

As Introduced

**125th General Assembly
Regular Session
2003-2004**

S. B. No. 189

Senator Harris

A B I L L

To amend sections 102.02, 123.01, 123.10, 124.15, 1
124.152, 124.181, 124.183, 124.382, 126.32, 2
152.09, 175.21, 3327.01, 3334.01, 3383.09, 3
3701.881, 3712.09, 3734.02, 3734.18, 3734.57, 4
3781.19, 4701.03, 4707.05, 5111.022, 5119.18, 5
5123.352, 5731.47, and 5731.48, to repeal sections 6
152.101 and 901.85 of the Revised Code, and to 7
amend Sections 8.04, 12, 41.06, 41.13, 55, 59, 66, 8
89.04, 89.05, 89.08, and 145 of Am. Sub. H.B. 95 9
of the 125th General Assembly to make capital 10
reappropriations for the biennium ending June 30, 11
2006, to make certain supplemental and capital 12
appropriations, and to provide authorization and 13
conditions for the operation of state programs. 14

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

Section 1. That sections 102.02, 123.01, 123.10, 124.15, 15
124.152, 124.181, 124.183, 124.382, 126.32, 152.09, 175.21, 16
3327.01, 3334.01, 3383.09, 3701.881, 3712.09, 3734.02, 3734.18, 17
3734.57, 3781.19, 4701.03, 4707.05, 5111.022, 5119.18, 5123.352, 18
5731.47, and 5731.48 of the Revised Code be amended to read as 19
follows: 20

Sec. 102.02. (A) Except as otherwise provided in division (H) 21
of this section, every person who is elected to or is a candidate 22
for a state, county, or city office, ~~or the office of member of~~ 23
~~the United States congress,~~ and every person who is appointed to 24
fill a vacancy for an unexpired term in such an elective office; 25
all members of the state board of education; the director, 26
assistant directors, deputy directors, division chiefs, or persons 27
of equivalent rank of any administrative department of the state; 28
the president or other chief administrative officer of every state 29
institution of higher education as defined in section 3345.011 of 30
the Revised Code; the chief executive officer of each state 31
retirement system; all members of the board of commissioners on 32
grievances and discipline of the supreme court and the ethics 33
commission created under section 102.05 of the Revised Code; every 34
business manager, treasurer, or superintendent of a city, local, 35
exempted village, joint vocational, or cooperative education 36
school district or an educational service center; every person who 37
is elected to or is a candidate for the office of member of a 38
board of education of a city, local, exempted village, joint 39
vocational, or cooperative education school district or of a 40
governing board of an educational service center that has a total 41
student count of twelve thousand or more as most recently 42
determined by the department of education pursuant to section 43
3317.03 of the Revised Code; every person who is appointed to the 44
board of education of a municipal school district pursuant to 45
division (B) or (F) of section 3311.71 of the Revised Code; all 46
members of the board of directors of a sanitary district that is 47
established under Chapter 6115. of the Revised Code and organized 48
wholly for the purpose of providing a water supply for domestic, 49
municipal, and public use, and that includes two municipal 50
corporations in two counties; every public official or employee 51
who is paid a salary or wage in accordance with schedule C of 52

section 124.15 or schedule E-2 of section 124.152 of the Revised Code; members of the board of trustees and the executive director of the tobacco use prevention and control foundation; members of the board of trustees and the executive director of the southern Ohio agricultural and community development foundation; and every other public official or employee who is designated by the appropriate ethics commission pursuant to division (B) of this section shall file with the appropriate ethics commission on a form prescribed by the commission, a statement disclosing all of the following:

(1) The name of the person filing the statement and each member of the person's immediate family and all names under which the person or members of the person's immediate family do business;

(2)(a) Subject to divisions (A)(2)(b) and (c) of this section and except as otherwise provided in section 102.022 of the Revised Code, identification of every source of income, other than income from a legislative agent identified in division (A)(2)(b) of this section, received during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. If the person filing the statement is a member of the general assembly, the statement shall identify the amount of every source of income received in accordance with the following ranges of amounts: zero or more, but less than one thousand dollars; one thousand dollars or more, but less than ten thousand dollars; ten thousand dollars or more, but less than twenty-five thousand dollars; twenty-five thousand dollars or more, but less than fifty thousand dollars; fifty thousand dollars or more, but less than one hundred thousand dollars; and one hundred thousand dollars or more. Division (A)(2)(a) of this section shall not be construed to

require a person filing the statement who derives income from a 85
business or profession to disclose the individual items of income 86
that constitute the gross income of that business or profession, 87
except for those individual items of income that are attributable 88
to the person's or, if the income is shared with the person, the 89
partner's, solicitation of services or goods or performance, 90
arrangement, or facilitation of services or provision of goods on 91
behalf of the business or profession of clients, including 92
corporate clients, who are legislative agents as defined in 93
section 101.70 of the Revised Code. A person who files the 94
statement under this section shall disclose the identity of and 95
the amount of income received from a person who the public 96
official or employee knows or has reason to know is doing or 97
seeking to do business of any kind with the public official's or 98
employee's agency. 99

(b) If the person filing the statement is a member of the 100
general assembly, the statement shall identify every source of 101
income and the amount of that income that was received from a 102
legislative agent, as defined in section 101.70 of the Revised 103
Code, during the preceding calendar year, in the person's own name 104
or by any other person for the person's use or benefit, by the 105
person filing the statement, and a brief description of the nature 106
of the services for which the income was received. Division 107
(A)(2)(b) of this section requires the disclosure of clients of 108
attorneys or persons licensed under section 4732.12 of the Revised 109
Code, or patients of persons certified under section 4731.14 of 110
the Revised Code, if those clients or patients are legislative 111
agents. Division (A)(2)(b) of this section requires a person 112
filing the statement who derives income from a business or 113
profession to disclose those individual items of income that 114
constitute the gross income of that business or profession that 115
are received from legislative agents. 116

(c) Except as otherwise provided in division (A)(2)(c) of 117
this section, division (A)(2)(a) of this section applies to 118
attorneys, physicians, and other persons who engage in the 119
practice of a profession and who, pursuant to a section of the 120
Revised Code, the common law of this state, a code of ethics 121
applicable to the profession, or otherwise, generally are required 122
not to reveal, disclose, or use confidences of clients, patients, 123
or other recipients of professional services except under 124
specified circumstances or generally are required to maintain 125
those types of confidences as privileged communications except 126
under specified circumstances. Division (A)(2)(a) of this section 127
does not require an attorney, physician, or other professional 128
subject to a confidentiality requirement as described in division 129
(A)(2)(c) of this section to disclose the name, other identity, or 130
address of a client, patient, or other recipient of professional 131
services if the disclosure would threaten the client, patient, or 132
other recipient of professional services, would reveal details of 133
the subject matter for which legal, medical, or professional 134
advice or other services were sought, or would reveal an otherwise 135
privileged communication involving the client, patient, or other 136
recipient of professional services. Division (A)(2)(a) of this 137
section does not require an attorney, physician, or other 138
professional subject to a confidentiality requirement as described 139
in division (A)(2)(c) of this section to disclose in the brief 140
description of the nature of services required by division 141
(A)(2)(a) of this section any information pertaining to specific 142
professional services rendered for a client, patient, or other 143
recipient of professional services that would reveal details of 144
the subject matter for which legal, medical, or professional 145
advice was sought or would reveal an otherwise privileged 146
communication involving the client, patient, or other recipient of 147
professional services. 148

(3) The name of every corporation on file with the secretary 149
of state that is incorporated in this state or holds a certificate 150
of compliance authorizing it to do business in this state, trust, 151
business trust, partnership, or association that transacts 152
business in this state in which the person filing the statement or 153
any other person for the person's use and benefit had during the 154
preceding calendar year an investment of over one thousand dollars 155
at fair market value as of the thirty-first day of December of the 156
preceding calendar year, or the date of disposition, whichever is 157
earlier, or in which the person holds any office or has a 158
fiduciary relationship, and a description of the nature of the 159
investment, office, or relationship. Division (A)(3) of this 160
section does not require disclosure of the name of any bank, 161
savings and loan association, credit union, or building and loan 162
association with which the person filing the statement has a 163
deposit or a withdrawable share account. 164

(4) All fee simple and leasehold interests to which the 165
person filing the statement holds legal title to or a beneficial 166
interest in real property located within the state, excluding the 167
person's residence and property used primarily for personal 168
recreation; 169

(5) The names of all persons residing or transacting business 170
in the state to whom the person filing the statement owes, in the 171
person's own name or in the name of any other person, more than 172
one thousand dollars. Division (A)(5) of this section shall not be 173
construed to require the disclosure of debts owed by the person 174
resulting from the ordinary conduct of a business or profession or 175
debts on the person's residence or real property used primarily 176
for personal recreation, except that the superintendent of 177
financial institutions shall disclose the names of all 178
state-chartered savings and loan associations and of all service 179
corporations subject to regulation under division (E)(2) of 180

section 1151.34 of the Revised Code to whom the superintendent in 181
the superintendent's own name or in the name of any other person 182
owes any money, and that the superintendent and any deputy 183
superintendent of banks shall disclose the names of all 184
state-chartered banks and all bank subsidiary corporations subject 185
to regulation under section 1109.44 of the Revised Code to whom 186
the superintendent or deputy superintendent owes any money. 187

(6) The names of all persons residing or transacting business 188
in the state, other than a depository excluded under division 189
(A)(3) of this section, who owe more than one thousand dollars to 190
the person filing the statement, either in the person's own name 191
or to any person for the person's use or benefit. Division (A)(6) 192
of this section shall not be construed to require the disclosure 193
of clients of attorneys or persons licensed under section 4732.12 194
or 4732.15 of the Revised Code, or patients of persons certified 195
under section 4731.14 of the Revised Code, nor the disclosure of 196
debts owed to the person resulting from the ordinary conduct of a 197
business or profession. 198

(7) Except as otherwise provided in section 102.022 of the 199
Revised Code, the source of each gift of over seventy-five 200
dollars, or of each gift of over twenty-five dollars received by a 201
member of the general assembly from a legislative agent, received 202
by the person in the person's own name or by any other person for 203
the person's use or benefit during the preceding calendar year, 204
except gifts received by will or by virtue of section 2105.06 of 205
the Revised Code, or received from spouses, parents, grandparents, 206
children, grandchildren, siblings, nephews, nieces, uncles, aunts, 207
brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, 208
fathers-in-law, mothers-in-law, or any person to whom the person 209
filing the statement stands in loco parentis, or received by way 210
of distribution from any inter vivos or testamentary trust 211
established by a spouse or by an ancestor; 212

(8) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source and amount of every payment of expenses incurred for travel to destinations inside or outside this state that is received by the person in the person's own name or by any other person for the person's use or benefit and that is incurred in connection with the person's official duties, except for expenses for travel to meetings or conventions of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues;

(9) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source of payment of expenses for meals and other food and beverages, other than for meals and other food and beverages provided at a meeting at which the person participated in a panel, seminar, or speaking engagement or at a meeting or convention of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues, that are incurred in connection with the person's official duties and that exceed one hundred dollars aggregated per calendar year;

(10) If the financial disclosure statement is filed by a public official or employee described in division (B)(2) of section 101.73 of the Revised Code or division (B)(2) of section 121.63 of the Revised Code who receives a statement from a legislative agent, executive agency lobbyist, or employer that contains the information described in division (F)(2) of section

101.73 of the Revised Code or division (G)(2) of section 121.63 of 245
the Revised Code, all of the nondisputed information contained in 246
the statement delivered to that public official or employee by the 247
legislative agent, executive agency lobbyist, or employer under 248
division (F)(2) of section 101.73 or (G)(2) of section 121.63 of 249
the Revised Code. As used in division (A)(10) of this section, 250
"legislative agent," "executive agency lobbyist," and "employer" 251
have the same meanings as in sections 101.70 and 121.60 of the 252
Revised Code. 253

A person may file a statement required by this section in 254
person or by mail. A person who is a candidate for elective office 255
shall file the statement no later than the thirtieth day before 256
the primary, special, or general election at which the candidacy 257
is to be voted on, whichever election occurs soonest, except that 258
a person who is a write-in candidate shall file the statement no 259
later than the twentieth day before the earliest election at which 260
the person's candidacy is to be voted on. A person who holds 261
elective office shall file the statement on or before the 262
fifteenth day of April of each year unless the person is a 263
candidate for office. A person who is appointed to fill a vacancy 264
for an unexpired term in an elective office shall file the 265
statement within fifteen days after the person qualifies for 266
office. Other persons shall file an annual statement on or before 267
the fifteenth day of April or, if appointed or employed after that 268
date, within ninety days after appointment or employment. No 269
person shall be required to file with the appropriate ethics 270
commission more than one statement or pay more than one filing fee 271
for any one calendar year. 272

The appropriate ethics commission, for good cause, may extend 273
for a reasonable time the deadline for filing a statement under 274
this section. 275

A statement filed under this section is subject to public 276

inspection at locations designated by the appropriate ethics 277
commission except as otherwise provided in this section. 278

(B) The Ohio ethics commission, the joint legislative ethics 279
committee, and the board of commissioners on grievances and 280
discipline of the supreme court, using the rule-making procedures 281
of Chapter 119. of the Revised Code, may require any class of 282
public officials or employees under its jurisdiction and not 283
specifically excluded by this section whose positions involve a 284
substantial and material exercise of administrative discretion in 285
the formulation of public policy, expenditure of public funds, 286
enforcement of laws and rules of the state or a county or city, or 287
the execution of other public trusts, to file an annual statement 288
on or before the fifteenth day of April under division (A) of this 289
section. The appropriate ethics commission shall send the public 290
officials or employees written notice of the requirement by the 291
fifteenth day of February of each year the filing is required 292
unless the public official or employee is appointed after that 293
date, in which case the notice shall be sent within thirty days 294
after appointment, and the filing shall be made not later than 295
ninety days after appointment. 296

Except for disclosure statements filed by members of the 297
board of trustees and the executive director of the tobacco use 298
prevention and control foundation and members of the board of 299
trustees and the executive director of the southern Ohio 300
agricultural and community development foundation, disclosure 301
statements filed under this division with the Ohio ethics 302
commission by members of boards, commissions, or bureaus of the 303
state for which no compensation is received other than reasonable 304
and necessary expenses shall be kept confidential. Disclosure 305
statements filed with the Ohio ethics commission under division 306
(A) of this section by business managers, treasurers, and 307
superintendents of city, local, exempted village, joint 308

vocational, or cooperative education school districts or 309
educational service centers shall be kept confidential, except 310
that any person conducting an audit of any such school district or 311
educational service center pursuant to section 115.56 or Chapter 312
117. of the Revised Code may examine the disclosure statement of 313
any business manager, treasurer, or superintendent of that school 314
district or educational service center. The Ohio ethics commission 315
shall examine each disclosure statement required to be kept 316
confidential to determine whether a potential conflict of interest 317
exists for the person who filed the disclosure statement. A 318
potential conflict of interest exists if the private interests of 319
the person, as indicated by the person's disclosure statement, 320
might interfere with the public interests the person is required 321
to serve in the exercise of the person's authority and duties in 322
the person's office or position of employment. If the commission 323
determines that a potential conflict of interest exists, it shall 324
notify the person who filed the disclosure statement and shall 325
make the portions of the disclosure statement that indicate a 326
potential conflict of interest subject to public inspection in the 327
same manner as is provided for other disclosure statements. Any 328
portion of the disclosure statement that the commission determines 329
does not indicate a potential conflict of interest shall be kept 330
confidential by the commission and shall not be made subject to 331
public inspection, except as is necessary for the enforcement of 332
Chapters 102. and 2921. of the Revised Code and except as 333
otherwise provided in this division. 334

(C) No person shall knowingly fail to file, on or before the 335
applicable filing deadline established under this section, a 336
statement that is required by this section. 337

(D) No person shall knowingly file a false statement that is 338
required to be filed under this section. 339

(E)(1) Except as provided in divisions (E)(2) and (3) of this 340

section, the statement required by division (A) or (B) of this 341
section shall be accompanied by a filing fee of forty dollars. 342

(2) The statement required by division (A) of this section 343
shall be accompanied by the following filing fee to be paid by the 344
person who is elected or appointed to, or is a candidate for, any 345
of the following offices: 346

| | | |
|---------------------------------------------------|------|-----|
| For state office, except member of the | | 347 |
| state board of education | \$65 | 348 |
| For office of member of United States | | 349 |
| congress or member of general assembly | \$40 | 350 |
| For county office | \$40 | 351 |
| For city office | \$25 | 352 |
| For office of member of the state board | | 353 |
| of education | \$25 | 354 |
| For office of member of a city, local, | | 355 |
| exempted village, or cooperative | | 356 |
| education board of | | 357 |
| education or educational service | | 358 |
| center governing board | \$20 | 359 |
| For position of business manager, | | 360 |
| treasurer, or superintendent of a | | 361 |
| city, local, exempted village, joint | | 362 |
| vocational, or cooperative education | | 363 |
| school district or | | 364 |
| educational service center | \$20 | 365 |

(3) No judge of a court of record or candidate for judge of a 366
court of record, and no referee or magistrate serving a court of 367
record, shall be required to pay the fee required under division 368
(E)(1) or (2) or (F) of this section. 369

(4) For any public official who is appointed to a nonelective 370
office of the state and for any employee who holds a nonelective 371
position in a public agency of the state, the state agency that is 372

the primary employer of the state official or employee shall pay 373
the fee required under division (E)(1) or (F) of this section. 374

(F) If a statement required to be filed under this section is 375
not filed by the date on which it is required to be filed, the 376
appropriate ethics commission shall assess the person required to 377
file the statement a late filing fee of ten dollars for each day 378
the statement is not filed, except that the total amount of the 379
late filing fee shall not exceed two hundred fifty dollars. 380

(G)(1) The appropriate ethics commission other than the Ohio 381
ethics commission shall deposit all fees it receives under 382
divisions (E) and (F) of this section into the general revenue 383
fund of the state. 384

(2) The Ohio ethics commission shall deposit all receipts, 385
including, but not limited to, fees it receives under divisions 386
(E) and (F) of this section and all moneys it receives from 387
settlements under division (G) of section 102.06 of the Revised 388
Code, into the Ohio ethics commission fund, which is hereby 389
created in the state treasury. All moneys credited to the fund 390
shall be used solely for expenses related to the operation and 391
statutory functions of the commission. 392

(H) Division (A) of this section does not apply to a person 393
elected or appointed to the office of precinct, ward, or district 394
committee member under Chapter 3517. of the Revised Code; a 395
presidential elector; a delegate to a national convention; village 396
or township officials and employees; any physician or psychiatrist 397
who is paid a salary or wage in accordance with schedule C of 398
section 124.15 or schedule E-2 of section 124.152 of the Revised 399
Code and whose primary duties do not require the exercise of 400
administrative discretion; or any member of a board, commission, 401
or bureau of any county or city who receives less than one 402
thousand dollars per year for serving in that position. 403

Sec. 123.01. (A) The department of administrative services, 404
in addition to those powers enumerated in Chapters 124. and 125. 405
of the Revised Code~~7~~ and ~~as~~ provided elsewhere by law, shall 406
exercise the following powers: 407

(1) To prepare, or contract to be prepared, by licensed 408
engineers or architects, surveys, general and detailed plans, 409
specifications, bills of materials, and estimates of cost for any 410
projects, improvements, or public buildings to be constructed by 411
state agencies that may be authorized by legislative 412
appropriations or any other funds made available therefor, 413
provided that the construction of the projects, improvements, or 414
public buildings is a statutory duty of the department. This 415
section does not require the independent employment of an 416
architect or engineer as provided by section 153.01 of the Revised 417
Code in the cases to which that section applies nor affect or 418
alter the existing powers of the director of transportation. 419

(2) To have general supervision over the construction of any 420
projects, improvements, or public buildings constructed for a 421
state agency and over the inspection of materials previous to 422
their incorporation into those projects, improvements, or 423
buildings; 424

(3) To make contracts for and supervise the construction of 425
any projects and improvements or the construction and repair of 426
buildings under the control of a state agency, except contracts 427
for the repair of buildings under the management and control of 428
the departments of public safety, job and family services, mental 429
health, mental retardation and developmental disabilities, 430
rehabilitation and correction, and youth services, the bureau of 431
workers' compensation, the rehabilitation services commission, and 432
boards of trustees of educational and benevolent institutions. 433
These contracts shall be made and entered into by the directors of 434

public safety, job and family services, mental health, mental 435
retardation and developmental disabilities, rehabilitation and 436
correction, and youth services, the administrator of workers' 437
compensation, the rehabilitation services commission, and the 438
boards of trustees of such institutions, respectively. All such 439
contracts may be in whole or in part on unit price basis of 440
maximum estimated cost, with payment computed and made upon actual 441
quantities or units. 442

(4) To prepare and suggest comprehensive plans for the 443
development of grounds and buildings under the control of a state 444
agency; 445

(5) To acquire, by purchase, gift, devise, lease, or grant, 446
all real estate required by a state agency, in the exercise of 447
which power the department may exercise the power of eminent 448
domain, in the manner provided by sections 163.01 to 163.22 of the 449
Revised Code; 450

(6) To make and provide all plans, specifications, and models 451
for the construction and perfection of all systems of sewerage, 452
drainage, and plumbing for the state in connection with buildings 453
and grounds under the control of a state agency; 454

(7) To erect, supervise, and maintain all public monuments 455
and memorials erected by the state, except where the supervision 456
and maintenance is otherwise provided by law; 457

(8) To procure, by lease, storage accommodations for a state 458
agency; 459

(9) To lease or grant easements or licenses for unproductive 460
and unused lands or other property under the control of a state 461
agency. Such leases, easements, or licenses shall be granted for a 462
period not to exceed fifteen years and shall be executed for the 463
state by the director of administrative services and the governor 464
and shall be approved as to form by the attorney general, provided 465

that leases, easements, or licenses may be granted to any county, 466
township, municipal corporation, port authority, water or sewer 467
district, school district, library district, health district, park 468
district, soil and water conservation district, conservancy 469
district, or other political subdivision or taxing district, or 470
any agency of the United States government, for the exclusive use 471
of that agency, political subdivision, or taxing district, without 472
any right of sublease or assignment, for a period not to exceed 473
fifteen years, and provided that the director shall grant leases, 474
easements, or licenses of university land for periods not to 475
exceed twenty-five years for purposes approved by the respective 476
university's board of trustees wherein the uses are compatible 477
with the uses and needs of the university and may grant leases of 478
university land for periods not to exceed forty years for purposes 479
approved by the respective university's board of trustees pursuant 480
to section 123.77 of the Revised Code. 481

(10) To lease office space in buildings for the use of a 482
state agency; 483

(11) To have general supervision and care of the storerooms, 484
offices, and buildings leased for the use of a state agency; 485

(12) To exercise general custodial care of all real property 486
of the state; 487

(13) To assign and group together state offices in any city 488
in the state and to establish, in cooperation with the state 489
agencies involved, rules governing space requirements for office 490
or storage use; 491

(14) To lease for a period not to exceed forty years, 492
pursuant to a contract providing for the construction thereof 493
under a lease-purchase plan, buildings, structures, and other 494
improvements for any public purpose, and, in conjunction 495
therewith, to grant leases, easements, or licenses for lands under 496

the control of a state agency for a period not to exceed forty 497
years. The lease-purchase plan shall provide that at the end of 498
the lease period, the buildings, structures, and related 499
improvements, together with the land on which they are situated, 500
shall become the property of the state without cost. 501

(a) Whenever any building, structure, or other improvement is 502
to be so leased by a state agency, the department shall retain 503
either basic plans, specifications, bills of materials, and 504
estimates of cost with sufficient detail to afford bidders all 505
needed information or, alternatively, all of the following plans, 506
details, bills of materials, and specifications: 507

(i) Full and accurate plans suitable for the use of mechanics 508
and other builders in the improvement; 509

(ii) Details to scale and full sized, so drawn and 510
represented as to be easily understood; 511

(iii) Accurate bills showing the exact quantity of different 512
kinds of material necessary to the construction; 513

(iv) Definite and complete specifications of the work to be 514
performed, together with such directions as will enable a 515
competent mechanic or other builder to carry them out and afford 516
bidders all needed information; 517

(v) A full and accurate estimate of each item of expense and 518
of the aggregate cost thereof. 519

(b) The department shall give public notice, in such 520
newspaper, in such form, and with such phraseology as the director 521
of administrative services prescribes, published once each week 522
for four consecutive weeks, of the time when and place where bids 523
will be received for entering into an agreement to lease to a 524
state agency a building, structure, or other improvement. The last 525
publication shall be at least eight days preceding the day for 526
opening the bids. The bids shall contain the terms upon which the 527

builder would propose to lease the building, structure, or other 528
improvement to the state agency. The form of the bid approved by 529
the department shall be used, and a bid is invalid and shall not 530
be considered unless that form is used without change, alteration, 531
or addition. Before submitting bids pursuant to this section, any 532
builder shall comply with Chapter 153. of the Revised Code. 533

(c) On the day and at the place named for receiving bids for 534
entering into lease agreements with a state agency, the director 535
of administrative services shall open the bids and shall publicly 536
proceed immediately to tabulate the bids upon duplicate sheets. No 537
lease agreement shall be entered into until the bureau of workers' 538
compensation has certified that the person to be awarded the lease 539
agreement has complied with Chapter 4123. of the Revised Code, 540
until, if the builder submitting the lowest and best bid is a 541
foreign corporation, the secretary of state has certified that the 542
corporation is authorized to do business in this state, until, if 543
the builder submitting the lowest and best bid is a person 544
nonresident of this state, the person has filed with the secretary 545
of state a power of attorney designating the secretary of state as 546
its agent for the purpose of accepting service of summons in any 547
action brought under Chapter 4123. of the Revised Code, and until 548
the agreement is submitted to the attorney general and the 549
attorney general's approval is certified thereon. Within thirty 550
days after the day on which the bids are received, the department 551
shall investigate the bids received and shall determine that the 552
bureau and the secretary of state have made the certifications 553
required by this section of the builder who has submitted the 554
lowest and best bid. Within ten days of the completion of the 555
investigation of the bids, the department shall award the lease 556
agreement to the builder who has submitted the lowest and best bid 557
and who has been certified by the bureau and secretary of state as 558
required by this section. If bidding for the lease agreement has 559
been conducted upon the basis of basic plans, specifications, 560

bills of materials, and estimates of costs, upon the award to the 561
builder the department, or the builder with the approval of the 562
department, shall appoint an architect or engineer licensed in 563
this state to prepare such further detailed plans, specifications, 564
and bills of materials as are required to construct the building, 565
structure, or improvement. The department shall adopt such rules 566
as are necessary to give effect to this section. The department 567
may reject any bid. Where there is reason to believe there is 568
collusion or combination among bidders, the bids of those 569
concerned therein shall be rejected. 570

(15) To acquire by purchase, gift, devise, or grant and to 571
transfer, lease, or otherwise dispose of all real property 572
required to assist in the development of a conversion facility as 573
defined in section 5709.30 of the Revised Code as that section 574
existed before its repeal by H.B. 95 of the 125th general 575
assembly; 576

(16) To lease for a period not to exceed forty years, 577
notwithstanding any other division of this section, the 578
state-owned property located at 408-450 East Town Street, 579
Columbus, Ohio, formerly the state school for the deaf, to a 580
developer in accordance with this section. "Developer," as used in 581
this section, has the same meaning as in section 123.77 of the 582
Revised Code. 583

Such a lease shall be for the purpose of development of the 584
land for use by senior citizens by constructing, altering, 585
renovating, repairing, expanding, and improving the site as it 586
existed on June 25, 1982. A developer desiring to lease the land 587
shall prepare for submission to the department a plan for 588
development. Plans shall include provisions for roads, sewers, 589
water lines, waste disposal, water supply, and similar matters to 590
meet the requirements of state and local laws. The plans shall 591
also include provision for protection of the property by insurance 592

or otherwise, and plans for financing the development, and shall 593
set forth details of the developer's financial responsibility. 594

The department may employ, as employees or consultants, 595
persons needed to assist in reviewing the development plans. Those 596
persons may include attorneys, financial experts, engineers, and 597
other necessary experts. The department shall review the 598
development plans and may enter into a lease if it finds all of 599
the following: 600

(a) The best interests of the state will be promoted by 601
entering into a lease with the developer; 602

(b) The development plans are satisfactory; 603

(c) The developer has established the developer's financial 604
responsibility and satisfactory plans for financing the 605
development. 606

The lease shall contain a provision that construction or 607
renovation of the buildings, roads, structures, and other 608
necessary facilities shall begin within one year after the date of 609
the lease and shall proceed according to a schedule agreed to 610
between the department and the developer or the lease will be 611
terminated. The lease shall contain such conditions and 612
stipulations as the director considers necessary to preserve the 613
best interest of the state. Moneys received by the state pursuant 614
to this lease shall be paid into the general revenue fund. The 615
lease shall provide that at the end of the lease period the 616
buildings, structures, and related improvements shall become the 617
property of the state without cost. 618

(17) To lease to any person any tract of land owned by the 619
state and under the control of the department, or any part of such 620
a tract, for the purpose of drilling for or the pooling of oil or 621
gas. Such a lease shall be granted for a period not exceeding 622
forty years, with the full power to contract for, determine the 623

conditions governing, and specify the amount the state shall 624
receive for the purposes specified in the lease, and shall be 625
prepared as in other cases. 626

(18) ~~Biennially implement~~ To manage the use of space owned 627
and controlled by the department, including space in property 628
under the jurisdiction of the Ohio building authority, by doing 629
all of the following: 630

(a) Biennially implementing, by state agency location, a 631
census of agency employees assigned space; 632

~~(19) Require~~ (b) Periodically in the discretion of the 633
director of administrative services: 634

(i) Requiring each state agency to categorize ~~periodically~~ 635
the use of space allotted to the agency between office space, 636
common areas, storage space, and other uses, and to report its 637
findings to the department; 638

~~(20) Create~~ (ii) Creating and update periodically updating a 639
master space utilization plan for all space allotted to state 640
agencies. The plan shall incorporate space utilization metrics. 641

~~(21) Conduct periodically~~ (iii) Conducting a cost-benefit 642
analysis to determine the effectiveness of state-owned buildings; 643

~~(22) Assess periodically~~ (iv) Assessing the alternatives 644
associated with consolidating the commercial leases for buildings 645
located in Columbus; 646

~~(23) Commission~~ (c) Commissioning a comprehensive space 647
utilization and capacity study in order to determine the 648
feasibility of consolidating existing commercially leased space 649
used by state agencies into a new state-owned facility. 650

(B) This section and section 125.02 of the Revised Code shall 651
not interfere with any of the following: 652

(1) The power of the adjutant general to purchase military 653

supplies, or with the custody of the adjutant general of property 654
leased, purchased, or constructed by the state and used for 655
military purposes, or with the functions of the adjutant general 656
as director of state armories; 657

(2) The power of the director of transportation in acquiring 658
rights-of-way for the state highway system, or the leasing of 659
lands for division or resident district offices, or the leasing of 660
lands or buildings required in the maintenance operations of the 661
department of transportation, or the purchase of real property for 662
garage sites or division or resident district offices, or in 663
preparing plans and specifications for and constructing such 664
buildings as the director may require in the administration of the 665
department; 666

(3) The power of the director of public safety and the 667
registrar of motor vehicles to purchase or lease real property and 668
buildings to be used solely as locations to which a deputy 669
registrar is assigned pursuant to division (B) of section 4507.011 670
of the Revised Code and from which the deputy registrar is to 671
conduct the deputy registrar's business, the power of the director 672
of public safety to purchase or lease real property and buildings 673
to be used as locations for division or district offices as 674
required in the maintenance of operations of the department of 675
public safety, and the power of the superintendent of the state 676
highway patrol in the purchase or leasing of real property and 677
buildings needed by the patrol, to negotiate the sale of real 678
property owned by the patrol, to rent or lease real property owned 679
or leased by the patrol, and to make or cause to be made repairs 680
to all property owned or under the control of the patrol; 681

(4) The power of the division of liquor control in the 682
leasing or purchasing of retail outlets and warehouse facilities 683
for the use of the division; 684

(5) The power of the director of development to enter into 685

leases of real property, buildings, and office space to be used 686
solely as locations for the state's foreign offices to carry out 687
the purposes of section 122.05 of the Revised Code. 688

(C) Purchases for, and the custody and repair of, buildings 689
under the management and control of the capitol square review and 690
advisory board, the rehabilitation services commission, the bureau 691
of workers' compensation, or the departments of public safety, job 692
and family services, mental health, mental retardation and 693
developmental disabilities, and rehabilitation and correction, and 694
buildings of educational and benevolent institutions under the 695
management and control of boards of trustees, are not subject to 696
the control and jurisdiction of the department of administrative 697
services. 698

(D) Any instrument by which real property is acquired 699
pursuant to this section shall identify the agency of the state 700
that has the use and benefit of the real property as specified in 701
section 5301.012 of the Revised Code. 702

Sec. 123.10. (A) The director of administrative services 703
shall regulate the rate of tolls to be collected on the public 704
works of the state, and shall fix all rentals and collect all 705
tolls, rents, fines, commissions, fees, and other revenues arising 706
from any source in the public works, including the sale, 707
construction, purchase, or rental of property. 708

(B) There is hereby created in the state treasury the state 709
architect's fund which shall consist of money received by the 710
department of administrative services under division (A) of this 711
section, transfers of money to the fund authorized by the general 712
assembly, and such ~~percentage~~ amount of the investment earnings of 713
the administrative building fund created in division (C) of this 714
~~section 152.101 of the Revised Code~~ as the director of budget and 715
management determines to be appropriate and in excess of the 716

amounts required to meet estimated federal arbitrage rebate 717
requirements. Money in the fund shall be used by the department of 718
administrative services for the following purposes: 719

(1) To pay personnel and other administrative expenses of the 720
department; 721

(2) To pay the cost of conducting evaluations of public 722
works; 723

(3) To pay the cost of building design specifications; 724

(4) To pay the cost of providing project management services; 725

(5) Any other purposes that the director of administrative 726
services determines to be necessary for the department to execute 727
its duties under this chapter. 728

(C) There is hereby created in the state treasury the 729
administrative building fund which shall consist of proceeds of 730
obligations authorized to pay the cost of capital facilities. 731
Except as provided in division (B) of this section, all investment 732
earnings of the fund shall be credited to the fund. The fund shall 733
be used to pay the cost of capital facilities designated by or 734
pursuant to an act of the general assembly. The director of budget 735
and management shall approve and provide a voucher for payments of 736
amounts from the fund that represent the portion of investment 737
earnings to be rebated or to be paid to the federal government in 738
order to maintain the exclusion from gross income for federal 739
income tax purposes on interest on those obligations pursuant to 740
section 148(f) of the Internal Revenue Code. 741

As used in this division, "capital facilities" has the same 742
meaning as under section 152.09 of the Revised Code. 743

Sec. 124.15. (A) Board and commission members appointed prior 744
to July 1, 1991, shall be paid a salary or wage in accordance with 745
the following schedules of rates: 746

| Schedule B | | Pay Ranges and Step Values | | | | |
|------------|----------|----------------------------|----------|----------|----------|-----|
| Range | | Step 1 | Step 2 | Step 3 | Step 4 | |
| | | | | | | 747 |
| | | | | | | 748 |
| 23 | Hourly | 5.72 | 5.91 | 6.10 | 6.31 | 749 |
| | Annually | 11897.60 | 12292.80 | 12688.00 | 13124.80 | 750 |
| | | Step 5 | Step 6 | | | 751 |
| | Hourly | 6.52 | 6.75 | | | 752 |
| | Annually | 13561.60 | 14040.00 | | | 753 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 754 |
| 24 | Hourly | 6.00 | 6.20 | 6.41 | 6.63 | 755 |
| | Annually | 12480.00 | 12896.00 | 13332.80 | 13790.40 | 756 |
| | | Step 5 | Step 6 | | | 757 |
| | Hourly | 6.87 | 7.10 | | | 758 |
| | Annually | 14289.60 | 14768.00 | | | 759 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 760 |
| 25 | Hourly | 6.31 | 6.52 | 6.75 | 6.99 | 761 |
| | Annually | 13124.80 | 13561.60 | 14040.00 | 14539.20 | 762 |
| | | Step 5 | Step 6 | | | 763 |
| | Hourly | 7.23 | 7.41 | | | 764 |
| | Annually | 15038.40 | 15412.80 | | | 765 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 766 |
| 26 | Hourly | 6.63 | 6.87 | 7.10 | 7.32 | 767 |
| | Annually | 13790.40 | 14289.60 | 14768.00 | 15225.60 | 768 |
| | | Step 5 | Step 6 | | | 769 |
| | Hourly | 7.53 | 7.77 | | | 770 |
| | Annually | 15662.40 | 16161.60 | | | 771 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 772 |
| 27 | Hourly | 6.99 | 7.23 | 7.41 | 7.64 | 773 |
| | Annually | 14534.20 | 15038.40 | 15412.80 | 15891.20 | 774 |
| | | Step 5 | Step 6 | Step 7 | | 775 |
| | Hourly | 7.88 | 8.15 | 8.46 | | 776 |
| | Annually | 16390.40 | 16952.00 | 17596.80 | | 777 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 778 |
| | | | | | | 779 |

| | | | | | | |
|----|----------|----------|----------|----------|----------|-----|
| 28 | Hourly | 7.41 | 7.64 | 7.88 | 8.15 | 780 |
| | Annually | 15412.80 | 15891.20 | 16390.40 | 16952.00 | 781 |
| | | Step 5 | Step 6 | Step 7 | | 782 |
| | Hourly | 8.46 | 8.79 | 9.15 | | 783 |
| | Annually | 17596.80 | 18283.20 | 19032.00 | | 784 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 785 |
| 29 | Hourly | 7.88 | 8.15 | 8.46 | 8.79 | 786 |
| | Annually | 16390.40 | 16952.00 | 17596.80 | 18283.20 | 787 |
| | | Step 5 | Step 6 | Step 7 | | 788 |
| | Hourly | 9.15 | 9.58 | 10.01 | | 789 |
| | Annually | 19032.00 | 19926.40 | 20820.80 | | 790 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 791 |
| 30 | Hourly | 8.46 | 8.79 | 9.15 | 9.58 | 792 |
| | Annually | 17596.80 | 18283.20 | 19032.00 | 19926.40 | 793 |
| | | Step 5 | Step 6 | Step 7 | | 794 |
| | Hourly | 10.01 | 10.46 | 10.99 | | 795 |
| | Annually | 20820.80 | 21756.80 | 22859.20 | | 796 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 797 |
| 31 | Hourly | 9.15 | 9.58 | 10.01 | 10.46 | 798 |
| | Annually | 19032.00 | 19962.40 | 20820.80 | 21756.80 | 799 |
| | | Step 5 | Step 6 | Step 7 | | 800 |
| | Hourly | 10.99 | 11.52 | 12.09 | | 801 |
| | Annually | 22859.20 | 23961.60 | 25147.20 | | 802 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 803 |
| 32 | Hourly | 10.01 | 10.46 | 10.99 | 11.52 | 804 |
| | Annually | 20820.80 | 21756.80 | 22859.20 | 23961.60 | 805 |
| | | Step 5 | Step 6 | Step 7 | Step 8 | 806 |
| | Hourly | 12.09 | 12.68 | 13.29 | 13.94 | 807 |
| | Annually | 25147.20 | 26374.40 | 27643.20 | 28995.20 | 808 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 809 |
| 33 | Hourly | 10.99 | 11.52 | 12.09 | 12.68 | 810 |
| | Annually | 22859.20 | 23961.60 | 25147.20 | 26374.40 | 811 |
| | | Step 5 | Step 6 | Step 7 | Step 8 | 812 |

| | | | | | | |
|----|------------|----------------------|----------|----------|----------|-----|
| | Hourly | 13.29 | 13.94 | 14.63 | 15.35 | 813 |
| | Annually | 27643.20 | 28995.20 | 30430.40 | 31928.00 | 814 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 815 |
| 34 | Hourly | 12.09 | 12.68 | 13.29 | 13.94 | 816 |
| | Annually | 25147.20 | 26374.40 | 27643.20 | 28995.20 | 817 |
| | | Step 5 | Step 6 | Step 7 | Step 8 | 818 |
| | Hourly | 14.63 | 15.35 | 16.11 | 16.91 | 819 |
| | Annually | 30430.40 | 31928.00 | 33508.80 | 35172.80 | 820 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 821 |
| 35 | Hourly | 13.29 | 13.94 | 14.63 | 15.35 | 822 |
| | Annually | 27643.20 | 28995.20 | 30430.40 | 31928.00 | 823 |
| | | Step 5 | Step 6 | Step 7 | Step 8 | 824 |
| | Hourly | 16.11 | 16.91 | 17.73 | 18.62 | 825 |
| | Annually | 33508.80 | 35172.80 | 36878.40 | 38729.60 | 826 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 827 |
| 36 | Hourly | 14.63 | 15.35 | 16.11 | 16.91 | 828 |
| | Annually | 30430.40 | 31928.00 | 33508.80 | 35172.80 | 829 |
| | | Step 5 | Step 6 | Step 7 | Step 8 | 830 |
| | Hourly | 17.73 | 18.62 | 19.54 | 20.51 | 831 |
| | Annually | 36878.40 | 38729.60 | 40643.20 | 42660.80 | 832 |
| | Schedule C | | | | | 833 |
| | | Pay Range and Values | | | | 834 |
| | Range | Minimum | | Maximum | | 835 |
| 41 | Hourly | 10.44 | | 15.72 | | 836 |
| | Annually | 21715.20 | | 32697.60 | | 837 |
| 42 | Hourly | 11.51 | | 17.35 | | 838 |
| | Annually | 23940.80 | | 36088.00 | | 839 |
| 43 | Hourly | 12.68 | | 19.12 | | 840 |
| | Annually | 26374.40 | | 39769.60 | | 841 |
| 44 | Hourly | 13.99 | | 20.87 | | 842 |
| | Annually | 29099.20 | | 43409.60 | | 843 |
| 45 | Hourly | 15.44 | | 22.80 | | 844 |
| | Annually | 32115.20 | | 47424.00 | | 845 |

| | | | |
|-----------|----------|----------|-----|
| 46 Hourly | 17.01 | 24.90 | 846 |
| Annually | 35380.80 | 51792.00 | 847 |
| 47 Hourly | 18.75 | 27.18 | 848 |
| Annually | 39000.00 | 56534.40 | 849 |
| 48 Hourly | 20.67 | 29.69 | 850 |
| Annually | 42993.60 | 61755.20 | 851 |
| 49 Hourly | 22.80 | 32.06 | 852 |
| Annually | 47424.00 | 66684.80 | 853 |

