating that, unless otherwise 2527
 authorized by the commission, any contingency reserve portion of 2528
 the construction budget prescribed by the commission shall be used 2529
 only to pay costs resulting from unforeseen job conditions, to 2530
 comply with rulings regarding building and other codes, to pay 2531
 costs related to design clarifications or corrections to contract 2532
 documents, and to pay the costs of settlements or judgments 2533
 related to the project as provided under section 3318.086 of the 2534
 Revised Code. 2535

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Sec. 3318.084. (A) Notwithstanding anything to the contrary 2536
in Chapter 3318. of the Revised Code, a school district board may 2537
apply any local donated contribution toward either or both of the 2538
following: 2539

(1) The district's portion of the basic project cost of a 2540
project under sections 3318.01 to 3318.20 of the Revised Code to 2541
reduce the amount of bonds the district otherwise must issue in 2542
order to receive state assistance under those sections; 2543

(2) An offset of all or part of a district's obligation to 2544
levy the tax described in division (B) of section 3318.05 of the 2545
Revised Code, which shall be applied only in the manner prescribed 2546
in division (B) of this section. 2547

(B) No school district board shall apply any local donated 2548
contribution under division (A)(2) of this section unless the Ohio 2549
school facilities commission first approves that application. 2550

Upon the request of the school district board to apply local 2551
donated contribution under division (A)(2) of this section, the 2552
commission in consultation with the department of taxation shall 2553
determine the amount of total revenue that likely would be 2554
generated by one-half mill of the tax described in division (B) of 2555
section 3318.05 of the Revised Code over the entire 2556
twenty-three-year period required under that section and shall 2557
deduct from that amount any amount of local donated contribution 2558
that the board has committed to apply under division (A)(2) of 2559
this section. The commission then shall determine in consultation 2560
with the department of taxation the rate of tax over twenty-three 2561
years necessary to generate the amount of a one-half mill tax not 2562
offset by the local donated contribution. Notwithstanding anything 2563
to the contrary in section 3318.06, 3318.061, or 3318.361 of the 2564
Revised Code, the rate determined by the commission shall be the 2565
rate for which the district board shall seek elector approval 2566

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under those sections to meet its obligation under division (B) of 2567
section 3318.05 of the Revised Code. In the case of a complete 2568
offset of the district's obligation under division (B) of section 2569
3318.05 of the Revised Code, the district shall not be required to 2570
levy the tax otherwise required under that section. At the end of 2571
the twenty-three-year period of the tax required under division 2572
(B) of section 3318.05 of the Revised Code, whether or not the tax 2573
is actually levied, the commission in consultation of the 2574
department of taxation shall recalculate the amount that would 2575
have been generated by the tax if it had been levied at one-half 2576
mill. If the total amount actually generated over that period from 2577
both the tax that was actually levied and any local donated 2578
contribution applied under division (A)(2) of this section is less 2579
than the amount that would have been raised by a one-half mill 2580
tax, the district shall pay any difference. If the total amount 2581
actually raised in such manner is greater than the amount that 2582
would have been raised by a one-half mill tax the difference shall 2583
be zero and no payments shall be made by either the district or 2584
the commission. 2585

(C) As used in this section, "local donated contribution" 2586
means ~~either~~ any of the following: 2587

(1) Any moneys irrevocably donated or granted to a school 2588
district board by a source other than the state which the board 2589
has the authority to apply to the school district's project under 2590
sections 3318.01 to 3318.20 of the Revised Code and which the 2591
board has pledged for that purpose by resolution adopted by a 2592
majority of its members; 2593

(2) Any irrevocable letter of credit issued on behalf of a 2594
school district or any cash a school district has on hand, 2595
including any year-end operating fund balances, that can be spent 2596
for classroom facilities, either of which the school district 2597
board has encumbered for payment of the school district's share of 2598

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its project under sections 3318.01 to 3318.20 of the Revised Code 2599
and either of which has been approved by the commission in 2600
consultation with the department of education; 2601

(3) Any moneys spent by a source other than the school 2602
district or the state for construction or renovation of specific 2603
classroom facilities that have been approved by the commission as 2604
part of the basic project cost of the district's project. The 2605
school district, the commission, and the entity providing the 2606
local donated contribution under division (C) (3) of this section 2607
shall enter into an agreement indentifying the classroom 2608
facilities to be acquired by the expenditures made by that entity. 2609
The agreement shall include, but not be limited to, stipulations 2610
that require an audit by the commission of such expenditures made 2611
on behalf of the district and that specify the maximum amount of 2612
credit to be allowed for those expenditures. Upon completion of 2613
the construction or renovation, the commission shall determine the 2614
actual amount that the commission will credit, at the request of 2615
the district board, toward the district's portion of the basic 2616
project cost, any project cost overruns, or the basic project cost 2617
of future segments if the project has been divided into segments 2618
under section 3318.38 of the Revised Code. The actual amount of 2619
the credit shall not exceed the lesser of the amount specified in 2620
the agreement or the actual cost of the construction or 2621
renovation. 2622

(D) No state moneys shall be released for a project to which 2623
this section applies until ~~any~~: 2624

(1) Any local donated contribution authorized under division 2625
(A)(1) of this section is first deposited into the school 2626
district's project construction fund, ~~if applied under division~~ 2627
~~(A)(1) of this section, or into the district's capital and~~ 2628
~~maintenance fund if applied under division (A)(2) of this section.~~ 2629

(2) The school district board and the commission have 2630

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included a stipulation in their agreement entered into under 2631
section 3318.08 of the Revised Code under which the board will 2632
deposit into a fund approved by the commission according to a 2633
schedule that does not extend beyond the anticipated completion 2634
date of the project the total amount of any local donated 2635
contribution authorized under division (A)(2) of this section and 2636
dedicated by the board for that purpose. 2637

However, if any local donated contribution as described in 2638
division (C) (3) of this section has been approved under this 2639
section, the state moneys may be released even if the entity 2640
providing that local donated contribution has not spent the moneys 2641
so dedicated as long as the agreement required under that section 2642
has been executed. 2643

Sec. 3318.11. ~~For any project for which the state's portion~~ 2645
~~of the basic project cost exceeds twenty-five million dollars~~ 2646
~~undertaken with financial assistance from the state under this~~ 2647
~~chapter,~~ the amount of state appropriations to be encumbered for 2648
 the project in each fiscal biennium shall be determined by the 2649
 Ohio school facilities commission based on the project's estimated 2650
 construction schedule for that biennium. In each fiscal biennium 2651
 subsequent to the first biennium in which state appropriations are 2652
 encumbered for the project, the project has priority for state 2653
 funds over projects for which initial state funding is sought. 2654

Sec. 3318.36. (A) As used in this section: 2655

(1) "Ohio school facilities commission," "classroom 2656
 facilities," "school district," "school district board," "net 2657
 bonded indebtedness," "required percentage of the basic project 2658
 costs," "basic project cost," "valuation," and "percentile" have 2659
 the same meanings as in section 3318.01 of the Revised Code. 2660

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(2) "Required level of indebtedness" means five per cent of the school district's valuation for the year preceding the year in which the commission and school district enter into an agreement under division (B) of this section, plus [two one-hundredths of one per cent multiplied by (the percentile in which the district ranks in the fiscal year the commission and the school district enter into such agreement minus one)].

(3) "Local resources" means any moneys generated in any manner permitted for a school district board to raise the school district portion of a project undertaken with assistance under sections 3318.01 to 3318.20 of the Revised Code.

(B)(1) There is hereby established the school building assistance expedited local partnership program. Under the program, the Ohio school facilities commission may enter into an agreement with the school district board of any school district under which the school district board may proceed with the new construction or major repairs of a part of the school district's classroom facilities needs, as determined under sections 3318.01 to 3318.20 of the Revised Code, through the expenditure of local resources prior to the school district's eligibility for state assistance under sections 3318.01 to 3318.20 of the Revised Code and may apply that expenditure toward meeting the school district's portion of the basic project cost of the total of the school district's classroom facilities needs, as determined under sections 3318.01 to 3318.20 of the Revised Code and as recalculated under division (E) of this section, that are eligible for state assistance under sections 3318.01 to 3318.20 of the Revised Code when the school district becomes eligible for such state assistance. Any school district that is reasonably expected to receive assistance under sections 3318.01 to 3318.20 of the Revised Code within two fiscal years from the date the school district adopts its resolution under division (B) of this section

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shall not be eligible to participate in the program. 2693

(2) To participate in the program, a school district board 2694
shall first adopt a resolution certifying to the commission the 2695
board's intent to participate in the program. 2696

The resolution shall specify the approximate date that the 2697
board intends to seek elector approval of any bond or tax measures 2698
or to apply other local resources to use to pay the cost of 2699
classroom facilities to be constructed under this section. The 2700
resolution may specify the application of local resources or 2701
elector-approved bond or tax measures after the resolution is 2702
adopted by the board, and in such case the board may proceed with 2703
a discrete portion of its project under this section as soon as 2704
the commission and the controlling board have approved the basic 2705
project cost of the district's classroom facilities needs as 2706
specified in division (D) of this section. The board shall submit 2707
its resolution to the commission not later than ten days after the 2708
date the resolution is adopted by the board. 2709

The commission shall not consider any resolution that is 2710
submitted pursuant to division (B)(2) of this section, as amended 2711
by this amendment, sooner than September 14, 2000. 2712

(3) Any project under this section shall comply with section 2713
3318.03 of the Revised Code and with any specifications for plans 2714
and materials for classroom facilities adopted by the commission 2715
under section 3318.04 of the Revised Code. 2716

(4) If a school district that enters into an agreement under 2717
this section has not begun a project applying local resources as 2718
provided for under that agreement at the time the district is 2719
notified by the commission that it is eligible to receive state 2720
assistance under sections 3318.01 to 3318.20 of the Revised Code, 2721
all assessment and agreement documents entered into under this 2722
section are void. 2723

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(5) Only construction of or repairs to classroom facilities 2724
that have been approved by the commission and have been therefore 2725
included as part of a district's basic project cost qualify for 2726
application of local resources under this section. 2727

(C) Based on the results of the on-site visits and assessment 2728
conducted under division (B)(2) of this section, the commission 2729
shall determine the basic project cost of the school district's 2730
classroom facilities needs. The commission shall determine the 2731
school district's portion of such basic project cost, which shall 2732
be the greater of: 2733

(1) The required percentage of the basic project costs, 2734
determined based on the school district's percentile ranking in 2735
the fiscal year the commission and the school district enter into 2736
the agreement under division (B) of this section; 2737

(2) An amount necessary to raise the school district's net 2738
bonded indebtedness, as of the fiscal year the commission and the 2739
school district enter into the agreement under division (B) of 2740
this section, to within five thousand dollars of the required 2741
level of indebtedness. 2742

(D)(1) When the commission determines the basic project cost 2743
of the classroom facilities needs of a school district and the 2744
school district's portion of that basic project cost under 2745
division (C) of this section, the project shall be conditionally 2746
approved. Such conditional approval shall be submitted to the 2747
controlling board for approval thereof. The controlling board 2748
shall forthwith approve or reject the commission's determination, 2749
conditional approval, and the amount of the state's portion of the 2750
basic project cost; however, no state funds shall be encumbered 2751
under this section. Upon approval by the controlling board, the 2752
school district board may identify a discrete part of its 2753
classroom facilities needs, which shall include only new 2754
construction of or additions or major repairs to a particular 2755

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building, to address with local resources. Upon identifying a part
of the school district's basic project cost to address with local
resources, the school district board may allocate any available
school district moneys to pay the cost of that identified part,
including the proceeds of an issuance of bonds if approved by the
electors of the school district.

All local resources utilized under this division shall first
be deposited in the project construction account required under
section 3318.08 of the Revised Code.

(2) Unless the school district board exercises its option
under division (D)(3) of this section, for a school district to
qualify for participation in the program authorized under this
section, either one of the following conditions shall be
satisfied:

(a) The electors of the school district by a majority vote
shall approve the levy of taxes outside the ten-mill limitation
for a period of twenty-three years at the rate of not less than
one-half mill for each dollar of valuation to be used to pay the
cost of maintaining the classroom facilities included in the basic
project cost as determined by the commission. The form of the
ballot to be used to submit the question whether to approve the
tax required under this division to the electors of the school
district shall be the form for an additional levy of taxes
prescribed in section 3318.361 of the Revised Code, which may be
combined in a single ballot question with the questions prescribed
under section 5705.218 of the Revised Code.

(b) As authorized under division (C) of section 3318.05 of
the Revised Code, the school district board shall earmark from the
proceeds of a permanent improvement tax levied under section
5705.21 of the Revised Code, an amount equivalent to the
additional tax otherwise required under division (D)(2)(a) of this
section for the maintenance of the classroom facilities included

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in the basic project cost as determined by the commission.	2788
<u>(c) The school district board shall apply the proceeds of a tax to leverage bonds as authorized under section 3318.052 of the Revised Code or dedicate a local donated contribution in the manner described in division (B) of section 3318.084 of the Revised Code in an amount equivalent to the additional tax otherwise required under division (D)(2)(a) of this section for the maintenance of the classroom facilities included in the basic project cost as determined by the commission.</u>	2789 2790 2791 2792 2793 2794 2795 2796
(3) A school district board may opt to delay levying the additional tax required under division (D)(2)(a) of this section or earmarking of the proceeds of a permanent improvement tax alternatively required under division (D)(2)(b) of this section until such time as the school district becomes eligible for state assistance under sections 3318.01 to 3318.20 of the Revised Code. In order to exercise its option under this division, the board shall certify to the commission a resolution indicating the board's intent to do so prior to entering into an agreement under division (B) of this section.	2797 2798 2799 2800 2801 2802 2803 2804 2805 2806
(4) If pursuant to division (D)(3) of this section a district board opts to delay levying an additional tax until the district becomes eligible for state assistance, it shall submit the question of levying that tax to the district electors as follows:	2807 2808 2809 2810 2811
(a) In accordance with section 3318.06 of the Revised Code if it will also be necessary pursuant to division (E) of this section to submit a proposal for approval of a bond issue;	2812 2813 2814
(b) In accordance with section 3318.361 of the Revised Code if it is not necessary to also submit a proposal for approval of a bond issue pursuant to division (E) of this section.	2815 2816 2817
(5) No state assistance under sections 3318.01 to 3318.20 of	2818

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the Revised Code shall be released until a school district board
that adopts and certifies a resolution under this division either
has levied the additional tax or has earmarked the proceeds of a
tax as specified in division (D) of this section.

Any amount required for maintenance under division (D)(2) of
this section shall be deposited into a separate fund as specified
in division (B) of section 3318.05 of the Revised Code.

(E)(1) If the school district becomes eligible for state
assistance under sections 3318.01 to 3318.20 of the Revised Code
based on its percentile ranking as determined under division (B)
of this section, the commission shall conduct a new assessment of
the school district's classroom facilities needs and shall
recalculate the basic project cost based on this new assessment.
The basic project cost recalculated under this division shall
include the amount of expenditures made by the school district
board under division (D)(1) of this section. The commission shall
then recalculate the school district's portion of the new basic
project cost, which shall be the percentage of the original basic
project cost assigned to the school district as its portion under
division (C) of this section. The commission shall deduct the
expenditure of school district moneys made under division (D)(1)
of this section from the school district's portion of the basic
project cost as recalculated under this division. If the amount of
school district resources applied by the school district board to
the school district's portion of the basic project cost under this
section is less than the total amount of such portion as
recalculated under this division, the school district board by a
majority vote of all of its members shall, if it desires to seek
state assistance under sections 3318.01 to 3318.20 of the Revised
Code, adopt a resolution as specified in section 3318.06 of the
Revised Code to submit to the electors of the school district the
question of approval of a bond issue in order to pay any

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additional amount of school district portion required for state 2851
 assistance. Any tax levy approved under division (D) of this 2852
 section satisfies the requirements to levy the additional tax 2853
 under section 3318.06 of the Revised Code. 2854

(2) If the amount of school district resources applied by the 2855
 school district board to the school district's portion of the 2856
 basic project cost under this section is more than the total 2857
 amount of such portion as recalculated under this division, within 2858
 one year after the school district's portion is recalculated under 2859
 division (E)(1) of this section the commission may grant to the 2860
 school district the difference between the two calculated 2861
 portions, but at no time shall the commission expend any state 2862
 funds on a project in an amount greater than the state's portion 2863
 of the basic project cost as recalculated under this division. 2864

Any reimbursement under this division shall be only for local 2865
 resources the school district has applied toward construction cost 2866
 expenditures for the classroom facilities approved by the 2867
 commission, which shall not include any financing costs associated 2868
 with that construction. 2869

The school district board shall use any moneys reimbursed to 2870
 the district under this division to pay off any debt service the 2871
 district owes for classroom facilities constructed under its 2872
 project under this section before such moneys are applied to any 2873
 other purpose. 2874

Sec. 3318.362. This section applies only to a school district 2875
 that participates in the school building assistance expedited 2876
 local partnership program under section 3318.36 of the Revised 2877
 Code. 2878

~~Notwithstanding the twenty-three year maximum maturity for 2879
 bonds proposed to be issued by a school district board for a 2880
 classroom facilities project pursuant to division (C) of section 2881~~

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~~3318.06 of the Revised Code, a~~ A school district board that enters 2882
 into an agreement with the Ohio school facilities commission under 2883
 division (B) of section 3318.36 of the Revised Code may propose 2884
 for issuance any bonds necessary for its participation in the 2885
 program under section 3318.36 of the Revised Code for ~~a term~~ 2886
~~longer than twenty-three years but not to exceed~~ any number of 2887
years not exceeding the term calculated pursuant to section 133.20 2888
 of the Revised Code. Any moneys received from the state under 2889
 division (E)(2) of section 3318.36 of the Revised Code shall be 2890
 applied, as agreed in writing by the school district board and the 2891
 commission, to pay debt service on outstanding bonds or bond 2892
 anticipation notes issued by the school district board for its 2893
 participation in the expedited local partnership program, 2894
 including by placing those moneys in an applicable escrow fund 2895
 under division (D) of section 133.34 of the Revised Code. 2896

Sec. 3318.363. (A) This section applies beginning in fiscal 2897
year 2003 and only to a school district participating in the 2898
 school building assistance expedited local partnership program 2899
 under section 3318.36 of the Revised Code. 2900

(B) If there is a decrease in the tax valuation of a school 2901
 district to which this section applies by ten per cent or greater 2902
 from one tax year to the next due to a decrease in the assessment 2903
 rate of the taxable property of an electric company that owns 2904
 property in the district, as provided for in section 5727.111 of 2905
 the Revised Code as amended by Am. Sub. S.B. 3 of the 123rd 2906
 General Assembly, the Ohio school facilities commission shall 2907
 calculate or recalculate the state and school district portions of 2908
 the basic project cost of the school district's project by 2909
 determining the percentile rank in which the district would be 2910
 located if such ranking were made using the ~~current year adjusted~~ 2911
~~valuation per pupil, as calculated and reported to the commission~~ 2912
~~by the department of education under division (A) of section~~ 2913

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3318.011 of the Revised Code, adjusted valuation per pupil 2914
calculated under division (C) of this section rather than the 2915
three-year average adjusted valuation per pupil, calculated under 2916
division (B) of ~~that~~ section 3318.011 of the Revised Code. For 2917
such district, the required percentage of the basic project cost 2918
used to determine the state and school district shares of that 2919
cost under division (C) of section 3318.36 of the Revised Code 2920
shall be based on the percentile rank as calculated under this 2921
section rather than as otherwise provided in division (C)(1) of 2922
section 3318.36 of the Revised Code. If the commission has 2923
determined the state and school district portion of the basic 2924
project cost of such a district's project under section 3318.36 of 2925
the Revised Code prior to that decrease in tax valuation, the 2926
commission shall adjust the state and school district shares of 2927
the basic project cost of such project in accordance with this 2928
section. 2929

(C)(1) As used in divisions (C) and (D) of this section, 2930
"total taxable value," "formula ADM," and "income factor" have the 2931
same meanings as in section 3317.02 of the Revised Code. 2932

(2) The adjusted valuation per pupil for a school district to 2933
which this section applies shall be calculated using the following 2934
formula: 2935

(The district's total taxable value for the tax year 2936
preceding the calendar year in which the current fiscal year 2937
begins / the district's formula ADM for the previous fiscal year) 2938
- [\$30,000 x (1 - the district's income factor)]. 2939

(D) At the request of the Ohio school facilities commission, 2940
the department of education shall report a district's total 2941
taxable value for the tax year preceding the calendar year in 2942
which the current fiscal year begins for any district to which 2943
this section applies as that information has been certified to the 2944
department by the tax commissioner pursuant to section 3317.021 of 2945

the Revised Code.

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Sec. 3318.38. (A) As used in this section, "big-eight school district" has the same meaning as in section 3314.02 of the Revised Code.

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(B) There is hereby established the accelerated urban school building assistance program. Under the program, notwithstanding section 3318.02 of the Revised Code, any big-eight school district that has not been approved to receive assistance under sections 3318.01 to 3318.20 of the Revised Code by July 1, 2002, may beginning on that date apply for approval of and be approved for such assistance. Except as otherwise provided in this section, any project approved and undertaken pursuant to this section shall comply with all provisions of sections 3318.01 to 3318.20 of the Revised Code.

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The Ohio school facilities commission shall provide assistance to any big-eight school district eligible for assistance under this section in the following manner:

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(1) Notwithstanding section 3318.02 of the Revised Code:

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(a) Not later than June 30, 2002, the commission shall conduct an on-site visit and shall assess the classroom facilities needs of each big-eight school district eligible for assistance under this section;

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(b) Beginning July 1, 2002, any big-eight school district eligible for assistance under this section may apply to the commission for conditional approval of its project as determined by the assessment conducted under division (B)(1)(a) of this section. The commission may conditionally approve that project and submit it to the controlling board for approval pursuant to section 3318.04 of the Revised Code.

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(2) If the controlling board approves the project of a

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big-eight school district eligible for assistance under this 2976
 section, the commission and the school district shall enter into 2977
 an agreement as prescribed in section 3318.08 of the Revised Code. 2978
 Any agreement executed pursuant to this division shall include any 2979
 applicable segmentation provisions as approved by the commission 2980
 under division (B)(3) of this section. 2981

(3) Notwithstanding any provision to the contrary in sections 2982
 3318.05, 3318.06, and 3318.08 of the Revised Code, a big-eight 2983
 school district eligible for assistance under this section may 2984
 with the approval of the commission opt to divide the project as 2985
 approved under division (B)(1)(b) of this section into discrete 2986
 segments to be completed sequentially. Any project divided into 2987
 segments shall comply with all other provisions of sections 2988
 3318.05, 3318.06, and 3318.08 of the Revised Code except as 2989
 otherwise specified in this division. 2990

If a project is divided into segments under this division: 2991

(a) The school district need raise only the amount equal to 2992
 its proportionate share, as determined under section 3318.032 of 2993
 the Revised Code, of each segment at any one time and may seek 2994
 voter approval of each segment separately; 2995

(b) The state's proportionate share, as determined under 2996
 section 3318.032 of the Revised Code, of only the segment which 2997
 has been approved by the school district electors or for which the 2998
 district has applied a local donated contribution under section 2999
 3318.084 of the Revised Code shall be encumbered ~~at any one time~~ 3000
in accordance with section 3318.11 of the Revised Code. 3001
 Encumbrance of additional amounts to cover the state's 3002
 proportionate share of later segments shall be approved separately 3003
 as they are approved by the school district electors or as the 3004
 district applies a local donated contribution to the segments 3005
 under section 3318.084 of the Revised Code. ~~If the state's share~~ 3006
~~of any one segment exceeds twenty-five million dollars,~~ 3007

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~~encumbrance of that share is subject to the provisions of section 3318.11 of the Revised Code.~~ 3008
3009

(c) If it is necessary to levy the additional tax for 3010
maintenance under division (B) of section 3318.05 of the Revised 3011
Code with respect to any segment of the project, the district may 3012
utilize the provisions of section 3318.061 of the Revised Code to 3013
ensure that the maintenance tax extends for twenty-three years 3014
after the last segment of the project is undertaken. 3015

(4) For any project under this section, the state funds 3016
reserved and encumbered and the funds provided by the school 3017
district to pay the basic project cost of any segment of the 3018
project, or of the entire project if it is not divided into 3019
segments, shall be spent on the construction and acquisition of 3020
the project simultaneously in proportion to the state's and the 3021
school district's respective shares of that basic project cost as 3022
determined under section 3318.032 of the Revised Code. 3023

Sec. 3333.17. The Ohio board of regents may enter into 3024
contracts with the appropriate agency in a contiguous state 3025
whereby the agency provides for charging Ohio residents enrolled 3026
in state-assisted post-secondary educational institutions in the 3027
contiguous state, tuition and fees at rates no higher than the 3028
rates charged to students who are residents of that state, and 3029
whereby the Ohio board of regents, as part of such contracts, may 3030
provide that rates for tuition and fees charged to residents of 3031
the contiguous state who are enrolled in state-assisted 3032
post-secondary educational institutions in Ohio shall not exceed 3033
those charged Ohio residents. 3034

State-assisted post-secondary educational institutions in 3035
Ohio may enter into contracts with appropriate state-assisted 3036
post-secondary educational institutions in a contiguous state 3037
whereby the state-assisted post-secondary educational institution 3038

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provides for charging Ohio residents enrolled in the institution 3039
in the contiguous state, tuition and fees at rates no higher than 3040
the rates charged to students who are residents of that state, and 3041
whereby the Ohio state-assisted post-secondary institution, as 3042
part of such contracts, may provide that rates for tuition and 3043
fees charged to residents of the contiguous state who are enrolled 3044
in the state-assisted post-secondary educational institutions in 3045
Ohio shall not exceed those charged Ohio residents. 3046

The contracts entered into by the board of regents or a 3047
state-assisted post-secondary educational institution may limit 3048
the type of academic program offered at the reciprocal rates. 3049
Residents of contiguous states enrolled in for credit courses 3050
taught at the main campus and identified off-campus sites at 3051
state-assisted post-secondary educational institutions in Ohio 3052
under such contracts shall be included in calculating the number 3053
of full-time equivalent students for state subsidy purposes. The 3054
board of regents and each state-assisted post-secondary 3055
educational institution shall periodically assess the costs and 3056
benefits of each such contract and the extent to which parity is 3057
achieved between Ohio and the contiguous state with respect to 3058
students benefiting from the contract. All Ohio state-assisted 3059
post-secondary educational institutions participating in these 3060
contracts shall report enrollments and other information annually 3061
to the Ohio board of regents. No contract shall be entered into 3062
under this section without the approval of the ~~controlling board~~ 3063
Ohio board of regents. The Ohio board of regents shall report the 3064
status of these contracts to the controlling board annually. 3065

Sec. 3345.05. (A) All registration fees, nonresident tuition 3066
fees, academic fees for the support of off-campus instruction, 3067
laboratory and course fees when so assessed and collected, student 3068
health fees for the support of a student health service, all other 3069
fees, deposits, charges, receipts, and income from all or part of 3070

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the students, all subsidy or other payments from state 3071
 appropriations, and all other fees, deposits, charges, receipts, 3072
 and income received by each state-supported university and 3073
 college, the Ohio state university hospitals and their ancillary 3074
 facilities, the Ohio agricultural research and development center, 3075
 and the Ohio state university cooperative extension service shall 3076
 be held and administered by the respective boards of trustees of 3077
 the state-supported universities and colleges; provided, that such 3078
 fees, deposits, charges, receipts, and income, to the extent 3079
 required by resolutions, trust agreements, indentures, leases, and 3080
 agreements adopted, made, or entered into under Chapter 154. or 3081
 section 3345.07, 3345.11, or 3345.12 of the Revised Code, shall be 3082
 held, administered, transferred, and applied in accordance 3083
 therewith. 3084

(B) The Ohio board of regents shall require annual reporting 3085
 by the Ohio agricultural research and development center and by 3086
 each university and college receiving state aid in such form and 3087
 detail as determined by the board in consultation with such 3088
 center, universities and colleges, and the director of budget and 3089
 management. 3090

(C) Notwithstanding any provision of the Revised Code to the 3091
contrary, the title to investments made by the board of trustees 3092
of a state-supported university or college with funds derived from 3093
revenues described in division (A) of this section shall not be 3094
vested in the state but shall be held in trust by the board. Such 3095
investments shall be made pursuant to an investment policy adopted 3096
by the board in public session that requires all fiduciaries to 3097
discharge their duties with the care, skill, prudence, and 3098
diligence under the circumstances then prevailing that a prudent 3099
person acting in like capacity and familiar with such matters 3100
would use in the conduct of an enterprise of a like character and 3101
with like aims. The policy also shall require at least the 3102

following:

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(1) A stipulation that investment be made only in publicly traded securities averaging at least twenty-five per cent of the average amount of the investment portfolio over the course of the previous fiscal year invested in securities of the United States government or of its agencies or instrumentalities, the treasurer of state's pooled investment program, obligations of this state or any political subdivision of this state, certificates of deposit of any national bank located in this state, written repurchase agreements with any eligible Ohio financial institution that is a member of the federal reserve system or federal home loan bank, money market funds, or bankers acceptances maturing in two hundred seventy days or less which are eligible for purchase by the federal reserve system, as a reserve;

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(2) The establishment of an investment committee.

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(D) The investment committee established under division (C)(2) of this section shall meet at least quarterly. The committee shall review and recommend revisions to the board's investment policy and shall advise the board on its investments made under division (C) of this section in an effort to assist it in meeting its obligations as a fiduciary as described in division (C) of this section. The committee shall be authorized to retain the services of an investment advisor who meets both of the following qualifications:

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(1) The advisor is either:

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(a) Licensed by the division of securities under section 1707.141 of the Revised Code;

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(b) Registered with the securities and exchange commission.

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(2) The advisor either:

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(a) Has experience in the management of investments of public

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funds, especially in the investment of state-government investment 3133
portfolios; 3134

(b) Is an eligible institution referenced in section 135.03 3135
of the Revised Code. 3136

Sec. 3702.5213. Notwithstanding sections 3702.51 to 3702.68 3137
of the Revised Code, the southern Ohio veterans home in Brown 3138
county is not required to obtain a certificate of need for the 3139
addition of up to one hundred sixty-eight additional nursing home 3140
beds to be licensed under Chapter 3721. of the Revised Code if the 3141
additional beds are placed in service prior to December 31, 2004. 3142

Sec. 5705.19. This section does not apply to school districts 3143
or county school financing districts. 3144

The taxing authority of any subdivision at any time and in 3145
any year, by vote of two-thirds of all the members of the taxing 3146
authority, may declare by resolution and certify the resolution to 3147
the board of elections not less than seventy-five days before the 3148
election upon which it will be voted that the amount of taxes that 3149
may be raised within the ten-mill limitation will be insufficient 3150
to provide for the necessary requirements of the subdivision and 3151
that it is necessary to levy a tax in excess of that limitation 3152
for any of the following purposes: 3153

(A) For current expenses of the subdivision, except that the 3154
total levy for current expenses of a detention facility district 3155
or district organized under section 2151.65 of the Revised Code 3156
shall not exceed two mills and that the total levy for current 3157
expenses of a combined district organized under sections 2152.41 3158
and 2151.65 of the Revised Code shall not exceed four mills; 3159

(B) For the payment of debt charges on certain described 3160
bonds, notes, or certificates of indebtedness of the subdivision 3161
issued subsequent to January 1, 1925; 3162

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(C) For the debt charges on all bonds, notes, and	3163
certificates of indebtedness issued and authorized to be issued	3164
prior to January 1, 1925;	3165
(D) For a public library of, or supported by, the subdivision	3166
under whatever law organized or authorized to be supported;	3167
	3168
(E) For a municipal university, not to exceed two mills over	3169
the limitation of one mill prescribed in section 3349.13 of the	3170
Revised Code;	3171
(F) For the construction or acquisition of any specific	3172
permanent improvement or class of improvements that the taxing	3173
authority of the subdivision may include in a single bond issue;	3174
(G) For the general construction, reconstruction,	3175
resurfacing, and repair of streets, roads, and bridges in	3176
municipal corporations, counties, or townships;	3177
(H) For recreational purposes;	3178
(I) For the purpose of providing and maintaining fire	3179
apparatus, appliances, buildings, or sites therefor, or sources of	3180
water supply and materials therefor, or the establishment and	3181
maintenance of lines of fire alarm telegraph, or the payment of	3182
permanent, part-time, or volunteer firefighters or firefighting	3183
companies to operate the same, including the payment of the	3184
firefighter employers' contribution required under section 742.34	3185
of the Revised Code, or the purchase of ambulance equipment, or	3186
the provision of ambulance, paramedic, or other emergency medical	3187
services operated by a fire department or firefighting company;	3188
(J) For the purpose of providing and maintaining motor	3189
vehicles, communications, and other equipment used directly in the	3190
operation of a police department, or the payment of salaries of	3191
permanent police personnel, including the payment of the police	3192
officer employers' contribution required under section 742.33 of	3193

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the Revised Code, or the payment of the costs incurred by	3194
townships as a result of contracts made with other political	3195
subdivisions in order to obtain police protection, or the	3196
provision of ambulance or emergency medical services operated by a	3197
police department;	3198
(K) For the maintenance and operation of a county home or	3199
detention facility;	3200
(L) For community mental retardation and developmental	3201
disabilities programs and services pursuant to Chapter 5126. of	3202
the Revised Code, except that the procedure for such levies shall	3203
be as provided in section 5705.222 of the Revised Code;	3204
(M) For regional planning;	3205
(N) For a county's share of the cost of maintaining and	3206
operating schools, district detention facilities, forestry camps,	3207
or other facilities, or any combination thereof, established under	3208
section 2152.41 or 2151.65 of the Revised Code or both of those	3209
sections;	3210
(O) For providing for flood defense, providing and	3211
maintaining a flood wall or pumps, and other purposes to prevent	3212
floods;	3213
(P) For maintaining and operating sewage disposal plants and	3214
facilities;	3215
(Q) For the purpose of purchasing, acquiring, constructing,	3216
enlarging, improving, equipping, repairing, maintaining, or	3217
operating, or any combination of the foregoing, a county transit	3218
system pursuant to sections 306.01 to 306.13 of the Revised Code,	3219
or of making any payment to a board of county commissioners	3220
operating a transit system or a county transit board pursuant to	3221
section 306.06 of the Revised Code;	3222
(R) For the subdivision's share of the cost of acquiring or	3223

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constructing any schools, forestry camps, detention facilities, or	3224
other facilities, or any combination thereof, under section	3225
2152.41 or 2151.65 of the Revised Code or both of those sections;	3226
(S) For the prevention, control, and abatement of air	3227
pollution;	3228
(T) For maintaining and operating cemeteries;	3229
(U) For providing ambulance service, emergency medical	3230
service, or both;	3231
(V) For providing for the collection and disposal of garbage	3232
or refuse, including yard waste;	3233
(W) For the payment of the police officer employers'	3234
contribution or the firefighter employers' contribution required	3235
under sections 742.33 and 742.34 of the Revised Code;	3236
(X) For the construction and maintenance of a drainage	3237
improvement pursuant to section 6131.52 of the Revised Code;	3238
(Y) For providing or maintaining senior citizens services or	3239
facilities as authorized by section 307.694, 307.85, 505.70, or	3240
505.706 or division (EE) of section 717.01 of the Revised Code;	3241
(Z) For the provision and maintenance of zoological park	3242
services and facilities as authorized under section 307.76 of the	3243
Revised Code;	3244
(AA) For the maintenance and operation of a free public	3245
museum of art, science, or history;	3246
(BB) For the establishment and operation of a 9-1-1 system,	3247
as defined in section 4931.40 of the Revised Code;	3248
(CC) For the purpose of acquiring, rehabilitating, or	3249
developing rail property or rail service. As used in this	3250
division, "rail property" and "rail service" have the same	3251
meanings as in section 4981.01 of the Revised Code. This division	3252

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applies only to a county, township, or municipal corporation.	3253
(DD) For the purpose of acquiring property for, constructing,	3254
operating, and maintaining community centers as provided for in	3255
section 755.16 of the Revised Code;	3256
(EE) For the creation and operation of an office or joint	3257
office of economic development, for any economic development	3258
purpose of the office, and to otherwise provide for the	3259
establishment and operation of a program of economic development	3260
pursuant to sections 307.07 and 307.64 of the Revised Code;	3261
(FF) For the purpose of acquiring, establishing,	3262
constructing, improving, equipping, maintaining, or operating, or	3263
any combination of the foregoing, a township airport, landing	3264
field, or other air navigation facility pursuant to section 505.15	3265
of the Revised Code;	3266
(GG) For the payment of costs incurred by a township as a	3267
result of a contract made with a county pursuant to section	3268
505.263 of the Revised Code in order to pay all or any part of the	3269
cost of constructing, maintaining, repairing, or operating a water	3270
supply improvement;	3271
(HH) For a board of township trustees to acquire, other than	3272
by appropriation, an ownership interest in land, water, or	3273
wetlands, or to restore or maintain land, water, or wetlands in	3274
which the board has an ownership interest, not for purposes of	3275
recreation, but for the purposes of protecting and preserving the	3276
natural, scenic, open, or wooded condition of the land, water, or	3277
wetlands against modification or encroachment resulting from	3278
occupation, development, or other use, which may be styled as	3279
protecting or preserving "greenspace" in the resolution, notice of	3280
election, or ballot form;	3281
(II) For the support by a county of a crime victim assistance	3282
program that is provided and maintained by a county agency or a	3283

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private, nonprofit corporation or association under section 307.62	3284
of the Revised Code;	3285
(JJ) For any or all of the purposes set forth in divisions	3286
(I) and (J) of this section. This division applies only to a	3287
township.	3288
(KK) For a countywide public safety communications system	3289
under section 307.63 of the Revised Code. This division applies	3290
only to counties.	3291
(LL) For the support by a county of criminal justice services	3292
under section 307.45 of the Revised Code;	3293
(MM) For the purpose of maintaining and operating a jail or	3294
other detention facility as defined in section 2921.01 of the	3295
Revised Code;	3296
(NN) For purchasing, maintaining, or improving, or any	3297
combination of the foregoing, real estate on which to hold	3298
agricultural fairs. This division applies only to a county.	3299
(OO) For constructing, rehabilitating, repairing, or	3300
maintaining sidewalks, walkways, trails, bicycle pathways, or	3301
similar improvements, or acquiring ownership interests in land	3302
necessary for the foregoing improvements, by a board of township	3303
trustees;	3304
(PP) For both of the purposes set forth in divisions (G) and	3305
(OO) of this section. This division applies only to a township.	3306
(QQ) For both of the purposes set forth in divisions (H) and	3307
(HH) of this section. This division applies only to a township.	3308
(RR) For the legislative authority of a municipal	3309
corporation, board of county commissioners of a county, or board	3310
of township trustees of a township to acquire agricultural	3311
easements, as defined in section 5301.67 of the Revised Code, and	3312
to supervise and enforce the easements.	3313

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(SS) For both of the purposes set forth in divisions (BB) and 3314
(KK) of this section. This division applies only to a county. 3315

The resolution shall be confined to the purpose or purposes 3316
described in one division of this section, to which the revenue 3317
derived therefrom shall be applied. The existence in any other 3318
division of this section of authority to levy a tax for any part 3319
or all of the same purpose or purposes does not preclude the use 3320
of such revenues for any part of the purpose or purposes of the 3321
division under which the resolution is adopted. 3322

The resolution shall specify the amount of the increase in 3323
rate that it is necessary to levy, the purpose of that increase in 3324
rate, and the number of years during which the increase in rate 3325
shall be in effect, which may or may not include a levy upon the 3326
duplicate of the current year. The number of years may be any 3327
number not exceeding five, except as follows: 3328

(1) When the additional rate is for the payment of debt 3329
charges, the increased rate shall be for the life of the 3330
indebtedness. 3331

(2) When the additional rate is for any of the following, the 3332
increased rate shall be for a continuing period of time: 3333

(a) For the current expenses for a detention facility 3334
district, a district organized under section 2151.65 of the 3335
Revised Code, or a combined district organized under sections 3336
2152.41 and 2151.65 of the Revised Code; 3337

(b) For providing a county's share of the cost of maintaining 3338
and operating schools, district detention facilities, forestry 3339
camps, or other facilities, or any combination thereof, 3340
established under section 2152.41 or 2151.65 of the Revised Code 3341
or under both of those sections. 3342

(3) When the additional rate is for any of the following, the 3343
increased rate may be for a continuing period of time: 3344

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(a) For the purposes set forth in division (I), (J), (U), or (KK) of this section; 3345
3346

(b) For the maintenance and operation of a joint recreation district; 3347
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(c) A levy imposed by a township for the purposes set forth in division (G) of this section. 3349
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(4) When the increase is for the purpose or purposes set forth in division (D) ~~or, (G), (CC), or (PP)~~ of this section ~~or for both of the purposes set forth in divisions (G) and (OO) of this section~~, the tax levy may be for any specified number of years or for a continuing period of time, as set forth in the resolution. 3351
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(5) When the additional rate is for the purpose described in division (Z) of this section, the increased rate shall be for any number of years not exceeding ten. 3357
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A levy for one of the purposes set forth in division (G), (I), (J), or (U) of this section, ~~and a levy imposed by a township for the purposes set forth in division (G) of this section~~, may be reduced pursuant to section 5705.261 or 5705.31 of the Revised Code. A levy for one of the purposes set forth in division (G), (I), (J), or (U) of this section, ~~and a levy imposed by a township for the purposes set forth in division (G) of this section~~, may also be terminated or permanently reduced by the taxing authority if it adopts a resolution stating that the continuance of the levy is unnecessary and the levy shall be terminated or that the millage is excessive and the levy shall be decreased by a designated amount. 3360
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A resolution of a detention facility district, a district organized under section 2151.65 of the Revised Code, or a combined district organized under both sections 2152.41 and 2151.65 of the Revised Code may include both current expenses and other purposes, 3372
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provided that the resolution shall apportion the annual rate of 3376
levy between the current expenses and the other purpose or 3377
purposes. The apportionment need not be the same for each year of 3378
the levy, but the respective portions of the rate actually levied 3379
each year for the current expenses and the other purpose or 3380
purposes shall be limited by the apportionment. 3381

Whenever a board of county commissioners, acting either as 3382
the taxing authority of its county or as the taxing authority of a 3383
sewer district or subdistrict created under Chapter 6117. of the 3384
Revised Code, by resolution declares it necessary to levy a tax in 3385
excess of the ten-mill limitation for the purpose of constructing, 3386
improving, or extending sewage disposal plants or sewage systems, 3387
the tax may be in effect for any number of years not exceeding 3388
twenty, and the proceeds of the tax, notwithstanding the general 3389
provisions of this section, may be used to pay debt charges on any 3390
obligations issued and outstanding on behalf of the subdivision 3391
for the purposes enumerated in this paragraph, provided that any 3392
such obligations have been specifically described in the 3393
resolution. 3394

The resolution shall go into immediate effect upon its 3395
passage, and no publication of the resolution is necessary other 3396
than that provided for in the notice of election. 3397

When the electors of a subdivision have approved a tax levy 3398
under this section, the taxing authority of the subdivision may 3399
anticipate a fraction of the proceeds of the levy and issue 3400
anticipation notes in accordance with section 5705.191 or 5705.193 3401
of the Revised Code. 3402

Sec. 5705.218. (A) The board of education of a city, local, 3403
or exempted village school district, at any time by a vote of 3404
two-thirds of all its members, may declare by resolution that it 3405
may be necessary for the school district to issue general 3406

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obligation bonds for permanent improvements. The resolution shall 3407
state all of the following: 3408

- (1) The necessity and purpose of the bond issue; 3409
- (2) The date of the special election at which the question 3410
shall be submitted to the electors; 3411
- (3) The amount, approximate date, estimated rate of interest, 3412
and maximum number of years over which the principal of the bonds 3413
may be paid; 3414
- (4) The necessity of levying a tax outside the ten-mill 3415
limitation to pay debt charges on the bonds and any anticipatory 3416
securities. 3417

On adoption of the resolution, the board shall certify a copy 3418
of it to the county auditor. The county auditor promptly shall 3419
estimate and certify to the board the average annual property tax 3420
rate required throughout the stated maturity of the bonds to pay 3421
debt charges on the bonds, in the same manner as under division 3422
(C) of section 133.18 of the Revised Code. 3423

(B) After receiving the county auditor's certification under 3424
division (A) of this section, the board of education of the city, 3425
local, or exempted village school district, by a vote of 3426
two-thirds of all its members, may declare by resolution that the 3427
amount of taxes that can be raised within the ten-mill limitation 3428
will be insufficient to provide an adequate amount for the present 3429
and future requirements of the school district; that it is 3430
necessary to issue general obligation bonds of the school district 3431
for permanent improvements and to levy an additional tax in excess 3432
of the ten-mill limitation to pay debt charges on the bonds and 3433
any anticipatory securities; that it is necessary for a specified 3434
number of years or for a continuing period of time to levy 3435
additional taxes in excess of the ten-mill limitation to provide 3436
funds for the acquisition, construction, enlargement, renovation, 3437

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and financing of permanent improvements or to pay for current 3438
operating expenses, or both; and that the question of the bonds 3439
and taxes shall be submitted to the electors of the school 3440
district at a special election, which shall not be earlier than 3441
seventy-five days after certification of the resolution to the 3442
board of elections, and the date of which shall be consistent with 3443
section 3501.01 of the Revised Code. The resolution shall specify 3444
all of the following: 3445

(1) The county auditor's estimate of the average annual 3446
property tax rate required throughout the stated maturity of the 3447
bonds to pay debt charges on the bonds; 3448

(2) The proposed rate of the tax, if any, for current 3449
operating expenses, the first year the tax will be levied, and the 3450
number of years it will be levied, or that it will be levied for a 3451
continuing period of time; 3452

(3) The proposed rate of the tax, if any, for permanent 3453
improvements, the first year the tax will be levied, and the 3454
number of years it will be levied, or that it will be levied for a 3455
continuing period of time. 3456

The resolution shall apportion the annual rate of the tax 3457
between current operating expenses and permanent improvements, if 3458
both taxes are proposed. The apportionment may but need not be the 3459
same for each year of the tax, but the respective portions of the 3460
rate actually levied each year for current operating expenses and 3461
permanent improvements shall be limited by the apportionment. The 3462
resolution shall go into immediate effect upon its passage, and no 3463
publication of it is necessary other than that provided in the 3464
notice of election. The board of education shall certify a copy of 3465
the resolution, along with copies of the auditor's estimate and 3466
its resolution under division (A) of this section, to the board of 3467
elections immediately after its adoption. 3468

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(C) The board of elections shall make the arrangements for the submission of the question to the electors of the school district, and the election shall be conducted, canvassed, and certified in the same manner as regular elections in the district for the election of county officers. The resolution shall be put before the electors as one ballot question, with a favorable vote indicating approval of the bond issue, the levy to pay debt charges on the bonds and any anticipatory securities, the current operating expenses levy, and the permanent improvements levy, if either or both levies are proposed. The board of elections shall publish notice of the election in one or more newspapers of general circulation in the school district once a week for four consecutive weeks. The notice of election shall state all of the following:

- (1) The principal amount of the proposed bond issue;
- (2) The permanent improvements for which the bonds are to be issued;
- (3) The maximum number of years over which the principal of the bonds may be paid;
- (4) The estimated additional average annual property tax rate to pay the debt charges on the bonds, as certified by the county auditor;
- (5) The proposed rate of the additional tax, if any, for current operating expenses;
- (6) The number of years the current operating expenses tax will be in effect, or that it will be in effect for a continuing period of time;
- (7) The proposed rate of the additional tax, if any, for permanent improvements;
- (8) The number of years the permanent improvements tax will

be in effect, or that it will be in effect for a continuing period 3499
of time; 3500

(9) The time and place of the special election. 3501

(D) The form of the ballot for an election under this section 3502
is as follows: 3503

"Shall the school district be authorized to do the 3504
following: 3505

(1) Issue bonds for the purpose of in the 3506
principal amount of \$....., to be repaid annually over a maximum 3507
period of years, and levy a property tax outside the 3508
ten-mill limitation, estimated by the county auditor to average 3509
over the bond repayment period mills for each one dollar of 3510
tax valuation, which amounts to (rate expressed in cents or 3511
dollars and cents, such as "36 cents" or "\$1.41") for each \$100 of 3512
tax valuation, to pay the annual debt charges on the bonds, and to 3513
pay debt charges on any notes issued in anticipation of those 3514
bonds?" 3515

If either a levy for permanent improvements or a levy for 3516
current operating expenses is proposed, or both are proposed, the 3517
ballot also shall contain the following language, as appropriate: 3518

"(2) Levy an additional property tax to provide funds for the 3519
acquisition, construction, enlargement, renovation, and financing 3520
of permanent improvements at a rate not exceeding mills 3521
for each one dollar of tax valuation, which amounts to 3522
(rate expressed in cents or dollars and cents) for each \$100 of 3523
tax valuation, for (number of years of the levy, or a 3524
continuing period of time)? 3525

(3) Levy an additional property tax to pay current operating 3526
expenses at a rate not exceeding mills for each one dollar 3527
of tax valuation, which amounts to (rate expressed in 3528
cents or dollars and cents) for each \$100 of tax valuation, for 3529

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..... (number of years of the levy, or a continuing period of	3530
time)?	3531
	3532
FOR THE BOND ISSUE AND LEVY (OR LEVIES)	3533
AGAINST THE BOND ISSUE AND LEVY (OR LEVIES) "	3534
	3535
(E) The board of elections promptly shall certify the results	3536
of the election to the tax commissioner and the county auditor of	3537
the county in which the school district is located. If a majority	3538
of the electors voting on the question vote for it, the board of	3539
education may proceed with issuance of the bonds and with the levy	3540
and collection of the property tax or taxes at the additional rate	3541
or any lesser rate in excess of the ten-mill limitation. Any	3542
securities issued by the board of education under this section are	3543
Chapter 133. securities, as that term is defined in section 133.01	3544
of the Revised Code.	3545
(F)(1) After the approval of a tax for current operating	3546
expenses under this section and prior to the time the first	3547
collection and distribution from the levy can be made, the board	3548
of education may anticipate a fraction of the proceeds of such	3549
levy and issue anticipation notes in a principal amount not	3550
exceeding fifty per cent of the total estimated proceeds of the	3551
tax to be collected during the first year of the levy.	3552
(2) After the approval of a tax under this section for	3553
permanent improvements having a specific purpose, the board of	3554
education may anticipate a fraction of the proceeds of such tax	3555
and issue anticipation notes in a principal amount not exceeding	3556
fifty per cent of the total estimated proceeds of the tax	3557
remaining to be collected in each year over a period of five years	3558
after issuance of the notes.	3559
(3) After the approval of a tax for general, on-going	3560

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permanent improvements under this section, the board of education 3561
may anticipate a fraction of the proceeds of such tax and issue 3562
anticipation notes in a principal amount not exceeding fifty per 3563
cent of the total estimated proceeds of the tax to be collected in 3564
each year over a specified period of years, not exceeding ten, 3565
after issuance of the notes. 3566

Anticipation notes under this section shall be issued as 3567
provided in section 133.24 of the Revised Code. Notes issued under 3568
division (F)(1) or (2) of this section shall have principal 3569
payments during each year after the year of their issuance over a 3570
period not to exceed five years, and may have a principal payment 3571
in the year of their issuance. Notes issued under division (F)(3) 3572
of this section shall have principal payments during each year 3573
after the year of their issuance over a period not to exceed ten 3574
years, and may have a principal payment in the year of their 3575
issuance. 3576

(G) A tax for current operating expenses or for permanent 3577
improvements levied under this section for a specified number of 3578
years may be renewed or replaced in the same manner as a tax for 3579
current operating expenses or for permanent improvements levied 3580
under section 5705.21 of the Revised Code. A tax for current 3581
operating expenses or for permanent improvements levied under this 3582
section for a continuing period of time may be decreased in 3583
accordance with section 5705.261 of the Revised Code. 3584

(H) The submission of a question to the electors under this 3585
section is subject to the limitation on the number of elections 3586
that can be held in a year under section 5705.214 of the Revised 3587
Code. 3588

(I) A school district board of education proposing a ballot 3589
measure under this section to generate local resources for a 3590
project under the school building assistance expedited local 3591
partnership program under section 3318.36 of the Revised Code may 3592

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combine the questions under division (D) of this section with a 3593
question for the levy of a property tax to generate moneys for 3594
maintenance of the classroom facilities acquired under that 3595
project as prescribed in section 3318.361 of the Revised Code. 3596

Sec. 5709.081. (A) Real and tangible personal property owned 3597
 by a political subdivision that is a public recreational facility 3598
 for athletic events shall be exempt from taxation if all of the 3599
 following apply: 3600

(1) The property is controlled and managed by a political 3601
 subdivision or a county-related corporation or by a similar 3602
 corporation under the direct control of a political subdivision 3603
 and whose members and trustees are chosen or appointed by the 3604
 subdivision; 3605

(2) All revenues and receipts derived by the subdivision or 3606
 corporation that controls and manages the property, after 3607
 deducting amounts needed to pay necessary expenses for the 3608
 operation and management of the property, accrue to the political 3609
 subdivision owning the property; 3610

(3) The property is not occupied and used for more than seven 3611
 days in any calendar month by any private entity for profit or for 3612
 more than a total of fifteen days in any calendar month by all 3613
 such private entities for profit; 3614

(4) The property is under the direction and control of the 3615
 political subdivision or managing corporation whenever it is being 3616
 used by a private entity for profit; 3617

(5) The primary user or users of the property, if such a 3618
 primary user exists, are controlled and managed by the political 3619
 subdivision or corporation that controls and manages the property. 3620

(B) Tangible personal property, and all buildings, 3621
 structures, improvements, and fixtures of any kind on the land, 3622

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that are constructed or, in the case of personal property,
 acquired after March 2, 1992, and are part of or used in a public
 recreational facility used by a major league professional athletic
 team or a class A to class AAA minor league affiliate of a major
league baseball team for a significant portion of its home
 schedule, and land acquired by a political subdivision in 1999 for
such purposes, are declared to be public property used for a
 public purpose and are exempt from taxation, if all of the
 following apply:

(1) Such property is owned by one or more political
 subdivisions or by a corporation controlled by such subdivisions;

(2) Such property was or is any of the following:

(a) Constructed or, in the case of personal property,
 acquired pursuant to an agreement with a municipal corporation to
 implement a development, redevelopment, or renewal plan for an
 area declared by the municipal corporation to be a slum or
 blighted area, as those terms are defined in section 725.01 of the
 Revised Code;

(b) Financed in whole or in part with public obligations as
 defined in section 5709.76 of the Revised Code or otherwise paid
for in whole or in part by one or more political subdivisions;

(c) An improvement or addition to property defined in
 division (B)(2)(a) or (b) of this section.