(B) The pay schedule of all employees shall be on a biweekly basis, with amounts computed on an hourly basis. 854
855

(C) Part-time employees shall be compensated on an hourly basis for time worked, at the rates shown in division (A) of this section or in section 124.152 of the Revised Code. 856
857
858

(D) The salary and wage rates in division (A) of this section or in section 124.152 of the Revised Code represent base rates of compensation and may be augmented by the provisions of section 124.181 of the Revised Code. In those cases where lodging, meals, laundry, or other personal services are furnished an employee, the actual costs or fair market value of the personal services shall be paid by the employee in such amounts and manner as determined by the director of administrative services and approved by the director of budget and management, and those personal services shall not be considered as a part of the employee's compensation. An appointing authority, with the approval of the director of administrative services and the director of budget and management, may establish payments to employees for uniforms, tools, equipment, and other requirements of the department and payments for the maintenance of them. 859
860
861
862
863
864
865
866
867
868
869
870
871
872
873

The director of administrative services may review collective bargaining agreements entered into under Chapter 4117. of the Revised Code that cover state employees and determine whether certain benefits or payments provided to state employees covered 874
875
876
877

by those agreements should also be provided to employees who are 878
exempt from collective bargaining coverage and are paid in 879
accordance with section 124.152 of the Revised Code or are listed 880
in division (B)(2) or (4) of section 124.14 of the Revised Code. 881
On completing the review, the director of administrative services, 882
with the approval of the director of budget and management, may 883
provide to some or all of these employees any payment or benefit, 884
except for salary, contained in such a collective bargaining 885
agreement even if it is similar to a payment or benefit already 886
provided by law to some or all of these employees. Any payment or 887
benefit so provided shall not exceed the highest level for that 888
payment or benefit specified in such a collective bargaining 889
agreement. The director of administrative services shall not 890
provide, and the director of budget and management shall not 891
approve, any payment or benefit to such an employee under this 892
division unless the payment or benefit is provided pursuant to a 893
collective bargaining agreement to a state employee who is in a 894
position with similar duties as, is supervised by, or is employed 895
by the same appointing authority as, the employee to whom the 896
benefit or payment is to be provided. 897

As used in this division, "payment or benefit already 898
provided by law" includes, but is not limited to, bereavement, 899
personal, vacation, administrative, and sick leave, disability 900
benefits, holiday pay, and pay supplements provided under the 901
Revised Code, but does not include wages or salary. 902

(E) New employees paid ~~under~~ in accordance with schedule B of 903
division (A) of this section or ~~under~~ schedule E-1 of section 904
124.152 of the Revised Code shall be employed at the minimum rate 905
established for the range unless otherwise provided. Employees 906
with qualifications that are beyond the minimum normally required 907
for the position and that are determined by the director to be 908
exceptional may be employed in, or may be transferred or promoted 909

to, a position at an advanced step of the range. Further, in time 910
of a serious labor market condition when it is relatively 911
impossible to recruit employees at the minimum rate for a 912
particular classification, the entrance rate may be set at an 913
advanced step in the range by the director of administrative 914
services. This rate may be limited to geographical regions of the 915
state. Appointments made to an advanced step under the provision 916
regarding exceptional qualifications shall not affect the step 917
assignment of employees already serving. However, anytime the 918
hiring rate of an entire classification is advanced to a higher 919
step, all incumbents of that classification being paid at a step 920
lower than that being used for hiring, shall be advanced beginning 921
at the start of the first pay period thereafter to the new hiring 922
rate, and any time accrued at the lower step will be used to 923
calculate advancement to a succeeding step. If the hiring rate of 924
a classification is increased for only a geographical region of 925
the state, only incumbents who work in that geographical region 926
shall be advanced to a higher step. When an employee in the 927
unclassified service changes from one state position to another or 928
is appointed to a position in the classified service, or if an 929
employee in the classified service is appointed to a position in 930
the unclassified service, the employee's salary or wage in the new 931
position shall be determined in the same manner as if the employee 932
were an employee in the classified service. When an employee in 933
the unclassified service who is not eligible for step increases is 934
appointed to a classification in the classified service under 935
which step increases are provided, future step increases shall be 936
based on the date on which the employee last received a pay 937
increase. If the employee has not received an increase during the 938
previous year, the date of the appointment to the classified 939
service shall be used to determine the employee's annual step 940
advancement eligibility date. In reassigning any employee to a 941
classification resulting in a pay range increase or to a new pay 942

range as a result of a promotion, an increase pay range 943
adjustment, or other classification change resulting in a pay 944
range increase, the director shall assign such employee to the 945
step in the new pay range that will provide an increase of 946
approximately four per cent if the new pay range can accommodate 947
the increase. When an employee is being assigned to a 948
classification or new pay range as the result of a class plan 949
change, if the employee has completed a probationary period, the 950
employee shall be placed in a step no lower than step two of the 951
new pay range. If the employee has not completed a probationary 952
period, the employee may be placed in step one of the new pay 953
range. Such new salary or wage shall become effective on such date 954
as the director determines. 955

(F) If employment conditions and the urgency of the work 956
require such action, the director of administrative services may, 957
upon the application of a department head, authorize payment at 958
any rate established within the range for the class of work, for 959
work of a casual or intermittent nature or on a project basis. 960
Payment at such rates shall not be made to the same individual for 961
more than three calendar months in any one calendar year. Any such 962
action shall be subject to the approval of the director of budget 963
and management as to the availability of funds. This section and 964
sections 124.14 and 124.152 of the Revised Code do not repeal any 965
authority of any department or public official to contract with or 966
fix the compensation of professional persons who may be employed 967
temporarily for work of a casual nature or for work on a project 968
basis. 969

(G)(1) Except as provided in division (G)(2) of this section, 970
each state employee paid ~~under~~ in accordance with schedule B of 971
this section or ~~under~~ schedule E-1 of section 124.152 of the 972
Revised Code shall be eligible for advancement to succeeding steps 973
in the range for the employee's class or grade according to the 974

schedule established in this division. Beginning on the first day 975
of the pay period within which the employee completes the 976
prescribed probationary period in the employee's classification 977
with the state, each employee shall receive an automatic salary 978
adjustment equivalent to the next higher step within the pay range 979
for the employee's class or grade. 980

Each employee paid ~~under~~ in accordance with schedule E-1 of 981
section 124.152 of the Revised Code shall be eligible to advance 982
to the next higher step until the employee reaches ~~step six~~ the 983
top step in the range for the employee's class or grade, if the 984
employee has maintained satisfactory performance in accordance 985
with criteria established by the employee's appointing authority. 986
Those step advancements shall not occur more frequently than once 987
in any twelve-month period. ~~An employee only may advance to step~~ 988
~~seven upon performing at an exemplary level as determined in the~~ 989
~~employee's performance evaluation. An employee's advancement to~~ 990
~~step seven is at the discretion of the employee's appointing~~ 991
~~authority. An employee may not appeal the denial of advancement to~~ 992
~~step seven to the state personnel board of review.~~ 993

When an employee is promoted or reassigned to a higher pay 994
range, the employee's step indicator shall return to "0" or be 995
adjusted to account for a probationary period, as appropriate. 996
Step advancement shall not be affected by demotion. A promoted 997
employee shall advance to the next higher step of the pay range on 998
the first day of the pay period in which the required probationary 999
period is completed. Step advancement shall become effective at 1000
the beginning of the pay period within which the employee attains 1001
the necessary length of service. Time spent on authorized leave of 1002
absence shall be counted for this purpose. 1003

If determined to be in the best interest of the state 1004
service, the director of administrative services may, either 1005
statewide or in selected agencies, adjust the dates on which 1006

annual step advancements are received by employees paid ~~under~~ in accordance with schedule E-1 of section 124.152 of the Revised Code. 1007
1008
1009

(2)(a)(i) Except as provided in division (G)(2)(a)(ii) of this section, there shall be a moratorium on step advancements under division (G)(1) of this section from the pay period beginning June 29, 2003, through the pay period ending June 25, 2005. Step advancements shall resume with the pay period beginning June 26, 2005. Upon the resumption of step advancements, there shall be no retroactive step advancements for the period the moratorium was in effect. The moratorium shall not affect an employee's performance evaluation schedule. 1010
1011
1012
1013
1014
1015
1016
1017
1018

(ii) During the moratorium under division (G)(2)(a)(i) of this section, an employee who is hired or promoted and serves a probationary period in the employee's new position shall advance to the next step in the employee's pay range upon successful completion of the employee's probationary period. Thereafter, the employee is subject to the moratorium. 1019
1020
1021
1022
1023
1024

(b) The moratorium under division (G)(2)(a)(i) of this section shall apply to the employees of the secretary of state, the auditor of state, the treasurer of state, and the attorney general, who are subject to this section unless the secretary of state, the auditor of state, the treasurer of state, or the attorney general decides to exempt the office's employees from the moratorium and so notifies the director of administrative services in writing on or before July 1, 2003. 1025
1026
1027
1028
1029
1030
1031
1032

(H) Employees in appointive managerial or professional positions paid ~~under salary~~ in accordance with schedule C of this section or ~~under salary~~ schedule E-2 of section 124.152 of the Revised Code may be appointed at any rate within the appropriate pay range. This rate of pay may be adjusted higher or lower within the respective pay range at any time the appointing authority so 1033
1034
1035
1036
1037
1038

desires as long as the adjustment is based on the employee's 1039
ability to successfully administer those duties assigned to the 1040
employee. Salary adjustments shall not be made more frequently 1041
than once in any six-month period under this provision to 1042
incumbents holding the same position and classification. 1043

(I) When an employee is assigned to duty outside this state, 1044
the employee may be compensated, upon request of the department 1045
head and with the approval of the director of administrative 1046
services, at a rate not to exceed fifty per cent in excess of the 1047
employee's current base rate for the period of time spent on that 1048
duty. 1049

(J) Unless compensation for members of a board or commission 1050
is otherwise specifically provided by law, the director of 1051
administrative services shall establish the rate and method of 1052
payment for members of boards and commissions pursuant to the pay 1053
schedules listed in section 124.152 of the Revised Code. 1054

(K) Regular full-time employees in positions assigned to 1055
classes within the instruction and education administration series 1056
under the rules of the director of administrative services, except 1057
certificated employees on the instructional staff of the state 1058
school for the blind or the state school for the deaf, whose 1059
positions are scheduled to work on the basis of an academic year 1060
rather than a full calendar year, shall be paid according to the 1061
pay range assigned by such rules but only during those pay periods 1062
included in the academic year of the school where the employee is 1063
located. 1064

(1) Part-time or substitute teachers or those whose period of 1065
employment is other than the full academic year shall be 1066
compensated for the actual time worked at the rate established by 1067
this section. 1068

(2) Employees governed by this division are exempt from 1069

sections 124.13 and 124.19 of the Revised Code. 1070

(3) Length of service for the purpose of determining 1071
eligibility for step advancements as provided by division (G) of 1072
this section and for the purpose of determining eligibility for 1073
longevity pay supplements as provided by division (E) of section 1074
124.181 of the Revised Code shall be computed on the basis of one 1075
full year of service for the completion of each academic year. 1076

(L) The superintendent of the state school for the deaf and 1077
the superintendent of the state school for the blind shall, 1078
subject to the approval of the superintendent of public 1079
instruction, carry out both of the following: 1080

(1) Annually, between the first day of April and the last day 1081
of June, establish for the ensuing fiscal year a schedule of 1082
hourly rates for the compensation of each certificated employee on 1083
the instructional staff of that superintendent's respective school 1084
constructed as follows: 1085

(a) Determine for each level of training, experience, and 1086
other professional qualification for which an hourly rate is set 1087
forth in the current schedule, the per cent that rate is of the 1088
rate set forth in such schedule for a teacher with a bachelor's 1089
degree and no experience. If there is more than one such rate for 1090
such a teacher, the lowest rate shall be used to make the 1091
computation. 1092

(b) Determine which six city, local, and exempted village 1093
school districts with territory in Franklin county have in effect 1094
on, or have adopted by, the first day of April for the school year 1095
that begins on the ensuing first day of July, teacher salary 1096
schedules with the highest minimum salaries for a teacher with a 1097
bachelor's degree and no experience; 1098

(c) Divide the sum of such six highest minimum salaries by 1099
ten thousand five hundred sixty; 1100

(d) Multiply each per cent determined in division (L)(1)(a) 1101
of this section by the quotient obtained in division (L)(1)(c) of 1102
this section; 1103

(e) One hundred five per cent of each product thus obtained 1104
shall be the hourly rate for the corresponding level of training, 1105
experience, or other professional qualification in the schedule 1106
for the ensuing fiscal year. 1107

(2) Annually, assign each certificated employee on the 1108
instructional staff of the superintendent's respective school to 1109
an hourly rate on the schedule that is commensurate with the 1110
employee's training, experience, and other professional 1111
qualifications. 1112

If an employee is employed on the basis of an academic year, 1113
the employee's annual salary shall be calculated by multiplying 1114
the employee's assigned hourly rate times one thousand seven 1115
hundred sixty. If an employee is not employed on the basis of an 1116
academic year, the employee's annual salary shall be calculated in 1117
accordance with the following formula: 1118

(a) Multiply the number of days the employee is required to 1119
work pursuant to the employee's contract by eight; 1120

(b) Multiply the product of division (L)(2)(a) of this 1121
section by the employee's assigned hourly rate. 1122

Each employee shall be paid an annual salary in biweekly 1123
installments. The amount of each installment shall be calculated 1124
by dividing the employee's annual salary by the number of biweekly 1125
installments to be paid during the year. 1126

Sections 124.13 and 124.19 of the Revised Code do not apply 1127
to an employee who is paid under this division. 1128

As used in this division, "academic year" means the number of 1129
days in each school year that the schools are required to be open 1130

for instruction with pupils in attendance. Upon completing an 1131
academic year, an employee paid under this division shall be 1132
deemed to have completed one year of service. An employee paid 1133
under this division is eligible to receive a pay supplement under 1134
division (L)(1), (2), or (3) of section 124.181 of the Revised 1135
Code for which the employee qualifies, but is not eligible to 1136
receive a pay supplement under division (L)(4) or (5) of that 1137
section. An employee paid under this division is eligible to 1138
receive a pay supplement under division (L)(6) of section 124.181 1139
of the Revised Code for which the employee qualifies, except that 1140
the supplement is not limited to a maximum of five per cent of the 1141
employee's regular base salary in a calendar year. 1142

(M) Division (A) of this section does not apply to "exempt 1143
employees," as defined in section 124.152 of the Revised Code, who 1144
are paid under that section. 1145

Notwithstanding any other provisions of this chapter, when an 1146
employee transfers between bargaining units or transfers out of or 1147
into a bargaining unit, the director shall establish the 1148
employee's compensation and adjust the maximum leave accrual 1149
schedule as the director deems equitable. 1150

Sec. 124.152. (A)(1) Except as provided in divisions (A)(2) 1151
and (3) of this section, each exempt employee shall be paid a 1152
salary or wage in accordance with schedule E-1 or schedule E-2 of 1153
division (B) or (C) of this section. 1154

(2) Each exempt employee who holds a position in the 1155
unclassified civil service pursuant to division (A)(26) or (30) of 1156
section 124.11 of the Revised Code may be paid a salary or wage in 1157
accordance with schedule E-1, schedule E-1 for step seven only, or 1158
schedule E-2 of division (B), (C), (D), or (E) of this section, as 1159
applicable. 1160

(3)(a) Each exempt employee who was paid a salary or wage at 1161

step 7 in the employee's pay range on June 28, 2003, in accordance 1162
with the applicable schedule E-1 of former section 124.152 of the 1163
Revised Code and who continued to be so paid on June 29, 2003, 1164
shall be paid a salary or a wage in the corresponding pay range in 1165
schedule E-1 for step seven only of division (D) or (E) of this 1166
section for as long as the employee remains in the position the 1167
employee held as of July 1, 2003, except as otherwise provided in 1168
division (A)(3)(b) of this section. 1169

(b) If an exempt employee who is being paid a salary or wage 1170
in accordance with schedule E-1 for step seven only of division 1171
(D) or (E) of this section moves to a position assigned to pay 1172
range 12 or above, the appointing authority has the discretion to 1173
assign the employee to be paid a salary or wage in the appropriate 1174
pay range for the new position in accordance with schedule E-1 for 1175
step seven only, provided that the appointing authority so 1176
notifies the director of administrative services in writing at the 1177
time the employee is appointed to the new position. 1178

(c) If an exempt employee who is being paid a salary or wage 1179
in accordance with schedule E-1 for step seven only of division 1180
(D) or (E) of this section moves to a position where the employee 1181
is not eligible to receive a salary or wage in accordance with 1182
that schedule, the employee shall not receive a salary or wage in 1183
accordance with that schedule in the new position or any other new 1184
position in the future. 1185

(B) Beginning on the first day of the pay period that 1186
includes July 1, 2002, each exempt employee who must be paid in 1187
accordance with schedule E-1 or schedule E-2 of this section shall 1188
be paid a salary or wage in accordance with the following schedule 1189
of rates: 1190

Schedule E-1 1191

Pay Ranges and Step Values 1192

Step Step Step Step Step Step Step 1193

| | Range | 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
|----|----------|-------|-------|-------|-------|-------|-------|------------------|------|
| | | | | | | | | | 1194 |
| 1 | Hourly | 8.78 | 9.16 | 9.56 | 9.97 | | | | 1195 |
| | Annually | 18262 | 19053 | 19885 | 20738 | | | | 1196 |
| 2 | Hourly | 10.64 | 11.09 | 11.58 | 12.08 | | | | 1197 |
| | Annually | 22131 | 23067 | 24086 | 25126 | | | | 1198 |
| 3 | Hourly | 11.14 | 11.65 | 12.16 | 12.69 | | | | 1199 |
| | Annually | 23171 | 24232 | 25293 | 26395 | | | | 1200 |
| 4 | Hourly | 11.70 | 12.23 | 12.81 | 13.38 | | | | 1201 |
| | Annually | 24336 | 25438 | 26645 | 27830 | | | | 1202 |
| 5 | Hourly | 12.28 | 12.84 | 13.38 | 13.97 | | | | 1203 |
| | Annually | 25542 | 26707 | 27830 | 29058 | | | | 1204 |
| 6 | Hourly | 12.94 | 13.47 | 14.07 | 14.64 | | | | 1205 |
| | Annually | 26915 | 28018 | 29266 | 30451 | | | | 1206 |
| 7 | Hourly | 13.74 | 14.26 | 14.83 | 15.35 | 15.94 | | | 1207 |
| | Annually | 28579 | 29661 | 30846 | 31928 | 33155 | | | 1208 |
| 8 | Hourly | 14.53 | 15.16 | 15.83 | 16.53 | 17.23 | | | 1209 |
| | Annually | 30222 | 31533 | 32926 | 34382 | 35838 | | | 1210 |
| 9 | Hourly | 15.50 | 16.30 | 17.11 | 17.95 | 18.87 | | | 1211 |
| | Annually | 32240 | 33904 | 35589 | 37336 | 39250 | | | 1212 |
| 10 | Hourly | 16.72 | 17.63 | 18.58 | 19.65 | 20.70 | | | 1213 |
| | Annually | 34778 | 36670 | 38646 | 40872 | 43056 | | | 1214 |
| 11 | Hourly | 18.20 | 19.27 | 20.38 | 21.53 | 22.76 | | | 1215 |
| | Annually | 37856 | 40082 | 42390 | 44782 | 47341 | | | 1216 |
| 12 | Hourly | 20.08 | 21.21 | 22.35 | 23.59 | 24.90 | 26.26 | 27.71 | 1217 |
| | Annually | 41766 | 44117 | 46488 | 49067 | 51792 | 54621 | 57637 | 1218 |
| 13 | Hourly | 22.13 | 23.35 | 24.63 | 25.95 | 27.40 | 28.90 | 30.49 | 1219 |
| | Annually | 46030 | 48568 | 51230 | 53976 | 56992 | 60112 | 63419 | 1220 |
| 14 | Hourly | 24.35 | 25.72 | 27.10 | 28.59 | 30.20 | 31.88 | 33.62 | 1221 |
| | Annually | 50648 | 53498 | 56368 | 59467 | 62816 | 66310 | 69930 | 1222 |
| 15 | Hourly | 26.74 | 28.24 | 29.84 | 31.48 | 33.22 | 35.06 | 36.98 | 1223 |
| | Annually | 55619 | 58739 | 62067 | 65478 | 69098 | 72925 | 76918 | 1224 |
| 16 | Hourly | 29.48 | 31.12 | 32.84 | 34.67 | 36.59 | 38.67 | 40.80 | 1225 |
| | Annually | 61318 | 64730 | 68307 | 72114 | 76107 | 80434 | 84864 | 1226 |

| | | | | | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------|-------|---------|-------|-------|-------|-------------------|------|
| 17 | Hourly | 32.49 | 34.28 | 36.20 | 38.20 | 40.33 | 42.58 | 44.93 | 1227 |
| | Annually | 67579 | 71302 | 75296 | 79456 | 83886 | 88566 | 93454 | 1228 |
| 18 | Hourly | 35.80 | 37.78 | 39.90 | 42.11 | 44.43 | 46.92 | 49.50 | 1229 |
| | Annually | 74464 | 78582 | 82992 | 87589 | 92414 | 97594 | 102960 | 1230 |
| Schedule E-2 | | | | | | | | | 1231 |
| | Range | | | Minimum | | | | Maximum | 1232 |
| 41 | Hourly | | | 16.23 | | | | 32.46 | 1233 |
| | Annually | | | 33758 | | | | 67517 | 1234 |
| 42 | Hourly | | | 17.89 | | | | 35.86 | 1235 |
| | Annually | | | 37211 | | | | 74589 | 1236 |
| 43 | Hourly | | | 19.70 | | | | 39.49 | 1237 |
| | Annually | | | 40976 | | | | 82139 | 1238 |
| 44 | Hourly | | | 21.73 | | | | 43.13 | 1239 |
| | Annually | | | 45198 | | | | 89710 | 1240 |
| 45 | Hourly | | | 24.01 | | | | 47.09 | 1241 |
| | Annually | | | 49941 | | | | 97947 | 1242 |
| 46 | Hourly | | | 26.43 | | | | 51.46 | 1243 |
| | Annually | | | 54974 | | | | 107037 | 1244 |
| 47 | Hourly | | | 29.14 | | | | 56.16 | 1245 |
| | Annually | | | 60611 | | | | 116813 | 1246 |
| 48 | Hourly | | | 32.14 | | | | 61.29 | 1247 |
| | Annually | | | 66851 | | | | 127483 | 1248 |
| 49 | Hourly | | | 35.44 | | | | 66.18 | 1249 |
| | Annually | | | 73715 | | | | 137654 | 1250 |
| <p>(B)(C) Beginning on the first day of the pay period that</p> <p>includes July 1, 2005, each exempt employee <u>who must be paid in</u></p> <p><u>accordance with schedule E-1 or schedule E-2 of this section</u> shall</p> <p>be paid a salary or wage in accordance with the following schedule</p> <p>of rates:</p> | | | | | | | | | 1251 |
| Schedule E-1 | | | | | | | | | 1256 |
| Pay Ranges and Step Values | | | | | | | | | 1257 |
| Step Step Step Step Step Step Step Step | | | | | | | | | 1258 |

| | Range | 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
|----|----------|-------|-------|-------|-------|-------|-------|------------------|------|
| | | | | | | | | | 1259 |
| 1 | Hourly | 9.13 | 9.53 | 9.94 | 10.37 | | | | 1260 |
| | Annually | 18990 | 19822 | 20675 | 21570 | | | | 1261 |
| 2 | Hourly | 11.07 | 11.53 | 12.04 | 12.56 | | | | 1262 |
| | Annually | 23026 | 23982 | 25043 | 26125 | | | | 1263 |
| 3 | Hourly | 11.59 | 12.12 | 12.65 | 13.20 | | | | 1264 |
| | Annually | 24107 | 25210 | 26312 | 27456 | | | | 1265 |
| 4 | Hourly | 12.17 | 12.72 | 13.32 | 13.92 | | | | 1266 |
| | Annually | 25314 | 26458 | 27706 | 28954 | | | | 1267 |
| 5 | Hourly | 12.77 | 13.35 | 13.92 | 14.53 | | | | 1268 |
| | Annually | 26562 | 27768 | 28954 | 30222 | | | | 1269 |
| 6 | Hourly | 13.46 | 14.01 | 14.63 | 15.23 | | | | 1270 |
| | Annually | 27997 | 29141 | 30430 | 31678 | | | | 1271 |
| 7 | Hourly | 14.29 | 14.83 | 15.42 | 15.96 | 16.58 | | | 1272 |
| | Annually | 29723 | 30846 | 32074 | 33197 | 34486 | | | 1273 |
| 8 | Hourly | 15.11 | 15.77 | 16.46 | 17.19 | 17.92 | | | 1274 |
| | Annually | 31429 | 32802 | 34237 | 35755 | 37274 | | | 1275 |
| 9 | Hourly | 16.12 | 16.95 | 17.79 | 18.67 | 19.62 | | | 1276 |
| | Annually | 33530 | 35256 | 37003 | 38834 | 40810 | | | 1277 |
| 10 | Hourly | 17.39 | 18.34 | 19.32 | 20.44 | 21.53 | | | 1278 |
| | Annually | 36171 | 38147 | 40186 | 42515 | 44782 | | | 1279 |
| 11 | Hourly | 18.93 | 20.04 | 21.20 | 22.39 | 23.67 | | | 1280 |
| | Annually | 39374 | 41683 | 44096 | 46571 | 49234 | | | 1281 |
| 12 | Hourly | 20.88 | 22.06 | 23.24 | 24.53 | 25.90 | 27.31 | 28.82 | 1282 |
| | Annually | 43430 | 45885 | 48339 | 51022 | 53872 | 56805 | 59946 | 1283 |
| 13 | Hourly | 23.02 | 24.28 | 25.62 | 26.99 | 28.50 | 30.06 | 31.71 | 1284 |
| | Annually | 47882 | 50502 | 53290 | 56139 | 59280 | 62525 | 65957 | 1285 |
| 14 | Hourly | 25.32 | 26.75 | 28.18 | 29.73 | 31.41 | 33.16 | 34.96 | 1286 |
| | Annually | 52666 | 55640 | 58614 | 61838 | 65333 | 68973 | 72717 | 1287 |
| 15 | Hourly | 27.81 | 29.37 | 31.03 | 32.74 | 34.55 | 36.46 | 38.46 | 1288 |
| | Annually | 57845 | 61090 | 64542 | 68099 | 71864 | 75837 | 79997 | 1289 |
| 16 | Hourly | 30.66 | 32.36 | 34.15 | 36.06 | 38.05 | 40.22 | 42.43 | 1290 |
| | Annually | 63773 | 67309 | 71032 | 75005 | 79144 | 83658 | 88254 | 1291 |

| | | | | | | | | | |
|---------------------------------------------------------------------------|---------------|--------------|-------|---------|-------|-------|--------|-------------------|------|
| 17 | Hourly | 33.79 | 35.65 | 37.65 | 39.73 | 41.94 | 44.28 | 46.73 | 1292 |
| | Annually | 70283 | 74152 | 78312 | 82638 | 87235 | 92102 | 97198 | 1293 |
| 18 | Hourly | 37.23 | 39.29 | 41.50 | 43.79 | 46.21 | 48.80 | 51.48 | 1294 |
| | Annually | 77438 | 81723 | 86320 | 91083 | 96117 | 101504 | 107078 | 1295 |
| Schedule E-2 | | | | | | | | | 1296 |
| | Range | | | Minimum | | | | Maximum | 1297 |
| 41 | Hourly | | | 16.23 | | | | 33.76 | 1298 |
| | Annually | | | 33758 | | | | 70221 | 1299 |
| 42 | Hourly | | | 17.89 | | | | 37.29 | 1300 |
| | Annually | | | 37211 | | | | 77563 | 1301 |
| 43 | Hourly | | | 19.70 | | | | 41.07 | 1302 |
| | Annually | | | 40976 | | | | 85426 | 1303 |
| 44 | Hourly | | | 21.73 | | | | 44.86 | 1304 |
| | Annually | | | 45198 | | | | 93309 | 1305 |
| 45 | Hourly | | | 24.01 | | | | 48.97 | 1306 |
| | Annually | | | 49941 | | | | 101858 | 1307 |
| 46 | Hourly | | | 26.43 | | | | 53.52 | 1308 |
| | Annually | | | 54974 | | | | 111322 | 1309 |
| 47 | Hourly | | | 29.14 | | | | 58.41 | 1310 |
| | Annually | | | 60611 | | | | 121493 | 1311 |
| 48 | Hourly | | | 32.14 | | | | 63.74 | 1312 |
| | Annually | | | 66851 | | | | 132579 | 1313 |
| 49 | Hourly | | | 35.44 | | | | 68.83 | 1314 |
| | Annually | | | 73715 | | | | 143166 | 1315 |
| <u>(D) Beginning on the first day of the pay period that</u> | | | | | | | | | 1316 |
| <u>includes July 1, 2003, each exempt employee who must be paid in</u> | | | | | | | | | 1317 |
| <u>accordance with schedule E-1 for step seven only shall be paid a</u> | | | | | | | | | 1318 |
| <u>salary or wage in accordance with the following schedule of rates:</u> | | | | | | | | | 1319 |
| <u>Schedule E-1 for Step Seven Only</u> | | | | | | | | | 1320 |
| <u>Pay Ranges and Step Seven Values</u> | | | | | | | | | 1321 |
| | <u>Range</u> | | | | | | | | 1322 |
| <u>12</u> | <u>Hourly</u> | <u>27.71</u> | | | | | | | 1323 |

| | | | |
|-----------|-----------------|---------------|------|
| | <u>Annually</u> | <u>57637</u> | 1324 |
| <u>13</u> | <u>Hourly</u> | <u>30.49</u> | 1325 |
| | <u>Annually</u> | <u>63419</u> | 1326 |
| <u>14</u> | <u>Hourly</u> | <u>33.62</u> | 1327 |
| | <u>Annually</u> | <u>69930</u> | 1328 |
| <u>15</u> | <u>Hourly</u> | <u>36.98</u> | 1329 |
| | <u>Annually</u> | <u>76918</u> | 1330 |
| <u>16</u> | <u>Hourly</u> | <u>40.80</u> | 1331 |
| | <u>Annually</u> | <u>84864</u> | 1332 |
| <u>17</u> | <u>Hourly</u> | <u>44.93</u> | 1333 |
| | <u>Annually</u> | <u>93454</u> | 1334 |
| <u>18</u> | <u>Hourly</u> | <u>49.50</u> | 1335 |
| | <u>Annually</u> | <u>102960</u> | 1336 |

(E) Beginning on the first day of the pay period that 1337
includes July 1, 2005, each exempt employee who must be paid in 1338
accordance with schedule E-1 for step seven only shall be paid a 1339
salary or wage in accordance with the following schedule of rates: 1340

Schedule E-1 for Step Seven Only 1341

Pay Ranges and Step Seven Values 1342

| | | | |
|-----------|-----------------|--------------|------|
| | <u>Range</u> | | 1343 |
| <u>12</u> | <u>Hourly</u> | <u>28.82</u> | 1344 |
| | <u>Annually</u> | <u>59946</u> | 1345 |
| <u>13</u> | <u>Hourly</u> | <u>31.71</u> | 1346 |
| | <u>Annually</u> | <u>65957</u> | 1347 |
| <u>14</u> | <u>Hourly</u> | <u>34.96</u> | 1348 |
| | <u>Annually</u> | <u>72717</u> | 1349 |
| <u>15</u> | <u>Hourly</u> | <u>38.46</u> | 1350 |
| | <u>Annually</u> | <u>79997</u> | 1351 |
| <u>16</u> | <u>Hourly</u> | <u>42.43</u> | 1352 |
| | <u>Annually</u> | <u>88254</u> | 1353 |
| <u>17</u> | <u>Hourly</u> | <u>46.73</u> | 1354 |
| | <u>Annually</u> | <u>97198</u> | 1355 |

| | | | |
|----|-----------------|---------------|------|
| 18 | <u>Hourly</u> | <u>51.48</u> | 1356 |
| | <u>Annually</u> | <u>107078</u> | 1357 |

~~(C)~~(F) As used in this section, "exempt employee" means a permanent full-time or permanent part-time employee paid directly by warrant of the auditor of state whose position is included in the job classification plan established under division (A) of section 124.14 of the Revised Code but who is not considered a public employee for the purposes of Chapter 4117. of the Revised Code. As used in this section, "exempt employee" also includes a permanent full-time or permanent part-time employee of the secretary of state, auditor of state, treasurer of state, or attorney general who has not been placed in an appropriate bargaining unit by the state employment relations board.

Sec. 124.181. (A) Except as provided in division (M) of this section, any employee paid ~~under~~ in accordance with schedule B of section 124.15 or ~~under~~ schedule E-1 or schedule E-1 for step seven only of section 124.152 of the Revised Code is eligible for the pay supplements provided in this section upon application by the appointing authority substantiating the employee's qualifications for the supplement and with the approval of the director of administrative services except as provided in division (E) of this section.

(B)(~~1~~) Except as provided in section 124.183 of the Revised Code, in computing any of the pay supplements provided in this section for an employee paid in accordance with schedule B of section 124.15 of the Revised Code, the classification salary base shall be the minimum hourly rate of the pay range, provided in ~~that section 124.15 or 124.152 of the Revised Code~~, in which the employee is assigned at the time of computation.

(2) Except as provided in section 124.183 of the Revised Code, in computing any of the pay supplements provided in this

section for an employee paid in accordance with schedule E-1 of 1387
section 124.152 of the Revised Code, the classification salary 1388
base shall be the minimum hourly rate of the pay range, provided 1389
in that section, in which the employee is assigned at the time of 1390
computation. 1391

(3) Except as provided in section 124.183 of the Revised 1392
Code, in computing any of the pay supplements provided in this 1393
section for an employee paid in accordance with schedule E-1 for 1394
step seven only of section 124.152 of the Revised Code, the 1395
classification salary base shall be the minimum hourly rate in the 1396
corresponding pay range, provided in schedule E-1 of that section, 1397
to which the employee is assigned at the time of the computation. 1398

(C) The effective date of any pay supplement, except as 1399
provided in section 124.183 of the Revised Code or unless 1400
otherwise provided in this section, shall be determined by the 1401
director. 1402

(D) The director shall, by rule, establish standards 1403
regarding the administration of this section. 1404

(E)(1) Except as otherwise provided in this division, 1405
beginning on the first day of the pay period within which the 1406
employee completes five years of total service with the state 1407
government or any of its political subdivisions, each employee in 1408
positions paid ~~under salary in accordance with~~ schedule B of 1409
section 124.15 of the Revised Code or ~~under salary in accordance~~ 1410
with schedule E-1 or schedule E-1 for step seven only of section 1411
124.152 of the Revised Code shall receive an automatic salary 1412
adjustment equivalent to two and one-half per cent of the 1413
classification salary base, to the nearest whole cent. Each 1414
employee shall receive thereafter an annual adjustment equivalent 1415
to one-half of one per cent of the employee's classification 1416
salary base, to the nearest whole cent, for each additional year 1417
of qualified employment until a maximum of ten per cent of the 1418

employee's classification salary base is reached. The granting of 1419
longevity adjustments shall not be affected by promotion, 1420
demotion, or other changes in classification held by the employee, 1421
nor by any change in pay range for the employee's class or grade. 1422
Longevity pay adjustments shall become effective at the beginning 1423
of the pay period within which the employee completes the 1424
necessary length of service, except that when an employee requests 1425
credit for prior service, the effective date of the prior service 1426
credit and of any longevity adjustment shall be the first day of 1427
the pay period following approval of the credit by the director of 1428
administrative services. No employee, other than an employee who 1429
submits proof of prior service within ninety days after the date 1430
of the employee's hiring, shall receive any longevity adjustment 1431
for the period prior to the director's approval of a prior service 1432
credit. Time spent on authorized leave of absence shall be counted 1433
for this purpose. 1434

(2) An employee who has retired in accordance with the 1435
provisions of any retirement system offered by the state and who 1436
is employed by the state or any political subdivision of the state 1437
on or after June 24, 1987, shall not have prior service with the 1438
state or any political subdivision of the state counted for the 1439
purpose of determining the amount of the salary adjustment 1440
provided under this division. 1441

(3) There shall be a moratorium on employees' receipt under 1442
this division of credit for service with the state government or 1443
any of its political subdivisions during the period from July 1, 1444
2003, through June 30, 2005. In calculating the number of years of 1445
total service under this division, no credit shall be included for 1446
service during the moratorium. The moratorium shall apply to the 1447
employees of the secretary of state, the auditor of state, the 1448
treasurer of state, and the attorney general, who are subject to 1449
this section unless the secretary of state, the auditor of state, 1450

the treasurer of state, or the attorney general decides to exempt 1451
the office's employees from the moratorium and so notifies the 1452
director of administrative services in writing on or before July 1453
1, 2003. 1454

If an employee is exempt from the moratorium, receives credit 1455
for a period of service during the moratorium, and takes a 1456
position with another entity in the state government or any of its 1457
political subdivisions, either during or after the moratorium, and 1458
if that entity's employees are or were subject to the moratorium, 1459
the employee shall continue to retain the credit. However, if the 1460
moratorium is in effect upon the taking of the new position, the 1461
employee shall cease receiving additional credit as long as the 1462
employee is in the position, until the moratorium expires. 1463

(F) When an exceptional condition exists that creates a 1464
temporary or a permanent hazard for one or more positions in a 1465
class paid ~~under~~ in accordance with schedule B of section 124.15 1466
of the Revised Code or ~~under salary~~ in accordance with schedule 1467
E-1 or schedule E-1 for step seven only of section 124.152 of the 1468
Revised Code, a special hazard salary adjustment may be granted 1469
for the time the employee is subjected to the hazardous condition. 1470
All special hazard conditions shall be identified for each 1471
position and incidence from information submitted to the director 1472
on an appropriate form provided by the director and categorized 1473
into standard conditions of: some unusual hazard not common to the 1474
class; considerable unusual hazard not common to the class; and 1475
exceptional hazard not common to the class. 1476

(1) A hazardous salary adjustment of five per cent of the 1477
employee's classification salary base may be applied in the case 1478
of some unusual hazardous condition not common to the class for 1479
those hours worked, or a fraction ~~thereof~~ of those hours worked, 1480
while the employee was subject to the unusual hazard condition. 1481

(2) A hazardous salary adjustment of seven and one-half per 1482

cent of the employee's classification salary base may be applied 1483
in the case of some considerable hazardous condition not common to 1484
the class for those hours worked, or a fraction ~~thereof~~ of those 1485
hours worked, while the employee was subject to the considerable 1486
hazard condition. 1487

(3) A hazardous salary adjustment of ten per cent of the 1488
employee's classification salary base may be applied in the case 1489
of some exceptional hazardous condition not common to the class 1490
for those hours worked, or a fraction ~~thereof~~ of those hours 1491
worked, when the employee was subject to the exceptional hazard 1492
condition. 1493

(4) Each claim for temporary hazard pay shall be submitted as 1494
a separate payment and shall be subject to an administrative audit 1495
by the director as to the extent and duration of the employee's 1496
exposure to the hazardous condition. 1497

(G) When a full-time employee whose salary or wage is paid 1498
directly by warrant of the auditor of state and who also is 1499
eligible for overtime under the "Fair Labor Standards Act of 1500
1938," 52 Stat. 1060, 29 U.S.C.A. 207, 213, as amended, is ordered 1501
by the appointing authority to report back to work after 1502
termination of the employee's regular work schedule and the 1503
employee reports, the employee shall be paid for such time. The 1504
employee shall be entitled to four hours at the employee's total 1505
rate of pay or overtime compensation for the actual hours worked, 1506
whichever is greater. This division does not apply to work that is 1507
a continuation of or immediately preceding an employee's regular 1508
work schedule. 1509

(H) When a certain position or positions paid ~~under~~ in 1510
accordance with schedule B of section 124.15 of the Revised Code 1511
or ~~under salary~~ in accordance with schedule E-1 or schedule E-1 1512
for step seven only of section 124.152 of the Revised Code require 1513
the ability to speak or write a language other than English, a 1514

special pay supplement may be granted to attract bilingual 1515
individuals, to encourage present employees to become proficient 1516
in other languages, or to retain qualified bilingual employees. 1517
The bilingual pay supplement provided in this division may be 1518
granted in the amount of five per cent of the employee's 1519
classification salary base for each required foreign language and 1520
shall remain in effect as long as the bilingual requirement 1521
exists. 1522

(I) The director may establish a shift differential for 1523
employees. ~~Such~~ The differential shall be paid to employees in 1524
positions working in other than the regular or first shift. In 1525
those divisions or agencies where only one shift prevails, no 1526
shift differential shall be paid regardless of the hours of the 1527
day that are worked. The director and the appointing authority 1528
shall designate which positions shall be covered by this division. 1529

(J) Whenever an employee is assigned to work in a higher 1530
level position for a continuous period of more than two weeks but 1531
no more than two years because of a vacancy, the employee's pay 1532
may be established at a rate that is approximately four per cent 1533
above the employee's current base rate for the period the employee 1534
occupies the position, provided that this temporary occupancy is 1535
approved by the director. Employees paid under this division shall 1536
continue to receive any of the pay supplements due them under 1537
other divisions of this section based on the step one base rate 1538
for their normal classification. 1539