(3) Such property is controlled and managed by ~~one~~ either of
the following:

(a) One or more of the political subdivisions or the
 corporation that owns it, ~~or controlled and managed by a;~~

(b) A designee, tenant, or agent of such political
 subdivision or subdivisions or corporation pursuant to a
 management, lease, or similar written agreement.

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(4) The primary user or users of such property, if a primary user or primary users exist, either:	3653
	3654
(a) Are controlled and managed by one or more of the political subdivisions or the corporation that owns the property;	3655
or	3656
	3657
(b) Operate under leases, licenses, management agreements, or similar arrangements with, and providing for the payment of rents, revenues, or other remuneration to, one or more of the political subdivisions or the corporation that owns the property.	3658
	3659
	3660
	3661
(5) Any residual cash accrues to the political subdivision or subdivisions that own the property or that control the corporation that owns the property, and is used for the public purposes of the subdivision or subdivisions. As used in division (B)(5) of this section, "residual cash" means any revenue and receipts derived from the property by the political subdivision or subdivisions or corporation that owns the property and that are available for unencumbered use by the political subdivision or subdivisions or corporation, after deducting amounts needed to make necessary expenditures, pay debt service, and provide for working capital related to the ownership, management, operation, and use of the property, including payments of taxes on the taxable part of the public recreational facility, contractually obligated payments or deposits into reserves or otherwise, and service payments under section 307.699 of the Revised Code.	3662
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	3676
(C) The exemption provided in division (B) of this section also applies to both of the following:	3677
	3678
(1) The property during its construction or, in the case of tangible personal property, acquisition during the construction period, if the owner meets the condition of division (B)(1) of this section and has agreements that provide for the satisfaction of all other conditions of division (B) of this section upon the	3679
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completion of the construction; 3684

(2) Any improvement or addition made after March 2, 1992, to 3685
a public recreational facility that was constructed before March 3686
2, 1992, as long as all other conditions in division (B) of this 3687
section are met. 3688

(D) A corporation that owns property exempt from taxation 3689
under division (B) of this section is a public body for the 3690
purposes of section 121.22 of the Revised Code. The corporation's 3691
records are public records for the purposes of section 149.43 of 3692
the Revised Code, except records related to matters set forth in 3693
division (G) of section 121.22 of the Revised Code and records 3694
related to negotiations that are not yet completed for financing, 3695
leases, or other agreements. 3696

(E) The exemption under division (B) of this section applies 3697
to property that is owned by the political subdivision or 3698
subdivisions or the corporation that owns the public recreational 3699
facility. Tangible personal property owned by users, managers, or 3700
lessees of the facility is taxable when used in the public 3701
recreational facility. 3702

(F) Nothing in this section or in any other section of the 3703
Revised Code prohibits or otherwise precludes an agreement between 3704
a political subdivision, or a corporation controlled by a 3705
political subdivision, that owns or operates a public recreational 3706
facility that is exempted from taxation under division (A) or (B) 3707
of this section and the board of education of a school district or 3708
the legislative authority of a municipal corporation, or both, in 3709
which all or a part of that facility is located, providing for 3710
payments to the school district or municipal corporation, or both, 3711
in lieu of taxes that otherwise would be charged against real and 3712
tangible personal property exempted from taxation under this 3713
section, for a period of time and under such terms and conditions 3714
as the legislative authority of the political subdivision and the 3715

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board of education or municipal legislative authority, or both,	3716
may agree, which agreements are hereby specifically authorized.	3717
Sec. 5709.82. (A) As used in this section:	3718
(1) "New employee" means both of the following:	3719
(a) Persons employed in the construction of real property	3720
exempted from taxation under the chapters or sections of the	3721
Revised Code enumerated in division (B) of this section;	3722
(b) Persons not described by division (A)(1)(a) of this	3723
section who are first employed at the site of such property and	3724
who within the two previous years have not been subject, prior to	3725
being employed at that site, to income taxation by the municipal	3726
corporation within whose territory the site is located on income	3727
derived from employment for the person's current employer. "New	3728
employee" does not include any person who replaces a person who is	3729
not a new employee under division (A)(1) of this section.	3730
(2) "Infrastructure costs" means costs incurred by a	3731
municipal corporation in a calendar year to acquire, construct,	3732
reconstruct, improve, plan, or equip real or tangible personal	3733
property that directly benefits or will directly benefit the	3734
exempted property. If the municipal corporation finances the	3735
acquisition, construction, reconstruction, improvement, planning,	3736
or equipping of real or tangible personal property that directly	3737
benefits the exempted property by issuing debt, "infrastructure	3738
costs" means the annual debt charges incurred by the municipal	3739
corporation from the issuance of such debt. Real or tangible	3740
personal property directly benefits exempted property only if the	3741
exempted property places or will place direct, additional demand	3742
on the real or tangible personal property for which such costs	3743
were or will be incurred.	3744
(B) Except as otherwise provided under division (C) of this	3745

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section, the legislative authority of any political subdivision 3746
that has acted under the authority of Chapter 725. or 1728., 3747
sections 3735.65 to 3735.70, or section 5709.40, 5709.41, 5709.62, 3748
5709.63, 5709.632, 5709.73, 5709.78, 5709.84, or 5709.88 of the 3749
Revised Code to grant an exemption from taxation for real or 3750
tangible personal property may negotiate with the board of 3751
education of each city, local, ~~or~~ exempted village, or joint 3752
vocational school district within the territory of which the 3753
exempted property is located, and enter into an agreement whereby 3754
the school district is compensated for tax revenue that the school 3755
district would have received had the property not been exempted 3756
from taxation. 3757

(C) This division does not apply to the following: 3758

(1) The legislative authority of a municipal corporation that 3759
has acted under the authority of division (H) of section 715.70 or 3760
section 715.81 of the Revised Code to consent to the granting of 3761
an exemption from taxation for real or tangible personal property 3762
in a joint economic development district. 3763

(2) The legislative authority of a municipal corporation that 3764
has specified in an ordinance adopted under section 5709.40 or 3765
5709.41 of the Revised Code that payments in lieu of taxes 3766
provided for under section 5709.42 of the Revised Code shall be 3767
paid to the city, local, or exempted village school district in 3768
which the improvements are located in the amount of taxes that 3769
would have been payable to the school district if the improvements 3770
had not been exempted from taxation, as directed in the ordinance. 3771

If the legislative authority of any municipal corporation has 3772
acted under the authority of Chapter 725. or 1728. or section 3773
3735.671, 5709.40, 5709.41, 5709.62, 5709.63, 5709.632, or 3774
5709.88, or a housing officer under section 3735.67 of the Revised 3775
Code, to grant or consent to the granting of an exemption from 3776
taxation for real or tangible personal property on or after July 3777

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1, 1994, the municipal corporation imposes a tax on incomes, and
the payroll of new employees resulting from the exercise of that
authority equals or exceeds one million dollars in any tax year
for which such property is exempted, the legislative authority and
the board of education of each city, local, or exempted village
school district within the territory of which the exempted
property is located shall attempt to negotiate an agreement
providing for compensation to the school district for all or a
portion of the tax revenue the school district would have received
had the property not been exempted from taxation. The agreement
may include as a party the owner of the property exempted or to be
exempted from taxation and may include provisions obligating the
owner to compensate the school district by paying cash or
providing property or services by gift, loan, or otherwise. Such
an obligation is enforceable by the board of education of the
school district pursuant to the terms of the agreement.

If the legislative authority and board of education fail to
negotiate an agreement that is mutually acceptable within six
months of formal approval by the legislative authority of the
instrument granting the exemption, the legislative authority shall
compensate the school district in the amount and manner prescribed
by division (D) of this section.

(D) Annually, the legislative authority of a municipal
corporation subject to this division shall pay to the city, local,
or exempted village school district within the territory of which
the exempted property is located an amount equal to fifty per cent
of the difference between the amount of taxes levied and collected
by the municipal corporation on the incomes of new employees in
the calendar year ending on the day the payment is required to be
made, and the amount of any infrastructure costs incurred in that
calendar year. For purposes of such computation, the amount of
infrastructure costs shall not exceed thirty-five per cent of the

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amount of those taxes unless the board of education of the school district, by resolution adopted by a majority of the board, approves an amount in excess of that percentage. If the amount of those taxes or infrastructure costs must be estimated at the time the payment is made, payments in subsequent years shall be adjusted to compensate for any departure of those estimates from the actual amount of those taxes.

A municipal corporation required to make a payment under this section shall make the payment from its general fund or a special fund established for the purpose. The payment is payable on the thirty-first day of December of the tax year for or in which the exemption from taxation commences and on that day for each subsequent tax year property is exempted and the legislative authority and board fail to negotiate an acceptable agreement under division (C) of this section.

Sec. 5739.01. As used in this chapter:

(A) "Person" includes individuals, receivers, assignees, trustees in bankruptcy, estates, firms, partnerships, associations, joint-stock companies, joint ventures, clubs, societies, corporations, the state and its political subdivisions, and combinations of individuals of any form.

(B) "Sale" and "selling" include all of the following transactions for a consideration in any manner, whether absolutely or conditionally, whether for a price or rental, in money or by exchange, and by any means whatsoever:

(1) All transactions by which title or possession, or both, of tangible personal property, is or is to be transferred, or a license to use or consume tangible personal property is or is to be granted;

(2) All transactions by which lodging by a hotel is or is to

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be furnished to transient guests;	3840
(3) All transactions by which:	3841
(a) An item of tangible personal property is or is to be	3842
repaired, except property, the purchase of which would be exempt	3843
from the tax imposed by section 5739.02 of the Revised Code;	3844
(b) An item of tangible personal property is or is to be	3845
installed, except property, the purchase of which would be exempt	3846
from the tax imposed by section 5739.02 of the Revised Code or	3847
property that is or is to be incorporated into and will become a	3848
part of a production, transmission, transportation, or	3849
distribution system for the delivery of a public utility service;	3850
(c) The service of washing, cleaning, waxing, polishing, or	3851
painting a motor vehicle is or is to be furnished;	3852
(d) Industrial laundry cleaning services are or are to be	3853
provided;	3854
(e) Automatic data processing, computer services, or	3855
electronic information services are or are to be provided for use	3856
in business when the true object of the transaction is the receipt	3857
by the consumer of automatic data processing, computer services,	3858
or electronic information services rather than the receipt of	3859
personal or professional services to which automatic data	3860
processing, computer services, or electronic information services	3861
are incidental or supplemental. Notwithstanding any other	3862
provision of this chapter, such transactions that occur between	3863
members of an affiliated group are not sales. An affiliated group	3864
means two or more persons related in such a way that one person	3865
owns or controls the business operation of another member of the	3866
group. In the case of corporations with stock, one corporation	3867
owns or controls another if it owns more than fifty per cent of	3868
the other corporation's common stock with voting rights.	3869
(f) Telecommunications service is provided that originates or	3870

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terminates in this state and is charged in the records of the	3871
telecommunications service vendor to the consumer's telephone	3872
number or account in this state, or that both originates and	3873
terminates in this state; but does not include transactions by	3874
which telecommunications service is paid for by using a prepaid	3875
authorization number or prepaid telephone calling card, or by	3876
which local telecommunications service is obtained from a	3877
coin-operated telephone and paid for by using coin;	3878
(g) Landscaping and lawn care service is or is to be	3879
provided;	3880
(h) Private investigation and security service is or is to be	3881
provided;	3882
(i) Information services or tangible personal property is	3883
provided or ordered by means of a nine hundred telephone call;	3884
(j) Building maintenance and janitorial service is or is to	3885
be provided;	3886
(k) Employment service is or is to be provided;	3887
(l) Employment placement service is or is to be provided;	3888
(m) Exterminating service is or is to be provided;	3889
(n) Physical fitness facility service is or is to be	3890
provided;	3891
(o) Recreation and sports club service is or is to be	3892
provided.	3893
(4) All transactions by which printed, imprinted,	3894
overprinted, lithographic, multilithic, blueprinted, photostatic,	3895
or other productions or reproductions of written or graphic matter	3896
are or are to be furnished or transferred;	3897
(5) The production or fabrication of tangible personal	3898
property for a consideration for consumers who furnish either	3899

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directly or indirectly the materials used in the production of
fabrication work; and include the furnishing, preparing, or
serving for a consideration of any tangible personal property
consumed on the premises of the person furnishing, preparing, or
serving such tangible personal property. Except as provided in
section 5739.03 of the Revised Code, a construction contract
pursuant to which tangible personal property is or is to be
incorporated into a structure or improvement on and becoming a
part of real property is not a sale of such tangible personal
property. The construction contractor is the consumer of such
tangible personal property, provided that the sale and
installation of carpeting, the sale and installation of
agricultural land tile, the sale and erection or installation of
portable grain bins, or the provision of landscaping and lawn care
service and the transfer of property as part of such service is
never a construction contract. The transfer of copyrighted motion
picture films for exhibition purposes is not a sale, except such
films as are used solely for advertising purposes. Other than as
provided in this section, "sale" and "selling" do not include
transfers of interest in leased property where the original lessee
and the terms of the original lease agreement remain unchanged, or
professional, insurance, or personal service transactions that
involve the transfer of tangible personal property as an
inconsequential element, for which no separate charges are made.

As used in division (B)(5) of this section:

(a) "Agricultural land tile" means fired clay or concrete
tile, or flexible or rigid perforated plastic pipe or tubing,
incorporated or to be incorporated into a subsurface drainage
system appurtenant to land used or to be used directly in
production by farming, agriculture, horticulture, or floriculture.
The term does not include such materials when they are or are to
be incorporated into a drainage system appurtenant to a building

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or structure even if the building or structure is used or to be 3932
used in such production. 3933

(b) "Portable grain bin" means a structure that is used or to 3934
be used by a person engaged in farming or agriculture to shelter 3935
the person's grain and that is designed to be disassembled without 3936
significant damage to its component parts. 3937

(6) All transactions in which all of the shares of stock of a 3938
closely held corporation are transferred, if the corporation is 3939
not engaging in business and its entire assets consist of boats, 3940
planes, motor vehicles, or other tangible personal property 3941
operated primarily for the use and enjoyment of the shareholders; 3942

(7) All transactions in which a warranty, maintenance or 3943
service contract, or similar agreement by which the vendor of the 3944
warranty, contract, or agreement agrees to repair or maintain the 3945
tangible personal property of the consumer is or is to be 3946
provided; 3947

(8) All transactions by which a prepaid authorization number 3948
or a prepaid telephone calling card is or is to be transferred. 3949

(C) "Vendor" means the person providing the service or by 3950
whom the transfer effected or license given by a sale is or is to 3951
be made or given and, for sales described in division (B)(3)(i) of 3952
this section, the telecommunications service vendor that provides 3953
the nine hundred telephone service; if two or more persons are 3954
engaged in business at the same place of business under a single 3955
trade name in which all collections on account of sales by each 3956
are made, such persons shall constitute a single vendor. 3957

Physicians, dentists, hospitals, and veterinarians who are 3958
engaged in selling tangible personal property as received from 3959
others, such as eyeglasses, mouthwashes, dentifrices, or similar 3960
articles, are vendors. Veterinarians who are engaged in 3961
transferring to others for a consideration drugs, the dispensing 3962

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of which does not require an order of a licensed veterinarian or 3963
physician under federal law, are vendors. 3964

(D)(1) "Consumer" means the person for whom the service is 3965
provided, to whom the transfer effected or license given by a sale 3966
is or is to be made or given, to whom the service described in 3967
division (B)(3)(f) or (i) of this section is charged, or to whom 3968
the admission is granted. 3969

(2) Physicians, dentists, hospitals, and blood banks operated 3970
by nonprofit institutions and persons licensed to practice 3971
veterinary medicine, surgery, and dentistry are consumers of all 3972
tangible personal property and services purchased by them in 3973
connection with the practice of medicine, dentistry, the rendition 3974
of hospital or blood bank service, or the practice of veterinary 3975
medicine, surgery, and dentistry. In addition to being consumers 3976
of drugs administered by them or by their assistants according to 3977
their direction, veterinarians also are consumers of drugs that 3978
under federal law may be dispensed only by or upon the order of a 3979
licensed veterinarian or physician, when transferred by them to 3980
others for a consideration to provide treatment to animals as 3981
directed by the veterinarian. 3982

(3) A person who performs a facility management, or similar 3983
service contract for a contractee is a consumer of all tangible 3984
personal property and services purchased for use in connection 3985
with the performance of such contract, regardless of whether title 3986
to any such property vests in the contractee. The purchase of such 3987
property and services is not subject to the exception for resale 3988
under division (E)(1) of this section. 3989

(4)(a) In the case of a person who purchases printed matter 3990
for the purpose of distributing it or having it distributed to the 3991
public or to a designated segment of the public, free of charge, 3992
that person is the consumer of that printed matter, and the 3993
purchase of that printed matter for that purpose is a sale. 3994

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(b) In the case of a person who produces, rather than purchases, printed matter for the purpose of distributing it or having it distributed to the public or to a designated segment of the public, free of charge, that person is the consumer of all tangible personal property and services purchased for use or consumption in the production of that printed matter. That person is not entitled to claim exception under division (E)(8) of this section for any material incorporated into the printed matter or any equipment, supplies, or services primarily used to produce the printed matter.

(c) The distribution of printed matter to the public or to a designated segment of the public, free of charge, is not a sale to the members of the public to whom the printed matter is distributed or to any persons who purchase space in the printed matter for advertising or other purposes.

(5) A person who makes sales of any of the services listed in division (B)(3) of this section is the consumer of any tangible personal property used in performing the service. The purchase of that property is not subject to the resale exception under division (E)(1) of this section.

(E) "Retail sale" and "sales at retail" include all sales except those in which the purpose of the consumer is:

(1) To resell the thing transferred or benefit of the service provided, by a person engaging in business, in the form in which the same is, or is to be, received by the person;

(2) To incorporate the thing transferred as a material or a part, into tangible personal property to be produced for sale by manufacturing, assembling, processing, or refining, or to use or consume the thing transferred directly in producing a product for sale by mining, including without limitation the extraction from the earth of all substances that are classed geologically as

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minerals, production of crude oil and natural gas, farming, 4026
agriculture, horticulture, or floriculture, and persons engaged in 4027
rendering farming, agricultural, horticultural, or floricultural 4028
services, and services in the exploration for, and production of, 4029
crude oil and natural gas, for others are deemed engaged directly 4030
in farming, agriculture, horticulture, and floriculture, or 4031
exploration for, and production of, crude oil and natural gas; 4032
directly in the rendition of a public utility service, except that 4033
the sales tax levied by section 5739.02 of the Revised Code shall 4034
be collected upon all meals, drinks, and food for human 4035
consumption sold upon Pullman and railroad coaches. This paragraph 4036
does not exempt or except from "retail sale" or "sales at retail" 4037
the sale of tangible personal property that is to be incorporated 4038
into a structure or improvement to real property. 4039

(3) To hold the thing transferred as security for the 4040
performance of an obligation of the vendor; 4041

(4) To use or consume the thing transferred in the process of 4042
reclamation as required by Chapters 1513. and 1514. of the Revised 4043
Code; 4044

(5) To resell, hold, use, or consume the thing transferred as 4045
evidence of a contract of insurance; 4046

(6) To use or consume the thing directly in commercial 4047
fishing; 4048

(7) To incorporate the thing transferred as a material or a 4049
part into, or to use or consume the thing transferred directly in 4050
the production of, magazines distributed as controlled circulation 4051
publications; 4052

(8) To use or consume the thing transferred in the production 4053
and preparation in suitable condition for market and sale of 4054
printed, imprinted, overprinted, lithographic, multilithic, 4055
blueprinted, photostatic, or other productions or reproductions of 4056

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written or graphic matter;	4057
(9) To use the thing transferred, as described in section	4058
5739.011 of the Revised Code, primarily in a manufacturing	4059
operation to produce tangible personal property for sale;	4060
(10) To use the benefit of a warranty, maintenance or service	4061
contract, or similar agreement, as defined in division (B)(7) of	4062
this section, to repair or maintain tangible personal property, if	4063
all of the property that is the subject of the warranty, contract,	4064
or agreement would be exempt on its purchase from the tax imposed	4065
by section 5739.02 of the Revised Code;	4066
(11) To use the thing transferred as qualified research and	4067
development equipment;	4068
(12) To use or consume the thing transferred primarily in	4069
storing, transporting, mailing, or otherwise handling purchased	4070
sales inventory in a warehouse, distribution center, or similar	4071
facility when the inventory is primarily distributed outside this	4072
state to retail stores of the person who owns or controls the	4073
warehouse, distribution center, or similar facility, to retail	4074
stores of an affiliated group of which that person is a member, or	4075
by means of direct marketing. Division (E)(12) of this section	4076
does not apply to motor vehicles registered for operation on the	4077
public highways. As used in division (E)(12) of this section,	4078
"affiliated group" has the same meaning as in division (B)(3)(e)	4079
of this section and "direct marketing" has the same meaning as in	4080
division (B)(37) of section 5739.02 of the Revised Code.	4081
(13) To use or consume the thing transferred to fulfill a	4082
contractual obligation incurred by a warrantor pursuant to a	4083
warranty provided as a part of the price of the tangible personal	4084
property sold or by a vendor of a warranty, maintenance or service	4085
contract, or similar agreement the provision of which is defined	4086
as a sale under division (B)(7) of this section;	4087

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(14) To use or consume the thing transferred in the 4088
production of a newspaper for distribution to the public; 4089

(15) To use tangible personal property to perform a service 4090
listed in division (B)(3) of this section, if the property is or 4091
is to be permanently transferred to the consumer of the service as 4092
an integral part of the performance of the service. 4093

As used in division (E) of this section, "thing" includes all 4094
transactions included in divisions (B)(3)(a), (b), and (e) of this 4095
section. 4096

Sales conducted through a coin-operated device that activates 4097
vacuum equipment or equipment that dispenses water, whether or not 4098
in combination with soap or other cleaning agents or wax, to the 4099
consumer for the consumer's use on the premises in washing, 4100
cleaning, or waxing a motor vehicle, provided no other personal 4101
property or personal service is provided as part of the 4102
transaction, are not retail sales or sales at retail. 4103

(F) "Business" includes any activity engaged in by any person 4104
with the object of gain, benefit, or advantage, either direct or 4105
indirect. "Business" does not include the activity of a person in 4106
managing and investing the person's own funds. 4107

(G) "Engaging in business" means commencing, conducting, or 4108
continuing in business, and liquidating a business when the 4109
liquidator thereof holds itself out to the public as conducting 4110
such business. Making a casual sale is not engaging in business. 4111

(H)(1) "Price," except as provided in divisions (H)(2) and 4112
(3) of this section, means the aggregate value in money of 4113
anything paid or delivered, or promised to be paid or delivered, 4114
in the complete performance of a retail sale, without any 4115
deduction on account of the cost of the property sold, cost of 4116
materials used, labor or service cost, interest, discount paid or 4117
allowed after the sale is consummated, or any other expense. If 4118

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the retail sale consists of the rental or lease of tangible 4119
personal property, "price" means the aggregate value in money of 4120
anything paid or delivered, or promised to be paid or delivered, 4121
in the complete performance of the rental or lease, without any 4122
deduction for tax, interest, labor or service charge, damage 4123
liability waiver, termination or damage charge, discount paid or 4124
allowed after the lease is consummated, or any other expense. 4125
Except as provided in division (H)(4) of this section, the sales 4126
tax shall be calculated and collected by the lessor on each 4127
payment made by the lessee. Price does not include the 4128
consideration received as a deposit refundable to the consumer 4129
upon return of a beverage container, the consideration received as 4130
a deposit on a carton or case that is used for such returnable 4131
containers, or the consideration received as a refundable security 4132
deposit for the use of tangible personal property to the extent 4133
that it actually is refunded, if the consideration for such 4134
refundable deposit is separately stated from the consideration 4135
received or to be received for the tangible personal property 4136
transferred in the retail sale. Such separation must appear in the 4137
sales agreement or on the initial invoice or initial billing 4138
rendered by the vendor to the consumer. Price is the amount 4139
received inclusive of the tax, provided the vendor establishes to 4140
the satisfaction of the tax commissioner that the tax was added to 4141
the price. When the price includes both a charge for tangible 4142
personal property and a charge for providing a service and the 4143
sale of the property and the charge for the service are separately 4144
taxable, or have a separately determinable tax status, the price 4145
shall be separately stated for each such charge so the tax can be 4146
correctly computed and charged. 4147

The tax collected by the vendor from the consumer under this 4148
chapter is not part of the price, but is a tax collection for the 4149
benefit of the state and of counties levying an additional sales 4150

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tax pursuant to section 5739.021 or 5739.026 of the Revised Code 4151
and of transit authorities levying an additional sales tax 4152
pursuant to section 5739.023 of the Revised Code. Except for the 4153
discount authorized in section 5739.12 of the Revised Code, no 4154
person other than the state or such a county or transit authority 4155
shall derive any benefit from the collection or payment of such 4156
tax. 4157

(2) In the case of a sale of any new motor vehicle by a new 4158
motor vehicle dealer, as defined in section 4517.01 of the Revised 4159
Code, in which another motor vehicle is accepted by the dealer as 4160
part of the consideration received, "price" has the same meaning 4161
as in division (H)(1) of this section, reduced by the credit 4162
afforded the consumer by the dealer for the motor vehicle received 4163
in trade. 4164

(3) In the case of a sale of any watercraft or outboard motor 4165
by a watercraft dealer licensed in accordance with section 4166
1547.543 of the Revised Code, in which another watercraft, 4167
watercraft and trailer, or outboard motor is accepted by the 4168
dealer as part of the consideration received, "price" has the same 4169
meaning as in division (H)(1) of this section, reduced by the 4170
credit afforded the consumer by the dealer for the watercraft, 4171
watercraft and trailer, or outboard motor received in trade. 4172

(4) In the case of the lease of any motor vehicle ~~designed by~~ 4173
~~the manufacturer to carry a load~~ having a gross vehicle weight of 4174
not more than ~~one ton~~ thirteen thousand five hundred pounds, 4175
watercraft, outboard motor, or aircraft, or the lease of any 4176
tangible personal property, other than motor vehicles ~~designed by~~ 4177
~~the manufacturer to carry a load~~ having a gross vehicle weight of 4178
more than ~~one ton~~ thirteen thousand five hundred pounds, to be 4179
used by the lessee primarily for business purposes, the sales tax 4180
shall be collected by the vendor at the time the lease is 4181
consummated and shall be calculated by the vendor on the basis of 4182

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the total amount to be paid by the lessee under the lease 4183
agreement. If the total amount of the consideration for the lease 4184
includes amounts that are not calculated at the time the lease is 4185
executed, the tax shall be calculated and collected by the vendor 4186
at the time such amounts are billed to the lessee. In the case of 4187
an open-end lease, the sales tax shall be calculated by the vendor 4188
on the basis of the total amount to be paid during the initial 4189
fixed term of the lease, and then for each subsequent renewal 4190
period as it comes due. 4191

As used in divisions (H)(3) and (4) of this section, "motor 4192
vehicle" has the same meaning as in section 4501.01 of the Revised 4193
Code, "gross vehicle weight" means the unladen weight of a vehicle 4194
fully equipped plus the maximum weight of the load to be carried 4195
on the vehicle, and "watercraft" includes an outdrive unit 4196
attached to the watercraft. 4197

(I) "Receipts" means the total amount of the prices of the 4198
sales of vendors, provided that cash discounts allowed and taken 4199
on sales at the time they are consummated are not included, minus 4200
any amount deducted as a bad debt pursuant to section 5739.121 of 4201
the Revised Code. "Receipts" does not include the sale price of 4202
property returned or services rejected by consumers when the full 4203
sale price and tax are refunded either in cash or by credit. 4204

(J) "Place of business" means any location at which a person 4205
engages in business. 4206

(K) "Premises" includes any real property or portion thereof 4207
upon which any person engages in selling tangible personal 4208
property at retail or making retail sales and also includes any 4209
real property or portion thereof designated for, or devoted to, 4210
use in conjunction with the business engaged in by such person. 4211

(L) "Casual sale" means a sale of an item of tangible 4212
personal property that was obtained by the person making the sale, 4213
through purchase or otherwise, for the person's own use in this 4214

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state and was previously subject to any state's taxing 4215
jurisdiction on its sale or use, and includes such items acquired 4216
for the seller's use that are sold by an auctioneer employed 4217
directly by the person for such purpose, provided the location of 4218
such sales is not the auctioneer's permanent place of business. As 4219
used in this division, "permanent place of business" includes any 4220
location where such auctioneer has conducted more than two 4221
auctions during the year. 4222

(M) "Hotel" means every establishment kept, used, maintained, 4223
advertised, or held out to the public to be a place where sleeping 4224
accommodations are offered to guests, in which five or more rooms 4225
are used for the accommodation of such guests, whether the rooms 4226
are in one or several structures. 4227

(N) "Transient guests" means persons occupying a room or 4228
rooms for sleeping accommodations for less than thirty consecutive 4229
days. 4230

(O) "Making retail sales" means the effecting of transactions 4231
wherein one party is obligated to pay the price and the other 4232
party is obligated to provide a service or to transfer title to or 4233
possession of the item sold. "Making retail sales" does not 4234
include the preliminary acts of promoting or soliciting the retail 4235
sales, other than the distribution of printed matter which 4236
displays or describes and prices the item offered for sale, nor 4237
does it include delivery of a predetermined quantity of tangible 4238
personal property or transportation of property or personnel to or 4239
from a place where a service is performed, regardless of whether 4240
the vendor is a delivery vendor. 4241

(P) "Used directly in the rendition of a public utility 4242
service" means that property which is to be incorporated into and 4243
will become a part of the consumer's production, transmission, 4244
transportation, or distribution system and that retains its 4245
classification as tangible personal property after such 4246

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incorporation; fuel or power used in the production, transmission, transportation, or distribution system; and tangible personal property used in the repair and maintenance of the production, transmission, transportation, or distribution system, including only such motor vehicles as are specially designed and equipped for such use. Tangible personal property and services used primarily in providing highway transportation for hire are not used in providing a public utility service as defined in this division.

(Q) "Refining" means removing or separating a desirable product from raw or contaminated materials by distillation or physical, mechanical, or chemical processes.

(R) "Assembly" and "assembling" mean attaching or fitting together parts to form a product, but do not include packaging a product.

(S) "Manufacturing operation" means a process in which materials are changed, converted, or transformed into a different state or form from which they previously existed and includes refining materials, assembling parts, and preparing raw materials and parts by mixing, measuring, blending, or otherwise committing such materials or parts to the manufacturing process. "Manufacturing operation" does not include packaging.

(T) "Fiscal officer" means, with respect to a regional transit authority, the secretary-treasurer thereof, and with respect to a county that is a transit authority, the fiscal officer of the county transit board if one is appointed pursuant to section 306.03 of the Revised Code or the county auditor if the board of county commissioners operates the county transit system.

(U) "Transit authority" means a regional transit authority created pursuant to section 306.31 of the Revised Code or a county in which a county transit system is created pursuant to section

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306.01 of the Revised Code. For the purposes of this chapter, a transit authority must extend to at least the entire area of a single county. A transit authority that includes territory in more than one county must include all the area of the most populous county that is a part of such transit authority. County population shall be measured by the most recent census taken by the United States census bureau.

(V) "Legislative authority" means, with respect to a regional transit authority, the board of trustees thereof, and with respect to a county that is a transit authority, the board of county commissioners.

(W) "Territory of the transit authority" means all of the area included within the territorial boundaries of a transit authority as they from time to time exist. Such territorial boundaries must at all times include all the area of a single county or all the area of the most populous county that is a part of such transit authority. County population shall be measured by the most recent census taken by the United States census bureau.

(X) "Providing a service" means providing or furnishing anything described in division (B)(3) of this section for consideration.

(Y)(1)(a) "Automatic data processing" means processing of others' data, including keypunching or similar data entry services together with verification thereof, or providing access to computer equipment for the purpose of processing data.

(b) "Computer services" means providing services consisting of specifying computer hardware configurations and evaluating technical processing characteristics, computer programming, and training of computer programmers and operators, provided in conjunction with and to support the sale, lease, or operation of taxable computer equipment or systems.

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- (c) "Electronic information services" means providing access to computer equipment by means of telecommunications equipment for the purpose of either of the following:
- (i) Examining or acquiring data stored in or accessible to the computer equipment;
 - (ii) Placing data into the computer equipment to be retrieved by designated recipients with access to the computer equipment.
- (d) "Automatic data processing, computer services, or electronic information services" shall not include personal or professional services.
- (2) As used in divisions (B)(3)(e) and (Y)(1) of this section, "personal and professional services" means all services other than automatic data processing, computer services, or electronic information services, including but not limited to:
- (a) Accounting and legal services such as advice on tax matters, asset management, budgetary matters, quality control, information security, and auditing and any other situation where the service provider receives data or information and studies, alters, analyzes, interprets, or adjusts such material;
 - (b) Analyzing business policies and procedures;
 - (c) Identifying management information needs;
 - (d) Feasibility studies, including economic and technical analysis of existing or potential computer hardware or software needs and alternatives;
 - (e) Designing policies, procedures, and custom software for collecting business information, and determining how data should be summarized, sequenced, formatted, processed, controlled, and reported so that it will be meaningful to management;
 - (f) Developing policies and procedures that document how

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business events and transactions are to be authorized, executed, and controlled;	4339 4340
(g) Testing of business procedures;	4341
(h) Training personnel in business procedure applications;	4342
(i) Providing credit information to users of such information by a consumer reporting agency, as defined in the "Fair Credit Reporting Act," 84 Stat. 1114, 1129 (1970), 15 U.S.C. 1681a(f), or as hereafter amended, including but not limited to gathering, organizing, analyzing, recording, and furnishing such information by any oral, written, graphic, or electronic medium;	4343 4344 4345 4346 4347 4348
(j) Providing debt collection services by any oral, written, graphic, or electronic means.	4349 4350
The services listed in divisions (Y)(2)(a) to (j) of this section are not automatic data processing or computer services.	4351 4352
(Z) "Highway transportation for hire" means the transportation of personal property belonging to others for consideration by any of the following:	4353 4354 4355
(1) The holder of a permit or certificate issued by this state or the United States authorizing the holder to engage in transportation of personal property belonging to others for consideration over or on highways, roadways, streets, or any similar public thoroughfare;	4356 4357 4358 4359 4360
(2) A person who engages in the transportation of personal property belonging to others for consideration over or on highways, roadways, streets, or any similar public thoroughfare but who could not have engaged in such transportation on December 11, 1985, unless the person was the holder of a permit or certificate of the types described in division (Z)(1) of this section;	4361 4362 4363 4364 4365 4366 4367
(3) A person who leases a motor vehicle to and operates it	4368

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- for a person described by division (Z)(1) or (2) of this section. 4369
- (AA) "Telecommunications service" means the transmission of 4370
any interactive, two-way electromagnetic communications, including 4371
voice, image, data, and information, through the use of any medium 4372
such as wires, cables, microwaves, cellular radio, radio waves, 4373
light waves, or any combination of those or similar media. 4374
"Telecommunications service" includes message toll service even 4375
though the vendor provides the message toll service by means of 4376
wide area transmission type service or private communications 4377
service purchased from another telecommunications service 4378
provider, but does not include any of the following: 4379
- (1) Sales of incoming or outgoing wide area transmission 4380
service or wide area transmission type service, including eight 4381
hundred or eight-hundred-type service, to the person contracting 4382
for the receipt of that service; 4383
- (2) Sales of private communications service to the person 4384
contracting for the receipt of that service that entitles the 4385
purchaser to exclusive or priority use of a communications channel 4386
or group of channels between exchanges; 4387
- (3) Sales of telecommunications service by companies subject 4388
to the excise tax imposed by Chapter 5727. of the Revised Code; 4389
- (4) Sales of telecommunications service to a provider of 4390
telecommunications service, including access services, for use in 4391
providing telecommunications service; 4392
- (5) Value-added nonvoice services in which computer 4393
processing applications are used to act on the form, content, 4394
code, or protocol of the information to be transmitted; 4395
- (6) Transmission of interactive video programming by a cable 4396
television system as defined in section 505.90 of the Revised 4397
Code. 4398

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(BB) "Industrial laundry cleaning services" means removing 4399
soil or dirt from or supplying towels, linens, or articles of 4400
clothing that belong to others and are used in a trade or 4401
business. 4402

(CC) "Magazines distributed as controlled circulation 4403
publications" means magazines containing at least twenty-four 4404
pages, at least twenty-five per cent editorial content, issued at 4405
regular intervals four or more times a year, and circulated 4406
without charge to the recipient, provided that such magazines are 4407
not owned or controlled by individuals or business concerns which 4408
conduct such publications as an auxiliary to, and essentially for 4409
the advancement of the main business or calling of, those who own 4410
or control them. 4411

(DD) "Landscaping and lawn care service" means the services 4412
of planting, seeding, sodding, removing, cutting, trimming, 4413
pruning, mulching, aerating, applying chemicals, watering, 4414
fertilizing, and providing similar services to establish, promote, 4415
or control the growth of trees, shrubs, flowers, grass, ground 4416
cover, and other flora, or otherwise maintaining a lawn or 4417
landscape grown or maintained by the owner for ornamentation or 4418
other nonagricultural purpose. However, "landscaping and lawn care 4419
service" does not include the providing of such services by a 4420
person who has less than five thousand dollars in sales of such 4421
services during the calendar year. 4422

(EE) "Private investigation and security service" means the 4423
performance of any activity for which the provider of such service 4424
is required to be licensed pursuant to Chapter 4749. of the 4425
Revised Code, or would be required to be so licensed in performing 4426
such services in this state, and also includes the services of 4427
conducting polygraph examinations and of monitoring or overseeing 4428
the activities on or in, or the condition of, the consumer's home, 4429
business, or other facility by means of electronic or similar 4430

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monitoring devices. "Private investigation and security service" 4431
does not include special duty services provided by off-duty police 4432
officers, deputy sheriffs, and other peace officers regularly 4433
employed by the state or a political subdivision. 4434

(FF) "Information services" means providing conversation, 4435
giving consultation or advice, playing or making a voice or other 4436
recording, making or keeping a record of the number of callers, 4437
and any other service provided to a consumer by means of a nine 4438
hundred telephone call, except when the nine hundred telephone 4439
call is the means by which the consumer makes a contribution to a 4440
recognized charity. 4441

(GG) "Research and development" means designing, creating, or 4442
formulating new or enhanced products, equipment, or manufacturing 4443
processes, and conducting scientific or technological inquiry and 4444
experimentation in the physical sciences with the goal of 4445
increasing scientific knowledge which may reveal the bases for new 4446
or enhanced products, equipment, or manufacturing processes. 4447

4448
(HH) "Qualified research and development equipment" means 4449
capitalized tangible personal property, and leased personal 4450
property that would be capitalized if purchased, used by a person 4451
primarily to perform research and development. Tangible personal 4452
property primarily used in testing, as defined in division (A)(4) 4453
of section 5739.011 of the Revised Code, or used for recording or 4454
storing test results, is not qualified research and development 4455
equipment unless such property is primarily used by the consumer 4456
in testing the product, equipment, or manufacturing process being 4457
created, designed, or formulated by the consumer in the research 4458
and development activity or in recording or storing such test 4459
results. 4460

(II) "Building maintenance and janitorial service" means 4461
cleaning the interior or exterior of a building and any tangible 4462

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personal property located therein or thereon, including any 4463
services incidental to such cleaning for which no separate charge 4464
is made. However, "building maintenance and janitorial service" 4465
does not include the providing of such service by a person who has 4466
less than five thousand dollars in sales of such service during 4467
the calendar year. 4468

(JJ) "Employment service" means providing or supplying 4469
personnel, on a temporary or long-term basis, to perform work or 4470
labor under the supervision or control of another, when the 4471
personnel so supplied receive their wages, salary, or other 4472
compensation from the provider of the service. "Employment 4473
service" does not include: 4474

(1) Acting as a contractor or subcontractor, where the 4475
personnel performing the work are not under the direct control of 4476
the purchaser. 4477

(2) Medical and health care services. 4478

(3) Supplying personnel to a purchaser pursuant to a contract 4479
of at least one year between the service provider and the 4480
purchaser that specifies that each employee covered under the 4481
contract is assigned to the purchaser on a permanent basis. 4482

(4) Transactions between members of an affiliated group, as 4483
defined in division (B)(3)(e) of this section. 4484

(KK) "Employment placement service" means locating or finding 4485
employment for a person or finding or locating an employee to fill 4486
an available position. 4487

(LL) "Exterminating service" means eradicating or attempting 4488
to eradicate vermin infestations from a building or structure, or 4489
the area surrounding a building or structure, and includes 4490
activities to inspect, detect, or prevent vermin infestation of a 4491
building or structure. 4492

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(MM) "Physical fitness facility service" means all 4493
transactions by which a membership is granted, maintained, or 4494
renewed, including initiation fees, membership dues, renewal fees, 4495
monthly minimum fees, and other similar fees and dues, by a 4496
physical fitness facility such as an athletic club, health spa, or 4497
gymnasium, which entitles the member to use the facility for 4498
physical exercise. 4499

(NN) "Recreation and sports club service" means all 4500
transactions by which a membership is granted, maintained, or 4501
renewed, including initiation fees, membership dues, renewal fees, 4502
monthly minimum fees, and other similar fees and dues, by a 4503
recreation and sports club, which entitles the member to use the 4504
facilities of the organization. "Recreation and sports club" means 4505
an organization that has ownership of, or controls or leases on a 4506
continuing, long-term basis, the facilities used by its members 4507
and includes an aviation club, gun or shooting club, yacht club, 4508
card club, swimming club, tennis club, golf club, country club, 4509
riding club, amateur sports club, or similar organization. 4510

(OO) "Livestock" means farm animals commonly raised for food 4511
or food production, and includes but is not limited to cattle, 4512
sheep, goats, swine, and poultry. "Livestock" does not include 4513
invertebrates, fish, amphibians, reptiles, horses, domestic pets, 4514
animals for use in laboratories or for exhibition, or other 4515
animals not commonly raised for food or food production. 4516

(PP) "Livestock structure" means a building or structure used 4517
exclusively for the housing, raising, feeding, or sheltering of 4518
livestock, and includes feed storage or handling structures and 4519
structures for livestock waste handling. 4520

(QQ) "Horticulture" means the growing, cultivation, and 4521
production of flowers, fruits, herbs, vegetables, sod, mushrooms, 4522
and nursery stock. As used in this division, "nursery stock" has 4523
the same meaning as in section 927.51 of the Revised Code. 4524

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(RR) "Horticulture structure" means a building or structure used exclusively for the commercial growing, raising, or overwintering of horticultural products, and includes the area used for stocking, storing, and packing horticultural products when done in conjunction with the production of those products.

(SS) "Newspaper" means an unbound publication bearing a title or name that is regularly published, at least as frequently as biweekly, and distributed from a fixed place of business to the public in a specific geographic area, and that contains a substantial amount of news matter of international, national, or local events of interest to the general public.

(TT) "Professional racing team" means a person that employs at least twenty full-time employees for the purpose of conducting a motor vehicle racing business for profit. The person must conduct the business with the purpose of racing one or more motor racing vehicles in at least ten competitive professional racing events each year that comprise all or part of a motor racing series sanctioned by one or more motor racing sanctioning organizations. A "motor racing vehicle" means a vehicle for which the chassis, engine, and parts are designed exclusively for motor racing, and does not include a stock or production model vehicle that may be modified for use in racing. For the purposes of this division:

(1) A "competitive professional racing event" is a motor vehicle racing event sanctioned by one or more motor racing sanctioning organizations, at which aggregate cash prizes in excess of eight hundred thousand dollars are awarded to the competitors.

(2) "Full-time employee" means an individual who is employed for consideration for thirty-five or more hours a week, or who renders any other standard of service generally accepted by custom or specified by contract as full-time employment.

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(UU)(1) "Prepaid authorization number" means a numeric or 4557
alphanumeric combination that represents a prepaid account that 4558
can be used by the account holder solely to obtain 4559
telecommunications service, and includes any renewals or increases 4560
in the prepaid account. 4561

(2) "Prepaid telephone calling card" means a tangible item 4562
that contains a prepaid authorization number that can be used 4563
solely to obtain telecommunications service, and includes any 4564
renewals or increases in the prepaid account. 4565

(VV) "Lease" means any transfer for a consideration of the 4566
possession of and right to use, but not title to, tangible 4567
personal property for a fixed period of time greater than 4568
~~twenty-eight~~ thirty days or for an open-ended period of time with 4569
a minimum fixed period of more than ~~twenty-eight~~ thirty days. 4570

Sec. 5741.01. As used in this chapter: 4571

(A) "Person" includes individuals, receivers, assignees, 4572
trustees in bankruptcy, estates, firms, partnerships, 4573
associations, joint-stock companies, joint ventures, clubs, 4574
societies, corporations, business trusts, governments, and 4575
combinations of individuals of any form. 4576

(B) "Storage" means and includes any keeping or retention in 4577
this state for use or other consumption in this state. 4578

(C) "Use" means and includes the exercise of any right or 4579
power incidental to the ownership of the thing used. A thing is 4580
also "used" in this state if its consumer gives or otherwise 4581
distributes it, without charge, to recipients in this state. 4582

(D) "Purchase" means acquired or received for a 4583
consideration, whether such acquisition or receipt was effected by 4584
a transfer of title, or of possession, or of both, or a license to 4585
use or consume; whether such transfer was absolute or conditional, 4586

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and by whatever means the transfer was effected; and whether the
consideration was money, credit, barter, or exchange. Purchase
includes production, even though the article produced was used,
stored, or consumed by the producer. The transfer of copyrighted
motion picture films for exhibition purposes is not a purchase,
except such films as are used solely for advertising purposes.

(E) "Seller" means the person from whom a purchase is made,
and includes every person engaged in this state or elsewhere in
the business of selling tangible personal property or providing a
service for storage, use, or other consumption or benefit in this
state; and when, in the opinion of the tax commissioner, it is
necessary for the efficient administration of this chapter, to
regard any salesman, representative, peddler, or canvasser as the
agent of a dealer, distributor, supervisor, or employer under whom
the person operates, or from whom the person obtains tangible
personal property, sold by the person for storage, use, or other
consumption in this state, irrespective of whether or not the
person is making such sales on the person's own behalf, or on
behalf of such dealer, distributor, supervisor, or employer, the
commissioner may regard the person as such agent, and may regard
such dealer, distributor, supervisor, or employer as the seller.
"Seller" does not include any person to the extent the person
provides a communications medium, such as, but not limited to,
newspapers, magazines, radio, television, or cable television, by
means of which sellers solicit purchases of their goods or
services.

(F) "Consumer" means any person who has purchased tangible
personal property or has been provided a service for storage, use,
or other consumption or benefit in this state. "Consumer" does not
include a person who receives, without charge, tangible personal
property or a service.

A person who performs a facility management or similar

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service contract for a contractee is a consumer of all tangible
personal property and services purchased for use in connection
with the performance of such contract, regardless of whether title
to any such property vests in the contractee. The purchase of such
property and services is not subject to the exception for resale
under division (E)(1) of section 5739.01 of the Revised Code.

(G)(1) "Price," except in the case of watercraft, outboard
motors, or new motor vehicles, means the aggregate value in money
of anything paid or delivered, or promised to be paid or
delivered, by a consumer to a seller in the complete performance
of the transaction by which tangible personal property has been
purchased or a service has been provided for storage, use, or
other consumption or benefit in this state, without any deduction
or exclusion on account of the cost of the property sold, cost of
materials used, labor or service cost, interest, discount paid or
allowed after the sale is consummated, or any other expense. If
the transaction consists of the rental or lease of tangible
personal property, "price" means the aggregate value in money of
anything paid or delivered, or promised to be paid or delivered by
the lessee to the lessor, in the complete performance of the
rental or lease, without any deduction or exclusion of tax,
interest, labor or service charge, damage liability waiver,
termination or damage charge, discount paid or allowed after the
lease is consummated, or any other expense. Except as provided in
division (G)(6) of this section, the tax shall be calculated and
collected by the lessor on each payment made by the lessee. If a
consumer produces the tangible personal property used by the
consumer, the price is the produced cost of such tangible personal
property. The tax collected by the seller from the consumer under
such sections is not a part of the price, but is a tax collection
for the benefit of the state, and of counties levying an
additional use tax pursuant to section 5741.021 or 5741.023 of the

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Revised Code and of transit authorities levying an additional use 4652
tax pursuant to section 5741.022 of the Revised Code and, except 4653
for the discount authorized under section 5741.12 of the Revised 4654
Code, no person other than the state or such a county or transit 4655
authority shall derive any benefit from the collection or payment 4656
of such tax. 4657

(2) In the case of watercraft, outboard motors, or new motor 4658
vehicles, "price" has the same meaning as in division (H) of 4659
section 5739.01 of the Revised Code. 4660

(3) In the case of a nonresident business consumer that 4661
purchases and uses tangible personal property outside this state 4662
and subsequently temporarily stores, uses, or otherwise consumes 4663
such tangible personal property in the conduct of business in this 4664
state, the consumer or the tax commissioner may determine the 4665
price based on the value of the temporary storage, use, or other 4666
consumption, in lieu of determining the price pursuant to division 4667
(G)(1) of this section. A price determination made by the consumer 4668
is subject to review and redetermination by the commissioner. 4669

(4) In the case of tangible personal property held in this 4670
state as inventory for sale or lease, and that is temporarily 4671
stored, used, or otherwise consumed in a taxable manner, the price 4672
is the value of the temporary use. A price determination made by 4673
the consumer is subject to review and redetermination by the 4674
commissioner. 4675

(5) In the case of tangible personal property originally 4676
purchased and used by the consumer outside this state, and that 4677
becomes permanently stored, used, or otherwise consumed in this 4678
state more than six months after its acquisition by the consumer, 4679
the consumer or the tax commissioner may determine the price based 4680
on the current value of such tangible personal property, in lieu 4681
of determining the price pursuant to division (G)(1) of this 4682
of determining the price pursuant to division (G)(1) of this 4683

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section. A price determination made by the consumer is subject to review and redetermination by the commissioner.