(K) If a certain position, or positions, within a class paid 1540
~~under in accordance with~~ schedule B of section 124.15 of the 1541
Revised Code or ~~under salary in accordance with~~ schedule E-1 or 1542
schedule E-1 for step seven only of section 124.152 of the Revised 1543
Code are mandated by state or federal law or regulation or other 1544
regulatory agency or other certification authority to have special 1545
technical certification, registration, or licensing to perform the 1546

functions which are under the mandate, a special professional 1547
achievement pay supplement may be granted. This special 1548
professional achievement pay supplement shall not be granted when 1549
all incumbents in all positions in a class require a license as 1550
provided in the classification description published by the 1551
department of administrative services; to licensees where no 1552
special or extensive training is required; when certification is 1553
granted upon completion of a stipulated term of in-service 1554
training; when an appointing authority has required certification; 1555
or any other condition prescribed by the director. 1556

(1) Before this supplement may be applied, evidence as to the 1557
requirement must be provided by the agency for each position 1558
involved, and certification must be received from the director as 1559
to the director's concurrence for each of the positions so 1560
affected. 1561

(2) The professional achievement pay supplement provided in 1562
this division shall be granted in an amount up to ten per cent of 1563
the employee's classification salary base and shall remain in 1564
effect as long as the mandate exists. 1565

(L) Those employees assigned to teaching supervisory, 1566
principal, assistant principal, or superintendent positions who 1567
have attained a higher educational level than a basic bachelor's 1568
degree may receive an educational pay supplement to remain in 1569
effect as long as the employee's assignment and classification 1570
remain the same. 1571

(1) An educational pay supplement of two and one-half per 1572
cent of the employee's classification salary base may be applied 1573
upon the achievement of a bachelor's degree plus twenty quarter 1574
hours of postgraduate work. 1575

(2) An educational pay supplement of an additional five per 1576
cent of the employee's classification salary base may be applied 1577

upon achievement of a master's degree. 1578

(3) An educational pay supplement of an additional two and 1579
one-half per cent of the employee's classification salary base may 1580
be applied upon achievement of a master's degree plus thirty 1581
quarter hours of postgraduate work. 1582

(4) An educational pay supplement of five per cent of the 1583
employee's classification salary base may be applied when the 1584
employee is performing as a master teacher. 1585

(5) An educational pay supplement of five per cent of the 1586
employee's classification salary base may be applied when the 1587
employee is performing as a special education teacher. 1588

(6) Those employees in teaching supervisory, principal, 1589
assistant principal, or superintendent positions who are 1590
responsible for specific extracurricular activity programs shall 1591
receive overtime pay for those hours worked in excess of their 1592
normal schedule, at their straight time hourly rate up to a 1593
maximum of five per cent of their regular base salary in any 1594
calendar year. 1595

(M)(1) A state agency, board, or commission may establish a 1596
supplementary compensation schedule for those licensed physicians 1597
employed by the agency, board, or commission in positions 1598
requiring a licensed physician. The supplementary compensation 1599
schedule, together with the compensation otherwise authorized by 1600
this chapter, shall provide for the total compensation for these 1601
employees to range appropriately, but not necessarily uniformly, 1602
for each classification title requiring a licensed physician, in 1603
accordance with a schedule approved by the state controlling 1604
board. The individual salary levels recommended for each such 1605
physician employed shall be approved by the director. 1606
Notwithstanding section 124.11 of the Revised Code, such personnel 1607
are in the unclassified civil service. 1608

(2) The director of administrative services may approve 1609
supplementary compensation for the director of health, if the 1610
director is a licensed physician, in accordance with a 1611
supplementary compensation schedule approved under division (M)(1) 1612
of this section or in accordance with another supplementary 1613
compensation schedule the director of administrative services 1614
considers appropriate. The supplementary compensation shall not 1615
exceed twenty per cent of the director of health's base rate of 1616
pay. 1617

(N) Notwithstanding sections 117.28, 117.30, 117.33, 117.36, 1618
117.42, and 131.02 of the Revised Code, the state shall not 1619
institute any civil action to recover and shall not seek 1620
reimbursement for overpayments made in violation of division (E) 1621
of this section or division (C) of section 9.44 of the Revised 1622
Code for the period starting after June 24, 1987, and ending on 1623
October 31, 1993. 1624

(O) Employees of the office of the treasurer of state who are 1625
exempt from collective bargaining coverage may be granted a merit 1626
pay supplement of up to one and one-half per cent of their step 1627
rate. The rate at which this supplement is granted shall be based 1628
on performance standards established by the treasurer of state. 1629
Any supplements granted under this division shall be administered 1630
on an annual basis. 1631

Sec. 124.183. (A) As used in this section, "active payroll" 1632
means when an employee is actively working; on military, ~~worker's~~ 1633
workers' compensation, occupational injury, or disability leave; 1634
or on an approved leave of absence. 1635

(B)(1) Each permanent employee paid ~~under~~ in accordance with 1636
schedule E-1 of section 124.152 of the Revised Code who was 1637
appointed on or before March 6, 2003, and ~~is~~ remains continuously 1638
on the active payroll ~~as of~~ through November 14, 2004, shall 1639

receive a one-time pay supplement. The supplement shall be a two 1640
per cent lump sum payment that is based on the annualization of 1641
the top step of the pay range in schedule E-1 that the employee is 1642
in on November 14, 2004. 1643

(2) Each permanent employee paid in accordance with schedule 1644
E-1 for step seven only of section 124.152 of the Revised Code who 1645
was appointed on or before March 6, 2003, and remains continuously 1646
on the active payroll through November 14, 2004, shall receive a 1647
one-time pay supplement. The supplement shall be a two per cent 1648
lump sum payment that is based on the annualization of step 6 of 1649
the pay range in schedule E-1 of section 124.152 of the Revised 1650
Code that corresponds with the pay range in schedule E-1 for step 1651
seven only that the employee is in on November 14, 2004. 1652

(3) Each permanent employee paid under schedule E-2 of 1653
section 124.152 of the Revised Code who was appointed on or before 1654
March 6, 2003, and ~~is~~ remains continuously on the active payroll 1655
~~as of~~ through November 14, 2004, shall receive a one-time pay 1656
supplement. The supplement shall be a two per cent lump sum 1657
payment that is based upon the annualization of the maximum hourly 1658
rate of the pay range in schedule E-2 that the employee is in on 1659
November 14, 2004. 1660

(C) Each permanent employee who is exempt from collective 1661
bargaining, is not covered by division (B) of this section, was 1662
appointed on or before March 6, 2003, and ~~is~~ remains continuously 1663
on the active payroll ~~as of~~ through November 14, 2004, shall 1664
receive a one-time pay supplement. The supplement shall be a two 1665
per cent lump sum payment that is based upon the annualization of 1666
the base rate of the employee's pay on November 14, 2004. 1667

(D) A part-time employee who is eligible to receive a 1668
one-time pay supplement under division (B) or (C) of this section 1669
shall have the employee's one-time pay supplement pro-rated based 1670
on the number of hours worked in the twenty-six pay periods prior 1671

to November 14, 2004. 1672

An employee who is eligible to receive a one-time pay 1673
supplement under division (B) or (C) of this section and was on a 1674
voluntary leave of absence shall have the employee's one-time pay 1675
supplement pro-rated based on the number of hours worked in the 1676
twenty-six pay periods prior to November 14, 2004. 1677

(E) A one-time pay supplement under this section shall be 1678
paid in the employee's first paycheck in December of 2004. 1679

(F) Notwithstanding any provision of law to the contrary, a 1680
one-time pay supplement under this section shall not be subject to 1681
withholding for deposit into any state retirement system. 1682
Notwithstanding any provision of law to the contrary, a one-time 1683
pay supplement under this section shall not be used for 1684
calculation purposes in determining an employee's retirement 1685
benefits in any state retirement system. 1686

(G)(1) This section does not apply to employees of the 1687
general assembly, legislative agencies, or the supreme court, ~~or~~ 1688
~~state boards or commissions.~~ 1689

(2) This section does not apply to employees of the secretary 1690
of state, the auditor of state, the treasurer of state, or the 1691
attorney general unless the secretary of state, the auditor of 1692
state, the treasurer of state, or the attorney general decides 1693
that the office's employees should be eligible for the one-time 1694
pay supplement and so notifies the director of administrative 1695
services in writing on or before July 1, 2004. 1696

Sec. 124.382. (A) As used in this section and sections 1697
124.383, 124.386, 124.387, and 124.388 of the Revised Code: 1698

(1) "Base pay period" means the pay period that includes the 1699
first day of December. 1700

(2) "Pay period" means the fourteen-day period of time during 1701

which the payroll is accumulated, as determined by the director of administrative services. 1702
1703

(3) "Active pay status" means the conditions under which an employee is eligible to receive pay, and includes, but is not limited to, vacation leave, sick leave, personal leave, bereavement leave, and administrative leave. 1704
1705
1706
1707

(4) "No pay status" means the conditions under which an employee is ineligible to receive pay, and includes, but is not limited to, leave without pay, leave of absence, and disability leave. 1708
1709
1710
1711

(5) "Disability leave" means the leave granted pursuant to section 124.385 of the Revised Code. 1712
1713

(6) "Full-time permanent employee" means an employee whose regular hours of duty total eighty hours in a pay period in a state agency, and whose appointment is not for a limited period of time. 1714
1715
1716
1717

(7) "Base rate of pay" means the rate of pay established under schedule B or C of section 124.15 of the Revised Code or under schedule E-1, schedule E-1 for step seven only, or schedule E-2 of section 124.152 of the Revised Code, plus any supplement provided under section 124.181 of the Revised Code, plus any supplements enacted into law which are added to schedule B or C of section 124.15 of the Revised Code or to schedule E-1, schedule E-1 for step seven only, or schedule E-2 of section 124.152 of the Revised Code. 1718
1719
1720
1721
1722
1723
1724
1725
1726

(8) "Part-time permanent employee" means an employee whose regular hours of duty total less than eighty hours in a pay period in a state agency and whose appointment is not for a limited period of time. 1727
1728
1729
1730

(B) Each full-time permanent and part-time permanent employee whose salary or wage is paid directly by warrant of the auditor of 1731
1732

state shall be credited with sick leave of three and one-tenth 1733
hours for each completed eighty hours of service, excluding 1734
overtime hours worked. 1735

(C) Any sick leave credit provided pursuant to division (B) 1736
of this section, remaining as of the last day of the pay period 1737
preceding the next succeeding base pay period, shall be converted 1738
pursuant to section 124.383 of the Revised Code. 1739

(D) Employees may use sick leave, provided a credit balance 1740
is available, upon approval of the responsible administrative 1741
officer of the employing unit, for absence due to personal 1742
illness, pregnancy, injury, exposure to contagious disease ~~which~~ 1743
that could be communicated to other employees, and ~~to~~ illness, 1744
injury, or death in the employee's immediate family. When sick 1745
leave is used, it shall be deducted from the employee's credit on 1746
the basis of absence from previously scheduled work in such 1747
increments of an hour and at such a compensation rate as the 1748
director of administrative services determines. The appointing 1749
authority of each employing unit may require an employee to 1750
furnish a satisfactory, signed statement to justify the use of 1751
sick leave. 1752

If, after having utilized the credit provided by this 1753
section, an employee utilizes sick leave that was accumulated 1754
prior to November 15, 1981, compensation for such sick leave used 1755
shall be at a rate as the director determines. 1756

(E)(1) The previously accumulated sick leave balance of an 1757
employee who has been separated from the public service, for which 1758
separation payments pursuant to ~~the provisions of~~ section 124.384 1759
of the Revised Code have not been made, shall be placed to the 1760
employee's credit upon the employee's reemployment in the public 1761
service, if the reemployment takes place within ten years of the 1762
date on which the employee was last terminated from public 1763
service. 1764

(2) The previously accumulated sick leave balance of an 1765
employee who has separated from a school district shall be placed 1766
to the employee's credit upon the employee's appointment as an 1767
unclassified employee of the state department of education, if all 1768
of the following apply: 1769

(a) The employee accumulated the sick leave balance while 1770
employed by the school district. 1771

(b) The employee did not receive any separation payments for 1772
the sick leave balance. 1773

(c) The employee's employment with the department takes place 1774
within ten years after the date on which the employee separated 1775
from the school district. 1776

(F) An employee who transfers from one public agency to 1777
another shall be credited with the unused balance of the 1778
employee's accumulated sick leave. 1779

(G) The director of administrative services shall establish 1780
procedures to uniformly administer this section. No sick leave may 1781
be granted to a state employee upon or after the employee's 1782
retirement or termination of employment. 1783

Sec. 126.32. (A) Any officer of any state agency may 1784
authorize reimbursement for travel, including the costs of 1785
transportation, for lodging, and for meals to any person who is 1786
interviewing for a position that is classified in pay range 13 or 1787
above in schedule E-1 or schedule E-1 for step seven only, or is 1788
classified in schedule E-2, of section 124.152 of the Revised 1789
Code. 1790

(B) If a person is appointed to a position listed in section 1791
121.03 of the Revised Code, to the position of chairperson of the 1792
industrial commission, adjutant general, chancellor of the Ohio 1793
board of regents, superintendent of public instruction, 1794

chairperson of the public utilities commission of Ohio, or 1795
director of the state lottery commission, to a position holding a 1796
fiduciary relationship to the governor, to a position of an 1797
appointing authority of the department of mental health, mental 1798
retardation and developmental disabilities, or rehabilitation and 1799
correction, to a position of superintendent in the department of 1800
youth services, or to a position under section 122.05 of the 1801
Revised Code, and if that appointment requires a permanent change 1802
of residence, the appropriate state agency may reimburse the 1803
person for the person's actual and necessary expenses, including 1804
the cost of in-transit storage of household goods and personal 1805
effects, of moving the person and members of the person's 1806
immediate family residing in the person's household, and of moving 1807
their household goods and personal effects, to the person's new 1808
location. 1809

Until that person moves the person's permanent residence to 1810
the new location, but not for a period that exceeds thirty 1811
consecutive days, the state agency may reimburse the person for 1812
the person's temporary living expenses at the new location that 1813
the person has incurred on behalf of the person and members of the 1814
person's immediate family residing in the person's household. In 1815
addition, the state agency may reimburse that person for the 1816
person's travel expenses between the new location and the person's 1817
former residence during this period for a maximum number of trips 1818
specified by rule of the director of budget and management, but 1819
the state agency shall not reimburse the person for travel 1820
expenses incurred for those trips by members of the person's 1821
immediate family. With the prior written approval of the director, 1822
the maximum thirty-day period for temporary living expenses may be 1823
extended for a person appointed to a position under section 122.05 1824
of the Revised Code. 1825

The director of development may reimburse a person appointed 1826

to a position under section 122.05 of the Revised Code for the 1827
person's actual and necessary expenses of moving the person and 1828
members of the person's immediate family residing in the person's 1829
household back to the United States and may reimburse a person 1830
appointed to such a position for the cost of storage of household 1831
goods and personal effects of the person and the person's 1832
immediate family while the person is serving outside the United 1833
States, if the person's office outside the United States is the 1834
person's primary job location. 1835

(C) All reimbursement under division (A) or (B) of this 1836
section shall be made in the manner, and at rates that do not 1837
exceed those, provided by rule of the director of budget and 1838
management in accordance with section 111.15 of the Revised Code. 1839
Reimbursements may be made under division (B) of this section 1840
directly to the persons who incurred the expenses or directly to 1841
the providers of goods or services the persons receive, as 1842
determined by the director of budget and management. 1843

Sec. 152.09. (A) As used in sections 152.06 and 152.09 to 1844
152.33 of the Revised Code: 1845

(1) "Obligations" means bonds, notes, or other evidences of 1846
obligation, including interest coupons pertaining thereto, issued 1847
pursuant to sections 152.09 to 152.33 of the Revised Code. 1848

(2) "State agencies" means the state of Ohio and branches, 1849
officers, boards, commissions, authorities, departments, 1850
divisions, courts, general assembly, or other units or agencies of 1851
the state. "State agency" also includes counties, municipal 1852
corporations, and governmental entities of this state that enter 1853
into leases with the Ohio building authority pursuant to section 1854
152.31 of the Revised Code or that are designated by law as state 1855
agencies for the purpose of performing a state function that is to 1856
be housed by a capital facility for which the Ohio building 1857

authority is authorized to issue revenue obligations pursuant to 1858
sections 152.09 to 152.33 of the Revised Code. 1859

(3) "Bond service charges" means principal, including 1860
mandatory sinking fund requirements for retirement of obligations, 1861
and interest, and redemption premium, if any, required to be paid 1862
by the Ohio building authority on obligations. 1863

(4) "Capital facilities" means buildings, structures, and 1864
other improvements, and equipment, real estate, and interests in 1865
real estate therefor, within the state, and any one, part of, or 1866
combination of the foregoing, for housing of branches and agencies 1867
of state government, including capital facilities for the purpose 1868
of housing personnel, equipment, or functions, or any combination 1869
thereof that the state agencies are responsible for housing, for 1870
which the Ohio building authority is authorized to issue 1871
obligations pursuant to Chapter 152. of the Revised Code, and 1872
includes storage and parking facilities related to such capital 1873
facilities. 1874

(5) "Cost of capital facilities" means the costs of 1875
acquiring, constructing, reconstructing, rehabilitating, 1876
remodeling, renovating, enlarging, improving, altering, 1877
maintaining, equipping, furnishing, repairing, painting, 1878
decorating, managing, or operating capital facilities, and the 1879
financing thereof, including the cost of clearance and preparation 1880
of the site and of any land to be used in connection with capital 1881
facilities, the cost of participating in capital facilities 1882
pursuant to section 152.33 of the Revised Code, the cost of any 1883
indemnity and surety bonds and premiums on insurance, all related 1884
direct administrative expenses and allocable portions of direct 1885
costs of the authority and lessee state agencies, cost of 1886
engineering and architectural services, designs, plans, 1887
specifications, surveys, and estimates of cost, legal fees, fees 1888
and expenses of trustees, depositories, and paying agents for the 1889

obligations, cost of issuance of the obligations and financing 1890
charges and fees and expenses of financial advisers and 1891
consultants in connection therewith, interest on obligations from 1892
the date thereof to the time when interest is to be covered from 1893
sources other than proceeds of obligations, amounts that represent 1894
the portion of investment earnings to be rebated or to be paid to 1895
the federal government in order to maintain the exclusion from 1896
gross income for federal income tax purposes of interest on those 1897
obligations pursuant to section 148(f) of the Internal Revenue 1898
Code, amounts necessary to establish reserves as required by the 1899
resolutions or the obligations, trust agreements, or indentures, 1900
costs of audits, the reimbursement of all moneys advanced or 1901
applied by or borrowed from any governmental entity, whether to or 1902
by the authority or others, from whatever source provided, for the 1903
payment of any item or items of cost of the capital facilities, 1904
any share of the cost undertaken by the authority pursuant to 1905
arrangements made with governmental entities under division (J) of 1906
section 152.21 of the Revised Code, and all other expenses 1907
necessary or incident to planning or determining the feasibility 1908
or practicability with respect to capital facilities, and such 1909
other expenses as may be necessary or incident to the acquisition, 1910
construction, reconstruction, rehabilitation, remodeling, 1911
renovation, enlargement, improvement, alteration, maintenance, 1912
equipment, furnishing, repair, painting, decoration, management, 1913
or operation of capital facilities, the financing thereof and the 1914
placing of the same in use and operation, including any one, part 1915
of, or combination of such classes of costs and expenses. 1916

(6) "Governmental entity" means any state agency, municipal 1917
corporation, county, township, school district, and any other 1918
political subdivision or special district in this state 1919
established pursuant to law, and, except where otherwise 1920
indicated, also means the United States or any of the states or 1921
any department, division, or agency thereof, and any agency, 1922

commission, or authority established pursuant to an interstate 1923
compact or agreement. 1924

(7) "Governing body" means: 1925

(a) In the case of a county, the board of county 1926
commissioners or other legislative authority; in the case of a 1927
municipal corporation, the legislative authority; in the case of a 1928
township, the board of township trustees; in the case of a school 1929
district, the board of education; 1930

(b) In the case of any other governmental entity, the 1931
officer, board, commission, authority, or other body having the 1932
general management of the entity or having jurisdiction or 1933
authority in the particular circumstances. 1934

(8) "Available receipts" means fees, charges, revenues, 1935
grants, subsidies, income from the investment of moneys, proceeds 1936
from the sale of goods or services, and all other revenues or 1937
receipts received by or on behalf of any state agency for which 1938
capital facilities are financed with obligations issued under 1939
Chapter 152. of the Revised Code, any state agency participating 1940
in capital facilities pursuant to section 152.33 of the Revised 1941
Code, or any state agency by which the capital facilities are 1942
constructed or financed; revenues or receipts derived by the 1943
authority from the operation, leasing, or other disposition of 1944
capital facilities, and the proceeds of obligations issued under 1945
Chapter 152. of the Revised Code; and also any moneys appropriated 1946
by a governmental entity, gifts, grants, donations, and pledges, 1947
and receipts therefrom, available for the payment of bond service 1948
charges on such obligations. 1949

(B) Pursuant to the powers granted to the general assembly 1950
under Section 2i of Article VIII, Ohio Constitution, to authorize 1951
the issuance of revenue obligations and other obligations, the 1952
owners or holders of which are not given the right to have excises 1953

or taxes levied by the general assembly for the payment of 1954
principal thereof or interest thereon, the Ohio building authority 1955
may issue obligations, in accordance with Chapter 152. of the 1956
Revised Code, and shall cause the net proceeds thereof, after any 1957
deposits of accrued interest for the payment of bond service 1958
charges and after any deposit of all or such lesser portion as the 1959
authority may direct of the premium received upon the sale of 1960
those obligations for the payment of the bond service charges, to 1961
be applied to the costs of capital facilities designated by or 1962
pursuant to act of the general assembly for housing state agencies 1963
as authorized by Chapter 152. of the Revised Code. The authority 1964
shall provide by resolution for the issuance of such obligations. 1965
The bond service charges and all other payments required to be 1966
made by the trust agreement or indenture securing such obligations 1967
shall be payable solely from available receipts of the authority 1968
pledged thereto as provided in such resolution. The available 1969
receipts pledged and thereafter received by the authority are 1970
immediately subject to the lien of such pledge without any 1971
physical delivery thereof or further act, and the lien of any such 1972
pledge is valid and binding against all parties having claims of 1973
any kind against the authority, irrespective of whether those 1974
parties have notice thereof, and creates a perfected security 1975
interest for all purposes of Chapter 1309. of the Revised Code and 1976
a perfected lien for purposes of any real property interest, all 1977
without the necessity for separation or delivery of funds or for 1978
the filing or recording of the resolution, trust agreement, 1979
indenture, or other agreement by which such pledge is created or 1980
any certificate, statement, or other document with respect 1981
thereto; and the pledge of such available receipts is effective 1982
and the money therefrom and thereof may be applied to the purposes 1983
for which pledged. Every pledge, and every covenant and agreement 1984
made with respect to the pledge, made in the resolution may 1985
therein be extended to the benefit of the owners and holders of 1986

obligations authorized by Chapter 152. of the Revised Code, and to 1987
any trustee therefor, for the further securing of the payment of 1988
the bond service charges, and all or any rights under any 1989
agreement or lease made under this section may be assigned for 1990
such purpose. Obligations may be issued at one time or from time 1991
to time, and each issue shall be dated, shall mature at such time 1992
or times as determined by the authority not exceeding forty years 1993
from the date of issue, and may be redeemable before maturity at 1994
the option of the authority at such price or prices and under such 1995
terms and conditions as are fixed by the authority prior to the 1996
issuance of the obligations. The authority shall determine the 1997
form of the obligations, fix their denominations, establish their 1998
interest rate or rates, which may be a variable rate or rates, or 1999
the maximum interest rate, and establish within or without this 2000
state a place or places of payment of bond service charges. 2001

(C) The obligations shall be signed by the authority 2002
chairperson, vice-chairperson, and secretary-treasurer, and the 2003
authority seal shall be affixed. The signatures may be facsimile 2004
signatures and the seal affixed may be a facsimile seal, as 2005
provided by resolution of the authority. Any coupons attached may 2006
bear the facsimile signature of the chairperson. In case any 2007
officer who has signed any obligations, or caused the officer's 2008
facsimile signature to be affixed thereto, ceases to be such 2009
officer before such obligations have been delivered, such 2010
obligations may, nevertheless, be issued and delivered as though 2011
the person who had signed the obligations or caused the person's 2012
facsimile signature to be affixed thereto had not ceased to be 2013
such officer. 2014

Any obligations may be executed on behalf of the authority by 2015
an officer who, on the date of execution, is the proper officer 2016
although on the date of such obligations such person was not the 2017
proper officer. 2018

(D) All obligations issued by the authority shall have all the qualities and incidents of negotiable instruments and may be issued in coupon or in registered form, or both, as the authority determines. Provision may be made for the registration of any obligations with coupons attached thereto as to principal alone or as to both principal and interest, their exchange for obligations so registered, and for the conversion or reconversion into obligations with coupons attached thereto of any obligations registered as to both principal and interest, and for reasonable charges for such registration, exchange, conversion, and reconversion. The authority may sell its obligations in any manner and for such prices as it determines, except that the authority shall sell obligations sold at public or private sale in accordance with section 152.091 of the Revised Code.

(E) The obligations of the authority, principal, interest, and any proceeds from their sale or transfer, are exempt from all taxation within this state.

(F) The authority is authorized to issue revenue obligations and other obligations under Section 2i of Article VIII, Ohio Constitution, for the purpose of paying the cost of capital facilities for housing of branches and agencies of state government, including capital facilities for the purpose of housing personnel, equipment, or functions, or any combination thereof that the state agencies are responsible for housing, as are authorized by Chapter 152. of the Revised Code, and that are authorized by the general assembly by the appropriation of lease payments or other moneys for such capital facilities or by any other act of the general assembly, but not including the appropriation of moneys for feasibility studies for such capital facilities. This division does not authorize the authority to issue obligations pursuant to Section 2i of Article VIII, Ohio Constitution, to pay the cost of capital facilities for mental

hygiene and retardation, parks and recreation, or state-supported 2051
or state-assisted institutions of higher education. 2052

Sec. 175.21. (A) The low- and moderate-income housing trust 2053
fund is hereby created in the state treasury. The fund shall 2054
consist of all appropriations made to the fund, housing trust fund 2055
fees collected by county recorders pursuant to section 317.36 of 2056
the Revised Code and deposited into the fund pursuant to section 2057
319.63 of the Revised Code, and all grants, gifts, loan 2058
repayments, and contributions of money made from any source to the 2059
department of development for deposit in the fund. All investment 2060
earnings of the fund shall be credited to the fund. The director 2061
of development shall allocate a portion of the money in the fund 2062
to an account of the Ohio housing finance agency. The department 2063
shall administer the fund. The agency shall use money allocated to 2064
it in the fund for implementing and administering its programs and 2065
duties under sections 175.22 and 175.24 of the Revised Code, and 2066
the department shall use the remaining money in the fund for 2067
implementing and administering its programs and duties under 2068
sections 175.22 to 175.25 of the Revised Code. Use of all money in 2069
the fund is subject to the following restrictions: 2070

(1) Not more than six per cent of any current year 2071
appropriation authority for the fund shall be used for the 2072
transitional and permanent housing program to make grants to 2073
municipal corporations, counties, townships, and nonprofit 2074
organizations for the acquisition, rehabilitation, renovation, 2075
construction, conversion, operation, and cost of supportive 2076
services for new and existing transitional and permanent housing 2077
for homeless persons. 2078

(2)(a) Not more than five per cent of any current year 2079
appropriation authority for the fund shall be used for grants and 2080
loans to community development corporations and the Ohio community 2081

development finance fund, a private nonprofit corporation. 2082

(b) In any year in which the amount in the fund exceeds one 2083
hundred thousand dollars, not less than one hundred thousand 2084
dollars shall be used to provide training, technical assistance, 2085
and capacity building assistance to nonprofit development 2086
organizations in areas of the state the director designates as 2087
underserved. 2088

(c) For monies awarded in any fiscal year, priority shall be 2089
given to proposals submitted by nonprofit development 2090
organizations from areas of the state the director designates as 2091
underserved. 2092

(3) Not more than seven per cent of any current year 2093
appropriation authority for the fund shall be used for the 2094
emergency shelter housing grants program to make grants to 2095
private, nonprofit organizations and municipal corporations, 2096
counties, and townships for emergency shelter housing for the 2097
homeless. The grants shall be distributed pursuant to rules the 2098
director adopts and qualify as matching funds for funds obtained 2099
pursuant to the McKinney Act, 101 Stat. 85 (1987), 42 U.S.C.A. 2100
11371 to 11378. 2101

(4) In any fiscal year in which the amount in the fund 2102
exceeds the amount awarded pursuant to division (A)(2)(b) of this 2103
section by at least two hundred fifty thousand dollars, at least 2104
two hundred fifty thousand dollars from the fund shall be provided 2105
to the department of aging for the resident services coordinator 2106
program. 2107

(5) Of all ~~money in~~ current year appropriation authority for 2108
the fund+ 2109

~~(a) Not, not~~ more than five per cent shall be used for 2110
administration. 2111

~~(b)(6)~~ Not less than forty-five per cent of the funds awarded 2112

during any one fiscal year shall be for grants and loans to 2113
nonprofit organizations under section 175.22 of the Revised Code. 2114

~~(e)~~(7) Not less than fifty per cent of the funds awarded 2115
during any one fiscal year, excluding the amounts awarded pursuant 2116
to divisions (A)(1), (A)(2), and (A)(3) of this section, shall be 2117
for grants and loans for activities that provide housing and 2118
housing assistance to families and individuals in rural areas and 2119
small cities that are not eligible to participate as a 2120
participating jurisdiction under the "HOME Investment Partnerships 2121
Act," 104 Stat. 4094 (1990), 42 U.S.C. 12701 note, 12721. 2122

~~(d)~~(8) No money in the fund shall be used to pay for any 2123
legal services other than the usual and customary legal services 2124
associated with the acquisition of housing. 2125

~~(6)~~(9) Except as otherwise provided by the director under 2126
division (B) of this section, money in the fund may be used as 2127
matching money for federal funds received by the state, counties, 2128
municipal corporations, and townships for the activities listed in 2129
section 175.22 of the Revised Code. 2130

(B) If after the second quarter of any year it appears to the 2131
director that the full amount of the money in the fund designated 2132
in that year for activities that provide housing and housing 2133
assistance to families and individuals in rural areas and small 2134
cities under division (A) of this section will not be used for 2135
that purpose, the director may reallocate all or a portion of that 2136
amount for other housing activities. In determining whether or how 2137
to reallocate money under this division, the director may consult 2138
with and shall receive advice from the housing trust fund advisory 2139
committee. 2140

Sec. 3327.01. Notwithstanding division (D) of section 3311.19 2141
and division (D) of section 3311.52 of the Revised Code, this 2142
section and sections 3327.011, 3327.012, and 3327.02 of the 2143

Revised Code do not apply to any joint vocational or cooperative 2144
education school district. 2145

In all city, local, and exempted village school districts 2146
where resident school pupils in grades kindergarten through eight 2147
live more than two miles from the school for which the state board 2148
of education prescribes minimum standards pursuant to division (D) 2149
of section 3301.07 of the Revised Code and to which they are 2150
assigned by the board of education of the district of residence or 2151
to and from the nonpublic or community school which they attend 2152
the board of education shall provide transportation for such 2153
pupils to and from such school except as provided in section 2154
3327.02 of the Revised Code. 2155

In all city, local, and exempted village school districts the 2156
board may provide transportation for resident school pupils in 2157
grades nine through twelve to and from the high school to which 2158
they are assigned by the board of education of the district of 2159
residence or to and from the nonpublic or community high school 2160
which they attend for which the state board of education 2161
prescribes minimum standards pursuant to division (D) of section 2162
3301.07 of the Revised Code. 2163

A board of education shall not be required to transport 2164
elementary or high school pupils to and from a nonpublic or 2165
community school where such transportation would require more than 2166
thirty minutes of direct travel time as measured by school bus 2167
from the ~~collection point~~ public school building to which the 2168
pupils would be assigned if attending the public school designated 2169
by the district of residence. 2170

Where it is impractical to transport a pupil by school 2171
conveyance, a board of education may offer payment, in lieu of 2172
providing such transportation in accordance with section 3327.02 2173
of the Revised Code. 2174

In all city, local, and exempted village school districts the board shall provide transportation for all children who are so crippled that they are unable to walk to and from the school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code and which they attend. In case of dispute whether the child is able to walk to and from the school, the health commissioner shall be the judge of such ability. In all city, exempted village, and local school districts the board shall provide transportation to and from school or special education classes for educable mentally retarded children in accordance with standards adopted by the state board of education.

When transportation of pupils is provided the conveyance shall be run on a time schedule that shall be adopted and put in force by the board not later than ten days after the beginning of the school term.

The cost of any transportation service authorized by this section shall be paid first out of federal funds, if any, available for the purpose of pupil transportation, and secondly out of state appropriations, in accordance with regulations adopted by the state board of education.

No transportation of any pupils shall be provided by any board of education to or from any school which in the selection of pupils, faculty members, or employees, practices discrimination against any person on the grounds of race, color, religion, or national origin.

Sec. 3334.01. As used in this chapter:

(A) "Aggregate original principal amount" means the aggregate of the initial offering prices to the public of college savings bonds, exclusive of accrued interest, if any. "Aggregate original

principal amount" does not mean the aggregate accreted amount 2205
payable at maturity or redemption of such bonds. 2206

(B) "Beneficiary" means: 2207

(1) An individual designated by the purchaser under a tuition 2208
payment contract or through a scholarship program as the 2209
individual on whose behalf tuition credits purchased under the 2210
contract or awarded through the scholarship program will be 2211
applied toward the payment of undergraduate, graduate, or 2212
professional tuition; or 2213

(2) An individual designated by the contributor under a 2214
variable college savings program contract as the individual whose 2215
tuition and other higher education expenses will be paid from a 2216
variable college savings program account. 2217

(C) "Capital appreciation bond" means a bond for which the 2218
following is true: 2219

(1) The principal amount is less than the amount payable at 2220
maturity or early redemption; and 2221

(2) No interest is payable on a current basis. 2222

(D) "Tuition credit" means a credit of the Ohio tuition trust 2223
authority purchased under section 3334.09 of the Revised Code. 2224

(E) "College savings bonds" means revenue and other 2225
obligations issued on behalf of the state or any agency or issuing 2226
authority thereof as a zero-coupon or capital appreciation bond, 2227
and designated as college savings bonds as provided in this 2228
chapter. "College savings bond issue" means any issue of bonds of 2229
which any part has been designated as college savings bonds. 2230

(F) "Institution of higher education" means a state 2231
institution of higher education, a private college, university, or 2232
other postsecondary institution located in this state that 2233
possesses a certificate of authorization issued by the Ohio board 2234

of regents pursuant to Chapter 1713. of the Revised Code or a 2235
certificate of registration issued by the state board of career 2236
colleges and schools under Chapter 3332. of the Revised Code, or 2237
an accredited college, university, or other postsecondary 2238
institution located outside this state that is accredited by an 2239
accrediting organization or professional association recognized by 2240
the authority. To be considered an institution of higher 2241
education, an institution shall meet the definition of an eligible 2242
educational institution under section 529 of the Internal Revenue 2243
Code. 2244

(G) "Issuing authority" means any authority, commission, 2245
body, agency, or individual empowered by the Ohio Constitution or 2246
the Revised Code to issue bonds or any other debt obligation of 2247
the state or any agency or department thereof. "Issuer" means the 2248
issuing authority or, if so designated under division (B) of 2249
section 3334.04 of the Revised Code, the treasurer of state. 2250

(H) "Tuition" means the charges imposed to attend an 2251
institution of higher education as an undergraduate, graduate, or 2252
professional student and all fees required as a condition of 2253
enrollment, as determined by the Ohio tuition trust authority. 2254
"Tuition" does not include laboratory fees, room and board, or 2255
other similar fees and charges. 2256

(I) "Weighted average tuition" means the tuition cost 2257
resulting from the following calculation: 2258

(1) Add the products of the annual undergraduate tuition 2259
charged to Ohio residents at each four-year state university 2260
multiplied by that institution's total number of undergraduate 2261
fiscal year equated students; and 2262

(2) Divide the gross total of the products from division 2263
(I)(1) of this section by the total number of undergraduate fiscal 2264
year equated students attending four-year state universities. 2265

When making this calculation, the "annual undergraduate tuition charged to Ohio residents" shall not incorporate any tuition reductions that vary in amount among individual recipients and that are awarded to Ohio residents based upon their particular circumstances.

(J) "Zero-coupon bond" means a bond which has a stated interest rate of zero per cent and on which no interest is payable until the maturity or early redemption of the bond, and is offered at a substantial discount from its original stated principal amount.

(K) "State institution of higher education" includes the state universities listed in section 3345.011 of the Revised Code, community colleges created pursuant to Chapter 3354. of the Revised Code, university branches created pursuant to Chapter 3355. of the Revised Code, technical colleges created pursuant to Chapter 3357. of the Revised Code, state community colleges created pursuant to Chapter 3358. of the Revised Code, the medical college of Ohio at Toledo, and the northeastern Ohio universities college of medicine.

(L) "Four-year state university" means those state universities listed in section 3345.011 of the Revised Code.

(M) "Principal amount" refers to the initial offering price to the public of an obligation, exclusive of the accrued interest, if any. "Principal amount" does not refer to the aggregate accreted amount payable at maturity or redemption of an obligation.

(N) "Scholarship program" means a program registered with the Ohio tuition trust authority pursuant to section 3334.17 of the Revised Code.

(O) "Internal Revenue Code" means the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1 et seq., as amended.