(6) In the case of the purchase or lease of any motor vehicle ~~designed by the manufacturer to carry a load having a gross vehicle wieght~~ of not more than ~~one ton~~ thirteen thousand five hundred pounds, watercraft, outboard motor, or aircraft, or the lease of any tangible personal property, other than motor vehicles ~~designed by the manufacturer to carry a load having a gross vehicle weight~~ of more than ~~one ton~~ thirteen thousand five hundred pounds, to be used by the lessee primarily for business purposes, the tax shall be collected by the vendor at the time the lease is consummated and calculated by the vendor on the basis of the total amount to be paid by the lessee under the lease agreement. If the total amount of the consideration for the lease includes amounts that are not calculated at the time the lease is executed, the tax shall be calculated and collected by the vendor at the time such amounts are billed to the lessee. In the case of an open-end lease, the tax shall be calculated by the vendor on the basis of the total amount to be paid during the initial fixed term of the lease, and then for each subsequent renewal period as it comes due. As used in division (G)(6) of this section only, "motor vehicle" has the same meaning as in section 4501.01 of the Revised Code, and "gross vehicle weight" means the unladen weight of a vehicle fully equipped plus the maximum weight of the load to be carried on the vehicle.

(H) "Nexus with this state" means that the seller engages in continuous and widespread solicitation of purchases from residents of this state or otherwise purposefully directs its business activities at residents of this state.

(I) "Substantial nexus with this state" means that the seller has sufficient contact with this state, in accordance with Section 8 of Article I of the Constitution of the United States, to allow

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the state to require the seller to collect and remit use tax on 4716
sales of tangible personal property or services made to consumers 4717
in this state. "Substantial nexus with this state" exists when the 4718
seller does any of the following: 4719

(1) Maintains a place of business within this state, whether 4720
operated by employees or agents of the seller, by a member of an 4721
affiliated group, as described in division (B)(3)(e) of section 4722
5739.01 of the Revised Code, of which the seller is a member, or 4723
by a franchisee using a trade name of the seller; 4724

(2) Regularly has employees, agents, representatives, 4725
solicitors, installers, repairmen, salesmen, or other individuals 4726
in this state for the purpose of conducting the business of the 4727
seller; 4728

(3) Uses a person in this state for the purpose of receiving 4729
or processing orders of the seller's goods or services; 4730

(4) Makes regular deliveries of tangible personal property 4731
into this state by means other than common carrier; 4732

(5) Has membership in an affiliated group, as described in 4733
division (B)(3)(e) of section 5739.01 of the Revised Code, at 4734
least one other member of which has substantial nexus with this 4735
state; 4736

(6) Owns tangible personal property that is rented or leased 4737
to a consumer in this state, or offers tangible personal property, 4738
on approval, to consumers in this state; 4739

(7) Is registered with the secretary of state to do business 4740
in this state or is registered or licensed by any state agency, 4741
board, or commission to transact business in this state or to make 4742
sales to persons in this state; 4743

(8) Has any other contact with this state that would allow 4744
this state to require the seller to collect and remit use tax 4745

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under Section 8 of Article I of the Constitution of the United States.

(J) "Fiscal officer" means, with respect to a regional transit authority, the secretary-treasurer thereof, and with respect to a county which is a transit authority, the fiscal officer of the county transit board appointed pursuant to section 306.03 of the Revised Code or, if the board of county commissioners operates the county transit system, the county auditor.

(K) "Territory of the transit authority" means all of the area included within the territorial boundaries of a transit authority as they from time to time exist. Such territorial boundaries must at all times include all the area of a single county or all the area of the most populous county which is a part of such transit authority. County population shall be measured by the most recent census taken by the United States census bureau.

(L) "Transit authority" means a regional transit authority created pursuant to section 306.31 of the Revised Code or a county in which a county transit system is created pursuant to section 306.01 of the Revised Code. For the purposes of this chapter, a transit authority must extend to at least the entire area of a single county. A transit authority which includes territory in more than one county must include all the area of the most populous county which is a part of such transit authority. County population shall be measured by the most recent census taken by the United States census bureau.

(M) "Providing a service" has the same meaning as in division (X) of section 5739.01 of the Revised Code.

(N) "Other consumption" includes receiving the benefits of a service.

(O) "Lease" means any transfer for a consideration of the

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possession of and right to use, but not title to, tangible 4777
 personal property for a fixed period of time greater than 4778
 twenty-eight days or for an open-ended period of time with a 4779
 minimum fixed period of more than twenty-eight days. 4780

Section 2. That existing sections 105.41, 133.06, 135.18, 4781
 135.181, 151.01, 151.09, 151.40, 175.03, 727.01, 2921.42, 3318.03, 4782
 3318.04, 3318.05, 3318.06, 3318.061, 3318.08, 3318.084, 3318.11, 4783
 3318.36, 3318.362, 3318.363, 3318.38, 3333.17, 3345.05, 5705.19, 4784
 5705.218, 5709.081, 5709.82, 5739.01, and 5741.01 of the Revised 4785
 Code are hereby repealed. 4786

Section 3. All items set forth in Sections 3.01 to 3.04 of 4787
 this act are hereby appropriated out of any moneys in the General 4788
 Revenue Fund (GRF) that are not otherwise appropriated. 4789

Section 3.01. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES 4790

		Reappropriations	
CAP-773	Governor's Residence Restoration	\$ 4,705	4791
CAP-785	Rural Areas Historical Projects	\$ 60,000	4792
CAP-786	Rural Areas Community Improvements	\$ 2,197,500	4793
CAP-804	Day Care Centers	\$ 6,473	4794
CAP-817	Urban Areas Community Improvements	\$ 5,180,000	4795
Total Department of Administrative Services		\$ 7,448,678	4796

RURAL AREAS HISTORICAL PROJECTS 4797

From the foregoing appropriation item CAP-785, Rural Areas 4798
 Historical Projects, \$50,000 shall be for the Osnaburg Historical 4799
 Society-Werner Inn renovations; and \$10,000 for the Historic 4800
 Hopewell Church. 4801

RURAL AREAS COMMUNITY IMPROVEMENTS 4802

From the foregoing appropriation item CAP-786, Rural Areas 4803
 Community Improvements, grants shall be made for the following 4804

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projects: \$20,000 for the Smith Field Memorial Foundation; 4805
 \$100,000 for the Gallia County Industrial Park; \$75,000 for the 4806
 People Working Cooperatively Facility Improvements; \$200,000 for 4807
 the Champaign YMCA; \$50,000 for the Clermont County Courthouse; 4808
 \$50,000 for the Clermont County Visitor Information Center; 4809
 \$75,000 for the Bellepoint Bridge Reconstruction; \$150,000 for the 4810
 Fairport Community Center; \$100,000 for the Mentor Fire & Police 4811
 Headquarters Relocation; \$65,000 for the Perry Township Industrial 4812
 Park Land Acquisition; \$20,000 for the Red Mill Creek Water 4813
 Retention Basin; \$25,000 for the Lawrence County Water Projects; 4814
 \$350,000 for the Cave Lake Center for Community Leadership; 4815
 \$300,000 for County Jail Improvements - Sandusky County; \$50,000 4816
 for the Southern Ohio Port Authority; \$45,000 for the Bradner 4817
 Historic Building; \$22,500 for the Clermont County Animal Shelter; 4818
 \$225,000 for the Sherwood-Davidson House - Licking County; and 4819
 \$225,000 for the Jerome Buckingham House - Licking County; and 4820
 \$50,000 for the Utica Historical Society. 4821

THE AMOUNT REAPPROPRIATED FOR RURAL AREAS COMMUNITY 4822
 IMPROVEMENTS 4823

The amount reappropriated for the foregoing appropriation 4824
 item CAP-786, Rural Areas Community Improvements, is \$100,080 plus 4825
 the unencumbered and unallotted balance as of June 30, 2002, in 4826
 appropriation item CAP-786, Rural Areas Community Improvements. 4827

URBAN AREAS COMMUNITY IMPROVEMENTS 4828

From the foregoing appropriation item CAP-817, Urban Areas 4829
 Community Improvements, grants shall be made for the following 4830
 projects: \$100,000 for the Maumee Youth Center; \$25,000 for the 4831
 Columbus Civic Arena Development Planning; \$50,000 for the Brown 4832
 Senior Center Renovations; \$100,000 for the Hanna Fountain 4833
 Renovations - Cleveland; \$100,000 for Project AHEAD Facility 4834
 Improvements; \$75,000 for the J Frank-Troy Senior Citizens Center; 4835
 \$50,000 for the League Park Tourist Museum; \$200,000 for the North 4836

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Royalton Recreation Center; \$1,900,000 for the Columbus Downtown
 Initiatives Plan; \$150,000 for Clintonville Improvements; \$35,000
 for the Grove City YMCA; \$15,000 for the Victorian Village
 Society; \$50,000 for the Beech Acres Family Center; \$25,000 for
 the Health Education Center; \$500,000 for the Convention Center
 Expansion Center; \$1,000,000 for the Lincoln Heights Health Center
 Improvements; \$100,000 for the Canton Jewish Women's Center;
 \$450,000 for the Gateway Social Services Building; \$85,000 for the
 Akron Jewish Community Center Renovations; \$50,000 for the Loew
 Field Improvements; \$20,000 for the Harvard Community Services
 Center Renovation & Expansion; \$20,000 for the Collinwood
 Community Service Center Repair & Renovation; and \$80,000 for
 Bowman Park - City of Toledo.

THE AMOUNT APPROPRIATED FOR URBAN AREAS COMMUNITY
 IMPROVEMENTS

The amount reappropriated for the foregoing appropriation
 item CAP-817, Urban Areas Community Improvements, is the
 unencumbered and unallotted balance as of June 30, 2002, in
 appropriation item CAP-817, Urban Areas Community Improvements,
 less \$332,000.

Reappropriations

Section 3.02. AFC ARTS AND SPORTS FACILITIES COMMISSION			4857
CAP-047	Cincinnati Classical Music Hall of Fame	\$ 300,000	4858
CAP-819	Cooper Stadium Relocation Feasibility Study	\$ 350,000	4859
Total Arts and Sports Facilities Commission			4860
			\$ 650,000

COOPER STADIUM RELOCATION FEASIBILITY STUDY 4861

Notwithstanding division (F) of section 3383.07 of the
 Revised Code, all or a portion of the foregoing appropriation item
 CAP-819, Cooper Stadium Relocation Feasibility Study, may be
 expended for the cost of preparing a financial and development

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plan or feasibility study, renovation, and purchasing engineering 4866
 and architectural services, designs, plans, specifications, 4867
 surveys, and estimates of costs for Cooper Stadium. Any amount 4868
 expended for that purpose from the appropriation shall count 4869
 toward the maximum 15 per cent of the construction cost of the 4870
 sports facility to be paid from state funds. 4871

Reappropriations

Section 3.03. OHS OHIO HISTORICAL SOCIETY 4872

CAP-745 Historic Sites/Museums - Emergency Repair \$ 302,880 4873
 Total Ohio Historical Society \$ 302,880 4874

Reappropriations

Section 3.04. DNR DEPARTMENT OF NATURAL RESOURCES 4876

CAP-702 Upgrade Underground Fuel Tanks \$ 296,963 4877
 CAP-703 Cap Abandoned Water Wells \$ 357,481 4878
 CAP-823 Cost Sharing-Pollution Abatement \$ 33,614 4879
 CAP-847 Assistance to Local Governments for 4880
 Conservation Works of Improvement
 CAP-848 Hazardous Dam Repair \$ 91,521 4881
 CAP-875 Ohio River Access \$ 100,000 4882
 CAP-929 Hazardous Waste/Asbestos Abatement \$ 294,744 4883
 CAP-931 Wastewater/Water Systems Upgrades \$ 32,205 4884
 CAP-932 Wetlands/Waterfront Development and 4885
 Acquisition
 CAP-942 Local Parks Projects \$ 5,225 4886
 CAP-999 Geographic Information Management System \$ 1,085 4887
 Total Department of Natural Resources \$ 1,270,298 4888
 TOTAL GRF General Revenue Fund \$ 9,671,856 4889

Section 3.05. No expenditures shall be made from any of the 4891
 items appropriated from the General Revenue Fund in Sections 3.01 4892
 to 3.04 of this act until the funds are released by the 4893

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Controlling Board. 4894

Section 4. All items set forth in this section are hereby 4895
 appropriated out of any moneys in the state treasury to the credit 4896
 of the Wildlife Fund (Fund 015) that are not otherwise 4897
 appropriated. 4898

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES 4899

CAP-012	Land Acquisition	\$	3,104,214	4900
CAP-015	Highlandtown Wildlife Area	\$	11,003	4901
CAP-065	Grant Lake	\$	3,569	4902
CAP-088	Monroe Wildlife Area	\$	6,164	4903
CAP-096	Rush Run Wildlife Area	\$	1,800	4904
CAP-117	Cooper Hollow Wildlife Area	\$	4,815	4905
CAP-198	Veto Lake Wildlife Area	\$	12,126	4906
CAP-216	Killbuck Creek Wildlife Area	\$	550	4907
CAP-387	Access Development	\$	2,000,000	4908
CAP-702	Upgrade Underground Fuel Tanks	\$	100,000	4909
CAP-703	Cap Abandoned Water Wells	\$	50,000	4910
CAP-754	Tiffin River Wildlife Area	\$	1,000	4911
CAP-785	K.H. Butler Ohio River Access	\$	65,349	4912
CAP-804	Lake La Su An Wildlife Area	\$	400	4913
CAP-834	Appraisal Fees - Statewide	\$	48,605	4914
CAP-852	Wildlife Area Building	\$	4,000,000	4915
	Development/Renovation			
CAP-881	Dam Rehabilitation	\$	1,000,000	4916
CAP-959	Sandusky Wildlife Office	\$	50,000	4917
CAP-995	Boundary Protection	\$	50,000	4918
	Total Department of Natural Resources	\$	10,509,595	4919
	TOTAL Wildlife Fund	\$	10,509,595	4920

LAND ACQUISITION 4921

The amount reappropriated for the foregoing appropriation 4922

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item CAP-012, Land Acquisition, is the unencumbered and unallotted	4923
balance as of June 30, 2002, in appropriation item CAP-012, Land	4924
Acquisition, less \$158,125.	4925
 ACCESS DEVELOPMENT	 4926
 The amount reappropriated for the foregoing appropriation	 4927
item CAP-387, Access Development, is the unencumbered and	4928
unallotted balance as of June 30, 2002, in appropriation item	4929
CAP-387, Access Development, plus \$1,519,533.	4930
 UPGRADE UNDERGROUND FUEL TANKS	 4931
 The amount reappropriated for the foregoing appropriation	 4932
item CAP-702, Upgrade Underground Fuel Tanks, is the unencumbered	4933
and unallotted balance as of June 30, 2002, in appropriation item	4934
CAP-702, Upgrade Underground Fuel Tanks, less \$112,271.	4935
 CAP ABANDONED WATER WELLS	 4936
 The amount reappropriated for the foregoing appropriation	 4937
item CAP-703, Cap Abandoned Water Wells, is the unencumbered and	4938
unallotted balance as of June 30, 2002, in appropriation item	4939
CAP-703, Cap Abandoned Water Wells, less \$14,057.	4940
 WILDLIFE AREA BUILDING DEVELOPMENT/RENOVATIONS	 4941
 The amount reappropriated for the foregoing appropriation	 4942
item CAP-852, Wildlife Area Building Development/Renovations, is	4943
the unencumbered and unallotted balance as of June 30, 2002, in	4944
appropriation item CAP-852, Wildlife Area Building	4945
Development/Renovations, less \$1,505,949.	4946
 DAM REHABILITATION	 4947
 The amount reappropriated for the foregoing appropriation	 4948
item CAP-881, Dam Rehabilitation, is the unencumbered and	4949
unallotted balance as of June 30, 2002, in appropriation item	4950
CAP-881, Dam Rehabilitation, less \$1,829,541.	4951

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BOUNDARY PROTECTION 4952

The amount reappropriated for the foregoing appropriation 4953
 item CAP-995, Boundary Protection, is \$50,000. 4954

Section 5. The items set forth in this section are hereby 4955
 appropriated out of any moneys in the state treasury to the credit 4956
 of the Public School Building Fund (Fund 021) that are not 4957
 otherwise appropriated. 4958

Reappropriations

SFC SCHOOL FACILITIES COMMISSION 4959

CAP-622	Public School Buildings	\$	5,000,000	4960
CAP-777	Disability Access Projects	\$	6,000,000	4961
CAP-778	Exceptional Needs	\$	24,000,000	4962
CAP-781	Big Eight Renovation Program	\$	6,770,781	4963
CAP-783	Emergency School Building Assistance	\$	15,000,000	4964
Total School Facilities Commission		\$	56,770,781	4965
TOTAL Public School Building Fund		\$	56,770,781	4966

DISABILITY ACCESS PROJECTS 4967

The amount reappropriated for appropriation item CAP-777, 4968
 Disability Access Projects, shall be used to fund capital projects 4969
 pursuant to this section that make buildings more accessible to 4970
 students with disabilities. 4971

(A) As used in this section: 4972

(1) "Percentile" means the percentile in which a school 4973
 district is ranked according to the fiscal year 1998 ranking of 4974
 school districts with regard to income and property wealth under 4975
 division (B) of section 3318.011 of the Revised Code. 4976

(2) "School district" means a city, local, or exempted 4977
 village school district, but excludes a school district that is 4978
 one of the state's twenty-one urban school districts as defined in 4979
 division (O) of section 3317.02 of the Revised Code as that 4980

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section existed prior to July 1, 1998. 4981

(3) "Valuation per pupil" means a district's total taxable 4982
value as defined in section 3317.02 of the Revised Code divided by 4983
the district's ADM as defined in division (A) of section 3317.02 4984
of the Revised Code as that section existed prior to July 1, 1998. 4985

(B) The School Facilities Commission shall adopt rules for 4986
awarding grants to school districts with a valuation per pupil 4987
less than \$200,000, to be used for construction, reconstruction, 4988
or renovation projects in classroom facilities, the purpose of 4989
which is to improve access to such facilities by physically 4990
handicapped persons. The rules shall include application 4991
procedures. No school district shall be awarded a grant under this 4992
section in excess of \$100,000. In addition, any school district 4993
shall be required to pay a percentage of the cost of the project 4994
for which the grant is being awarded equal to the percentile in 4995
which the district is so ranked. 4996

Section 5.01. BIG EIGHT SCHOOL DISTRICTS 4997

(A) The amounts reappropriated for appropriation item 4998
CAP-781, Big Eight Renovation Program, shall be used by the School 4999
Facilities Commission to provide funds to the big eight school 5000
districts as defined in section 3314.02 of the Revised Code to be 5001
used for major renovations and repairs of school facilities. Big 5002
eight school districts that levy at least 2.5 voted mills for 5003
permanent improvements shall also be eligible to expend funding 5004
from this program for additions to existing facilities. However, 5005
any big eight school district that does so shall receive no 5006
financial assistance from the School Facilities Commission for the 5007
purpose of replacing that facility for a period of at least twenty 5008
years. These appropriations shall be allocated to the big eight 5009
school districts on a per-pupil basis, based on fiscal year 1999 5010
average daily membership as defined in section 3317.03 of the 5011

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Revised Code. School districts that receive conditional approval 5012
 by the Controlling Board, pursuant to section 3318.04 of the 5013
 Revised Code, to participate in the Accelerated Urban School 5014
 Building Program shall no longer be eligible to receive funding 5015
 from the Big Eight Renovation Program, except for appropriations 5016
 already encumbered at the time the conditional approval is 5017
 granted. To be eligible to receive appropriations from the Big 5018
 Eight Renovation Program, each school district shall: 5019

(1) Provide a 100 per cent match from funds that are approved 5020
 by the School Facilities Commission. Except for, after the 5021
 effective date of this section, eligible districts in the first 5022
 through fiftieth percentile, as determined under section 3318.011 5023
 of the Revised Code, shall provide a match to their remaining 5024
 balances in the Big Eight Renovation Program as of the effective 5025
 date of this section such that the local match is equal to the 5026
 district's percentage share contribution as determined under the 5027
 fiscal year 2002 three-year average adjusted valuation per pupil 5028
 list pursuant to section 3318.011 of the Revised Code. 5029

(2) Develop and submit a capital renovations plan for the use 5030
 of the state and local funds, subject to approval by the School 5031
 Facilities Commission. 5032

(B) The Executive Director of the School Facilities 5033
 Commission may from time to time request the Director of Budget 5034
 and Management to transfer any unencumbered and unallotted 5035
 balances in appropriation item CAP-781, Big Eight Renovation 5036
 Program, to appropriation item CAP-622, Public School Buildings. 5037
 Any amounts transferred are hereby appropriated. 5038

Section 6. The items set forth in this section are hereby 5039
 appropriated out of any moneys in the state treasury to the credit 5040
 of the Highway Safety Fund (Fund 036) that are not otherwise 5041
 appropriated. 5042

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		Reappropriations	
DHS DEPARTMENT OF PUBLIC SAFETY			5043
CAP-045	Platform Scales Improvements	\$ 200,000	5044
CAP-058	Construct District 3 Complex	\$ 444,338	5045
CAP-059	Patrol Post ADA Compliance	\$ 272,769	5046
CAP-065	Replace Windows at the Academy	\$ 79,000	5047
CAP-071	Construct Georgetown Patrol Post	\$ 1,900,000	5048
CAP-072	Patrol Academy Infrastructure Improvements	\$ 723,250	5049
CAP-073	Massillon District HQ Renovations	\$ 534,800	5050
CAP-074	Construct Warren District Blue Title Facility	\$ 500,000	5051
CAP-075	Cambridge District HQ Post Renovations	\$ 394,208	5052
Total Department of Public Safety		\$ 5,048,365	5053
TOTAL Highway Safety Fund		\$ 5,048,365	5054

Section 7. All items set forth in this section are hereby 5056
 appropriated out of any moneys in the state treasury to the credit 5057
 of the Waterways Safety Fund (Fund 086) that are not otherwise 5058
 appropriated. 5059

		Reappropriations	
DNR DEPARTMENT OF NATURAL RESOURCES			5060
CAP-324	Cooperative Funding for Boating Facilities	\$ 6,110,250	5061
CAP-781	Vinton Community Park Ramp	\$ 11,513	5062
CAP-844	Put-in-Bay Township Port Authority	\$ 6,466	5063
CAP-874	Recreational Harbor Evaluation Project	\$ 910,000	5064
CAP-934	Operations Facilities Development	\$ 1,050,000	5065
Total Department of Natural Resources		\$ 8,088,229	5066
TOTAL Waterways Safety Fund		\$ 8,088,229	5067

Section 8. All items set forth in this section are hereby 5069
 appropriated out of any moneys in the state treasury to the credit 5070

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of the Underground Parking Garage Operating Fund (Fund 208) that 5071
 are not otherwise appropriated. 5072

Reappropriations

	CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD		5073
CAP-003	Renovate Garage Offices	\$ 199,317	5074
CAP-004	Emergency Generator and Lighting System	\$ 200,000	5075
CAP-007	Garage Elevator Upgrades	\$ 5,670	5076
CAP-008	Install Garage Oil Interceptor System	\$ 60,000	5077
CAP-009	Garage Fire Suppression System	\$ 1,050,000	5078
	Total Capitol Square Review and Advisory Board	\$ 1,514,987	5079
	TOTAL Underground Parking Garage Operating Fund	\$ 1,514,987	5080

Section 9. All items set forth in this section are hereby 5082
 appropriated out of any moneys in the state treasury to the credit 5083
 of the Nursing Home - Federal Fund (Fund 319) that are not 5084
 otherwise appropriated. 5085

Reappropriations

	OVH OHIO VETERANS' HOME		5086
CAP-759	Veterans Home Construction - Federal	\$ 10,238,750	5087
	Funding		
	Total Ohio Veterans Home	\$ 10,238,750	5088
	TOTAL Nursing Home - Federal Fund	\$ 10,238,750	5089

Section 10. All items set forth in this section are hereby 5091
 appropriated out of any moneys in the state treasury to the credit 5092
 of the Capital Donations Fund (Fund 5A1) that are not otherwise 5093
 appropriated. 5094

Reappropriations

	AFC ARTS AND SPORTS FACILITIES COMMISSION		5095
CAP-702	Capital Donations	\$ 976,130	5096
	Total Arts and Sports Facilities Commission	\$ 976,130	5097
	CAPITAL DONATIONS FUND CERTIFICATIONS AND APPROPRIATIONS		5098

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The Executive Director of the Arts and Sports Facilities 5099
 Commission shall certify to the Director of Budget and Management 5100
 the amount of cash receipts and related investment income, 5101
 irrevocable letters of credit from a bank, or certification of the 5102
 availability of funds that have been received from a county or a 5103
 city for deposit to the Capital Donations Fund and are related to 5104
 an anticipated project. These amounts are hereby appropriated to 5105
 appropriation item CAP-702, Capital Donations. Prior to certifying 5106
 these amounts to the Director, the Executive Director shall make a 5107
 written agreement with the participating entity on the necessary 5108
 cash flows required for the anticipated construction or equipment 5109
 acquisition project. 5110

Section 11. The items set forth in this section are hereby 5111
 appropriated out of any moneys in the state treasury to the credit 5112
 of the Veterans' Home Improvement Fund (Fund 604) that are not 5113
 otherwise appropriated. 5114

Reappropriations

	OVH OHIO VETERANS' HOME		5115
CAP-755	Secrest Security System Improvement	\$ 65,000	5116
CAP-760	Security System Improvement	\$ 110,000	5117
CAP-761	Griffin Nursing Home Improvements	\$ 278,775	5118
CAP-762	Renovate Secrest Floors and Walls in Bathroom and 1N	\$ 492,000	5119
CAP-764	O Cottage Roof and HVAC Improvements	\$ 84,000	5120
CAP-765	Install Warehouse Freezer	\$ 80,000	5121
	Total Ohio Veterans' Home	\$ 1,109,775	5122
	TOTAL Veterans' Home Improvement Fund	\$ 1,109,775	5123

Section 12. All items set forth in this section are hereby 5125
 appropriated out of any moneys in the state treasury to the credit 5126
 of the Education Facilities Trust Fund (Fund N87) that are not 5127
 otherwise appropriated. 5128

As Reported by the Senate Finance and Financial Institutions Committee*

		Reappropriations	
	SFC SCHOOL FACILITIES COMMISSION		5129
CAP-780	Classroom Facilities Assistance Program	\$ 7,510,374	5130
CAP-784	Exceptional Needs Program	\$ 26,205,339	5131
	Total School Facilities Commission	\$ 33,715,713	5132
	TOTAL Education Facilities Trust Fund	\$ 33,715,713	5133

Section 13. All items set forth in this section are hereby 5135
 appropriated out of any moneys in the state treasury to the credit 5136
 of the Clean Ohio Revitalization Fund (Fund 003) and derived from 5137
 the proceeds of obligations heretofore authorized to pay the costs 5138
 of the following categories of capital improvements: 5139

		Reappropriations	
	DEV DEPARTMENT OF DEVELOPMENT		5140
CAP-001	Clean Ohio Revitalization	\$ 40,000,000	5141
CAP-002	Clean Ohio Assistance	\$ 10,000,000	5142
	Total Department of Development	\$ 50,000,000	5143
	TOTAL Clean Ohio Revitalization Fund	\$ 50,000,000	5144

Section 14. All items set forth in this section are hereby 5146
 appropriated out of any moneys in the state treasury to the credit 5147
 of the Sports Facilities Building Fund (Fund 024) and derived from 5148
 the proceeds of obligations heretofore authorized to pay the costs 5149
 of the following capital improvements: 5150

		Reappropriations	
	AFC ARTS AND SPORTS FACILITIES COMMISSION		5151
CAP-024	Sports Facilities Improvements - Akron	\$ 147,546	5152
	Total Arts and Sports Facilities Commission	\$ 147,546	5153
	TOTAL Sports Facilities Building Fund	\$ 147,546	5154

Section 15. All items set forth in this section are hereby 5156
 appropriated out of any moneys in the state treasury to the credit 5157
 of the Highway Safety Building Fund (Fund 025) and derived from 5158

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the proceeds and obligations heretofore authorized to pay the 5159
costs of the following capital improvements: 5160

Reappropriations

DHS DEPARTMENT OF PUBLIC SAFETY			5161
CAP-047	Public Safety Office Building	\$ 2,710,400	5162
CAP-048	Statewide Communications System	\$ 17,380,997	5163
CAP-068	Alum Creek Warehouse Renovations	\$ 1,600,000	5164
CAP-069	Centre School Renovations	\$ 20,219	5165
CAP-070	Canton One-Stop Shop	\$ 800,000	5166
CAP-076	Investigative Unit MARCS Equipment	\$ 897,691	5167
Total Department of Public Safety		\$ 23,409,307	5168
TOTAL Highway Safety Building Fund		\$ 23,409,307	5169

PUBLIC SAFETY OFFICE BUILDING 5170

The amount reappropriated for the foregoing appropriation 5171
item CAP-047, Public Safety Office Building, shall be the 5172
unencumbered and unallotted balance as of June 30, 2000, in 5173
appropriation item CAP-047, Public Safety Office Building, minus 5174
\$897,691. 5175

INVESTIGATIVE UNIT MARCS EQUIPMENT 5176

The amount reappropriated for the foregoing appropriation 5177
item CAP-076, Investigative Unit MARCS Equipment, shall be 5178
\$897,691. 5179

Section 16. All items set forth in Sections 16.01 to 16.15 5180
are hereby appropriated out of any moneys in the state treasury to 5181
the credit of the Administrative Building Fund (Fund 026) and 5182
derived from the proceeds of obligations heretofore authorized to 5183
pay the costs of capital facilities, as defined in section 152.09 5184
of the Revised Code, for the following capital improvements: 5185

Reappropriations

As Reported by the Senate Finance and Financial Institutions Committee*

Section 16.01. ADJ ADJUTANT GENERAL			5186
CAP-032	Upgrade Underground Storage Tanks	\$ 41,795	5187
CAP-034	Asbestos Abatement - Various Facilities	\$ 207,790	5188
CAP-036	Roof Replacement - Various Facilities	\$ 615,113	5189
CAP-038	Electrical System - Various Armories	\$ 976,000	5190
CAP-039	Camp Perry Facility Improvements	\$ 30,239	5191
CAP-043	Renovate/Expand Existing Eaton Facility	\$ 800,498	5192
CAP-044	Replace Windows/Doors - Various Armories	\$ 567,582	5193
CAP-045	Plumbing Renovations - Various Armories	\$ 264,499	5194
CAP-046	Paving Renovations - Various Armories	\$ 1,625,466	5195
CAP-050	HVAC Systems - Various Armories	\$ 760,486	5196
CAP-052	Cincinnati Shadybrook Armory	\$ 2,149,705	5197
CAP-054	Construct Camp Perry Administration Building	\$ 6,540	5198
CAP-055	Hillsboro Armory Renovations	\$ 478,974	5199
CAP-056	Masonry Renovations - Various Armories	\$ 297,813	5200
CAP-057	Sewer Improvement - Rickenbacker	\$ 180,000	5201
CAP-058	Construct Cincinnati Armory	\$ 275,000	5202
CAP-059	Construct Bowling Green Armory	\$ 200,000	5203
Total Adjutant General		\$ 9,477,500	5204

NEW ARMORY CONSTRUCTION 5205

The foregoing appropriation item CAP-059, Construct Bowling Green Armory, shall be used to fund the state's share of the cost of building a basic armory in the Bowling Green area, including the cost of site acquisition, site preparation, and planning and design. Appropriations shall not be released for this item without a certification by the Adjutant General to the Director of Budget and Management that sufficient moneys have been allocated for the federal share of the cost of construction.

Reappropriations

Section 16.02. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES 5214

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-773	Governor's Residence Renovations	\$	51,151	5215
CAP-809	Hazardous Substance Abatement	\$	1,654,249	5216
CAP-811	Health/EPA Laboratory Facilities	\$	6,350,628	5217
CAP-822	Americans with Disabilities Act	\$	1,846,405	5218
CAP-826	Office Services Building Renovation	\$	2,764,677	5219
CAP-827	Statewide Communications System	\$	131,876,397	5220
CAP-830	Canton Office Building Planning	\$	5,000	5221
CAP-834	Capital Improvements Tracking System	\$	407,600	5222
CAP-835	Energy Conservation Projects	\$	3,011,138	5223
CAP-837	Major Computer Purchases	\$	3,142,555	5224
CAP-838	SOCC Renovations	\$	1,952,480	5225
CAP-843	New Veterans Home Planning	\$	100,000	5226
CAP-844	Hamilton State/Local Government Center - Planning	\$	57,500	5227
CAP-847	Coit Road Site Improvements	\$	1,199,453	5228
CAP-848	ODOT Building Boiler Replacement	\$	155,981	5229
CAP-849	Facility Planning and Development	\$	5,264,281	5230
CAP-850	Renovation of Old ODOT Building	\$	455,415	5231
CAP-852	North High Building Complex Renovations	\$	6,215,474	5232
CAP-855	Office Space Planning	\$	150,000	5233
CAP-860	Structured Cabling	\$	650,000	5234
	Total Department of Administrative Services	\$	167,310,385	5235

HAZARDOUS SUBSTANCE ABATEMENT IN STATE FACILITIES 5236

The foregoing appropriation item CAP-809, Hazardous Substance Abatement, shall be used to fund the removal of asbestos, PCB, radon gas, and other contamination hazards from state facilities. 5237
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5239

Prior to the release of funds for asbestos abatement, the Department of Administrative Services shall review proposals from state agencies to use these funds for asbestos abatement projects based on criteria developed by the Department of Administrative Services. Upon a determination by the Department of Administrative Services that the requesting agency cannot fund the asbestos 5240
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abatement project or other toxic materials removal through 5246
existing capital and operating appropriations, the department may 5247
request the release of funds for such projects by the Controlling 5248
Board. State agencies intending to fund asbestos abatement or 5249
other toxic materials removal through existing capital and 5250
operating appropriations shall notify the Director of 5251
Administrative Services of the nature and scope prior to 5252
commencing the project. 5253

Only agencies that have received appropriations for capital 5254
projects from the Administrative Building Fund (Fund 026) are 5255
eligible to receive funding from this item. Public school 5256
districts are not eligible. 5257

OFFICE SERVICES BUILDING RENOVATION 5258

The amount reappropriated for the foregoing appropriation 5259
item CAP-826, Office Services Building Renovation, is the sum of 5260
the unencumbered and unallotted balances as of June 30, 2002, in 5261
Fund 026 appropriation items CAP-812, Old School for the Blind 5262
Renovation; CAP-814, Old School for the Blind Planning; CAP-824, 5263
State Real Estate Inventory System; CAP-826, Office Services 5264
Building Renovation; CAP-858, Lausche Building Improvements 5265
Planning; and CAP-861, Facilities Master Plan State Schools for 5266
the Blind and Deaf. 5267

IMPLEMENTATION OF AMERICANS WITH DISABILITIES ACT 5268

The foregoing appropriation item CAP-822, Americans with 5269
Disabilities Act, shall be used to renovate state-owned facilities 5270
to provide access for physically disabled persons in accordance 5271
with Title II of the Americans with Disabilities Act. 5272

Prior to the release of funds for renovation, state agencies 5273
shall perform self-evaluations of state-owned facilities 5274
identifying barriers to access to service. State agencies shall 5275
prioritize access barriers and develop a transition plan for the 5276

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removal of these barriers. The Department of Administrative Services shall review proposals from state agencies to use these funds for Americans with Disabilities Act renovations.

Only agencies that have received appropriations for capital projects from Administrative Building Fund (Fund 026) are eligible to receive funding from this item. Public school districts are not eligible.

MARCS STEERING COMMITTEE AND STATEWIDE COMMUNICATIONS SYSTEM 5284

There is hereby continued a Multi-Agency Radio Communications System (MARCS) Steering Committee consisting of the designees of the Directors of Administrative Services, Public Safety, Natural Resources, Transportation, Rehabilitation and Correction, and Budget and Management. The Director of Administrative Services or the director's designee shall chair the committee. The committee shall provide assistance to the Director of Administrative Services for effective and efficient implementation of the MARCS system as well as develop policies for the ongoing management of the system. Upon dates prescribed by the Directors of Administrative Services and Budget and Management, the MARCS Steering Committee shall report to the directors on the progress of MARCS implementation and the development of policies related to the system.

The foregoing appropriation item CAP-827, Statewide Communications System, shall be used to purchase or construct the components of MARCS that are not specific to any one agency. The equipment may include, but is not limited to, multi-agency equipment at the Emergency Operations Center/Joint Dispatch Facility, computer and telecommunication equipment used for the functioning and integration of the system, communications towers, tower sites, tower equipment, and linkages among towers and between towers and the State of Ohio Network for Integrated Communication (SONIC) system. The Director of Administrative

As Reported by the Senate Finance and Financial Institutions Committee*

Services shall, with the concurrence of the MARCS Steering	5309	
Committee, determine the specific use of funds.	5310	
Spending from this appropriation item shall not be subject to	5311	
Chapters 123. and 153. of the Revised Code.	5312	
ENERGY CONSERVATION PROJECTS	5313	
The foregoing appropriation item CAP-835, Energy Conservation	5314	
Projects, shall be used to perform energy conservation	5315	
renovations, including the United States Environmental Protection	5316	
Agency's Energy Star Program, in state-owned facilities. Prior to	5317	
the release of funds for renovation, state agencies shall have	5318	
performed a comprehensive energy audit for each project. The	5319	
Department of Administrative Services shall review and approve	5320	
proposals from state agencies to use these funds for energy	5321	
conservation. Public school districts and state-supported and	5322	
state-assisted institutions of higher education are not eligible	5323	
for funding from this item.	5324	
MAJOR COMPUTER PURCHASES	5325	
The amount reappropriated for the foregoing appropriation	5326	
item CAP-837, Major Computer Purchases, is \$2,660,065 plus the sum	5327	
of the unencumbered and unallotted balances as of June 30, 2002,	5328	
in Fund 026 appropriation item CAP-837, Major Computer Purchases.	5329	
STRUCTURED CABLING	5330	
The amount reappropriated for the foregoing appropriation	5331	
item CAP-860, Structured Cabling, is the sum of the unencumbered	5332	
and unallotted balances as of June 30, 2002, in Fund 026	5333	
appropriation item CAP-860, Structured Cabling, less \$2,660,065.	5334	
	Reappropriations	
Section 16.03. AGE DEPARTMENT OF AGING	5335	
CAP-001 Renovate Martin Janis Center	\$ 10,013	5336
Total Department of Aging	\$ 10,013	5337

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Reappropriations

Section 16.04. AGR DEPARTMENT OF AGRICULTURE			5339
CAP-025	Building Renovations	\$ 54,097	5340
CAP-029	Administration Building Renovation	\$ 579,436	5341
CAP-033	Site Electrical/Utility Improvement	\$ 117,341	5342
CAP-037	Consumer Lab/Weights/Measures Equip.	\$ 19,714	5343
CAP-042	Reynoldsburg Complex Security Improvements	\$ 325,000	5344
CAP-043	Building and Grounds Renovation	\$ 336,553	5345
CAP-044	Renovate Building 4	\$ 2,857,954	5346
Total Department of Agriculture			\$ 4,290,095 5347

Reappropriations

Section 16.05. AGO ATTORNEY GENERAL			5349
CAP-715	Expand/Renovate Richfield Lab	\$ 94,427	5350
CAP-717	HVAC Improvements OPOTA	\$ 1,777,096	5351
CAP-720	POTA Outdoor Training Facility	\$ 2,300,000	5352
Total Attorney General			\$ 4,171,523 5353

Reappropriations

Section 16.06. CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD			5355
CAP-010	Capitol Rotunda Renovations	\$ 500,000	5356
CAP-011	Statehouse Security Improvements	\$ 2,005,420	5357
Total Capitol Square Review and Advisory Board			\$ 2,505,420 5358

STATEHOUSE SECURITY IMPROVEMENTS 5359

Of the foregoing appropriation item CAP-011, Statehouse Security Improvements, \$1,050,000 shall be used in conjunction with funds from appropriation item CAP-009, Garage Fire Suppression, in the Underground Parking Garage Operating Fund (Fund 208), for the installation of a new fire suppression system in the Statehouse garage. Notwithstanding any section of the Revised Code, any transfer or disbursement of moneys from

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appropriation items CAP-009, Garage Fire Suppression, and CAP-011, 5367
 Statehouse Security Improvements, shall be subject to Controlling 5368
 Board approval. 5369

Reappropriations

Section 16.07. COM DEPARTMENT OF COMMERCE 5370

CAP-008	Fire Academy Building Renovations	\$	580,195	5371
CAP-011	Roadway/Training Area Resurfacing	\$	225,000	5372
CAP-012	Fire Academy Architectural Plan		75,000	5373
Total Department of Commerce		\$	880,195	5374

Reappropriations

Section 16.08. EXP EXPOSITIONS COMMISSION 5376

CAP-037	Electric and Lighting Upgrade	\$	2,651,408	5377
CAP-046	Land Acquisition	\$	1,259,624	5378
CAP-051	Roof Renovations	\$	2,602	5379
CAP-052	Sewer Separation	\$	1,897,590	5380
CAP-053	Multipurpose Agricultural Center	\$	2,671	5381
CAP-056	Building Renovations - 2	\$	9,813	5382
CAP-057	HVAC Planning	\$	2,001	5383
CAP-063	Facility Improvements and Modernization Plan	\$	642,033	5384
CAP-064	Replacement of Water Lines	\$	16,209	5385
CAP-066	Stairtower Replacement	\$	1,427	5386
CAP-068	Masonry Renovations	\$	1,124,126	5387
CAP-069	Restroom Renovations	\$	166,223	5388
CAP-071	Campgrounds Renovations	\$	770,118	5389
CAP-072	Emergency Renovations and Equipment Replacement	\$	347,058	5390
Total Expositions Commission		\$	8,892,902	5391

Reappropriations

Section 16.09. JSC JUDICIARY/SUPREME COURT 5393

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CAP-001	Ohio Courts Building Renovations	\$	63,968,080	5394
	Total Judiciary/Supreme Court	\$	63,968,080	5395

	EXEMPT FROM PER CENT FOR ARTS PROGRAM			5396
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	The foregoing appropriation item CAP-001, Ohio Courts Building Renovations, is exempt from section 3379.10 of the Revised Code, the Per Cent for Arts Program.			5397 5398 5399
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Reappropriations

	Section 16.10. LIB STATE LIBRARY			5400
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CAP-702	SEO Regional Center Expansion	\$	73,324	5401
	Total State Library	\$	73,324	5402

Reappropriations

	Section 16.11. DNR DEPARTMENT OF NATURAL RESOURCES			5404
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CAP-741	DNR Communications System	\$	51,612	5405
CAP-742	Fountain Square Building and Telephone System Improvements	\$	3,493,476	5406
CAP-744	Multi-Agency Radio Communications Equipment	\$	7,000,000	5407
CAP-747	DNR Fairgrounds Area - General Upgrading	\$	17,000	5408
CAP-867	Reclamation Facility Renovation and Development	\$	225,000	5409
CAP-928	Handicapped Accessibility	\$	39,654	5410
CAP-934	District Office Renovations and Development	\$	1,000,000	5411
	Total Department of Natural Resources	\$	11,826,742	5412

Reappropriations

	Section 16.12. DHS DEPARTMENT OF PUBLIC SAFETY			5414
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CAP-053	Construct EMA/EOC and Office Building	\$	6,605	5415
CAP-054	Multi-Agency Radio Communications System	\$	1,017,366	5416
CAP-056	Emergency Operations Center Equipment	\$	1,502	5417
CAP-067	VHS Radio System Improvements	\$	518,227	5418

As Reported by the Senate Finance and Financial Institutions Committee*

Total Department of Public Safety		\$	1,543,700	5419
CONSTRUCT EMA/EOC AND OFFICE BUILDING				5420
The amount reappropriated for the foregoing appropriation				5421
item CAP-053, Construct EMA/EOC and Office Building, is \$6,605.				5422
			Reappropriations	
Section 16.13. OSB SCHOOL FOR THE BLIND				5423
CAP-745 Roof Improvements on the School and Cottage		\$	910,488	5424
CAP-751 Upgrade Fire Alarm System		\$	461,250	5425
CAP-752 Equipment Storage Building		\$	3,279	5426
CAP-757 Bathroom Handicapped Accessibility		\$	264,787	5427
CAP-763 Natatorium Flooring Improvements		\$	47,474	5428
CAP-764 Electric System Improvements		\$	144,900	5429
CAP-765 Upgrade Campus Safety and Security		\$	180,054	5430
CAP-780 Residential Renovations		\$	7,737	5431
CAP-783 Natatorium Improvements		\$	31,300	5432
Total Ohio School for the Blind		\$	2,051,269	5433
			Reappropriations	
Section 16.14. OSD SCHOOL FOR THE DEAF				5435
CAP-760 Handicapped Accessibility Projects		\$	2,241	5436
CAP-767 Roof Renovations		\$	250,848	5437
CAP-785 Site Improvements		\$	150	5438
Total Ohio School for the Deaf		\$	253,239	5439
ROOF RENOVATIONS				5440
The amount reappropriated for the foregoing appropriation				5441
item CAP-767, Roof Renovations, is the sum of the unencumbered and				5442
unallotted balances as of June 30, 2002, in appropriation items				5443
CAP-766, Construct Security Building at Entrance; CAP-767, Roof				5444
Renovations; and CAP-768, Dorm Furniture Replacement.				5445

As Reported by the Senate Finance and Financial Institutions Committee*

Reappropriations

Section 16.15.	OVH OHIO VETERANS' HOME		5446
CAP-759	Veterans' Home Construction	\$ 3,385,868	5447
	Total Ohio Veterans' Home	\$ 3,385,868	5448
	TOTAL Administrative Building Fund	\$ 280,640,255	5449

Section 17. All items set forth in this section are hereby 5451
appropriated out of any moneys in the state treasury to the credit 5452
of the Adult Correctional Building Fund (Fund 027) and derived 5453
from the proceeds of obligations heretofore authorized to pay 5454
costs of capital facilities, as defined in section 152.09 of the 5455
Revised Code, for the Department of Rehabilitation and Correction. 5456

Reappropriations

	DRC DEPARTMENT OF REHABILITATION AND CORRECTION		5457
	STATEWIDE AND CENTRAL OFFICE PROJECTS		5458
CAP-002	Local Jails	\$ 28,137,041	5459
CAP-003	Community-Based Correctional Facilities	\$ 20,024,289	5460
CAP-004	Site Renovations	\$ 1,784,982	5461
CAP-007	Asbestos Removal	\$ 1,014,957	5462
CAP-008	Powerhouse/Utility Improvements	\$ 3,496,344	5463
CAP-009	Water System/Plant Improvements	\$ 3,568,748	5464
CAP-010	Industrial Equipment - Statewide	\$ 2,104,647	5465
CAP-011	Roof/Window Renovations - Statewide	\$ 1,288,798	5466
CAP-012	Shower/Restroom Improvements	\$ 1,528,125	5467
CAP-015	Underground Storage Tanks Improvements	\$ 600	5468
CAP-017	Security Improvements - Statewide	\$ 3,315,977	5469
CAP-018	Emergency and Security Lighting	\$ 62,927	5470
CAP-026	Waste Water Treatment Facilities	\$ 862,787	5471
CAP-028	Power House Improvements	\$ 383,596	5472
CAP-041	Community Residential Program	\$ 5,909,563	5473
CAP-043	Design/Construct/Parole Detention Centers	\$ 294,055	5474
CAP-109	Statewide Fire Alarm Systems	\$ 387,662	5475

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-110	Construct Maximum Security Facility	\$	779	5476
CAP-111	General Building Renovations	\$	1,900,000	5477
CAP-129	Water Treatment Plants - Statewide	\$	688,020	5478
CAP-140	Boot Camp/Substance Abuse Offenders	\$	82,314	5479
CAP-141	Multi-Agency Radio System Equipment	\$	1,237,490	5480
CAP-142	Various Facility Medical Services	\$	838,593	5481
CAP-143	Perimeter Security, Lighting, Alarms, and Sallyports	\$	2,218,931	5482
CAP-144	Medium/Minimum Security Privatized Prison	\$	150,301	5483
CAP-161	1,000-Bed Close Custody Prison	\$	1,039,144	5484
CAP-186	Close Custody Prison and Camp	\$	5,000,000	5485
CAP-187	Mandown Alert Communication System - Statewide	\$	2,043,361	5486
CAP-188	Manufacturing/Storage Building Additions - Statewide	\$	159,300	5487
CAP-189	Tuck-pointing - Statewide	\$	253,345	5488
CAP-238	Electrical Systems Upgrades	\$	961,700	5489
CAP-239	Emergency Projects	\$	2,634,750	5490
CAP-240	State Match for Federal Prison Construction Funds	\$	2,410,000	5491
CAP-252	Construction Meat Processing Plant	\$	7,193,150	5492
Total Statewide and Central Office Projects		\$	102,976,276	5493
BELMONT CORRECTIONAL INSTITUTION				5494
CAP-094	Belmont Correctional Institution	\$	11,850	5495
CAP-241	Inmate Health Services Renovations - BECI	\$	2,195,060	5496
Total Belmont Correctional Institution		\$	2,206,910	5497
CHILLICOTHE CORRECTIONAL INSTITUTION				5498
CAP-113	Fire Alarm, Egress System Improvements	\$	57,127	5499
CAP-115	Roof Renovations	\$	296,312	5500
CAP-145	Plumbing Renovations	\$	216	5501
CAP-146	Renovate Food Service Area - CCI	\$	586,421	5502
CAP-147	Wastewater Treatment Plant	\$	487,208	5503
CAP-149	New Classroom Building	\$	888,199	5504

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-177	Convert Warehouse to Dormitory	\$	596	5505
CAP-190	Utility Improvements	\$	200,000	5506
CAP-191	Life & Fire Safety Improvements - CCI	\$	145,715	5507
CAP-253	Install Electro-Static Precipitator	\$	237,165	5508
CAP-254	Boiler House Renovations	\$	2,297,819	5509
CAP-255	Replace Windows and Doors	\$	591,125	5510
CAP-256	Construct New Freezers	\$	372,338	5511
CAP-257	Emergency Generator Improvements	\$	3,011,700	5512
Total Chillicothe Correctional Institution		\$	9,171,941	5513
CORRECTIONAL RECEPTION CENTER				5514
CAP-173	CRC E-Dorm Renovation	\$	3,000	5515
Total Correctional Reception Center		\$	3,000	5516
CORRECTIONS TRAINING ACADEMY				5517
CAP-148	Roof Replacement	\$	21,110	5518
CAP-193	AT Building Roof Replacement	\$	131,388	5519
CAP-194	Construct Conference Center	\$	10,849	5520
CAP-292	Tunnel Renovation/Orient Complex	\$	200,000	5521
Total Corrections Training Academy		\$	363,347	5522
DAYTON CORRECTIONAL INSTITUTION				5523
CAP-195	Hot Water System Improvements - DCI	\$	400,000	5524
CAP-242	Shower Renovations - DCI	\$	218,029	5525
Total Dayton Correctional Institution		\$	618,029	5526
GRAFTON CORRECTIONAL INSTITUTION				5527
CAP-196	Camp Egress System Improvements - GCI	\$	400,292	5528
Total Grafton Correctional Institution		\$	400,292	5529
HOCKING CORRECTIONAL INSTITUTION				5530
CAP-053	General Building Renovations	\$	522	5531
CAP-054	Water Tower Improvements	\$	4,683	5532
CAP-258	Sewer Upgrades	\$	454,552	5533
CAP-259	Freezer Building Replacement	\$	152,812	5534
Total Hocking Correctional Institution		\$	612,569	5535
LEBANON CORRECTIONAL INSTITUTION				5536
CAP-057	Shower Pan/Drain Renovations	\$	42,121	5537

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CAP-118	Water Tower Renovations	\$	123,307	5538
CAP-119	Masonry Improvements - LECI	\$	465,933	5539
CAP-197	Cell Door Lock Replacement - LECI	\$	2,384,520	5540
CAP-198	Water Treatment Plant - LECI	\$	1,269,008	5541
CAP-285	Bar Screen Replacement	\$	143,000	5542
CAP-300	Water Softener Replacement	\$	569,260	5543
Total Lebanon Correctional Institution		\$	4,997,149	5544
LIMA CORRECTIONAL INSTITUTION				5545
CAP-058	Water System Renovations	\$	5,476	5546
CAP-120	Kitchen Renovations	\$	120	5547
CAP-121	Shower and Lavatory Renovations	\$	63,328	5548
CAP-153	Convert ODOT Building to Minimum Security Camp	\$	535,608	5549
CAP-155	Heating System Renovations	\$	953,229	5550
CAP-156	Water and Sewer Lines Renovations	\$	1,000,000	5551
CAP-199	Windows/Security Bar Improvements	\$	301,000	5552
CAP-200	Utility Renovations	\$	156,000	5553
CAP-243	HVAC Renovations - LCI	\$	4,317,100	5554
CAP-244	Heating System Piping Replacement - LCI	\$	2,465,000	5555
CAP-260	ADA Renovations	\$	1,169,237	5556
Total Lima Correctional Institution		\$	10,966,098	5557
LONDON CORRECTIONAL INSTITUTION				5558
CAP-059	Convert Brush Factory to Dormitory	\$	16,774	5559
CAP-122	Master Plan Building/Renovations	\$	205,194	5560
CAP-201	Water Treatment Plant Addition	\$	434,985	5561
CAP-245	Bridge Replacement - LOCI	\$	116,150	5562
CAP-261	Roof Replacement	\$	189,487	5563
CAP-283	Gas Boiler Installation - LOCI	\$	1,276,520	5564
Total London Correctional Institution		\$	2,239,110	5565
MADISON CORRECTIONAL INSTITUTION				5566
CAP-176	Madison Classroom Renovation	\$	29,408	5567
CAP-263	Upgrade Emergency Electrical Service	\$	890,815	5568
CAP-264	Sewage Station Upgrade	\$	197,226	5569

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-286	Juvenile Unit Remodeling - Madison	\$	36,454	5570
CAP-288	Water Softener System - Madison	\$	1,500	5571
Total Madison Correctional Institution		\$	1,155,403	5572
MANSFIELD CORRECTIONAL INSTITUTION				5573
CAP-123	Smoke Removal/Sprinkler System Improvements	\$	7,618	5574
CAP-159	Power Pole Replacement	\$	16,800	5575
CAP-203	Hot Water System Improvements - MANCI	\$	750,000	5576
Total Mansfield Correctional Institution		\$	774,418	5577
MARION CORRECTIONAL INSTITUTION				5578
CAP-067	Roof Replacement	\$	3,000	5579
CAP-124	Fire Sprinkler System Improvements	\$	1,723	5580
CAP-172	Marion Camp Shower Renovation	\$	2,756	5581
CAP-205	Cooler Replacement	\$	225,221	5582
CAP-208	Hot Water Tank Replacement	\$	909,309	5583
CAP-246	Exterior Window Replacement - MCI	\$	604,395	5584
CAP-247	Plumbing Upgrades - MCI	\$	1,360,525	5585
CAP-294	Asphalt Paving - MCI	\$	117,380	5586
CAP-295	Sanitary Manhole Sewer - MCI	\$	116,172	5587
Total Marion Correctional Institution		\$	3,340,481	5588
NORTHEAST PRE-RELEASE CENTER				5589
CAP-209	Security Improvements - NEPRC	\$	809,200	5590
Total Northeast Pre-Release Center		\$	809,200	5591
OAKWOOD CORRECTIONAL FACILITY				5592
CAP-154	Install New Locking Systems	\$	1,826	5593
CAP-163	Install Positive Latching Devices	\$	1,674	5594
CAP-164	Renovate East Wing Electrical System	\$	1,500	5595
Total Oakwood Correctional Facility		\$	5,000	5596
OHIO REFORMATORY FOR WOMEN				5597
CAP-125	Replacement Dormitory	\$	11,669	5598
CAP-165	Master Plan Building/Renovations - ORW	\$	231,780	5599
CAP-210	Replacement Dormitory - ORW	\$	650,000	5600
CAP-211	Renovate J.G. Cottage	\$	1,062,085	5601

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CAP-212	Powerhouse Renovation & Replumbing	\$	1,250,000	5602
CAP-216	Elevator Renovation	\$	121,500	5603
CAP-217	Perimeter Lighting Improvements	\$	100,979	5604
CAP-218	Rewire Harmon Building	\$	376,289	5605
CAP-219	Fire Alarm System Improvements	\$	740,221	5606
CAP-266	Construct New Medical and Food Services Building	\$	9,000,000	5607
CAP-267	Renovate ARN Dorms	\$	570,500	5608
CAP-268	Emergency Generator Improvements	\$	1,692,254	5609
CAP-269	Utility Tunnels Improvements		407,500	5610
CAP-289	Perimeter - Security	\$	1,639,578	5611
CAP-296	Domestic Waterline Renovation	\$	594,000	5612
CAP-301	500 Car Parking/Road Design	\$	1,500	5613
Total Ohio Reformatory for Women		\$	18,449,855	5614
PICKAWAY CORRECTIONAL INSTITUTION				5615
CAP-074	Fire Alarm System Improvements	\$	11,909	5616
CAP-166	Renovate Milk Processing Facility	\$	3,031	5617
CAP-222	Sludge Removal System Improvements	\$	1,375,296	5618
CAP-224	Replacement Generator - Dairy Farm	\$	3,678	5619
CAP-225	Water System Improvements	\$	493,970	5620
CAP-226	Milk Processing Plant	\$	212,462	5621
CAP-227	Roof Improvements	\$	373,575	5622
CAP-228	Power House Improvements	\$	212,889	5623
CAP-248	Replacement of Perimeter Fence - PCI	\$	2,218,500	5624
CAP-274	Replacement of Segregation Housing	\$	4,806,750	5625
CAP-275	Replace and Upgrade Fence Alarm System	\$	1,848,750	5626
CAP-297	Steam Waterline Replacement	\$	1,363,430	5627
Total Pickaway Correctional Institution		\$	12,924,240	5628
RICHLAND CORRECTIONAL INSTITUTION				5629
CAP-251	Construct Retaining Wall - RICI	\$	379,451	5630
CAP-293	Asphalt Parking - RICI	\$	128,559	5631
Total Richland Correctional Institution		\$	508,010	5632
ROSS CORRECTIONAL INSTITUTION				5633

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CAP-229	Waste Water Treatment Plant - RCI	\$	6,644,677	5634
CAP-276	Rubberized Roof Replacement	\$	142,864	5635
Total Ross Correctional Institution		\$	6,787,541	5636
SOUTHEASTERN CORRECTIONAL INSTITUTION				5637
CAP-134	Wastewater Treatment Storage Addition	\$	528,875	5638
CAP-167	Master Plan Building/Renovations - SCI	\$	234,221	5639
CAP-233	Replacement 2 Story Dorm/J, K, L Dorm	\$	1,357,622	5640
CAP-234	High Voltage Electrical System	\$	4,489,713	5641
CAP-235	Construct Warehouse & Utility Buildings	\$	2,970,381	5642
CAP-236	Construct Dining Hall - SCI	\$	2,097,174	5643
CAP-237	Power Plant Improvements	\$	429,398	5644
CAP-249	I Dorm Air Handling - SCI	\$	580,700	5645
CAP-250	Wastewater Treatment Plant Improvements - SCI	\$	863,600	5646
CAP-277	Powerhouse Boiler Improvements	\$	1,520,875	5647
Total Southeastern Correctional Institution		\$	15,072,559	5648
SOUTHERN OHIO CORRECTIONAL FACILITY				5649
CAP-135	SOCF Renovation and Improvements	\$	138,844	5650
CAP-136	Waste Water Treatment Plant Improvements	\$	661	5651
CAP-230	Waste Water Treatment Plant	\$	881,881	5652
CAP-231	Gas Boiler Installation	\$	1,287,686	5653
CAP-279	Powerhouse Domestic Hot Water Replacement	\$	198,534	5654
CAP-287	Roof Renovations B Wing - SOCF	\$	85,416	5655
Total Southern Ohio Correctional Facility		\$	2,593,022	5656
TRUMBULL CORRECTIONAL INSTITUTION				5657
CAP-280	Door Control Switch Renovation	\$	16,050	5658
CAP-281	Construct Psychiatric Residential Treatment Unit	\$	603,120	5659
Total Trumbull Correctional Institution		\$	619,170	5660
WARREN CORRECTIONAL INSTITUTION				5661
CAP-284	Compound Lighting Upgrade	\$	447,991	5662
CAP-290	Security Upgrades	\$	775,056	5663
Total Warren Correctional Institution		\$	1,223,047	5664

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TOTAL Department of Rehabilitation and Correction	\$	198,816,667	5665
TOTAL Adult Correctional Building Fund	\$	198,816,667	5666

Section 17.01. LOCAL JAILS 5668

From the foregoing appropriation item, CAP-002, Local Jails, 5669
the Department of Rehabilitation and Correction shall designate 5670
the projects involving the construction and renovation of county, 5671
multicounty, municipal-county, and multicounty-municipal jail 5672
facilities and workhouses, including correctional centers 5673
authorized under sections 153.61 and 307.93 of the Revised Code, 5674
for which the Ohio Building Authority is authorized to issue 5675
obligations. Notwithstanding any provisions to the contrary in 5676
Chapter 152. or 153. of the Revised Code, the Department of 5677
Rehabilitation and Correction may coordinate, review, and monitor 5678
the drawdown and use of funds for the renovation or construction 5679
of projects for which designated funds are provided. 5680

The funding authorized under this section shall not be 5681
applied to any such facilities that are not designated by the 5682
Department of Rehabilitation and Correction. The amount of funding 5683
authorized under this section that may be applied to a project 5684
designated for initial funding after July 1, 2000, involving the 5685
construction or renovation of a county, multicounty, 5686
municipal-county, and multicounty-municipal jail facilities and 5687
workhouses, including correctional centers authorized under 5688
sections 153.61 and 307.93 of the Revised Code, shall not exceed 5689
\$35,000 per bed of the total allowable cost of the project in the 5690
case of construction of county and municipal-county jail 5691
facilities, workhouses, and correctional centers, or multicounty 5692
or multicounty-municipal jail facilities, workhouses, and 5693
correctional centers and shall not exceed 30 per cent of the total 5694
allowable cost of the project in the case of renovation of county, 5695
multicounty, municipal-county, and multicounty-municipal jail 5696
facilities, workhouses, and correctional centers. If a political 5697

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subdivision is in the planning phase of constructing a multicounty 5698
or multicounty-municipal jail facility, workhouse, or correctional 5699
center on or before the effective date of this section, the 5700
Department of Rehabilitation and Correction shall fund that 5701
facility at \$42,000 per bed. Multicounty or multicounty-municipal 5702
jail facility construction projects initiated after the effective 5703
date of this section may be considered for, but are not entitled 5704
to be awarded, funding at \$42,000 per bed. The higher per bed 5705
award is at the discretion of the Department of Rehabilitation and 5706
Correction and is contingent upon available funds, the impact of 5707
the project, and inclusion of at least three counties in the 5708
project. 5709
5710

The cost-per-bed funding authorized under this section that 5711
may be applied to a construction project shall not exceed the 5712
actual cost-per-bed of the project. The 30 per cent funding 5713
authorized under this section that may be applied to a renovation 5714
project shall not exceed \$35,000 per bed of the total allowable 5715
cost of the project. 5716

The funding authorized under this section shall not be 5717
applied to any project involving the construction of a county, 5718
multicounty, municipal-county, or multicounty-municipal jail 5719
facility or workhouse, including a correctional center established 5720
under sections 153.61 and 307.93 of the Revised Code, unless the 5721
facility, workhouse, or correctional center will be built in 5722
compliance with "The Minimum Standards for Jails in Ohio" and the 5723
plans have been approved under section 5120.10 of the Revised 5724
Code. In addition, the funding authorized under this section shall 5725
not be applied to any project involving the renovation of a 5726
county, multicounty, municipal-county, or multicounty-municipal 5727
jail facility or workhouse, including a correctional center 5728
established under sections 153.61 and 307.93 of the Revised Code, 5729

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unless the renovation is for the purpose of bringing the facility, 5730
workhouse, or correctional center into compliance with "The 5731
Minimum Standards for Jails in Ohio" and the plans have been 5732
approved under section 5120.10 of the Revised Code. 5733

Section 17.02. COMMUNITY-BASED CORRECTIONAL FACILITIES 5734

The Department of Rehabilitation and Correction may designate 5735
to the Ohio Building Authority the sites of, and, notwithstanding 5736
any provisions to the contrary in Chapter 152. or 153. of the 5737
Revised Code, may review the renovation or construction of the 5738
single county and district community-based correctional facilities 5739
funded by the foregoing appropriation item CAP-003, 5740
Community-Based Correctional Facilities. 5741

POWERHOUSE/UTILITY IMPROVEMENTS 5742

The amount reappropriated for the foregoing appropriation 5743
item CAP-008, Powerhouse/Utility Improvements, is the unencumbered 5744
and unallotted balance as of June 30, 2002, in appropriation item 5745
CAP-008, Powerhouse/Utility Improvements, plus \$544,622. 5746

Section 17.03. COMMUNITY RESIDENTIAL PROGRAM RENOVATIONS 5747

The foregoing appropriation item CAP-041, Community 5748
Residential Program, may be used by the Department of 5749
Rehabilitation and Correction, under sections 5120.103, 5120.104, 5750
and 5120.105 of the Revised Code, to provide for the construction 5751
or renovation of halfway house facilities for offenders eligible 5752
for community supervision by the Department of Rehabilitation and 5753
Correction. 5754

GENERAL BUILDING RENOVATIONS 5755

The amount reappropriated for the foregoing appropriation 5756
item CAP-111, General Building Renovations, is the unencumbered 5757
and unallotted balance as of June 30, 2002, in appropriation item 5758

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CAP-111, General Building Renovations, plus \$1,666,065. 5759

Section 18. All items set forth in this section are hereby 5760
 appropriated out of any moneys in the state treasury to the credit 5761
 of the Juvenile Correctional Building Fund (Fund 028) and derived 5762
 from the proceeds of obligations heretofore authorized to pay 5763
 costs of capital facilities, as defined in section 152.09 of the 5764
 Revised Code, for the Department of Youth Services. 5765

Reappropriations

DYS DEPARTMENT OF YOUTH SERVICES 5766

CAP-801	Fire Suppression/Safety/Security	\$	1,325,219	5767
CAP-803	General Institutional Renovations	\$	757,608	5768
CAP-812	Community Rehabilitation Centers	\$	4,880,992	5769
CAP-821	Construct Maximum Security Facility	\$	117,491	5770
CAP-823	Cuyahoga Boys School Renovation/Expansion	\$	400	5771
CAP-827	Facility Space Study/Plan	\$	80,000	5772
CAP-828	Multi-Agency Radio System Equipment	\$	753,186	5773
CAP-829	Local Juvenile Detention Centers	\$	21,632,623	5774
CAP-830	Muskingum County Juvenile Justice Center	\$	600,000	5775
CAP-831	Gym Expansion - Cuyahoga Hills Boys School	\$	1,234,000	5776
CAP-832	72-Bed Unit Housing Addition - Ohio River Valley Correctional Center	\$	10,248,923	5777
CAP-833	Security Renovations - Indian River	\$	7,997,953	5778
CAP-834	Health & Safety Unit - Riverview	\$	3,472,351	5779
Total Department of Youth Services		\$	53,100,746	5780
TOTAL Juvenile Correctional Building Fund		\$	53,100,746	5781

Section 18.01. COMMUNITY REHABILITATION CENTERS 5783

From the foregoing appropriation item CAP-812, Community 5784
 Rehabilitation Centers, the Department of Youth Services shall 5785
 designate the projects involving the construction and renovation 5786
 of single county and multicounty community corrections facilities 5787

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for which the Ohio Building Authority is authorized to issue	5788
obligations.	5789
The Department of Youth Services is authorized to review and	5790
approve the renovation and construction of projects for which	5791
funds are provided. The proceeds of any obligations authorized	5792
under this section shall not be applied to any such facilities	5793
that are not designated and approved by the Department of Youth	5794
Services.	5795
The Department of Youth Services shall adopt guidelines to	5796
accept and review applications and designate projects. The	5797
guidelines shall require the county or counties to justify the	5798
need for the facility and to comply with timelines for the	5799
submission of documentation pertaining to the site, program, and	5800
construction.	5801
For purposes of this section, "community corrections	5802
facilities" has the same meaning as in section 5139.36 of the	5803
Revised Code.	5804
Section 18.02. LOCAL JUVENILE DETENTION CENTERS	5805
From the foregoing appropriation item CAP-829, Local Juvenile	5806
Detention Centers, the Department of Youth Services shall	5807
designate the projects involving the construction and renovation	5808
of county and multicounty juvenile detention centers for which the	5809
Ohio Building Authority is authorized to issue obligations.	5810
The Department of Youth Services is authorized to review and	5811
approve the renovation and construction of projects for which	5812
funds are provided. The proceeds of any obligations authorized	5813
under this section shall not be applied to any such facilities	5814
that are not designated by the Department of Youth Services.	5815
The Department of Youth Services shall comply with the	5816
guidelines set forth in this section, accept and review	5817

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applications, designate projects, and determine the amount of state match funding to be applied to each project. The department shall, with the advice of the county or counties participating in a project, determine the funded design capacity of the detention centers that are designated to receive funding. Notwithstanding any provisions to the contrary contained in Chapter 152. or 153. of the Revised Code, the Department of Youth Services may coordinate, review, and monitor the drawdown and use of funds for the renovation and construction of projects for which designated funds are provided.

(A) The Department of Youth Services shall develop a weighted numerical formula to determine the amount, if any, of state match that may be provided to a single or multicounty detention center project. The formula shall include the factors specified below in division (A)(1) of this section and may include the factors specified below in division (A)(2) of this section. The weight assigned to the factors specified in division (A)(1) of this section shall be not less than twice the weight assigned to factors specified in division (A)(2) of this section.

(1)(a) The number of detention center beds needed in the county or group of counties, as estimated by the Department of Youth Services, is significantly more than the number of beds currently available;

(b) Any existing detention center in the county or group of counties does not meet health, safety, or security standards for detention centers as established by the Department of Youth Services;

(c) The Department of Youth Services projects that the county or group of counties have a need for a sufficient number of detention beds to make the project economically viable.

(2)(a) The percentage of children in the county or group of

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counties living below the poverty level is above the state average; 5849
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(b) The per capita income in the county or group of counties is below the state average. 5851
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(B) The formula developed by the Department of Youth Services shall yield a percentage of state match ranging from 0 to 60 per cent based on the above factors. Notwithstanding the foregoing provisions, if a single county or multicounty system currently has no detention center beds, or if the projected need for detention center beds as estimated by the Department of Youth Services is greater than 120 per cent of current detention center bed capacity, then the percentage of state match shall be 60 per cent. To determine the dollar amount of the state match for new construction projects, the percentage of state match is multiplied by \$105,000 per bed for detention centers with a designated capacity of 99 beds or less, and by \$130,000 per bed for detention centers with a design capacity of 100 beds or more. To determine the dollar amount of the state match for renovation projects the percentage match shall be multiplied by the actual cost of the renovation, provided that the cost of the renovation does not exceed \$80,000 per bed. The funding authorized under this section that may be applied to a construction or renovation project shall not exceed the actual cost of the project. 5853
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The funding authorized under this section shall not be applied to any project unless the detention center will be built in compliance with health, safety, and security standards for detention centers as established by the Department of Youth Services. In addition, the funding authorized under this section shall not be applied to the renovation of a detention center unless the renovation is for the purpose of increasing the number of beds in the center, or to meet health, safety, or security standards for detention centers as established by the Department 5872
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of Youth Services. 5881

Section 19. All items set forth in this section are hereby 5882
 appropriated out of any moneys in the state treasury to the credit 5883
 of the Transportation Building Fund (Fund 029) and derived from 5884
 the proceeds of obligations heretofore authorized to pay costs of 5885
 the following capital improvements: 5886

Reappropriations

DOT DEPARTMENT OF TRANSPORTATION 5887

CAP-001 Transportation Buildings Capital \$ 250,000 5888
 Improvements

Total Department of Transportation \$ 250,000 5889

TOTAL Transportation Building Fund \$ 250,000 5890

Section 20. All items set forth in this section are hereby 5892
 appropriated out of any moneys in the state treasury to the credit 5893
 of the Arts Facilities Building Fund (Fund 030) and derived from 5894
 the proceeds of obligations heretofore authorized to pay costs of 5895
 the following capital improvements: 5896

Reappropriations

AFC ARTS AND SPORTS FACILITIES COMMISSION 5897

CAP-003 Center of Science and Industry - Toledo \$ 6,635 5898

CAP-004 Valentine Theatre \$ 68,798 5899

CAP-005 Center of Science and Industry - Columbus \$ 191,536 5900

CAP-006 Appalachian Region - Arts Facilities \$ 13,494 5901

CAP-010 Sandusky State Theatre Improvements \$ 2,633 5902

CAP-013 Stambaugh Hall Improvements \$ 303,742 5903

CAP-016 Paul Laurence Dunbar State Memorial \$ 64,586 5904
 Renovations

CAP-017 Zion Center of the National Afro-American \$ 702,479 5905
 Museum

CAP-018 Adena State Memorial Renovations and \$ 749 5906
 Exhibit Planning

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CAP-020	Piqua Historical Area Buildings, Exhibits, and Site Renovations	\$	747	5907
CAP-021	Ohio Historical Center - Archives and Library Shelving	\$	92,377	5908
CAP-023	National Afro-American Museum - Demolition of Shorter Hall	\$	18,757	5909
CAP-028	Ohio Ceramic Center	\$	7,417	5910
CAP-033	Woodward Opera House Renovation	\$	800,000	5911
CAP-044	National Underground Railroad Freedom Center	\$	4,333,332	5912
CAP-045	Cincinnati Contemporary Arts Center	\$	5,500,000	5913
CAP-051	Akron Civic Theatre Improvements	\$	1,000,000	5914
CAP-052	Akron Art Museum	\$	3,500,000	5915
CAP-055	Waco Museum & Aviation Learning Center	\$	500,000	5916
CAP-056	Ohio Agricultural and Industrial Heritage Center	\$	2,291,787	5917
CAP-058	Cedar Bog Nature Preserve Education Center	\$	736,200	5918
CAP-061	Statewide Arts Facilities Planning	\$	35,931	5919
CAP-063	Robins Theatre Renovations	\$	1,000,000	5920
CAP-702	Campus Martius Museum	\$	7,605	5921
CAP-708	Museum of Ceramics Renovations	\$	6,708	5922
CAP-734	Hayes Presidential Center	\$	750,000	5923
CAP-735	Paul Lawrence Dunbar House	\$	565,100	5924
CAP-744	Zoar Village Visitor Center	\$	11,242	5925
CAP-747	Ft Recovery Museum, Fort, and Monument Improvements	\$	3,089	5926
CAP-748	Ft Jefferson Building and Site Improvements	\$	288	5927
CAP-753	Buffington Island State Memorial	\$	100,000	5928
CAP-757	Schoenbrunn Village Restoration and Renovation	\$	98,000	5929
CAP-760	Goodwin-Baggott Pottery Building	\$	28,519	5930

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CAP-770	Serpent Mound State Memorial	\$	295,000	5931
CAP-774	Acquisition of Warehouses	\$	84,455	5932
CAP-776	Flint Ridge Building, Site, Exhibit Improvements	\$	142,779	5933
CAP-777	Ft Amanda Building and Site Improvements	\$	1,335	5934
CAP-778	Ft Ancient Museum, Site, Exhibit Improvements	\$	10,686	5935
CAP-780	Harding Home State Memorial	\$	421,188	5936
CAP-784	Ohio Historical Center Rehabilitation	\$	203,182	5937
CAP-785	Ohio Village Building Renovations and Improvements	\$	300,000	5938
CAP-786	Piqua/Ft Picakawillany Acquisition and Improvements	\$	136,000	5939
CAP-789	Neil Armstrong Air and Space Museum Improvements	\$	109,816	5940
CAP-792	Harriet Beecher Stowe Museum Improvements	\$	13,980	5941
CAP-796	Moundbuilders State Memorial	\$	530,000	5942
CAP-797	National Afro-American Museum	\$	84,200	5943
CAP-798	Multi-site Fire/Security System	\$	180,200	5944
CAP-803	Digitization of OHS Collection	\$	318,000	5945
CAP-806	Grant Boyhood Home Improvements	\$	200,000	5946
CAP-809	Cincinnati Ballet Facility Improvements	\$	450,000	5947
CAP-811	National First Ladies Library	\$	500,000	5948
CAP-814	Crawford Museum of Transportation & Industry	\$	2,500,000	5949
Total Arts and Sports Facilities Commission		\$	29,222,572	5950
TOTAL Arts Facilities Building Fund		\$	29,222,572	5951
CENTER OF SCIENCE AND INDUSTRY - TOLEDO				5952
The amount reappropriated for the foregoing item CAP-003,				5953
Center of Science and Industry - Toledo, is \$6,559 plus the				5954
unencumbered and unallotted balances as of June 30, 2002, in				5955
appropriation item CAP-003, Center of Science and Industry -				5956

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Toledo.	5957
VALENTINE THEATRE	5958
The amount reappropriated for the foregoing appropriation	5959
item CAP-004, Valentine Theatre, is \$31,828 plus the unencumbered	5960
and unallotted balances as of June 30, 2002, in appropriation item	5961
CAP-004, Valentine Theatre.	5962
CENTER OF SCIENCE AND INDUSTRY - COLUMBUS	5963
The amount reappropriated for the foregoing appropriation	5964
item CAP-005, Center of Science and Industry - Columbus, is	5965
\$190,334 plus the unencumbered and unallotted balances as of June	5966
30, 2002, in appropriation item CAP-005, Center of Science and	5967
Industry - Columbus.	5968
COSI COLUMBUS - LOCAL ADMINISTRATION OF CAPITAL PROJECT	5969
CONTRACTS	5970
Notwithstanding division (A) of section 3383.07 of the	5971
Revised Code, the Ohio Arts and Sports Facilities Commission, with	5972
respect to the foregoing appropriation item CAP-005, Center of	5973
Science and Industry - Columbus may administer all or part of	5974
capital facilities project contracts involving exhibit fabrication	5975
and installation as determined by the Department of Administrative	5976
Services, the Center of Science and Industry - Columbus, and the	5977
Ohio Arts and Sports Facilities Commission in review of the	5978
project plans. The Ohio Arts and Sports Facilities Commission	5979
shall enter into a contract with the Center of Science and	5980
Industry - Columbus to administer the exhibit fabrication and	5981
installation contracts and such contracts are not subject to	5982
Chapter 123. or 153. of the Revised Code.	5983
SANDUSKY STATE THEATRE IMPROVEMENTS	5984
The amount reappropriated for the foregoing appropriation	5985
item CAP-010, Sandusky State Theatre Improvements, is \$2,633 plus	5986

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the unencumbered and unallotted balances as of June 30, 2002, in	5987
appropriation item CAP-010, Sandusky State Theatre Improvements.	5988
STAMBAUGH HALL IMPROVEMENTS	5989
The amount reappropriated for the foregoing appropriation	5990
item CAP-013, Stambaugh Hall Improvements, is \$1,477 plus the	5991
unencumbered and unallotted balances as of June 30, 2002, in	5992
appropriation item CAP-013, Stambaugh Hall Improvements.	5993
OHIO AGRICULTURAL AND INDUSTRIAL HERITAGE CENTER	5994
The amount reappropriated for the foregoing appropriation	5995
item CAP-056, Ohio Agricultural and Industrial Heritage Center, is	5996
\$1,787 plus the unencumbered and unallotted balances as of June	5997
30, 2002, in appropriation item CAP-056, Ohio Agricultural and	5998
Industrial Heritage Center.	5999
NATIONAL UNDERGROUND RAILROAD FREEDOM CENTER	6000
The amount reappropriated for appropriation item CAP-044,	6001
National Underground Railroad Freedom Center, is the sum of the	6002
unencumbered and unallotted balance as of June 30, 2002, in	6003
appropriation item CAP-044, National Underground Railroad Freedom	6004
Center, and CAP-029, Cincinnati Riverfront Development.	6005
Section 21. All items set forth in this section are hereby	6006
appropriated out of any moneys in the state treasury to the credit	6007
of the Ohio Parks and Natural Resources Fund (Fund 031) and	6008
derived from the proceeds of obligations heretofore authorized to	6009
pay costs of capital facilities, as defined in sections 151.01 and	6010
151.05 of the Revised Code, for natural resource-related purposes.	6011
Reappropriations	
DNR DEPARTMENT OF NATURAL RESOURCES	6012
STATEWIDE AND LOCAL PROJECTS	6013
CAP-012 Land Acquisition \$ 3,280,309	6014
CAP-702 Upgrade Underground Fuel Storage Tanks \$ 1,021,843	6015

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-703	Cap Abandoned Water Wells	\$	225,140	6016
CAP-746	Athens District Office-Land Acquisition, Design, and Construction	\$	188,600	6017
CAP-747	DNR Fairground Areas-General Upgrading	\$	96,231	6018
CAP-748	Local Parks Projects - Statewide	\$	7,242,859	6019
CAP-751	City of Portsmouth Launch Ramp	\$	454,950	6020
CAP-753	Project Planning	\$	280,171	6021
CAP-780	City of Huron Project	\$	209,802	6022
CAP-784	Inland Access	\$	42,100	6023
CAP-788	Community Recreation Projects	\$	60,000	6024
CAP-814	North of Rush Run Wildlife Area	\$	200	6025
CAP-834	Appraisal Fees - Statewide	\$	98,265	6026
CAP-844	Put-In-Bay Township Port Authority	\$	79,784	6027
CAP-868	New Philadelphia Office Relocation	\$	1,500,000	6028
CAP-874	Lake Erie Access	\$	302,682	6029
CAP-875	Ohio River Access	\$	300,787	6030
CAP-881	Dam Rehabilitation	\$	14,060,581	6031
CAP-928	Handicapped Accessibility	\$	937,800	6032
CAP-929	Hazardous Waste/Asbestos Abatement	\$	455,357	6033
CAP-931	Wastewater/Water Systems Upgrades	\$	9,936,503	6034
CAP-932	Wetlands/Waterfront Acquisition	\$	321,811	6035
CAP-934	Operations Facilities Development	\$	3,072,000	6036
CAP-948	Burke's Point Launch Ramp	\$	91,938	6037
CAP-995	Boundary Protection	\$	304,051	6038
CAP-999	Geographic Information Management System	\$	1,909,866	6039
Total Statewide and Local Projects		\$	46,473,630	6040
DIVISION OF CIVILIAN CONSERVATION				6041
CAP-750	Quilter CCC Camp	\$	900	6042
CAP-817	Riffe CCC Camp	\$	1,309	6043
CAP-835	Civilian Conservation Facilities	\$	1,858,057	6044
CAP-961	Zaleski CCC Camp	\$	900	6045
Total Division of Civilian Conservation		\$	1,861,166	6046
DIVISION OF FORESTRY				6047

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-021	Mohican State Forest	\$	1,200	6048
CAP-030	Shawnee State Forest	\$	5,405	6049
CAP-073	Brush Creek State Forest	\$	5,850	6050
CAP-146	Zaleski State Forest	\$	200	6051
CAP-213	Shade River State Forest	\$	200	6052
CAP-793	Perry State Forest	\$	1,253	6053
CAP-841	Operations and Maintenance Facility Development and Renovation	\$	1,654,852	6054
Total Division of Forestry		\$	1,668,960	6055
DIVISION OF GEOLOGIC SURVEY				6056
CAP-762	Statewide Geologic Sample Repository Facility	\$	12,498	6057
Total Division of Geologic Survey		\$	12,498	6058
DIVISION OF MINERAL RESOURCES MANAGEMENT				6059
CAP-867	Reclamation Facilities Renovation and Development	\$	250,000	6060
Total Division of Mineral Resources Management		\$	250,000	6061
DIVISION OF NATURAL AREAS AND PRESERVES				6062
CAP-006	Little Beaver Creek Nature Preserve	\$	1,500	6063
CAP-749	Southwest Ohio Boundary Surveys	\$	10,012	6064
CAP-757	Cranberry Island Natural Area	\$	2,300	6065
CAP-765	Clifton Gorge Natural Area	\$	2,000	6066
CAP-768	Grand River Wildlife Area	\$	5,550	6067
CAP-770	Chaparral Prairie Nature Preserve	\$	900	6068
CAP-826	Natural Areas and Preserves Maintenance/Facility Development	\$	1,937,310	6069
Total Division of Natural Areas		\$	1,959,572	6070
DIVISION OF WILDLIFE				6071
CAP-764	Fire Lookout/Radio Tower Inspections	\$	2,121	6072
Total Division of Wildlife		\$	2,121	6073
DIVISION OF PARKS AND RECREATION				6074
CAP-003	Barkcamp State Park	\$	3,025	6075
CAP-010	East Harbor State Park	\$	38,129	6076

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-016	Hueston Woods State Park	\$	4,800	6077
CAP-017	Indian Lake State Park	\$	3,744	6078
CAP-018	Kelleys Island State Park	\$	3,825	6079
CAP-025	Punderson State Park	\$	97,357	6080
CAP-026	Pymatuning State Park	\$	110,845	6081
CAP-029	Salt Fork State Park	\$	4,285	6082
CAP-032	West Branch State Park	\$	197,555	6083
CAP-037	Kiser Lake State Park	\$	13,166	6084
CAP-060	East Fork State Park	\$	27,675	6085
CAP-064	Geneva State Park	\$	2,300	6086
CAP-067	Guilford Lake State Park	\$	1,400	6087
CAP-089	Mosquito Lake State Park	\$	32,318	6088
CAP-114	Beaver Creek State Park	\$	12,000	6089
CAP-120	Harrison Lake State Park	\$	5,600	6090
CAP-166	Adams Lake State Park	\$	1,800	6091
CAP-222	Wolf Run State Park	\$	3,809	6092
CAP-234	State Parks, Campgrounds, Lodges, and Cabins	\$	5,515,492	6093
CAP-305	Maumee Bay State Park	\$	900	6094
CAP-331	Park Boating Facilities	\$	7,013,069	6095
CAP-390	State Park Maintenance/Facility Development	\$	2,083,780	6096
CAP-815	Mary Jane Thurston State Park	\$	2,200	6097
CAP-825	Marblehead Lighthouse State Park	\$	43,500	6098
CAP-829	Sycamore State Park	\$	500	6099
CAP-836	State Park Renovations/Upgrading	\$	6,011,853	6100
CAP-851	Cleveland Lakefront	\$	240,000	6101
Total Division of Parks and Recreation		\$	21,474,927	6102
DIVISION OF SOIL AND WATER CONSERVATION				6103
CAP-809	State Parks Lakes Restoration	\$	541,670	6104
CAP-810	New Facilities at Farm Science Review	\$	500	6105
Total Division of Soil and Water Conservation		\$	542,170	6106
DIVISION OF WATER				6107

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-705	Rehabilitate Canals, Hydraulic Works, and Support Facilities	\$	6,064,233	6108
CAP-730	Miami and Erie Canal	\$	7,050	6109
CAP-819	Rehabilitate/Automate - Ohio Ground Water Observation Well Network	\$	543,756	6110
CAP-820	Automated Stream, Lake, and Ground Water Data Collection	\$	509,396	6111
CAP-822	Flood Hazard Information Studies	\$	5,518	6112
CAP-833	Ohio and Erie Canal	\$	126,884	6113
CAP-848	Hazardous Dam Repair - Statewide	\$	500,000	6114
CAP-873	Mill Creek Watershed	\$	24,378	6115
	Total Division of Water	\$	7,781,215	6116
	TOTAL Department of Natural Resources	\$	82,026,259	6117
	TOTAL Ohio Parks and Natural Resources Fund	\$	82,026,259	6118

Section 21.01. LAND ACQUISITION 6120

Of the foregoing appropriation item CAP-012, Land Acquisition, \$300,000 shall be used by the City of Mentor to purchase property for the Mentor Marsh. 6121
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CHIPPEWA MARINA 6124

Of the foregoing appropriation item CAP-331, Park Boating Facilities, \$200,000 shall be used for the Chippewa Marina Rehabilitation at Indian Lake State Park in Logan County for dock replacement, additional docks, and seawall repairs. 6125
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MIAMI AND ERIE CANAL IMPROVEMENTS 6129

Of the foregoing appropriation item CAP-705, Rehabilitate Canals, Hydraulic Works, and Support Facilities, at least \$1,250,000 shall be used for Miami and Erie Canal improvements. 6130
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REHABILITATE CANALS, HYDRAULIC WORKS, AND SUPPORT FACILITIES 6133

Of the foregoing reappropriation item CAP-705, Rehabilitate Canals, Hydraulic Works, and Support Facilities, \$150,000 shall be 6134
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As Reported by the Senate Finance and Financial Institutions Committee*

used for Miami-Erie Canal Improvements in Allen County and 6136
 \$1,000,000 shall be used for the Ohio Canal Lock 3 Revitalization. 6137

OPERATIONS AND MAINTENANCE FACILITY DEVELOPMENT AND 6138
 RENOVATION 6139

Of the foregoing reappropriation item CAP-841, Operations and 6140
 Maintenance Facility Renovation and Development, \$8,000 shall be 6141
 used for Perry State Forest Fencing in Perry County, and \$10,000 6142
 shall be used for Harrison State Forest Improvements. 6143

LOCAL PARKS PROJECTS - STATEWIDE 6144

The amount reappropriated for the foregoing appropriation 6145
 item CAP-748, Local Parks Projects - Statewide, is \$1,311,625 plus 6146
 the unencumbered and unallotted balance as of June 30, 2002, in 6147
 item CAP-748, Local Parks Projects - Statewide. The \$1,311,625 6148
 represents amounts that were previously appropriated, allocated to 6149
 counties pursuant to division (D) of section 1557.06 of the 6150
 Revised Code, and encumbered for local project grants. The 6151
 encumbrances for these local projects in the various counties 6152
 shall be canceled by the Director of Natural Resources or the 6153
 Director of Budget and Management. The Director of Natural 6154
 Resources shall allocate the \$1,311,625 to the same counties the 6155
 moneys were originally allocated to, in the amount of the canceled 6156
 encumbrances. 6157

COMMUNITY RECREATION PROJECTS 6158

Of the foregoing appropriation item CAP-788, Community 6159
 Recreation Projects, grants shall be made for the following 6160
 projects: \$10,000 for Goodale Park Improvements, \$20,000 for Grove 6161
 City Park Improvements, \$100,000 for Chagrin Falls Park, \$10,000 6162
 for Holmes County Park District, \$60,000 for the Leighty Lake 6163
 Restoration Project, \$300,000 for Firestone Park Improvements, 6164
 \$50,000 for Dover City Parks, \$50,000 for New Philadelphia City 6165
 Park, and \$82,000 for Hamilton Township Park at Foster. 6166

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DAM REHABILITATION

Of the foregoing appropriation item CAP-881, Dam Rehabilitation, up to \$5,000,000 shall be used to rehabilitate the Muskingum River Locks and Dams.

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Section 21.02. For the projects appropriated in Section 21 of this act, the Ohio Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by the Department of Natural Resources for each project. Based on the estimates, the Director of Budget and Management may release appropriations from the foregoing appropriation item CAP-753, Project Planning, to pay for design, planning, and engineering costs incurred by the Department of Natural Resources for such projects. Upon release of the appropriations by the Director of Budget and Management, the Department of Natural Resources shall pay for these expenses from Fund 4S9, Capital Expenses, and be reimbursed by Fund 031 using an intrastate voucher.

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Section 22. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the School Building Program Assistance Fund (Fund 032) and derived from the proceeds of obligations heretofore authorized to pay the cost to the state of constructing classroom facilities pursuant to sections 3318.01 to 3318.35 of the Revised Code.

Reappropriations

SFC SCHOOL FACILITIES COMMISSION			6192
CAP-770	School Building Program Assistance	\$ 27,647,407	6193
CAP-775	Big Eight Capital Improvement Program	\$ 4,647,407	6194
CAP-776	Emergency School Building Repair Program	\$ 1,000,000	6195
CAP-779	Exceptional Needs	\$ 8,776,860	6196

As Reported by the Senate Finance and Financial Institutions Committee*

Total School Facilities Commission	\$	41,424,267	6197
TOTAL School Building Program Assistance Fund	\$	41,424,267	6198

Section 22.01. BIG EIGHT SCHOOL DISTRICTS 6200

(A) The amount reappropriated for the foregoing appropriation 6201
item CAP-775, Big Eight Capital Improvement Program, shall be used 6202
by the School Facilities Commission to provide funding to the big 6203
eight school districts, as defined in section 3314.02 of the 6204
Revised Code, to be used for major renovations and repairs of 6205
school facilities. Big eight school districts that levy at least 6206
2.5 voted mills for permanent improvements also are eligible to 6207
expend funding from this program for additions to existing 6208
facilities. However, any big eight school district that does so 6209
shall receive no financial assistance from the School Facilities 6210
Commission for the purpose of replacing that facility for a period 6211
of at least twenty years. These appropriations shall be allocated 6212
to the big eight school districts on a per-pupil basis, based on 6213
fiscal year 1997 average daily membership as defined in section 6214
3317.03 of the Revised Code. School districts that receive 6215
conditional approval by the Controlling Board, pursuant to section 6216
3318.04 of the Revised Code, to participate in the Accelerated 6217
Urban School Building Program are no longer eligible to receive 6218
funding from the Big Eight Capital Improvement Program, except for 6219
appropriations already encumbered at the time the conditional 6220
approval is granted. To be eligible to receive appropriations from 6221
the Big Eight Capital Improvement Program, each school district 6222
shall: 6223

(1) Provide a 100 per cent match from funds that are approved 6224
by the School Facilities Commission. Except for, after the 6225
effective date of this section, eligible districts in the first 6226
through fiftieth percentile, as determined under section 3318.011 6227
of the Revised Code, shall provide a match to their remaining 6228
balances in the Big Eight Renovation Program as of the effective 6229

As Reported by the Senate Finance and Financial Institutions Committee*

date of this section such that the local match is equal to the 6230
 district's percentage share contribution as determined under the 6231
 fiscal year 2002 three-year average adjusted valuation per pupil 6232
 list pursuant to section 3318.011 of the Revised Code. 6233

(2) Develop and submit a capital renovations plan for the use 6234
 of the state and local funds subject to approval by the School 6235
 Facilities Commission. 6236

(B) The Executive Director of the School Facilities 6237
 Commission may from time to time request the Director of Budget 6238
 and Management to transfer any unencumbered and unallotted 6239
 balances in appropriation item CAP-775, Big Eight Capital 6240
 Improvement Program, to appropriation item CAP-770, School 6241
 Building Program Assistance. Any amounts transferred are hereby 6242
 appropriated. 6243

Section 23. All items set forth in Sections 23.01 to 23.03 of 6244
 this act are hereby appropriated out of any moneys in the state 6245
 treasury to the credit of the Mental Health Facilities Improvement 6246
 Fund (Fund 033) and derived from the proceeds of obligations 6247
 heretofore authorized to pay costs of capital facilities, as 6248
 defined in section 154.01 of the Revised Code, for mental hygiene 6249
 and retardation. 6250

Reappropriations

Section 23.01. ADA DEPARTMENT OF ALCOHOL AND DRUG ADDICTION		6251
SERVICES		6252
CAP-001 Renovate Rollman Center	\$ 25,640	6253
CAP-002 Community Assistance Projects	\$ 4,161,744	6254
Total Department of Alcohol and Drug Addiction		6255
Services	\$ 4,187,384	6256

Reappropriations

As Reported by the Senate Finance and Financial Institutions Committee*

Section 23.02. DMH DEPARTMENT OF MENTAL HEALTH		6258
STATEWIDE AND CENTRAL OFFICE PROJECTS		6259
CAP-092 Hazardous Materials Abatement	\$ 6,000	6260
CAP-479 Community Assistance Projects	\$ 2,291,633	6261
CAP-946 Demolition	\$ 10,000	6262
CAP-976 Life Safety/Critical Plant Renovations	\$ 80,713	6263
CAP-977 Patient Care/Environment Improvement	\$ 4,419,423	6264
CAP-978 Infrastructure Renovations	\$ 29,000	6265
CAP-981 Emergency Improvements	\$ 2,000,000	6266
CAP-986 Campus Consolidation	\$ 1,001,000	6267
Total Department of Mental Health	\$ 9,837,769	6268
HAZARDOUS MATERIALS ABATEMENT		6269
The amount reappropriated for appropriation item CAP-092,		6270
Hazardous Materials Abatement, is the sum of the unencumbered and		6271
unallotted balances as of June 30, 2002, in appropriation items		6272
CAP-973, Abatement of Hazardous Airborne Materials, and CAP-092,		6273
Hazardous Materials Abatement.		6274
LIFE SAFETY AND CRITICAL PLANT RENOVATIONS		6275
The amount reappropriated for appropriation item CAP-976,		6276
Life Safety/Critical Plant Renovations, is the sum of the		6277
unencumbered and unallotted balances as of June 30, 2002, in		6278
appropriation items CAP-954, Fire Suppression Improvements -		6279
Dayton; CAP-979, Life Safety/Critical Plant Renovation; CAP-983,		6280
Life Safety/Critical Plant Renovation; and CAP-976, Life		6281
Safety/Critical Plant Renovation.		6282
PATIENT CARE AND ENVIRONMENT IMPROVEMENTS		6283
The amount reappropriated for appropriation item CAP-977,		6284
Patient Care/Environment Improvements, is the sum of the		6285
unencumbered and unallotted balances as of June 30, 2002, in		6286
appropriation items CAP-303, Center School Replacement; CAP-701,		6287
Energy Conservation Projects; CAP-790, Main Building Addition -		6288

As Reported by the Senate Finance and Financial Institutions Committee*

Phase 1 - Toledo; CAP-822, New Facility Development - Athens; 6289
 CAP-949, Building/Residential Unit Rehabilitation - CMHC; CAP-950, 6290
 Residential Unit Reconfiguration - Columbus; CAP-953 6291
 Building/Residential Unit Reconfiguration - North Campus; CAP-956, 6292
 Building/Residential Unit Reconfiguration - Dayton; CAP-958, 6293
 Building/Residential Unit Reconfiguration - MPC; CAP-963, Building 6294
 Reconfiguration/Consolidation - Toledo; CAP-980, Patient 6295
 Environment Improvements/Consolidation; CAP-984, Patient 6296
 Environment Improvements/Consolidation; and CAP-977, Patient 6297
 Care/Environment Improvements. 6298

INFRASTRUCTURE RENOVATIONS 6299

The amount reappropriated for appropriation item CAP-978, 6300
 Infrastructure Renovations, is the sum of the unencumbered and 6301
 unallotted balances as of June 30, 2002, in appropriation items 6302
 CAP-825, Dietary Facility Development; CAP-930, Boiler/HVAC 6303
 Renovation - Phase 2; CAP-833, Dietary Renovation - North Campus; 6304
 CAP-943, Dietary Delivery System; CAP-947, Telephone System 6305
 Renovation; CAP-951, Utility Consolidation/Site Improvements - 6306
 Columbus; CAP-982, Infrastructure Renovations; CAP-985, 6307
 Infrastructure Renovations; CAP-987, Telecommunication 6308
 Renovations; and CAP-978, Infrastructure Renovations. 6309

CAMPUS CONSOLIDATION 6310

The amount reappropriated for appropriation item CAP-986, 6311
 Campus Consolidation, is the sum of the unencumbered and 6312
 unallotted balances as of June 30, 2002, in appropriation items 6313
 CAP-906, Campus Consolidation Planning; and CAP-986, Campus 6314
 Consolidation. 6315

Reappropriations

Section 23.03. DMR DEPARTMENT OF MENTAL RETARDATION AND 6316

DEVELOPMENTAL DISABILITIES 6317

STATEWIDE PROJECTS 6318

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-001	Asbestos Abatement	\$	1,069,021	6319
CAP-480	Community Assistance Projects	\$	21,218,745	6320
CAP-886	Replacement of Underground Tanks	\$	4,500	6321
CAP-901	Razing of Buildings	\$	500,000	6322
CAP-912	Telecommunications Systems Improvement	\$	354,005	6323
CAP-941	Emergency Generator Replacement	\$	426,400	6324
CAP-955	Statewide Developmental Centers	\$	990,659	6325
CAP-961	Energy Conservation	\$	345,990	6326
CAP-981	Emergency Improvements	\$	477,888	6327
Total Statewide and Central Office Projects		\$	25,387,208	6328

COMMUNITY ASSISTANCE PROJECTS 6329

The foregoing appropriation item CAP-480, Community Assistance Projects, may be used to provide community assistance funds for the construction or renovation of facilities for day programs or residential programs that provide services to persons eligible for services from the Department of Mental Retardation and Developmental Disabilities or county boards of mental retardation and developmental disabilities. Any funds provided to nonprofit agencies for the construction or renovation of facilities for persons eligible for services from the Department of Mental Retardation and Developmental Disabilities and county boards of mental retardation and developmental disabilities are subject to the prevailing wage provisions in section 176.05 of the Revised Code.