(P) "Other higher education expenses" means room and board 2297
and books, supplies, equipment, and nontuition-related fees 2298
associated with the cost of attendance of a beneficiary at an 2299
institution of higher education, but only to the extent that such 2300
expenses meet the definition of "qualified higher education 2301
expenses" under section 529 of the Internal Revenue Code. "Other 2302
higher education expenses" does not include tuition as defined in 2303
division (H) of this section. 2304

(Q) "Purchaser" means the person signing the tuition payment 2305
contract, who controls the account and acquires tuition credits 2306
for an account under the terms and conditions of the contract. 2307

(R) "Contributor" means a person who signs a variable college 2308
savings program contract with the Ohio tuition trust authority and 2309
contributes to and owns the account created under the contract. 2310

(S) "Contribution" means any payment directly allocated to an 2311
account for the benefit of the designated beneficiary of the 2312
account. 2313

Sec. 3383.09. (A) There is hereby created in the state 2314
treasury the arts and sports facilities building fund, which shall 2315
consist of proceeds of obligations authorized to pay costs of Ohio 2316
arts facilities ~~projects~~ and Ohio sports facilities for which 2317
appropriations are made by the general assembly. All investment 2318
earnings of the fund shall be credited to the fund. 2319

~~(B) There is hereby created in the state treasury the sports 2320
facilities building fund, which shall consist of proceeds of 2321
obligations authorized to pay costs of sports facilities projects 2322
for which appropriations are made by the general assembly. All 2323
investment earnings of the fund shall be credited to the fund. 2324~~

~~(C) The director of budget and management may transfer, to 2325
the Ohio arts and sports facilities commission administration 2326~~

fund, investment earnings credited to the arts ~~facilities building~~ 2327
~~fund~~ and the sports facilities building fund that exceed the 2328
amounts required to meet estimated federal arbitrage rebate 2329
requirements when requested of the director of budget and 2330
management by the chairperson or executive director of the 2331
commission. 2332

Sec. 3701.881. (A) As used in this section: 2333

(1) "Applicant" means both of the following: 2334

(a) A person who is under final consideration for appointment 2335
or employment with a home health agency in a position as a person 2336
responsible for the care, custody, or control of a child; 2337

(b) A person who is under final consideration for employment 2338
with a home health agency in a full-time, part-time, or temporary 2339
position that involves providing direct care to an older adult. 2340
With regard to persons providing direct care to older adults, 2341
"applicant" does not include a person who provides direct care as 2342
a volunteer without receiving or expecting to receive any form of 2343
remuneration other than reimbursement for actual expenses. 2344

(2) "Criminal records check" and "older adult" have the same 2345
meanings as in section 109.572 of the Revised Code. 2346

(3) "Home health agency" means a person or government entity, 2347
other than a nursing home, residential care facility, or hospice 2348
care program, that has the primary function of providing any of 2349
the following services to a patient at a place of residence used 2350
as the patient's home: 2351

(a) Skilled nursing care; 2352

(b) Physical therapy; 2353

(c) Speech-language pathology; 2354

(d) Occupational therapy; 2355

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| (e) Medical social services; | 2356 |
| (f) Home health aide services. | 2357 |
| (4) "Home health aide services" means any of the following services provided by an individual employed with or contracted for by a home health agency: | 2358 2359 2360 |
| (a) Hands-on bathing or assistance with a tub bath or shower; | 2361 |
| (b) Assistance with dressing, ambulation, and toileting; | 2362 |
| (c) Catheter care but not insertion; | 2363 |
| (d) Meal preparation and feeding. | 2364 |
| (5) "Hospice care program" has the same meaning as in section 3712.01 of the Revised Code. | 2365 2366 |
| (6) "Medical social services" means services provided by a social worker under the direction of a patient's attending physician. | 2367 2368 2369 |
| (7) "Minor drug possession offense" has the same meaning as in section 2925.01 of the Revised Code. | 2370 2371 |
| (8) "Nursing home," "residential care facility," and "skilled nursing care" have the same meanings as in section 3721.01 of the Revised Code. | 2372 2373 2374 |
| (9) "Occupational therapy" has the same meaning as in section 4755.01 of the Revised Code. | 2375 2376 |
| (10) "Physical therapy" has the same meaning as in section 4755.40 of the Revised Code. | 2377 2378 |
| (11) "Social worker" means a person licensed under Chapter 4757. of the Revised Code to practice as a social worker or independent social worker. | 2379 2380 2381 |
| (12) "Speech-language pathology" has the same meaning as in section 4753.01 of the Revised Code. | 2382 2383 |

(B)(1) Except as provided in division (I) of this section, 2384
the chief administrator of a home health agency shall request the 2385
superintendent of the bureau of criminal identification and 2386
investigation to conduct a criminal records check with respect to 2387
each applicant. If the position may involve both responsibility 2388
for the care, custody, or control of a child and provision of 2389
direct care to an older adult, the chief administrator shall 2390
request that the superintendent conduct a single criminal records 2391
check for the applicant. If an applicant for whom a criminal 2392
records check request is required under this division does not 2393
present proof of having been a resident of this state for the 2394
five-year period immediately prior to the date upon which the 2395
criminal records check is requested or does not provide evidence 2396
that within that five-year period the superintendent has requested 2397
information about the applicant from the federal bureau of 2398
investigation in a criminal records check, the chief administrator 2399
shall request that the superintendent obtain information from the 2400
federal bureau of investigation as a part of the criminal records 2401
check for the applicant. Even if an applicant for whom a criminal 2402
records check request is required under this division presents 2403
proof that the applicant has been a resident of this state for 2404
that five-year period, the chief administrator may request that 2405
the superintendent include information from the federal bureau of 2406
investigation in the criminal records check. 2407

(2) Any person required by division (B)(1) of this section to 2408
request a criminal records check shall provide to each applicant 2409
for whom a criminal records check request is required under that 2410
division a copy of the form prescribed pursuant to division (C)(1) 2411
of section 109.572 of the Revised Code and a standard impression 2412
sheet prescribed pursuant to division (C)(2) of section 109.572 of 2413
the Revised Code, obtain the completed form and impression sheet 2414
from each applicant, and forward the completed form and impression 2415

sheet to the superintendent of the bureau of criminal 2416
identification and investigation at the time the chief 2417
administrator requests a criminal records check pursuant to 2418
division (B)(1) of this section. 2419

(3) An applicant who receives pursuant to division (B)(2) of 2420
this section a copy of the form prescribed pursuant to division 2421
(C)(1) of section 109.572 of the Revised Code and a copy of an 2422
impression sheet prescribed pursuant to division (C)(2) of that 2423
section and who is requested to complete the form and provide a 2424
set of fingerprint impressions shall complete the form or provide 2425
all the information necessary to complete the form and shall 2426
provide the impression sheets with the impressions of the 2427
applicant's fingerprints. If an applicant, upon request, fails to 2428
provide the information necessary to complete the form or fails to 2429
provide fingerprint impressions, the home health agency shall not 2430
employ that applicant for any position for which a criminal 2431
records check is required by division (B)(1) of this section. 2432

(C)(1) Except as provided in rules adopted by the department 2433
of health in accordance with division (F) of this section and 2434
subject to division (C)(3) of this section, no home health agency 2435
shall employ a person as a person responsible for the care, 2436
custody, or control of a child if the person previously has been 2437
convicted of or pleaded guilty to any of the following: 2438

(a) A violation of section 2903.01, 2903.02, 2903.03, 2439
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2440
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2441
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2442
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2443
2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2444
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2445
2925.06, or 3716.11 of the Revised Code, a violation of section 2446
2905.04 of the Revised Code as it existed prior to July 1, 1996, a 2447

violation of section 2919.23 of the Revised Code that would have 2448
been a violation of section 2905.04 of the Revised Code as it 2449
existed prior to July 1, 1996, had the violation been committed 2450
prior to that date, a violation of section 2925.11 of the Revised 2451
Code that is not a minor drug possession offense, or felonious 2452
sexual penetration in violation of former section 2907.12 of the 2453
Revised Code; 2454

(b) A violation of an existing or former law of this state, 2455
any other state, or the United States that is substantially 2456
equivalent to any of the offenses listed in division (C)(1)(a) of 2457
this section. 2458

(2) Except as provided in rules adopted by the department of 2459
health in accordance with division (F) of this section and subject 2460
to division (C)(3) of this section, no home health agency shall 2461
employ a person in a position that involves providing direct care 2462
to an older adult if the person previously has been convicted of 2463
or pleaded guilty to any of the following: 2464

(a) A violation of section 2903.01, 2903.02, 2903.03, 2465
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2466
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2467
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2468
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2469
2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2470
2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2471
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2472
2925.22, 2925.23, or 3716.11 of the Revised Code. 2473

(b) A violation of an existing or former law of this state, 2474
any other state, or the United States that is substantially 2475
equivalent to any of the offenses listed in division (C)(2)(a) of 2476
this section. 2477

(3)(a) A home health agency may employ conditionally an 2478

applicant for whom a criminal records check request is required 2479
under division (B) of this section as a person responsible for the 2480
care, custody, or control of a child until the criminal records 2481
check regarding the applicant required by this section is 2482
completed and the agency receives the results of the criminal 2483
records check. If the results of the criminal records check 2484
indicate that, pursuant to division (C)(1) of this section, the 2485
applicant does not qualify for employment, the agency shall 2486
release the applicant from employment unless the agency chooses to 2487
employ the applicant pursuant to division (F) of this section. 2488

(b)(i) A home health agency may employ conditionally an 2489
applicant for whom a criminal records check request is required 2490
under division (B) of this section in a position that involves 2491
providing direct care to an older adult or in a position that 2492
involves both responsibility for the care, custody, and control of 2493
a child and the provision of direct care to older adults prior to 2494
obtaining the results of a criminal records check regarding the 2495
individual, provided that the agency shall request a criminal 2496
records check regarding the individual in accordance with division 2497
(B)(1) of this section not later than five business days after the 2498
individual begins conditional employment. In the circumstances 2499
described in division (I)(2) of this section, a home health agency 2500
may employ conditionally in a position that involves providing 2501
direct care to an older adult an applicant who has been referred 2502
to the home health agency by an employment service that supplies 2503
full-time, part-time, or temporary staff for positions involving 2504
the direct care of older adults and for whom, pursuant to that 2505
division, a criminal records check is not required under division 2506
(B) of this section. In the circumstances described in division 2507
(I)(4) of this section, a home health agency may employ 2508
conditionally in a position that involves both responsibility for 2509
the care, custody, and control of a child and the provision of 2510
direct care to older adults an applicant who has been referred to 2511

the home health agency by an employment service that supplies 2512
full-time, part-time, or temporary staff for positions involving 2513
both responsibility for the care, custody, and control of a child 2514
and the provision of direct care to older adults and for whom, 2515
pursuant to that division, a criminal records check is not 2516
required under division (B) of this section. 2517

(ii) A home health agency that employs an individual 2518
conditionally under authority of division (C)(3)(b)(i) of this 2519
section shall terminate the individual's employment if the results 2520
of the criminal records check requested under division (B)(1) of 2521
this section or described in division (I)(2) or (4) of this 2522
section, other than the results of any request for information 2523
from the federal bureau of investigation, are not obtained within 2524
the period ending ~~sixty~~ thirty days after the date the request is 2525
made. Regardless of when the results of the criminal records check 2526
are obtained, if the individual was employed conditionally in a 2527
position that involves the provision of direct care to older 2528
adults and the results indicate that the individual has been 2529
convicted of or pleaded guilty to any of the offenses listed or 2530
described in division (C)(2) of this section, or if the individual 2531
was employed conditionally in a position that involves both 2532
responsibility for the care, custody, and control of a child and 2533
the provision of direct care to older adults and the results 2534
indicate that the individual has been convicted of or pleaded 2535
guilty to any of the offenses listed or described in division 2536
(C)(1) or (2) of this section, the agency shall terminate the 2537
individual's employment unless the agency chooses to employ the 2538
individual pursuant to division (F) of this section. Termination 2539
of employment under this division shall be considered just cause 2540
for discharge for purposes of division (D)(2) of section 4141.29 2541
of the Revised Code if the individual makes any attempt to deceive 2542
the agency about the individual's criminal record. 2543

(D)(1) Each home health agency shall pay to the bureau of criminal identification and investigation the fee prescribed pursuant to division (C)(3) of section 109.572 of the Revised Code for each criminal records check conducted in accordance with that section upon the request pursuant to division (B)(1) of this section of the chief administrator of the home health agency.

(2) A home health agency may charge an applicant a fee for the costs it incurs in obtaining a criminal records check under this section, unless the medical assistance program established under Chapter 5111. of the Revised Code reimburses the agency for the costs. A fee charged under division (D)(2) of this section shall not exceed the amount of fees the agency pays under division (D)(1) of this section. If a fee is charged under division (D)(2) of this section, the agency shall notify the applicant at the time of the applicant's initial application for employment of the amount of the fee and that, unless the fee is paid, the agency will not consider the applicant for employment.

(E) The report of any criminal records check conducted by the bureau of criminal identification and investigation in accordance with section 109.572 of the Revised Code and pursuant to a request made under division (B)(1) of this section is not a public record for the purposes of section 149.43 of the Revised Code and shall not be made available to any person other than the following:

(1) The individual who is the subject of the criminal records check or the individual's representative;

(2) The home health agency requesting the criminal records check or its representative;

(3) The administrator of any other facility, agency, or program that provides direct care to older adults that is owned or operated by the same entity that owns or operates the home health agency;

(4) Any court, hearing officer, or other necessary individual 2575
involved in a case dealing with a denial of employment of the 2576
applicant or dealing with employment or unemployment benefits of 2577
the applicant; 2578

(5) Any person to whom the report is provided pursuant to, 2579
and in accordance with, division (I)(1), (2), (3), or (4) of this 2580
section. 2581

(F) The department of health shall adopt rules in accordance 2582
with Chapter 119. of the Revised Code to implement this section. 2583
The rules shall specify circumstances under which the home health 2584
agency may employ a person who has been convicted of or pleaded 2585
guilty to an offense listed or described in division (C)(1) of 2586
this section but who meets standards in regard to rehabilitation 2587
set by the department or employ a person who has been convicted of 2588
or pleaded guilty to an offense listed or described in division 2589
(C)(2) of this section but meets personal character standards set 2590
by the department. 2591

(G) Any person required by division (B)(1) of this section to 2592
request a criminal records check shall inform each person, at the 2593
time of initial application for employment that the person is 2594
required to provide a set of fingerprint impressions and that a 2595
criminal records check is required to be conducted and 2596
satisfactorily completed in accordance with section 109.572 of the 2597
Revised Code if the person comes under final consideration for 2598
appointment or employment as a precondition to employment for that 2599
position. 2600

(H) In a tort or other civil action for damages that is 2601
brought as the result of an injury, death, or loss to person or 2602
property caused by an individual who a home health agency employs 2603
in a position that involves providing direct care to older adults, 2604
all of the following shall apply: 2605

(1) If the agency employed the individual in good faith and reasonable reliance on the report of a criminal records check requested under this section, the agency shall not be found negligent solely because of its reliance on the report, even if the information in the report is determined later to have been incomplete or inaccurate;

(2) If the agency employed the individual in good faith on a conditional basis pursuant to division (C)(3)(b) of this section, the agency shall not be found negligent solely because it employed the individual prior to receiving the report of a criminal records check requested under this section;

(3) If the agency in good faith employed the individual according to the personal character standards established in rules adopted under division (F) of this section, the agency shall not be found negligent solely because the individual prior to being employed had been convicted of or pleaded guilty to an offense listed or described in division (C)(1) or (2) of this section.

(I)(1) The chief administrator of a home health agency is not required to request that the superintendent of the bureau of criminal identification and investigation conduct a criminal records check of an applicant for a position that involves the provision of direct care to older adults if the applicant has been referred to the agency by an employment service that supplies full-time, part-time, or temporary staff for positions involving the direct care of older adults and both of the following apply:

(a) The chief administrator receives from the employment service or the applicant a report of the results of a criminal records check regarding the applicant that has been conducted by the superintendent within the one-year period immediately preceding the applicant's referral;

(b) The report of the criminal records check demonstrates

that the person has not been convicted of or pleaded guilty to an 2637
offense listed or described in division (C)(2) of this section, or 2638
the report demonstrates that the person has been convicted of or 2639
pleaded guilty to one or more of those offenses, but the home 2640
health agency chooses to employ the individual pursuant to 2641
division (F) of this section. 2642

(2) The chief administrator of a home health agency is not 2643
required to request that the superintendent of the bureau of 2644
criminal identification and investigation conduct a criminal 2645
records check of an applicant for a position that involves 2646
providing direct care to older adults and may employ the applicant 2647
conditionally in a position of that nature as described in this 2648
division, if the applicant has been referred to the agency by an 2649
employment service that supplies full-time, part-time, or 2650
temporary staff for positions involving the direct care of older 2651
adults and if the chief administrator receives from the employment 2652
service or the applicant a letter from the employment service that 2653
is on the letterhead of the employment service, dated, and signed 2654
by a supervisor or another designated official of the employment 2655
service and that states that the employment service has requested 2656
the superintendent to conduct a criminal records check regarding 2657
the applicant, that the requested criminal records check will 2658
include a determination of whether the applicant has been 2659
convicted of or pleaded guilty to any offense listed or described 2660
in division (C)(2) of this section, that, as of the date set forth 2661
on the letter, the employment service had not received the results 2662
of the criminal records check, and that, when the employment 2663
service receives the results of the criminal records check, it 2664
promptly will send a copy of the results to the home health 2665
agency. If a home health agency employs an applicant conditionally 2666
in accordance with this division, the employment service, upon its 2667
receipt of the results of the criminal records check, promptly 2668
shall send a copy of the results to the home health agency, and 2669

division (C)(3)(b) of this section applies regarding the 2670
conditional employment. 2671

(3) The chief administrator of a home health agency is not 2672
required to request that the superintendent of the bureau of 2673
criminal identification and investigation conduct a criminal 2674
records check of an applicant for a position that involves both 2675
responsibility for the care, custody, and control of a child and 2676
the provision of direct care to older adults if the applicant has 2677
been referred to the agency by an employment service that supplies 2678
full-time, part-time, or temporary staff for positions involving 2679
both responsibility for the care, custody, and control of a child 2680
and the provision of direct care to older adults and both of the 2681
following apply: 2682

(a) The chief administrator receives from the employment 2683
service or applicant a report of a criminal records check of the 2684
type described in division (I)(1)(a) of this section; 2685

(b) The report of the criminal records check demonstrates 2686
that the person has not been convicted of or pleaded guilty to an 2687
offense listed or described in division (C)(1) or (2) of this 2688
section, or the report demonstrates that the person has been 2689
convicted of or pleaded guilty to one or more of those offenses, 2690
but the home health agency chooses to employ the individual 2691
pursuant to division (F) of this section. 2692

(4) The chief administrator of a home health agency is not 2693
required to request that the superintendent of the bureau of 2694
criminal identification and investigation conduct a criminal 2695
records check of an applicant for a position that involves both 2696
responsibility for the care, custody, and control of a child and 2697
the provision of direct care to older adults and may employ the 2698
applicant conditionally in a position of that nature as described 2699
in this division, if the applicant has been referred to the agency 2700
by an employment service that supplies full-time, part-time, or 2701

temporary staff for positions involving both responsibility for 2702
the care, custody, and control of a child and the direct care of 2703
older adults and if the chief administrator receives from the 2704
employment service or the applicant a letter from the employment 2705
service that is on the letterhead of the employment service, 2706
dated, and signed by a supervisor or another designated official 2707
of the employment service and that states that the employment 2708
service has requested the superintendent to conduct a criminal 2709
records check regarding the applicant, that the requested criminal 2710
records check will include a determination of whether the 2711
applicant has been convicted of or pleaded guilty to any offense 2712
listed or described in division (C)(1) or (2) of this section, 2713
that, as of the date set forth on the letter, the employment 2714
service had not received the results of the criminal records 2715
check, and that, when the employment service receives the results 2716
of the criminal records check, it promptly will send a copy of the 2717
results to the home health agency. If a home health agency employs 2718
an applicant conditionally in accordance with this division, the 2719
employment service, upon its receipt of the results of the 2720
criminal records check, promptly shall send a copy of the results 2721
to the home health agency, and division (C)(3)(b) of this section 2722
applies regarding the conditional employment. 2723

Sec. 3712.09. (A) As used in this section: 2724

(1) "Applicant" means a person who is under final 2725
consideration for employment with a hospice care program in a 2726
full-time, part-time, or temporary position that involves 2727
providing direct care to an older adult. "Applicant" does not 2728
include a person who provides direct care as a volunteer without 2729
receiving or expecting to receive any form of remuneration other 2730
than reimbursement for actual expenses. 2731

(2) "Criminal records check" and "older adult" have the same 2732

meanings as in section 109.572 of the Revised Code. 2733

(B)(1) Except as provided in division (I) of this section, 2734
the chief administrator of a hospice care program shall request 2735
that the superintendent of the bureau of criminal identification 2736
and investigation conduct a criminal records check with respect to 2737
each applicant. If an applicant for whom a criminal records check 2738
request is required under this division does not present proof of 2739
having been a resident of this state for the five-year period 2740
immediately prior to the date the criminal records check is 2741
requested or provide evidence that within that five-year period 2742
the superintendent has requested information about the applicant 2743
from the federal bureau of investigation in a criminal records 2744
check, the chief administrator shall request that the 2745
superintendent obtain information from the federal bureau of 2746
investigation as part of the criminal records check of the 2747
applicant. Even if an applicant for whom a criminal records check 2748
request is required under this division presents proof of having 2749
been a resident of this state for the five-year period, the chief 2750
administrator may request that the superintendent include 2751
information from the federal bureau of investigation in the 2752
criminal records check. 2753

(2) A person required by division (B)(1) of this section to 2754
request a criminal records check shall do both of the following: 2755

(a) Provide to each applicant for whom a criminal records 2756
check request is required under that division a copy of the form 2757
prescribed pursuant to division (C)(1) of section 109.572 of the 2758
Revised Code and a standard fingerprint impression sheet 2759
prescribed pursuant to division (C)(2) of that section, and obtain 2760
the completed form and impression sheet from the applicant; 2761

(b) Forward the completed form and impression sheet to the 2762
superintendent of the bureau of criminal identification and 2763
investigation. 2764

(3) An applicant provided the form and fingerprint impression 2765
sheet under division (B)(2)(a) of this section who fails to 2766
complete the form or provide fingerprint impressions shall not be 2767
employed in any position for which a criminal records check is 2768
required by this section. 2769

(C)(1) Except as provided in rules adopted by the public 2770
health council in accordance with division (F) of this section and 2771
subject to division (C)(2) of this section, no hospice care 2772
program shall employ a person in a position that involves 2773
providing direct care to an older adult if the person has been 2774
convicted of or pleaded guilty to any of the following: 2775

(a) A violation of section 2903.01, 2903.02, 2903.03, 2776
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2777
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2778
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2779
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2780
2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2781
2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2782
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2783
2925.22, 2925.23, or 3716.11 of the Revised Code. 2784

(b) A violation of an existing or former law of this state, 2785
any other state, or the United States that is substantially 2786
equivalent to any of the offenses listed in division (C)(1)(a) of 2787
this section. 2788

(2)(a) A hospice care program may employ conditionally an 2789
applicant for whom a criminal records check request is required 2790
under division (B) of this section prior to obtaining the results 2791
of a criminal records check regarding the individual, provided 2792
that the program shall request a criminal records check regarding 2793
the individual in accordance with division (B)(1) of this section 2794
not later than five business days after the individual begins 2795

conditional employment. In the circumstances described in division 2796
(I)(2) of this section, a hospice care program may employ 2797
conditionally an applicant who has been referred to the hospice 2798
care program by an employment service that supplies full-time, 2799
part-time, or temporary staff for positions involving the direct 2800
care of older adults and for whom, pursuant to that division, a 2801
criminal records check is not required under division (B) of this 2802
section. 2803

(b) A hospice care program that employs an individual 2804
conditionally under authority of division (C)(2)(a) of this 2805
section shall terminate the individual's employment if the results 2806
of the criminal records check requested under division (B) of this 2807
section or described in division (I)(2) of this section, other 2808
than the results of any request for information from the federal 2809
bureau of investigation, are not obtained within the period ending 2810
~~sixty~~ thirty days after the date the request is made. Regardless 2811
of when the results of the criminal records check are obtained, if 2812
the results indicate that the individual has been convicted of or 2813
pleaded guilty to any of the offenses listed or described in 2814
division (C)(1) of this section, the program shall terminate the 2815
individual's employment unless the program chooses to employ the 2816
individual pursuant to division (F) of this section. Termination 2817
of employment under this division shall be considered just cause 2818
for discharge for purposes of division (D)(2) of section 4141.29 2819
of the Revised Code if the individual makes any attempt to deceive 2820
the program about the individual's criminal record. 2821

(D)(1) Each hospice care program shall pay to the bureau of 2822
criminal identification and investigation the fee prescribed 2823
pursuant to division (C)(3) of section 109.572 of the Revised Code 2824
for each criminal records check conducted pursuant to a request 2825
made under division (B) of this section. 2826

(2) A hospice care program may charge an applicant a fee not 2827

exceeding the amount the program pays under division (D)(1) of 2828
this section. A program may collect a fee only if both of the 2829
following apply: 2830

(a) The program notifies the person at the time of initial 2831
application for employment of the amount of the fee and that, 2832
unless the fee is paid, the person will not be considered for 2833
employment; 2834

(b) The medical assistance program established under Chapter 2835
5111. of the Revised Code does not reimburse the program the fee 2836
it pays under division (D)(1) of this section. 2837

(E) The report of a criminal records check conducted pursuant 2838
to a request made under this section is not a public record for 2839
the purposes of section 149.43 of the Revised Code and shall not 2840
be made available to any person other than the following: 2841

(1) The individual who is the subject of the criminal records 2842
check or the individual's representative; 2843

(2) The chief administrator of the program requesting the 2844
criminal records check or the administrator's representative; 2845

(3) The administrator of any other facility, agency, or 2846
program that provides direct care to older adults that is owned or 2847
operated by the same entity that owns or operates the hospice care 2848
program; 2849

(4) A court, hearing officer, or other necessary individual 2850
involved in a case dealing with a denial of employment of the 2851
applicant or dealing with employment or unemployment benefits of 2852
the applicant; 2853

(5) Any person to whom the report is provided pursuant to, 2854
and in accordance with, division (I)(1) or (2) of this section. 2855

(F) The public health council shall adopt rules in accordance 2856
with Chapter 119. of the Revised Code to implement this section. 2857

The rules shall specify circumstances under which a hospice care program may employ a person who has been convicted of or pleaded guilty to an offense listed or described in division (C)(1) of this section but meets personal character standards set by the council.

(G) The chief administrator of a hospice care program shall inform each individual, at the time of initial application for a position that involves providing direct care to an older adult, that the individual is required to provide a set of fingerprint impressions and that a criminal records check is required to be conducted if the individual comes under final consideration for employment.

(H) In a tort or other civil action for damages that is brought as the result of an injury, death, or loss to person or property caused by an individual who a hospice care program employs in a position that involves providing direct care to older adults, all of the following shall apply:

(1) If the program employed the individual in good faith and reasonable reliance on the report of a criminal records check requested under this section, the program shall not be found negligent solely because of its reliance on the report, even if the information in the report is determined later to have been incomplete or inaccurate;

(2) If the program employed the individual in good faith on a conditional basis pursuant to division (C)(2) of this section, the program shall not be found negligent solely because it employed the individual prior to receiving the report of a criminal records check requested under this section;

(3) If the program in good faith employed the individual according to the personal character standards established in rules adopted under division (F) of this section, the program shall not

be found negligent solely because the individual prior to being 2889
employed had been convicted of or pleaded guilty to an offense 2890
listed or described in division (C)(1) of this section. 2891

(I)(1) The chief administrator of a hospice care program is 2892
not required to request that the superintendent of the bureau of 2893
criminal identification and investigation conduct a criminal 2894
records check of an applicant if the applicant has been referred 2895
to the program by an employment service that supplies full-time, 2896
part-time, or temporary staff for positions involving the direct 2897
care of older adults and both of the following apply: 2898

(a) The chief administrator receives from the employment 2899
service or the applicant a report of the results of a criminal 2900
records check regarding the applicant that has been conducted by 2901
the superintendent within the one-year period immediately 2902
preceding the applicant's referral; 2903

(b) The report of the criminal records check demonstrates 2904
that the person has not been convicted of or pleaded guilty to an 2905
offense listed or described in division (C)(1) of this section, or 2906
the report demonstrates that the person has been convicted of or 2907
pleaded guilty to one or more of those offenses, but the hospice 2908
care program chooses to employ the individual pursuant to division 2909
(F) of this section. 2910

(2) The chief administrator of a hospice care program is not 2911
required to request that the superintendent of the bureau of 2912
criminal identification and investigation conduct a criminal 2913
records check of an applicant and may employ the applicant 2914
conditionally as described in this division, if the applicant has 2915
been referred to the program by an employment service that 2916
supplies full-time, part-time, or temporary staff for positions 2917
involving the direct care of older adults and if the chief 2918
administrator receives from the employment service or the 2919
applicant a letter from the employment service that is on the 2920

letterhead of the employment service, dated, and signed by a 2921
supervisor or another designated official of the employment 2922
service and that states that the employment service has requested 2923
the superintendent to conduct a criminal records check regarding 2924
the applicant, that the requested criminal records check will 2925
include a determination of whether the applicant has been 2926
convicted of or pleaded guilty to any offense listed or described 2927
in division (C)(1) of this section, that, as of the date set forth 2928
on the letter, the employment service had not received the results 2929
of the criminal records check, and that, when the employment 2930
service receives the results of the criminal records check, it 2931
promptly will send a copy of the results to the hospice care 2932
program. If a hospice care program employs an applicant 2933
conditionally in accordance with this division, the employment 2934
service, upon its receipt of the results of the criminal records 2935
check, promptly shall send a copy of the results to the hospice 2936
care program, and division (C)(2)(b) of this section applies 2937
regarding the conditional employment. 2938

Sec. 3734.02. (A) The director of environmental protection, 2939
in accordance with Chapter 119. of the Revised Code, shall adopt 2940
and may amend, suspend, or rescind rules having uniform 2941
application throughout the state governing solid waste facilities 2942
and the inspections of and issuance of permits and licenses for 2943
all solid waste facilities in order to ensure that the facilities 2944
will be located, maintained, and operated, and will undergo 2945
closure and post-closure care, in a sanitary manner so as not to 2946
create a nuisance, cause or contribute to water pollution, create 2947
a health hazard, or violate 40 C.F.R. 257.3-2 or 40 C.F.R. 2948
257.3-8, as amended. The rules may include, without limitation, 2949
financial assurance requirements for closure and post-closure care 2950
and corrective action and requirements for taking corrective 2951
action in the event of the surface or subsurface discharge or 2952

migration of explosive gases or leachate from a solid waste 2953
facility, or of ground water contamination resulting from the 2954
transfer or disposal of solid wastes at a facility, beyond the 2955
boundaries of any area within a facility that is operating or is 2956
undergoing closure or post-closure care where solid wastes were 2957
disposed of or are being disposed of. The rules shall not concern 2958
or relate to personnel policies, salaries, wages, fringe benefits, 2959
or other conditions of employment of employees of persons owning 2960
or operating solid waste facilities. The director, in accordance 2961
with Chapter 119. of the Revised Code, shall adopt and may amend, 2962
suspend, or rescind rules governing the issuance, modification, 2963
revocation, suspension, or denial of variances from the director's 2964
solid waste rules, including, without limitation, rules adopted 2965
under this chapter governing the management of scrap tires. 2966

Variances shall be issued, modified, revoked, suspended, or 2967
rescinded in accordance with this division, rules adopted under 2968
it, and Chapter 3745. of the Revised Code. The director may order 2969
the person to whom a variance is issued to take such action within 2970
such time as the director may determine to be appropriate and 2971
reasonable to prevent the creation of a nuisance or a hazard to 2972
the public health or safety or the environment. Applications for 2973
variances shall contain such detail plans, specifications, and 2974
information regarding objectives, procedures, controls, and other 2975
pertinent data as the director may require. The director shall 2976
grant a variance only if the applicant demonstrates to the 2977
director's satisfaction that construction and operation of the 2978
solid waste facility in the manner allowed by the variance and any 2979
terms or conditions imposed as part of the variance will not 2980
create a nuisance or a hazard to the public health or safety or 2981
the environment. In granting any variance, the director shall 2982
state the specific provision or provisions whose terms are to be 2983
varied and also shall state specific terms or conditions imposed 2984
upon the applicant in place of the provision or provisions. The 2985

director may hold a public hearing on an application for a 2986
variance or renewal of a variance at a location in the county 2987
where the operations that are the subject of the application for 2988
the variance are conducted. The director shall give not less than 2989
twenty days' notice of the hearing to the applicant by certified 2990
mail and shall publish at least one notice of the hearing in a 2991
newspaper with general circulation in the county where the hearing 2992
is to be held. The director shall make available for public 2993
inspection at the principal office of the environmental protection 2994
agency a current list of pending applications for variances and a 2995
current schedule of pending variance hearings. The director shall 2996
make a complete stenographic record of testimony and other 2997
evidence submitted at the hearing. Within ten days after the 2998
hearing, the director shall make a written determination to issue, 2999
renew, or deny the variance and shall enter the determination and 3000
the basis for it into the record of the hearing. The director 3001
shall issue, renew, or deny an application for a variance or 3002
renewal of a variance within six months of the date upon which the 3003
director receives a complete application with all pertinent 3004
information and data required. No variance shall be issued, 3005
revoked, modified, or denied until the director has considered the 3006
relative interests of the applicant, other persons and property 3007
affected by the variance, and the general public. Any variance 3008
granted under this division shall be for a period specified by the 3009
director and may be renewed from time to time on such terms and 3010
for such periods as the director determines to be appropriate. No 3011
application shall be denied and no variance shall be revoked or 3012
modified without a written order stating the findings upon which 3013
the denial, revocation, or modification is based. A copy of the 3014
order shall be sent to the applicant or variance holder by 3015
certified mail. 3016

(B) The director shall prescribe and furnish the forms 3017
necessary to administer and enforce this chapter. The director may 3018

cooperate with and enter into agreements with other state, local, 3019
or federal agencies to carry out the purposes of this chapter. The 3020
director may exercise all incidental powers necessary to carry out 3021
the purposes of this chapter. 3022

The director may use moneys in the infectious waste 3023
management fund created in section 3734.021 of the Revised Code 3024
exclusively for administering and enforcing the provisions of this 3025
chapter governing the management of infectious wastes. Of each 3026
registration and renewal fee collected under rules adopted under 3027
division (A)(2)(a) of section 3734.021 or under section 3734.022 3028
of the Revised Code, the director, within forty-five days of its 3029
receipt, shall remit from the fund one-half of the fee received to 3030
the board of health of the health district in which the registered 3031
premises is located, or, in the instance of an infectious wastes 3032
transporter, to the board of health of the health district in 3033
which the transporter's principal place of business is located. 3034
However, if the board of health having jurisdiction over a 3035
registrant's premises or principal place of business is not on the 3036
approved list under section 3734.08 of the Revised Code, the 3037
director shall not make that payment to the board of health. 3038

(C) Except as provided in this division and divisions (N)(2) 3039
and (3) of this section, no person shall establish a new solid 3040
waste facility or infectious waste treatment facility, or modify 3041
an existing solid waste facility or infectious waste treatment 3042
facility, without submitting an application for a permit with 3043
accompanying detail plans, specifications, and information 3044
regarding the facility and method of operation and receiving a 3045
permit issued by the director, except that no permit shall be 3046
required under this division to install or operate a solid waste 3047
facility for sewage sludge treatment or disposal when the 3048
treatment or disposal is authorized by a current permit issued 3049
under Chapter 3704. or 6111. of the Revised Code. 3050

No person shall continue to operate a solid waste facility 3051
for which the director has denied a permit for which an 3052
application was required under division (A)(3) of section 3734.05 3053
of the Revised Code, or for which the director has disapproved 3054
plans and specifications required to be filed by an order issued 3055
under division (A)(5) of that section, after the date prescribed 3056
for commencement of closure of the facility in the order issued 3057
under division (A)(6) of section 3734.05 of the Revised Code 3058
denying the permit application or approval. 3059

On and after the effective date of the rules adopted under 3060
division (A) of this section and division (D) of section 3734.12 3061
of the Revised Code governing solid waste transfer facilities, no 3062
person shall establish a new, or modify an existing, solid waste 3063
transfer facility without first submitting an application for a 3064
permit with accompanying engineering detail plans, specifications, 3065
and information regarding the facility and its method of operation 3066
to the director and receiving a permit issued by the director. 3067

No person shall establish a new compost facility or continue 3068
to operate an existing compost facility that accepts exclusively 3069
source separated yard wastes without submitting a completed 3070
registration for the facility to the director in accordance with 3071
rules adopted under divisions (A) and (N)(3) of this section. 3072

This division does not apply to an infectious waste treatment 3073
facility that meets any of the following conditions: 3074

(1) Is owned or operated by the generator of the wastes and 3075
exclusively treats, by methods, techniques, and practices 3076
established by rules adopted under division (C)(1) or (3) of 3077
section 3734.021 of the Revised Code, wastes that are generated at 3078
any premises owned or operated by that generator regardless of 3079
whether the wastes are generated on the premises where the 3080
generator's treatment facility is located or, if the generator is 3081

a hospital as defined in section 3727.01 of the Revised Code, 3082
infectious wastes that are described in division (A)(1)(g), (h), 3083
or (i) of section 3734.021 of the Revised Code; 3084

(2) Holds a license or renewal of a license to operate a 3085
crematory facility issued under Chapter 4717. and a permit issued 3086
under Chapter 3704. of the Revised Code; 3087

(3) Treats or disposes of dead animals or parts thereof, or 3088
the blood of animals, and is subject to any of the following: 3089

(a) Inspection under the "Federal Meat Inspection Act," 81 3090
Stat. 584 (1967), 21 U.S.C.A. 603, as amended; 3091

(b) Chapter 918. of the Revised Code; 3092

(c) Chapter 953. of the Revised Code. 3093

(D) Neither this chapter nor any rules adopted under it apply 3094
to single-family residential premises; to infectious wastes 3095
generated by individuals for purposes of their own care or 3096
treatment that are disposed of with solid wastes from the 3097
individual's residence; to the temporary storage of solid wastes, 3098
other than scrap tires, prior to their collection for disposal; to 3099
the storage of one hundred or fewer scrap tires unless they are 3100
stored in such a manner that, in the judgment of the director or 3101
the board of health of the health district in which the scrap 3102
tires are stored, the storage causes a nuisance, a hazard to 3103
public health or safety, or a fire hazard; or to the collection of 3104
solid wastes, other than scrap tires, by a political subdivision 3105
or a person holding a franchise or license from a political 3106
subdivision of the state; to composting, as defined in section 3107
1511.01 of the Revised Code, conducted in accordance with section 3108
1511.022 of the Revised Code; or to any person who is licensed to 3109
transport raw rendering material to a compost facility pursuant to 3110
section 953.23 of the Revised Code. 3111

(E)(1) As used in this division ~~and section 3734.18 of the~~ 3112

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| Revised Code: | 3113 |
| (a) "On-site facility" means a facility that stores, treats, or disposes of hazardous waste that is generated on the premises of the facility. | 3114 3115 3116 |
| (b) "Off-site facility" means a facility that stores, treats, or disposes of hazardous waste that is generated off the premises of the facility and includes such a facility that is also an on-site facility. | 3117 3118 3119 3120 |
| (c) "Satellite facility" means any of the following: | 3121 |
| (i) An on-site facility that also receives hazardous waste from other premises owned by the same person who generates the waste on the facility premises; | 3122 3123 3124 |
| (ii) An off-site facility operated so that all of the hazardous waste it receives is generated on one or more premises owned by the person who owns the facility; | 3125 3126 3127 |
| (iii) An on-site facility that also receives hazardous waste that is transported uninterruptedly and directly to the facility through a pipeline from a generator who is not the owner of the facility. | 3128 3129 3130 3131 |
| (2) Except as provided in division (E)(3) of this section, no person shall establish or operate a hazardous waste facility, or use a solid waste facility for the storage, treatment, or disposal of any hazardous waste, without a hazardous waste facility installation and operation permit issued in accordance with section 3734.05 of the Revised Code and subject to the payment of an application fee not to exceed one thousand five hundred dollars, payable upon application for a hazardous waste facility installation and operation permit and upon application for a renewal permit issued under division (H) of section 3734.05 of the Revised Code, to be credited to the hazardous waste facility management fund created in section 3734.18 of the Revised Code. | 3132 3133 3134 3135 3136 3137 3138 3139 3140 3141 3142 3143 |

The term of a hazardous waste facility installation and operation permit shall not exceed five years. 3144
3145

In addition to the application fee, there is hereby levied an annual permit fee to be paid by the permit holder upon the anniversaries of the date of issuance of the hazardous waste facility installation and operation permit and of any subsequent renewal permits and to be credited to the hazardous waste facility management fund. Annual permit fees totaling forty thousand dollars or more for any one facility may be paid on a quarterly basis with the first quarterly payment each year being due on the anniversary of the date of issuance of the hazardous waste facility installation and operation permit and of any subsequent renewal permits. The annual permit fee shall be determined for each permit holder by the director in accordance with the following schedule: 3146
3147
3148
3149
3150
3151
3152
3153
3154
3155
3156
3157
3158

TYPE OF BASIC 3159

| MANAGEMENT UNIT | TYPE OF FACILITY | FEE | |
|--------------------------|----------------------------------|--------|----------------------|
| Storage facility using: | | | 3160 |
| Containers | On-site, off-site, and satellite | \$ 500 | 3161 3162 3163 |
| Tanks | On-site, off-site, and satellite | 500 | 3164 3165 |
| Waste pile | On-site, off-site, and satellite | 3,000 | 3166 3167 |
| Surface impoundment | On-site and satellite | 8,000 | 3168 |
| | Off-site | 10,000 | 3169 |
| Disposal facility using: | | | 3170 |
| Deep well injection | On-site and satellite | 15,000 | 3171 |
| | Off-site | 25,000 | 3172 |
| Landfill | On-site and satellite | 25,000 | 3173 |
| | Off-site | 40,000 | 3174 |
| Land application | On-site and satellite | 2,500 | 3175 |
| | Off-site | 5,000 | 3176 |

| | | | |
|---------------------------|------------------------|--------|------|
| Surface impoundment | On-site and satellite | 10,000 | 3177 |
| | Off-site | 20,000 | 3178 |
| Treatment facility using: | | | 3179 |
| Tanks | On-site, off-site, and | | 3180 |
| | satellite | 700 | 3181 |
| Surface impoundment | On-site and satellite | 8,000 | 3182 |
| | Off-site | 10,000 | 3183 |
| Incinerator | On-site and satellite | 5,000 | 3184 |
| | Off-site | 10,000 | 3185 |
| Other forms | | | 3186 |
| of treatment | On-site, off-site, and | | 3187 |
| | satellite | 1,000 | 3188 |

A hazardous waste disposal facility that disposes of hazardous waste by deep well injection and that pays the annual permit fee established in section 6111.046 of the Revised Code is not subject to the permit fee established in this division unless the director determines that the facility is not in compliance with applicable requirements established under this chapter and rules adopted under it.

In determining the annual permit fee required by this section, the director shall not require additional payments for multiple units of the same method of storage, treatment, or disposal or for individual units that are used for both storage and treatment. A facility using more than one method of storage, treatment, or disposal shall pay the permit fee indicated by the schedule for each such method.

The director shall not require the payment of that portion of an annual permit fee of any permit holder that would apply to a hazardous waste management unit for which a permit has been issued, but for which construction has not yet commenced. Once construction has commenced, the director shall require the payment of a part of the appropriate fee indicated by the schedule that

bears the same relationship to the total fee that the number of 3209
days remaining until the next anniversary date at which payment of 3210
the annual permit fee is due bears to three hundred sixty-five. 3211

The director, by rules adopted in accordance with Chapters 3212
119. and 3745. of the Revised Code, shall prescribe procedures for 3213
collecting the annual permit fee established by this division and 3214
may prescribe other requirements necessary to carry out this 3215
division. 3216

(3) The prohibition against establishing or operating a 3217
hazardous waste facility without a hazardous waste facility 3218
installation and operation permit does not apply to either of the 3219
following: 3220

(a) A facility that is operating in accordance with a permit 3221
renewal issued under division (H) of section 3734.05 of the 3222
Revised Code, a revision issued under division (I) of that section 3223
as it existed prior to August 20, 1996, or a modification issued 3224
by the director under division (I) of that section on and after 3225
August 20, 1996; 3226

(b) Except as provided in division (J) of section 3734.05 of 3227
the Revised Code, a facility that will operate or is operating in 3228
accordance with a permit by rule, or that is not subject to permit 3229
requirements, under rules adopted by the director. In accordance 3230
with Chapter 119. of the Revised Code, the director shall adopt, 3231
and subsequently may amend, suspend, or rescind, rules for the 3232
purposes of division (E)(3)(b) of this section. Any rules so 3233
adopted shall be consistent with and equivalent to regulations 3234
pertaining to interim status adopted under the "Resource 3235
Conservation and Recovery Act of 1976," 90 Stat. 2806, 42 U.S.C.A. 3236
6921, as amended, except as otherwise provided in this chapter. 3237

If a modification is requested or proposed for a facility 3238
described in division (E)(3)(a) or (b) of this section, division 3239

(I)(7) of section 3734.05 of the Revised Code applies. 3240

(F) No person shall store, treat, or dispose of hazardous 3241
waste identified or listed under this chapter and rules adopted 3242
under it, regardless of whether generated on or off the premises 3243
where the waste is stored, treated, or disposed of, or transport 3244
or cause to be transported any hazardous waste identified or 3245
listed under this chapter and rules adopted under it to any other 3246
premises, except at or to any of the following: 3247

(1) A hazardous waste facility operating under a permit 3248
issued in accordance with this chapter; 3249

(2) A facility in another state operating under a license or 3250
permit issued in accordance with the "Resource Conservation and 3251
Recovery Act of 1976," 90 Stat. 2806, 42 U.S.C.A. 6921, as 3252
amended; 3253

(3) A facility in another nation operating in accordance with 3254
the laws of that nation; 3255

(4) A facility holding a permit issued pursuant to Title I of 3256
the "Marine Protection, Research, and Sanctuaries Act of 1972," 86 3257
Stat. 1052, 33 U.S.C.A. 1401, as amended; 3258

(5) A hazardous waste facility as described in division 3259
(E)(3)(a) or (b) of this section. 3260

(G) The director, by order, may exempt any person generating, 3261
collecting, storing, treating, disposing of, or transporting solid 3262
wastes or hazardous waste, or processing solid wastes that consist 3263
of scrap tires, in such quantities or under such circumstances 3264
that, in the determination of the director, are unlikely to 3265
adversely affect the public health or safety or the environment 3266
from any requirement to obtain a registration certificate, permit, 3267
or license or comply with the manifest system or other 3268
requirements of this chapter. Such an exemption shall be 3269
consistent with and equivalent to any regulations adopted by the 3270

administrator of the United States environmental protection agency 3271
under the "Resource Conservation and Recovery Act of 1976," 90 3272
Stat. 2806, 42 U.S.C.A. 6921, as amended, except as otherwise 3273
provided in this chapter. 3274

(H) No person shall engage in filling, grading, excavating, 3275
building, drilling, or mining on land where a hazardous waste 3276
facility, or a solid waste facility, was operated without prior 3277
authorization from the director, who shall establish the procedure 3278
for granting such authorization by rules adopted in accordance 3279
with Chapter 119. of the Revised Code. 3280

A public utility that has main or distribution lines above or 3281
below the land surface located on an easement or right-of-way 3282
across land where a solid waste facility was operated may engage 3283
in any such activity within the easement or right-of-way without 3284
prior authorization from the director for purposes of performing 3285
emergency repair or emergency replacement of its lines; of the 3286
poles, towers, foundations, or other structures supporting or 3287
sustaining any such lines; or of the appurtenances to those 3288
structures, necessary to restore or maintain existing public 3289
utility service. A public utility may enter upon any such easement 3290
or right-of-way without prior authorization from the director for 3291
purposes of performing necessary or routine maintenance of those 3292
portions of its existing lines; of the existing poles, towers, 3293
foundations, or other structures sustaining or supporting its 3294
lines; or of the appurtenances to any such supporting or 3295
sustaining structure, located on or above the land surface on any 3296
such easement or right-of-way. Within twenty-four hours after 3297
commencing any such emergency repair, replacement, or maintenance 3298
work, the public utility shall notify the director or the 3299
director's authorized representative of those activities and shall 3300
provide such information regarding those activities as the 3301
director or the director's representative may request. Upon 3302

completion of the emergency repair, replacement, or maintenance 3303
activities, the public utility shall restore any land of the solid 3304
waste facility disturbed by those activities to the condition 3305
existing prior to the commencement of those activities. 3306

(I) No owner or operator of a hazardous waste facility, in 3307
the operation of the facility, shall cause, permit, or allow the 3308
emission therefrom of any particulate matter, dust, fumes, gas, 3309
mist, smoke, vapor, or odorous substance that, in the opinion of 3310
the director, unreasonably interferes with the comfortable 3311
enjoyment of life or property by persons living or working in the 3312
vicinity of the facility, or that is injurious to public health. 3313
Any such action is hereby declared to be a public nuisance. 3314

(J) Notwithstanding any other provision of this chapter, in 3315
the event the director finds an imminent and substantial danger to 3316
public health or safety or the environment that creates an 3317
emergency situation requiring the immediate treatment, storage, or 3318
disposal of hazardous waste, the director may issue a temporary 3319
emergency permit to allow the treatment, storage, or disposal of 3320
the hazardous waste at a facility that is not otherwise authorized 3321
by a hazardous waste facility installation and operation permit to 3322
treat, store, or dispose of the waste. The emergency permit shall 3323
not exceed ninety days in duration and shall not be renewed. The 3324
director shall adopt, and may amend, suspend, or rescind, rules in 3325
accordance with Chapter 119. of the Revised Code governing the 3326
issuance, modification, revocation, and denial of emergency 3327
permits. 3328

(K) No owner or operator of a sanitary landfill shall 3329
knowingly accept for disposal, or dispose of, any infectious 3330
wastes, other than those subject to division (A)(1)(c) of section 3331
3734.021 of the Revised Code, that have not been treated to render 3332
them noninfectious. For the purposes of this division, 3333
certification by the owner or operator of the treatment facility 3334

where the wastes were treated on the shipping paper required by 3335
rules adopted under division (D)(2) of that section creates a 3336
rebuttable presumption that the wastes have been so treated. 3337

(L) The director, in accordance with Chapter 119. of the 3338
Revised Code, shall adopt, and may amend, suspend, or rescind, 3339
rules having uniform application throughout the state establishing 3340
a training and certification program that shall be required for 3341
employees of boards of health who are responsible for enforcing 3342
the solid waste and infectious waste provisions of this chapter 3343
and rules adopted under them and for persons who are responsible 3344
for the operation of solid waste facilities or infectious waste 3345
treatment facilities. The rules shall provide all of the 3346
following, without limitation: 3347

(1) The program shall be administered by the director and 3348
shall consist of a course on new solid waste and infectious waste 3349
technologies, enforcement procedures, and rules; 3350

(2) The course shall be offered on an annual basis; 3351

(3) Those persons who are required to take the course under 3352
division (L) of this section shall do so triennially; 3353

(4) Persons who successfully complete the course shall be 3354
certified by the director; 3355

(5) Certification shall be required for all employees of 3356
boards of health who are responsible for enforcing the solid waste 3357
or infectious waste provisions of this chapter and rules adopted 3358
under them and for all persons who are responsible for the 3359
operation of solid waste facilities or infectious waste treatment 3360
facilities; 3361

(6)(a) All employees of a board of health who, on the 3362
effective date of the rules adopted under this division, are 3363
responsible for enforcing the solid waste or infectious waste 3364
provisions of this chapter and the rules adopted under them shall 3365

complete the course and be certified by the director not later than January 1, 1995;

(b) All employees of a board of health who, after the effective date of the rules adopted under division (L) of this section, become responsible for enforcing the solid waste or infectious waste provisions of this chapter and rules adopted under them and who do not hold a current and valid certification from the director at that time shall complete the course and be certified by the director within two years after becoming responsible for performing those activities.

No person shall fail to obtain the certification required under this division.

(M) The director shall not issue a permit under section 3734.05 of the Revised Code to establish a solid waste facility, or to modify a solid waste facility operating on December 21, 1988, in a manner that expands the disposal capacity or geographic area covered by the facility, that is or is to be located within the boundaries of a state park established or dedicated under Chapter 1541. of the Revised Code, a state park purchase area established under section 1541.02 of the Revised Code, any unit of the national park system, or any property that lies within the boundaries of a national park or recreation area, but that has not been acquired or is not administered by the secretary of the United States department of the interior, located in this state, or any candidate area located in this state and identified for potential inclusion in the national park system in the edition of the "national park system plan" submitted under paragraph (b) of section 8 of "The Act of August 18, 1970," 84 Stat. 825, 16 U.S.C.A. 1a-5, as amended, current at the time of filing of the application for the permit, unless the facility or proposed facility is or is to be used exclusively for the disposal of solid wastes generated within the park or recreation area and the

director determines that the facility or proposed facility will 3398
not degrade any of the natural or cultural resources of the park 3399
or recreation area. The director shall not issue a variance under 3400
division (A) of this section and rules adopted under it, or issue 3401
an exemption order under division (G) of this section, that would 3402
authorize any such establishment or expansion of a solid waste 3403
facility within the boundaries of any such park or recreation 3404
area, state park purchase area, or candidate area, other than a 3405
solid waste facility exclusively for the disposal of solid wastes 3406
generated within the park or recreation area when the director 3407
determines that the facility will not degrade any of the natural 3408
or cultural resources of the park or recreation area. 3409

(N)(1) The rules adopted under division (A) of this section, 3410
other than those governing variances, do not apply to scrap tire 3411
collection, storage, monocell, monofill, and recovery facilities. 3412
Those facilities are subject to and governed by rules adopted 3413
under sections 3734.70 to 3734.73 of the Revised Code, as 3414
applicable. 3415

(2) Division (C) of this section does not apply to scrap tire 3416
collection, storage, monocell, monofill, and recovery facilities. 3417
The establishment and modification of those facilities are subject 3418
to sections 3734.75 to 3734.78 and section 3734.81 of the Revised 3419
Code, as applicable. 3420

(3) The director may adopt, amend, suspend, or rescind rules 3421
under division (A) of this section creating an alternative system 3422
for authorizing the establishment, operation, or modification of a 3423
solid waste compost facility in lieu of the requirement that a 3424
person seeking to establish, operate, or modify a solid waste 3425
compost facility apply for and receive a permit under division (C) 3426
of this section and section 3734.05 of the Revised Code and a 3427
license under division (A)(1) of that section. The rules may 3428
include requirements governing, without limitation, the 3429

classification of solid waste compost facilities, the submittal of 3430
operating records for solid waste compost facilities, and the 3431
creation of a registration or notification system in lieu of the 3432
issuance of permits and licenses for solid waste compost 3433
facilities. The rules shall specify the applicability of divisions 3434
(A)(1), (2)(a), (3), and (4) of section 3734.05 of the Revised 3435
Code to a solid waste compost facility. 3436

Sec. 3734.18. (A) As used in this section: 3437

(1) "On-site facility" means a facility that treats or 3438
disposes of hazardous waste that is generated on the premises of 3439
the facility. 3440

(2) "Off-site facility" means a facility that treats or 3441
disposes of hazardous waste that is generated off the premises of 3442
the facility. 3443

(3) "Satellite facility" means any of the following: 3444

(a) An on-site facility that also receives hazardous waste 3445
from other premises owned by the same person who generates the 3446
waste on the facility premises; 3447

(b) An off-site facility operated so that all of the 3448
hazardous waste it receives is generated on one or more premises 3449
owned by the person who owns the facility; 3450

(c) An on-site facility that also receives hazardous waste 3451
that is transported uninterruptedly and directly to the facility 3452
through a pipeline from a generator who is not the owner of the 3453
facility. 3454

(B) A treatment or disposal facility that is subject to the 3455
fees that are levied under this section may be both an on-site 3456
facility and an off-site facility. The determination of whether an 3457
on-site facility fee or an off-site facility fee is to be paid for 3458
a hazardous waste that is treated or disposed of at the facility 3459

shall be based on whether that hazardous waste was generated on or 3460
off the premises of the facility. 3461

(C) There are hereby levied fees on the disposal of hazardous 3462
waste to be collected according to the following schedule at each 3463
disposal facility to which a hazardous waste facility installation 3464
and operation permit or renewal of a permit has been issued under 3465
this chapter or that is operating in accordance with a permit by 3466
rule under rules adopted by the director of environmental 3467
protection: 3468

(1) For disposal facilities that are off-site facilities ~~as~~ 3469
~~defined in division (E) of section 3734.02 of the Revised Code,~~ 3470
fees shall be levied at the rate of four dollars and fifty cents 3471
per ton for hazardous waste disposed of by deep well injection and 3472
nine dollars per ton for hazardous waste disposed of by land 3473
application or landfilling. The owner or operator of the facility, 3474
as a trustee for the state, shall collect the fees and forward 3475
them to the director in accordance with rules adopted under this 3476
section. 3477

(2) For disposal facilities that are on-site or satellite 3478
facilities, ~~as defined in division (E) of section 3734.02 of the~~ 3479
~~Revised Code,~~ fees shall be levied at the rate of two dollars per 3480
ton for hazardous waste disposed of by deep well injection and 3481
four dollars per ton for hazardous waste disposed of by land 3482
application or landfilling. The maximum annual disposal fee for an 3483
on-site disposal facility that disposes of one hundred thousand 3484
tons or less of hazardous waste in a year is twenty-five thousand 3485
dollars. The maximum annual disposal fee for an on-site facility 3486
that disposes of more than one hundred thousand tons of hazardous 3487
waste in a year by land application or landfilling is fifty 3488
thousand dollars, and the maximum annual fee for an on-site 3489
facility that disposes of more than one hundred thousand tons of 3490
hazardous waste in a year by deep well injection is one hundred 3491

thousand dollars. The maximum annual disposal fee for a satellite 3492
facility that disposes of one hundred thousand tons or less of 3493
hazardous waste in a year is thirty-seven thousand five hundred 3494
dollars, and the maximum annual disposal fee for a satellite 3495
facility that disposes of more than one hundred thousand tons of 3496
hazardous waste in a year is seventy-five thousand dollars, except 3497
that a satellite facility defined under division ~~(E)~~(A)(3)(b) of 3498
this section 3734.02 of the Revised Code that receives hazardous 3499
waste from a single generation site is subject to the same maximum 3500
annual disposal fees as an on-site disposal facility. The owner or 3501
operator shall pay the fee to the director each year upon the 3502
anniversary of the date of issuance of the owner's or operator's 3503
installation and operation permit during the term of that permit 3504
and any renewal permit issued under division (H) of section 3505
3734.05 of the Revised Code or on the anniversary of the date of a 3506
permit by rule. If payment is late, the owner or operator shall 3507
pay an additional ten per cent of the amount of the fee for each 3508
month that it is late. 3509

~~(B)~~(D) There are hereby levied fees at the rate of two 3510
dollars per ton on hazardous waste that is treated at treatment 3511
facilities that are not on-site or satellite facilities, ~~as~~ 3512
~~defined in division (E) of section 3734.02 of the Revised Code,~~ to 3513
which a hazardous waste facility installation and operation permit 3514
or renewal of a permit has been issued under this chapter, whose 3515
owner or operator is operating in accordance with a permit by rule 3516
under rules adopted by the director, or that are not subject to 3517
the hazardous waste facility installation and operation permit 3518
requirements under rules adopted by the director. 3519

~~(C)~~(E) There are hereby levied additional fees on the 3520
treatment and disposal of hazardous waste at the rate of ten per 3521
cent of the applicable fees prescribed in division ~~(A)~~(C) or 3522
~~(B)~~(D) of this section for the purposes of paying the costs of 3523

municipal corporations and counties for conducting reviews of 3524
applications for hazardous waste facility installation and 3525
operation permits for proposed new or modified hazardous waste 3526
landfills within their boundaries, emergency response actions with 3527
respect to releases of hazardous waste from hazardous waste 3528
facilities within their boundaries, monitoring the operation of 3529
such hazardous waste facilities, and local waste management 3530
planning programs. The owner or operator of a facility located 3531
within a municipal corporation, as a trustee for the municipal 3532
corporation, shall collect the fees levied by this division and 3533
forward them to the treasurer of the municipal corporation or such 3534
officer as, by virtue of the charter, has the duties of the 3535
treasurer in accordance with rules adopted under this section. The 3536
owner or operator of a facility located in an unincorporated area, 3537
as a trustee of the county in which the facility is located, shall 3538
collect the fees levied by this division and forward them to the 3539
county treasurer of that county in accordance with rules adopted 3540
under this section. The owner or operator shall pay the fees 3541
levied by this division to the treasurer or such other officer of 3542
the municipal corporation or to the county treasurer each year 3543
upon the anniversary of the date of issuance of the owner's or 3544
operator's installation and operation permit during the term of 3545
that permit and any renewal permit issued under division (H) of 3546
section 3734.05 of the Revised Code or on the anniversary of the 3547
date of a permit by rule or the date on which the facility became 3548
exempt from hazardous waste facility installation and operation 3549
permit requirements under rules adopted by the director. If 3550
payment is late, the owner or operator shall pay an additional ten 3551
per cent of the amount of the fee for each month that the payment 3552
is late. 3553

Moneys received by a municipal corporation under this 3554
division shall be paid into a special fund of the municipal 3555
corporation and used exclusively for the purposes of conducting 3556

reviews of applications for hazardous waste facility installation 3557
and operation permits for new or modified hazardous waste 3558
landfills located or proposed within the municipal corporation, 3559
conducting emergency response actions with respect to releases of 3560
hazardous waste from facilities located within the municipal 3561
corporation, monitoring operation of such hazardous waste 3562
facilities, and conducting waste management planning programs 3563
within the municipal corporation through employees of the 3564
municipal corporation or pursuant to contracts entered into with 3565
persons or political subdivisions. Moneys received by a board of 3566
county commissioners under this division shall be paid into a 3567
special fund of the county and used exclusively for those purposes 3568
within the unincorporated area of the county through employees of 3569
the county or pursuant to contracts entered into with persons or 3570
political subdivisions. 3571

~~(D)~~(F) As used in this section, "treatment" or "treated" does 3572
not include any method, technique, or process designed to recover 3573
energy or material resources from the waste or to render the waste 3574
amenable for recovery. The fees levied by division ~~(B)~~(D) of this 3575
section do not apply to hazardous waste that is treated and 3576
disposed of on the same premises or by the same person. 3577

~~(E)~~(G) The director, by rules adopted in accordance with 3578
Chapters 119. and 3745. of the Revised Code, shall prescribe any 3579
dates not specified in this section and procedures for collecting 3580
and forwarding the fees prescribed by this section and may 3581
prescribe other requirements that are necessary to carry out this 3582
section. 3583

The director shall deposit the moneys collected under 3584
divisions ~~(A)~~(C) and ~~(B)~~(D) of this section into one or more 3585
minority banks, as "minority bank" is defined in division (F)(1) 3586
of section 135.04 of the Revised Code, to the credit of the 3587
hazardous waste facility management fund, which is hereby created 3588

in the state treasury, except that the director shall deposit to 3589
the credit of the underground injection control fund created in 3590
section 6111.046 of the Revised Code moneys in excess of fifty 3591
thousand dollars that are collected during a fiscal year under 3592
division ~~(A)~~(C)(2) of this section from the fee levied on the 3593
disposal of hazardous waste by deep well injection at an on-site 3594
disposal facility that disposes of more than one hundred thousand 3595
tons of hazardous waste in a year. 3596

The environmental protection agency may use moneys in the 3597
hazardous waste facility management fund for administration of the 3598
hazardous waste program established under this chapter and, in 3599
accordance with this section, may request approval by the 3600
controlling board for that use on an annual basis. In addition, 3601
the agency may use and pledge moneys in that fund for repayment of 3602
and for interest on any loans made by the Ohio water development 3603
authority to the agency for the hazardous waste program 3604
established under this chapter without the necessity of requesting 3605
approval by the controlling board, which use and pledge shall have 3606
priority over any other use of the moneys in the fund. 3607

Until September 28, 1996, the director also may use moneys in 3608
the fund to pay the start-up costs of administering Chapter 3746. 3609
of the Revised Code. 3610

If moneys in the fund that the agency uses in accordance with 3611
this chapter are reimbursed by grants or other moneys from the 3612
United States government, the grants or other moneys shall be 3613
placed in the fund. 3614

Before the agency makes any expenditure from the fund other 3615
than for repayment of and interest on any loan made by the Ohio 3616
water development authority to the agency in accordance with this 3617
section, the controlling board shall approve the expenditure. 3618

Sec. 3734.57. (A) For the purposes of paying the state's 3619

long-term operation costs or matching share for actions taken 3620
under the "Comprehensive Environmental Response, Compensation, and 3621
Liability Act of 1980," 94 Stat. 2767, 42 U.S.C.A. 9601, as 3622
amended; paying the costs of measures for proper clean-up of sites 3623
where polychlorinated biphenyls and substances, equipment, and 3624
devices containing or contaminated with polychlorinated biphenyls 3625
have been stored or disposed of; paying the costs of conducting 3626
surveys or investigations of solid waste facilities or other 3627
locations where it is believed that significant quantities of 3628
hazardous waste were disposed of and for conducting enforcement 3629
actions arising from the findings of such surveys or 3630
investigations; paying the costs of acquiring and cleaning up, or 3631
providing financial assistance for cleaning up, any hazardous 3632
waste facility or solid waste facility containing significant 3633
quantities of hazardous waste, that constitutes an imminent and 3634
substantial threat to public health or safety or the environment; 3635
and, from July 1, 2003, through June 30, 2006, for the purposes of 3636
paying the costs of administering and enforcing the laws 3637
pertaining to solid wastes, infectious wastes, and construction 3638
and demolition debris, including, without limitation, ground water 3639
evaluations related to solid wastes, infectious wastes, and 3640
construction and demolition debris, under this chapter and Chapter 3641
3714. of the Revised Code and any rules adopted under them, and 3642
paying a share of the administrative costs of the environmental 3643
protection agency pursuant to section 3745.014 of the Revised 3644
Code, the following fees are hereby levied on the disposal of 3645
solid wastes in this state: 3646

(1) One dollar per ton on and after July 1, 1993; 3647

(2) An additional one dollar per ton on and after July 1, 3648
2003, through June 30, 2006. 3649

The owner or operator of a solid waste disposal facility 3650
shall collect the fees levied under this division as a trustee for 3651

the state and shall prepare and file with the director of 3652
environmental protection monthly returns indicating the total 3653
tonnage of solid wastes received for disposal at the gate of the 3654
facility and the total amount of the fees collected under this 3655
division. Not later than thirty days after the last day of the 3656
month to which such a return applies, the owner or operator shall 3657
mail to the director the return for that month together with the 3658
fees collected during that month as indicated on the return. The 3659
owner or operator may request an extension of not more than thirty 3660
days for filing the return and remitting the fees, provided that 3661
the owner or operator has submitted such a request in writing to 3662
the director together with a detailed description of why the 3663
extension is requested, the director has received the request not 3664
later than the day on which the return is required to be filed, 3665
and the director has approved the request. If the fees are not 3666
remitted within ~~sixty~~ thirty days after the last day of the month 3667
during which they were collected or are not remitted by the last 3668
day of an extension approved by the director, the owner or 3669
operator shall pay an additional fifty per cent of the amount of 3670
the fees for each month that they are late. 3671

One-half of the moneys remitted to the director under 3672
division (A)(1) of this section shall be credited to the hazardous 3673
waste facility management fund created in section 3734.18 of the 3674
Revised Code, and one-half shall be credited to the hazardous 3675
waste clean-up fund created in section 3734.28 of the Revised 3676
Code. The moneys remitted to the director under division (A)(2) of 3677
this section shall be credited to the solid waste fund, which is 3678
hereby created in the state treasury. The environmental protection 3679
agency shall use moneys in the solid waste fund only to pay the 3680
costs of administering and enforcing the laws pertaining to solid 3681
wastes, infectious wastes, and construction and demolition debris, 3682
including, without limitation, ground water evaluations related to 3683
solid wastes, infectious wastes, and construction and demolition 3684

debris, under this chapter and Chapter 3714. of the Revised Code 3685
and rules adopted under them and to pay a share of the 3686
administrative costs of the environmental protection agency 3687
pursuant to section 3745.014 of the Revised Code. 3688

The fees levied under this division and divisions (B) and (C) 3689
of this section are in addition to all other applicable fees and 3690
taxes and shall be added to any other fee or amount specified in a 3691
contract that is charged by the owner or operator of a solid waste 3692
disposal facility or to any other fee or amount that is specified 3693
in a contract entered into on or after March 4, 1992, and that is 3694
charged by a transporter of solid wastes. 3695

(B) For the purpose of preparing, revising, and implementing 3696
the solid waste management plan of the county or joint solid waste 3697
management district, including, without limitation, the 3698
development and implementation of solid waste recycling or 3699
reduction programs; providing financial assistance to boards of 3700
health within the district, if solid waste facilities are located 3701
within the district, for the enforcement of this chapter and rules 3702
adopted and orders and terms and conditions of permits, licenses, 3703
and variances issued under it, other than the hazardous waste 3704
provisions of this chapter and rules adopted and orders and terms 3705
and conditions of permits issued under those provisions; providing 3706
financial assistance to the county to defray the added costs of 3707
maintaining roads and other public facilities and of providing 3708
emergency and other public services resulting from the location 3709
and operation of a solid waste facility within the county under 3710
the district's approved solid waste management plan; paying the 3711
costs incurred by boards of health for collecting and analyzing 3712
water samples from public or private wells on lands adjacent to 3713
solid waste facilities that are contained in the approved or 3714
amended plan of the district; paying the costs of developing and 3715
implementing a program for the inspection of solid wastes 3716

generated outside the boundaries of this state that are disposed 3717
of at solid waste facilities included in the district's approved 3718
solid waste management plan or amended plan; providing financial 3719
assistance to boards of health within the district for enforcing 3720
laws prohibiting open dumping; providing financial assistance to 3721
local law enforcement agencies within the district for enforcing 3722
laws and ordinances prohibiting littering; providing financial 3723
assistance to boards of health of health districts within the 3724
district that are on the approved list under section 3734.08 of 3725
the Revised Code for the training and certification required for 3726
their employees responsible for solid waste enforcement by rules 3727
adopted under division (L) of section 3734.02 of the Revised Code; 3728
providing financial assistance to individual municipal 3729
corporations and townships within the district to defray their 3730
added costs of maintaining roads and other public facilities and 3731
of providing emergency and other public services resulting from 3732
the location and operation within their boundaries of a 3733
composting, energy or resource recovery, incineration, or 3734
recycling facility that either is owned by the district or is 3735
furnishing solid waste management facility or recycling services 3736
to the district pursuant to a contract or agreement with the board 3737
of county commissioners or directors of the district; and payment 3738
of any expenses that are agreed to, awarded, or ordered to be paid 3739
under section 3734.35 of the Revised Code and of any 3740
administrative costs incurred pursuant to that section, the solid 3741
waste management policy committee of a county or joint solid waste 3742
management district may levy fees upon the following activities: 3743

(1) The disposal at a solid waste disposal facility located 3744
in the district of solid wastes generated within the district; 3745

(2) The disposal at a solid waste disposal facility within 3746
the district of solid wastes generated outside the boundaries of 3747
the district, but inside this state; 3748

(3) The disposal at a solid waste disposal facility within 3749
the district of solid wastes generated outside the boundaries of 3750
this state. 3751

If any such fees are levied prior to January 1, 1994, fees 3752
levied under division (B)(1) of this section always shall be equal 3753
to one-half of the fees levied under division (B)(2) of this 3754
section, and fees levied under division (B)(3) of this section, 3755
which shall be in addition to fees levied under division (B)(2) of 3756
this section, always shall be equal to fees levied under division 3757
(B)(1) of this section, except as otherwise provided in this 3758
division. The solid waste management plan of the county or joint 3759
district approved under section 3734.521 or 3734.55 of the Revised 3760
Code and any amendments to it, or the resolution adopted under 3761
this division, as appropriate, shall establish the rates of the 3762
fees levied under divisions (B)(1), (2), and (3) of this section, 3763
if any, and shall specify whether the fees are levied on the basis 3764
of tons or cubic yards as the unit of measurement. Although the 3765
fees under divisions (A)(1) and (2) of this section are levied on 3766
the basis of tons as the unit of measurement, the solid waste 3767
management plan of the district and any amendments to it or the 3768
solid waste management policy committee in its resolution levying 3769
fees under this division may direct that the fees levied under 3770
those divisions be levied on the basis of cubic yards as the unit 3771
of measurement based upon a conversion factor of three cubic yards 3772
per ton generally or one cubic yard per ton for baled wastes if 3773
the fees under divisions (B)(1) to (3) of this section are being 3774
levied on the basis of cubic yards as the unit of measurement 3775
under the plan, amended plan, or resolution. 3776

On and after January 1, 1994, the fee levied under division 3777
(B)(1) of this section shall be not less than one dollar per ton 3778
nor more than two dollars per ton, the fee levied under division 3779
(B)(2) of this section shall be not less than two dollars per ton 3780

nor more than four dollars per ton, and the fee levied under 3781
division (B)(3) of this section shall be not more than the fee 3782
levied under division (B)(1) of this section, except as otherwise 3783
provided in this division and notwithstanding any schedule of 3784
those fees established in the solid waste management plan of a 3785
county or joint district approved under section 3734.55 of the 3786
Revised Code or a resolution adopted and ratified under this 3787
division that is in effect on that date. If the fee that a 3788
district is levying under division (B)(1) of this section on that 3789
date under its approved plan or such a resolution is less than one 3790
dollar per ton, the fee shall be one dollar per ton on and after 3791
January 1, 1994, and if the fee that a district is so levying 3792
under that division exceeds two dollars per ton, the fee shall be 3793
two dollars per ton on and after that date. If the fee that a 3794
district is so levying under division (B)(2) of this section is 3795
less than two dollars per ton, the fee shall be two dollars per 3796
ton on and after that date, and if the fee that the district is so 3797
levying under that division exceeds four dollars per ton, the fee 3798
shall be four dollars per ton on and after that date. On that 3799
date, the fee levied by a district under division (B)(3) of this 3800
section shall be equal to the fee levied under division (B)(1) of 3801
this section. Except as otherwise provided in this division, the 3802
fees established by the operation of this amendment shall remain 3803
in effect until the district's resolution levying fees under this 3804
division is amended or repealed in accordance with this division 3805
to amend or abolish the schedule of fees, the schedule of fees is 3806
amended or abolished in an amended plan of the district approved 3807
under section 3734.521 or division (A) or (D) of section 3734.56 3808
of the Revised Code, or the schedule of fees is amended or 3809
abolished through an amendment to the district's plan under 3810
division (E) of section 3734.56 of the Revised Code; the 3811
notification of the amendment or abolishment of the fees has been 3812
given in accordance with this division; and collection of the 3813

amended fees so established commences, or collection of the fees 3814
ceases, in accordance with this division. 3815

The solid waste management policy committee of a district 3816
levying fees under divisions (B)(1) to (3) of this section on 3817
October 29, 1993, under its solid waste management plan approved 3818
under section 3734.55 of the Revised Code or a resolution adopted 3819
and ratified under this division that are within the ranges of 3820
rates prescribed by this amendment, by adoption of a resolution 3821
not later than December 1, 1993, and without the necessity for 3822
ratification of the resolution under this division, may amend 3823
those fees within the prescribed ranges, provided that the 3824
estimated revenues from the amended fees will not substantially 3825
exceed the estimated revenues set forth in the district's budget 3826
for calendar year 1994. Not later than seven days after the 3827
adoption of such a resolution, the committee shall notify by 3828
certified mail the owner or operator of each solid waste disposal 3829
facility that is required to collect the fees of the adoption of 3830
the resolution and of the amount of the amended fees. Collection 3831
of the amended fees shall take effect on the first day of the 3832
first month following the month in which the notification is sent 3833
to the owner or operator. The fees established in such a 3834
resolution shall remain in effect until the district's resolution 3835
levying fees that was adopted and ratified under this division is 3836
amended or repealed, and the amendment or repeal of the resolution 3837
is ratified, in accordance with this division, to amend or abolish 3838
the fees, the schedule of fees is amended or abolished in an 3839
amended plan of the district approved under section 3734.521 or 3840
division (A) or (D) of section 3734.56 of the Revised Code, or the 3841
schedule of fees is amended or abolished through an amendment to 3842
the district's plan under division (E) of section 3734.56 of the 3843
Revised Code; the notification of the amendment or abolishment of 3844
the fees has been given in accordance with this division; and 3845
collection of the amended fees so established commences, or 3846

collection of the fees ceases, in accordance with this division. 3847

Prior to the approval of the solid waste management plan of 3848
the district under section 3734.55 of the Revised Code, the solid 3849
waste management policy committee of a district may levy fees 3850
under this division by adopting a resolution establishing the 3851
proposed amount of the fees. Upon adopting the resolution, the 3852
committee shall deliver a copy of the resolution to the board of 3853
county commissioners of each county forming the district and to 3854
the legislative authority of each municipal corporation and 3855
township under the jurisdiction of the district and shall prepare 3856
and publish the resolution and a notice of the time and location 3857
where a public hearing on the fees will be held. Upon adopting the 3858
resolution, the committee shall deliver written notice of the 3859
adoption of the resolution; of the amount of the proposed fees; 3860
and of the date, time, and location of the public hearing to the 3861
director and to the fifty industrial, commercial, or institutional 3862
generators of solid wastes within the district that generate the 3863
largest quantities of solid wastes, as determined by the 3864
committee, and to their local trade associations. The committee 3865
shall make good faith efforts to identify those generators within 3866
the district and their local trade associations, but the 3867
nonprovision of notice under this division to a particular 3868
generator or local trade association does not invalidate the 3869
proceedings under this division. The publication shall occur at 3870
least thirty days before the hearing. After the hearing, the 3871
committee may make such revisions to the proposed fees as it 3872
considers appropriate and thereafter, by resolution, shall adopt 3873
the revised fee schedule. Upon adopting the revised fee schedule, 3874
the committee shall deliver a copy of the resolution doing so to 3875
the board of county commissioners of each county forming the 3876
district and to the legislative authority of each municipal 3877
corporation and township under the jurisdiction of the district. 3878
Within sixty days after the delivery of a copy of the resolution 3879

adopting the proposed revised fees by the policy committee, each 3880
such board and legislative authority, by ordinance or resolution, 3881
shall approve or disapprove the revised fees and deliver a copy of 3882
the ordinance or resolution to the committee. If any such board or 3883
legislative authority fails to adopt and deliver to the policy 3884
committee an ordinance or resolution approving or disapproving the 3885
revised fees within sixty days after the policy committee 3886
delivered its resolution adopting the proposed revised fees, it 3887
shall be conclusively presumed that the board or legislative 3888
authority has approved the proposed revised fees. 3889

In the case of a county district or a joint district formed 3890
by two or three counties, the committee shall declare the proposed 3891
revised fees to be ratified as the fee schedule of the district 3892
upon determining that the board of county commissioners of each 3893
county forming the district has approved the proposed revised fees 3894
and that the legislative authorities of a combination of municipal 3895
corporations and townships with a combined population within the 3896
district comprising at least sixty per cent of the total 3897
population of the district have approved the proposed revised 3898
fees, provided that in the case of a county district, that 3899
combination shall include the municipal corporation having the 3900
largest population within the boundaries of the district, and 3901
provided further that in the case of a joint district formed by 3902
two or three counties, that combination shall include for each 3903
county forming the joint district the municipal corporation having 3904
the largest population within the boundaries of both the county in 3905
which the municipal corporation is located and the joint district. 3906
In the case of a joint district formed by four or more counties, 3907
the committee shall declare the proposed revised fees to be 3908
ratified as the fee schedule of the joint district upon 3909
determining that the boards of county commissioners of a majority 3910
of the counties forming the district have approved the proposed 3911
revised fees; that, in each of a majority of the counties forming 3912

the joint district, the proposed revised fees have been approved 3913
by the municipal corporation having the largest population within 3914
the county and the joint district; and that the legislative 3915
authorities of a combination of municipal corporations and 3916
townships with a combined population within the joint district 3917
comprising at least sixty per cent of the total population of the 3918
joint district have approved the proposed revised fees. 3919

For the purposes of this division, only the population of the 3920
unincorporated area of a township shall be considered. For the 3921
purpose of determining the largest municipal corporation within 3922
each county under this division, a municipal corporation that is 3923
located in more than one solid waste management district, but that 3924
is under the jurisdiction of one county or joint solid waste 3925
management district in accordance with division (A) of section 3926
3734.52 of the Revised Code shall be considered to be within the 3927
boundaries of the county in which a majority of the population of 3928
the municipal corporation resides. 3929

The committee may amend the schedule of fees levied pursuant 3930
to a resolution or amended resolution adopted and ratified under 3931
this division by adopting a resolution establishing the proposed 3932
amount of the amended fees. The committee may abolish the fees 3933
levied pursuant to such a resolution or amended resolution by 3934
adopting a resolution proposing to repeal them. Upon adopting such 3935
a resolution, the committee shall proceed to obtain ratification 3936
of the resolution in accordance with this division. 3937

Not later than fourteen days after declaring the fees or 3938
amended fees to be ratified under this division, the committee 3939
shall notify by certified mail the owner or operator of each solid 3940
waste disposal facility that is required to collect the fees of 3941
the ratification and the amount of the fees. Collection of any 3942
fees or amended fees ratified on or after March 24, 1992, shall 3943
commence on the first day of the second month following the month 3944

in which notification is sent to the owner or operator. 3945

Not later than fourteen days after declaring the repeal of 3946
the district's schedule of fees to be ratified under this 3947
division, the committee shall notify by certified mail the owner 3948
or operator of each facility that is collecting the fees of the 3949
repeal. Collection of the fees shall cease on the first day of the 3950
second month following the month in which notification is sent to 3951
the owner or operator. 3952

Not later than fourteen days after the director issues an 3953
order approving a district's solid waste management plan under 3954
section 3734.55 of the Revised Code or amended plan under division 3955
(A) or (D) of section 3734.56 of the Revised Code that establishes 3956
or amends a schedule of fees levied by the district, or the 3957
ratification of an amendment to the district's approved plan or 3958
amended plan under division (E) of section 3734.56 of the Revised 3959
Code that establishes or amends a schedule of fees, as 3960
appropriate, the committee shall notify by certified mail the 3961
owner or operator of each solid waste disposal facility that is 3962
required to collect the fees of the approval of the plan or 3963
amended plan, or the amendment to the plan, as appropriate, and 3964
the amount of the fees or amended fees. In the case of an initial 3965
or amended plan approved under section 3734.521 of the Revised 3966
Code in connection with a change in district composition, other 3967
than one involving the withdrawal of a county from a joint 3968
district, that establishes or amends a schedule of fees levied 3969
under divisions (B)(1) to (3) of this section by a district 3970
resulting from the change, the committee, within fourteen days 3971
after the change takes effect pursuant to division (G) of that 3972
section, shall notify by certified mail the owner or operator of 3973
each solid waste disposal facility that is required to collect the 3974
fees that the change has taken effect and of the amount of the 3975
fees or amended fees. Collection of any fees set forth in a plan 3976

or amended plan approved by the director on or after April 16, 3977
1993, or an amendment of a plan or amended plan under division (E) 3978
of section 3734.56 of the Revised Code that is ratified on or 3979
after April 16, 1993, shall commence on the first day of the 3980
second month following the month in which notification is sent to 3981
the owner or operator. 3982

Not later than fourteen days after the director issues an 3983
order approving a district's plan under section 3734.55 of the 3984
Revised Code or amended plan under division (A) or (D) of section 3985
3734.56 of the Revised Code that abolishes the schedule of fees 3986
levied under divisions (B)(1) to (3) of this section, or an 3987
amendment to the district's approved plan or amended plan 3988
abolishing the schedule of fees is ratified pursuant to division 3989
(E) of section 3734.56 of the Revised Code, as appropriate, the 3990
committee shall notify by certified mail the owner or operator of 3991
each facility that is collecting the fees of the approval of the 3992
plan or amended plan, or the amendment of the plan or amended 3993
plan, as appropriate, and the abolishment of the fees. In the case 3994
of an initial or amended plan approved under section 3734.521 of 3995
the Revised Code in connection with a change in district 3996
composition, other than one involving the withdrawal of a county 3997
from a joint district, that abolishes the schedule of fees levied 3998
under divisions (B)(1) to (3) of this section by a district 3999
resulting from the change, the committee, within fourteen days 4000
after the change takes effect pursuant to division (G) of that 4001
section, shall notify by certified mail the owner or operator of 4002
each solid waste disposal facility that is required to collect the 4003
fees that the change has taken effect and of the abolishment of 4004
the fees. Collection of the fees shall cease on the first day of 4005
the second month following the month in which notification is sent 4006
to the owner or operator. 4007

Except as otherwise provided in this division, if the 4008

schedule of fees that a district is levying under divisions (B)(1) 4009
to (3) of this section pursuant to a resolution or amended 4010
resolution adopted and ratified under this division, the solid 4011
waste management plan of the district approved under section 4012
3734.55 of the Revised Code, an amended plan approved under 4013
division (A) or (D) of section 3734.56 of the Revised Code, or an 4014
amendment to the district's approved plan or amended plan under 4015
division (E) of section 3734.56 of the Revised Code, is amended by 4016
the adoption and ratification of an amendment to the resolution or 4017
amended resolution or an amendment of the district's approved plan 4018
or amended plan, the fees in effect immediately prior to the 4019
approval of the plan or the amendment of the resolution, amended 4020
resolution, plan, or amended plan, as appropriate, shall continue 4021
to be collected until collection of the amended fees commences 4022
pursuant to this division. 4023

If, in the case of a change in district composition involving 4024
the withdrawal of a county from a joint district, the director 4025
completes the actions required under division (G)(1) or (3) of 4026
section 3734.521 of the Revised Code, as appropriate, forty-five 4027
days or more before the beginning of a calendar year, the policy 4028
committee of each of the districts resulting from the change that 4029
obtained the director's approval of an initial or amended plan in 4030
connection with the change, within fourteen days after the 4031
director's completion of the required actions, shall notify by 4032
certified mail the owner or operator of each solid waste disposal 4033
facility that is required to collect the district's fees that the 4034
change is to take effect on the first day of January immediately 4035
following the issuance of the notice and of the amount of the fees 4036
or amended fees levied under divisions (B)(1) to (3) of this 4037
section pursuant to the district's initial or amended plan as so 4038
approved or, if appropriate, the abolishment of the district's 4039
fees by that initial or amended plan. Collection of any fees set 4040
forth in such a plan or amended plan shall commence on the first 4041

day of January immediately following the issuance of the notice. 4042
If such an initial or amended plan abolishes a schedule of fees, 4043
collection of the fees shall cease on that first day of January. 4044

If, in the case of a change in district composition involving 4045
the withdrawal of a county from a joint district, the director 4046
completes the actions required under division (G)(1) or (3) of 4047
section 3734.521 of the Revised Code, as appropriate, less than 4048
forty-five days before the beginning of a calendar year, the 4049
director, on behalf of each of the districts resulting from the 4050
change that obtained the director's approval of an initial or 4051
amended plan in connection with the change proceedings, shall 4052
notify by certified mail the owner or operator of each solid waste 4053
disposal facility that is required to collect the district's fees 4054
that the change is to take effect on the first day of January 4055
immediately following the mailing of the notice and of the amount 4056
of the fees or amended fees levied under divisions (B)(1) to (3) 4057
of this section pursuant to the district's initial or amended plan 4058
as so approved or, if appropriate, the abolishment of the 4059
district's fees by that initial or amended plan. Collection of any 4060
fees set forth in such a plan or amended plan shall commence on 4061
the first day of the second month following the month in which 4062
notification is sent to the owner or operator. If such an initial 4063
or amended plan abolishes a schedule of fees, collection of the 4064
fees shall cease on the first day of the second month following 4065
the month in which notification is sent to the owner or operator. 4066