STATEWIDE DEVELOPMENTAL CENTERS 6343

The amount reappropriated for the foregoing appropriation item CAP-955, Statewide Developmental Centers, is the sum of the unencumbered and unallotted balances as of June 30, 2002, in appropriation items CAP-014, Electrical System Renovations; CAP-479, Community Residential Projects; CAP-712, Administration/Education/Workshop; CAP-849, Exterior Renovations; CAP-854, Renovate Residential Buildings; CAP-888, New

As Reported by the Senate Finance and Financial Institutions Committee*

Dietary/Support Service Building - CDC; CAP-890, Roof Renovations			6351
- GDC; CAP-897, ADA Compliance Improvements - TDC; CAP-916,			6352
Electrical System Renovation; CAP-918, Renovation of Water			6353
Wells/Tower; CAP-921, Window Replacements; CAP-929, Program			6354
Building Renovation; CAP-930, Garza Building Renovation; CAP-939,			6355
Tunnel and Site Improvements; CAP-942, Fire Alarm/Sprinkler System			6356
Improvements; and CAP-980, Pool Chemical Feed System.			6357
APPLE CREEK DEVELOPMENTAL CENTER			6358
CAP-790	Cortland Hall Renovation	\$ 31,183	6359
CAP-791	Jonathan Hall Renovation	\$ 417,107	6360
CAP-795	Ruby Hall Renovation	\$ 320,000	6361
CAP-940	Sewage Treatment Plant Renovation	\$ 55,307	6362
CAP-953	Door Replacements	\$ 61,000	6363
CAP-956	Apple Creek Developmental Center	\$ 126,611	6364
Total Apple Creek Developmental Center		\$ 1,011,208	6365
CAMBRIDGE DEVELOPMENTAL CENTER			6366
CAP-711	Residential Renovations - CAMDC	\$ 150,000	6367
CAP-910	HVAC Renovations - Residential Buildings	\$ 53,550	6368
CAP-913	Cambridge HVAC Upgrade - Activity Center	\$ 250,000	6369
CAP-957	Cambridge Developmental Center	\$ 489,668	6370
CAP-969	Utility Upgrade Centerwide	50,000	6371
Total Cambridge Developmental Center		\$ 993,218	6372
COLUMBUS DEVELOPMENTAL CENTER			6373
CAP-106	Roof Repairs - Various Buildings	\$ 300,000	6374
CAP-852	Fire Alarm System Improvements	\$ 200,000	6375
CAP-958	Columbus Developmental Center	\$ 1,029,908	6376
CAP-970	Clinical/Support Building Addition	\$ 308,000	6377
Total Columbus Developmental Center		\$ 1,837,908	6378
GALLIPOLIS DEVELOPMENTAL CENTER			6379
CAP-723	HVAC System Replacement	\$ 407,000	6380
CAP-853	Residential Renovations - GDC	\$ 23,180	6381
CAP-959	Gallipolis Developmental Center	\$ 252,433	6382
CAP-971	Replace Fire Alarm System	\$ 2,500	6383

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-972	Refrigerator and Freezer Renovation		40,000	6384
CAP-973	Replace Steam Absorption Unit	\$	130,000	6385
Total Gallipolis Developmental Center		\$	855,113	6386
MONTGOMERY DEVELOPMENTAL CENTER				6387
CAP-728	Maintenance Shop Addition	\$	187,848	6388
CAP-805	Replacement of Fire Alarm System	\$	150,000	6389
CAP-945	Roof and Exterior Renovations	\$	53,838	6390
CAP-960	Montgomery Developmental Center	\$	723,322	6391
Total Montgomery Developmental Center		\$	1,115,008	6392
MOUNT VERNON DEVELOPMENTAL CENTER				6393
CAP-080	Renovate Main Kitchen - Rian Hall	\$	121,319	6394
CAP-101	Rian Hall Residential Renovations	\$	224,000	6395
CAP-735	Administration Building Renovation	\$	17,076	6396
CAP-808	Roof Replacement	\$	64,095	6397
CAP-810	Replacement of Fire Alarm System	\$	150,000	6398
CAP-962	Mount Vernon Developmental Center	\$	430,170	6399
CAP-974	Pool/Gymnasium Renovation	\$	60,000	6400
CAP-975	Exterior Building Renovation	\$	75,000	6401
Total Mount Vernon Developmental Center		\$	1,141,660	6402
NORTHWEST OHIO DEVELOPMENTAL CENTER				6403
CAP-738	Residential Laundry Renovation	\$	95,000	6404
CAP-739	Residential Bedroom Renovation	\$	100,000	6405
CAP-947	Replace Chiller	\$	136,525	6406
CAP-963	Northwest Ohio Developmental Center	\$	560,443	6407
CAP-982	Cooling Tower Replacement	\$	50,000	6408
Total Northwest Ohio Developmental Center		\$	941,968	6409
SOUTHWEST OHIO DEVELOPMENTAL CENTER				6410
CAP-863	Residential Renovation - HVAC Upgrade	\$	286,766	6411
CAP-964	Southwest Ohio Developmental Center	\$	171,764	6412
CAP-976	Renovation Program and Support Services Building	\$	175,000	6413
Total Southwest Ohio Developmental Center		\$	633,530	6414

As Reported by the Senate Finance and Financial Institutions Committee*

	SPRINGVIEW DEVELOPMENTAL CENTER			6415
CAP-742	Renovation - Administration Building	\$	150,000	6416
CAP-864	Renovation of Clark Hall	\$	31,430	6417
CAP-965	Springview Developmental Center	\$	28,986	6418
CAP-977	Roof Replacement	\$	230,000	6419
	Total Springview Developmental Center	\$	440,416	6420
	TIFFIN DEVELOPMENTAL CENTER			6421
CAP-085	Roof Replacement - Dietary	\$	100,000	6422
CAP-086	Replace Boiler Feedwater Heating and Storage Unit	\$	88,738	6423
CAP-899	Utah & Nevada Buildings Renovation	\$	250,000	6424
CAP-931	Exterior Renovations - Various Buildings	\$	184,825	6425
CAP-933	Sprinkler System Installation	\$	51,407	6426
CAP-966	Tiffin Developmental Center	\$	291,004	6427
	Total Tiffin Developmental Center	\$	965,974	6428
	WARRENSVILLE DEVELOPMENTAL CENTER			6429
CAP-088	Exterior Lighting Replacement	\$	160,000	6430
CAP-867	Residential Renovations - WDC	\$	75,000	6431
CAP-900	Water Line Replacement - WDC	\$	77,922	6432
CAP-936	HVAC Renovations	\$	103,185	6433
CAP-950	ADA Compliance - WDC	\$	41,435	6434
CAP-951	Central Kitchen Improvements	\$	50,256	6435
CAP-967	Warrensville Developmental Center	\$	247,117	6436
CAP-978	Boiler Replacement	\$	260,000	6437
	Total Warrensville Developmental Center	\$	1,014,915	6438
	YOUNGSTOWN DEVELOPMENTAL CENTER			6439
CAP-091	Water Line Renovation	\$	75,000	6440
CAP-871	Residential Renovations	\$	181,131	6441
CAP-904	Roof Renovations - YDC	\$	82,152	6442
CAP-952	Catch Basin and Gutter Replacement	\$	50,923	6443
CAP-968	Youngstown Developmental Center	\$	210,312	6444
	Total Youngstown Developmental Center	\$	599,518	6445
	TOTAL Department of Mental Retardation			6446

As Reported by the Senate Finance and Financial Institutions Committee*

and Developmental Disabilities	\$	36,937,644	6447
TOTAL Mental Health Facilities Improvement Fund	\$	50,962,797	6448

Section 23.04. The foregoing capital improvements for which 6450
appropriations are made in Sections 23.01 to 23.03 of this act are 6451
determined to be capital improvements and capital facilities for 6452
mental hygiene and retardation, and are designated as the capital 6453
facilities to which proceeds of obligations in the Mental Health 6454
Facilities Improvement Fund, created by section 154.20 of the 6455
Revised Code, are to be applied. The foregoing appropriations for 6456
the Department of Alcohol and Drug Addiction Services, CAP-002, 6457
Community Assistance Projects; Department of Mental Health, 6458
CAP-479, Community Assistance Projects; and Department of Mental 6459
Retardation and Developmental Disabilities, CAP-480, Community 6460
Assistance Projects, may be used on facilities constructed or to 6461
be constructed pursuant to Chapter 340., 3793., 5119., 5123., or 6462
5126. of the Revised Code or the authority granted by section 6463
154.20 of the Revised Code and the rules adopted pursuant to those 6464
chapters and that section and shall be distributed by the 6465
Department of Alcohol and Drug Addiction Services, the Department 6466
of Mental Health, and the Department of Mental Retardation and 6467
Developmental Disabilities, subject to Controlling Board approval. 6468

Section 23.05. (A) No capital improvement appropriations made 6469
in Sections 23.01 to 23.03 of this act shall be released for 6470
planning or for improvement, renovation, or construction or 6471
acquisition of capital facilities if a governmental agency, as 6472
defined in section 154.01 of the Revised Code, does not own the 6473
real property that constitutes the capital facilities or on which 6474
the capital facilities are or will be located. This restriction 6475
does not apply in any of the following circumstances: 6476

(1) The governmental agency has a long-term (at least fifteen 6477
years) lease of, or other interest (such as an easement) in, the 6478

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real property. 6479

(2) In the case of an appropriation for capital facilities 6480
that, because of their unique nature or location, will be owned or 6481
be part of facilities owned by a separate nonprofit organization 6482
and made available to the governmental agency for its use or 6483
operated by the nonprofit organization under contract with the 6484
governmental agency, the nonprofit organization either owns or has 6485
a long-term (at least fifteen years) lease of the real property or 6486
other capital facility to be improved, renovated, constructed, or 6487
acquired and has entered into a joint or cooperative use 6488
agreement, approved by the Department of Mental Health, Department 6489
of Mental Retardation and Developmental Disabilities, or 6490
Department of Alcohol and Drug Addiction Services, whichever is 6491
applicable, with the governmental agency for that agency's use of 6492
and right to use the capital facilities to be financed and, if 6493
applicable, improved, the value of such use or right to use being, 6494
as determined by the parties, reasonably related to the amount of 6495
the appropriation. 6496

(B) In the case of capital facilities referred to in division 6497
(A)(2) of this section, the joint or cooperative use agreement 6498
shall include, as a minimum, provisions that: 6499

(1) Specify the extent and nature of that joint or 6500
cooperative use, extending for no fewer than fifteen years, with 6501
the value of such use or right to use to be, as determined by the 6502
parties and approved by the applicable department, reasonably 6503
related to the amount of the appropriation; 6504

(2) Provide for pro rata reimbursement to the state should 6505
the arrangement for joint or cooperative use by a governmental 6506
agency be terminated; 6507

(3) Provide that procedures to be followed during the capital 6508
improvement process will comply with appropriate applicable state 6509

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statutes and rules, including provisions of this act. 6510
6511

Section 24. All items set forth in Sections 24.01 to 24.56 of 6512
this act are hereby appropriated out of any moneys in the state 6513
treasury to the credit of the Higher Education Improvement Fund 6514
(Fund 034) and derived from the proceeds of obligations heretofore 6515
authorized to pay the costs of capital facilities, as defined in 6516
sections 151.01 and 151.04 of the Revised Code, for 6517
state-supported and state-assisted institutions of higher 6518
education. 6519

Reappropriations

Section 24.01. OEB OHIO EDUCATIONAL TELECOMMUNICATIONS 6520
NETWORK COMMISSION 6521
CAP-001 Educational Television and Radio \$ 3,936,799 6522
Equipment
CAP-002 Educational Broadcasting Fiber Optic \$ 51,748 6523
Network
Total Ohio Educational Telecommunications 6524
Network Commission \$ 3,988,547 6525

EDUCATIONAL TELEVISION AND RADIO EQUIPMENT 6526

The foregoing appropriation item CAP-001, Educational 6527
Television and Radio Equipment, shall be used to provide 6528
broadcasting, transmission, and production equipment to Ohio 6529
public radio and television stations, radio reading services, and 6530
the Ohio Educational Telecommunications Network Commission. 6531

EDUCATIONAL BROADCASTING FIBER OPTIC NETWORK 6532

The foregoing appropriation item CAP-002, Educational 6533
Broadcasting Fiber Optic Network, shall be used to link the Ohio 6534
public radio and television stations, radio reading services, and 6535
the Ohio Educational Broadcasting Network for the reception and 6536

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transmission of digital communications through fiber optic cable 6537
 or other technology. 6538

Reappropriations

Section 24.02. BOR BOARD OF REGENTS			6539
CAP-021	Educational Television and Radio Equipment	\$ 124,942	6540
CAP-030	Supercomputer Center Expansion	\$ 6,510	6541
CAP-031	Ohio Aerospace Institute - Building Improvements	\$ 300,692	6542
CAP-032	Research Facility Action and Investment Funds	\$ 14,863,723	6543
CAP-033	Child Care Facility - Matching Grants	\$ 1,627,126	6544
CAP-054	Appalachian-Higher Ed Facilities	\$ 3,379	6545
CAP-060	Technology Initiatives	\$ 10,000,000	6546
CAP-061	Central State Rehabilitation	\$ 207,012	6547
CAP-064	Eminent Scholars Capital Grants	\$ 2,750,000	6548
CAP-065	Biomedical Technology Center	\$ 8,500,000	6549
Total Board of Regents			\$ 38,383,384 6550

Section 24.03. SUPERCOMPUTER CENTER EXPANSION 6552

The amount reappropriated for the foregoing appropriation 6553
 item CAP-030, Supercomputer Center Expansion, is the unencumbered 6554
 and unallotted balance as of June 30, 2002, in appropriation item 6555
 CAP-030, Supercomputer Center Expansion, minus \$508,599. 6556

Section 24.04. RESEARCH FACILITY ACTION INVESTMENT FUNDS 6557

The amount reappropriated for the foregoing appropriation 6558
 item CAP-032, Research Facility Action and Investment Funds, is 6559
 the sum of the unencumbered and unallotted balance as of June 30, 6560
 2002, in appropriation item CAP-032, Research Facility Action and 6561
 Investment Funds, plus the unencumbered and unallotted balance as 6562

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of June 30, 2002, in Youngstown State University's appropriation 6563
 item CAP-118, X-Ray Defractometer. 6564

Section 24.05. RESEARCH FACILITY ACTION AND INVESTMENT FUNDS 6565
 6566

The foregoing appropriation item CAP-032, Research Facility 6567
 Action and Investment Funds, shall be used for a program of grants 6568
 to be administered by the Board of Regents to provide timely 6569
 availability of capital facilities for research programs and 6570
 research-oriented instructional programs at or involving 6571
 state-supported and state-assisted institutions of higher 6572
 education. 6573

The Board of Regents shall adopt rules under Chapter 119. of 6574
 the Revised Code relative to the application for and approval of 6575
 projects funded from appropriation item CAP-032, Research Facility 6576
 Action and Investment Funds. The rules shall be reviewed and 6577
 approved by the Legislative Committee on Education Oversight. The 6578
 Board of Regents shall inform the President of the Senate and the 6579
 Speaker of the House of Representatives of each project 6580
 application for funding received. Each project receiving a 6581
 commitment for funding by the Board of Regents under the rules 6582
 shall be reported to the President of the Senate and the Speaker 6583
 of the House of Representatives. 6584

Section 24.06. REPAYMENT OF RESEARCH FACILITY ACTION AND 6585
INVESTMENT FUND MONEYS 6586

Notwithstanding any provision of law to the contrary, all 6587
 repayments of Research Facility Action and Investment Fund loans 6588
 shall be made to the Bond Service Account in the Higher Education 6589
 Bond Service Trust Fund. 6590

Institutions of higher education shall make timely repayments 6591
 of Research Facility Action and Investment Fund loans, according 6592

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to the schedule established by the Board of Regents. In the case
of late payments, the Board of Regents may deduct from an
institution's periodic subsidy distribution an amount equal to the
amount of the overdue payment for that institution, transfer such
amount to the Bond Service Trust Fund, and credit the appropriate
institution for the repayment.

Section 24.07. CHILD CARE FACILITIES - MATCHING GRANTS 6599

The foregoing appropriation item CAP-033, Child Care
Facilities - Matching Grants, shall be used by the Board of
Regents to make grants to state-supported or state-assisted
institutions of higher education for projects to expand,
construct, renovate space, or equip child care centers. All grants
shall be awarded on a 50 per cent match basis. In making grant
awards, the Board of Regents shall give priority to:

(A) Projects located at state-supported or state-assisted
institutions without child care facilities;

(B) Projects for which the principal clients are children of
students enrolled at the institution; and

(C) Projects where the facility will be used as a
classroom/training lab for child care/preschool certification
programs.

Section 24.08. TECHNOLOGY INITIATIVES 6614

In order to determine a method of awarding grants from the
foregoing appropriation item CAP-060, Technology Initiatives, the
Board of Regents shall form a consultation group including, but
not limited to, representatives of state-supported and
state-affiliated colleges and universities, the Office of Budget
and Management, the Legislative Service Commission, and the
Legislative Office of Education Oversight.

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Section 24.09. EMINENT SCHOLARS CAPITAL GRANTS 6622

The foregoing appropriation item CAP-064, Eminent Scholars Capital Grants, shall be used by the Board of Regents to make grants to state colleges and universities and nonprofit institutions of higher education holding certificates of authorization issued under section 1713.02 of the Revised Code that receive endowment grants from appropriation item 235-451, Eminent Scholars. The capital grants shall be used to acquire, renovate, rehabilitate, or construct facilities and purchase equipment to be used by an eminent scholar in the conduct of research and shall require a 50 per cent match from recipient campuses.

The Board of Regents shall convene an Eminent Scholars Advisory Panel that shall make recommendations for the administration of the Eminent Scholars Program, including the award of capital grants. The panel's recommendations for capital grants from appropriation item CAP-064, Eminent Scholars Capital Grants, shall require the approval of the Board of Regents.

Section 24.10. BIOMEDICAL TECHNOLOGY CENTER 6640

The foregoing appropriation item CAP-065, Biomedical Technology Center, shall be used by the Center for Applied Biomedical Technologies for site development and the design, construction, and equipment costs of a new biomedical technology resources facility. Prior to release of the funds, a proposal for the construction of the facility and the use of state funds shall be approved by the Biomedical Technology Center Oversight Committee, which is hereby created and consists of the Governor's Science and Technology Advisor, the president of the Edison Bio Technology Center, and the Governor's regional economic development representative for northeastern Ohio. The committee

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shall determine the extent to which Section 24.54 of this act or
appropriate alternative procedures apply to the project. Upon
notification of the committee's approval, the Chancellor of the
Board of Regents shall request the Director of Budget and
Management or the Controlling Board to release the appropriations.
The Biomedical Technology Center Oversight Committee ceases to
exist upon the release of all appropriations from this item. This
appropriation shall not be used to match any grants made by the
Biomedical Research and Technology Transfer Commission.

Section 24.11. REIMBURSEMENT FOR PROJECT COSTS

Appropriations made in Sections 24.02 to 24.56 of this act
for purposes of the costs of capital facilities for the interim
financing of which the particular institution has previously
issued its own obligations anticipating the possibility of future
state appropriations to pay all or a portion of such costs, as
contemplated in division (B) of section 3345.12 of the Revised
Code, shall be paid directly to the institution or the paying
agent for those outstanding obligations in the full principal
amount of those obligations then to be paid from the anticipated
appropriation, and shall be timely applied to the retirement of a
like principal amount of the institution's obligations.

Appropriations made in Sections 24.02 to 24.56 of this act
for purposes of the costs of capital facilities, all or a portion
of which costs the particular institution has paid from the
institution's moneys that were temporarily available and which
payments were reasonably expected to be reimbursed from the
proceeds of obligations issued by the state, shall be directly
paid to the institution in the full amounts of those payments and
shall be timely applied to the reimbursement of those temporarily
available moneys.

As Reported by the Senate Finance and Financial Institutions Committee*

Section 24.12. UAK UNIVERSITY OF AKRON			6682
CAP-008	Basic Renovations	\$ 7,128,474	6683
CAP-047	Polsky Building Renovation	\$ 724,887	6684
CAP-049	Basic Renovations - Wayne	\$ 173,886	6685
CAP-054	Auburn Science/Whitby Rehabilitation	\$ 149,600	6686
CAP-061	Asbestos Abatement	\$ 641,327	6687
CAP-063	Child Care Facility	\$ 149,998	6688
CAP-066	Global Business Institute	\$ 300,000	6689
CAP-067	ADA Modifications	\$ 364,735	6690
CAP-075	Infrastructure Materials/Rehabilitation	\$ 102,932	6691
CAP-076	Supercritical Fluid Technology	\$ 291,900	6692
CAP-077	Leigh Hall Rehabilitation	\$ 5,520,471	6693
CAP-079	Science/Technology Library Addition Phase	\$ 222,178	6694
	2		
CAP-081	Classroom/Office Building - Arts/Sciences	\$ 345,609	6695
CAP-085	Non-Credit Job Training	\$ 27,500	6696
CAP-086	Ohio Biomedical Consortium on Medical Therapeutic Micro Devices	\$ 69,000	6697
CAP-091	Student Affairs Building	\$ 13,977,457	6698
CAP-092	Whitby Hall Rehabilitation	\$ 2,694,656	6699
Total University of Akron		\$ 32,884,700	6700
Reappropriations			
Section 24.13. BGU BOWLING GREEN STATE UNIVERSITY			6702
CAP-009	Basic Renovations	\$ 4,526,309	6703
CAP-060	Basic Renovations - Firelands	\$ 43,951	6704
CAP-066	South Hall Replacement	\$ 7,276	6705
CAP-078	Asbestos Abatement	\$ 1,584	6706
CAP-088	ADA Modifications	\$ 220,396	6707
CAP-091	Child Care Facility	\$ 49,406	6708
CAP-093	Pedestrian Mall Project	\$ 24,275	6709
CAP-094	Materials Network	\$ 90,981	6710
CAP-095	Video Link	\$ 10,644	6711

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-102	Network Infrastructure Phase 1	\$	6,346,772	6712
CAP-103	University Community Center - Firelands	\$	2,056,440	6713
CAP-104	Jerome Library Renovations	\$	113,946	6714
CAP-105	Administration Building Elevators	\$	19,777	6715
CAP-106	LSC Stairwell/MSO Exterior Steps	\$	24,486	6716
CAP-108	Tunnel Upgrade - Phase II	\$	129,386	6717
CAP-109	Cedar Point Community Center	\$	515,600	6718
CAP-110	Hannah Hall Rehabilitation	\$	2,005,522	6719
CAP-111	Re-roof East West and North Buildings	\$	503,326	6720
CAP-112	Biology Lab Renovation	\$	54,827	6721
CAP-113	Campus-Wide Paving/Sidewalk Upgrade	\$	352,700	6722
Total Bowling Green State University		\$	17,097,604	6723

BASIC RENOVATIONS

6724

The amount reappropriated for the foregoing appropriation
 item CAP-009, Basic Renovations, shall be the sum of the
 unencumbered and unallotted balances as of June 30, 2002, in
 appropriation items CAP-009, Basic Renovations; CAP-054,
 University Hall Rehabilitation; CAP-055, Fine Arts Addition;
 CAP-056, Modify Continuing Education Offices; CAP-057, Roof
 Renovations; CAP-061, Bursar/Biology Labs/Library/Sewer; CAP-063,
 Eppler Rehabilitation; CAP-081, Large Lecture Hall Renovations;
 CAP-083, Central Heating Plant Replacement; CAP-084, Physical
 Sciences Chiller; CAP-086, Health Center - 2nd Floor Renovations;
 CAP-096, Campus-wide Paving - Phase II; CAP-097, Education
 Building HVAC Upgrades; CAP-098, Sciences Complex Cooling Tower;
 CAP-099, Technology Building Chiller; and CAP-107, Campus Lighting
 Project - Phase II, plus \$2,070.

BASIC RENOVATIONS - FIRELANDS

6739

The amount reappropriated for the foregoing appropriation
 item CAP-060, Basic Renovations - Firelands, is the sum of the
 unencumbered and unallotted balances as of June 30, 2002, in
 appropriation items CAP-060, Basic Renovations - Firelands;

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CAP-067, Energy Conservation Project - Firelands; and CAP-089, ADA
Modifications - Firelands. 6744
6745

Reappropriations

Section 24.14. CSU CENTRAL STATE UNIVERSITY			6746
CAP-022	Basic Renovations	\$ 909,557	6747
CAP-036	National Afro-American Cultural Center/Museum Improvements	\$ 4,975	6748
CAP-043	Paul Dunbar Museum	\$ 1,547	6749
CAP-053	Roof Replacement	\$ 4,101	6750
CAP-068	Instructional and Data Processing Equipment	\$ 16,002	6751
CAP-075	ADA Modifications	\$ 51,645	6752
CAP-078	Brown Library Roof Replacement	\$ 21,479	6753
CAP-082	Child Care Facility	\$ 149,052	6754
CAP-083	Master Plan/Supplemental Renovations	\$ 114,669	6755
CAP-084	College of Education Facility - Planning	\$ 30,400	6756
CAP-085	Green Hall Rehabilitation	\$ 50,406	6757
CAP-089	Student Center Planning	\$ 500,000	6758
CAP-090	Emery Hall Roof Rehabilitation	\$ 632,500	6759
CAP-091	Carnegie Hall Roof Rehabilitation	\$ 457,500	6760
CAP-092	Page Hall Rehabilitation	\$ 1,900,000	6761
CAP-093	Simpson Hall HVAC	\$ 318,800	6762
CAP-094	Hunter Hall HVAC	\$ 555,000	6763
CAP-095	Williamson Hall HVAC	\$ 700,000	6764
CAP-096	Lane Hall Rehabilitation	\$ 3,700,000	6765
CAP-097	Campus-wide Master Plan	\$ 11,366	6766
Total Central State University		\$ 10,128,999	6767

Reappropriations

Section 24.15. UCN UNIVERSITY OF CINCINNATI			6769
CAP-009	Basic Renovations	\$ 6,891,515	6770
CAP-054	Raymond Walters Renovations	\$ 4,428	6771

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CAP-115	Hazardous Waste	\$	29,465	6772
CAP-116	Aerospace Engineering	\$	105,624	6773
CAP-121	Child Care Facility	\$	100,000	6774
CAP-122	Infrastructure Assessment	\$	4,818	6775
CAP-125	Supplemental Renovations - Interior Spaces	\$	15,223	6776
CAP-127	New Classroom/Lab Building - Clermont	\$	21,215	6777
CAP-128	Science and Allied Health Building - Walters	\$	1,859,825	6778
CAP-137	MSB Otolaryngology	\$	1,228	6779
CAP-141	ADA Modifications	\$	239,535	6780
CAP-142	ADA Modifications - Clermont	\$	6,039	6781
CAP-143	ADA Modifications - Walters	\$	2,101	6782
CAP-156	CFC Unit Replacement	\$	2,173	6783
CAP-158	Molecular Components/Simulation Network	\$	14,154	6784
CAP-168	International Friendship Park	\$	3,151,002	6785
CAP-171	Asbestos - Rieveschl Hall	\$	298,057	6786
CAP-173	Surface Engineering	\$	2,292	6787
CAP-174	Classroom/Teaching Lab Renovations	\$	1,284,028	6788
CAP-176	Network Expansion	\$	228,100	6789
CAP-177	Critical Building Component Renovations	\$	2,910,000	6790
CAP-179	Rieveschl Rehabilitation	\$	27,240	6791
CAP-180	Rapid Prototype Process	\$	17,982	6792
CAP-182	Elevator - Critical Building Components	\$	33,271	6793
CAP-188	HPB/Wherry Service Entrances	\$	56,649	6794
CAP-193	Nano Particles	\$	17,015	6795
CAP-194	Transgenic Core Capacity	\$	1,633	6796
CAP-195	Thin Film Analysis	\$	110,452	6797
CAP-196	Electronic Reconstruction	\$	130,649	6798
CAP-197	Med Center Technology	\$	7,260	6799
CAP-198	TC/Dyer Rehabilitation Phase 1A	\$	48,128	6800
CAP-199	TC/Dyer Rehabilitation Phase 1B	\$	226	6801
CAP-201	WC Faculty Media Center	\$	120,116	6802

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CAP-202	Baldwin Hall Rehabilitation - Phase I	\$	103,256	6803
CAP-203	Zimmer Plaza & Auditorium Rehabilitation	\$	7,976	6804
CAP-205	Medical Science Building Rehabilitation	\$	3,796,727	6805
CAP-206	One Stop Services Center	\$	3,284,801	6806
CAP-207	Central Campus Infrastructure	\$	232,629	6807
CAP-208	Security System Upgrade	\$	5,279	6808
CAP-209	Library Renovations	\$	101,308	6809
CAP-210	Cincinnati Observatory Center	\$	150,000	6810
CAP-212	Roof Replacement - MSB Complex	\$	24,906	6811
CAP-214	Microscopy	\$	90,000	6812
CAP-215	Ohio Biomedical Consortium on Medical Therapeutic Micro Devices	\$	162,500	6813
CAP-217	Center for Fire and Explosion Science and Technology	\$	178,800	6814
CAP-218	Creation of a P3 Facility	\$	273,808	6815
CAP-223	Teachers College/Dyer Hall Rehabilitation Phase 2	\$	4,136,000	6816
CAP-224	Van Wormer Administrative Building Rehabilitation	\$	16,772	6817
CAP-226	Holocaust Archives at Hebron Union College	\$	250,000	6818
CAP-227	Old Chemistry Roof and Masonry	\$	330,181	6819
CAP-228	MSB G, 1 & 2 Lab Upgrades	\$	50,136	6820
CAP-230	Focused Ion Beam Fabrication	\$	170,000	6821
CAP-231	National Institute of Health	\$	374,250	6822
CAP-232	Expression Technology	\$	215,303	6823
CAP-233	Environmental Scanning Microscope	\$	142,073	6824
CAP-234	Lean Direct Fuel Inject Combustion	\$	90,645	6825
CAP-237	Biomedical Engineering	\$	485,500	6826
CAP-240	Control Tech Hazard Waste/Oil Spill	\$	21,294	6827
CAP-244	Pulse Detonation Engine	\$	140,050	6828
	Total University of Cincinnati	\$	32,575,637	6829
	NEW CLASSROOM/LAB BUILDING - CLERMONT			6830

As Reported by the Senate Finance and Financial Institutions Committee*

The amount reappropriated for the foregoing appropriation 6831
 item CAP-127, New Classroom/Lab Building - Clermont, is \$21,215. 6832

SCIENCE/ALLIED HEALTH BUILDING - WALTERS 6833

The amount reappropriated for the foregoing appropriation 6834
 item CAP-128, Science/Allied Health Building - Walters, is 6835
 \$77,947, plus the unencumbered and unallotted balance as of June 6836
 30, 2002, in appropriation item CAP-128, Science/Allied Health 6837
 Building - Walters. 6838

Reappropriations

Section 24.16.	CLS CLEVELAND STATE UNIVERSITY		6839
CAP-017	Land Acquisition	\$ 594,955	6840
CAP-023	Basic Renovations	\$ 750,766	6841
CAP-044	Chester Building Rehabilitation	\$ 84,274	6842
CAP-067	17th - 18th Street Block	\$ 205,862	6843
CAP-069	Great Lakes Museum for Science, Environment, and Technology	\$ 200,000	6844
CAP-088	Asbestos Abatement	\$ 1,696,687	6845
CAP-092	Handicapped Requirements	\$ 155,485	6846
CAP-099	Main Classroom Plaza Conversion	\$ 13,147	6847
CAP-100	Special Studies Space Conversion	\$ 1,762	6848
CAP-101	Classroom Building Renovations	\$ 50,000	6849
CAP-104	ADA Modifications	\$ 409	6850
CAP-109	Classroom Upgrade	\$ 15,804	6851
CAP-112	Land Acquisitions	\$ 1,035,037	6852
CAP-114	Geographic Information Systems	\$ 77,005	6853
CAP-115	Plant Services Building HVAC	\$ 14,081	6854
CAP-117	Landscaping/Sidewalks/Stairs	\$ 20,436	6855
CAP-118	Structural Concrete Rehabilitation	\$ 1,407,013	6856
CAP-120	Physical Education Building Enhancements	\$ 53,380	6857
CAP-125	College of Education Building	\$ 600,000	6858
CAP-126	Electrical System Upgrades Phase 2	\$ 2,291,335	6859

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-127	Fire Alarm System Upgrade	\$	400,000	6860
CAP-128	Property Acquisition	\$	1,298,322	6861
CAP-129	Vocational Guidance Campus	\$	30,000	6862
CAP-130	WVIZ Technology Center	\$	1,000,000	6863
CAP-132	Rhodes Tower Stair Renovation	R	1,632	6864
CAP-133	Rhodes Tower Library Carpet	\$	11,980	6865
CAP-134	Physical Education Building Men's Locker Room	\$	16,478	6866
CAP-136	University Center HVAC Phase 1	\$	918,541	6867
CAP-137	University Center Elevator Upgrades	\$	546,500	6868
Total Cleveland State University		\$	13,490,891	6869

CLASSROOM UPGRADE 6870

The amount reappropriated for the foregoing appropriation 6871
item CAP-109, Classroom Upgrade, is \$5,192 plus the unencumbered 6872
and unallotted balance as of June 30, 2002, in appropriation item 6873
CAP-109, Classroom Upgrade. 6874

LANDSCAPING/SIDEWALKS/STAIRS 6875

The amount reappropriated for the foregoing appropriation 6876
item CAP-117, Landscaping/Sidewalks/Stairs, is \$12,621 plus the 6877
unencumbered and unallotted balance as of June 30, 2002, in 6878
appropriation item CAP-117, Landscaping/Sidewalks/Stairs. 6879

Reappropriations

Section 24.17. KSU KENT STATE UNIVERSITY 6880

CAP-022	Basic Renovations	\$	2,074,204	6881
CAP-098	Trumbull Branch Addition	\$	13,972	6882
CAP-105	Basic Renovations - East Liverpool	\$	96,138	6883
CAP-106	Basic Renovations - Geauga	\$	114,839	6884
CAP-107	Basic Renovations - Salem	\$	57,426	6885
CAP-110	Basic Renovations - Ashtabula	\$	45,057	6886
CAP-111	Basic Renovations - Trumbull	\$	398,671	6887
CAP-112	Basic Renovations - Tuscarawas	\$	214,947	6888

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-121	Supplement Renovations - Tuscarawas	\$	9,756	6889
CAP-122	Faculty Office Addition - Salem	\$	12,072	6890
CAP-126	HVAC Renovations - Ashtabula	\$	5,545	6891
CAP-128	Roof Renovations - Ashtabula	\$	1,435	6892
CAP-134	Roof Replacements	\$	7,000	6893
CAP-137	LCI/Materials Science Building	\$	24,730	6894
CAP-139	Science Building - Stark	\$	54,890	6895
CAP-140	Road Improvements - Trumbull	\$	12,282	6896
CAP-142	Music Center Improvements	\$	3,300,000	6897
CAP-143	Liquid Crystals	\$	1,059,474	6898
CAP-145	Heating Plant Electrical Cable	\$	9,393	6899
CAP-146	Williams Hall Medium Voltage	\$	17,377	6900
CAP-154	Separation Science	\$	1,497	6901
CAP-156	Boiler Plant Controls and Building Alterations	\$	30,194	6902
CAP-157	Moulton Hall Rehabilitation	\$	30,772	6903
CAP-158	Auditorium Building Rehabilitation	\$	495,791	6904
CAP-159	Electrical Substation/Fiber Optic Network	\$	47,087	6905
CAP-160	Patterson Building Renovation - East Liverpool	\$	8,610	6906
CAP-161	Addition to Cunningham Hall	\$	95,071	6907
CAP-162	Science and Technology Building - Trumbull	\$	166,974	6908
CAP-164	ADA Modifications - Ashtabula	\$	6,772	6909
CAP-166	ADA Modifications - Geauga	\$	440	6910
CAP-167	ADA Modifications - Salem	\$	5,312	6911
CAP-168	ADA Modifications - Stark	\$	620	6912
CAP-170	ADA Modifications - Tuscarawas	\$	3,276	6913
CAP-173	Child Care Facility	\$	18,650	6914
CAP-176	Midway Drive Utilities Tunnel - II	\$	84,846	6915
CAP-177	Corporate Education and Conference Center, Phase 2 Stark	\$	69,753	6916
CAP-179	New Power Plant	\$	4,943,431	6917

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-184	Distributed Computation/Visualization	\$	33,833	6918
CAP-185	Nixson Hall/Music & Speech Tunnel	\$	4,163	6919
CAP-186	Prentice Hall/Taylor Hall Tunnel	\$	21,919	6920
CAP-187	Fiber Optic Installation, Phase II	\$	4,816	6921
CAP-188	Child Care Funds - East Liverpool	\$	90,000	6922
CAP-189	Child Care Funds - Tuscarawas	\$	19,847	6923
CAP-190	Child Care Funds - Ashtabula	\$	12,500	6924
CAP-194	Child Care - Salem	\$	100,000	6925
CAP-195	Child Care - Geauga	\$	100,000	6926
CAP-196	Technology Improvements - Ashtabula	\$	282,234	6927
CAP-197	Technology Improvements - Geauga	\$	6,044	6928
CAP-198	Technology Improvements - Salem	\$	120,148	6929
CAP-199	Technology Improvements - Trumbull	\$	72,860	6930
CAP-200	Technology Improvements - Tuscarawas	\$	75,000	6931
CAP-202	Utility Tunnel Upgrade	\$	8,490	6932
CAP-206	Child Care Facility and Related Renovations and Additions	\$	277,314	6933
CAP-207	Kent Hall Planning and Addition	\$	4,165,000	6934
CAP-208	Mary Patterson Exterior Renovations	\$	440,621	6935
CAP-210	Rooftop Air Handler Repair/Replacement	\$	1,107	6936
CAP-212	Technology Building Rehabilitation and Addition Planning	\$	908,500	6937
CAP-213	Electric Distribution Renovation	\$	36,396	6938
CAP-214	Stark Selective Interior Renovation	\$	17,558	6939
CAP-215	Library Utility Tunnel Expansion	\$	21,224	6940
CAP-217	Non Credit Job Training	\$	169,915	6941
CAP-218	Henderson Hall Roof Replace/Masonry	\$	56,385	6942
CAP-219	Campus Electrical Infrastructure Improvements	\$	43,800	6943
CAP-220	Campus Steam System Evaluation & Upgrade - New ALI	\$	250,000	6944
CAP-221	Organic Semiconductor Facility	\$	60,000	6945
CAP-222	White Hall Corridor Ceiling/Lighting	\$	44,000	6946

As Reported by the Senate Finance and Financial Institutions Committee*

Total Kent State University		\$	20,981,978	6947
			Reappropriations	
Section 24.18. MUN MIAMI UNIVERSITY				6949
CAP-018	Basic Renovations	\$	4,597,854	6950
CAP-064	Land Restoration - Hamilton	\$	11,466	6951
CAP-066	Basic Renovations - Hamilton	\$	484,727	6952
CAP-069	Basic Renovations - Middletown	\$	408,385	6953
CAP-070	Chilled Water System - Phase 2	\$	423,189	6954
CAP-072	Hiestand Hall Renovations	\$	4,315	6955
CAP-081	Cooperative Regional Library Depository SW	\$	2,546	6956
CAP-083	Campus Avenue Building Renovation	\$	43,612	6957
CAP-085	Alumni Hall Rehabilitation - Phase I	\$	65,582	6958
CAP-086	Classroom/Conference Facility - Hamilton	\$	8,373	6959
CAP-088	Hoyt Hall Rehabilitation	\$	9,022	6960
CAP-089	High Voltage Electric	\$	1,026,863	6961
CAP-092	Science Building - Middletown	\$	701,440	6962
CAP-094	Instructional and Data Processing Equipment	\$	2,434,816	6963
CAP-096	McGuffey Hall Rehabilitation	\$	1,142,972	6964
CAP-098	Computer Network Installation	\$	187,891	6965
CAP-099	King Library Rehabilitation	\$	15,947	6966
CAP-101	ADA Modifications	\$	8,399	6967
CAP-102	ADA Modifications - Hamilton	\$	686	6968
CAP-103	ADA Modifications - Middletown	\$	2,798	6969
CAP-105	Plant Response/Environmental Stress	\$	72,641	6970
CAP-107	Gas Phase Chemistry of Ions	\$	65,647	6971
CAP-109	Molecular Microbial Biology	\$	67,500	6972
CAP-110	Micromachining Technology	\$	664,368	6973
CAP-111	Roudebush Hall Rehabilitation	\$	203,474	6974
CAP-112	Chilled Water Loop Phase I - Hamilton	\$	564,119	6975
CAP-113	Special Academic/Administrative Projects	\$	617,803	6976

As Reported by the Senate Finance and Financial Institutions Committee*

	- Hamilton			
CAP-114	Chilled Water Loop Phase I - Middletown	\$	750,000	6977
CAP-115	Special Academic/Administrative Projects	\$	1,155,050	6978
	- Middletown			
CAP-116	Hughes Hall Rehabilitation - Phase 2	\$	1,515,875	6979
CAP-117	North Campus Refrigeration/Chilled Water	\$	170,892	6980
CAP-119	Increased Network Access	\$	414,949	6981
CAP-120	Cole Service Building Addition	\$	18,030	6982
CAP-121	Southwestern Book Depository	\$	215,436	6983
CAP-122	Child Care Facility	\$	70,000	6984
CAP-123	Phillips Hall Rehabilitation	\$	709,884	6985
CAP-124	Bonham House Rehabilitation/Multicultural	\$	785,478	6986
	Center Planning			
CAP-127	Campus Steam Distribution - Phase I	\$	500,000	6987
CAP-129	Steam Plant Electrostatic Precipitator	\$	20,953	6988
CAP-130	MacMillan Rehabilitation/Multicultural	\$	4,200,000	6989
	Center			
CAP-131	Miami University Learning Center	\$	500,000	6990
CAP-132	Mass Spectrum Consortium	\$	35,000	6991
CAP-133	Single Crystal X-Ray Diffractometer	\$	70,144	6992
CAP-134	Thermal Ionization Mass Spectrometer	\$	147,481	6993
CAP-135	NMR Spectrometer	\$	159,654	6994
Total Miami University		\$	25,275,261	6995

BASIC RENOVATIONS 6996

The amount reappropriated for the foregoing appropriation 6997
item CAP-018, Basic Renovations, is the sum of the unencumbered 6998
and unallotted balances as of June 30, 2002, in appropriation 6999
items CAP-018, Basic Renovations, and CAP-084, Central Steam Plant 7000
Addition. 7001

BASIC RENOVATIONS - HAMILTON 7002

The amount reappropriated for the foregoing appropriation 7003
item CAP-066, Basic Renovations - Hamilton, is \$22,712 plus the 7004

As Reported by the Senate Finance and Financial Institutions Committee*

unencumbered and unallotted balance as of June 30, 2002, in	7005
appropriation item CAP-066, Basic Renovations - Hamilton.	7006
LAND RESTORATION - HAMILTON	7007
The amount reappropriated for the foregoing appropriation	7008
item CAP-064, Land Restoration - Hamilton, is the unencumbered and	7009
unallotted balance as of June 30, 2002, in appropriation item	7010
CAP-064, Land Restoration - Hamilton, minus \$22,712.	7011
HOYT HALL REHABILITATION	7012
The amount reappropriated for the foregoing appropriation	7013
item CAP-088, Hoyt Hall Rehabilitation, is \$3,693 plus the	7014
unencumbered and unallotted balance as of June 30, 2002, in	7015
appropriation item CAP-088, Hoyt Hall Rehabilitation.	7016
HIGH VOLTAGE ELECTRIC	7017
The amount reappropriated for the foregoing appropriation	7018
item CAP-089, High Voltage Electric, is \$1,155 plus the	7019
unencumbered and unallotted balance as of June 30, 2002, in	7020
appropriation item CAP-089, High Voltage Electric.	7021
ROUDEBUSH HALL REHABILITATION	7022
The amount reappropriated for the foregoing appropriation	7023
item CAP-111, Roudebush Hall Rehabilitation, is \$161,556 plus the	7024
unencumbered and unallotted balance as of June 20, 2002, in	7025
appropriation item CAP-111, Roudebush Hall Rehabilitation.	7026
CHILLED WATER LOOP - HAMILTON	7027
The amount reappropriated for the foregoing appropriation	7028
item CAP-112, Chilled Water Loop Phase I - Hamilton, is \$507,029	7029
plus the unencumbered and unallotted balance as of June 30, 2002,	7030
in appropriation item CAP-112, Chilled Water Loop - Hamilton.	7031
CHILLED WATER LOOP - MIDDLETOWN	7032
The amount reappropriated for the foregoing appropriation	7033

As Reported by the Senate Finance and Financial Institutions Committee*

item CAP-114, Chilled Water Loop Phase I - Middletown, is the 7034
 unencumbered and unallotted balance as of June 30, 2002, in 7035
 appropriation item CAP-114, Chilled Water Loop - Middletown, minus 7036
 \$501,381. 7037

Reappropriations

Section 24.19. OSU OHIO STATE UNIVERSITY 7038

CAP-074	Basic Renovations	\$	13,197,315	7039
CAP-141	Health Center Access Improvement	\$	131,820	7040
CAP-149	Basic Renovations - Regional Campuses	\$	1,286,620	7041
CAP-198	Brown Hall Annex Replacement	\$	8,310	7042
CAP-216	Evans Lab Addition	\$	165,124	7043
CAP-217	Library Book Warehouse	\$	14,721	7044
CAP-254	Basic Renovations - ATI	\$	204,602	7045
CAP-255	Supplemental Renovations - OARDC	\$	2,315,052	7046
CAP-256	Supplemental Renovations - Regional	\$	191,955	7047
CAP-257	Equine Center Phase I	\$	4,119	7048
CAP-258	Dreese Lab Addition	\$	283,491	7049
CAP-259	Mendenhall Lab Rehabilitation	\$	14,691	7050
CAP-261	Bioscience/Parks Hall Addition	\$	12,584	7051
CAP-268	Horse/Farm Management Facility - ATI	\$	8,522	7052
CAP-269	Greenhouse Modernization	\$	40,982	7053
CAP-271	Horticulture/Entomology Greenhouse - OARDC	\$	9,432	7054
CAP-273	Retrovirus Research Center	\$	3,554	7055
CAP-274	OARDC Thorne & Gourley Halls	\$	11,094	7056
CAP-292	Life Sciences Research Building	\$	925,868	7057
CAP-293	College of Business Facilities	\$	134,074	7058
CAP-294	Stillman Hall Addition	\$	58,779	7059
CAP-295	Poultry Science Facility	\$	8,568	7060
CAP-297	Library/Classroom Building - Marion	\$	573	7061
CAP-302	Food Science & Technology Building	\$	99,990	7062
CAP-306	Heart & Lung Institute	\$	32,437	7063

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-311	Superconducting Radiation	\$	65,094	7064
CAP-313	Brain Tumor Research Center	\$	6,001	7065
CAP-314	Engineering Center Net Shape Manufacturing	\$	20,730	7066
CAP-315	Membrane Protein Typology	\$	8,835	7067
CAP-316	Instructional and Data Processing Equipment	\$	198,844	7068
CAP-321	Fine Particle Technologies	\$	157,937	7069
CAP-323	Advanced Plasma Engineering	\$	117,972	7070
CAP-324	Plasma Ramparts	\$	128,530	7071
CAP-326	IN-SITU AL-BE Composites	\$	1,733	7072
CAP-329	Jesse Owens Recreation Center	\$	3,057	7073
CAP-331	Cunz Hall - Partial 2nd Floor Renovation	\$	6,716	7074
CAP-333	Larkins Hall - Roof Replacement Phase III	\$	85,159	7075
CAP-334	Center for Automotive Research	\$	4,681	7076
CAP-335	Jay Cooke Residence - Roof and Windows	\$	86,668	7077
CAP-339	Poultry Science Lab Remodeling	\$	3,679	7078
CAP-342	Success Center	\$	18,571	7079
CAP-346	Hopkins Hall Chiller/Ventilation	\$	1,326	7080
CAP-347	Asbestos Abatement	\$	5,724	7081
CAP-348	Child Care Facility - Marion	\$	2,835	7082
CAP-349	Materials Network	\$	56,025	7083
CAP-350	Bio-Technology Consortium	\$	42,378	7084
CAP-352	Analytical Electron Microscope	\$	375,000	7085
CAP-353	High Temp Alloys & Alluminoids	\$	220,000	7086
CAP-357	Supplemental Renovations - ATI	\$	33,969	7087
CAP-361	Maintenance, Receiving, and Storage Facility - Marion	\$	66,836	7088
CAP-362	McPherson Lab Rehabilitation	\$	178,325	7089
CAP-363	School of Architecture Facility	\$	8,700,556	7090
CAP-368	Heart and Lung Institute	\$	101,808	7091
CAP-372	Veterinary Hospital - Animal Isolation	\$	200	7092
CAP-374	ADA Modifications	\$	473,848	7093

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-375	ADA Modifications - ATI	\$	37,204	7094
CAP-376	ADA Modifications - Lima	\$	50,745	7095
CAP-377	ADA Modifications - Mansfield	\$	15,253	7096
CAP-379	ADA Modifications - Newark	\$	4,058	7097
CAP-387	Titanium Alloys	\$	54,912	7098
CAP-391	Haskett/Hopkins Halls Renovations	\$	7,312	7099
CAP-394	ATI/OARDC Roof Replacements	\$	13,913	7100
CAP-398	Advanced Manufacturing	\$	38,579	7101
CAP-399	Manufacturing Processes/Materials	\$	62,574	7102
CAP-401	Terhertz Studies	\$	35,240	7103
CAP-402	Caldwell Laboratory Remodeling	\$	57,304	7104
CAP-406	Marion Park/Road/Sidewalk/Lights	\$	2,750	7105
CAP-407	Dulles Chilled Water	\$	2,095	7106
CAP-411	Campus Grounds - Lights Phase 4	\$	7,018	7107
CAP-412	Hitchcock Hall HVAC Upgrades	\$	10,392	7108
CAP-413	Pomerene Lighting/Wiring	\$	235,300	7109
CAP-414	Postle Hall Roof Replacement	\$	2,332	7110
CAP-419	NMR Consortium	\$	75,116	7111
CAP-420	Versatile Film Facility	\$	70,894	7112
CAP-421	OCARNET	\$	5,916	7113
CAP-422	Bioprocessing Research	\$	181,298	7114
CAP-423	Localized Corrosion Research	\$	6,128	7115
CAP-424	ATM Testbed	\$	3,633	7116
CAP-425	Physical Sciences Building	\$	45,767,197	7117
CAP-426	Utilities Upgrade/Extension - Mansfield	\$	53,300	7118
CAP-427	Morrill Hall Remodeling - Vacated Library Space - Marion	\$	1,364,050	7119
CAP-428	Capital Equipment - OARDC	\$	17,155	7120
CAP-429	1314 Kinnear Road Center	\$	21,456	7121
CAP-430	Hagerty Hall Rehabilitation	\$	17,824,717	7122
CAP-431	Sisson Hall Replacement	\$	176,659	7123
CAP-433	Central Chilled Water Plant - OARDC	\$	13,912	7124
CAP-434	Ramseyer Hall Roof Renovations	\$	19,700	7125

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-436	Machinery Acoustics	\$	3,804	7126
CAP-439	Sensors and Measurements	\$	15,115	7127
CAP-440	Polymer Magnets	\$	1,099	7128
CAP-444	Larkins Hall HVAC System Upgrade	\$	15,816	7129
CAP-445	Starling Loving Hall A Wing - HVAC	\$	5,914	7130
CAP-446	ADA - Lecture Halls/Restrooms/Larkins	\$	196	7131
CAP-447	Elevator Upgrades - ADA	\$	12,201	7132
CAP-449	Bolz Hall Roof Replacement	\$	263,340	7133
CAP-450	Campus Grounds Exterior Lighting, Phase 5	\$	1,700	7134
CAP-453	Evans Lab Chiller Replacement	\$	14,615	7135
CAP-454	Utilities Upgrade Lighting Retrofit	\$	12,039	7136
CAP-458	A1 Alloy Corrosion	\$	14,292	7137
CAP-464	Main Library HVAC Renovations	\$	6,711	7138
CAP-465	Veterinary Hospital Chiller Replacement	\$	35,668	7139
CAP-466	ARPS Hall Chiller Replacement	\$	6,323	7140
CAP-468	Larkins Hall Window Replacements	\$	6,494	7141
CAP-471	Newton Hall Renovations	\$	2,134	7142
CAP-472	OSHA Safety Devices	\$	2,626	7143
CAP-476	Mount Hall Lecture Hall	\$	2,116	7144
CAP-478	Wiseman Hall Animal Facility	\$	12,980	7145
CAP-480	Campbell Hall Public Space	\$	104,210	7146
CAP-481	OSHA Ventilation - Bio Science	\$	9,162	7147
CAP-484	Page Hall Planning	\$	9,792,076	7148
CAP-485	Botany & Zoology Building Planning	\$	22,493,244	7149
CAP-488	Don Scott Field Replacement Barns	\$	24,889	7150
CAP-489	Galvin Hall 3rd Floor Renovation - Lima	\$	524,294	7151
CAP-491	Horticultural Operations Center - ATI	\$	1,560,000	7152
CAP-492	OARDC Feed Mill	\$	5,500,000	7153
CAP-496	1314 Kinnear Road Building Improvement	\$	335,319	7154
CAP-497	Book Depository	\$	10,454	7155
CAP-498	Curl Drive Mill & Overlay	\$	28,830	7156
CAP-500	Campus Buildings - Emergency Lighting	\$	5,242	7157
CAP-502	Drinko Hall Air Conditioning Upgrade	\$	12,644	7158

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-503	Evans Lab Roof Replacement	\$	297,063	7159
CAP-504	Fontana Lab - Chiller Replacement	\$	12,210	7160
CAP-505	Main Library HVAC Upgrade	\$	5,517	7161
CAP-506	Mirror Lake Hollow Renovation	\$	466,338	7162
CAP-507	Utilities High Voltage Electric	\$	216,544	7163
CAP-509	Mount Hall HVAC Modifications	\$	40,982	7164
CAP-510	Derby Hall Roof Replacement	\$	95,530	7165
CAP-511	Arps Hall Lab Renovation	\$	351,611	7166
CAP-512	Main Library Roof Replacement	\$	7,149	7167
CAP-513	Main Library Carpeting	\$	8,352	7168
CAP-514	Postle Hall Research Labs	\$	915,050	7169
CAP-516	Orton Hall Roof Replacement	\$	490,997	7170
CAP-517	Vet Hospital Roof Replacement	\$	42,983	7171
CAP-518	French Field House Glass Replacement	\$	57,625	7172
CAP-519	Ohio Biomedical Consortium on Medical Therapeutic Micro Devices	\$	1,279,019	7173
CAP-520	Plant and Microbe Functional Genomics Facilities	\$	19,634	7174
CAP-521	Ohio Center for Wetland & River Restoration	\$	1,180,000	7175
CAP-522	State of the Art Mass Spectrometry Consortium	\$	121,522	7176
CAP-523	Consortium for Novem Microfabrications Methods of Medical Devices in Non-Silicon Materials	\$	620,989	7177
CAP-524	Bone & Mineral Metabolism Research Lab	\$	24,525	7178
CAP-526	Koffolt/Fontana Roof Replacement	\$	378,948	7179
CAP-530	OSHA Fume Hood Monitors Phase I	\$	460,096	7180
CAP-531	Animal & Plant Biology Level 3	\$	200,000	7181
CAP-532	Food, AG, and Environmental Sciences	\$	1,500,000	7182
CAP-534	Main Library Rehabilitation	\$	1,701	7183
CAP-535	Psychology Building Thorne Hall and Gowley Hall Renovations, Phase 3	\$	3,000,000	7184