In the case of a change in district composition, the schedule 4067
of fees that the former districts that existed prior to the change 4068
were levying under divisions (B)(1) to (3) of this section 4069
pursuant to a resolution or amended resolution adopted and 4070
ratified under this division, the solid waste management plan of a 4071
former district approved under section 3734.521 or 3734.55 of the 4072
Revised Code, an amended plan approved under section 3734.521 or 4073

division (A) or (D) of section 3734.56 of the Revised Code, or an 4074
amendment to a former district's approved plan or amended plan 4075
under division (E) of section 3734.56 of the Revised Code, and 4076
that were in effect on the date that the director completed the 4077
actions required under division (G)(1) or (3) of section 3734.521 4078
of the Revised Code shall continue to be collected until the 4079
collection of the fees or amended fees of the districts resulting 4080
from the change is required to commence, or if an initial or 4081
amended plan of a resulting district abolishes a schedule of fees, 4082
collection of the fees is required to cease, under this division. 4083
Moneys so received from the collection of the fees of the former 4084
districts shall be divided among the resulting districts in 4085
accordance with division (B) of section 343.012 of the Revised 4086
Code and the agreements entered into under division (B) of section 4087
343.01 of the Revised Code to establish the former and resulting 4088
districts and any amendments to those agreements. 4089

For the purposes of the provisions of division (B) of this 4090
section establishing the times when newly established or amended 4091
fees levied by a district are required to commence and the 4092
collection of fees that have been amended or abolished is required 4093
to cease, "fees" or "schedule of fees" includes, in addition to 4094
fees levied under divisions (B)(1) to (3) of this section, those 4095
levied under section 3734.573 or 3734.574 of the Revised Code. 4096

(C) For the purposes of defraying the added costs to a 4097
municipal corporation or township of maintaining roads and other 4098
public facilities and of providing emergency and other public 4099
services, and compensating a municipal corporation or township for 4100
reductions in real property tax revenues due to reductions in real 4101
property valuations resulting from the location and operation of a 4102
solid waste disposal facility within the municipal corporation or 4103
township, a municipal corporation or township in which such a 4104
solid waste disposal facility is located may levy a fee of not 4105

more than twenty-five cents per ton on the disposal of solid 4106
wastes at a solid waste disposal facility located within the 4107
boundaries of the municipal corporation or township regardless of 4108
where the wastes were generated. 4109

The legislative authority of a municipal corporation or 4110
township may levy fees under this division by enacting an 4111
ordinance or adopting a resolution establishing the amount of the 4112
fees. Upon so doing the legislative authority shall mail a 4113
certified copy of the ordinance or resolution to the board of 4114
county commissioners or directors of the county or joint solid 4115
waste management district in which the municipal corporation or 4116
township is located or, if a regional solid waste management 4117
authority has been formed under section 343.011 of the Revised 4118
Code, to the board of trustees of that regional authority, the 4119
owner or operator of each solid waste disposal facility in the 4120
municipal corporation or township that is required to collect the 4121
fee by the ordinance or resolution, and the director of 4122
environmental protection. Although the fees levied under this 4123
division are levied on the basis of tons as the unit of 4124
measurement, the legislative authority, in its ordinance or 4125
resolution levying the fees under this division, may direct that 4126
the fees be levied on the basis of cubic yards as the unit of 4127
measurement based upon a conversion factor of three cubic yards 4128
per ton generally or one cubic yard per ton for baled wastes. 4129

Not later than five days after enacting an ordinance or 4130
adopting a resolution under this division, the legislative 4131
authority shall so notify by certified mail the owner or operator 4132
of each solid waste disposal facility that is required to collect 4133
the fee. Collection of any fee levied on or after March 24, 1992, 4134
shall commence on the first day of the second month following the 4135
month in which notification is sent to the owner or operator. 4136

(D)(1) The fees levied under divisions (A), (B), and (C) of 4137

this section do not apply to the disposal of solid wastes that: 4138

(a) Are disposed of at a facility owned by the generator of 4139
the wastes when the solid waste facility exclusively disposes of 4140
solid wastes generated at one or more premises owned by the 4141
generator regardless of whether the facility is located on a 4142
premises where the wastes are generated; 4143

(b) Are disposed of at facilities that exclusively dispose of 4144
wastes that are generated from the combustion of coal, or from the 4145
combustion of primarily coal in combination with scrap tires, that 4146
is not combined in any way with garbage at one or more premises 4147
owned by the generator. 4148

(2) Except as provided in section 3734.571 of the Revised 4149
Code, any fees levied under division (B)(1) of this section apply 4150
to solid wastes originating outside the boundaries of a county or 4151
joint district that are covered by an agreement for the joint use 4152
of solid waste facilities entered into under section 343.02 of the 4153
Revised Code by the board of county commissioners or board of 4154
directors of the county or joint district where the wastes are 4155
generated and disposed of. 4156

(3) When solid wastes, other than solid wastes that consist 4157
of scrap tires, are burned in a disposal facility that is an 4158
incinerator or energy recovery facility, the fees levied under 4159
divisions (A), (B), and (C) of this section shall be levied upon 4160
the disposal of the fly ash and bottom ash remaining after burning 4161
of the solid wastes and shall be collected by the owner or 4162
operator of the sanitary landfill where the ash is disposed of. 4163

(4) When solid wastes are delivered to a solid waste transfer 4164
facility, the fees levied under divisions (A), (B), and (C) of 4165
this section shall be levied upon the disposal of solid wastes 4166
transported off the premises of the transfer facility for disposal 4167
and shall be collected by the owner or operator of the solid waste 4168

disposal facility where the wastes are disposed of. 4169

(5) The fees levied under divisions (A), (B), and (C) of this 4170
section do not apply to sewage sludge that is generated by a waste 4171
water treatment facility holding a national pollutant discharge 4172
elimination system permit and that is disposed of through 4173
incineration, land application, or composting or at another 4174
resource recovery or disposal facility that is not a landfill. 4175

(6) The fees levied under divisions (A), (B), and (C) of this 4176
section do not apply to solid wastes delivered to a solid waste 4177
composting facility for processing. When any unprocessed solid 4178
waste or compost product is transported off the premises of a 4179
composting facility and disposed of at a landfill, the fees levied 4180
under divisions (A), (B), and (C) of this section shall be 4181
collected by the owner or operator of the landfill where the 4182
unprocessed waste or compost product is disposed of. 4183

(7) When solid wastes that consist of scrap tires are 4184
processed at a scrap tire recovery facility, the fees levied under 4185
divisions (A), (B), and (C) of this section shall be levied upon 4186
the disposal of the fly ash and bottom ash or other solid wastes 4187
remaining after the processing of the scrap tires and shall be 4188
collected by the owner or operator of the solid waste disposal 4189
facility where the ash or other solid wastes are disposed of. 4190

(E) The fees levied under divisions (B) and (C) of this 4191
section shall be collected by the owner or operator of the solid 4192
waste disposal facility where the wastes are disposed of as a 4193
trustee for the county or joint district and municipal corporation 4194
or township where the wastes are disposed of. Moneys from the fees 4195
levied under division (B) of this section shall be forwarded to 4196
the board of county commissioners or board of directors of the 4197
district in accordance with rules adopted under division (H) of 4198
this section. Moneys from the fees levied under division (C) of 4199
this section shall be forwarded to the treasurer or such other 4200

officer of the municipal corporation as, by virtue of the charter, 4201
has the duties of the treasurer or to the clerk of the township, 4202
as appropriate, in accordance with those rules. 4203

(F) Moneys received by the treasurer or such other officer of 4204
the municipal corporation under division (E) of this section shall 4205
be paid into the general fund of the municipal corporation. Moneys 4206
received by the clerk of the township under that division shall be 4207
paid into the general fund of the township. The treasurer or such 4208
other officer of the municipal corporation or the clerk, as 4209
appropriate, shall maintain separate records of the moneys 4210
received from the fees levied under division (C) of this section. 4211

(G) Moneys received by the board of county commissioners or 4212
board of directors under division (E) of this section or section 4213
3734.571, 3734.572, 3734.573, or 3734.574 of the Revised Code 4214
shall be paid to the county treasurer, or other official acting in 4215
a similar capacity under a county charter, in a county district or 4216
to the county treasurer or other official designated by the board 4217
of directors in a joint district and kept in a separate and 4218
distinct fund to the credit of the district. If a regional solid 4219
waste management authority has been formed under section 343.011 4220
of the Revised Code, moneys received by the board of trustees of 4221
that regional authority under division (E) of this section shall 4222
be kept by the board in a separate and distinct fund to the credit 4223
of the district. Moneys in the special fund of the county or joint 4224
district arising from the fees levied under division (B) of this 4225
section and the fee levied under division (A) of section 3734.573 4226
of the Revised Code shall be expended by the board of county 4227
commissioners or directors of the district in accordance with the 4228
district's solid waste management plan or amended plan approved 4229
under section 3734.521, 3734.55, or 3734.56 of the Revised Code 4230
exclusively for the following purposes: 4231

(1) Preparation of the solid waste management plan of the 4232

| | |
|--------------------------------------------------------------------|------|
| district under section 3734.54 of the Revised Code, monitoring | 4233 |
| implementation of the plan, and conducting the periodic review and | 4234 |
| amendment of the plan required by section 3734.56 of the Revised | 4235 |
| Code by the solid waste management policy committee; | 4236 |
| (2) Implementation of the approved solid waste management | 4237 |
| plan or amended plan of the district, including, without | 4238 |
| limitation, the development and implementation of solid waste | 4239 |
| recycling or reduction programs; | 4240 |
| (3) Providing financial assistance to boards of health within | 4241 |
| the district, if solid waste facilities are located within the | 4242 |
| district, for enforcement of this chapter and rules, orders, and | 4243 |
| terms and conditions of permits, licenses, and variances adopted | 4244 |
| or issued under it, other than the hazardous waste provisions of | 4245 |
| this chapter and rules adopted and orders and terms and conditions | 4246 |
| of permits issued under those provisions; | 4247 |
| (4) Providing financial assistance to each county within the | 4248 |
| district to defray the added costs of maintaining roads and other | 4249 |
| public facilities and of providing emergency and other public | 4250 |
| services resulting from the location and operation of a solid | 4251 |
| waste facility within the county under the district's approved | 4252 |
| solid waste management plan or amended plan; | 4253 |
| (5) Pursuant to contracts entered into with boards of health | 4254 |
| within the district, if solid waste facilities contained in the | 4255 |
| district's approved plan or amended plan are located within the | 4256 |
| district, for paying the costs incurred by those boards of health | 4257 |
| for collecting and analyzing samples from public or private water | 4258 |
| wells on lands adjacent to those facilities; | 4259 |
| (6) Developing and implementing a program for the inspection | 4260 |
| of solid wastes generated outside the boundaries of this state | 4261 |
| that are disposed of at solid waste facilities included in the | 4262 |
| district's approved solid waste management plan or amended plan; | 4263 |

(7) Providing financial assistance to boards of health within the district for the enforcement of section 3734.03 of the Revised Code or to local law enforcement agencies having jurisdiction within the district for enforcing anti-littering laws and ordinances;

(8) Providing financial assistance to boards of health of health districts within the district that are on the approved list under section 3734.08 of the Revised Code to defray the costs to the health districts for the participation of their employees responsible for enforcement of the solid waste provisions of this chapter and rules adopted and orders and terms and conditions of permits, licenses, and variances issued under those provisions in the training and certification program as required by rules adopted under division (L) of section 3734.02 of the Revised Code;

(9) Providing financial assistance to individual municipal corporations and townships within the district to defray their added costs of maintaining roads and other public facilities and of providing emergency and other public services resulting from the location and operation within their boundaries of a composting, energy or resource recovery, incineration, or recycling facility that either is owned by the district or is furnishing solid waste management facility or recycling services to the district pursuant to a contract or agreement with the board of county commissioners or directors of the district;

(10) Payment of any expenses that are agreed to, awarded, or ordered to be paid under section 3734.35 of the Revised Code and of any administrative costs incurred pursuant to that section. In the case of a joint solid waste management district, if the board of county commissioners of one of the counties in the district is negotiating on behalf of affected communities, as defined in that section, in that county, the board shall obtain the approval of the board of directors of the district in order to expend moneys

for administrative costs incurred. 4296

Prior to the approval of the district's solid waste 4297
management plan under section 3734.55 of the Revised Code, moneys 4298
in the special fund of the district arising from the fees shall be 4299
expended for those purposes in the manner prescribed by the solid 4300
waste management policy committee by resolution. 4301

Notwithstanding division (G)(6) of this section as it existed 4302
prior to October 29, 1993, or any provision in a district's solid 4303
waste management plan prepared in accordance with division 4304
(B)(2)(e) of section 3734.53 of the Revised Code as it existed 4305
prior to that date, any moneys arising from the fees levied under 4306
division (B)(3) of this section prior to January 1, 1994, may be 4307
expended for any of the purposes authorized in divisions (G)(1) to 4308
(10) of this section. 4309

(H) The director shall adopt rules in accordance with Chapter 4310
119. of the Revised Code prescribing procedures for collecting and 4311
forwarding the fees levied under divisions (B) and (C) of this 4312
section to the boards of county commissioners or directors of 4313
county or joint solid waste management districts and to the 4314
treasurers or other officers of municipal corporations or to the 4315
clerks of townships. The rules also shall prescribe the dates for 4316
forwarding the fees to the boards and officials and may prescribe 4317
any other requirements the director considers necessary or 4318
appropriate to implement and administer divisions (A), (B), and 4319
(C) of this section. Collection of the fees levied under division 4320
(A)(1) of this section shall commence on July 1, 1993. Collection 4321
of the fees levied under division (A)(2) of this section shall 4322
commence on January 1, 1994. 4323

Sec. 3781.19. There is hereby established in the department 4324
of commerce a board of building appeals consisting of five members 4325
who shall be appointed by the governor with the advice and consent 4326

of the senate. Terms of office shall be for four years, commencing 4327
on the fourteenth day of October and ending on the thirteenth day 4328
of October. Each member shall hold office from the date of ~~his~~ 4329
appointment until the end of the term for which ~~he~~ the member was 4330
appointed. Any member appointed to fill a vacancy occurring prior 4331
to the expiration of the term for which ~~his~~ the member's 4332
predecessor was appointed shall hold office for the remainder of 4333
such term. Any member shall continue in office subsequent to the 4334
expiration date of ~~his~~ the member's term until ~~his~~ a successor 4335
takes office, or until a period of sixty days has elapsed, 4336
whichever occurs first. One member shall be an attorney-at-law, 4337
admitted to the bar of this state and of the remaining members, 4338
one shall be a registered architect and one shall be a 4339
professional engineer, each of whom shall be duly licensed to 4340
practice their respective professions in this state, one shall be 4341
a fire prevention officer qualified under section 3737.66 of the 4342
Revised Code, and one shall be a person with recognized ability in 4343
the plumbing or pipefitting profession. No member of the board of 4344
building standards shall be a member of the board of building 4345
appeals. Each member shall be paid an amount fixed pursuant to 4346
Chapter 124. of the Revised Code per diem. The department shall 4347
provide and assign to the board such employees as are required by 4348
the board to perform its functions. The board may adopt its own 4349
rules of procedure not inconsistent with sections 3781.06 to 4350
3781.18 and 3791.04 of the Revised Code, and may change them in 4351
its discretion. The board may establish reasonable fees, based on 4352
actual costs for administration of filing and processing, not to 4353
exceed ~~one~~ two hundred dollars, for the costs of filing and 4354
processing appeals. A full and complete record of all proceedings 4355
of the board shall be kept and be open to public inspection. 4356

In the enforcement by any department of the state or any 4357
political subdivision of this chapter and Chapter 3791., and 4358
sections 3737.41, 3737.42, 4104.02, 4104.06, 4104.44, 4104.45, 4359

4105.011, and 4105.11 of the Revised Code and any rule made 4360
thereunder, such department is the agency referred to in sections 4361
119.07, 119.08, and 119.10 of the Revised Code. 4362

The appropriate municipal or county board of appeals, where 4363
one exists, certified pursuant to section 3781.20 of the Revised 4364
Code shall conduct the adjudication hearing referred to in 4365
sections 119.09 to 119.13 and required by section 3781.031 of the 4366
Revised Code. If there is no certified municipal or county board 4367
of appeals, the board of building appeals shall conduct the 4368
adjudication hearing. If the adjudication hearing concerns section 4369
3781.111 of the Revised Code or any rule made thereunder, 4370
reasonable notice of the time, date, place, and subject of the 4371
hearing shall be given to any local corporation, association, or 4372
other organization composed of or representing handicapped 4373
persons, as defined in section 3781.111 of the Revised Code, or if 4374
there is no local organization, then to any statewide corporation, 4375
association, or other organization composed of or representing 4376
handicapped persons. 4377

In addition to the provisions of Chapter 119. of the Revised 4378
Code, the municipal, county, or state board of building appeals, 4379
as the agency conducting the adjudication hearing, may reverse or 4380
modify the order of the enforcing agency if it finds that the 4381
order is contrary to this chapter and Chapters 3791. and 4104., 4382
and sections 3737.41, 3737.42, 4105.011 and 4105.11 of the Revised 4383
Code and any rule made thereunder or to a fair interpretation or 4384
application of such laws or any rule made thereunder, or that a 4385
variance from the provisions of such laws or any rule made 4386
thereunder, in the specific case, will not be contrary to the 4387
public interest where a literal enforcement of such provisions 4388
will result in unnecessary hardship. 4389

The state board of building appeals or a certified municipal 4390
or county board of appeals shall render its decision within thirty 4391

days after the date of the adjudication hearing. Following the 4392
adjudication hearing, any municipal or county officer, official 4393
municipal or county board, or person who was a party to the 4394
hearing before the municipal or county board of appeals may apply 4395
to the state board of appeals for a de novo hearing before the 4396
state board, or may appeal directly to the court of common pleas 4397
pursuant to section 3781.031 of the Revised Code. 4398

In addition, any local corporation, association, or other 4399
organization composed of or representing handicapped persons as 4400
defined in section 3781.111 of the Revised Code, or, if no local 4401
corporation, association, or organization exists, then any 4402
statewide corporation, association, or other organization composed 4403
of or representing handicapped persons may apply for the de novo 4404
hearing or appeal to the court of common pleas from any decision 4405
of a certified municipal or county board of appeals interpreting, 4406
applying, or granting a variance from section 3781.111 of the 4407
Revised Code and any rule made thereunder. Application for a de 4408
novo hearing before the state board shall be made no later than 4409
thirty days after the municipal or county board renders its 4410
decision. 4411

The state board of building appeals or the appropriate 4412
certified local board of building appeals shall grant variances 4413
and exemptions from the requirements of section 3781.108 of the 4414
Revised Code in accordance with rules adopted by the board of 4415
building standards pursuant to division (J) of section 3781.10 of 4416
the Revised Code. 4417

The state board of building appeals or the appropriate 4418
certified local board of building appeals shall, in granting a 4419
variance or exemption from section 3781.108 of the Revised Code, 4420
in addition to any other considerations the state or the 4421
appropriate local board determines appropriate, consider the 4422
architectural and historical significance of the building. 4423

Sec. 4701.03. (A) The accountancy board annually shall elect 4424
a president, secretary, and treasurer from its members. The board 4425
may adopt and amend rules for the orderly conduct of its affairs 4426
and for the administration of this chapter. The board may adopt 4427
and amend rules defining the practice of public accounting, rules 4428
of professional conduct appropriate to establish and maintain a 4429
high standard of integrity and dignity in registrants and 4430
certificate holders under this chapter, and rules regulating the 4431
sole proprietorship, partnership, limited liability company, 4432
professional association, corporation-for-profit, or other legal 4433
entity practice of public accounting. A majority of the board 4434
shall constitute a quorum for the transaction of business. 4435

(B) The board shall keep and hold open for public inspection 4436
all records of its proceedings. 4437

(C) The board may employ any clerks that are necessary to 4438
assist it in the performance of its duties and the keeping of its 4439
records. If the board employs an executive director, the executive 4440
director shall be paid in accordance with pay range 18 of ~~salary~~ 4441
schedule E-1 ~~listed in~~ of section 124.152 of the Revised Code, or, 4442
if the director was employed and being paid on June 28, 2003, in 4443
accordance with step 7 in pay range 18 of schedule E-1 of former 4444
section 124.152 of the Revised Code and continued to be so paid on 4445
June 29, 2003, the executive director shall be paid in accordance 4446
with pay range 18 of salary schedule E-1 for step seven only of 4447
section 124.152 of the Revised Code. 4448

Sec. 4707.05. Except as otherwise provided in section 4707.25 4449
of the Revised Code, all fees and charges collected by the 4450
department of agriculture pursuant to this chapter shall be paid 4451
into the state treasury to the credit of the auctioneers fund, 4452
which is hereby created. All expenses incurred by the department 4453

in administering this chapter shall be paid out of the fund. The 4454
total expenses incurred by the department in the administration of 4455
this chapter shall not exceed the total fees, charges, fines, and 4456
penalties imposed under sections 4707.08, 4707.10, and 4707.99 of 4457
the Revised Code and paid to the treasurer of state. The 4458
department may conduct education programs for the enlightenment 4459
and benefit of all auctioneers who have paid fees pursuant to 4460
sections 4707.08 and 4707.10 of the Revised Code. 4461

Out of the moneys credited pursuant to this section, the fund 4462
shall be assessed a proportionate share of the administrative 4463
costs of the department in accordance with procedures prescribed 4464
by the director of agriculture and approved by the director of 4465
budget and management. The assessment shall be paid from the 4466
auctioneers fund to the division of administration fund. 4467

At the end of each fiscal year, if the balance of the fund is 4468
greater than three hundred thousand dollars, the director of 4469
agriculture shall request the director of budget and management 4470
to, and the director of budget and management shall, transfer 4471
twenty-five per cent of the balance that is in excess of three 4472
hundred thousand dollars to the auction recovery fund created in 4473
section 4707.25 of the Revised Code. 4474

Sec. 5111.022. (A) As used in this section: 4475

(1) "Community mental health facility" means a community 4476
mental health facility that has a quality assurance program 4477
accredited by the joint commission on accreditation of healthcare 4478
organizations or is certified by the department of mental health 4479
or department of job and family services. 4480

(2) "Mental health professional" means a person qualified to 4481
work with mentally ill persons under the standards established by 4482
the director of mental health pursuant to section 5119.611 of the 4483
Revised Code. 4484

(B) The state medicaid plan shall include provision of the 4485
following mental health services when provided by community mental 4486
health facilities: 4487

(1) Outpatient mental health services, including, but not 4488
limited to, preventive, diagnostic, therapeutic, rehabilitative, 4489
and palliative interventions rendered to individuals in an 4490
individual or group setting by a mental health professional in 4491
accordance with a plan of treatment appropriately established, 4492
monitored, and reviewed; 4493

(2) Partial-hospitalization mental health services of three 4494
to fourteen hours per service day, rendered by persons directly 4495
supervised by a mental health professional; 4496

(3) Unscheduled, emergency mental health services of a kind 4497
ordinarily provided to persons in crisis when rendered by persons 4498
supervised by a mental health professional; 4499

(4) Subject to receipt of federal approval, assertive 4500
community treatment and intensive home-based mental health 4501
services. 4502

(C) The comprehensive annual plan shall certify the 4503
availability of sufficient unencumbered community mental health 4504
state subsidy and local funds to match federal medicaid 4505
reimbursement funds earned by community mental health facilities. 4506

(D) The department of job and family services shall enter 4507
into a separate contract with the department of mental health 4508
under section 5111.91 of the Revised Code with regard to the 4509
component of the medicaid program provided for by this section. 4510

(E) Not later than May 1, 2004, the department of job and 4511
family services shall request federal approval to provide 4512
assertive community treatment and intensive home-based mental 4513
health services under medicaid pursuant to this section. 4514

(F) On receipt of federal approval sought under division (E) 4515
of this section, the director of job and family services shall 4516
adopt rules in accordance with Chapter 119. of the Revised Code 4517
~~establishing statewide access and acuity standards for partial~~ 4518
~~hospitalization mental health services and for~~ assertive community 4519
treatment and intensive home-based mental health services provided 4520
under medicaid pursuant to this section. The director shall 4521
consult with the department of mental health in adopting the 4522
rules. 4523

Sec. 5119.18. There is hereby created in the state treasury 4524
the department of mental health trust fund. Not later than the 4525
first day of September of each year, the director of mental health 4526
shall certify to the director of budget and management the amount 4527
of all of the unexpended, unencumbered balances of general revenue 4528
fund appropriations made to the department of mental health for 4529
the previous fiscal year, excluding funds appropriated for rental 4530
payments to the Ohio public facilities commission. On receipt of 4531
the certification, the director of budget and management shall 4532
transfer cash to the trust fund in an amount up to, but not 4533
exceeding, the total of the amounts certified by the director of 4534
mental health. 4535

In addition, the trust fund shall receive all amounts, 4536
subject to any provisions in bond documents, received from the 4537
sale or lease of lands and facilities by the department. 4538

All moneys in the trust fund shall be used by the department 4539
of mental health for mental health purposes specified in division 4540
(A) of section 5119.06 of the Revised Code. The use of moneys in 4541
the trust fund pursuant to this section does not represent an 4542
ongoing commitment to the continuation of the trust fund or to the 4543
use of moneys in the trust fund. 4544

Sec. 5123.352. There is hereby created in the state treasury 4545
the community mental retardation and developmental disabilities 4546
trust fund. The director of mental retardation and developmental 4547
disabilities, not later than sixty days after the end of each 4548
fiscal year, shall certify to the director of budget and 4549
management the amount of all the unexpended, unencumbered balances 4550
of general revenue fund appropriations made to the department of 4551
mental retardation and developmental disabilities for the fiscal 4552
year, excluding appropriations for rental payments to the Ohio 4553
public facilities commission, and the amount of any other funds 4554
held by the department in excess of amounts necessary to meet the 4555
department's operating costs and obligations pursuant to this 4556
chapter and Chapter 5126. of the Revised Code. On receipt of the 4557
certification, the director of budget and management shall 4558
transfer cash to the trust fund in an amount up to, but not 4559
exceeding, the total of the amounts certified by the director of 4560
mental retardation and developmental disabilities, except in cases 4561
in which the transfer will involve more than twenty million 4562
dollars. In such cases, the director of budget and management 4563
shall notify the controlling board and must receive the board's 4564
approval of the transfer prior to making the transfer. 4565

Except for expenses paid under division (C) of section 4566
5123.353 of the Revised Code, all moneys in the trust fund shall 4567
be distributed in accordance with section 5126.19 of the Revised 4568
Code. 4569

Sec. 5731.47. The fees of the sheriff or other officers for 4570
services performed under ~~Chapter 5731. of the Revised Code~~ this 4571
chapter and the expenses of the county auditor shall be certified 4572
by the county auditor by a report filed with the tax commissioner. 4573
If the tax commissioner finds that ~~such~~ those fees and expenses 4574
are correct and reasonable in amount, the tax commissioner shall 4575

indicate approval of the fees and expenses in writing to the 4576
county auditor. The county auditor shall pay ~~such~~ those fees and 4577
expenses out of the ~~state's share of the undivided inheritance~~ 4578
~~taxes in the county treasury and~~ undivided estate tax fund. The 4579
county auditor then shall deduct, from the amount required to be 4580
credited to each of the funds or boards of education listed or 4581
referred to in division (A) of section 5731.48 of the Revised 4582
Code, a pro rata share of the amount so paid. The pro rata share 4583
shall be computed on the basis of the proportions of the gross 4584
taxes levied and paid under this chapter that are required to be 4585
credited to the funds or boards of education listed or referred to 4586
under that section. The county auditor shall draw warrants payable 4587
from ~~such~~ those taxes on the county treasurer in favor of the fee 4588
funds or officers personally entitled ~~thereto~~ to the fees and 4589
expenses. If the fees and expenses approved by the tax 4590
~~commissioner exceed the amount of the state's share of undivided~~ 4591
~~inheritance taxes in the county treasury, the county auditor shall~~ 4592
~~certify the amount of the excess to the tax commissioner, who~~ 4593
~~shall certify the amount to the director of budget and management.~~ 4594
~~The director shall provide for payment of the excess from the~~ 4595
~~general revenue fund to the county treasury, and the county~~ 4596
~~auditor shall draw warrants on the county treasurer in favor of~~ 4597
~~the appropriate fee funds or officers.~~ 4598

Sec. 5731.48. (A) If a decedent dies on or after July 1, 4599
1989, and before January 1, 2001, sixty-four per cent of the gross 4600
amount of taxes levied and paid under this chapter shall be for 4601
the use of the municipal corporation or township in which the tax 4602
originates, and shall be credited as provided in division (A)(1), 4603
(2), or (3) of this section: 4604

(1) To the general revenue fund in the case of a city; 4605

(2) To the general revenue fund of a village or to the board 4606

of education of a village, for school purposes, as the village council by resolution may approve;

(3) To the general revenue fund or to the board of education of the school district of which the township is a part, for school purposes, as the board of township trustees by resolution may approve, in the case of a township.

The remainder of the taxes levied and paid shall be for the use of the state and shall be credited to the general revenue fund ~~after any deduction for fees and costs charged under section 5731.47 of the Revised Code.~~

(B) If a decedent dies on or after January 1, 2001, and before January 1, 2002, seventy per cent of the gross amount of taxes levied and paid under this chapter shall be for the use of the municipal corporation or township in which the tax originates and credited as provided in division (A)(1), (2), or (3) of this section, and the remainder shall be for the use of the state and credited to the general revenue fund ~~after any deduction for fees and costs charged under section 5731.47 of the Revised Code.~~

(C) If a decedent dies on or after January 1, 2002, eighty per cent of the gross amount of taxes levied and paid under this chapter, less any deduction from the municipal corporation's or township's share of those taxes for fees or expenses charged under section 5731.47 of the Revised Code, shall be for the use of the municipal corporation or township in which the tax originates and credited as provided in division (A)(1), (2), or (3) of this section, and the remainder, less any deduction from the state's share of those taxes for fees or expenses charged under section 5731.47 of the Revised Code, shall be for the use of the state and shall be credited to the general revenue fund ~~after any deduction for fees and costs charged under section 5731.47 of the Revised Code.~~

(D) If a municipal corporation is in default with respect to 4638
the principal or interest of any outstanding notes or bonds, one 4639
half of the taxes distributed under this section shall be credited 4640
to the sinking or bond retirement fund of the municipal 4641
corporation, and the residue shall be credited to the general 4642
revenue fund. 4643

(E) The council, board of trustees, or other legislative 4644
authority of a village or township may, by ordinance in the case 4645
of a village, or by resolution in the case of a township, provide 4646
that whenever there is money in the treasury of the village or 4647
township from taxes levied under this chapter, not required for 4648
immediate use, that money may be invested in federal, state, 4649
county, or municipal bonds, upon which there has been no default 4650
of the principal during the preceding five years. 4651

Section 2. That existing sections 102.02, 123.01, 123.10, 4652
124.15, 124.152, 124.181, 124.183, 124.382, 126.32, 152.09, 4653
175.21, 3327.01, 3334.01, 3383.09, 3701.881, 3712.09, 3734.02, 4654
3734.18, 3734.57, 3781.19, 4701.03, 4707.05, 5111.022, 5119.18, 4655
5123.352, 5731.47, and 5731.48 and sections 152.101 and 901.85 of 4656
the Revised Code are hereby repealed. 4657

Section 3. All items set forth in Sections 3.01 to 3.04 of 4658
this act are hereby appropriated out of any moneys in the General 4659
Revenue Fund (GRF) that are not otherwise appropriated: 4660

Reappropriations

| Section 3.01. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES | | | 4661 |
|----------------------------------------------------------------|------------------------------------|--------------|-------------------|
| CAP-773 | Governor's Residence Restoration | \$ 4,705 | 4662 |
| CAP-786 | Rural Areas Community Improvements | \$ 440,000 | 4663 |
| CAP-804 | Day Care Centers | \$ 6,472 | 4664 |
| CAP-817 | Urban Areas Community Improvements | \$ 1,058,900 | 4665 |
| Total Department of Administrative Services | | | \$ 1,510,077 4666 |

RURAL AREAS COMMUNITY IMPROVEMENTS 4667

From the foregoing appropriation item CAP-786, Rural Areas 4668
Community Improvements, grants shall be made for the following 4669
projects: \$20,000 for the Smith Field Memorial Foundation; 4670
\$200,000 for the Champaign YMCA; \$75,000 for the Bellepoint Bridge 4671
Reconstruction; \$100,000 for the Mentor Fire & Police Headquarters 4672
Relocation; \$20,000 for the Red Mill Creek Water Retention Basin; 4673
and \$25,000 for the Lawrence County Water Projects. 4674

URBAN AREAS COMMUNITY IMPROVEMENTS 4675

From the foregoing appropriation item CAP-817, Urban Areas 4676
Community Improvements, grants shall be made for the following 4677
projects: \$100,000 for the Maumee Youth Center; \$25,000 for the 4678
Columbus Civic Arena Development Planning; \$50,000 for the Brown 4679
Senior Center Renovations; \$100,000 for Project AHEAD Facility 4680
Improvements; \$75,000 for the J. Frank-Troy Senior Citizens 4681
Center; \$15,000 for the Victorian Village Society; \$50,000 for the 4682
Beech Acres Family Center; \$23,900 for the Canton Jewish Women's 4683
Center; \$450,000 for the Gateway Social Services Building; \$50,000 4684
for the Loew Field Improvements; \$20,000 for the Harvard Community 4685
Services Center Renovation & Expansion; \$20,000 for the Collinwood 4686
Community Service Center Repair & Renovation; and \$80,000 for 4687
Bowman Park - City of Toledo. 4688

Reappropriations

Section 3.02. AFC ARTS AND SPORTS FACILITIES COMMISSION 4689

CAP-819 Cooper Stadium Relocation Feasibility \$ 350,000 4690
Study

Total Arts and Sports Facilities Commission \$ 350,000 4691

COOPER STADIUM RELOCATION FEASIBILITY STUDY 4692

Notwithstanding division (F) of section 3383.07 of the 4693
Revised Code, all or a portion of the foregoing appropriation item 4694

CAP-819, Cooper Stadium Relocation Feasibility Study, may be 4695
 expended for the cost of preparing a financial and development 4696
 plan or feasibility study, renovation, and purchasing engineering 4697
 and architectural services, designs, plans, specifications, 4698
 surveys, and estimates of costs for Cooper Stadium. Any amount 4699
 expended for that purpose from the appropriation shall count 4700
 toward the maximum 15 per cent of the construction cost of the 4701
 sports facility to be paid from state funds. 4702

Reappropriations

Section 3.03. OHS OHIO HISTORICAL SOCIETY 4703

CAP-745 Historic Sites/Museums - Emergency \$ 30,721 4704
 Repair
 Total Ohio Historical Society \$ 30,721 4705

Reappropriations

Section 3.04. DNR DEPARTMENT OF NATURAL RESOURCES 4707

CAP-245 Millcreek Valley Conservancy District \$ 230,503 4708
 CAP-702 Upgrade Underground Fuel Tanks \$ 296,963 4709
 CAP-703 Cap Abandoned Water Wells \$ 357,481 4710
 CAP-823 Cost Sharing-Pollution Abatement \$ 33,614 4711
 CAP-847 Assistance to Local Governments for \$ 25,000 4712
 Conservation Works of Improvement
 CAP-848 Hazardous Dam Repair \$ 91,521 4713
 CAP-875 Ohio River Access \$ 100,000 4714
 CAP-929 Hazardous Waste/Asbestos Abatement \$ 286,154 4715
 CAP-931 Wastewater/Water Systems Upgrades \$ 32,205 4716
 CAP-932 Wetlands/Waterfront Development and \$ 32,460 4717
 Acquisition
 CAP-942 Local Parks Projects \$ 5,225 4718
 CAP-969 Frost-Parker Wetlands Preserve \$ 4,760 4719
 CAP-999 Geographic Information Management System \$ 1,085 4720
 Total Department of Natural Resources \$ 1,496,971 4721

TOTAL GRF General Revenue Fund \$ 3,387,769 4722

Section 3.05. No expenditures shall be made from any of the 4724
 items appropriated from the General Revenue Fund in Sections 3.01 4725
 to 3.04 of this act until the funds are released by the 4726
 Controlling Board. 4727

Section 4. All items set forth in this section are hereby 4728
 appropriated out of any moneys in the state treasury to the credit 4729
 of the Wildlife Fund (Fund 015) that are not otherwise 4730
 appropriated: 4731

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES 4732

| | | | | |
|---------|---------------------------------------|----|-----------|------|
| CAP-015 | Highlandtown Wildlife Area | \$ | 2,768 | 4733 |
| CAP-117 | Cooper Hollow Wildlife Area | \$ | 4,815 | 4734 |
| CAP-161 | Tranquility Wildlife Area | \$ | 1,286 | 4735 |
| CAP-216 | Killbuck Creek Wildlife Area | \$ | 550 | 4736 |
| CAP-387 | Access Development | \$ | 3,204,333 | 4737 |
| CAP-702 | Upgrade Underground Fuel Tanks | \$ | 84,945 | 4738 |
| CAP-703 | Cap Abandoned Water Wells | \$ | 50,000 | 4739 |
| CAP-732 | Mosquito Creek Wildlife Area | \$ | 300 | 4740 |
| CAP-754 | Tiffin River Wildlife Area | \$ | 1,000 | 4741 |
| CAP-764 | Fire Lookout & Radio Tower Inspection | \$ | 7,215 | 4742 |
| CAP-785 | K.H. Butler Ohio River Access | \$ | 978 | 4743 |
| CAP-795 | Headlands Beach State Park | \$ | 90,958 | 4744 |
| CAP-804 | Lake La Su An Wildlife Area | \$ | 400 | 4745 |
| CAP-834 | Appraisal Fees - Statewide | \$ | 51,995 | 4746 |
| CAP-852 | Wildlife Area Building | \$ | 3,489,530 | 4747 |
| | Development/Renovation | | | |
| CAP-881 | Dam Rehabilitation | \$ | 500,000 | 4748 |
| CAP-995 | Boundary Protection | \$ | 50,000 | 4749 |
| | Total Department of Natural Resources | \$ | 7,541,073 | 4750 |
| | TOTAL Wildlife Fund | \$ | 7,541,073 | 4751 |

Section 5. The items set forth in this section are hereby 4753
appropriated out of any moneys in the state treasury to the credit 4754
of the Public School Building Fund (Fund 021) that are not 4755
otherwise appropriated: 4756

Reappropriations

SFC SCHOOL FACILITIES COMMISSION 4757

| | | | | |
|------------------------------------|--------------------------------------|----|------------|------|
| CAP-622 | Public School Buildings | \$ | 26,998,886 | 4758 |
| CAP-778 | Exceptional Needs | \$ | 1,440,286 | 4759 |
| CAP-783 | Emergency School Building Assistance | \$ | 15,000,000 | 4760 |
| Total School Facilities Commission | | \$ | 43,439,172 | 4761 |
| TOTAL Public School Building Fund | | \$ | 43,439,172 | 4762 |

PUBLIC SCHOOL BUILDINGS 4763

The amount reappropriated for the foregoing appropriation 4764
item CAP-622, Public School Buildings, is \$349,622 plus the sum of 4765
the unencumbered and unallotted balances as of June 30, 2004, for 4766
appropriation item CAP-622, Public School Buildings. 4767

Section 6. The items set forth in this section are hereby 4768
appropriated out of any moneys in the state treasury to the credit 4769
of the Highway Safety Fund (Fund 036) that are not otherwise 4770
appropriated: 4771

Reappropriations

DHS DEPARTMENT OF PUBLIC SAFETY 4772

| | | | | |
|--------------|--------------------------------------|----|---------|------|
| CAP-045 | Platform Scales Improvements | \$ | 400,000 | 4773 |
| CAP-059 | Patrol Post ADA Compliance | \$ | 250,000 | 4774 |
| CAP-065 | Replace Windows at the Academy | \$ | 79,000 | 4775 |
| CAP-071 | Construct Georgetown Patrol Post | \$ | 41,240 | 4776 |
| CAP-072 | Patrol Academy Infrastructure | \$ | 41,355 | 4777 |
| Improvements | | | | |
| CAP-074 | Construct Warren District Blue Title | \$ | 39,585 | 4778 |
| Facility | | | | |

| | | | | |
|---------|-----------------------------------|----|-----------|------|
| CAP-077 | Van Wert Patrol Post | \$ | 1,700,000 | 4779 |
| | Total Department of Public Safety | \$ | 2,551,180 | 4780 |
| | TOTAL Highway Safety Fund | \$ | 2,551,180 | 4781 |

Section 7. All items set forth in this section are hereby 4783
appropriated out of any moneys in the state treasury to the credit 4784
of the Waterways Safety Fund (Fund 086) that are not otherwise 4785
appropriated: 4786

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES 4787

| | | | | |
|---------|---------------------------------------------------------------------|----|------------|------|
| CAP-324 | Cooperative Funding for Boating Facilities | \$ | 7,375,543 | 4788 |
| CAP-390 | State Park Maintenance Facility Development - Middle Bass Island | \$ | 1,821,093 | 4789 |
| CAP-807 | Hocking Technical College Ramp | \$ | 30,643 | 4790 |
| CAP-844 | Put-in-Bay Township Port Authority | \$ | 6,466 | 4791 |
| CAP-858 | Clendening Lake Ramp | \$ | 2,736 | 4792 |
| CAP-871 | Village of Montezuma Ramp | \$ | 13,519 | 4793 |
| CAP-874 | Recreational Harbor Evaluation Project | \$ | 357,789 | 4794 |
| CAP-905 | City of Ironton Boat Launch | \$ | 168,007 | 4795 |
| CAP-934 | Operations Facilities Development | \$ | 762,508 | 4796 |
| | Total Department of Natural Resources | \$ | 10,538,304 | 4797 |
| | TOTAL Waterways Safety Fund | \$ | 10,538,304 | 4798 |

Section 8. All items set forth in this section are hereby 4800
appropriated out of any moneys in the state treasury to the credit 4801
of the Underground Parking Garage Operating Fund (Fund 208) that 4802
are not otherwise appropriated: 4803