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-536	OARDC	\$	4,195,974	7185
CAP-537	Advanced Non Thermal Processing	\$	249,402	7186
CAP-538	OSU Gateway Parking Garage	\$	4,500,000	7187
CAP-539	Nanosecond Infrared Measurement	\$	2,588	7188
CAP-542	Propulsion Systems - Future Vehicles	\$	69,066	7189
CAP-544	Cockins Hall Math & Statistics	\$	726,745	7190
CAP-545	Hopkins Hall Ceramics Facility Renovation Phase I	\$	55,714	7191
CAP-546	Nanometer Scale Auger Electron	\$	5,438	7192
CAP-548	MHZ Rate Flow Imaging System	\$	63,194	7193
CAP-549	Caldwell Asbestos Abatement	\$	200,337	7194
CAP-550	Millimeter/Submillimeter Instrument	\$	10,769	7195
CAP-551	Network Computing Testbed	\$	87,500	7196
CAP-552	X-Ray Powder Diffractometer	\$	4,670	7197
CAP-554	Deconvolution Microscope	\$	5,793	7198
CAP-555	Polar Rock Repository	\$	45,693	7199
CAP-556	Heart/Lung Inst Animal Facility	\$	442,855	7200
CAP-557	Pomerene Hall Renovation	\$	70,424	7201
CAP-558	Campus Lighting Phase VII	\$	20,072	7202
CAP-561	Campus Grounds Street Rebuild	\$	89,122	7203
CAP-563	Cleveland Botanical Gardens	\$	500,000	7204
CAP-564	Denney Hall Renovation Phase I	\$	157,179	7205
CAP-565	Ion Mass Spectrometry	\$	60,968	7206
CAP-566	Accelerated Maturation of Materials	\$	39,043	7207
CAP-568	Role of Molecular Interfaces	\$	60,304	7208
CAP-569	McCracken Steam Turbine Vibration Monitoring	\$	274,000	7209
CAP-570	Celeste Laboratory HVAC Modifications	\$	734,000	7210
CAP-571	Electron and Ion Optical Characterization of Materials	\$	10,164	7211
CAP-572	New Millimeter Spectrometer	\$	123,689	7212
CAP-573	Noncredit Job Training	\$	175,000	7213
CAP-574	Noncredit Job Training	\$	690,000	7214

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-575	Multi Object Double Spectrograph	\$	383,500	7215
CAP-576	1224 Kinnear Road - Bale	\$	536,227	7216
CAP-577	Non-Silicon Micromachining	\$	90,336	7217
CAP-578	High Performance Computing	\$	220,868	7218
CAP-579	Veterinary Hospital Auditorium Renovation	\$	492,800	7219
CAP-580	Bevis Hall Roof Replacement	\$	320,020	7220
CAP-581	Campus Grounds Neil Ave/Street Building	\$	458,500	7221
CAP-582	Hayes Hall Roof Replacement	\$	385,140	7222
CAP-583	Rightmirer Hall Roof Replacement	\$	412,650	7223
CAP-584	Starling-Loving Hall Renovation	\$	682,000	7224
CAP-585	Marion Campus - Student Services	\$	1,364,050	7225
CAP-586	Electroscience Lab Renovation	\$	731,500	7226
CAP-587	OARDC Boiler Replacement	\$	1,207,750	7227
CAP-588	Graves Hall Roof Replacement	\$	274,100	7228
CAP-589	Photoelectron Spectrometer	\$	150,000	7229
CAP-590	Supercomputer Center Expansion	\$	6,246,014	7230
CAP-591	Mansfield Parking Lot	\$	213,300	7231
	Resurfacing/Striping			
Total Ohio State University		\$	177,043,816	7232

BASIC RENOVATIONS 7233

The amount reappropriated for the foregoing appropriation 7234
item CAP-074, Basic Renovations, is \$370,480 plus the unencumbered 7235
and unallotted balance as of June 30, 2002, in appropriation item 7236
CAP-074, Basic Renovations. 7237

EVANS LAB ADDITION 7238

The amount reappropriated for the foregoing appropriation 7239
item CAP-216, Evans Lab Addition, is \$14,195 plus the unencumbered 7240
and unallotted balance as of June 30, 2002, in appropriation item 7241
CAP-216, Evans Lab Addition. 7242

HORTICULTURE/ENTOMOLOGY GREENHOUSE - OARDC 7243

The amount reappropriated for the foregoing appropriation 7244

As Reported by the Senate Finance and Financial Institutions Committee*

item CAP-271, Horticulture/Entomology Greenhouse - OARDC, is	7245
\$1,860 plus the unencumbered and unallotted balance as of June 30,	7246
2002, in appropriation item CAP-271, Horticulture/Entomology	7247
Greenhouse - OARDC.	7248
 CENTER FOR AUTOMOTIVE RESEARCH	 7249
 The amount reappropriated for the foregoing appropriation	 7250
item CAP-334, Center for Automotive Research, is \$2,340 plus the	7251
unencumbered and unallotted balance as of June 30, 2002, in	7252
appropriation item CAP-334, Center or Automotive Research.	7253
 MAINTENANCE, RECEIVING, AND STORAGE FACILITY - MARION	 7254
 The amount reappropriated for the foregoing appropriation	 7255
item CAP-361, Maintenance, Receiving, and Storage Facility -	7256
Marion, is \$9,951 plus the unencumbered and unallotted balance as	7257
of June 30, 2002, in appropriation item CAP-361, Maintenance,	7258
Receiving, Storage - Marion.	7259
 CAMPUS GROUNDS LIGHTS	 7260
 The amount reappropriated for the foregoing appropriation	 7261
item CAP-411, Campus Grounds-Lights Phase 4, is \$280 plus the	7262
unencumbered and unallotted balance as of June 30, 2002, in	7263
appropriation item CAP-411, Campus Grounds Lights.	7264
 OCARNET	 7265
 The amount reappropriated for the foregoing appropriation	 7266
item CAP-421, OCARNET, is \$4,104 plus the unencumbered and	7267
unallotted balance as of June 30, 2002, in appropriation item	7268
CAP-421, OCARNET.	7269
 BIOPROCESSING RESEARCH	 7270
 The amount reappropriated for the foregoing appropriation	 7271
item CAP-422, Bioprocessing Research, is \$13,677 plus the	7272
unencumbered and unallotted balance as of June 30, 2002, in	7273
appropriation item CAP-422, Bioprocessing Research.	7274

As Reported by the Senate Finance and Financial Institutions Committee*

CAPITAL EQUIPMENT - OARDC		7275
The amount reappropriated for the foregoing appropriation		7276
item CAP-428, Capital Equipment - OARDC, is \$2,725 plus the		7277
unencumbered and unallotted balance as of June 30, 2002, in		7278
appropriation item CAP-428, Capital Equipment - OARDC.		7279
CAMPUS GROUNDS EXTERIOR LIGHTING		7280
The amount reappropriated for the foregoing appropriation		7281
item CAP-450, Campus Grounds Exterior Lighting, Phase 5, is \$1,700		7282
plus the unencumbered and unallotted balance as of June 30, 2002,		7283
in appropriation item CAP-450, Campus Grounds Exterior Lighting.		7284
FONTANA LAB - CHILLER REPLACEMENT		7285
The amount reappropriated for the foregoing appropriation		7286
item CAP-504, Fontana Lab - Chiller Replacement, is \$5,981 plus		7287
the unencumbered and unallotted balance as of June 30, 2002, in		7288
appropriation item CAP-504, Fontana Lab - Chiller Replacement.		7289
SUPERCOMPUTER CENTER EXPANSION		7290
The amount reappropriated for the foregoing appropriation		7291
item CAP-590, Supercomputer Center Expansion, is \$508,599 plus the		7292
unencumbered and unallotted balance as of June 30, 2002, in		7293
appropriation item CAP-590, Supercomputer Center Expansion.		7294
	Reappropriations	
Section 24.20. OHU OHIO UNIVERSITY		7296
CAP-020 Basic Renovations	\$ 3,514,835	7297
CAP-021 Conservancy District Assessment	\$ 16,126	7298
CAP-086 Memorial Auditorium Rehabilitation	\$ 10,013	7299
CAP-094 Bentley Hall Renovation	\$ 8,101	7300
CAP-095 Basic Renovations - Eastern	\$ 328,397	7301
CAP-098 Basic Renovations - Lancaster	\$ 221,427	7302
CAP-099 Basic Renovations - Zanesville	\$ 170,703	7303
CAP-100 Bennett Hall Renovations	\$ 6,577	7304

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-113	Basic Renovations - Chillicothe	\$	214,507	7305
CAP-114	Basic Renovations - Ironton	\$	170,592	7306
CAP-115	Bennett Hall HVAC/Lab - Chillicothe	\$	2,052,145	7307
CAP-116	Copeland Hall Rehabilitation	\$	6,396	7308
CAP-117	Porter Hall Rehabilitation	\$	121,193	7309
CAP-119	Biomedical Research Center	\$	115,175	7310
CAP-120	Ridges Auditorium Rehabilitation	\$	1,177	7311
CAP-122	Museum	\$	39,200	7312
CAP-129	Emergency Lighting Improvements	\$	3,524	7313
CAP-136	Gymnasium Development - Eastern	\$	137,116	7314
CAP-137	Classroom Building - Ironton	\$	11,471	7315
CAP-141	College of Health and Human Services	\$	67,429	7316
CAP-142	Health Professions Labs Phase I	\$	1,711,058	7317
CAP-145	Asbestos Abatement	\$	40,796	7318
CAP-148	RTVC Building Asbestos Abatement	\$	1,037	7319
CAP-149	Electrical Distribution System	\$	1,490	7320
CAP-152	Gordy Hall Addition and Rehabilitation	\$	22,175	7321
CAP-155	Brasee Hall Rehabilitation - Lancaster	\$	1,189,261	7322
CAP-156	Herrold Hall Renovation - Lancaster	\$	5,423	7323
CAP-157	ADA Modifications	\$	67,665	7324
CAP-160	ADA Modifications - Ironton	\$	9,113	7325
CAP-161	ADA Modifications - Lancaster	\$	20,345	7326
CAP-164	Southeast Library Warehouse	\$	15,369	7327
CAP-167	Scott Quadrangle Plumbing	\$	150	7328
CAP-169	Elevator Improvements Phase III	\$	25,345	7329
CAP-172	Elson Hall Rehabilitation - Zanesville	\$	187,200	7330
CAP-183	Central Classroom Building	\$	298,040	7331
CAP-184	Utilities to Scripps Hall	\$	211	7332
CAP-186	Ellis Hall Partial Renovation	\$	17,181	7333
CAP-188	Technology Center Construction - Ironton	\$	219,815	7334
CAP-189	Conference Center Planning - Lancaster	\$	510,000	7335
CAP-190	Center For Public Policy	\$	642,074	7336
CAP-191	District Water Cooling	\$	1,837,480	7337

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-192	Plant and Microbe Functional Genomics Facilities	\$	38,319	7338
CAP-199	Bently Hall Phase I	\$	65,645	7339
CAP-200	Building Acquisition/Renovation - Eastern	\$	398,269	7340
CAP-202	Putnam Hall Rehabilitation	\$	4,141,912	7341
CAP-203	Supplemental Renovations	\$	1,417,487	7342
CAP-204	Propulsion Systems	\$	10,671	7343
CAP-205	Noncredit Job Training	\$	810,000	7344
Total Ohio University		\$	20,919,635	7345

BASIC RENOVATIONS 7346

The amount reappropriated for the foregoing appropriation 7347
 item CAP-020, Basic Renovations, is \$22,905 plus the unencumbered 7348
 and unallotted balance as of June 30, 2002, in appropriation item 7349
 CAP-020, Basic Renovations. 7350

MEMORIAL AUDITORIUM REHABILITATION 7351

The amount reappropriated for the foregoing appropriation 7352
 item CAP-086, Memorial Auditorium Rehabilitation, is \$3,977 plus 7353
 the unencumbered and unallotted balance as of June 30, 2002, in 7354
 appropriation item CAP-086, Memorial Auditorium Rehabilitation. 7355

BASIC RENOVATIONS - LANCASTER 7356

The amount reappropriated for the foregoing appropriation 7357
 item CAP-098, Basic Renovations - Lancaster, is \$280 plus the 7358
 unencumbered and unallotted balance as of June 30, 2002, in 7359
 appropriation item CAP-098, Basic Renovations - Lancaster. 7360

BASIC RENOVATIONS - ZANESVILLE 7361

The amount reappropriated for the foregoing appropriation 7362
 item CAP-099, Basic Renovations - Zanesville, is \$1,013 plus the 7363
 unencumbered and unallotted balance as of June 30, 2002, in 7364
 appropriation item CAP-099, Basic Renovations - Zanesville. 7365

RIDGES AUDITORIUM REHABILITATION 7366

As Reported by the Senate Finance and Financial Institutions Committee*

The amount reappropriated for the foregoing appropriation	7367
item CAP-120, Ridges Auditorium Rehabilitation, is \$474 plus the	7368
unencumbered and unallotted balance as of June 30, 2002, in	7369
appropriation item CAP-120, Ridges Auditorium Rehabilitation.	7370
 GYMNASIUM DEVELOPMENT - EASTERN	 7371
The amount reappropriated for the foregoing appropriation	7372
item CAP-136, Gymnasium Development - Eastern, is \$1,267 plus the	7373
unencumbered and unallotted balance as of June 30, 2002, in	7374
appropriation item CAP-136, Gymnasium Development - Eastern.	7375
 HEALTH PROFESSIONS LABS - PHASE I	 7376
The amount reappropriated for the foregoing appropriation	7377
item CAP-142, Health Professions Labs Phase I, is \$22,115 plus the	7378
unencumbered and unallotted balance as of June 30, 2002, in	7379
appropriation item CAP-142, Health Professions Labs.	7380
 BRASEE HALL REHABILITATION - LANCASTER	 7381
The amount reappropriated for the foregoing appropriation	7382
item CAP-155, Brasee Hall Rehabilitation - Lancaster, is \$1,000	7383
plus the unencumbered and unallotted balance as of June 30, 2002,	7384
in appropriation item CAP-155, Brasee Hall Rehabilitation -	7385
Lancaster.	7386
 CENTRAL CLASSROOM BUILDING	 7387
The amount reappropriated for the foregoing appropriation	7388
item CAP-183, Central Classroom Building, is \$7,414 plus the	7389
unencumbered and unallotted balance as of June 30, 2002, in	7390
appropriation item CAP-183, Central Classroom Building.	7391
 UTILITIES TO SCRIPPS HALL	 7392
The amount reappropriated for the foregoing appropriation	7393
item CAP-184, Utilities to Scripps Hall, is \$211 plus the	7394
unencumbered and unallotted balance as of June 30, 2002, in	7395
appropriation item CAP-184, Utilities to Scripps Hall.	7396

As Reported by the Senate Finance and Financial Institutions Committee*

ELLIS HALL PARTIAL RENOVATION 7397

The amount reappropriated for the foregoing appropriation 7398
 item CAP-186, Ellis Hall Partial Renovation, is \$17,181 plus the 7399
 unencumbered and unallotted balance as of June 30, 2002, in 7400
 appropriation item CAP-186, Ellis Hall Partial Renovation. 7401

Reappropriations

Section 24.21. SSC SHAWNEE STATE UNIVERSITY 7402

CAP-004	Basic Renovations	\$	993,874	7403
CAP-008	Massie Hall Renovation	\$	65,905	7404
CAP-010	Land Acquisition	\$	287,117	7405
CAP-016	Library Building	\$	10,777	7406
CAP-017	Math/Science Building	\$	71,794	7407
CAP-029	Fine Arts Class and Lab Building	\$	108,704	7408
CAP-030	Utilities and Landscaping	\$	4,679	7409
CAP-037	ADA Modifications	\$	109,413	7410
CAP-038	Child Care Facility	\$	50,000	7411
CAP-039	Central Heating Plant Replacement	\$	8,137	7412
CAP-040	Chiller Replacement	\$	12,054	7413
CAP-041	Kricker Hall Renovation	\$	1,469,078	7414
CAP-042	Sidewalk/Plaza Replacement	\$	250,276	7415
CAP-043	Communication/Data Upgrade	\$	62,106	7416
CAP-044	Land Acquisition	\$	220,607	7417
CAP-045	Rehabilitation of Health Sciences Building Phase I	\$	716,974	7418
Total Shawnee State University		\$	4,441,495	7419

Reappropriations

Section 24.22. UTO UNIVERSITY OF TOLEDO 7421

CAP-007	University Hall Renovation	\$	298,418	7422
CAP-010	Basic Renovations	\$	2,571,395	7423
CAP-025	Roof Renovations	\$	55,404	7424
CAP-026	Road Improvements	\$	5,459	7425

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-062	Pharmacy, Chemistry and Life Sciences Facility	\$	4,340	7426
CAP-067	Asbestos Abatement	\$	27,429	7427
CAP-071	Southwest Academic Center Rehabilitation	\$	14,933	7428
CAP-073	ADA Modifications	\$	129,118	7429
CAP-076	Education & Allied Professions	\$	164,288	7430
CAP-077	Tribology	\$	341,261	7431
CAP-083	Bowman-Oddy Rehabilitation Phase 2	\$	277,995	7432
CAP-085	Engineering - Biomedical Lab Rehabilitation	\$	81,802	7433
CAP-091	Greenhouse Improvements	\$	11,675	7434
CAP-092	Plant and Microbe Functional Genomics Facilities	\$	164,597	7435
CAP-094	Plant Operations Renovation	\$	450,000	7436
CAP-095	Driscoll Center Renovations	\$	760	7437
CAP-096	Health & Human Services Rehabilitation Phase I	\$	16,395,833	7438
CAP-097	Libby Hall Rehabilitation	\$	1,962,138	7439
CAP-100	University Computer Center	\$	2,158,788	7440
CAP-103	Toledo Museum of Art Upgrade	\$	1,000,000	7441
CAP-105	Gillham Hall Rehabilitation	\$	140,000	7442
CAP-106	Bowman Oddy Rehabilitation	\$	2,762,191	7443
CAP-107	Larimer Athletic Complex	\$	640,526	7444
CAP-108	Roof Renovations/Scott Park	\$	1,399	7445
Total University of Toledo		\$	29,659,749	7446

Reappropriations

Section 24.23. WSU WRIGHT STATE UNIVERSITY				7448
CAP-015	Basic Renovations	\$	1,297,450	7449
CAP-064	Basic Renovations - Lake	\$	89,455	7450
CAP-070	Oelman Hall Rehabilitation	\$	16,104	7451
CAP-071	New Academic Building	\$	25,854	7452
CAP-072	Access Circulation	\$	1,831	7453

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-075	Aviation Heritage National Historical Park	\$	22,413	7454
CAP-080	Library Access Consolidation System	\$	6,067,385	7455
CAP-084	ADA Modifications	\$	5,913	7456
CAP-092	Allyn Hall Rehabilitation	\$	10,179	7457
CAP-093	Information Technology Center	\$	134,727	7458
CAP-094	Campus Services Building	\$	481	7459
CAP-095	Technology Infrastructure University	\$	5,211	7460
CAP-098	Center/Hamilton/Physical Education Chiller	\$	8,877	7461
CAP-102	Specialized Communication	\$	78,693	7462
CAP-103	Millett Hall Rehabilitation	\$	523,157	7463
CAP-104	Road and Parking Lot Improvements	\$	133,514	7464
CAP-105	Cross-Modal Analysis-Signl/Sensor	\$	300,000	7465
CAP-106	Air Force Musuem	\$	500,000	7466
CAP-109	High Performance Connection to VBNS	\$	175,000	7467
CAP-110	Student Union Marketplace	\$	524,887	7468
Total Wright State University		\$	9,921,128	7469

BASIC RENOVATIONS 7470

The amount reappropriated for the foregoing appropriation 7471
 item CAP-015, Basic Renovations, is \$33,910 plus the unencumbered 7472
 and unallotted balance as of June 30, 2002, in appropriation item 7473
 CAP-015, Basic Renovations. 7474

LIBRARY ACCESS CONSOLIDATION SYSTEM 7475

The amount reappropriated for the foregoing appropriation 7476
 item CAP-080, Library Access Consolidation System, is \$2,911 plus 7477
 the unencumbered and unallotted balance as of June 30, 2002, in 7478
 appropriation item CAP-080, Library Access Consolidation System. 7479

Reappropriations

Section 24.24. YSU YOUNGSTOWN STATE UNIVERSITY 7480

CAP-014	Basic Renovations	\$	2,042,939	7481
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As Reported by the Senate Finance and Financial Institutions Committee*

CAP-038	Roof Renovations	\$	560	7482
CAP-040	Bliss Hall Rehabilitation-Final Phase	\$	3,028,711	7483
CAP-062	Central Utility Plant Improvement	\$	270,277	7484
CAP-066	Asbestos Abatement	\$	48,574	7485
CAP-085	College of Education - Auditorium	\$	6,524	7486
CAP-086	Instructional and Data Processing Equipment	\$	1,287	7487
CAP-096	ADA Modifications	\$	4,052	7488
CAP-097	Child Care Facility	\$	5,949	7489
CAP-099	Todd Hall Renovations	\$	155,487	7490
CAP-104	Central Utility Plant	\$	1,089	7491
CAP-108	Electronic Campus Infrastructure/Technology	\$	1,235,709	7492
CAP-109	Welcome Center - Dana Hall Addition	\$	15,418	7493
CAP-112	Beeghly Center Rehabilitation	\$	2,283,293	7494
CAP-113	Campus Development	\$	553,091	7495
CAP-114	Chiller and Steamline Replacement Phase 3	\$	393,805	7496
CAP-116	Technology Incubator for Market Ready Applications	\$	1,000,000	7497
CAP-117	Ward Beecher/HVAC Ugrade	\$	1,388,863	7498
CAP-121	Administrative Technology Computer Systems Improvements	\$	1,500,000	7499
Total Youngstown State University		\$	13,935,628	7500

BLISS HALL REHABILITATING 7501

The amount reappropriated for the foregoing appropriation 7502
 item CAP-040, Bliss Hall Rehabilitation - Final Phase, is the sum 7503
 of the unencumbered and unallotted balances as of June 30, 2002, 7504
 in appropriation items CAP-040, Bliss Hall Rehabilitation, and 7505
 CAP-115, Fedor Hall Rehabilitation. 7506

CAMPUS DEVELOPMENT 7507

The amount reappropriated for the foregoing appropriation 7508
 item CAP-113, Campus Development, is the sum of the unencumbered 7509

As Reported by the Senate Finance and Financial Institutions Committee*

and unallotted balances as of June 30, 2002, in appropriation	7510
items CAP-113, Campus Development, and CAP-027, Property	7511
Acquisitions/Street Closures.	7512

Reappropriations

Section 24.25. NEM NORTHEASTERN OHIO UNIVERSITIES COLLEGE OF		7513
MEDICINE		7514
CAP-018 Basic Renovations	\$ 421,451	7515
CAP-034 ADA Modifications	\$ 5,562	7516
CAP-036 Computer Services Networking	\$ 398	7517
CAP-037 Conference Center	\$ 27,647	7518
Rehabilitation/Expansion		
CAP-040 Campus Network Expansion	\$ 1,283,974	7519
CAP-041 Optimal Health Care	\$ 121,949	7520
CAP-042 Outdoor Athletic Facilities	\$ 119,542	7521
CAP-043 Bonding and Grounding	\$ 38,500	7522
CAP-044 Collaborative Research Building Envelope	\$ 378,764	7523
Total Northeastern Ohio Universities College of	\$ 2,397,787	7524
Medicine		

Reappropriations

Section 24.26. MCO MEDICAL COLLEGE OF OHIO		7526
CAP-010 Basic Renovations	\$ 281,384	7527
CAP-048 Medical Informatics Data Highway	\$ 2,118	7528
CAP-049 Center for Classrooms of the Future	\$ 1,503,225	7529
CAP-053 ADA Modifications	\$ 8,258	7530
CAP-062 Waterproofing	\$ 3,381	7531
CAP-072 Campus Substation Repairs	\$ 381,900	7532
CAP-073 Fire Alarm Project	\$ 142	7533
CAP-074 Mulford Library Roof	\$ 9,632	7534
CAP-075 Lab Animal Medicine/Renovation	\$ 7,539	7535
Total Medical College of Ohio	\$ 2,197,579	7536

As Reported by the Senate Finance and Financial Institutions Committee*

Reappropriations

Section 24.27.	CWR UNIVERSITY HOSPITALS, CASE WESTERN RESERVE		7538
	UNIVERSITY		7539
CAP-005	NE Ohio Biomedical Research Consortium	\$ 33,750	7540
CAP-013	Memsnet	\$ 449,836	7541
CAP-016	Pharmacological Sciences	\$ 592,000	7542
CAP-022	Institutional Animal Resources	\$ 64,144	7543
CAP-024	600 MHZ Spectrometer	\$ 161,000	7544
CAP-025	Chemical Studies of Biomimetics	\$ 50,867	7545
CAP-026	Cardiovascular/Neural Engineering	\$ 144,000	7546
CAP-028	Ohio Biomedical Consortium on Medical Therapeutic Microdevices	\$ 11,002	7547
CAP-029	Consortium for Novem Microfabrication Methods of Medical Devices in Non-Silicon Materials	\$ 167,893	7548
CAP-031	Propulsion Systems	\$ 180,161	7549
CAP-032	Fire and Explosion Science Technology	\$ 208,883	7550
CAP-033	NMR Spectrometer	\$ 1,400,000	7551
CAP-034	Transmission Electron Microscope	\$ 225,000	7552
CAP-035	Near Field Optical Probe	\$ 145,000	7553
	Total Case Western Reserve University	\$ 3,833,536	7554

Reappropriations

Section 24.28.	CTC CINCINNATI STATE TECHNICAL AND COMMUNITY		7556
	COLLEGE		7557
CAP-008	Interior Renovations	\$ 390,071	7558
CAP-013	Basic Renovations	\$ 1,142,126	7559
CAP-016	Health Professions Building Planning	\$ 4,044	7560
CAP-017	Instructional and Data Processing Equipment	\$ 431,851	7561
CAP-020	Aviation Facility	\$ 1,100	7562
CAP-026	Emergency Phones and Duct Smoke Detectors	\$ 217,876	7563

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-027	Floor Tiles and Ceiling Replacement	\$	320,884	7564
CAP-028	HVAC and AC Units	\$	17,264	7565
CAP-029	Masonry Repair and New Windows	\$	200,552	7566
CAP-030	Student Life/Education Building	\$	3,008,282	7567
CAP-031	Substation and Power Panels	\$	388,069	7568
Total Cincinnati State Community College		\$	6,122,119	7569

Reappropriations

Section 24.29. CLT CLARK STATE COMMUNITY COLLEGE 7571

CAP-006	Basic Renovations	\$	258,657	7572
CAP-029	Shull Hall Rehabilitation	\$	34,562	7573
CAP-034	ADA Modifications	\$	41,521	7574
Total Clark State Community College		\$	334,740	7575

Reappropriations

Section 24.30. CTI COLUMBUS STATE COMMUNITY COLLEGE 7577

CAP-006	Basic Renovations	\$	787,077	7578
CAP-007	Land Acquisition	\$	936,000	7579
CAP-027	Academic Center "B" Planning	\$	106,050	7580
CAP-028	Instructional and Data Processing Equipment	\$	836,612	7581
CAP-033	Child Care Facility	\$	89,510	7582
CAP-037	Academic Center "C"	\$	103,459	7583
CAP-040	Building "D" Planning	\$	5,069,660	7584
Total Columbus State Community College		\$	7,928,368	7585

Reappropriations

Section 24.31. CCC CUYAHOGA COMMUNITY COLLEGE 7587

CAP-031	Basic Renovations	\$	2,817,163	7588
CAP-033	Ohio College/Podiatric Medicine	\$	100,000	7589
CAP-057	Job Training Program Facility	\$	197,000	7590
CAP-058	ADA Modifications	\$	166,887	7591
CAP-064	Technology Learning Center - Western	\$	5,003,249	7592

As Reported by the Senate Finance and Financial Institutions Committee*

CAP-066	Renovate/Create New Classrooms - West	\$	360,000	7593
CAP-070	Interior/Exterior Signage Program	\$	394,511	7594
CAP-073	Noncredit Job Training	\$	40,613	7595
CAP-078	Humanities Building Renovations - Metro	\$	64,206	7596
CAP-080	UTC Curtainwall Modifications	\$	73,646	7597
CAP-081	Interior Courtyards Renovations	\$	15,754	7598
CAP-082	Carpet Replacement - Western	\$	24,956	7599
Total Cuyahoga Community College		\$	9,257,986	7600

BASIC RENOVATIONS 7601

The amount reappropriated for the foregoing appropriation item 7602
 CAP-031, Basic Renovations, is the sum of the unencumbered and 7603
 unallotted balances as of June 30, 2002, in appropriation items 7604
 CAP-031, Basic Renovations; CAP-028, Adult Technical Education 7605
 Facility; CAP-049, Exterior Building Renovations - Metro/East; 7606
 CAP-052, S & T Asbestos Abatement - Metro; CAP-054, Ceiling 7607
 Renovation/Damper Replacement - West; CAP-059, Electric 7608
 Switchgear/Transformer - Metro; CAP-065, Exterior Lighting/Site 7609
 Improvement - Eastern; CAP-067, Plant Ops/Vehicle Maint/Storage - 7610
 Phase I; and CAP-072, Exterior Lighting Enhancements. 7611

Reappropriations

Section 24.32. ESC EDISON STATE COMMUNITY COLLEGE 7612

CAP-006	Basic Renovations	\$	376,465	7613
CAP-011	Roadway Construction	\$	16,696	7614
CAP-014	Student Activities Area	\$	19,312	7615
CAP-018	Master Plan Update	\$	1,220	7616
CAP-019	Plastics Industry Noncredit Training	\$	35,225	7617
CAP-020	Noncredit Job Training	\$	275,000	7618
Total Edison State Community College		\$	723,918	7619

Reappropriations

Section 24.33. JTC JEFFERSON COMMUNITY COLLEGE 7621

CAP-022	Basic Renovations	\$	388,061	7622
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As Reported by the Senate Finance and Financial Institutions Committee*

CAP-031	Law Enforcement/Engineering Lab Renovations	\$	56,172	7623
CAP-033	ADA Modifications	\$	19,598	7624
CAP-035	Exterior Improvements and Preschool Expansion	\$	24,120	7625
CAP-037	Electrical System Evaluation/Renovation	\$	382,820	7626
CAP-038	Library Interior Renovation	\$	259,020	7627
CAP-039	Lecture Hall Interior Renovation	\$	175,325	7628
CAP-040	Noncredit Job Training	\$	725,000	7629
Total Jefferson Community College		\$	2,030,116	7630

Reappropriations

Section 24.34. LCC LAKELAND COMMUNITY COLLEGE 7632

CAP-006	Basic Renovations	\$	891,946	7633
CAP-019	Health Technologies Building Planning	\$	2,030	7634
CAP-021	Performing Arts Center Renovations	\$	1,062	7635
CAP-022	Library Expansion	\$	7,895	7636
CAP-026	Auditorium Renovation	\$	1,805	7637
CAP-036	Noncredit Job Training	\$	850,000	7638
Total Lakeland Community College		\$	1,754,738	7639

Reappropriations

Section 24.35. LOR LORAIN COMMUNITY COLLEGE 7641

CAP-005	Basic Renovations	\$	466,182	7642
Total Lorain Community College		\$	466,182	7643

Reappropriations

Section 24.36. NTC NORTHWEST STATE COMMUNITY COLLEGE 7645

CAP-003	Basic Renovations	\$	65,000	7646
CAP-006	Child Care Facility	\$	10,000	7647
CAP-013	Classroom & Engineering Build	\$	75,917	7648
CAP-014	ADA Modifications	\$	11,042	7649
CAP-015	A-Wing Supplemental/Distance Learning	\$	3,390	7650

As Reported by the Senate Finance and Financial Institutions Committee*

Total Northwest State Community College	\$	165,349	7651
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Reappropriations

Section 24.37. OTC OWENS COMMUNITY COLLEGE			7653
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CAP-019 Basic Renovations	\$	1,058,932	7654
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CAP-032 Student Health and Activities Center	\$	74,945	7655
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CAP-034 Center for Fine and Performing Arts - Construction	\$	7,847,442	7656
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CAP-035 Findlay Campus Relocation	\$	2,000,000	7657
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Total Owens Community College	\$	10,981,319	7658
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Reappropriations

Section 24.38. RGC RIO GRANDE COMMUNITY COLLEGE			7660
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CAP-005 Basic Renovations	\$	267,301	7661
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CAP-013 College of Business	\$	7,392	7662
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CAP-015 ADA Modifications	\$	75,446	7663
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CAP-021 New Entrance Road	\$	34,166	7664
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Total Rio Grande Community College	\$	384,305	7665
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Reappropriations

Section 24.39. SCC SINCLAIR COMMUNITY COLLEGE			7667
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CAP-007 Basic Renovations	\$	1,118,239	7668
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CAP-033 Telecommunication Infrastructure	\$	87,197	7669
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CAP-034 Advanced Educational Applications Center Phase I	\$	40,000	7670
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CAP-036 Advanced Integrated Manufacturing Center	\$	576,286	7671
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CAP-042 Autolab/Fire Science Facility	\$	45,000	7672
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Total Sinclair Community College	\$	1,866,722	7673
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Reappropriations

Section 24.40. SOC SOUTHERN STATE COMMUNITY COLLEGE			7675
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CAP-010 Basic Renovations	\$	347,997	7676
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CAP-022 Clinton County Facility	\$	97,056	7677
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As Reported by the Senate Finance and Financial Institutions Committee*

CAP-024	Noncredit Job Training	\$	300,000	7678
Total Southern State Community College		\$	745,053	7679

Reappropriations

Section 24.41. TTC TERRA STATE COMMUNITY COLLEGE				7681
CAP-009	Basic Renovations	\$	29,947	7682
CAP-015	Child Care Facility	\$	166,148	7683
Total Terra State Community College		\$	196,095	7684

Reappropriations

Section 24.42. WTC WASHINGTON STATE COMMUNITY COLLEGE				7686
CAP-009	Instructional and Data Processing	\$	129,558	7687
	Equipment			
CAP-012	ADA Modifications	\$	14,575	7688
CAP-013	Child Care Facility	\$	250,235	7689
CAP-016	Noncredit Job Training	\$	875,000	7690
Total Washington State Community College		\$	1,269,368	7691

Reappropriations

Section 24.43. BTC BELMONT TECHNICAL COLLEGE				7693
CAP-008	Basic Renovations	\$	653,372	7694
CAP-014	Main Building Renovation - Phase 3	\$	49,137	7695
CAP-019	ADA Modifications	\$	45,915	7696
Total Belmont Technical College		\$	748,424	7697

Reappropriations

Section 24.44. COT CENTRAL OHIO TECHNICAL COLLEGE				7699
CAP-003	Basic Renovations	\$	225,582	7700
Total Central Ohio Technical College		\$	225,582	7701

Reappropriations

Section 24.45. HTC HOCKING TECHNICAL COLLEGE				7703
CAP-019	Basic Renovations	\$	418,569	7704

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CAP-024	Building Addition	\$	5,270	7705
CAP-028	College Hall Rehabilitation	\$	3,769	7706
CAP-032	Public Safety Service	\$	74,644	7707
CAP-033	Light and Oakley Halls	\$	47,751	7708
Total Hocking Technical College		\$	550,003	7709

Reappropriations

Section 24.46. LTC LIMA TECHNICAL COLLEGE 7711

CAP-004	Basic Renovations	\$	582,991	7712
CAP-006	Building Renovations	\$	5,000	7713
CAP-007	Training and Education Facility	\$	66,332	7714
CAP-008	Instructional and Data Processing Equipment	\$	168,041	7715
CAP-009	Life and Physical Sciences	\$	10,133	7716
CAP-010	ADA Modifications	\$	53,143	7717
Total Lima Technical College		\$	885,640	7718

Reappropriations

Section 24.47. MAT MUSKINGUM AREA TECHNICAL COLLEGE 7720

CAP-007	Basic Renovations	\$	213,276	7721
CAP-017	Basic Capacity Grant	\$	1,410	7722
Total Muskingum Area Technical College		\$	214,686	7723

BASIC RENOVATIONS 7724

The amount reappropriated for the foregoing appropriation 7725
item CAP-007, Basic Renovations, is \$4,780 plus the unencumbered 7726
and unallotted balance as of June 30, 2002, in appropriation item 7727
CAP-007, Basic Renovations. 7728

Reappropriations

Section 24.48. MTC MARION TECHNICAL COLLEGE 7729

CAP-004	Basic Renovations	\$	25,790	7730
Total Marion Technical College		\$	25,790	7731

As Reported by the Senate Finance and Financial Institutions Committee*

Reappropriations

Section 24.49. NCC NORTH CENTRAL TECHNICAL COLLEGE			7733
CAP-003	Basic Renovations	\$ 602,467	7734
CAP-008	Ovalwood Hall Rehabilitation	\$ 9,897	7735
CAP-009	ADA Modifications	\$ 25,000	7736
CAP-012	Shelby Training Center	\$ 1,388,872	7737
CAP-013	Engineering Center Renovation	\$ 300,000	7738
CAP-018	Fallerius Center Rehabilitation	\$ 919,090	7739
Total North Central Technical College			7740

FALLERIUS CENTER REHABILITATION 7741

The amount reappropriated for the foregoing appropriation 7742
 item CAP-018, Fallerius Center Rehabilitation, is \$95,000 plus the 7743
 unencumbered and unallotted balance as of June 30, 2002, in 7744
 appropriation item CAP-018, Fallerius Center Rehabilitation. 7745

Reappropriations

Section 24.50. STC STARK TECHNICAL COLLEGE			7746
CAP-004	Basic Renovations	\$ 571,822	7747
CAP-015	Loop Road Property	\$ 229,701	7748
Acquisition/Development			
CAP-024	Phase 2 Renovations	\$ 252	7749
CAP-027	Information Technology Learning Center	\$ 4,540,243	7750
CAP-028	Northside Development Parking Lot	\$ 73,576	7751
CAP-029	Fire Science Phase III Classroom	\$ 13,166	7752
Total Stark Technical College			7753
TOTAL HIGHER EDUCATION IMPROVEMENT FUND			7754

Section 24.51. The foregoing capital improvements for which 7756
 appropriations are made from the Higher Education Improvement Fund 7757
 (Fund 034) are determined to be capital improvements and capital 7758
 facilities for state-supported or state-assisted institutions of 7759
 higher education and are designated as the capital facilities to 7760

As Reported by the Senate Finance and Financial Institutions Committee*

which proceeds of obligations in the Higher Education Improvement Fund, created by section 154.21 of the Revised Code, are to be applied.

Section 24.52. For all of the foregoing appropriation items from the Higher Education Improvement Fund (Fund 034) that require local funds to be contributed by any state-supported or state-assisted institution of higher education, the Board of Regents shall not recommend that any funds be released until the recipient institution demonstrates to the Board of Regents and the Office of Budget and Management that the local funds contribution requirement has been secured or satisfied. The local funds shall be in addition to the foregoing appropriations.

Section 24.53. None of the foregoing capital improvements appropriations for state-supported or state-assisted institutions of higher education shall be expended until the particular appropriation has been recommended for release by the Board of Regents and released by the Director of Budget and Management or the Controlling Board. Either the institution concerned, or the Board of Regents with the concurrence of the institution concerned, may initiate the request to the Director of Budget and Management or the Controlling Board for the release of the particular appropriations.

Section 24.54. (A) No capital improvement appropriations made in Sections 24.02 to 24.56 of this act shall be released for planning or for improvement, renovation, construction, or acquisition of capital facilities if the institution of higher education or the state does not own the real property on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

As Reported by the Senate Finance and Financial Institutions Committee*

(1) The institution has a long-term (at least fifteen years) 7790
lease of, or other interest (such as an easement) in, the real 7791
property. 7792

(2) The Board of Regents certifies to the Controlling Board 7793
that undue delay will occur if planning does not proceed while the 7794
property or property interest acquisition process continues. In 7795
this case, funds may be released upon approval of the Controlling 7796
Board to pay for planning through the development of schematic 7797
drawings only. 7798

(3) In the case of an appropriation for capital facilities 7799
that, because of their unique nature or location, will be owned or 7800
will be part of facilities owned by a separate nonprofit 7801
organization or public body and will be made available to the 7802
institution of higher education for its use, the nonprofit 7803
organization or public body either owns or has a long-term (at 7804
least fifteen years) lease of the real property or other capital 7805
facility to be improved, renovated, constructed, or acquired and 7806
has entered into a joint or cooperative use agreement, approved by 7807
the Board of Regents, with the institution of higher education 7808
that meets the requirements of division (C) of this section. 7809

(B) Any foregoing appropriations which require cooperation 7810
between a technical college and a branch campus of a university 7811
may be released by the Controlling Board upon recommendation by 7812
the Board of Regents that the facilities proposed by the 7813
institutions are: 7814

(1) The result of a joint planning effort by the university 7815
and the technical college, satisfactory to the Board of Regents; 7816

(2) Facilities that will meet the needs of the region in 7817
terms of technical and general education, taking into 7818
consideration the totality of facilities which will be available 7819
after the completion of these projects; 7820

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(3) Planned to permit maximum joint use by the university and technical college of the totality of facilities which will be available upon their completion;	7821 7822 7823
(4) To be located on or adjacent to the branch campus of the university.	7824 7825
(C) The Board of Regents shall adopt rules regarding the release of moneys from all the foregoing appropriations for capital facilities for all state-supported or state-assisted institutions of higher education. In the case of capital facilities referred to in division (A)(3) of this section, the joint or cooperative use agreements shall include, as a minimum, provisions that:	7826 7827 7828 7829 7830 7831 7832
(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the Board of Regents, reasonably related to the amount of the appropriations;	7833 7834 7835 7836 7837
(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use be terminated;	7838 7839
(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state laws and rules, including provisions of this act;	7840 7841 7842
(4) Provide for payment or reimbursement to the institution of its administrative costs incurred as a result of the facilities project, not to exceed 1.5 per cent of the appropriated amount.	7843 7844 7845
(D) Upon the recommendation of the Board of Regents, the Controlling Board may approve the transfer of appropriations for projects requiring cooperation between institutions from one institution to another institution, with the approval of both institutions.	7846 7847 7848 7849 7850

As Reported by the Senate Finance and Financial Institutions Committee*

(E) Notwithstanding section 127.14 of the Revised Code, the Controlling Board, upon the recommendation of the Board of Regents, may transfer amounts appropriated to the Board of Regents to accounts of state-supported or state-assisted institutions created for that same purpose.

Section 24.55. The requirements of Chapters 123. and 153. of the Revised Code, with respect to the powers and duties of the Director of Administrative Services in the procedure for and award of contracts for capital improvement projects, and the requirements of section 127.16 of the Revised Code, with respect to the Controlling Board, do not apply to projects of community college districts and technical college districts.

Section 24.56. Those institutions locally administering capital improvement projects pursuant to section 3345.50 of the Revised Code may:

(A) Establish charges for recovering costs directly related to project administration as defined by the Director of Administrative Services. The Department of Administrative Services shall review and approve these administrative charges when such charges are in excess of 1.5 per cent of the total construction budget.

(B) Seek reimbursement from state capital appropriations to the institution for the in-house design services performed by the institution for such capital projects. Acceptable charges shall be limited to design document preparation work that is done by the institution. These reimbursable design costs shall be shown as "A/E fees" within the project's budget that is submitted to the Controlling Board or the Director of Budget and Management as part of a request for release of funds. The reimbursement for in-house design may not exceed seven per cent of the estimated construction

As Reported by the Senate Finance and Financial Institutions Committee*

cost.			7881
Section 25.	All items set forth in this section are hereby		7882
	appropriated out of any moneys in the state treasury to the credit		7883
	of the Parks and Recreation Improvement Fund (Fund 035) and		7884
	derived from the proceeds of obligations heretofore authorized to		7885
	pay costs of capital facilities, as defined in section 154.01 of		7886
	the Revised Code, for parks and recreation.		7887
		Reappropriations	
	DNR DEPARTMENT OF NATURAL RESOURCES		7888
CAP-005	Cowan Lake State Park	\$ 51,964	7889
CAP-011	Findley State Park	\$ 22,856	7890
CAP-012	Land Acquisition	\$ 586,825	7891
CAP-016	Hueston Woods State Park	\$ 4,467	7892
CAP-017	Indian Lake State Park	\$ 5,288	7893
CAP-019	Lake Hope State Park	\$ 500	7894
CAP-025	Punderson State Park	\$ 7,763	7895
CAP-026	Pymatuning State Park	\$ 80,000	7896
CAP-051	Buck Creek State Park	\$ 3,050	7897
CAP-064	Geneva State Park	\$ 750	7898
CAP-069	Hocking Hills State Park	\$ 400	7899
CAP-113	East Harbor State Park Shoreline Stabilization	\$ 850,000	7900
CAP-162	Shawnee State Park	\$ 750	7901
CAP-205	Deer Creek State Park	\$ 18,800	7902
CAP-234	State Parks Campgrounds, Lodges, and Cabins	\$ 12,564,460	7903
CAP-331	Park Boating Facilities	\$ 1,061,800	7904
CAP-390	State Park Maintenance Facility Development	\$ 488,801	7905
CAP-701	Buckeye Lake Dam Rehabilitation	\$ 1,033,254	7906
CAP-702	Upgrade Underground Storage Tanks	\$ 1,933,783	7907
CAP-703	Cap Abandoned Water Wells	\$ 250,000	7908

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CAP-718	Grand Lake St. Mary's State Park	\$	157,532	7909
CAP-719	Indian Lake State Park	\$	11,945	7910
CAP-727	Riverfront Improvements	\$	1,000,000	7911
CAP-744	Multi-Agency Radio Communication Equipment	\$	425,000	7912
CAP-748	Local Parks Projects	\$	1,572,000	7913
CAP-787	Scioto Riverfront Improvements	\$	7,750,000	7914
CAP-789	Great Miami Riverfront Improvements	\$	2,000,000	7915
CAP-821	State Park Dredging and Shoreline Protection	\$	300,000	7916
CAP-827	Cuyahoga Valley Scenic Railroad	\$	3,716,666	7917
CAP-836	State Parks Renovation/Upgrading	\$	350	7918
CAP-876	Statewide Trails Program	\$	1,272,680	7919
CAP-910	Scioto Peninsula Property Acquisition	\$	4,750,000	7920
CAP-927	Mohican State Park	\$	50,571	7921
CAP-928	Handicapped Accessibility	\$	498,089	7922
CAP-929	Hazardous Waste/Asbestos Abatement	\$	785,978	7923
CAP-931	Wastewater/Water Systems Upgrade	\$	3,507,391	7924
	Total Department of Natural Resources	\$	46,703,443	7925
	Total Parks and Recreation Improvement Fund	\$	46,703,443	7926

LOCAL PARKS PROJECTS 7927

The following projects shall be funded from the foregoing 7928
reappropriation item CAP-748, Local Parks Projects: \$500,000 for 7929
Erie Metro Parks Land Acquisition; \$40,000 for Grove City Fryer 7930
Park Improvements; \$12,500 for Big Prairie/Lakeville Park 7931
Improvements; \$25,000 for Holmes County Park Improvements; \$25,000 7932
for Stockport Village Park Improvements; \$50,000 for Silver Park 7933
Improvements, \$6,500 for Crossroads Park Improvements; \$38,000 for 7934
Wauseon Park Land Acquisition; \$150,000 for Black Swamp Land 7935
Acquisition; \$75,000 for the Walbridge Parks Improvements; and 7936
\$100,000 by the West Creek Preservation Committee for a West Creek 7937
Watershed Project. 7938

As Reported by the Senate Finance and Financial Institutions Committee*

SCIOTO RIVERFRONT IMPROVEMENTS	7939
Of the foregoing reappropriation item CAP-787, Scioto	7940
Riverfront Improvements, \$7,750,000 shall be used for Spring and	7941
Long Park.	7942
STATEWIDE TRAILS PROGRAM	7943
Of the foregoing reappropriation item CAP-876, Statewide	7944
Trails Program, \$50,000 shall be used for the Lake to River	7945
Greenway Bike Path in Trumbull County.	7946
FEDERAL REIMBURSEMENT	7947
All reimbursements received from the federal government for	7948
any expenditures made pursuant to this section shall be deposited	7949
in the state treasury to the credit of the Parks and Recreation	7950
Improvement Fund.	7951
Section 25.01. The foregoing capital improvements for which	7952
appropriations are made from the Parks and Recreation Improvement	7953
Fund (Fund 035) are determined to be capital improvements and	7954
capital facilities for parks and recreation and are designated as	7955
the capital facilities to which proceeds of obligations in the	7956
Parks and Recreation Improvement Fund, created by section 154.22	7957
of the Revised Code, are to be applied.	7958
Section 25.02. (A) No capital improvement appropriations made	7959
in Section 25 of this act shall be released for planning or for	7960
improvement, renovation, construction, or acquisition of capital	7961
facilities if a governmental agency, as defined in section 154.01	7962
of the Revised Code, does not own the real property that	7963
constitutes the capital facilities or on which the capital	7964
facilities are or will be located. This restriction does not apply	7965
in any of the following circumstances:	7966
(1) The governmental agency has a long-term (at least fifteen	7967

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years) lease of, or other interest (such as an easement) in, the real property. 7968
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(2) In the case of an appropriation for capital facilities for parks and recreation that, because of their unique nature or location, will be owned or be part of facilities owned by a separate nonprofit organization and made available to the governmental agency for its use or operated by the nonprofit organization under contract with the governmental agency, the nonprofit organization either owns or has a long-term (at least fifteen years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement, approved by the Department of Natural Resources, with the governmental agency for that agency's use of and right to use the capital facilities to be financed and, if applicable, improved, the value of such use or right to use being, as determined by the parties, reasonably related to the amount of the appropriation. 7970
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(B) In the case of capital facilities referred to in division (A)(2) of this section, the joint or cooperative use agreement shall include, as a minimum, provisions that: 7985
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(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the applicable department, reasonably related to the amount of the appropriation; 7988
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(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use by a governmental agency be terminated; and 7993
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(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state laws and rules, including provisions of this act. 7996
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7998

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Section 26. All items set forth in this section are hereby 7999
 appropriated out of any moneys in the state treasury to the credit 8000
 of the State Capital Improvements Fund (Fund 038) and derived from 8001
 the proceeds of obligations heretofore authorized to pay costs of 8002
 capital facilities, as defined in sections 151.01 and 151.08 of 8003
 the Revised Code, for local infrastructure purposes. 8004

Reappropriations

PWC PUBLIC WORKS COMMISSION 8005

Ohio Small Government Capital Improvement Commission 8006

CAP-150	Local Public Infrastructure	\$	3,994,256	8007
CIF-000	Small Government Set-Aside	\$	26,789,013	8008
CIF-001	Infrastructure - District 1	\$	35,569,892	8009
CIF-002	Infrastructure - District 2	\$	15,324,089	8010
CIF-003	Infrastructure - District 3	\$	24,805,971	8011
CIF-004	Infrastructure - District 4	\$	10,621,103	8012
CIF-005	Infrastructure - District 5	\$	8,218,221	8013
CIF-006	Infrastructure - District 6	\$	9,204,592	8014
CIF-007	Infrastructure - District 7	\$	10,283,773	8015
CIF-008	Infrastructure - District 8	\$	13,535,698	8016
CIF-009	Infrastructure - District 9	\$	6,000,899	8017
CIF-010	Infrastructure - District 10	\$	12,042,490	8018
CIF-011	Infrastructure - District 11	\$	9,906,889	8019
CIF-012	Infrastructure - District 12	\$	10,652,811	8020
CIF-013	Infrastructure - District 13	\$	5,952,230	8021
CIF-014	Infrastructure - District 14	\$	5,961,097	8022
CIF-015	Infrastructure - District 15	\$	6,049,668	8023
CIF-016	Infrastructure - District 16	\$	9,688,174	8024
CIF-017	Infrastructure - District 17	\$	7,223,526	8025
CIF-018	Infrastructure - District 18	\$	6,625,576	8026
CIF-019	Infrastructure - District 19	\$	8,099,039	8027
CIF-020	Emergency Set-Aside	\$	5,783,488	8028
CIF-021	Small Counties Program	\$	1,030,678	8029

As Reported by the Senate Finance and Financial Institutions Committee*

Total Public Works Commission	\$ 253,363,173	8030
TOTAL State Capital Improvement Fund	\$ 253,363,173	8031

The appropriations in this section shall be used in 8032
accordance with sections 164.01 to 164.12 of the Revised Code. All 8033
expenditures made from these appropriations shall be approved by 8034
the Director of the Public Works Commission. The Director of the 8035
Public Works Commission shall not allocate funds in amounts 8036
greater than those amounts appropriated by the General Assembly. 8037

Section 27. All items set forth in this section are hereby 8038
appropriated out of any moneys in the state treasury to the credit 8039
of the State Capital Improvements Revolving Loan Fund (Fund 040) 8040
and derived from repayments of loans made to local subdivisions 8041
for capital improvements, investment earnings on moneys in the 8042
fund, and moneys obtained from federal or private grants or from 8043
other sources for the purpose of making loans for the purpose of 8044
financing or assisting in the financing of the cost of capital 8045
improvement projects of local subdivisions. 8046

Reappropriations

PWC PUBLIC WORKS COMMISSION			8047
CAP-151	Revolving Loan	\$ 7,507,533	8048
RLF-001	Revolving Loan-District 1	\$ 3,737,260	8049
RLF-002	Revolving Loan-District 2	\$ 3,164,996	8050
RLF-003	Revolving Loan-District 3	\$ 3,499,709	8051
RLF-004	Revolving Loan-District 4	\$ 1,845,304	8052
RLF-005	Revolving Loan-District 5	\$ 1,252,918	8053
RLF-006	Revolving Loan-District 6	\$ 2,024,132	8054
RLF-007	Revolving Loan-District 7	\$ 2,135,221	8055
RLF-008	Revolving Loan-District 8	\$ 1,624,699	8056
RLF-009	Revolving Loan-District 9	\$ 1,133,758	8057
RLF-010	Revolving Loan-District 10	\$ 2,762,493	8058
RLF-011	Revolving Loan-District 11	\$ 1,903,666	8059
RLF-012	Revolving Loan-District 12	\$ 3,742,013	8060

As Reported by the Senate Finance and Financial Institutions Committee*

RLF-013	Revolving Loan-District 13	\$	1,623,191	8061
RLF-014	Revolving Loan-District 14	\$	1,309,761	8062
RLF-015	Revolving Loan-District 15	\$	861,761	8063
RLF-016	Revolving Loan-District 16	\$	2,430,305	8064
RLF-017	Revolving Loan-District 17	\$	1,471,503	8065
RLF-018	Revolving Loan-District 18	\$	1,220,419	8066
RLF-019	Revolving Loan-District 19	\$	1,438,605	8067
RLF-020	Small Government Program	\$	969,234	8068
RLF-021	Emergency Program	\$	125,650	8069
	Total Public Works Commission	\$	47,784,131	8070
	TOTAL State Capital Improvements			8071
	Revolving Loan Fund	\$	47,784,131	8072

The appropriations in this section shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. All expenditures made from these appropriations shall be approved by the Director of the Public Works Commission. The Director of the Public Works Commission shall not allocate funds in amounts greater than those amounts appropriated by the General Assembly.

Section 28. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Clean Ohio Conservation Fund (Fund 056) and derived from the proceeds of obligations heretofore authorized to pay the costs of capital facilities or projects, as defined in sections 151.01 and 151.09 of the Revised Code, for conservation purposes:

Reappropriations

PWC PUBLIC WORKS COMMISSION

CAP-152	Clean Ohio Conservation	\$	37,500,000	8086
	Total Public Works Commission	\$	37,500,000	8087
	TOTAL Clean Ohio Conservation Fund	\$	37,500,000	8088

Section 29. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit

As Reported by the Senate Finance and Financial Institutions Committee*

of the Clean Ohio Agricultural Easement Fund (Fund 057) and 8092
 derived from the proceeds of obligations heretofore authorized to 8093
 pay the costs of capital facilities or projects, as defined in 8094
 sections 151.01 and 151.09 of the Revised Code, for conservation 8095
 purposes: 8096

Reappropriations

AGR DEPARTMENT OF AGRICULTURE

CAP-047 Clean Ohio Agricultural Easement \$ 6,250,000 8097
 Total Department of Agriculture \$ 6,250,000 8098
 TOTAL Clean Ohio Agricultural Easement Fund \$ 6,250,000 8099

AGRICULTURAL EASEMENT PURCHASE 8100

The foregoing appropriation item CAP-047, Clean Ohio 8101
 Agricultural Easement Fund, shall be used in accordance with 8102
 sections 901.21, 901.22, and 5301.67 to 5301.70 of the Revised 8103
 Code. 8104
 Code. 8105

Section 30. All items set forth in this section are hereby 8106
 appropriated out of any moneys in the state treasury to the credit 8107
 of the Clean Ohio Trail Fund (Fund 061) and derived from the 8108
 proceeds of obligations heretofore authorized to pay the costs of 8109
 capital facilities or projects, as defined in sections 151.01 and 8110
 151.09 of the Revised Code, for conservation purposes: 8111

DNR DEPARTMENT OF NATURAL RESOURCES 8112

Reappropriations

CAP-014 Clean Trail Ohio \$ 6,250,000 8113
 Total Department of Natural Resources \$ 6,250,000 8114
 TOTAL Clean Ohio Trail Fund \$ 6,250,000 8115

Section 31. All items set forth in this section are hereby 8117
 appropriated out of any moneys in the state treasury to the credit 8118
 of the Administrative Building Fund (Fund 026) and derived from 8119
 the proceeds of obligations heretofore authorized to pay the costs 8120

As Reported by the Senate Finance and Financial Institutions Committee*

of capital facilities, as defined in section 152.09 of the Revised Code, for the following capital improvements:

	Appropriations	
OVH VETERANS' HOME		8123
CAP-759 Veterans' Home Construction	\$ 1,377,000	8124
Total Ohio Veterans' Home Construction	\$ 1,377,000	8125

Section 32. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the State Capital Improvements Fund (Fund 038) and derived from the proceeds of obligations heretofore and herein authorized to pay costs of capital facilities as defined in sections 151.01 and 151.08 of the Revised Code for local infrastructure purposes.

	Appropriations	
PWC PUBLIC WORKS COMMISSION		8133
CAP-150 Local Public Infrastructure	\$ 252,000,000	8134
Total Public Works Commission	\$ 252,000,000	8135
TOTAL State Capital Improvements Fund	\$ 252,000,000	8136

The foregoing appropriation item CAP-150, Local Public Infrastructure, shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. The Director of the Public Works Commission may certify to the Director of Budget and Management that a need exists to appropriate investment earnings to be used in accordance with sections 164.01 to 164.12 of the Revised Code. If the Director of Budget and Management determines pursuant to division (D) of section 164.08 and section 164.12 of the Revised Code that investment earnings are available to support additional appropriations, such amounts are hereby appropriated.

Section 33. The Treasurer of State is hereby authorized pursuant to section 164.09 of the Revised Code to issue and sell, in accordance with Section 2m of Article VIII, Ohio Constitution,

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and sections 164.01 to 164.12 of the Revised Code, original 8150
obligations of the State of Ohio, in an aggregate principal amount 8151
not to exceed \$240,000,000, in addition to the original 8152
obligations heretofore authorized by prior acts of the General 8153
Assembly. These authorized obligations shall be issued and sold 8154
from time to time and in amounts necessary to ensure sufficient 8155
moneys to the credit of the State Capital Improvements Fund (Fund 8156
038) to pay costs charged to that fund, as estimated by the 8157
Director of Budget and Management. 8158

Section 34. All items set forth in this section are hereby 8159
appropriated out of any moneys in the state treasury to the credit 8160
of the State Capital Improvements Revolving Loan Fund (Fund 040). 8161
Revenues to the State Capital Improvements Revolving Loan Fund 8162
shall consist of all repayments of loans made to local 8163
subdivisions for capital improvements, investment earnings on 8164
moneys in the fund, and moneys obtained from federal or private 8165
grants or from other sources for the purpose of making loans for 8166
the purpose of financing or assisting in the financing of the cost 8167
of capital improvement projects of local subdivisions. 8168

PWC PUBLIC WORKS COMMISSION 8169

	Appropriations	
CAP-151 Revolving Loan	\$ 37,500,000	8170
Total Public Works Commission	\$ 37,500,000	8171
TOTAL State Capital Improvements Revolving		8172
Loan Fund	\$ 37,500,000	8173

The foregoing appropriation item CAP-151, Revolving Loan, 8174
shall be used in accordance with sections 164.01 to 164.12 of the 8175
Revised Code. 8176

Section 35. CERTIFICATION OF AVAILABILITY OF MONEYS 8177

No moneys that require release shall be expended from any 8178

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appropriation contained in this act without certification of the 8179
 Director of Budget and Management that there are sufficient moneys 8180
 in the state treasury in the fund from which the appropriation is 8181
 made. Such certification made by the Office of Budget and 8182
 Management shall be based on estimates of revenue, receipts, and 8183
 expenses. Nothing herein shall be construed as a limitation on the 8184
 authority of the Director of Budget and Management as granted in 8185
 section 126.07 of the Revised Code. 8186

Section 36. The appropriations made in this act, excluding 8187
 those made to the State Capital Improvement Fund (Fund 038) and 8188
 the State Capital Improvements Revolving Loan Fund (Fund 040) for 8189
 buildings or structures, including remodeling and renovations, are 8190
 limited to: 8191

(A) Acquisition of real property or interest in real 8192
 property; 8193

(B) Buildings and structures, which includes construction, 8194
 demolition, complete heating, lighting, and lighting fixtures, and 8195
 all necessary utilities, ventilating, plumbing, sprinkling, and 8196
 sewer systems, when such systems are authorized or necessary; 8197

(C) Architectural, engineering, and professional services 8198
 expenses directly related to the projects; 8199

(D) Machinery that is a part of structures at the time of 8200
 initial acquisition or construction; 8201

(E) Acquisition, development, and deployment of new computer 8202
 systems, including the redevelopment or integration of existing 8203
 and new computer systems, but excluding regular or ongoing 8204
 maintenance or support agreements; 8205

(F) Equipment that meets all the following criteria: 8206

(1) The equipment is essential in bringing the facility up to 8207
 its intended use. 8208

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(2) The unit cost of the equipment, and not the individual parts of a unit, is about \$100 or more. 8209
8210

(3) The equipment has a useful life of five years or more. 8211

(4) The equipment is necessary for the functioning of a particular facility. 8212
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(5) The equipment will be used primarily in the rooms or areas covered in the project. 8214
8215

No equipment shall be paid for from these appropriations that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated. 8216
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Section 37. Any request for release of capital appropriations by the Director of Budget and Management or the Controlling Board of capital appropriations for projects, the contracts for which are awarded by the Department of Administrative Services, shall contain a contingency reserve, the amount of which shall be determined by the Department of Administrative Services, for payment of unanticipated project expenses. Any amount deducted from the encumbrance for a contractor's contract as an assessment for liquidated damages shall be added to the encumbrance for the contingency reserve. Contingency reserve funds shall be used to pay costs resulting from unanticipated job conditions, to comply with rulings regarding building and other codes, to pay costs related to errors or omissions in contract documents, to pay costs associated with changes in the scope of work, and to pay the cost of settlements and judgments related to the project. 8220
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Upon completion of a project, should any funds remain, such remaining funds may, upon approval of the Controlling Board, be released for the use of the institution to which the appropriation 8236
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was made for another capital facilities project or projects. 8239

Section 38. AGENCY ADMINISTRATION OF CAPITAL FACILITIES 8240
PROJECTS 8241

Notwithstanding sections 123.01 and 123.15 of the Revised 8242
Code, the Director of Administrative Services may authorize the 8243
Departments of Mental Health, Mental Retardation and Developmental 8244
Disabilities, Alcohol and Drug Addiction Services, Agriculture, 8245
Jobs and Family Services, Rehabilitation and Correction, Youth 8246
Services, Public Safety, and Transportation, the Ohio Veterans' 8247
Home, and the Rehabilitation Services Commission to administer any 8248
capital facilities projects when the estimated cost, including 8249
design fees, construction, equipment, and contingency amounts, is 8250
less than \$1,500,000. Requests for authorization to administer 8251
capital facilities projects shall be made in writing to the 8252
Director of Administrative Services by the respective state agency 8253
within sixty days after the effective date of the act in which the 8254
General Assembly initially makes an appropriation for the project. 8255

The director of a state agency authorized by the Director of 8256
Administrative Services to administer capital facilities projects 8257
pursuant to this section shall comply with the procedures and 8258
guidelines established in Chapter 153. of the Revised Code. Upon 8259
the release of funds for such projects by the Controlling Board or 8260
the Director of Budget and Management, the agency may administer 8261
the capital project without the supervision, control, or approval 8262
of the Director of Administrative Services. 8263

Section 39. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST 8264
THE STATE 8265

Except as otherwise provided in this section, an 8266
appropriation contained in this act or any other act may be used 8267
for the purpose of satisfying judgments, settlements, or 8268

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administrative awards ordered or approved by the Court of Claims 8269
 or by any other court of competent jurisdiction in connection with 8270
 civil actions against the state. This authorization shall not 8271
 apply to appropriations to be applied to or used for payment of 8272
 guarantees by or on behalf of the state or for payments under 8273
 lease agreements relating to or debt service on bonds, notes, or 8274
 other obligations of the state. Notwithstanding any other section 8275
 of law to the contrary, this authorization includes appropriations 8276
 from funds into which proceeds or direct obligations of the state 8277
 are deposited only to the extent that the judgment, settlement, or 8278
 administrative award is for or represents capital costs for which 8279
 the appropriation may otherwise be used and is consistent with the 8280
 purpose for which any related bonds were issued. Nothing contained 8281
 in this section is intended to subject the state to suit in any 8282
 forum in which it is not otherwise subject to suit, or is it 8283
 intended to waive or compromise any defense or right available to 8284
 the state in any suit against it. 8285

Section 40. Notwithstanding section 126.14 of the Revised 8286
 Code, appropriations for appropriation items CAP-002, Local Jails, 8287
 and CAP-003, Community-Based Correctional Facilities, appropriated 8288
 from the Adult Correctional Building Fund (Fund 027) to the 8289
 Department of Rehabilitation and Correction shall be released upon 8290
 the written approval of the Director of Budget and Management. The 8291
 appropriations from the Public School Building Fund (Fund 021), 8292
 the Education Facilities Trust Fund (Fund N87), and the School 8293
 Building Program Assistance Fund (Fund 032) to the School 8294
 Facilities Commission, from the Transportation Building Fund (Fund 8295
 029) to the Department of Transportation, from the Clean Ohio 8296
 Conservation Fund (Fund 056) to the Public Works Commission, and 8297
 appropriations from the State Capital Improvement Fund (Fund 038) 8298
 and the State Capital Improvements Revolving Loan Fund (Fund 040) 8299
 to the Public Works Commission shall be released upon presentation 8300

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of a request to release the funds, by the agency to which the 8301
appropriation has been made, to the Director of Budget and 8302
Management. 8303

Section 41. Except as provided in section 4115.04 of the 8304
Revised Code, no moneys appropriated or reappropriated by the 8305
124th General Assembly shall be used for the construction of 8306
public improvements, as defined in section 4115.03 of the Revised 8307
Code, unless the mechanics, laborers, or workers engaged therein 8308
are paid the prevailing rate of wages as prescribed in section 8309
4115.04 of the Revised Code. Nothing in this section shall affect 8310
the wages and salaries established for state employees under the 8311
provisions of Chapter 124. of the Revised Code, or collective 8312
bargaining agreements entered into by the state pursuant to 8313
Chapter 4117. of the Revised Code, while engaged on force account 8314
work, nor shall this section interfere with the use of inmate and 8315
patient labor by the state. 8316

Section 42. CAPITAL FACILITIES LEASES 8317

Capital facilities for which appropriations are made from the 8318
Administrative Building Fund (Fund 026), the Adult Correctional 8319
Building Fund (Fund 027), the Juvenile Correctional Building Fund 8320
(Fund 028), and the Arts Facilities Building Fund (Fund 030) may 8321
be leased by the Ohio Building Authority to the Department of 8322
Youth Services, the Arts and Sports Facilities Commission, the 8323
Department of Administrative Services, and the Department of 8324
Rehabilitation and Correction, and other agreements may be made by 8325
the Ohio Building Authority and the departments with respect to 8326
the use or purchase of such capital facilities, or subject to the 8327
approval of the director of the department or the commission, the 8328
Ohio Building Authority may lease such capital facilities to, and 8329
make other agreements with respect to the use or purchase thereof 8330

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with, any governmental agency or nonprofit corporation having 8331
authority under law to own, lease, or operate such capital 8332
facilities. The director of the department or the commission may 8333
sublease such capital facilities to, and make other agreements 8334
with respect to the use or purchase thereof with, any such 8335
governmental agency or nonprofit corporation, which may include 8336
provisions for transmittal of receipts of that agency or nonprofit 8337
corporation of any charges for the use of such facilities, all 8338
upon such terms and conditions as the parties may agree upon and 8339
any other provision of law affecting the leasing, acquisition, or 8340
disposition of capital facilities by such parties. 8341

Section 43. The Director of Budget and Management shall 8342
authorize both of the following: 8343

(A) The initial release of moneys for projects from the funds 8344
into which proceeds of direct obligations of the state are 8345
deposited. 8346

(B) The expenditure or encumbrance of moneys from funds into 8347
which proceeds of direct obligations are deposited, only after 8348
determining to the director's satisfaction that either of the 8349
following apply: 8350

(1) The application of such moneys to the particular project 8351
will not negatively affect any exemption or exclusion from federal 8352
income tax of the interest or interest equivalent on obligations, 8353
issued to provide moneys to the particular fund. 8354

(2) Moneys for the project will come from the proceeds of 8355
obligations, the interest on which is not so excluded or exempt 8356
and which have been authorized as "taxable obligations" by the 8357
issuing authority. 8358

The director shall report any nonrelease of moneys pursuant 8359
to this section to the Governor, the presiding officer of each 8360

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house of the General Assembly, and the agency for the use of which 8361
the project is intended. 8362

Section 44. SCHOOL FACILITIES ENCUMBRANCES AND 8363
REAPPROPRIATION 8364

At the request of the Executive Director of the Ohio School 8365
Facilities Commission, the Director of Budget and Management may 8366
cancel encumbrances for school district projects from a previous 8367
biennium if the district has not raised its local share of project 8368
costs within one year of receiving Controlling Board approval in 8369
accordance with section 3318.05 of the Revised Code. The Executive 8370
Director of the Ohio School Facilities Commission shall certify 8371
the amounts of these canceled encumbrances to the Director of 8372
Budget and Management on a quarterly basis. The amounts of the 8373
canceled encumbrances are hereby appropriated. 8374

Section 45. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES 8375
OF CAPITAL APPROPRIATIONS 8376

(A) An unexpended balance of a capital appropriation or 8377
reappropriation that a state agency has lawfully encumbered prior 8378
to the close of a capital biennium is hereby reappropriated for 8379
the following capital biennium from the fund from which it was 8380
originally appropriated or was reappropriated and shall be used 8381
only for the purpose of discharging the encumbrance in the 8382
following capital biennium. For those encumbered appropriations or 8383
reappropriations, any Controlling Board approval previously 8384
granted and referenced by the encumbering document remains in 8385
effect until the encumbrance is discharged in the following 8386
capital biennium or until the encumbrance expires at the end of 8387
the following capital biennium. 8388

(B) At the end of the reappropriation period provided for by 8389
division (A) of this section, an unexpended balance of a capital 8390

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appropriation or reappropriation that remains encumbered at the
end of that period is hereby reappropriated for the next capital
biennium from the fund from which it was originally appropriated
or was reappropriated and shall be used only for the purpose of
discharging the encumbrance in the next capital biennium. For
those encumbered appropriations or reappropriations, any
Controlling Board approval previously granted and referenced by
the encumbering document remains in effect until the encumbrance
is discharged in the next capital biennium or until the
encumbrance expires at the end of the next capital biennium.

(C) At the end of the reappropriation period provided for by
division (B) of this section, a reappropriation made pursuant to
division (B) of this section shall lapse, and the encumbrance
shall expire.

(D) If an encumbrance expired pursuant to division (C) of
this section, the Director of Budget and Management may
re-establish the encumbrance as provided in this division. If a
reappropriation for a project is made by the General Assembly for
the biennium immediately following the biennium in which an
encumbrance for that project expired, the Director of Budget and
Management may re-establish the encumbrance in an amount not to
exceed the amount of the expired encumbrance, in the name of the
contractor named in the expired encumbrance, and for the same
purpose specified in the expired encumbrance. The encumbrance
shall be charged against the reappropriation for the project. The
amount re-encumbered shall be used only for the purpose of
discharging the encumbrance in the capital biennium for which the
reappropriation was made. For those re-encumbered
reappropriations, any Controlling Board approval previously
granted and referenced by the expired encumbering document remains
in effect until the encumbrance is discharged or expires at the
end of the capital biennium for which the reappropriation was

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made. If any portion of the amount re-encumbered by the Director
of Budget and Management under this division is not expended prior
to the close of the capital biennium for which the reappropriation
was made, that amount is hereby reappropriated for the following
capital biennium as provided for in division (A) of this section
and subject to the provisions of division (A) of this section.

Section 46. Capital reappropriations in this act that have
been released by the Controlling Board or the Director of Budget
and Management between June 30, 2000, and July 1, 2002, do not
require further approval or release prior to being encumbered.
Funds reappropriated in excess of such prior releases shall be
released in accordance with applicable provisions of this act.

Section 47. Unless otherwise specified, the reappropriations
made in this act represent the unencumbered and unallotted
balances of prior years' capital improvements appropriations
estimated to be available on June 30, 2002. The actual balances on
June 30, 2002, for the appropriation items in this act are hereby
reappropriated. Additionally, there is hereby reappropriated the
unencumbered and unallotted balances on June 30, 2002, of any
appropriation items either reappropriated in Sub. S.B. 245 of the
123rd General Assembly or appropriated in Sub. H.B. 640 of the
123rd General Assembly, or created by the Controlling Board
pursuant to section 127.15 of the Revised Code from appropriation
items in Sub. S.B. 245 and Am. Sub. H.B. 640, both of the 123rd
General Assembly, and this act, if the Director of Budget and
Management determines that such balances are needed to complete
the projects for which they were reappropriated or appropriated.
The appropriation items and amounts that are reappropriated by
this act shall be reported to the Controlling Board within 30 days
after the effective date of this section.

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Section 48. No appropriation for a health care facility 8453
authorized under this act may be released until the requirements 8454
of sections 3702.51 to 3702.68 of the Revised Code have been met. 8455

Section 49. All proceeds received by the state as a result of 8456
litigation, judgments, settlements, or claims, filed by or on 8457
behalf of any state agency as defined by section 1.60 of the 8458
Revised Code or state-supported or state-assisted institution of 8459
higher education, for damages or costs resulting from the use, 8460
removal, or hazard abatement of asbestos materials shall be 8461
deposited in the Asbestos Abatement Distribution Fund (Fund 674). 8462
All funds deposited into the Asbestos Abatement Distribution Fund 8463
are hereby appropriated to the Attorney General. To the extent 8464
practicable, the proceeds placed in the Asbestos Abatement 8465
Distribution Fund shall be divided among the state agencies and 8466
state-supported or state-assisted institutions of higher education 8467
in accordance with the general provisions of the litigation 8468
regarding the percentage of recovery. Distribution of the proceeds 8469
to each state agency or state-supported or state-assisted 8470
institution of higher education shall be made in accordance with 8471
the Asbestos Abatement Distribution Plan to be developed by the 8472
Attorney General, the Division of Public Works within the 8473
Department of Administrative Services, and the Office of Budget 8474
and Management. 8475

In those circumstances where asbestos litigation proceeds are 8476
for reimbursement of expenditures made with funds outside the 8477
state treasury or damages to buildings not constructed with state 8478
appropriations, direct payments shall be made to the affected 8479
institutions of higher education. Any proceeds received for 8480
reimbursement of expenditures made with funds within the state 8481
treasury or damages to buildings occupied by state agencies shall 8482
be distributed to the affected agencies with an intrastate 8483

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transfer voucher to the funds identified in the Asbestos Abatement
Distribution Plan. 8484
8485

Such proceeds shall be used for additional asbestos abatement 8486
or encapsulation projects, or for other capital improvements, 8487
except that proceeds distributed to the General Revenue Fund and 8488
other funds that are not bond improvement funds may be used for 8489
any purpose. The Controlling Board may, for bond improvement 8490
funds, create appropriation items or increase appropriation 8491
authority in existing appropriation items equaling the amount of 8492
such proceeds. Such amounts approved by the Controlling Board are 8493
hereby appropriated. Such proceeds deposited in bond improvement 8494
funds shall not be expended until released by the Controlling 8495
Board, which shall require certification by the Director of Budget 8496
and Management that such proceeds are sufficient and available to 8497
fund the additional anticipated expenditures. 8498

Section 50. The capital improvements for which appropriations 8499
are made in this act from Sports Facilities Building Fund, (Fund 8500
024), the Highway Safety Building Fund (Fund 025), the 8501
Administrative Building Fund (Fund 026), the Adult Correctional 8502
Building Fund (Fund 027), the Juvenile Correctional Building Fund 8503
(Fund 028), the Transportation Building Fund (Fund 029), and the 8504
Arts Facilities Building Fund (Fund 030) are determined to be 8505
capital improvements and capital facilities for housing state 8506
agencies and branches of state government and are designated as 8507
capital facilities to which proceeds of obligations issued under 8508
Chapter 152. of the Revised Code are to be applied. 8509

Section 51. Upon the request of the agency to which a capital 8510
project appropriation item is appropriated, the Director of Budget 8511
and Management may transfer open encumbrance amounts between 8512
separate encumbrances for the project appropriation item to the 8513
extent that any reductions in encumbrances are agreed to by the 8514

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contracting vendor and the agency. 8515

Section 52. Any proceeds received by the State of Ohio as the 8516
result of litigation or a settlement agreement related to any 8517
liability for the planning, design, engineering, construction, or 8518
constructed management of such facilities operated by the 8519
Department of Administrative Services shall be deposited into the 8520
Administrative Building Fund (Fund 026). 8521

Section 53. The balance in the Vocational School Building 8522
Assistance Fund (Fund 020), and all receipts and interest accruing 8523
to the fund from any source during the period of this act, are 8524
hereby appropriated to the Department of Education. The 8525
appropriation shall be used pursuant to section 3317.21 of the 8526
Revised Code. 8527

Section 54. Sections 3 to 53 of this act shall remain in full 8528
force and effect commencing on July 1, 2002, and terminating on 8529
June 30, 2004, for the purpose of drawing money from the state 8530
treasury in payment of liabilities lawfully incurred hereunder, 8531
and on June 30, 2004, and not before, the moneys hereby 8532
appropriated shall lapse into the funds from which they are 8533
severally appropriated. If, under Ohio Constitution, Article II, 8534
Section 1c, Sections 3 to 53 of this act do not take effect until 8535
after July 1, 2002, Sections 3 to 53 of this act shall be and 8536
remain in full force and effect commencing on that later effective 8537
date. 8538

Section 55. NOTARY COMMISSION TRANSFER 8539

Upon the effective date of this section or as soon thereafter 8540
as possible, the Director of Budget and Management shall transfer 8541
\$150,000 in cash from Fund 412, the Notary Commission Fund, to 8542

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Fund 414, the Citizen Education Fund. 8543

Section 56. Pursuant to the agreement made between the 8544
 Department of Development and the Dayton-Montgomery County Port 8545
 Authority, approved by the Controlling Board on June 19, 2000, the 8546
 Director of Development shall permit the approved \$5,000,000 from 8547
 appropriation item 195-412, Business Development Grants, to be 8548
 used to increase the debt capacity of the Dayton-Montgomery County 8549
 Port Authority and to fund regional economic development 8550
 priorities approved by the Dayton-Montgomery County Port Authority 8551
 Board. This change in the agreement is not subject to Controlling 8552
 Board approval. 8553

Section 57. EMERGENCY SCHOOL BUILDING REPAIR PROGRAM 8554

The Executive Director of the Ohio School Facilities 8555
 Commission shall certify to the Director of Budget and Management 8556
 the amount to be transferred from the unencumbered and unallotted 8557
 balance in appropriation item CAP-774, Emergency School Building 8558
 Repair Program, to appropriation item CAP-622, Public School 8559
 Buildings. The amount transferred from appropriation item CAP-774, 8560
 Emergency School Building Repair Program, to appropriation item 8561
 CAP-622, Public School Buildings, shall be used to fund classroom 8562
 facilities improvements in accordance with Chapter 3318. of the 8563
 Revised Code. 8564

The Executive Director of the Ohio School Facilities 8565
 Commission shall certify to the Director of Budget and Management 8566
 the amount to be transferred from the unencumbered and unallotted 8567
 balance in appropriation item CAP-776, Emergency School Building 8568
 Repair Program, to appropriation item CAP-770, School Building 8569
 Program Assistance. The amount transferred from appropriation item 8570
 CAP-776, Emergency School Building Repair Program, to 8571
 appropriation item CAP-770, School Building Program Assistance, 8572

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shall be used to fund classroom facilities improvements in 8573
accordance with Chapter 3318. of the Revised Code. 8574

Section 58. (A) As used in this section, "design-build 8575
construction method" means a construction method that has both of 8576
the following characteristics: 8577

(1) An architecture firm and a contractor form a single 8578
entity that files a bid to construct a project and that, if 8579
awarded the contract to construct the project, agrees to a project 8580
price and completion date. 8581

(2) The entity described in division (A)(1) of this section 8582
assumes all of the financial risk if the project is delayed or 8583
exceeds the project price, and receives bonuses if the cost it 8584
incurs is less than the project price and it meets the 8585
construction target dates. 8586

(B) The Board of County Commissioners of Ashtabula County may 8587
construct, as a pilot project and by using the design-build 8588
construction method, a lodge and conference center at Geneva State 8589
Park on land leased from the Department of Natural Resources. In 8590
carrying out this pilot project, the Board and the Department are 8591
exempt from complying with any otherwise applicable provisions of 8592
Chapter 153. and sections 307.86 to 307.92 of the Revised Code. 8593

Section 59. A previously effective rule or version of a rule, 8594
not effective on the effective date of this section, that, while 8595
previously effective, incorporated a text by reference, is 8596
ratified insofar as the incorporation by reference might raise a 8597
question with regard to the rule's or version's validity as 8598
applied to facts occurring while the rule or version previously 8599
was effective. 8600

This section is a remedial law as that term is used in 8601
section 1.11 of the Revised Code. 8602

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Section 60. Section 5709.081 of the Revised Code, as amended 8603
by this act, is remedial in nature and applies to the tax years at 8604
issue in any application for exemption from taxation pending 8605
before the Tax Commissioner, the Board of Tax Appeals, any Court 8606
of Appeals, or the Supreme Court on the effective date of this act 8607
and to the property that is the subject of any such application. 8608

Section 61. That Sections 4.03 and 5.04 of Sub. H.B. 73 of 8609
the 124th General Assembly be amended to read as follows: 8610

"Sec. 4.03. TRANSFER OF FUND 002 APPROPRIATIONS - PLANNING 8611
AND RESEARCH, HIGHWAY CONSTRUCTION, HIGHWAY MAINTENANCE, AVIATION, 8612
AND ADMINISTRATION 8613

The Director of Budget and Management may approve requests 8614
from the Department of Transportation for transfer of 8615
appropriations for highway planning and research (appropriation 8616
items 771-411 and 771-412), highway construction (appropriation 8617
items 772-421, 772-422, and 772-424), highway maintenance 8618
(appropriation item 773-431), aviation (appropriation item 8619
777-475), and highway administration (appropriation item 779-491). 8620
Transfers of appropriations may be made upon the written request 8621
of the Director of Transportation and with the approval of the 8622
Director of Budget and Management. Such transfers shall be 8623
reported to the Controlling Board at the next regularly scheduled 8624
meeting of the board. 8625

This transfer authority is intended to provide for emergency 8626
situations and flexibility to meet unforeseen conditions that 8627
could arise during the budget period. It also is intended to allow 8628
the department to optimize the use of available resources and 8629
adjust to circumstances affecting the obligation and expenditure 8630
of federal funds. 8631

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TRANSFER OF APPROPRIATIONS - FEDERAL HIGHWAY AND FEDERAL TRANSIT 8632
8633

The Director of Budget and Management may approve requests 8634
from the Department of Transportation for the transfer of 8635
appropriations between appropriation items 772-422, Highway 8636
Construction - Federal, and 775-452, Public Transportation - 8637
Federal, based upon transit capital projects meeting Federal 8638
Highway Administration and Federal Transit Administration funding 8639
guidelines. Transfers between these appropriation items may be 8640
made upon the written request of the Director of Transportation 8641
and with the approval of the Director of Budget and Management. 8642
Such transfers shall be reported to the Controlling Board at its 8643
next regularly scheduled meeting. 8644

TRANSFER OF APPROPRIATIONS - STATE INFRASTRUCTURE BANK 8645

The Director of Budget and Management may approve requests 8646
from the Department of Transportation for transfer of 8647
appropriations and cash of the Infrastructure Bank funds created 8648
in section 5531.09 of the Revised Code, including transfers 8649
between fiscal years 2002 and 2003. Such transfers shall be 8650
reported to the Controlling Board at its next regularly scheduled 8651
meeting. However, the director may not make transfers out of debt 8652
service and lease payment appropriation items unless the director 8653
determines that the appropriated amounts exceed the actual and 8654
projected debt, rental, or lease payments. 8655

The Director of Budget and Management may approve requests 8656
from the Department of Transportation for transfer of 8657
appropriations and cash from the Highway Operating Fund (Fund 002) 8658
to the Infrastructure Bank funds created in section 5531.09 of the 8659
Revised Code. The Director of Budget and Management may transfer 8660
from the Infrastructure Bank funds to the Highway Operating Fund 8661
up to the amounts originally transferred to the Infrastructure 8662
Bank funds under this section. Such transfers shall be reported to 8663

As Reported by the Senate Finance and Financial Institutions Committee*

the Controlling Board at its next regularly scheduled meeting. 8664
~~However, the~~ The director may not make transfers between modes and 8665
transfers between different funding sources with the exception of 8666
transfers that may be needed to make required payments on state 8667
Infrastructure Bank obligations. 8668

INCREASE APPROPRIATION AUTHORITY - STATE FUNDS 8669

In the event that receipts or unexpended balances credited to 8670
the Highway Operating Fund exceed the estimates upon which the 8671
appropriations have been made in ~~this act~~ Sub. H.B. 73 of the 8672
124th General Assembly, upon the request of the Director of 8673
Transportation, the Controlling Board may increase appropriation 8674
authority in the manner prescribed in section 131.35 of the 8675
Revised Code. 8676

INCREASE APPROPRIATION AUTHORITY - FEDERAL AND LOCAL FUNDS 8677

In the event that receipts or unexpended balances credited to 8678
the Highway Operating Fund or apportionments or allocations made 8679
available from the federal and local government exceed the 8680
estimates upon which the appropriations have been made in ~~this act~~ 8681
Sub. H.B. 73 of the 124th General Assembly, upon the request of 8682
the Director of Transportation, the Controlling Board may increase 8683
appropriation authority in the manner prescribed in section 131.35 8684
of the Revised Code. 8685

REAPPROPRIATIONS 8686

All appropriations of the Highway Operating Fund (Fund 002), 8687
the Highway Capital Improvement Fund (Fund 042), and the 8688
Infrastructure Bank funds created in section 5531.09 of the 8689
Revised Code remaining unencumbered on June 30, 2001, and the 8690
unexpended balance of prior years' appropriations that 8691
subsequently become unencumbered after June 30, 2001, subject to 8692
the availability of revenue as determined by the Director of 8693
Transportation, are hereby reappropriated for the same purpose in 8694

As Reported by the Senate Finance and Financial Institutions Committee*

fiscal year 2002 upon the request of the Director of
 Transportation and with the approval of the Director of Budget and
 Management. Such reappropriations shall be reported to the
 Controlling Board.

All appropriations of the Highway Operating Fund (Fund 002),
 the Highway Capital Improvement Fund (Fund 042), and the
 Infrastructure Bank funds created in section 5531.09 of the
 Revised Code remaining unencumbered as of June 30, 2002, and the
 unexpended balance of prior years' appropriations that
 subsequently become unencumbered after June 30, 2002, subject to
 the availability of revenue as determined by the Director of
 Transportation, are hereby reappropriated for use during fiscal
 year 2003 for the same purpose, upon the request of the Director
 of Transportation and with the approval of the Director of Budget
 and Management. The department shall report all such
 reappropriations to the Controlling Board.

Sec. 5.04. INVESTIGATIVE UNIT

State Highway Safety Fund Group				8712
831 767-610 Liquor Enforcement -	\$	483,710	\$ 514,184	8713
Federal				
831 769-610 Food Stamp Trafficking	\$	974,809	\$ 1,025,732	8714
Enforcement - Federal				
TOTAL HSF State Highway Safety				8715
Fund Group	\$	1,458,519	\$ 1,539,916	8716
Liquor Control Fund Group				8717
043 767-321 Liquor Enforcement -	\$	8,739,650	\$ 9,266,891	8718
Operations				
TOTAL LCF Liquor Control Fund				8719
Group	\$	8,739,650	\$ 9,266,891	8720
State Special Revenue Fund Group				8721
622 767-615 Investigative	\$	394,255	\$ 404,111	8722

As Reported by the Senate Finance and Financial Institutions Committee*

Contraband and				
Forfeiture				
TOTAL SSR State Special Revenue				8723
Fund Group	\$	394,255	\$ 404,111	8724
TOTAL ALL BUDGET FUND GROUPS -				8725
Special Enforcement	\$	10,592,424	\$ 11,210,918	8726
<u>LEASE RENTAL PAYMENTS FOR CAP-076, INVESTIGATIVE UNIT MARCS</u>				8727
<u>EQUIPMENT</u>				8728
<u>The Director of Public Safety, using intrastate transfer</u>				8729
<u>vouchers, shall make cash transfers to the State Highway Safety</u>				8730
<u>Fund (Fund 036) from other funds to reimburse the State Highway</u>				8731
<u>Safety Fund for its share of lease rental payments to the Ohio</u>				8732
<u>Building Authority that are associated with appropriation item</u>				8733
<u>CAP-076, Investigative Unit MARCS Equipment."</u>				8734
Section 62. That existing Sections 4.03 and 5.04 of Sub. H.B.				8735
73 of the 124th General Assembly are hereby repealed.				8736
Section 63. That Sections 13, 13.01, 13.05, 13.12, and 69 of				8737
Am. Sub. H.B. 94 of the 124th General Assembly be amended to read				8738
as follows:				8739
"Sec. 13. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES				8740
General Revenue Fund				8741
GRF 100-402 Unemployment	\$	107,713	\$ 109,114	8742
Compensation				
GRF 100-405 Agency Audit Expenses	\$	662,147	\$ 614,704	8743
GRF 100-406 County & University	\$	850,133	\$ 838,777	8744
Human Resources				
Services				
GRF 100-409 Departmental	\$	948,332	\$ 975,481	8745
Information Services				

As Reported by the Senate Finance and Financial Institutions Committee*

GRF 100-414	Ohio Geographically Referenced Information Program	\$ 512,410	\$ 510,807	8746
GRF 100-416	Strategic Technology Development Programs	\$ 3,470,440	\$ 5,000,000	8747
GRF 100-417	MARCS	\$ 5,350,344	\$ 6,176,160	8748
GRF 100-418	E-Government Development	\$ 2,000,000	\$ 4,000,000	8749
GRF 100-419	Ohio SONET	\$ 4,527,924	4,625,879 <u>1,785,270</u>	8750 8751
GRF 100-420	Innovation Ohio	\$ 144,000	\$ 144,000	8752
GRF 100-421	ERP Project Implementation	\$ 600,000	\$ 624,000	8753
GRF 100-433	State of Ohio Computer Center	\$ 5,003,580	\$ 5,027,234	8754
GRF 100-439	Equal Opportunity Certification Programs	\$ 817,894	\$ 861,093	8755
GRF 100-447	OBA - Building Rent Payments	\$ 96,106,300	\$ 110,268,500	8756
GRF 100-448	OBA - Building Operating Payments	\$ 26,098,000	\$ 26,098,000	8757
GRF 100-449	DAS - Building Operating Payments	\$ 5,126,955	\$ 5,126,968	8758
GRF 100-451	Minority Affairs	\$ 119,706	\$ 118,043	8759
GRF 100-734	Major Maintenance	\$ 70,224	\$ 68,376	8760
GRF 102-321	Construction Compliance	\$ 1,392,590	\$ 1,396,506	8761
GRF 130-321	State Agency Support Services	\$ 3,632,427	\$ 3,740,888	8762
TOTAL GRF General Revenue Fund		\$ 157,541,119	176,324,530 <u>173,483,921</u>	8763 8764
General Services Fund Group				8765
112 100-616	DAS Administration	\$ 5,243,105	\$ 5,503,547	8766

As Reported by the Senate Finance and Financial Institutions Committee*

115	100-632	Central Service Agency	\$	399,438	\$	376,844	8767
				<u>1,259,438</u>			8768
117	100-644	General Services Division - Operating	\$	5,790,000	\$	7,091,000	8769
122	100-637	Fleet Management	\$	1,600,913	\$	1,652,189	8770
125	100-622	Human Resources Division - Operating	\$	23,895,125	\$	24,640,311	8771
127	100-627	Vehicle Liability Insurance	\$	3,373,835	\$	3,487,366	8772
128	100-620	Collective Bargaining	\$	3,292,859	\$	3,410,952	8773
130	100-606	Risk Management Reserve	\$	185,900	\$	197,904	8774
131	100-639	State Architect's Office	\$	7,504,787	\$	7,772,789	8775
132	100-631	DAS Building Management	\$	10,887,913	\$	11,362,872	8776
188	100-649	Equal Opportunity Programs	\$	1,214,691	\$	1,253,311	8777
201	100-653	General Services Resale Merchandise	\$	1,779,000	\$	1,833,000	8778
210	100-612	State Printing	\$	6,648,503	\$	6,928,823	8779
4H2	100-604	Governor's Residence Gift	\$	22,628	\$	23,194	8780
4P3	100-603	Departmental MIS Services	\$	7,447,713	\$	7,761,365	8781
427	100-602	Investment Recovery	\$	4,204,735	\$	4,179,184	8782
5C2	100-605	MARCS Development	\$	3,429,947	\$	4,475,190	8783
5C3	100-608	Skilled Trades	\$	2,237,200	\$	2,332,464	8784
5D7	100-621	Workforce Development	\$	12,000,000	\$	12,000,000	8785
5L7	100-610	Professional Development	\$	2,700,000	\$	2,700,000	8786
TOTAL GSF General Services Fund							8787
Group			\$	103,858,292	\$	108,982,305	8788

As Reported by the Senate Finance and Financial Institutions Committee*

			<u>104,718,292</u>		8789
	Intragovernmental Service Fund Group				8790
133	100-607	Information Technology	\$ 104,482,097	\$ 111,387,436	8791
		Fund			
4N6	100-617	Major Computer	\$ 12,000,000	\$ 4,500,000	8792
		Purchases			
TOTAL ISF Intragovernmental					8793
	Service Fund Group				8794
			\$ 116,482,097	\$ 115,887,436	
Agency Fund Group					8795
113	100-628	Unemployment	\$ 3,500,000	\$ 3,577,000	8796
		Compensation			
124	100-629	Payroll Deductions	\$ 1,877,100,000	\$ 1,999,100,000	8797
TOTAL AGY Agency Fund Group					8798
			\$ 1,880,600,000	\$ 2,002,677,000	
Holding Account Redistribution Fund Group					8799
R08	100-646	General Services	\$ 20,000	\$ 20,000	8800
		Refunds			
TOTAL 090 Holding Account					8801
	Redistribution Fund Group				8802
			\$ 20,000	\$ 20,000	
TOTAL ALL BUDGET FUND GROUPS					8803
			\$ 2,258,501,508	\$ 2,403,891,271	
			<u>2,259,361,508</u>	<u>2,401,050,662</u>	8804

Sec. 13.01. AGENCY AUDIT EXPENSES

Of the foregoing appropriation item 100-405, Agency Audit Expenses, up to \$145,261 in fiscal year 2002 and up to \$74,447 in fiscal year 2003 shall be used to subsidize the operations of the Central Service Agency. The Department of Administrative Services shall transfer cash from appropriation item 100-405, Agency Audit Expenses, to the Central Service Agency Fund (Fund 115) using an intrastate transfer voucher.

Of the foregoing appropriation item 100-405, Agency Audit Expenses, up to \$30,000 in fiscal year 2002 and \$30,000 in fiscal year 2003 shall be used for the Department of Administrative

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Services' GRF appropriation item-related auditing expenses. The 8817
 remainder of the appropriation shall be used for auditing expenses 8818
 designated in division (A)(1) of section 117.13 of the Revised 8819
 Code for those state agencies audited on a biennial basis. 8820

VETERANS' RECORDS CONVERSION 8821

The unencumbered balance of appropriation item 100-410, 8822
Veterans' Records Conversion, at the end of fiscal year 2002 shall 8823
be transferred to fiscal year 2003 for use under the same 8824
appropriation item. 8825

Sec. 13.05. CENTRAL SERVICE AGENCY FUND 8826

~~In order to complete the migration of the licensing~~ 8827
~~applications of the professional licensing boards to a local area~~ 8828
~~network, the Director of Budget and Management may, at the request~~ 8829
~~of the Director of Administrative Services, cancel related~~ 8830
~~encumbrances in the Central Service Agency Fund (Fund 115) and~~ 8831
~~reestablish these encumbrances in fiscal year 2002 for the same~~ 8832
~~purpose and to the same vendor. The Director of Budget and~~ 8833
~~Management shall reduce the appropriation balance in fiscal year~~ 8834
~~2001 by the amount of encumbrances canceled in Fund 115. As~~ 8835
~~determined by the Director of Budget and Management, the amount~~ 8836
~~necessary to reestablish such encumbrances or parts of~~ 8837
~~encumbrances in fiscal year 2002 in the Central Service Agency~~ 8838
~~Fund (Fund 115) is appropriated.~~ 8839

The Director of Budget and Management may transfer up to 8840
~~\$399,000~~ \$671,219 in fiscal year 2002 and up to ~~\$354,000~~ \$562,249 8841
 in fiscal year 2003 from the Occupational Licensing and Regulatory 8842
 Fund (Fund 4K9) to the Central Service Agency Fund (Fund 115). The 8843
 Director of Budget and Management may transfer up to ~~\$34,000~~ 8844
\$61,781 in fiscal year 2002 and up to ~~\$30,000~~ \$51,751 in fiscal 8845
 year 2003 from the State Medical Board Operating Fund (Fund 5C6) 8846
 to the Central Service Agency Fund (Fund 115). ~~The Director of~~ 8847

As Reported by the Senate Finance and Financial Institutions Committee*

~~Budget and Management may transfer up to \$18,000 in fiscal year 2002 and up to \$16,000 in fiscal year 2003 from the Pharmacy Board Operating Fund (Fund 5N2) to the Central Service Agency Fund (Fund 115).~~ The appropriation item 100-632, Central Service Agency, shall be used to purchase the necessary equipment, products, and services to install and maintain a ~~local area network~~ web-based application for the professional licensing boards, and to support their licensing applications. The amount of the cash transfer is appropriated to appropriation item 100-632, Central Service Agency.

Sec. 13.12. INVESTMENT RECOVERY FUND

Notwithstanding division (B) of section 125.14 of the Revised Code, cash balances in the Investment Recovery Fund may be used to support the operating expenses of the Federal Surplus Operating Program created in sections 125.84 to 125.90 of the Revised Code.

Notwithstanding division (B) of section 125.14 of the Revised Code, cash balances in the Investment Recovery Fund may be used to support the operating expenses of the State Property Inventory and Fixed Assets Management System Program.

Of the foregoing appropriation item 100-602, Investment Recovery, up to \$2,045,302 in fiscal year 2002 and up to \$1,959,192 in fiscal year 2003 shall be used to pay the operating expenses of the State Surplus Property Program, the Surplus Federal Property Program, and the State Property Inventory and Fixed Assets Management System Program pursuant to Chapter 125. of the Revised Code and this section. If additional appropriations are necessary for the operations of these programs, the Director of Administrative Services shall seek increased appropriations from the Controlling Board under section 131.35 of the Revised Code.

Of the foregoing appropriation item 100-602, Investment

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Recovery, ~~\$2,045,302~~ \$2,159,433 in fiscal year 2002 and ~~\$1,959,192~~ \$2,219,992 in fiscal year 2003 shall be used to transfer proceeds from the sale of surplus property from the Investment Recovery Fund to non-General Revenue Funds pursuant to division (A)(2) of section 125.14 of the Revised Code. If it is determined by the Director of Administrative Services that additional appropriations are necessary for the transfer of such sale proceeds, the Director of Administrative Services may request the Director of Budget and Management to increase the amounts. Such amounts are appropriated.

Notwithstanding division (B) of section 125.14 of the Revised Code, the Director of Budget and Management, at the request of the Director of Administrative Services, shall transfer up to \$2,500,000 of the amounts held for transfer to the General Revenue Fund from the Investment Recovery Fund (Fund 427) to the General Services Fund (Fund 117) during the biennium beginning July 1, 2001, and ending June 30, 2003. The cash transferred to the General Services Fund shall be used to pay the operating expenses of the Competitive Sealed Proposal Program.

Sec. 69. LSC LEGISLATIVE SERVICE COMMISSION

General Revenue Fund				8899
GRF 035-321	Operating Expenses	\$ 13,325,000	\$ 14,470,000	8900
GRF 035-402	Legislative Interns	\$ 953,500	\$ 993,500	8901
GRF 035-404	Legislative Office of	\$ 1,192,146	\$ 1,239,832	8902
Education Oversight				
GRF 035-406	ATMS Replacement	\$ 90,000	\$ 90,000	8903
Project				
GRF 035-407	Legislative Task Force	\$ 2,000,000	\$ 0	8904
on Redistricting				
GRF 035-409	National Associations	\$ 417,906	\$ 427,381	8905
GRF 035-410	Legislative	\$ 4,343,000	\$ 4,690,000	8906
Information Systems				

As Reported by the Senate Finance and Financial Institutions Committee*

TOTAL GRF General Revenue Fund	\$	22,321,552	\$	21,910,713	8907
General Services Fund Group					8908
4F6 035-603 Legislative Budget	\$	140,000	\$	145,000	8909
Services					
410 035-601 Sale of Publications	\$	25,000	\$	25,000	8910
TOTAL GSF General Services					8911
Fund Group	\$	165,000	\$	170,000	8912
TOTAL ALL BUDGET FUND GROUPS	\$	22,486,552	\$	22,080,713	8913

OPERATING EXPENSES 8914

On or before August 1, 2001, the Director of Budget and Management shall determine and certify to the Director of the Legislative Service Commission the total amount of unexpended, unobligated appropriations made to the Commission for fiscal year 2001 in appropriation items 035-321 and 035-403. Additional appropriation authority equal to the amount certified by the Director of Budget and Management to the Director of the Legislative Service Commission, not to exceed \$500,000, is hereby appropriated to appropriation item 035-321 Operating Expenses, for fiscal year 2002.

ATMS REPLACEMENT PROJECT 8925

Of the foregoing appropriation item 035-406, ATMS Replacement Project, any amounts not used for the ATMS project may be used to pay the operating expenses of the Legislative Service Commission.