Reappropriations

CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD 4804

| | | | | |
|---------|-----------------------------------------|----|---------|------|
| CAP-003 | Renovate Garage Offices | \$ | 127,194 | 4805 |
| CAP-004 | Emergency Generator and Lighting System | \$ | 200,000 | 4806 |
| CAP-007 | Garage Elevator Upgrades | \$ | 5,670 | 4807 |

| | | | | |
|-------------------------------------------------|---------------------------------------|----|-----------|------|
| CAP-008 | Install Garage Oil Interceptor System | \$ | 60,000 | 4808 |
| CAP-009 | Garage Fire Suppression System | \$ | 1,050,000 | 4809 |
| Total Capitol Square Review and Advisory Board | | \$ | 1,442,864 | 4810 |
| TOTAL Underground Parking Garage Operating Fund | | \$ | 1,442,864 | 4811 |

UNDERGROUND PARKING GARAGE FIRE SUPPRESSION SYSTEM 4812

Appropriation item CAP-009, Garage Fire Suppression System, 4813
in the Underground Parking Garage Operating Fund (Fund 208), shall 4814
be used for completion of the second and final phase of a fire 4815
suppression system in the Statehouse garage. Notwithstanding any 4816
section of the Revised Code, any transfer or disbursement of 4817
moneys from appropriation items CAP-009, Garage Fire Suppression, 4818
and CAP-011, Statehouse Security Improvements, for this purpose 4819
shall be subject to Controlling Board approval. 4820

Section 9. All items set forth in this section are hereby 4821
appropriated out of any moneys in the state treasury to the credit 4822
of the Army National Guard Service Contract Fund (Fund 342) that 4823
are not otherwise appropriated: 4824

Reappropriations

ADJ ADJUTANT GENERAL 4825

| | | | | |
|-------------------------------------------------|-----------------------------------|----|------------|------|
| CAP-065 | Local Armory Construction/Federal | \$ | 16,200,000 | 4826 |
| Total Adjutant General | | \$ | 16,200,000 | 4827 |
| TOTAL Army National Guard Service Contract Fund | | \$ | 16,200,000 | 4828 |

Section 10. All items set forth in this section are hereby 4830
appropriated out of any moneys in the state treasury to the credit 4831
of the Special Administrative Fund (Fund 4A9) that are not 4832
otherwise appropriated: 4833

Reappropriations

JFS DEPARTMENT OF JOB AND FAMILY SERVICES 4834

| | | | | |
|---------------------------------------------|-------------------------------------|----|------------|------|
| CAP-702 | Central Office Building Renovations | \$ | 16,000,000 | 4835 |
| Total Department of Job and Family Services | | \$ | 16,000,000 | 4836 |

TOTAL Special Administrative Fund \$ 16,000,000 4837

CENTRAL OFFICE BUILDING RENOVATIONS SPENDING AND REPAYMENT 4838

PLAN 4839

Funds appropriated in the foregoing appropriation item 4840

CAP-702, Central Office Building Renovations, are to be released 4841

for expenditure only after approval of the Unemployment 4842

Compensation Advisory Council created under section 4141.08 of the 4843

Revised Code. The amount to be released shall be based on a 4844

spending plan, which may include a repayment schedule, approved by 4845

the Council. Once approval is received, the Director of Job and 4846

Family Services shall request the Director of Budget and 4847

Management or the Controlling Board to release the appropriation. 4848

Section 11. All items set forth in this section are hereby 4849

appropriated out of any moneys in the state treasury to the credit 4850

of the Capital Donations Fund (Fund 5A1) that are not otherwise 4851

appropriated: 4852

Reappropriations

AFC ARTS AND SPORTS FACILITIES COMMISSION 4853

CAP-702 Capital Donations \$ 254,557 4854

Total Arts and Sports Facilities Commission \$ 254,557 4855

TOTAL Capital Donations Fund \$ 254,557 4856

CAPITAL DONATIONS FUND CERTIFICATIONS AND APPROPRIATIONS 4857

The Executive Director of the Arts and Sports Facilities 4858

Commission shall certify to the Director of Budget and Management 4859

the amount of cash receipts and related investment income, 4860

irrevocable letters of credit from a bank, or certification of the 4861

availability of funds that have been received from a county or a 4862

city for deposit to the Capital Donations Fund and are related to 4863

an anticipated project. These amounts are hereby appropriated to 4864

appropriation item CAP-702, Capital Donations. Prior to certifying 4865

these amounts to the Director, the Executive Director shall make a 4866

written agreement with the participating entity on the necessary 4867
cash flows required for the anticipated construction or equipment 4868
acquisition project. 4869

Section 12. The items set forth in this section are hereby 4870
appropriated out of any moneys in the state treasury to the credit 4871
of the Community Match Armories Fund (Fund 5U8) that are not 4872
otherwise appropriated: 4873

ADJUTANT GENERAL 4874

| | | | | |
|---------|-------------------------------------|----|-----------|------|
| CAP-066 | Armory Construction/Local | \$ | 8,600,000 | 4875 |
| | Total Adjutant General | \$ | 8,600,000 | 4876 |
| | TOTAL Community Match Armories Fund | \$ | 8,600,000 | 4877 |

Section 13. The items set forth in this section are hereby 4879
appropriated out of any moneys in the state treasury to the credit 4880
of the State Fire Marshal Fund (Fund 546) that are not otherwise 4881
appropriated: 4882

DEPARTMENT OF COMMERCE 4883

| | | | | |
|---------|-------------------------------|----|-----------|------|
| CAP-013 | Land Acquisition | \$ | 100,000 | 4884 |
| CAP-014 | Office & Dorm Addition | \$ | 1,800,000 | 4885 |
| | Total Department of Commerce | \$ | 1,900,000 | 4886 |
| | TOTAL State Fire Marshal Fund | \$ | 1,900,000 | 4887 |

Section 14. The items set forth in this section are hereby 4889
appropriated out of any moneys in the state treasury to the credit 4890
of the Veterans' Home Improvement Fund (Fund 604) that are not 4891
otherwise appropriated: 4892

Reappropriations

OVH OHIO VETERANS' HOME 4893

| | | | | |
|---------|-------------------------------------|----|--------|------|
| CAP-755 | Secrest Security System Improvement | \$ | 65,000 | 4894 |
| CAP-760 | Security System Improvement | \$ | 22,832 | 4895 |
| CAP-762 | Renovate Secrest Bath Floor/Wall | \$ | 43,621 | 4896 |
| CAP-765 | Warehouse Freezer | \$ | 15,500 | 4897 |

| | | | | |
|---------------------------------------|----------------------------|----|-----------|------|
| CAP-766 | Secrest Motor Coordinators | \$ | 33,000 | 4898 |
| CAP-769 | Water and Air Balance | \$ | 190,000 | 4899 |
| CAP-771 | Elevator Griffin | \$ | 190,000 | 4900 |
| CAP-773 | Emergency Generator | \$ | 26,500 | 4901 |
| CAP-774 | Fire Alarm System | \$ | 595,000 | 4902 |
| Total Ohio Veterans' Home | | \$ | 1,181,453 | 4903 |
| TOTAL Veterans' Home Improvement Fund | | \$ | 1,181,453 | 4904 |

Section 15. All items set forth in this section are hereby 4906
appropriated out of any moneys in the state treasury to the credit 4907
of the Education Facilities Trust Fund (Fund N87) that are not 4908
otherwise appropriated: 4909

Reappropriations

SFC SCHOOL FACILITIES COMMISSION 4910

| | | | | |
|---------------------------------------|-----------------------------------------|----|------------|------|
| CAP-780 | Classroom Facilities Assistance Program | \$ | 13,395,208 | 4911 |
| CAP-784 | Exceptional Needs Program | \$ | 4,138,923 | 4912 |
| Total School Facilities Commission | | \$ | 17,534,131 | 4913 |
| TOTAL Education Facilities Trust Fund | | \$ | 17,534,131 | 4914 |

CLASSROOM FACILITIES ASSISTANCE PROJECTS 4915

The amount reappropriated for the foregoing appropriation 4916
item CAP-780, Classroom Facilities Assistance Program, is \$768,711 4917
plus the sum of the unencumbered and unallotted balances as of 4918
June 30, 2004, for appropriation item CAP-780, Classroom 4919
Facilities Assistance Program. 4920

EXCEPTIONAL NEEDS PROGRAM 4921

The amount reappropriated for the foregoing appropriation 4922
item CAP-784, Exceptional Needs Program, is \$761,146 plus the sum 4923
of the unencumbered and unallotted balances as of June 30, 2004, 4924
for appropriation item CAP-784, Exceptional Needs Program. 4925

Section 16. All items set forth in this section are hereby 4926
appropriated out of any moneys in the state treasury to the credit 4927

of the Clean Ohio Revitalization Fund (Fund 003) that are not 4928
otherwise appropriated: 4929

Reappropriations

| | | | |
|--------------------------------------|---------------------------|---------------|--------------------|
| DEV DEPARTMENT OF DEVELOPMENT | | | 4930 |
| CAP-001 | Clean Ohio Revitalization | \$ 444,008 | 4931 |
| CAP-002 | Clean Ohio Assistance | \$ 16,564,467 | 4932 |
| Total Department of Development | | | \$ 17,008,475 4933 |
| TOTAL Clean Ohio Revitalization Fund | | | \$ 17,008,475 4934 |

Section 17. All items set forth in this section are hereby 4936
appropriated out of any moneys in the state treasury to the credit 4937
of the Highway Safety Building Fund (Fund 025) that are not 4938
otherwise appropriated: 4939

Reappropriations

| | | | |
|------------------------------------|------------------------------------|--------------|-------------------|
| DHS DEPARTMENT OF PUBLIC SAFETY | | | 4940 |
| CAP-047 | Public Safety Office Building | \$ 2,710,400 | 4941 |
| CAP-048 | Statewide Communications System | \$ 4,006,530 | 4942 |
| CAP-068 | Alum Creek Warehouse Renovations | \$ 1,441,969 | 4943 |
| CAP-069 | Centre School Renovations | \$ 20,219 | 4944 |
| CAP-070 | Canton One-Stop Shop | \$ 731,000 | 4945 |
| CAP-076 | Investigative Unit MARCS Equipment | \$ 15,877 | 4946 |
| Total Department of Public Safety | | | \$ 8,925,995 4947 |
| TOTAL Highway Safety Building Fund | | | \$ 8,925,995 4948 |

Section 18. All items set forth in Sections 18.01 to 18.15 of 4950
this act are hereby appropriated out of any moneys in the state 4951
treasury to the credit of the Administrative Building Fund (Fund 4952
026) that are not otherwise appropriated: 4953

Reappropriations

| | | | |
|--------------------------------------------|-----------------------------------------|------------|------|
| Section 18.01. ADJ ADJUTANT GENERAL | | | 4954 |
| CAP-032 | Upgrade Underground Storage Tanks | \$ 46,078 | 4955 |
| CAP-034 | Asbestos Abatement - Various Facilities | \$ 154,750 | 4956 |

| | | | | |
|------------------------|-------------------------------------------------|----|------------|------|
| CAP-036 | Roof Replacement - Various Facilities | \$ | 892,145 | 4957 |
| CAP-038 | Electrical System - Various Facilities | \$ | 774,521 | 4958 |
| CAP-039 | Camp Perry Facility Improvements | \$ | 530,239 | 4959 |
| CAP-043 | Renovate/Expand Existing Eaton Facility | \$ | 800,498 | 4960 |
| CAP-044 | Replace Windows/Doors - Various Facilities | \$ | 878,911 | 4961 |
| CAP-045 | Plumbing Renovations - Various Facilities | \$ | 345,503 | 4962 |
| CAP-046 | Paving Renovations - Various Facilities | \$ | 1,439,575 | 4963 |
| CAP-050 | HVAC Systems - Various Facilities | \$ | 607,319 | 4964 |
| CAP-052 | Cincinnati Shadybrook Armory | \$ | 2,149,705 | 4965 |
| CAP-054 | Construct Camp Perry Administration Building | \$ | 6,540 | 4966 |
| CAP-055 | Hillsboro Armory Renovations | \$ | 478,974 | 4967 |
| CAP-056 | Masonry Renovations - Various Facilities | \$ | 395,599 | 4968 |
| CAP-057 | Sewer Improvement - Rickenbacker | \$ | 1,300 | 4969 |
| CAP-058 | Construct Cincinnati Armory | \$ | 283,775 | 4970 |
| CAP-059 | Construct Bowling Green Armory | \$ | 357,411 | 4971 |
| CAP-060 | Facility Protection Measures | \$ | 590,061 | 4972 |
| CAP-061 | Repair/Renovate Waste Water System | \$ | 200,000 | 4973 |
| CAP-062 | Construct Coshocton Armory | \$ | 950,600 | 4974 |
| CAP-064 | Bowling Green Armory Construction/Local | \$ | 1,000,000 | 4975 |
| Total Adjutant General | | \$ | 12,883,504 | 4976 |

NEW ARMORY CONSTRUCTION 4977

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 18.02. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES | | | 4986 |
| CAP-773 | Governor's Residence Renovations | \$ 4,705 | 4987 |
| CAP-809 | Hazardous Substance Abatement | \$ 1,688,120 | 4988 |
| CAP-811 | Health/EPA Laboratory Facilities | \$ 20,840,003 | 4989 |
| CAP-813 | Heer Building Renovation | \$ 1,500,000 | 4990 |
| CAP-822 | Americans with Disabilities Act | \$ 1,535,675 | 4991 |
| CAP-826 | Office Services Building Renovation | \$ 1,250,000 | 4992 |
| CAP-827 | Statewide Communications System | \$ 72,787,285 | 4993 |
| CAP-834 | Capital Improvements Tracking System | \$ 407,600 | 4994 |
| CAP-835 | Energy Conservation Projects | \$ 1,817,260 | 4995 |
| CAP-837 | Major Computer Purchases | \$ 1,824,884 | 4996 |
| CAP-838 | SOCC Renovations | \$ 2,148,691 | 4997 |
| CAP-844 | Hamilton State/Local Government Center - Planning | \$ 57,500 | 4998 |
| CAP-848 | ODOT Building Boiler Replacement | \$ 155,981 | 4999 |
| CAP-849 | Facility Planning and Development | \$ 4,445,184 | 5000 |
| CAP-850 | Education Building Renovations | \$ 308,482 | 5001 |
| CAP-852 | North High Building Complex Renovations | \$ 2,689,102 | 5002 |
| CAP-855 | Office Space Planning | \$ 70,300 | 5003 |
| CAP-859 | eSecure Ohio | \$ 2,500,000 | 5004 |
| CAP-860 | Structured Cabling | \$ 397,155 | 5005 |
| CAP-864 | eGovernment Infrastructure | \$ 1,047,000 | 5006 |
| CAP-865 | DAS Building Security | \$ 78,100 | 5007 |
| CAP-867 | Lausche Building Connector | \$ 963,200 | 5008 |
| Total Department of Administrative Services | | | \$ 118,516,627 5009 |

HAZARDOUS SUBSTANCE ABATEMENT IN STATE FACILITIES 5010

The foregoing appropriation item CAP-809, Hazardous Substance 5011
Abatement, shall be used to fund the removal of asbestos, PCB, 5012
radon gas, and other contamination hazards from state facilities. 5013

Prior to the release of funds for asbestos abatement, the 5014

Department of Administrative Services shall review proposals from 5015
state agencies to use these funds for asbestos abatement projects 5016
based on criteria developed by the Department of Administrative 5017
Services. Upon a determination by the Department of Administrative 5018
Services that the requesting agency cannot fund the asbestos 5019
abatement project or other toxic materials removal through 5020
existing capital and operating appropriations, the department may 5021
request the release of funds for such projects by the Controlling 5022
Board. State agencies intending to fund asbestos abatement or 5023
other toxic materials removal through existing capital and 5024
operating appropriations shall notify the Director of 5025
Administrative Services of the nature and scope prior to 5026
commencing the project. 5027

Only agencies that have received appropriations for capital 5028
projects from the Administrative Building Fund (Fund 026) are 5029
eligible to receive funding from this item. Public school 5030
districts are not eligible. 5031

IMPLEMENTATION OF AMERICANS WITH DISABILITIES ACT 5032

The foregoing appropriation item CAP-822, Americans with 5033
Disabilities Act, shall be used to renovate state-owned facilities 5034
to provide access for physically disabled persons in accordance 5035
with Title II of the Americans with Disabilities Act. 5036

Prior to the release of funds for renovation, state agencies 5037
shall perform self-evaluations of state-owned facilities 5038
identifying barriers to access to service. State agencies shall 5039
prioritize access barriers and develop a transition plan for the 5040
removal of these barriers. The Department of Administrative 5041
Services shall review proposals from state agencies to use these 5042
funds for Americans with Disabilities Act renovations. 5043

Only agencies that have received appropriations for capital 5044
projects from Administrative Building Fund (Fund 026) are eligible 5045

to receive funding from this item. Public school districts are not 5046
eligible. 5047

MARCS STEERING COMMITTEE AND STATEWIDE COMMUNICATIONS SYSTEM 5048

There is hereby continued a Multi-Agency Radio Communications 5049
System (MARCS) Steering Committee consisting of the designees of 5050
the Directors of Administrative Services, Public Safety, Natural 5051
Resources, Transportation, Rehabilitation and Correction, and 5052
Budget and Management. The Director of Administrative Services or 5053
the director's designee shall chair the committee. The committee 5054
shall provide assistance to the Director of Administrative 5055
Services for effective and efficient implementation of the MARCS 5056
system as well as develop policies for the ongoing management of 5057
the system. Upon dates prescribed by the Directors of 5058
Administrative Services and Budget and Management, the MARCS 5059
Steering Committee shall report to the directors on the progress 5060
of MARCS implementation and the development of policies related to 5061
the system. 5062

The foregoing appropriation item CAP-827, Statewide 5063
Communications System, shall be used to purchase or construct the 5064
components of MARCS that are not specific to any one agency. The 5065
equipment may include, but is not limited to, multi-agency 5066
equipment at the Emergency Operations Center/Joint Dispatch 5067
Facility, computer and telecommunication equipment used for the 5068
functioning and integration of the system, communications towers, 5069
tower sites, tower equipment, and linkages among towers and 5070
between towers and the State of Ohio Network for Integrated 5071
Communication (SONIC) system. The Director of Administrative 5072
Services shall, with the concurrence of the MARCS Steering 5073
Committee, determine the specific use of funds. 5074

Spending from this appropriation item shall not be subject to 5075
Chapters 123. and 153. of the Revised Code. 5076

ENERGY CONSERVATION PROJECTS 5077

The foregoing appropriation item CAP-835, Energy Conservation 5078
 Projects, shall be used to perform energy conservation 5079
 renovations, including the United States Environmental Protection 5080
 Agency's Energy Star Program, in state-owned facilities. Prior to 5081
 the release of funds for renovation, state agencies shall have 5082
 performed a comprehensive energy audit for each project. The 5083
 Department of Administrative Services shall review and approve 5084
 proposals from state agencies to use these funds for energy 5085
 conservation. Public school districts and state-supported and 5086
 state-assisted institutions of higher education are not eligible 5087
 for funding from this item. 5088

Reappropriations

Section 18.03. AGE DEPARTMENT OF AGING 5089

| | | | | |
|---------|------------------------------|----|--------|------|
| CAP-001 | Renovate Martin Janis Center | \$ | 10,013 | 5090 |
| | Total Department of Aging | \$ | 10,013 | 5091 |

Reappropriations

Section 18.04. AGR DEPARTMENT OF AGRICULTURE 5093

| | | | | |
|---------|--------------------------------------|----|-----------|------|
| CAP-025 | Building Renovations | \$ | 15,197 | 5094 |
| CAP-029 | Administration Building Renovation | \$ | 203,950 | 5095 |
| CAP-033 | Site Electrical/Utility Improvement | \$ | 117,341 | 5096 |
| CAP-037 | Consumer Lab/Weights/Measures Equip. | \$ | 20,254 | 5097 |
| CAP-043 | Building and Grounds Renovation | \$ | 478,529 | 5098 |
| CAP-044 | Renovate Building 4 | \$ | 176,366 | 5099 |
| CAP-048 | Alkaline Hydrolysis Equip & Addition | \$ | 658,336 | 5100 |
| | Total Department of Agriculture | \$ | 1,669,973 | 5101 |

Reappropriations

Section 18.05. AGO ATTORNEY GENERAL 5103

| | | | | |
|---------|-------------------------------|----|-----------|------|
| CAP-715 | Expand/Renovate Richfield Lab | \$ | 12,359 | 5104 |
| CAP-717 | HVAC Improvements OPOTA | \$ | 1,775,829 | 5105 |

Total Attorney General \$ 1,788,188 5106

Reappropriations

Section 18.06. CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD 5108

CAP-010 Capitol Rotunda Renovations \$ 500,000 5109

CAP-011 Statehouse Security Improvements \$ 34,316 5110

CAP-014 Statehouse Grounds Repair/Improvements \$ 500,000 5111

Total Capitol Square Review and Advisory Board \$ 1,034,316 5112

Reappropriations

Section 18.07. COM DEPARTMENT OF COMMERCE 5114

CAP-012 Fire Academy Architectural Plan \$ 26,500 5115

Total Department of Commerce \$ 26,500 5116

Reappropriations

Section 18.08. EXP EXPOSITIONS COMMISSION 5118

CAP-037 Electric and Lighting Upgrade \$ 2,488,929 5119

CAP-046 Land Acquisition \$ 866,662 5120

CAP-051 Roof Renovations \$ 2,602 5121

CAP-052 Sewer Separation \$ 1,536,578 5122

CAP-053 Multipurpose Agricultural Center \$ 2,671 5123

CAP-056 Building Renovations - 2 \$ 1,009,813 5124

CAP-057 HVAC Planning \$ 2,001 5125

CAP-063 Facility Improvements and Modernization \$ 700,000 5126

Plan

CAP-064 Replacement of Water Lines \$ 16,209 5127

CAP-066 Stairtower Replacement \$ 1,427 5128

CAP-068 Masonry Renovations \$ 131,334 5129

CAP-069 Restroom Renovations \$ 502,060 5130

CAP-072 Emergency Renovations and Equipment \$ 501,578 5131

Replacement

Total Expositions Commission \$ 7,761,864 5132

Reappropriations

| | | |
|--------------------------------------------|------------|------|
| Section 18.09. DEPARTMENT OF HEALTH | | 5134 |
| CAP-003 Building Renovation & Telecomm | \$ 800,000 | 5135 |
| Total Department of Health | \$ 800,000 | 5136 |

Reappropriations

| | | |
|---------------------------------------------------|--------------|------|
| Section 18.10. JSC JUDICIARY/SUPREME COURT | | 5138 |
| CAP-001 Ohio Courts Building Renovations | \$ 1,381,580 | 5139 |
| Total Judiciary/Supreme Court | \$ 1,381,580 | 5140 |

| | | |
|---------------------------------------|--|------|
| EXEMPT FROM PER CENT FOR ARTS PROGRAM | | 5141 |
|---------------------------------------|--|------|

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.

| | | |
|----------------------|--|------|
| OHIO COURTS BUILDING | | 5145 |
|----------------------|--|------|

The amount reappropriated for the foregoing appropriation item CAP-001, Ohio Courts Building Renovations, shall be the sum of the unencumbered and unallotted balances as of June 30, 2004, in appropriation item CAP-001, Ohio Courts Building Renovations, plus the amount refunded to the Judiciary/Supreme Court for deposit into the Administrative Building Fund (Fund 026) in accordance with Section 92 of Am. Sub. H.B. 850 of the 122nd General Assembly. This amount shall be certified to the Director of Budget and Management.

Reappropriations

| | | |
|--------------------------------------------------------------------|--------------|------|
| Section 18.11. DNR DEPARTMENT OF NATURAL RESOURCES | | 5155 |
| CAP-741 DNR Communications System | \$ 51,894 | 5156 |
| CAP-742 Fountain Square Building and Telephone System Improvements | \$ 1,003,878 | 5157 |
| CAP-744 Multi-Agency Radio Communications Equipment | \$ 3,062,468 | 5158 |
| CAP-867 Reclamation Facility Renovation and Development | \$ 225,000 | 5159 |

| | | | | |
|---------------------------------------|------------------------------------------------|----|-----------|------|
| CAP-928 | Handicapped Accessibility | \$ | 39,654 | 5160 |
| CAP-934 | District Office Renovations and Development | \$ | 868,025 | 5161 |
| Total Department of Natural Resources | | \$ | 5,250,919 | 5162 |

Reappropriations

Section 18.12. DHS DEPARTMENT OF PUBLIC SAFETY 5164

| | | | | |
|-----------------------------------|----------------------------------------------|----|-----------|------|
| CAP-053 | Construct EMA/EOC and Office Building | \$ | 6,605 | 5165 |
| CAP-054 | Multi-Agency Radio Communications System | \$ | 658,151 | 5166 |
| CAP-056 | Emergency Operations Center Equipment | \$ | 1,502 | 5167 |
| CAP-067 | VHF Radio System Improvements | \$ | 306,102 | 5168 |
| CAP-078 | Upgrade/Replacement - State EOC Equipment | \$ | 810,000 | 5169 |
| Total Department of Public Safety | | \$ | 1,782,360 | 5170 |

Reappropriations

Section 18.13. OSB SCHOOL FOR THE BLIND 5172

| | | | | |
|---------------------------------|------------------------------------------------|----|-----------|------|
| CAP-745 | Roof Improvements on the School and Cottage | \$ | 295,657 | 5173 |
| CAP-751 | Upgrade Fire Alarm System | \$ | 73,878 | 5174 |
| CAP-757 | Bathroom Handicapped Accessibility | \$ | 20,956 | 5175 |
| CAP-764 | Electric System Improvements | \$ | 44,000 | 5176 |
| CAP-772 | Boiler Replacement | \$ | 449,220 | 5177 |
| CAP-773 | School Residential Hot Water | \$ | 605,000 | 5178 |
| CAP-780 | Residential Renovations | \$ | 17,580 | 5179 |
| Total Ohio School for the Blind | | \$ | 1,506,291 | 5180 |

ROOF IMPROVEMENT SCHOOL AND COTTAGE 5181

The amount reappropriated for appropriation item CAP-745, 5182
 Roof Improvements on the School and Cottage, is \$49,011 plus the 5183
 unencumbered and unallotted balances as of June 30, 2004, in 5184
 appropriation item CAP-745, Roof Improvements on the School and 5185
 Cottage. 5186

RESIDENTIAL RENOVATIONS 5187

The amount reappropriated for appropriation item CAP-780, 5188
Residential Renovations is \$10,537 plus the unencumbered and 5189
unallotted balances as of June 30, 2004 in appropriation items 5190
CAP-780 Residential Renovations and CAP-752 Equipment Storage 5191
Building. 5192

Reappropriations

Section 18.14. OSD SCHOOL FOR THE DEAF 5193

| | | | | |
|--------------------------------|--------------------------------------------|----|--------------|------|
| CAP-767 | Roof Renovations | \$ | 1,046,802 | 5194 |
| CAP-774 | Student Health Services Electrical Upgrade | \$ | 111,000 | 5195 |
| CAP-775 | Staff Building Heat & Electrical Upgrade | \$ | 631,433 | 5196 |
| CAP-776 | Dormitory Renovations | \$ | 443,375 | 5197 |
| Total Ohio School for the Deaf | | | \$ 2,232,610 | 5198 |

DORMITORY RENOVATIONS 5199

The amount reappropriated for the foregoing appropriation 5200
item CAP-776, Dormitory Renovations, is \$23,225 plus the 5201
unencumbered and unallotted balances as of June 30, 2004, in 5202
appropriation items CAP-776, Dormitory Renovations, and CAP-785, 5203
Site Improvements. 5204

Reappropriations

Section 18.15. OVH OHIO VETERANS' HOME 5205

| | | | | |
|---------------------------|---------------------|----|------------|------|
| CAP-775 | Emergency Generator | \$ | 600,000 | 5206 |
| Total Ohio Veterans' Home | | | \$ 600,000 | 5207 |

Section 19. SOS SECRETARY OF STATE 5209

| | | | | |
|------------------------------------|-----------------|----|----------------|------|
| CAP-002 | Voting Machines | \$ | 5,800,000 | 5210 |
| Total Secretary of State | | | \$ 5,800,000 | 5211 |
| TOTAL Administrative Building Fund | | | \$ 163,084,591 | 5212 |

VOTING MACHINES 5213

The foregoing appropriation item CAP-002, Voting Machines, 5214
shall be used to purchase upgraded voting equipment. Appropriation 5215
item CAP-002, Voting Machines, shall match federal funds provided 5216
through the Help America Vote Act of 2002. 5217

Section 20. All items set forth in this section are hereby 5218
appropriated out of any moneys in the state treasury to the credit 5219
of the Adult Correctional Building Fund (Fund 027) that are not 5220
otherwise appropriated: 5221

Reappropriations

| | | | |
|---------|-------------------------------------------------|---------------|------|
| | DRC DEPARTMENT OF REHABILITATION AND CORRECTION | | 5222 |
| | STATEWIDE AND CENTRAL OFFICE PROJECTS | | 5223 |
| CAP-002 | Local Jails | \$ 24,107,550 | 5224 |
| CAP-003 | Community-Based Correctional Facilities | \$ 16,839,357 | 5225 |
| CAP-004 | Site Renovations | \$ 1,385,239 | 5226 |
| CAP-007 | Asbestos Removal | \$ 1,093,777 | 5227 |
| CAP-008 | Powerhouse/Utility Improvements | \$ 2,964,941 | 5228 |
| CAP-009 | Water System/Plant Improvements | \$ 7,472,549 | 5229 |
| CAP-010 | Industrial Equipment - Statewide | \$ 842,907 | 5230 |
| CAP-011 | Roof/Window Renovations - Statewide | \$ 979,430 | 5231 |
| CAP-012 | Shower/Restroom Improvements | \$ 1,506,660 | 5232 |
| CAP-015 | Underground Storage Tanks Improvements | \$ 37,789 | 5233 |
| CAP-017 | Security Improvements - Statewide | \$ 3,885,429 | 5234 |
| CAP-026 | Waste Water Treatment Facilities | \$ 49,437 | 5235 |
| CAP-028 | Power House Improvements | \$ 55,661 | 5236 |
| CAP-041 | Community Residential Program | \$ 5,693,543 | 5237 |
| CAP-043 | Design/Construct/Parole Detention Centers | \$ 149,288 | 5238 |
| CAP-044 | Lightening Protection Plan | \$ 1,504 | 5239 |
| CAP-087 | Correctional Camp | \$ 8,079 | 5240 |
| CAP-105 | Special Counsel - Coit Road | \$ 77,417 | 5241 |
| CAP-109 | Statewide Fire Alarm Systems | \$ 179,647 | 5242 |
| CAP-111 | General Building Renovations | \$ 12,795,525 | 5243 |

| | | | | |
|-------------------------------------------------------------------|---------------------------------------------------------|----|-----------|---------------------|
| CAP-129 | Water Treatment Plants - Statewide | \$ | 651,500 | 5244 |
| CAP-140 | Boot Camp/Substance Abuse Offenders | \$ | 336,709 | 5245 |
| CAP-141 | Multi-Agency Radio System Equipment | \$ | 2,550,651 | 5246 |
| CAP-142 | Various Facility Medical Services | \$ | 837,716 | 5247 |
| CAP-143 | Perimeter Security, Lighting, Alarms, and Sallyports | \$ | 2,243,962 | 5248 |
| CAP-186 | Close Custody Prison and Camp | \$ | 5,000,000 | 5249 |
| CAP-187 | Mandown Alert Communication System - Statewide | \$ | 5,382,422 | 5250 |
| CAP-188 | Manufacturing/Storage Building Additions - Statewide | \$ | 159,300 | 5251 |
| CAP-189 | Tuck-pointing - Statewide | \$ | 124,847 | 5252 |
| CAP-238 | Electrical Systems Upgrades | \$ | 175,025 | 5253 |
| CAP-239 | Emergency Projects | \$ | 2,014,537 | 5254 |
| CAP-240 | State Match for Federal Prison Construction Funds | \$ | 1,787,819 | 5255 |
| CAP-302 | OPI Shops Renovation - Statewide | \$ | 75,000 | 5256 |
| Total Statewide and Central Office Projects | | | | \$ 101,465,217 5257 |
| GENERAL BUILDING RENOVATIONS | | | | 5258 |
| The amount reappropriated for the foregoing appropriation | | | | 5259 |
| item CAP-111, General Building Renovations, is the unencumbered | | | | 5260 |
| and unallotted balance as of June 30, 2004, in appropriation item | | | | 5261 |
| CAP-111, General Building Renovations, plus \$1,170,818. | | | | 5262 |
| ALLEN CORRECTIONAL INSTITUTION | | | | 5263 |
| CAP-304 | Lift Station By-pass - ACI | \$ | 189,546 | 5264 |
| Total Allen Correctional Institution | | | | \$ 189,546 5265 |
| BELMONT CORRECTIONAL INSTITUTION | | | | 5266 |
| CAP-094 | Belmont Correctional Institution | \$ | 223,493 | 5267 |
| CAP-241 | Inmate Health Services Renovations - | \$ | 2,389,974 | 5268 |
| BECI | | | | |
| Total Belmont Correctional Institution | | | | \$ 2,613,468 5269 |
| CHILLICOTHE CORRECTIONAL INSTITUTION | | | | 5270 |

| | | | | |
|--------------------------------------------|----------------------------------------|----|-----------|------|
| CAP-045 | Perimeter Fence Replacement | \$ | 31,423 | 5271 |
| CAP-046 | Showers/Restroom Renovations | \$ | 66,527 | 5272 |
| CAP-048 | Control Room Security Improvements | \$ | 3,270 | 5273 |
| CAP-113 | Fire Alarm, Egress System Improvements | \$ | 106,733 | 5274 |
| CAP-114 | Emergency Lighting Renovations | \$ | 94,574 | 5275 |
| CAP-115 | Roof Renovations | \$ | 141,311 | 5276 |
| CAP-145 | Plumbing Renovations | \$ | 216 | 5277 |
| CAP-146 | Renovate Food Service Area - CCI | \$ | 199,900 | 5278 |
| CAP-177 | Convert Warehouse to Dormitory | \$ | 596 | 5279 |
| CAP-190 | Utility Improvements | \$ | 125,700 | 5280 |
| CAP-191 | Life & Fire Safety Improvements - CCI | \$ | 171,749 | 5281 |
| CAP-192 | Hot Water System Improvements - CCI | \$ | 11,711 | 5282 |
| CAP-254 | Boiler House Renovations | \$ | 1,182,550 | 5283 |
| CAP-255 | Replace Windows and Doors | \$ | 591,125 | 5284 |
| CAP-257 | Emergency Generator Improvements | \$ | 392,174 | 5285 |
| CAP-258 | Sewer Upgrades | \$ | 287,002 | 5286 |
| CAP-314 | Emergency Tunnel Repair | \$ | 95,553 | 5287 |
| Total Chillicothe Correctional Institution | | \$ | 3,502,116 | 5288 |
| CORRECTIONAL RECEPTION CENTER | | | | 5289 |
| CAP-320 | Fire Alarm - CRC | \$ | 268,280 | 5290 |
| Total Correctional Reception Center | | \$ | 268,280 | 5291 |
| CORRECTIONS MEDICAL CENTER | | | | 5292 |
| CAP-318 | Fire Alarm - CMC | \$ | 129,045 | 5293 |
| Total Corrections Medical Center | | \$ | 129,045 | 5294 |
| CORRECTIONS TRAINING ACADEMY | | | | 5295 |
| CAP-148 | Roof Replacement | \$ | 21,110 | 5296 |
| CAP-149 | New Classroom Building | \$ | 816,962 | 5297 |
| CAP-193 | AT Building Roof Replacement | \$ | 141,132 | 5298 |
| CAP-194 | Construct Conference Center | \$ | 12,314 | 5299 |
| Total Corrections Training Academy | | \$ | 991,518 | 5300 |
| DAYTON CORRECTIONAL INSTITUTION | | | | 5301 |
| CAP-195 | Hot Water System Improvements - DCI | \$ | 400,000 | 5302 |
| CAP-242 | Shower Renovations - DCI | \$ | 224,725 | 5303 |

| | | | | |
|------------------------------------------|----------------------------------------------|----|-----------|------|
| CAP-319 | Roof Renovations - DCI | \$ | 145,975 | 5304 |
| Total Dayton Correctional Institution | | \$ | 770,700 | 5305 |
| FRANKLIN PRE-RELEASE CENTER | | | | 5306 |
| CAP-316 | Roof Renovation - FPRC | \$ | 41,672 | 5307 |
| Total Franklin Pre-Release Center | | \$ | 41,672 | 5308 |
| GRAFTON CORRECTIONAL INSTITUTION | | | | 5309 |
| CAP-196 | Camp Egress System Improvements - GCI | \$ | 420,856 | 5310 |
| Total Grafton Correctional Institution | | \$ | 420,856 | 5311 |
| HOCKING CORRECTIONAL FACILITY | | | | 5312 |
| CAP-053 | General Building Renovations | \$ | 3,414 | 5313 |
| CAP-054 | Water Tower Improvements | \$ | 3,000 | 5314 |
| CAP-306 | Parking Lot Improvements - HCF | \$ | 67,360 | 5315 |
| Total Hocking Correctional Facility | | \$ | 73,774 | 5316 |
| LAKE ERIE CORRECTIONAL INSTITUTION | | | | 5317 |
| CAP-144 | Medium/Minimum Security Privatized Prison | \$ | 142,435 | 5318 |
| Total Lake Erie Correctional Institution | | \$ | 142,435 | 5319 |
| LEBANON CORRECTIONAL INSTITUTION | | | | 5320 |
| CAP-055 | Institution Roof Replacement | \$ | 39,500 | 5321 |
| CAP-056 | Kitchen Renovations | \$ | 6,641 | 5322 |
| CAP-057 | Shower Pan/Drain Renovations | \$ | 7,289 | 5323 |
| CAP-118 | Water Tower Renovations | \$ | 25,878 | 5324 |
| CAP-119 | Masonry Improvements - LECI | \$ | 308,074 | 5325 |
| CAP-197 | Cell Door Lock Replacement - LECI | \$ | 321,100 | 5326 |
| CAP-198 | Water Treatment Plant - LECI | \$ | 1,329,823 | 5327 |
| CAP-282 | Emergency Electrical Upgrade - LECI | \$ | 28,614 | 5328 |
| CAP-285 | Bar Screen Replacement | \$ | 147,713 | 5329 |
| CAP-300 | Water Softener Replacement | \$ | 225,008 | 5330 |
| Total Lebanon Correctional Institution | | \$ | 2,439,640 | 5331 |
| LONDON CORRECTIONAL INSTITUTION | | | | 5332 |
| CAP-059 | Convert Brush Factory to Dormitory | \$ | 809 | 5333 |
| CAP-122 | Master Plan Building/Renovations | \$ | 872,355 | 5334 |
| CAP-157 | London Camp Renovation Project | \$ | 14,955 | 5335 |

| | | | | |
|------------------------------------------|------------------------------------------------|----|-----------|------|
| CAP-201 | Water Treatment Plant Addition | \$ | 62,670 | 5336 |
| CAP-245 | Bridge Replacement - LOCI | \$ | 3,424 | 5337 |
| CAP-261 | Roof Replacement | \$ | 687,506 | 5338 |
| CAP-283 | Gas Boiler Installation - LOCI | \$ | 45,144 | 5339 |
| CAP-308 | Electric Upgrades - LOCI | \$ | 250,000 | 5340 |
| CAP-309 | Building Demolition - LOCI | \$ | 500 | 5341 |
| Total London Correctional Institution | | \$ | 1,937,363 | 5342 |
| LORAIN CORRECTIONAL INSTITUTION | | | | 5343 |
| CAP-303 | Auger Replacement - LLORCL | \$ | 500 | 5344 |
| Total Lorain Correctional Institution | | \$ | 500 | 5345 |
| MADISON CORRECTIONAL INSTITUTION | | | | 5346 |
| CAP-176 | Madison Classroom Renovation | \$ | 15,600 | 5347 |
| CAP-263 | Upgrade Emergency Electrical Service | \$ | 541,036 | 5348 |
| CAP-264 | Sewage Station Upgrade | \$ | 13,285 | 5349 |
| CAP-286 | Juvenile Unit Remodeling - Madison | \$ | 2,177 | 5350 |
| CAP-288 | Water Softener System - Madison | \$ | 40,372 | 5351 |
| CAP-315 | Roof Replacement - MACL | \$ | 206,750 | 5352 |
| Total Madison Correctional Institution | | \$ | 819,220 | 5353 |
| MANSFIELD CORRECTIONAL INSTITUTION | | | | 5354 |
| CAP-088 | Mansfield Correctional Camp | \$ | 5,761 | 5355 |
| CAP-123 | Smoke Removal/Sprinkler System Improvements | \$ | 4,330 | 5356 |
| CAP-159 | Power Pole Replacement | \$ | 16,800 | 5357 |
| CAP-305 | Site Improvements - MNCI | \$ | 314,375 | 5358 |
| CAP-307 | Network Wiring - MNCI | \$ | 886,675 | 5359 |
| Total Mansfield Correctional Institution | | \$ | 1,227,941 | 5360 |
| MARION CORRECTIONAL INSTITUTION | | | | 5361 |
| CAP-033 | Telephone System | \$ | 2,957 | 5362 |
| CAP-065 | Sewage Lift Station Renovations | \$ | 8,863 | 5363 |
| CAP-067 | Roof Replacement | \$ | 22,725 | 5364 |
| CAP-124 | Fire Sprinkler System Improvements | \$ | 130,344 | 5365 |
| CAP-172 | Marion Camp Shower Renovation | \$ | 1,313 | 5366 |
| CAP-207 | HVAC Improvements - Administration | \$ | 31,185 | 5367 |