LEGISLATIVE TASK FORCE ON REDISTRICTING 8929

On or before August 1, 2001, the Director of Budget and Management shall determine and certify to the Director of the Legislative Service Commission the total amount of unexpended, unobligated appropriations made to the Commission for fiscal year 2001 in appropriation item 035-407, Legislative Task Force on Redistricting. ~~Additional appropriation authority equal to the~~ The amount certified by the Director of Budget and Management to the

As Reported by the Senate Finance and Financial Institutions Committee*

Director of the Legislative Service Commission is hereby 8937
 appropriated to appropriation item 035-407, Legislative Task Force 8938
 on Redistricting, for fiscal year 2002. 8939

On or before August 1, 2002, the Director of Budget and 8940
 Management shall determine and certify to the Director of the 8941
 Legislative Service Commission the total amount of unexpended, 8942
 unobligated appropriations made to the Commission for fiscal year 8943
 2002 in appropriation item 035-407, Legislative Task Force on 8944
 Redistricting. The amount certified by the Director of Budget and 8945
 Management to the Director of the Legislative Service Commission 8946
 is hereby appropriated to appropriation item 035-407, Legislative 8947
 Task Force on Redistricting, for fiscal year 2003. 8948

NATIONAL ASSOCIATIONS 8949

Of the foregoing appropriation item 035-409, National 8950
 Associations, \$10,000 in each fiscal year shall be used for the 8951
 State and Local Legal Center. 8952

LEGISLATIVE OFFICE OF EDUCATION OVERSIGHT 8953

The foregoing appropriation item 035-404, Legislative Office 8954
 of Education Oversight, shall be used to support the legislative 8955
 oversight activities of the Legislative Committee on Education 8956
 Oversight established in section 3301.68 of the Revised Code." 8957

Section 64. That existing Sections 13, 13.01, 13.05, 13.12, 8958
 and 69 of Am. Sub. H.B. 94 of the 124th General Assembly are 8959
 hereby repealed. 8960

Section 65. That Section 32 of Am. Sub. H.B. 94 of the 124th 8961
 General Assembly, as amended by Sub. H.B. 386 of the 124th General 8962
 Assembly, be amended to read as follows: 8963

"**Sec. 32.** COM DEPARTMENT OF COMMERCE 8964

As Reported by the Senate Finance and Financial Institutions Committee*

General Revenue Fund				8965	
GRF 800-402 Grants-Volunteer Fire	\$	912,500	\$	793,750	8966
Departments					
GRF 800-410 Labor and Worker	\$	3,898,792	\$	4,042,587	8967
Safety					
Total GRF General Revenue Fund	\$	4,811,292	\$	4,836,337	8968
General Services Fund Group				8969	
163 800-620 Division of	\$	5,873,604	\$	6,189,578	8970
Administration					
5F1 800-635 Small Government Fire	\$	250,000	\$	250,000	8971
Departments					
TOTAL GSF General Services Fund				8972	
Group	\$	6,123,604	\$	6,439,578	8973
Federal Special Revenue Fund Group				8974	
348 800-622 Underground Storage	\$	195,008	\$	195,008	8975
Tanks					
348 800-624 Leaking Underground	\$	1,850,000	\$	1,850,000	8976
Storage Tanks					
349 800-626 OSHA Enforcement	\$	1,346,000	\$	1,386,380	8977
TOTAL FED Federal Special Revenue				8978	
Fund Group	\$	3,391,008	\$	3,431,388	8979
State Special Revenue Fund Group				8980	
4B2 800-631 Real Estate Appraisal	\$	69,870	\$	71,267	8981
Recovery					
4H9 800-608 Cemeteries	\$	260,083	\$	273,465	8982
4L5 800-609 Fireworks Training and	\$	10,526	\$	10,976	8983
Education					
4X2 800-619 Financial Institutions	\$	2,020,646	\$	2,134,754	8984
5B8 800-628 Auctioneers	\$	60,000	\$	0	8985
5B9 800-632 PI & Security Guard	\$	1,139,377	\$	1,188,716	8986
Provider					
5K7 800-621 Penalty Enforcement	\$	2,000	\$	2,000	8987

As Reported by the Senate Finance and Financial Institutions Committee*

543	800-602	Unclaimed	\$	5,921,792	\$	6,151,051	8988
		Funds-Operating					
543	800-625	Unclaimed Funds-Claims	\$	24,890,602	\$	25,512,867	8989
544	800-612	Banks	\$	6,346,230	\$	6,657,997	8990
545	800-613	Savings Institutions	\$	2,790,960	\$	2,894,399	8991
546	800-610	Fire Marshal	\$	10,245,737	\$	10,777,694	8992
547	800-603	Real Estate	\$	258,796	\$	264,141	8993
		Education/Research					
548	800-611	Real Estate Recovery	\$	150,000	\$	150,000	8994
549	800-614	Real Estate	\$	2,885,785	\$	3,039,837	8995
550	800-617	Securities	\$	4,611,800	\$	4,864,800	8996
552	800-604	Credit Union	\$	2,368,450	\$	2,477,852	8997
553	800-607	Consumer Finance	\$	2,830,339	\$	2,908,822	8998
556	800-615	Industrial Compliance	\$	22,176,840	\$	23,415,776	8999
6A4	800-630	Real Estate	\$	522,125	\$	548,006	9000
		Appraiser-Operating					
653	800-629	UST	\$	1,072,795	\$	1,121,632	9001
		Registration/Permit Fee					
		TOTAL SSR State Special Revenue					9002
		Fund Group	\$	90,634,753	\$	94,466,052	9003
		Liquor Control Fund Group					9004
043	800-601	Merchandising	\$	322,741,245	\$	341,222,192	9005
043	800-627	Liquor Control	\$	16,250,400	\$	15,801,163	9006
		Operating					
043	800-633	Development Assistance	\$	16,134,800	\$	16,141,100	9007
		Debt Service					
043	800-636	Revitalization Debt	\$	1,600,000	\$	6,700,000	9008
		Service					
		TOTAL LCF Liquor Control					9009
		Fund Group	\$	356,726,445	\$	379,864,455	9010
		TOTAL ALL BUDGET FUND GROUPS	\$	461,687,102	\$	489,037,810	9011

As Reported by the Senate Finance and Financial Institutions Committee*

GRANTS-VOLUNTEER FIRE DEPARTMENTS 9012

The foregoing appropriation item 800-402, Grants-Volunteer 9013
 Fire Departments, shall be used to make annual grants to volunteer 9014
 fire departments of up to \$10,000, or up to \$25,000 if the 9015
 volunteer fire department provides service for an area affected by 9016
 a natural disaster. The grant program shall be administered by the 9017
 Fire Marshal under the Department of Commerce. The Fire Marshal 9018
 shall adopt rules necessary for the administration and operation 9019
 of the grant program. 9020

Notwithstanding section 3737.17 of the Revised Code, upon the 9021
 request of the Director of Commerce, the Director of Budget and 9022
 Management shall transfer \$200,000 cash in fiscal year 2002 and 9023
 \$100,000 cash in fiscal year 2003 from the State Fire Marshal Fund 9024
 (Fund 546) to the General Revenue Fund. 9025

Of the foregoing appropriation item 800-402, Grants-Volunteer 9026
 Fire Departments, \$200,000 in fiscal year 2002 shall be granted to 9027
 the Monday Creek Fire Department. 9028

LABOR AND WORKER SAFETY 9029

The Department of Commerce may designate a portion of 9030
 appropriation item 800-410, Labor and Worker Safety, to be used to 9031
 match federal funding for the OSHA on-site consultation program. 9032

SMALL GOVERNMENT FIRE DEPARTMENTS 9033

Upon the request of the Director of Commerce, the Director of 9034
 Budget and Management shall transfer \$250,000 cash in each fiscal 9035
 year from the State Fire Marshal Fund (Fund 546) within the State 9036
 Special Revenue Fund Group to the Small Government Fire 9037
 Departments Fund (Fund 5F1) within the General Services Fund 9038
 Group. 9039

Notwithstanding section 3737.17 of the Revised Code, the 9040
 foregoing appropriation item 800-635, Small Government Fire 9041

As Reported by the Senate Finance and Financial Institutions Committee*

Departments, may be used to provide loans to private fire	9042
departments.	9043
PENALTY ENFORCEMENT	9044
The foregoing appropriation item 800-621, Penalty	9045
Enforcement, shall be used to enforce sections 4115.03 to 4115.16	9046
of the Revised Code.	9047
On July 1, 2001, or as soon thereafter as possible, the	9048
Director of Budget and Management shall transfer the cash balance	9049
in the Penalty Enforcement Fund that was in the custody of the	9050
state treasury to the Penalty Enforcement Fund (Fund 5K7) that is	9051
created in the state treasury by section 4115.10 of the Revised	9052
Code. The fund shall be used for deposit of moneys received from	9053
penalties paid under section 4115.10 of the Revised Code.	9054
UNCLAIMED FUNDS PAYMENTS	9055
The foregoing appropriation item 800-625, Unclaimed	9056
Funds-Claims, shall be used to pay claims pursuant to section	9057
169.08 of the Revised Code. If it is determined that additional	9058
amounts are necessary, the amounts are appropriated.	9059
PREDATORY LENDING ENFORCEMENT	9060
Of the foregoing appropriation item 800-607, Consumer	9061
Finance, up to \$125,000 in fiscal year 2002 and up to \$250,000 in	9062
fiscal year 2003 shall be used for the enforcement of sections	9063
1349.25 to 1349.36 of the Revised Code.	9064
OFFICE OF CONSUMER AFFAIRS	9065
Of the foregoing appropriation item 800-607, Consumer	9066
Finance, up to \$400,000 in fiscal year 2002 and up to \$400,000 in	9067
fiscal year 2003 shall be used by the Department of Commerce for	9068
the operation of the Office of Consumer Affairs created in section	9069
1349.37 of the Revised Code, including outreach efforts to provide	9070
education regarding predatory lending, borrowing, and related	9071

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financial topics through seminars, local government grants, public
 service announcements, and brochures. On or before August 1, 2002,
 the Director of Budget and Management shall determine and certify
 to the Director of Commerce the total amount of unexpended,
 unobligated appropriations made to the Department for fiscal year
 2002 for the purposes stated above. The amount so determined and
 certified by the Director of Budget and Management is hereby
 appropriated to appropriation item 800-607, Consumer Finance, in
 addition to any other amounts appropriated for fiscal year 2003,
 and is hereby earmarked for the purposes stated above.

INCREASED APPROPRIATION AUTHORITY - MERCHANDISING

The Director of Commerce may, upon concurrence by the
 Director of Budget and Management, submit to the Controlling Board
 for approval a request for increased appropriation authority for
 appropriation item 800-601, Merchandising.

CASH BALANCE TRANSFER

On July 1, 2001, or as soon thereafter as possible, the
 Director of Budget and Management shall transfer the cash balance
 in the Salvage and Exchange Fund (Fund 861) to the Liquor Control
 Fund (Fund 043) created in section 4301.12 of the Revised Code.
 Upon the completion of the transfer, the Salvage and Exchange
 Fund, which was created by the Controlling Board during the
 1973-1975 biennium, is abolished. The director shall cancel any
 existing encumbrances against appropriation item 800-634, Salvage
 and Exchange, and reestablish them against appropriation item
 800-627, Liquor Control Operating.

DEVELOPMENT ASSISTANCE DEBT SERVICE

The foregoing appropriation item 800-633, Development
 Assistance Debt Service, shall be used to meet all payments at the
 times they are required to be made during the period from July 1,
 2001, to June 30, 2003, for bond service charges on obligations

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issued under section 166.08 of the Revised Code, but limited to
the aggregate amount of \$32,275,900. If it is determined that
additional appropriations are necessary for this purpose, such
amounts are hereby appropriated, provided that the appropriation
does not exceed \$25,000,000 in any fiscal year, except as may be
needed for payments on obligations issued to meet guarantees. The
General Assembly acknowledges that an appropriation for this
purpose is not required, but is made in this form and in ~~this act~~
Am. Sub. H.B. 94 of the 124th General Assembly for record purposes
only.

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REVITALIZATION DEBT SERVICE

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The foregoing appropriation item 800-636, Revitalization Debt
Service, shall be used to pay debt service and related financing
costs during the period from July 1, 2001, to June 30, 2003, on
obligations to be issued for revitalization purposes under Section
2o of Article VIII, Ohio Constitution, and implementing
legislation. If it is determined that additional appropriations
are necessary for this purpose, such amounts are hereby
appropriated. The General Assembly acknowledges: (A) the priority
of the pledge of a portion of receipts from that source to
obligations issued and to be issued and guarantees made and to be
made under Chapter 166. of the Revised Code; and (B) that ~~this~~
~~appropriation is subject to further consideration pursuant to~~
~~implementing legislation~~ an appropriation for this purpose is not
required, but is made in this form and in this act for record
purposes only.

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ADMINISTRATIVE ASSESSMENTS

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Notwithstanding any other provision of law to the contrary,
Fund 163, Administration, shall receive assessments from all
operating funds of the department in accordance with procedures
prescribed by the Director of Commerce and approved by the
Director of Budget and Management."

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Section 66. That existing Section 32 of Am. Sub. H.B. 94 of the 124th General Assembly, as amended by Sub. H.B. 386 of the 124th General Assembly, is hereby repealed.

Section 67. That Section 45 of Am. Sub. H.B. 94 of the 124th General Assembly, as amended by Am. Sub. H.B. 405 of the 124th General Assembly, be amended to read as follows:

"Sec. 45. OEB OHIO EDUCATIONAL TELECOMMUNICATIONS NETWORK				9141
COMMISSION				9142
General Revenue Fund				9143
GRF 374-100	Personal Services	\$ 1,585,648	\$ 1,705,463	9144
GRF 374-200	Maintenance	\$ 902,477	\$ 891,968	9145
GRF 374-300	Equipment	\$ 46,760	\$ 45,313	9146
GRF 374-401	Statehouse News Bureau	\$ 253,175	\$ 245,344	9147
GRF 374-402	Ohio Government	\$ 403,026	\$ 910,296	9148
Telecommunications				
Studio				
<u>GRF 374-403</u>	<u>Ohio SONET</u>	<u>\$ 0</u>	<u>\$ 2,840,609</u>	9149
GRF 374-404	Telecommunications	\$ 5,239,754	\$ 5,051,174	9150
Operating Subsidy				
TOTAL GRF General Revenue Fund		\$ 8,430,840	\$ 8,849,558	9151
			<u>11,690,167</u>	9152
General Services Fund Group				9153
4F3 374-603	Affiliate Services	\$ 2,941,810	\$ 3,067,586	9154
4T2 374-605	Government	\$ 75,000	\$ 150,000	9155
Television/Telecommunications				
Operating				
TOTAL GSF General Services				9156
Fund Group		\$ 3,016,810	\$ 3,217,586	9157
TOTAL ALL BUDGET FUND GROUPS		\$ 11,447,650	\$ 12,067,144	9158
			<u>14,907,753</u>	9159

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STATEHOUSE NEWS BUREAU	9160
The foregoing appropriation item 374-401, Statehouse News Bureau, shall be used solely to support the operations of the Ohio Statehouse News Bureau.	9161 9162 9163
OHIO GOVERNMENT TELECOMMUNICATIONS STUDIO	9164
The foregoing appropriation item 374-402, Ohio Government Telecommunications Studio, shall be used solely to support the operations of the Ohio Government Telecommunications Studio.	9165 9166 9167
<u>OHIO SONET</u>	9168
<u>The foregoing appropriation item 374-403, Ohio SONET, shall be used by the Ohio Educational Telecommunications Network Commission to pay monthly operating expenses and maintenance of the television and radio transmission infrastructure.</u>	9169 9170 9171 9172
TELECOMMUNICATIONS OPERATING SUBSIDY	9173
The foregoing appropriation item 374-404, Telecommunications Operating Subsidy, shall be distributed by the Ohio Educational Telecommunications Network Commission to Ohio's qualified public educational television stations, radio reading services, and educational radio stations to support their operations. The funds shall be distributed pursuant to an allocation developed by the Ohio Educational Telecommunications Network Commission.	9174 9175 9176 9177 9178 9179 9180
GOVERNMENT TELEVISION/TELECOMMUNICATIONS OPERATING	9181
Beginning on January 1, 2002, General Service Fund 4T2, Government Television/Telecommunications Operating, currently under the direction of the Capital Square Review and Advisory Board, shall be transferred to the Ohio Educational Telecommunications Network Commission. The Director of Budget and Management shall transfer, by January 15, 2002, all remaining balances in General Services Fund 4T2, Government Television/Telecommunications Operating, in the Capital Square	9182 9183 9184 9185 9186 9187 9188 9189

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Review and Advisory Board to General Services Fund 4T2, Government
 Television/Telecommunications Operating, in the Ohio Educational
 Telecommunications Network Commission. General Services Fund 4T2,
 Government Television/Telecommunications Operating, is hereby
 created in the Ohio Educational Telecommunications Network
 Commission."

Section 68. That existing Section 45 of Am. Sub. H.B. 94 of
 the 124th General Assembly, as amended by Am. Sub. H.B. 405 of the
 124th General Assembly, is hereby repealed.

Section 69. That Section 56.01 of Am. Sub. H.B. 94 of the
 124th General Assembly, as amended by Am. Sub. H.B. 299 of the
 124th General Assembly, be amended to read as follows:

"Sec. 56.01. HEMOPHILIA SERVICES

Of the foregoing appropriation item 440-406, Hemophilia
 Services, \$205,000 in each fiscal year shall be used to implement
 the Hemophilia Insurance Pilot Project.

Of the foregoing appropriation item 440-406, Hemophilia
 Services, up to \$245,000 in each fiscal year shall be used by the
 Department of Health to provide grants to the nine hemophilia
 treatment centers to provide prevention services for persons with
 hemophilia and their family members affected by AIDS and other
 bloodborne pathogens.

CANCER REGISTRY SYSTEM

Of the foregoing appropriation item 440-412, Cancer Incidence
 Surveillance System, \$50,000 in each fiscal year shall be provided
 to the Northern Ohio Cancer Resource Center.

The remaining moneys in appropriation item 440-412, Cancer
 Incidence Surveillance System, shall be used to maintain and

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operate the Ohio Cancer Incidence Surveillance System pursuant to 9218
sections 3701.261 to 3701.263 of the Revised Code. 9219

No later than March 1, 2002, the Ohio Cancer Incidence 9220
Surveillance Advisory Board shall report to the General Assembly 9221
on the effectiveness of the cancer incidence surveillance system 9222
and the partnership between the Department of Health and the 9223
Arthur G. James Cancer Hospital and Richard J. Solove Research 9224
Institute of The Ohio State University. 9225

CHILD AND FAMILY HEALTH SERVICES 9226

Of the foregoing appropriation item 440-416, Child and Family 9227
Health Services, \$1,700,000 in each fiscal year shall be used for 9228
family planning services. None of the funds received through these 9229
family planning grants shall be used to provide abortion services. 9230
None of the funds received through these family planning grants 9231
shall be used for counseling for or referrals for abortion, except 9232
in the case of a medical emergency. These funds shall be 9233
distributed on the basis of the relative need in the community 9234
served by the Director of Health to family planning programs, 9235
which shall include family planning programs funded under Title V 9236
of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 9237
301, as amended, and Title X of the "Public Health Services Act," 9238
58 Stat. 682 (1946), 42 U.S.C.A. 201, as amended, as well as to 9239
other family planning programs that the Department of Health also 9240
determines will provide services that are physically and 9241
financially separate from abortion-providing and 9242
abortion-promoting activities, and that do not include counseling 9243
for or referrals for abortion, other than in the case of medical 9244
emergency, with state moneys, but that otherwise substantially 9245
comply with the quality standards for such programs under Title V 9246
and Title X. 9247

The Director of Health, by rule, shall provide reasonable 9248
methods by which a grantee wishing to be eligible for federal 9249

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funding may comply with these requirements for state funding 9250
without losing its eligibility for federal funding, while ensuring 9251
that a family planning program receiving a family planning grant 9252
must be organized so that it is physically and financially 9253
separate from the provision of abortion services and from 9254
activities promoting abortion as a method of family planning. 9255

Of the foregoing appropriation item 440-416, Child and Family 9256
Health Services, \$150,000 in each fiscal year shall be used to 9257
provide malpractice insurance for physicians and other health 9258
professionals providing prenatal services in programs funded by 9259
the Department of Health. 9260

Of the foregoing appropriation item 440-416, Child and Family 9261
Health Services, \$279,000 shall be used in each fiscal year for 9262
the OPTIONS dental care access program. 9263

Of the foregoing appropriation item 440-416, Child and Family 9264
Health Services, \$600,000 in each fiscal year shall be used by 9265
local child and family health services clinics to provide services 9266
to uninsured low-income persons. 9267

Of the foregoing appropriation item 440-416, Child and Family 9268
Health Services, \$900,000 in each fiscal year shall be used by 9269
federally qualified health centers and federally designated 9270
look-alikes to provide services to uninsured low-income persons. 9271

Of the foregoing appropriation item 440-416, Child and Family 9272
Health Services, \$50,000 in each fiscal year shall be used for the 9273
Tree of Knowledge Learning Center in Cleveland Heights. 9274

Of the foregoing appropriation item 440-416, Child and Family 9275
Health Services, \$25,000 in fiscal year 2002 shall be provided to 9276
the Suicide Prevention Program of Clermont County. 9277

Of the foregoing appropriation item 440-416, Child and Family 9278
Health Services, \$50,000 in fiscal year 2002 shall be provided to 9279
the Discover Health Project. 9280

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Of the foregoing appropriation item 440-416, Child and Family Health Services, \$75,000 in fiscal year 2002 shall be provided to the Mayerson Center. 9281
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Of the foregoing appropriation item 440-416, Child and Family Health Services, \$50,000 in fiscal year 2002 shall be provided to the Central Clinic at the University of Cincinnati. 9284
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IMMUNIZATIONS 9287

Of the foregoing appropriation item 440-418, Immunizations, \$125,000 per fiscal year shall be used to provide vaccinations for Hepatitis B to all qualified underinsured students in the seventh grade who have not been previously immunized. 9288
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Of the foregoing appropriation item 440-418, Immunizations, up to \$25,000 in each fiscal year shall be used to provide vaccinations for pneumococcal disease for children between the ages of two and five. 9292
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SEXUAL ASSAULT PREVENTION AND INTERVENTION 9296

The foregoing appropriation item 440-419, Sexual Assault Prevention and Intervention, shall be used for the following purposes: 9297
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(A) Funding of new services in counties with no services for sexual assault; 9300
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(B) Expansion of services provided in currently funded projects so that comprehensive crisis intervention and prevention services are offered; 9302
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(C) Start-up funding for Sexual Assault Nurse Examiner (SANE) projects; 9305
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(D) Statewide expansion of local outreach and public awareness efforts. 9307
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HIV/AIDS PREVENTION/TREATMENT 9309

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Of the foregoing appropriation item 440-444, AIDS Prevention and Treatment, \$6.7 million in fiscal year 2002 and \$7.1 million in fiscal year 2003 shall be used to assist persons with HIV/AIDS in acquiring HIV-related medications.

The HIV Drug Assistance Program is pursuant to section 3701.241 of the Revised Code and Title XXVI of the "Public Health Services Act," 104 Stat. 576 (1990), 42 U.S.C.A. 2601, as amended. The Department of Health may adopt rules pursuant to Chapter 119. of the Revised Code as necessary for the administration of the program.

INFECTIOUS DISEASE PREVENTION

Notwithstanding section 339.77 of the Revised Code, \$60,000 of the foregoing appropriation item 440-446, Infectious Disease Prevention, shall be used by the Director of Health to reimburse Boards of County Commissioners for the cost of detaining indigent persons with tuberculosis. Any portion of the \$60,000 allocated for detainment not used for that purpose shall be used to make payments to counties pursuant to section 339.77 of the Revised Code.

Of the foregoing appropriation item 440-446, Infectious Disease Prevention, ~~\$200,000~~ \$335,000 in each fiscal year shall be used for the purchase of drugs for sexually transmitted diseases.

HELP ME GROW

The foregoing appropriation item 440-459, Help Me Grow, shall be used by the Department of Health to distribute subsidies to counties to implement ~~section 3701.61 of the Revised Code~~ the Help Me Grow program. Appropriation item 440-459 may be used in conjunction with Temporary Assistance for Needy Families from the Department of Job and Family Services, Even Start from the Department of Education, and in conjunction with other early childhood funds and services to promote the optimal development of

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young children. Local contacts shall be developed between local 9341
 departments of job and family services and family and children 9342
 first councils for the administration of TANF funding for the Help 9343
 Me Grow Program. The Department of Health shall enter into an 9344
 interagency agreement with the Department of Education to 9345
 coordinate the planning, design, and grant selection process for 9346
 any new Even Start grants and to ensure that all new and existing 9347
 programs within Help Me ~~grow~~ Grow are school linked. 9348

POISON CONTROL NETWORK 9349

The foregoing appropriation item 440-504, Poison Control 9350
 Network, shall be used in each fiscal year by the Department of 9351
 Health for grants to the consolidated Ohio Poison Control Center 9352
 to provide poison control services to Ohio citizens. 9353

TANF FAMILY PLANNING 9354

The Director of Budget and Management shall transfer by 9355
 intrastate transfer voucher, no later than the fifteenth day of 9356
 July of each fiscal year, cash from the General Revenue Fund, 9357
 appropriation item 600-410, TANF State, to General Services Fund 9358
 5C1 in the Department of Health, in an amount of \$250,000 in each 9359
 fiscal year for the purpose of family planning services for 9360
 children or their families whose income is at or below 200 per 9361
 cent of the official poverty guideline. 9362

As used in this section, "poverty guideline" means the 9363
 official poverty guideline as revised annually by the United 9364
 States Secretary of Health and Human Services in accordance with 9365
 section 673 of the "Community Services Block Grant Act," 95 Stat. 9366
 511 (1981), 42 U.S.C.A. 9902, as amended, for a family size equal 9367
 to the size of the family of the person whose income is being 9368
 determined. 9369

MATERNAL CHILD HEALTH BLOCK GRANT 9370

Of the foregoing appropriation item 440-601, Maternal Child 9371

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Health Block Grant (Fund 320), \$2,091,299 shall be used in each 9372
 fiscal year for the purposes of abstinence-only education. The 9373
 Director of Health shall develop guidelines for the establishment 9374
 of abstinence programs for teenagers with the purpose of 9375
 decreasing unplanned pregnancies and abortion. Such guidelines 9376
 shall be pursuant to Title V of the "Social Security Act," 42 9377
 U.S.C.A. 510, and shall include, but are not limited to, 9378
 advertising campaigns and direct training in schools and other 9379
 locations. 9380

A portion of the foregoing appropriation item 440-601, 9381
 Maternal Child Health Block Grant (Fund 320), may be used to 9382
 ensure that current information on sudden infant death syndrome is 9383
 available for distribution by local health districts. 9384

TITLE XX TRANSFER 9385

Of the foregoing appropriation item 440-611, Title XX 9386
 Transfer (Fund 3W5), \$500,000 in each fiscal year, to the extent 9387
 funds are available based on deposits made pursuant to Section 9388
 63.09 of ~~this act~~ Am. Sub. H.B. 94 of the 124th General Assembly, 9389
 shall be used for the purposes of abstinence-only education. The 9390
 Director of Health shall develop guidelines for the establishment 9391
 of abstinence programs for teenagers with the purpose of 9392
 decreasing unplanned pregnancies and abortion. The guidelines 9393
 shall be developed pursuant to Title V of the "Social Security 9394
 Act," 42 U.S.C. 510, and shall include, but are not to be limited 9395
 to, advertising campaigns and direct training in schools and other 9396
 locations. 9397

GENETICS SERVICES 9398

The foregoing appropriation item 440-608, Genetics Services 9399
 (Fund 4D6), shall be used by the Department of Health to 9400
 administer programs authorized by sections 3701.501 and 3701.502 9401
 of the Revised Code. None of these funds shall be used to counsel 9402

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or refer for abortion, except in the case of a medical emergency.	9403
SICKLE CELL FUND	9404
The foregoing appropriation item 440-610, Sickle Cell Disease	9405
Control (Fund 4F9), shall be used by the Department of Health to	9406
administer programs authorized by section 3701.131 of the Revised	9407
Code. The source of the funds is as specified in section 3701.23	9408
of the Revised Code.	9409
SAFETY AND QUALITY OF CARE STANDARDS	9410
The Department of Health may use Fund 471, Certificate of	9411
Need, for administering sections 3702.11 to 3702.20 and 3702.30 of	9412
the Revised Code in each fiscal year.	9413
MEDICALLY HANDICAPPED CHILDREN AUDIT	9414
The Medically Handicapped Children Audit Fund (Fund 477)	9415
shall receive revenue from audits of hospitals and recoveries from	9416
third-party payors. Moneys may be expended for payment of audit	9417
settlements and for costs directly related to obtaining recoveries	9418
from third-party payors and for encouraging Medically Handicapped	9419
Children's Program recipients to apply for third-party benefits.	9420
Moneys also may be expended for payments for diagnostic and	9421
treatment services on behalf of medically handicapped children, as	9422
defined in division (A) of section 3701.022 of the Revised Code,	9423
and Ohio residents who are twenty-one or more years of age and who	9424
are suffering from cystic fibrosis. Moneys may also be expended	9425
for administrative expenses incurred in operating the Medically	9426
Handicapped Children's Program.	9427
CASH TRANSFER FROM LIQUOR CONTROL FUND TO ALCOHOL TESTING AND	9428
PERMIT FUND	9429
The Director of Budget and Management, pursuant to a plan	9430
submitted by the Department of Health, or as otherwise determined	9431
by the Director of Budget and Management, shall set a schedule to	9432

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transfer cash from the Liquor Control Fund (Fund 043) to the	9433
Alcohol Testing and Permit Fund (Fund 5C0) to meet the operating	9434
needs of the Alcohol Testing and Permit program.	9435
The Director of Budget and Management shall transfer to the	9436
Alcohol Testing and Permit Fund (Fund 5C0) from the Liquor Control	9437
Fund (Fund 043) established in section 4301.12 of the Revised Code	9438
such amounts at such times as determined by the transfer schedule.	9439
MEDICALLY HANDICAPPED CHILDREN - COUNTY ASSESSMENTS	9440
The foregoing appropriation item 440-607, Medically	9441
Handicapped Children - County Assessments (Fund 666), shall be	9442
used to make payments pursuant to division (E) of section 3701.023	9443
of the Revised Code."	9444
Section 70. That existing Section 56.01 of Am. Sub. H.B. 94	9445
of the 124th General Assembly, as amended by Am. Sub. H.B. 299 of	9446
the 124th General Assembly, is hereby repealed.	9447
Section 71. That Section 63.09 of Am. Sub. H.B. 94 of the	9448
124th General Assembly, as most recently amended by Am. Sub. H.B.	9449
405 of the 124th General Assembly, be amended to read as follows:	9450
" Sec. 63.09. TANF	9451
TANF COUNTY INCENTIVES	9452
Of the foregoing appropriation item 600-689, TANF Block	9453
Grant, the Department of Job and Family Services may provide	9454
financial incentives to those county departments of job and family	9455
services that have exceeded performance standards adopted by the	9456
state department, and where the board of county commissioners has	9457
entered into a written agreement with the state department under	9458
section 5101.21 of the Revised Code governing the administration	9459
of the county department. Any financial incentive funds provided	9460

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pursuant to this division shall be used by the county department 9461
for additional or enhanced services for families eligible for 9462
assistance under Chapter 5107. or benefits and services under 9463
Chapter 5108. of the Revised Code or, on request by the county and 9464
approval by the Department of Job and Family Services, be 9465
transferred to the Child Care and Development Fund or the Social 9466
Services Block Grant. The county departments of job and family 9467
services may retain and expend such funds without regard to the 9468
state or county fiscal year in which the financial incentives were 9469
earned or paid. Each county department of job and family services 9470
shall file an annual report with the Department of Job and Family 9471
Services providing detailed information on the expenditure of 9472
these financial incentives and an evaluation of the effectiveness 9473
of the county department's use of these funds in achieving 9474
self-sufficiency for families eligible for assistance under 9475
Chapter 5107. or benefits and services under Chapter 5108. of the 9476
Revised Code. 9477

TANF YOUTH DIVERSION PROGRAMS 9478

Of the foregoing appropriation item 600-689, TANF Block 9479
Grant, \$19,500,000 in each fiscal year shall be allocated by the 9480
Department of Job and Family Services to the counties according to 9481
the allocation formula established in division (D) of section 9482
5101.14 of the Revised Code. Of the funds allocated to each 9483
county, up to half may be used for contract services for unruly 9484
and misdemeanor diversionary programs. 9485

The remaining funds not allocated for use in juvenile 9486
diversion activities may be used by the county for other contract 9487
child welfare services. In counties with separate departments of 9488
job and family services and public children services agencies, the 9489
county department of job and family services shall serve as a pass 9490
through to the public children services agencies for these funds. 9491
Separate public children services agencies receiving such funds 9492

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shall comply with all TANF requirements, including reporting 9493
 requirements and timelines, as specified in state and federal 9494
 laws, federal regulations, state rules, and the Title IV-A state 9495
 plan, and are responsible for payment of any adverse audit 9496
 finding, final disallowance of federal financial participation, or 9497
 other sanction or penalty issued by the federal government or 9498
 other entity concerning these funds. 9499

Of the foregoing \$19,500,000 set aside, any funds remaining 9500
 unspent on June 30, 2002, shall be carried forward and added to 9501
 the earmark for fiscal year 2003, and allocated to the counties 9502
 according to the allocation formula established in division (D) of 9503
 section 5101.14 of the Revised Code. 9504

KINSHIP NAVIGATORS 9505

Of the foregoing appropriation item 600-689, TANF Block 9506
 Grant, up to \$3 million in each fiscal year shall be allocated by 9507
 the Department of Job and Family Services to county departments of 9508
 job and family services for the purpose of making allocations to 9509
 local public children services agencies to provide services in the 9510
 Kinship Navigation program. The allocation to county departments 9511
 of job and family services shall be based on the number of Ohio 9512
 works first cases in the county, and the number of children 9513
 seventeen years of age or younger in the county. The Department of 9514
 Job and Family Services shall develop an appropriate method of 9515
 reallocating these funds in each fiscal year among the county 9516
 departments of job and family services, if they would otherwise be 9517
 unspent. 9518

TANF FAITH-BASED AND NON-PROFIT CAPACITY-BUILDING PROGRAMS 9519

From the foregoing appropriation item 600-689, TANF Block 9520
 Grant, up to \$1,000,000 in each fiscal year shall be used to 9521
 support capacity-building efforts among faith-based and non-profit 9522
 organizations, for the purpose of providing allowable services to 9523

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TANF-eligible individuals. Organizations receiving these funds 9524
 shall comply with all TANF requirements, and shall agree with the 9525
 Department of Job and Family Services on reporting requirements to 9526
 be incorporated into the grant agreement. 9527

TANF EDUCATION 9528

There is hereby established the Title IV-A Education Program 9529
 to be administered by the Department of Education in accordance 9530
 with an interagency agreement entered into with the Department of 9531
 Job and Family Services under division (A)(2) of section 5101.801 9532
 of the Revised Code. The program shall provide benefits and 9533
 services to TANF eligible individuals with incomes at or below 200 9534
 per cent of the federal poverty guidelines under a Title IV-A 9535
 program pursuant to the requirements of section 5101.801 of the 9536
 Revised Code. Upon approval by the Department of Job and Family 9537
 Services, the Department of Education shall adopt policies and 9538
 procedures establishing program requirements for eligibility, 9539
 services, fiscal accountability, and other criteria necessary to 9540
 comply with the provisions of Title IV-A of the "Social Security 9541
 Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended. 9542

The Department of Job and Family Services shall reimburse the 9543
 General Revenue Fund through intrastate transfer vouchers for 9544
 allowable Title IV-A Head Start expenditures reported by the 9545
 Department of Education in fiscal year 2002 during the fiscal year 9546
2002-2003 biennium by amounts up to \$76,156,175 an amount not to 9547
exceed \$175,000,000 from Fund 3V6, TANF Block Grant, ~~and in fiscal~~ 9548
~~year 2003, up to \$98,843,825 from Fund 3V6, TANF Block Grant.~~ The 9549
 Department of Job and Family Services shall reimburse the General 9550
 Revenue Fund through intrastate transfer vouchers for allowable 9551
 Title IV-A student intervention services expenditures in fiscal 9552
 year 2003 up to \$35,000,000 from Fund 3V6, TANF Block Grant. 9553

COUNTY DEPARTMENTS OF JOB AND FAMILY SERVICES TITLE IV-A 9554
 ADULT LITERACY AND CHILD READING PROGRAMS 9555

As Reported by the Senate Finance and Financial Institutions Committee*

There is hereby established the Title IV-A Adult Literacy and Child Reading Program to be administered by the county departments of job and family services in accordance with division (B)(1) of section 5101.801 of the Revised Code. The program shall provide benefits and services to TANF-eligible individuals with incomes at or below 200 per cent of the federal poverty guidelines under a Title IV-A program pursuant to the requirements of section 5101.801 of the Revised Code. The county departments of job and family services shall ensure program requirements for eligibility, services, fiscal accountability, and other criteria necessary to comply with the provisions of Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended, and ensure that benefits and services are allowable uses of federal Title IV-A funds as specified in 42 U.S.C.A. 604(a), except that they may not be "assistance" as defined in 45 C.F.R. 260.31(a). The benefits and services shall be benefits and services that 45 C.F.R. 260.31(b) excludes from the definition of "assistance." From the foregoing appropriation item 600-689, TANF Block Grant, up to \$5,000,000 in each fiscal year shall be used to support local adult literacy and child reading programs.

TALBERT HOUSE

In each fiscal year, the Director of Job and Family Services shall provide \$100,500 from appropriation item 600-689, TANF Block Grant, to the Hamilton County Department of Job and Family Services to contract with the Talbert House for the purpose of providing allowable services to TANF-eligible individuals with incomes at or below 200 per cent of the federal poverty guidelines. The contract between the Hamilton County Department of Job and Family Services and the Talbert House shall establish conditions for the reimbursement of allowable Title IV-A expenditures for services that are allowable uses of federal Title IV-A funds as specified in 42 U.S.C.A. 604(a), except that they

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may not be "assistance" as defined in 45 C.F.R. 260.31(a). The 9588
 benefits and services shall be benefits and services that 45 9589
 C.F.R. 260.31(b) excludes from the definition of "assistance." The 9590
 contract shall also require Talbert House to comply with 9591
 requirements of Title IV-A of the "Social Security Act," 110 Stat. 9592
 2113 (1996), 42 U.S.C. 601, as amended, including eligibility of 9593
 individuals, reporting requirements, allowable benefits and 9594
 services, use of funds, and audit requirements, as specified in 9595
 state and federal laws, federal regulations, state rules, federal 9596
 Office of Management and Budget circulars, and the Title IV-A 9597
 state plan. 9598

MONTGOMERY COUNTY OUT-OF-SCHOOL YOUTH PROJECT 9599

In each fiscal year, the Director of Job and Family Services 9600
 shall provide \$1,000,000 from appropriation item 600-689, TANF 9601
 Block Grant, to the Montgomery County Department of Job and Family 9602
 Services to be used to support the Out-of-School Youth Project in 9603
 Montgomery County for the purpose of providing allowable services 9604
 to TANF-eligible individuals. The Montgomery County Department of 9605
 Job and Family Services and the Sinclair Community College shall 9606
 comply with all TANF requirements, including reporting 9607
 requirements and timelines, as specified in state and federal 9608
 laws, federal regulations, state rules, and the Title IV-A state 9609
 plan. 9610

APPALACHIAN TECHNOLOGY AND WORKFORCE DEVELOPMENT 9611

From the foregoing appropriation item 600-689, TANF Block 9612
 Grant, the Director of Job and Family Services shall provide up to 9613
 \$15,000,000 to be awarded to the county departments of job and 9614
 family services in the twenty-nine Appalachian counties. Each 9615
 county shall be eligible to apply for an initial grant, or grants, 9616
 the cumulative amount of which shall not exceed \$500,000 per 9617
 county. These funds shall be used by the county departments of job 9618
 and family services in coordination with the Governor's Office of 9619

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Appalachia, the Governor's Regional Economic Office, and local development districts. These funds shall be used for the following eligible activities: workforce development and supportive services; microenterprise development and other entrepreneurship activities; technology expansion, technical assistance, and training; youth job training; and improving existing technology centers, job creation and retention, purchasing technology, and technology upgrades. The funds may be used to leverage other state and local funds for eligible activities.

As a condition on the use of these funds, each county department of job and family services shall have a committee that shall submit a plan for the intended use of these funds to the Governor's Office of Appalachia. The plan shall be reviewed by the Governor's Office of Appalachia, which may approve or disapprove the plan in whole or in part. The Governor's Office of Appalachia shall forward each final, approved plan to the Department of Job and Family Services. The plan must be developed and submitted by a county committee that includes, at a minimum, a county commissioner; a mayor of a municipality in the county; an economic development official from the county, local political subdivision, or development district; a representative of a chamber of commerce or a port authority in the county; a local or regional community action representative; and a representative from the county department of job and family services.

The Governor's Office of Appalachia shall develop guidelines for the submission and approval of plans, guidelines for quarterly monitoring and reporting on program activities after funds are awarded, and any other guidelines necessary for the administration of the program. The Department of Job and Family Services shall provide technical assistance and advice to the Governor's Office of Appalachia to facilitate the administration of the funds. The

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Governor's Office of Appalachia shall develop guidelines for the
reallocation of unawarded funds. 9652
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Also as a condition on the use of these funds, each county
shall acknowledge that these funds are a one-time allocation, not
intended to fund services beyond June 30, 2003. 9654
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In fiscal year 2002, the TANF allocation to each of the
Appalachian counties shall not be less than the TANF allocation
amount for fiscal year 2001, as allocated according to the
methodology set forth in paragraph (I) of rule 5101-6-03 of the
Administrative Code. 9657
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The use of these funds shall comply with all TANF
requirements, including reporting requirements and timelines, as
specified in state and federal laws, federal regulations, state
rules, and the Title IV-A state plan. 9662
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CENTER FOR FAMILY AND CHILDREN 9666

Of the foregoing appropriation item 600-689, TANF Block
Grant, \$150,000 in fiscal year 2002 shall be provided to the
Center for Family and Children. 9667
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TANF FAMILY PLANNING 9670

The Director of Budget and Management shall transfer by
intrastate voucher, no later than the fifteenth day of July of
each fiscal year, cash from the General Revenue Fund,
appropriation item 600-410, TANF State, to General Services Fund
5C1 in the Department of Health, in an amount of \$250,000 in each
fiscal year for the purpose of family planning services for
children or their families whose income is at or below 200 per
cent of the official poverty guideline. 9671
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TANF FEDERAL BLOCK GRANT FUNDS AND TRANSFERS 9679

From the foregoing appropriation items 600-410, TANF State;
600-658, Child Support Collections; or 600-689, TANF Block Grant,
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or a combination of these appropriation items, no less than 9682
\$369,040,735 in each fiscal year shall be allocated to county 9683
departments of job and family services as follows: 9684

County Allocations	\$276,586,957	9685
WIA Supplement	\$35,109,178	9686
Early Start - Statewide	\$38,034,600	9687
Transportation	\$5,000,000	9688
County Training	\$3,050,000	9689
Adult Literacy and Child		9690
Reading Programs	\$5,000,000	9691
Disaster Relief	\$5,000,000	9692
School Readiness Centers	\$1,260,000	9693

Upon the request of the Department of Job and Family 9694
Services, the Director of Budget and Management may seek 9695
Controlling Board approval to increase appropriations in 9696
appropriation item 600-689, TANF Block Grant, provided sufficient 9697
Federal TANF Block Grant funds exist to do so, without any 9698
corresponding decrease in other appropriation items. The 9699
Department of Job and Family Services shall provide the Office of 9700
Budget and Management and the Controlling Board with documentation 9701
to support the need for the increased appropriation. 9702

All transfers of moneys from or charges against TANF Federal 9703
Block Grant awards for use in the Social Services Block Grant or 9704
the Child Care and Development Block Grant from either unobligated 9705
prior year appropriation authority in appropriation item 400-411, 9706
TANF Federal Block Grant, or 600-411, TANF Federal Block Grant, or 9707
from fiscal year 2002 and fiscal year 2003 appropriation authority 9708
in item 600-689, TANF Block Grant, shall be done ten days after 9709
the Department of Job and Family Services gives written notice to 9710
the Office of Budget and Management. The Department of Job and 9711
Family Services shall first provide the Office of Budget and 9712
Management with documentation to support the need for such 9713

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transfers or charges for use in the Social Services Block Grant or 9714
in the Child Care and Development Block Grant. 9715

The Department of Job and Family Services shall in each 9716
fiscal year of the biennium transfer the maximum amount of funds 9717
from the federal TANF Block Grant to the federal Social Services 9718
Block Grant as permitted under federal law. Not later than July 9719
15, 2001, the Department of Job and Family Services shall draw 9720
\$60,000,000 in receipts from TANF funds that were transferred into 9721
the Social Services Block Grant into State Special Revenue Fund 9722
5Q8, in the Office of Budget and Management. Not later than June 9723
1, 2002, the Director of Budget and Management shall determine the 9724
amount of funds in State Special Revenue Fund 5Q8 that is needed 9725
for the purpose of balancing the General Revenue Fund, and may 9726
transfer that amount to the General Revenue Fund. Not later than 9727
June 1, 2003, the Director of Budget and Management shall 9728
determine the amount of funds in State Special Revenue Fund 5Q8 9729
that is needed for the purpose of balancing the General Revenue 9730
Fund, and may transfer that amount to the General Revenue Fund. 9731
Any moneys remaining in State Special Revenue Fund 5Q8 on June 15, 9732
2003, shall be transferred not later than June 20, 2003, to Fund 9733
3V6, TANF Block Grant, in the Department of Job and Family 9734
Services. 9735

Before the thirtieth day of September of each fiscal year, 9736
the Department of Job and Family Services shall file claims with 9737
the United States Department of Health and Human Services for 9738
reimbursement for all allowable expenditures for services provided 9739
by the Department of Job and Family Services, or other agencies 9740
that may qualify for Social Services Block Grant funding pursuant 9741
to Title XX of the Social Security Act. The Department of Job and 9742
Family Services shall deposit, into Fund 5E6, State Option Food 9743
Stamps, \$6 million, into Fund 5P4, TANF Child Welfare, \$7.5 9744
million, into Fund 3W5, Health Care Services, \$500,000, into Fund 9745

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3W8, Hippy Program, \$62,500, and into Fund 3W9, Adoption		9746
Connection, \$50,000 and deposit in fiscal year 2002, into Fund		9747
3W2, Title XX Vocational Rehabilitation, \$600,000, into Fund 162		9748
in the Department of Natural Resources, \$7,885,349, and into Fund		9749
3W3, Adult Special Needs, \$4,720,227 in receipts from TANF Block		9750
Grant funds credited to the Social Services Block Grant. In fiscal		9751
year 2003, if, pursuant to federal law, the state is allowed to		9752
transfer up to 10 per cent of the TANF block grant and no less		9753
than \$72,796,826 for the purposes of reimbursing allowable		9754
expenditures for services provided by the Department of Job and		9755
Family Services, or other agencies that may qualify for Social		9756
Services Block Grant funding pursuant to Title XX of the Social		9757
Security Act, then the Department of Job and Family Services shall		9758
deposit \$6 million into Fund 5E6, State Option Food Stamps, \$7.5		9759
million into Fund 5P4 TANF Child Welfare, \$897,052 into Fund 3W2,		9760
Title XX Vocational Rehabilitation, and \$500,000 into Fund 3W5,		9761
Health Care Services. To the extent that the amount allowed to be		9762
transferred is less than the \$72,796,826, then the amounts		9763
deposited into the above funds shall be reduced proportionally. On		9764
verification of the receipt of the above revenue, the funds		9765
provided by these transfers shall be used as follows:		9766
Fund 5E6		9767
Second Harvest Food Bank in fiscal year 2002	\$4,500,000	9768
Second Harvest Food Bank in fiscal year 2003	\$4,500,000	9769
Child Nutrition Services in fiscal year 2002	\$900,000	9770
Child Nutrition Services in fiscal year 2003	\$900,000	9771
Ohio Alliance of Boys and Girls Clubs		9772
in fiscal year 2002	\$600,000	9773
Ohio Alliance of Boys and Girls Clubs		9774
in fiscal year 2003	\$600,000	9775
Fund 5P4		9776
Support and Expansion for PCSA Activities		9777
in fiscal year 2002	\$5,500,000	9778

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Support and Expansion for PCSA Activities		9779
in fiscal year 2003	\$5,500,000	9780
Pilot Projects for Violent and Aggressive Youth		9781
in fiscal year 2002	\$2,000,000	9782
Pilot Projects for Violent and Aggressive Youth		9783
in fiscal year 2003	\$2,000,000	9784
Fund 3W2		9785
Title XX Vocational Rehabilitation		9786
in fiscal year 2002	\$600,000	9787
Fund 3W3		9788
Adult Protective Services in fiscal year 2002	\$120,227	9789
Non-TANF Adult Assistance in fiscal year 2002	\$1,000,000	9790
Community-Based Correctional Facilities		9791
in fiscal year 2002	\$3,600,000	9792
Fund 162		9793
CCC Operations in fiscal year 2002	\$7,885,349	9794
Fund 3W5		9795
Abstinence-only Education in fiscal year 2002	\$500,000	9796
Abstinence-only Education in fiscal year 2003	\$500,000	9797
Fund 3W8		9798
Hippy Program	\$62,500	9799
Fund 3W9		9800
Adoption Connection	\$50,000	9801
WELLNESS		9802
The foregoing appropriation item 600-690, Wellness, shall be		9803
used by county departments of job and family services for teen		9804
pregnancy prevention programming. Local contracts shall be		9805
developed between county departments of job and family services		9806
and local family and children first councils for the		9807
administration of TANF funding for this program."		9808
Section 72. That existing Section 63.09 of Am. Sub. H.B. 94		9809
of the 124th General Assembly, as most recently amended by Am.		9810

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Sub. H.B. 405 of the 124th General Assembly, is hereby repealed.	9811
Section 73. That Section 30 of Am. Sub. H.B. 405 of the 124th General Assembly be amended to read as follows:	9812 9813
"Sec. 30. TRANSFERS FROM TO THE BUDGET STABILIZATION FUND	9814
Within ten working days after the end of fiscal year 2003, the Director of Budget and Management shall determine the General Revenue Fund tax revenues for fiscal year 2003. If the director finds that the tax revenues are greater than \$17,037,900,000 <u>\$17,263,500,000</u> , the director shall transfer the amount that is in excess of \$17,037,900,000 <u>\$17,263,500,000</u> from the General Revenue Fund to the Budget Stabilization Fund."	9815 9816 9817 9818 9819 9820 9821
Section 74. That existing Section 30 of Am. Sub. H.B. 405 of the 124th General Assembly is hereby repealed.	9822 9823
Section 75. Except as otherwise specifically provided in this act, the codified and uncodified sections of law amended or enacted by this act, and the items of law of which the codified and uncodified sections of law amended or enacted by this act are composed, are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the codified and uncodified sections of law amended or enacted by this act, and the items of law of which the codified and uncodified sections amended or enacted by this act are composed, take effect on the ninety-first day after this act is filed with the Secretary of State. If, however, a referendum petition is filed against any such codified or uncodified section of law as amended or enacted by this act, or against any item of law of which any such codified or uncodified section of law as amended or enacted by this act is composed, the codified or	9824 9825 9826 9827 9828 9829 9830 9831 9832 9833 9834 9835 9836 9837 9838

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uncodified section of law as amended or enacted, or item of law, 9839
unless rejected at the referendum, takes effect at the earliest 9840
time permitted by law. 9841

Section 76. The amendments by this act to Sections 13, 13.01, 9842
13.05, 13.12, 32, 45, 56.01, 63.09, and 69 of Am. Sub. H.B. 94 of 9843
the 124th General Assembly are not subject to the referendum. 9844
Therefore, under Ohio Constitution, Article II, Section 1d and 9845
section 1.471 of the Revised Code, the amendments go into 9846
immediate effect when this act becomes law. 9847

Section 77. The amendment by this act to Section 30 of Am. 9848
Sub. H.B. 405 of the 124th General Assembly is not subject to the 9849
referendum. Therefore, under Ohio Constitution, Article II, 9850
Section 1d and section 1.471 of the Revised Code, the amendment 9851
goes into immediate effect when this act becomes law. 9852

Section 78. Section 55 of this act is not subject to the 9853
referendum. Therefore, under Ohio Constitution, Article II, 9854
Section 1d and section 1.471 of the Revised Code, the section goes 9855
into immediate effect when this act becomes law. 9856

Section 79. If any item of law that constitutes the whole or 9857
part of a codified or uncodified section of law contained in this 9858
act, or if any application of any item of law that constitutes the 9859
whole or part of a codified or uncodified section of law contained 9860
in this act, is held invalid, the invalidity does not affect other 9861
items of law or applications of items of law that can be given 9862
effect without the invalid item of law or application. To this 9863
end, the items of law of which the codified and uncodified 9864
sections of law contained in this act are composed, and their 9865
applications, are independent and severable. 9866