| | | | | |
|---------|---------------------------------------------------|----|-----------|------|
| | Building | | | |
| CAP-208 | Hot Water Tank Replacement | \$ | 953,766 | 5368 |
| CAP-246 | Exterior Window Replacement - MCI | \$ | 254,880 | 5369 |
| CAP-247 | Plumbing Upgrades - MCI | \$ | 193,142 | 5370 |
| CAP-294 | Asphalt Paving - MCI | \$ | 7,380 | 5371 |
| CAP-295 | Sanitary Manhole Sewer - MCI | \$ | 112,234 | 5372 |
| | Total Marion Correctional Institution | \$ | 1,718,789 | 5373 |
| | NORTH COAST CORRECTIONAL TREATMENT FACILITY | | | 5374 |
| CAP-001 | New Prison Construction | \$ | 73,163 | 5375 |
| | Total North Coast Correctional Treatment Facility | \$ | 73,163 | 5376 |
| | NORTHEAST PRE-RELEASE CENTER | | | 5377 |
| CAP-209 | Security Improvements - NEPRC | \$ | 117,462 | 5378 |
| | Total Northeast Pre-Release Center | \$ | 117,462 | 5379 |
| | OAKWOOD CORRECTIONAL FACILITY | | | 5380 |
| CAP-162 | Renovate East Wing Plumbing | \$ | 21,969 | 5381 |
| CAP-163 | Install Positive Latching Devices | \$ | 74,977 | 5382 |
| | Total Oakwood Correctional Facility | \$ | 96,945 | 5383 |
| | OHIO REFORMATORY FOR WOMEN | | | 5384 |
| CAP-040 | Dormitory Housing - ORW | \$ | 6,452 | 5385 |
| CAP-074 | Fire Alarm System Improvements | \$ | 5,798 | 5386 |
| CAP-125 | Replacement Dormitory | \$ | 11,669 | 5387 |
| CAP-165 | Master Plan Building/Renovations - ORW | \$ | 262,305 | 5388 |
| CAP-210 | Replacement Dormitory - ORW | \$ | 772,090 | 5389 |
| CAP-211 | Renovate J.G. Cottage | \$ | 8,880 | 5390 |
| CAP-212 | Powerhouse Renovation & Replumbing | \$ | 1,250,000 | 5391 |
| CAP-216 | Elevator Renovation | \$ | 26,109 | 5392 |
| CAP-217 | Perimeter Lighting Improvements | \$ | 53,566 | 5393 |
| CAP-218 | Rewire Harmon Building | \$ | 329,389 | 5394 |
| CAP-219 | Fire Alarm System Improvements | \$ | 112,955 | 5395 |
| CAP-266 | Construct New Medical and Food Services Building | \$ | 7,375,019 | 5396 |
| | Building | | | |
| CAP-267 | Renovate ARN Dorms | \$ | 449,843 | 5397 |
| CAP-268 | Emergency Generator Improvements | \$ | 1,395,085 | 5398 |

| | | | | |
|-----------------------------------------|---------------------------------------------------|----|------------|------|
| CAP-289 | Perimeter Sec Fence | \$ | 639,406 | 5399 |
| CAP-296 | Domestic Waterline Renovation | \$ | 51,491 | 5400 |
| CAP-301 | 500 Car Parking/Road Design - ORW | \$ | 24,080 | 5401 |
| CAP-317 | Sanitary/Storm Sewer System Renovation - ORW | \$ | 332,050 | 5402 |
| Total Ohio Reformatory for Women | | \$ | 13,106,187 | 5403 |
| OHIO STATE PENITENTIARY | | | | 5404 |
| CAP-110 | Construct Maximum Security Facility | \$ | 124,679 | 5405 |
| CAP-291 | New Exterior Recreation Units | \$ | 4,125,659 | 5406 |
| Total Ohio State Penitentiary | | \$ | 4,250,337 | 5407 |
| PICKAWAY CORRECTIONAL INSTITUTION | | | | 5408 |
| CAP-062 | Meat Processing Operation | \$ | 199,883 | 5409 |
| CAP-076 | Laundry/Maintenance Shop/Farms Roof Renovation | \$ | 726 | 5410 |
| CAP-077 | Shower Renovations | \$ | 15,349 | 5411 |
| CAP-222 | Sludge Removal System Improvements | \$ | 897,118 | 5412 |
| CAP-223 | Replacement of Unit A Dorm | \$ | 517,387 | 5413 |
| CAP-225 | Water System Improvements | \$ | 85,876 | 5414 |
| CAP-226 | Milk Processing Plant | \$ | 31,912 | 5415 |
| CAP-227 | Roof Improvements | \$ | 393,306 | 5416 |
| CAP-228 | Power House Improvements | \$ | 10,545 | 5417 |
| CAP-248 | Replacement of Perimeter Fence - PCI | \$ | 152,495 | 5418 |
| CAP-252 | Construct Meat Processing Plant | \$ | 823,588 | 5419 |
| CAP-269 | Utility Tunnels Improvement | \$ | 382,729 | 5420 |
| CAP-274 | Replacement of Segregation Housing | \$ | 4,806,750 | 5421 |
| CAP-292 | Tunnel Renovation/Orient Complex | \$ | 30,139 | 5422 |
| CAP-297 | Steam Waterline Replacement - PCI | \$ | 820,996 | 5423 |
| CAP-310 | OPI Warehouse Addition - PCI | \$ | 1,537,241 | 5424 |
| CAP-312 | Waste Water Treatment Plant | \$ | 7,583,125 | 5425 |
| Total Pickaway Correctional Institution | | \$ | 18,289,165 | 5426 |
| RICHLAND CORRECTIONAL INSTITUTION | | | | 5427 |
| CAP-251 | Construct Retaining Wall - RICI | \$ | 61,474 | 5428 |
| CAP-293 | Asphalt Parking - RICI | \$ | 9,161 | 5429 |

| | | | |
|------------------------------------------------------|----|-----------|------|
| Total Richland Correctional Institution | \$ | 70,634 | 5430 |
| ROSS CORRECTIONAL INSTITUTION | | | 5431 |
| CAP-147 Waste Water Treatment Plant | \$ | 6,120 | 5432 |
| CAP-229 Waste Water Treatment Plant - RCI | \$ | 6,849,581 | 5433 |
| CAP-276 Rubberized Roof Replacement | \$ | 200,104 | 5434 |
| CAP-311 Water Tower Renovation - RCI | \$ | 175,000 | 5435 |
| Total Ross Correctional Institution | \$ | 7,230,805 | 5436 |
| SOUTHEASTERN CORRECTIONAL INSTITUTION | | | 5437 |
| CAP-133 Construct New Dining Hall | \$ | 8,822 | 5438 |
| CAP-134 Wastewater Treatment Storage Addition | \$ | 579,365 | 5439 |
| CAP-167 Master Plan Building/Renovations - SCI | \$ | 186,643 | 5440 |
| CAP-183 Two Story Dorm - SCI | \$ | 92,327 | 5441 |
| CAP-234 High Voltage Electrical System | \$ | 2,702,624 | 5442 |
| CAP-235 Construct Warehouse & Utility Buildings | \$ | 1,315,406 | 5443 |
| CAP-236 Construct Dining Hall - SCI | \$ | 682,650 | 5444 |
| CAP-237 Power Plant Improvements | \$ | 39,341 | 5445 |
| CAP-277 Powerhouse Boiler Improvements | \$ | 397,147 | 5446 |
| CAP-313 Perimeter Fence Upgrade - SCI | \$ | 1,375,977 | 5447 |
| Total Southeastern Correctional Institution | \$ | 7,380,300 | 5448 |
| SOUTHERN OHIO CORRECTIONAL FACILITY | | | 5449 |
| CAP-034 Southern Ohio Telephone System | \$ | 9,943 | 5450 |
| CAP-135 SOCF Renovation and Improvements | \$ | 148,445 | 5451 |
| CAP-136 Waste Water Treatment Plant Improvements | \$ | 30,120 | 5452 |
| CAP-230 Waste Water Treatment Plant | \$ | 3,410,347 | 5453 |
| CAP-231 Gas Boiler Installation | \$ | 1,034,815 | 5454 |
| CAP-279 Powerhouse Domestic Hot Water Replacement | \$ | 198,534 | 5455 |
| CAP-287 Roof Renovations B Wing - SOCF | \$ | 18,494 | 5456 |
| CAP-322 Water Tower Renovations - SOCF | \$ | 75,000 | 5457 |
| Total Southern Ohio Correctional Facility | \$ | 4,925,698 | 5458 |
| TOLEDO CORRECTIONAL INSTITUTION | | | 5459 |
| CAP-161 1000-Bed Close Security Prison | \$ | 1,118,383 | 5460 |
| Total Toledo Correctional Institution | \$ | 1,118,383 | 5461 |

| | | | |
|---------|-----------------------------------------------------|----------------|------|
| | TRUMBULL CORRECTIONAL INSTITUTION | | 5462 |
| CAP-280 | Door Control Switch Renovation | \$ 141,799 | 5463 |
| CAP-281 | Construct Psychiatric Residential Treatment Unit | \$ 558,508 | 5464 |
| | Total Trumbull Correctional Institution | \$ 700,306 | 5465 |
| | WARREN CORRECTIONAL INSTITUTION | | 5466 |
| CAP-284 | Compound Lighting Upgrade | \$ 57,807 | 5467 |
| CAP-290 | Security Upgrades | \$ 234,323 | 5468 |
| | Total Warren Correctional Institution | \$ 292,131 | 5469 |
| | TOTAL Department of Rehabilitation and Correction | \$ 174,827,327 | 5470 |
| | TOTAL Adult Correctional Building Fund | \$ 176,403,596 | 5471 |

Section 20.01. LOCAL JAILS 5473

From the foregoing appropriation item, CAP-002, Local Jails, 5474
the Department of Rehabilitation and Correction shall designate 5475
the projects involving the construction and renovation of county, 5476
multicounty, municipal-county, and multicounty-municipal jail 5477
facilities and workhouses, including correctional centers 5478
authorized under sections 153.61 and 307.93 of the Revised Code, 5479
for which the Ohio Building Authority is authorized to issue 5480
obligations. Notwithstanding any provisions to the contrary in 5481
Chapter 152. or 153. of the Revised Code, the Department of 5482
Rehabilitation and Correction may coordinate, review, and monitor 5483
the drawdown and use of funds for the renovation or construction 5484
of projects for which designated funds are provided. 5485

The funding authorized under this section shall not be 5486
applied to any such facilities that are not designated by the 5487
Department of Rehabilitation and Correction. The amount of funding 5488
authorized under this section that may be applied to a project 5489
designated for initial funding after July 1, 2000, involving the 5490
construction or renovation of a county, multicounty, 5491
municipal-county, and multicounty-municipal jail facilities and 5492

workhouses, including correctional centers authorized under 5493
sections 153.61 and 307.93 of the Revised Code, shall not exceed 5494
\$35,000 per bed of the total allowable cost of the project in the 5495
case of construction of county and municipal-county jail 5496
facilities, workhouses, and correctional centers, or multicounty 5497
or multicounty-municipal jail facilities, workhouses, and 5498
correctional centers and shall not exceed 30 per cent of the total 5499
allowable cost of the project in the case of renovation of county, 5500
multicounty, municipal-county, and multicounty-municipal jail 5501
facilities, workhouses, and correctional centers. If a political 5502
subdivision is in the planning phase of constructing a multicounty 5503
or multicounty-municipal jail facility, workhouse, or correctional 5504
center on or before the effective date of this section, the 5505
Department of Rehabilitation and Correction shall fund that 5506
facility at \$42,000 per bed. Multicounty or multicounty-municipal 5507
jail facility construction projects initiated after the effective 5508
date of this section may be considered for, but are not entitled 5509
to be awarded, funding at \$42,000 per bed. The higher per bed 5510
award is at the discretion of the Department of Rehabilitation and 5511
Correction and is contingent upon available funds, the impact of 5512
the project, and inclusion of at least three counties in the 5513
project. 5514

The cost-per-bed funding authorized under this section that 5515
may be applied to a construction project shall not exceed the 5516
actual cost-per-bed of the project. The 30 per cent funding 5517
authorized under this section that may be applied to a renovation 5518
project shall not exceed \$35,000 per bed of the total allowable 5519
cost of the project. 5520

The funding authorized under this section shall not be 5521
applied to any project involving the construction of a county, 5522
multicounty, municipal-county, or multicounty-municipal jail 5523
facility or workhouse, including a correctional center established 5524

under sections 153.61 and 307.93 of the Revised Code, unless the 5525
facility, workhouse, or correctional center will be built in 5526
compliance with "The Minimum Standards for Jails in Ohio" and the 5527
plans have been approved under section 5120.10 of the Revised 5528
Code. In addition, the funding authorized under this section shall 5529
not be applied to any project involving the renovation of a 5530
county, multicounty, municipal-county, or multicounty-municipal 5531
jail facility or workhouse, including a correctional center 5532
established under sections 153.61 and 307.93 of the Revised Code, 5533
unless the renovation is for the purpose of bringing the facility, 5534
workhouse, or correctional center into compliance with "The 5535
Minimum Standards for Jails in Ohio" and the plans have been 5536
approved under section 5120.10 of the Revised Code. 5537

Section 20.02. COMMUNITY-BASED CORRECTIONAL FACILITIES 5538

The Department of Rehabilitation and Correction may designate 5539
to the Ohio Building Authority the sites of, and, notwithstanding 5540
any provisions to the contrary in Chapter 152. or 153. of the 5541
Revised Code, may review the renovation or construction of the 5542
single county and district community-based correctional facilities 5543
funded by the foregoing appropriation item CAP-003, 5544
Community-Based Correctional Facilities. 5545

Section 20.03. COMMUNITY RESIDENTIAL PROGRAM RENOVATIONS 5546

The foregoing appropriation item CAP-041, Community 5547
Residential Program, may be used by the Department of 5548
Rehabilitation and Correction, under sections 5120.103, 5120.104, 5549
and 5120.105 of the Revised Code, to provide for the construction 5550
or renovation of halfway house facilities for offenders eligible 5551
for community supervision by the Department of Rehabilitation and 5552
Correction. 5553

Section 21. All items set forth in this section are hereby 5554

appropriated out of any moneys in the state treasury to the credit 5555
of the Juvenile Correctional Building Fund (Fund 028) that are not 5556
otherwise appropriated: 5557

Reappropriations

DYS DEPARTMENT OF YOUTH SERVICES

| | | | |
|-------------------------------------------|-------------------------------------------------------------------------|---------------|------|
| | | | 5558 |
| CAP-004 | Cuyahoga Juvenile Court Detention | \$ 5,459,404 | 5559 |
| CAP-801 | Fire Suppression/Safety/Security | \$ 1,636,155 | 5560 |
| CAP-803 | General Institutional Renovations | \$ 3,787,255 | 5561 |
| CAP-812 | Community Rehabilitation Centers | \$ 916,913 | 5562 |
| CAP-821 | Construct Maximum Security Facility | \$ 172,327 | 5563 |
| CAP-828 | Multi-Agency Radio System Equipment | \$ 3,186 | 5564 |
| CAP-829 | Local Juvenile Detention Centers | \$ 10,844,623 | 5565 |
| CAP-831 | Gym Expansion - Cuyahoga Hills Boys School | \$ 649,290 | 5566 |
| CAP-832 | 72-Bed Unit Housing Addition - Ohio River Valley Correctional Center | \$ 2,000 | 5567 |
| CAP-833 | Security Renovations - Indian River | \$ 1,996 | 5568 |
| CAP-837 | Sanitary Safety/Renovations Indian River | \$ 3,736,500 | 5569 |
| Total Department of Youth Services | | \$ 27,209,649 | 5570 |
| TOTAL Juvenile Correctional Building Fund | | \$ 27,209,649 | 5571 |

Section 21.01. GENERAL INSTITUTIONAL RENOVATIONS 5573

The amount reappropriated for the foregoing appropriation 5574
item CAP-803, General Institutional Renovations, is the 5575
unencumbered and unallotted balance as of June 30, 2004, in 5576
appropriation item CAP-803, General Institutional Renovations, 5577
plus \$788,000. 5578

Section 21.02. COMMUNITY REHABILITATION CENTERS 5579

From the foregoing appropriation item CAP-812, Community 5580
Rehabilitation Centers, the Department of Youth Services shall 5581
designate the projects involving the construction and renovation 5582

of single county and multicounty community corrections facilities 5583
for which the Ohio Building Authority is authorized to issue 5584
obligations. 5585

The Department of Youth Services is authorized to review and 5586
approve the renovation and construction of projects for which 5587
funds are provided. The proceeds of any obligations authorized 5588
under this section shall not be applied to any such facilities 5589
that are not designated and approved by the Department of Youth 5590
Services. 5591

The Department of Youth Services shall adopt guidelines to 5592
accept and review applications and designate projects. The 5593
guidelines shall require the county or counties to justify the 5594
need for the facility and to comply with timelines for the 5595
submission of documentation pertaining to the site, program, and 5596
construction. 5597

For purposes of this section, "community corrections 5598
facilities" has the same meaning as in section 5139.36 of the 5599
Revised Code. 5600

Section 21.03. LOCAL JUVENILE DETENTION CENTERS 5601

From the foregoing appropriation item CAP-829, Local Juvenile 5602
Detention Centers, the Department of Youth Services shall 5603
designate the projects involving the construction and renovation 5604
of county and multicounty juvenile detention centers for which the 5605
Ohio Building Authority is authorized to issue obligations. 5606

The Department of Youth Services is authorized to review and 5607
approve the renovation and construction of projects for which 5608
funds are provided. The proceeds of any obligations authorized 5609
under this section shall not be applied to any such facilities 5610
that are not designated by the Department of Youth Services. 5611

The Department of Youth Services shall comply with the 5612

guidelines set forth in this section, accept and review 5613
applications, designate projects, and determine the amount of 5614
state match funding to be applied to each project. The department 5615
shall, with the advice of the county or counties participating in 5616
a project, determine the funded design capacity of the detention 5617
centers that are designated to receive funding. Notwithstanding 5618
any provisions to the contrary contained in Chapter 152. or 153. 5619
of the Revised Code, the Department of Youth Services may 5620
coordinate, review, and monitor the drawdown and use of funds for 5621
the renovation and construction of projects for which designated 5622
funds are provided. 5623

(A) The Department of Youth Services shall develop a weighted 5624
numerical formula to determine the amount, if any, of state match 5625
that may be provided to a single or multicounty detention center 5626
project. The formula shall include the factors specified below in 5627
division (A)(1) of this section and may include the factors 5628
specified below in division (A)(2) of this section. The weight 5629
assigned to the factors specified in division (A)(1) of this 5630
section shall be not less than twice the weight assigned to 5631
factors specified in division (A)(2) of this section. 5632

(1)(a) The number of detention center beds needed in the 5633
county or group of counties, as estimated by the Department of 5634
Youth Services, is significantly more than the number of beds 5635
currently available; 5636

(b) Any existing detention center in the county or group of 5637
counties does not meet health, safety, or security standards for 5638
detention centers as established by the Department of Youth 5639
Services; 5640

(c) The Department of Youth Services projects that the county 5641
or group of counties have a need for a sufficient number of 5642
detention beds to make the project economically viable. 5643

(2)(a) The percentage of children in the county or group of 5644
counties living below the poverty level is above the state 5645
average; 5646

(b) The per capita income in the county or group of counties 5647
is below the state average. 5648

(B) The formula developed by the Department of Youth Services 5649
shall yield a percentage of state match ranging from 0 to 60 per 5650
cent based on the above factors. Notwithstanding the foregoing 5651
provisions, if a single county or multicounty system currently has 5652
no detention center beds, or if the projected need for detention 5653
center beds as estimated by the Department of Youth Services is 5654
greater than 120 per cent of current detention center bed 5655
capacity, then the percentage of state match shall be 60 per cent. 5656
To determine the dollar amount of the state match for new 5657
construction projects, the percentage of state match is multiplied 5658
by \$125,000 per bed for detention centers with a designated 5659
capacity of 99 beds or less, and by \$130,000 per bed for detention 5660
centers with a design capacity of 100 beds or more. To determine 5661
the dollar amount of the state match for renovation projects the 5662
percentage match shall be multiplied by the actual cost of the 5663
renovation, provided that the cost of the renovation does not 5664
exceed \$100,000 per bed. The funding authorized under this section 5665
that may be applied to a construction or renovation project shall 5666
not exceed the actual cost of the project. 5667

The funding authorized under this section shall not be 5668
applied to any project unless the detention center will be built 5669
in compliance with health, safety, and security standards for 5670
detention centers as established by the Department of Youth 5671
Services. In addition, the funding authorized under this section 5672
shall not be applied to the renovation of a detention center 5673
unless the renovation is for the purpose of increasing the number 5674
of beds in the center, or to meet health, safety, or security 5675

standards for detention centers as established by the Department 5676
of Youth Services. 5677

Section 22. All items set forth in this section are hereby 5678
appropriated out of any moneys in the state treasury to the credit 5679
of the Transportation Building Fund (Fund 029) that are not 5680
otherwise appropriated: 5681

Reappropriations

DOT DEPARTMENT OF TRANSPORTATION

| | | | | |
|---------|------------------------------------|----|--------|------|
| CAP-001 | Transportation Buildings Capital | \$ | 35,000 | 5683 |
| | Improvements | | | |
| | Total Department of Transportation | \$ | 35,000 | 5684 |
| | TOTAL Transportation Building Fund | \$ | 35,000 | 5685 |

Section 23. All items set forth in this section are hereby 5687
appropriated out of any moneys in the state treasury to the credit 5688
of the Arts and Sports Facilities Building Fund (Fund 030) that 5689
are not otherwise appropriated: 5690

Reappropriations

AFC ARTS AND SPORTS FACILITIES COMMISSION

| | | | | |
|---------|-----------------------------------------------------------|----|-----------|------|
| CAP-003 | Center of Science and Industry - Toledo | \$ | 12,268 | 5692 |
| CAP-004 | Valentine Theatre | \$ | 1,111 | 5693 |
| CAP-005 | Center of Science and Industry - Columbus | \$ | 181,636 | 5694 |
| CAP-010 | Sandusky State Theatre Improvements | \$ | 1,000,000 | 5695 |
| CAP-017 | Zion Center of the National Afro-American Museum | \$ | 488,232 | 5696 |
| CAP-021 | Ohio Historical Center - Archives and Library Shelving | \$ | 2,395 | 5697 |
| CAP-033 | Woodward Opera House Renovation | \$ | 1,050,000 | 5698 |
| CAP-037 | Canton Palace Theatre Renovations | \$ | 1,066,126 | 5699 |
| CAP-038 | Center Exhibit Replacement | \$ | 750,000 | 5700 |
| CAP-041 | Cleveland Playhouse | \$ | 500,000 | 5701 |

| | | | | |
|---------|--------------------------------------------------------|----|-----------|------|
| CAP-042 | Statewide Site Exhibit/Renovation & Construction | \$ | 625,000 | 5702 |
| CAP-043 | Statewide Site Repairs | \$ | 454,000 | 5703 |
| CAP-046 | Cincinnati Museum Center Improvements | \$ | 500,000 | 5704 |
| CAP-052 | Akron Art Museum | \$ | 5,000,000 | 5705 |
| CAP-053 | Powers Auditorium Improvements | \$ | 200,000 | 5706 |
| CAP-055 | Waco Museum & Aviation Learning Center | \$ | 500,000 | 5707 |
| CAP-057 | Comprehensive Master Plan | \$ | 180,000 | 5708 |
| CAP-058 | Cedar Bog Nature Preserve Education Center | \$ | 766,200 | 5709 |
| CAP-061 | Statewide Arts Facilities Planning | \$ | 35,931 | 5710 |
| CAP-063 | Robins Theatre Renovations | \$ | 1,000,000 | 5711 |
| CAP-064 | Bramley Historic House | \$ | 75,000 | 5712 |
| CAP-066 | Delaware County Cultural Arts Center | \$ | 40,000 | 5713 |
| CAP-068 | Perry County Historical Society | \$ | 100,000 | 5714 |
| CAP-069 | Cleveland Institute of Art | \$ | 750,000 | 5715 |
| CAP-071 | Cleveland Institute of Music | \$ | 750,000 | 5716 |
| CAP-072 | West Side Arts Consortium | \$ | 138,000 | 5717 |
| CAP-074 | Stan Hywet Hall & Gardens | \$ | 250,000 | 5718 |
| CAP-075 | McKinley Museum Improvements | \$ | 125,000 | 5719 |
| CAP-076 | Spring Hill Historic Home | \$ | 125,000 | 5720 |
| CAP-077 | Western Reserve Ballet Improvements | \$ | 100,000 | 5721 |
| CAP-078 | Midland Theatre | \$ | 175,000 | 5722 |
| CAP-079 | Lorain Palace Civic Theatre | \$ | 200,000 | 5723 |
| CAP-080 | Great Lakes Historical Society | \$ | 150,000 | 5724 |
| CAP-734 | Hayes Presidential Center | \$ | 75,000 | 5725 |
| CAP-745 | Historic Sites and Museums | \$ | 750,000 | 5726 |
| CAP-753 | Buffington Island State Memorial | \$ | 91,500 | 5727 |
| CAP-770 | Serpent Mound State Memorial | \$ | 295,000 | 5728 |
| CAP-784 | Ohio Historical Center Rehabilitation | \$ | 673,700 | 5729 |
| CAP-786 | Piqua/Ft Picakawillany Acquisition and Improvements | \$ | 136,000 | 5730 |
| CAP-789 | Neil Armstrong Air and Space Museum | \$ | 103,516 | 5731 |

| | | | | |
|---------|---------------------------------------------------------|----|------------|------|
| | Improvements | | | |
| CAP-791 | Harrison Tomb and Site Renovations | \$ | 149,500 | 5732 |
| CAP-796 | Moundbuilders State Memorial | \$ | 530,000 | 5733 |
| CAP-806 | Grant Boyhood Home Improvements | \$ | 68,333 | 5734 |
| CAP-809 | Cincinnati Ballet Facility Improvements | \$ | 450,000 | 5735 |
| CAP-810 | Toledo Museum of Art Improvements | \$ | 2,000,000 | 5736 |
| CAP-813 | Cleveland Botanical Gardens | \$ | 2,500,000 | 5737 |
| CAP-814 | Crawford Museum of Transportation & Industry | \$ | 2,500,000 | 5738 |
| CAP-820 | Historical Center Ohio Village Buildings | \$ | 502,000 | 5739 |
| CAP-821 | Lorain County Historical Society | \$ | 300,000 | 5740 |
| CAP-822 | Madison County Historic Schoolhouse | \$ | 40,000 | 5741 |
| CAP-823 | Marion Palace Theatre | \$ | 825,000 | 5742 |
| CAP-824 | McConnellsville Opera House | \$ | 75,000 | 5743 |
| CAP-825 | Secrest Auditorium | \$ | 75,000 | 5744 |
| CAP-826 | Renaissance Theatre | \$ | 50,000 | 5745 |
| CAP-827 | Trumpet in the Land | \$ | 100,000 | 5746 |
| CAP-828 | Becky Thatcher Showboat | \$ | 30,000 | 5747 |
| CAP-829 | Mid Ohio Valley Players | \$ | 50,000 | 5748 |
| CAP-830 | The Anchorage | \$ | 50,000 | 5749 |
| CAP-831 | Wayne County Historical Society | \$ | 300,000 | 5750 |
| CAP-833 | Promont House Museum | \$ | 200,000 | 5751 |
| CAP-836 | Fairfield Outdoor Theatre | \$ | 100,000 | 5752 |
| CAP-837 | Lake County Historical Society | \$ | 250,000 | 5753 |
| CAP-839 | Hancock Historical Society | \$ | 75,000 | 5754 |
| CAP-840 | Riversouth Development | \$ | 10,000,000 | 5755 |
| CAP-841 | Ft. Piqua Hotel | \$ | 200,000 | 5756 |
| CAP-843 | Marina District/Ice Arena Development | \$ | 4,000,000 | 5757 |
| | Total Arts and Sports Facilities Commission | \$ | 44,835,448 | 5758 |
| | TOTAL Arts Facilities Building Fund | \$ | 44,835,448 | 5759 |
| | COSI COLUMBUS - LOCAL ADMINISTRATION OF CAPITAL PROJECT | | | 5760 |
| | CONTRACTS | | | 5761 |

Notwithstanding division (A) of section 3383.07 of the Revised Code, the Ohio Arts and Sports Facilities Commission, with respect to the foregoing appropriation item CAP-005, Center of Science and Industry - Columbus, may administer all or part of capital facilities project contracts involving exhibit fabrication and installation as determined by the Department of Administrative Services, the Center of Science and Industry - Columbus, and the Ohio Arts and Sports Facilities Commission in review of the project plans. The Ohio Arts and Sports Facilities Commission shall enter into a contract with the Center of Science and Industry - Columbus to administer the exhibit fabrication and installation contracts and such contracts are not subject to Chapter 123. or 153. of the Revised Code.

SPORTS FACILITIES IMPROVEMENTS - AKRON

The amount reappropriated to the Arts and Sports Facilities Building Fund (Fund 030), CAP-024, Sports Facilities Improvements - Akron, is the unallotted and unencumbered balance in the Sports Facilities Building Fund (Fund 024), CAP-024, Sports Facilities Improvements - Akron.

REDS HALL OF FAME

The amount reappropriated to the Arts and Sports Facilities Building Fund (Fund 030), CAP-025, Reds Hall of Fame, is the unallotted and unencumbered balance in the Sports Facilities Building Fund (Fund 024), CAP-025, Reds Hall of Fame.

MARINA DISTRICT/ICE ARENA DEVELOPMENT

The amount reappropriated to the Arts and Sports Facilities Building Fund (Fund 030), CAP-843, Marina District/Ice Arena Development, is the unallotted and unencumbered balance in the Sports Facilities Building Fund (Fund 024), CAP-073, Marina District/Ice Arena Development.

Section 24. All items set forth in this section are hereby 5792
appropriated out of any moneys in the state treasury to the credit 5793
of the Ohio Parks and Natural Resources Fund (Fund 031) that are 5794
not otherwise appropriated: 5795

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES 5796

STATEWIDE AND LOCAL PROJECTS 5797

| | | | | |
|---------|------------------------------------------|----|------------|------|
| CAP-012 | Land Acquisition | \$ | 958,039 | 5798 |
| CAP-702 | Upgrade Underground Fuel Storage Tanks | \$ | 999,294 | 5799 |
| CAP-703 | Cap Abandoned Water Wells | \$ | 189,482 | 5800 |
| CAP-748 | Local Parks Projects - Statewide | \$ | 3,406,183 | 5801 |
| CAP-751 | City of Portsmouth Launch Ramp | \$ | 15,989 | 5802 |
| CAP-753 | Project Planning | \$ | 118,360 | 5803 |
| CAP-766 | South Fork Licking Watershed Study | \$ | 600 | 5804 |
| CAP-768 | Grand River Wildlife Area | \$ | 2,700 | 5805 |
| CAP-788 | Community Recreation Projects | \$ | 60,000 | 5806 |
| CAP-799 | Village of Nelville Boat Ramp | \$ | 140,727 | 5807 |
| CAP-800 | City of Gallipolis Courtesy Dock | \$ | 8,700 | 5808 |
| CAP-814 | North of Rush Run Wildlife Area | \$ | 200 | 5809 |
| CAP-834 | Appraisal Fees - Statewide | \$ | 77,265 | 5810 |
| CAP-844 | Put-In-Bay Township Port Authority | \$ | 79,784 | 5811 |
| CAP-868 | New Philadelphia Office Relocation | \$ | 1,500,000 | 5812 |
| CAP-881 | Dam Rehabilitation | \$ | 14,998,701 | 5813 |
| CAP-900 | City of Huron Docks | \$ | 46,786 | 5814 |
| CAP-928 | Handicapped Accessibility | \$ | 743,285 | 5815 |
| CAP-929 | Hazardous Waste/Asbestos Abatement | \$ | 102,857 | 5816 |
| CAP-931 | Wastewater/Water Systems Upgrades | \$ | 9,439,572 | 5817 |
| CAP-932 | Wetlands/Waterfront Acquisition | \$ | 223,481 | 5818 |
| CAP-934 | Operations Facilities Development | \$ | 1,486,438 | 5819 |
| CAP-963 | Fairpoint Harbor Port Authority | \$ | 103,293 | 5820 |
| CAP-995 | Boundary Protection | \$ | 32,426 | 5821 |
| CAP-999 | Geographic Information Management System | \$ | 779,501 | 5822 |

| | | | | |
|------------------------------------------------|-------------------------------------------------------------------|----|------------|------|
| Total Statewide and Local Projects | | \$ | 35,513,663 | 5823 |
| DIVISION OF CIVILIAN CONSERVATION | | | | 5824 |
| CAP-750 | Quilter CCC Camp | \$ | 900 | 5825 |
| CAP-817 | Riffe CCC Camp | \$ | 1,309 | 5826 |
| CAP-835 | Civilian Conservation Facilities | \$ | 1,847,074 | 5827 |
| Total Division of Civilian Conservation | | \$ | 1,849,283 | 5828 |
| DIVISION OF FORESTRY | | | | 5829 |
| CAP-021 | Mohican State Forest | \$ | 1,200 | 5830 |
| CAP-030 | Shawnee State Forest | \$ | 1,300 | 5831 |
| CAP-073 | Brush Creek State Forest | \$ | 5,850 | 5832 |
| CAP-146 | Zaleski State Forest | \$ | 200 | 5833 |
| CAP-213 | Shade River State Forest | \$ | 200 | 5834 |
| CAP-841 | Operations and Maintenance Facility Development and Renovation | \$ | 1,489,212 | 5835 |
| CAP-977 | Fernwood State Forest | \$ | 7,181 | 5836 |
| Total Division of Forestry | | \$ | 1,505,143 | 5837 |
| DIVISION OF MINERAL RESOURCES MANAGEMENT | | | | 5838 |
| CAP-867 | Reclamation Facilities Renovation and Development | \$ | 19,500 | 5839 |
| Total Division of Mineral Resources Management | | \$ | 19,500 | 5840 |
| DIVISION OF NATURAL AREAS AND PRESERVES | | | | 5841 |
| CAP-006 | Little Beaver Creek Nature Preserve | \$ | 1,500 | 5842 |
| CAP-826 | Natural Areas and Preserves Maintenance/Facility Development | \$ | 788,056 | 5843 |
| CAP-831 | Lake Katherine | \$ | 17,699 | 5844 |
| CAP-870 | Little Miami Scenic River | \$ | 4,800 | 5845 |
| Total Division of Natural Areas | | \$ | 812,055 | 5846 |
| DIVISION OF PARKS AND RECREATION | | | | 5847 |
| CAP-003 | Barkcamp State Park | \$ | 3,025 | 5848 |
| CAP-005 | Cowan Lake State Park | \$ | 34,684 | 5849 |
| CAP-010 | East Harbor State Park | \$ | 41,329 | 5850 |
| CAP-016 | Hueston Woods State Park | \$ | 2,500 | 5851 |
| CAP-017 | Indian Lake State Park | \$ | 2,319 | 5852 |

| | | | | |
|---------|-------------------------------------------------|----|-----------|------|
| CAP-018 | Kelleys Island State Park | \$ | 5,700 | 5853 |
| CAP-019 | Lake Hope State Park | \$ | 500 | 5854 |
| CAP-025 | Punderson Lake State Park | \$ | 8,997 | 5855 |
| CAP-026 | Pymatuning State Park | \$ | 2,650 | 5856 |
| CAP-032 | West Branch State Park | \$ | 6,243 | 5857 |
| CAP-037 | Kiser Lake State Park | \$ | 10,616 | 5858 |
| CAP-051 | Buck Creek State Park | \$ | 500 | 5859 |
| CAP-052 | Buckeye Lake State Park | \$ | 74,746 | 5860 |
| CAP-060 | East Fork State Park | \$ | 1,709 | 5861 |
| CAP-064 | Geneva State Park | \$ | 750 | 5862 |
| CAP-069 | Hocking Hills State Park | \$ | 472 | 5863 |
| CAP-089 | Mosquito Lake State Park | \$ | 2,789 | 5864 |
| CAP-093 | Portage Lakes State Park | \$ | 44,676 | 5865 |
| CAP-114 | Beaver Creek State Park | \$ | 12,000 | 5866 |
| CAP-119 | Forked Run State Park | \$ | 5,123 | 5867 |
| CAP-169 | Lake White State Park | \$ | 3,100 | 5868 |
| CAP-222 | Wolf Run State Park | \$ | 205,787 | 5869 |
| CAP-234 | State Parks, Campgrounds, Lodges, and Cabins | \$ | 3,431,369 | 5870 |
| CAP-305 | Maumee Bay State Park | \$ | 900 | 5871 |
| CAP-331 | Park Boating Facilities | \$ | 5,411,873 | 5872 |
| CAP-390 | State Park Maintenance/Facility Development | \$ | 1,803,182 | 5873 |
| CAP-718 | Grand Lake St Marys State Park | \$ | 7,490 | 5874 |
| CAP-719 | Indian Lake State Park | \$ | 7,610 | 5875 |
| CAP-758 | Muskingum River Parkway Lock #7 | \$ | 1,146 | 5876 |
| CAP-795 | Headlands Beach State Park | \$ | 25,160 | 5877 |
| CAP-815 | Mary Jane Thurston State Park | \$ | 4,700 | 5878 |
| CAP-825 | Marblehead Lighthouse State Park | \$ | 1,233 | 5879 |
| CAP-829 | Sycamore State Park | \$ | 500 | 5880 |
| CAP-836 | State Park Renovations/Upgrading | \$ | 3,254,137 | 5881 |
| CAP-851 | Cleveland Lakefront | \$ | 47,051 | 5882 |
| CAP-916 | Lake Milton State Park | \$ | 46,509 | 5883 |

| | | | |
|-------------------------------------------------------------------------------|----|------------|------|
| Total Division of Parks and Recreation | \$ | 14,513,075 | 5884 |
| DIVISION OF SOIL AND WATER CONSERVATION | | | 5885 |
| CAP-810 New Facilities at Farm Science Review | \$ | 500 | 5886 |
| Total Division of Soil and Water Conservation | \$ | 500 | 5887 |
| DIVISION OF WATER | | | 5888 |
| CAP-705 Rehabilitate Canals, Hydraulic Works, and Support Facilities | \$ | 3,781,222 | 5889 |
| CAP-730 Miami and Erie Canal | \$ | 700 | 5890 |
| CAP-819 Rehabilitate/Automate - Ohio Ground Water Observation Well Network | \$ | 294,266 | 5891 |
| CAP-820 Automated Stream, Lake, and Ground Water Data Collection | \$ | 509,396 | 5892 |
| CAP-822 Flood Hazard Information Studies | \$ | 5,518 | 5893 |
| CAP-848 Hazardous Dam Repair - Statewide | \$ | 267,000 | 5894 |
| Total Division of Water | \$ | 4,858,102 | 5895 |
| TOTAL Department of Natural Resources | \$ | 59,071,321 | 5896 |
| TOTAL Ohio Parks and Natural Resources Fund | \$ | 59,071,321 | 5897 |

Section 24.01. LAND ACQUISITION 5899

Of the foregoing appropriation item CAP-012, Land 5900
Acquisition, \$300,000 shall be used by the City of Mentor to 5901
purchase property for the Mentor Marsh. 5902

MIAMI AND ERIE CANAL IMPROVEMENTS 5903

Of the foregoing appropriation item CAP-705, Rehabilitate 5904
Canals, Hydraulic Works, and Support Facilities, at least 5905
\$1,250,000 shall be used for Miami and Erie Canal improvements. 5906

LOCAL PARKS PROJECTS - STATEWIDE 5907

The amount reappropriated for the foregoing appropriation 5908
item CAP-748, Local Parks Projects - Statewide, is \$840,879 plus 5909
the unencumbered and unallotted balance as of June 30, 2004, in 5910
item CAP-748, Local Parks Projects - Statewide. The \$840,879 5911

represents amounts that were previously appropriated, allocated to 5912
counties pursuant to division (D) of section 1557.06 of the 5913
Revised Code, and encumbered for local project grants. The 5914
encumbrances for these local projects in the various counties 5915
shall be canceled by the Director of Natural Resources or the 5916
Director of Budget and Management. The Director of Natural 5917
Resources shall allocate the \$840,879 to the same counties the 5918
moneys were originally allocated to, in the amount of the canceled 5919
encumbrances. 5920

DAM REHABILITATION 5921

Of the foregoing appropriation item CAP-881, Dam 5922
Rehabilitation, up to \$5,000,000 shall be used to rehabilitate the 5923
Muskingum River Locks and Dams. 5924

Section 24.02. For the projects appropriated in Section 24 of 5925
this act, the Ohio Department of Natural Resources shall 5926
periodically prepare and submit to the Director of Budget and 5927
Management the estimated design, planning, and engineering costs 5928
of capital-related work to be done by the Department of Natural 5929
Resources for each project. Based on the estimates, the Director 5930
of Budget and Management may release appropriations from the 5931
foregoing appropriation item CAP-753, Project Planning, to pay for 5932
design, planning, and engineering costs incurred by the Department 5933
of Natural Resources for such projects. Upon release of the 5934
appropriations by the Director of Budget and Management, the 5935
Department of Natural Resources shall pay for these expenses from 5936
Fund 4S9, Capital Expenses, and be reimbursed by the Ohio Parks 5937
and Natural Resources Fund (Fund 031) using an intrastate voucher. 5938

Section 25. All items set forth in this section are hereby 5939
appropriated out of any moneys in the state treasury to the credit 5940
of the School Building Program Assistance Fund (Fund 032) that are 5941

not otherwise appropriated: 5942

Reappropriations

SFC SCHOOL FACILITIES COMMISSION 5943

CAP-770 School Building Program Assistance \$ 11,319,352 5944

CAP-779 Exceptional Needs \$ 602,365 5945

Total School Facilities Commission \$ 11,921,717 5946

TOTAL School Building Program Assistance Fund \$ 11,921,717 5947

SCHOOL BUILDING PROGRAM ASSISTANCE 5948

The amount reappropriated for the foregoing appropriation 5949
 item CAP-770, School Building Program Assistance, is \$6,205,032, 5950
 plus the sum of the unencumbered and unallotted balances as of 5951
 June 30, 2004, for appropriation item CAP-770, School Building 5952
 Program Assistance. 5953

Section 26. All items set forth in Sections 26.01 to 26.03 of 5954
 this act are hereby appropriated out of any moneys in the state 5955
 treasury to the credit of the Mental Health Facilities Improvement 5956
 Fund (Fund 033) that are not otherwise appropriated: 5957

Reappropriations

Section 26.01. ADA DEPARTMENT OF ALCOHOL AND DRUG ADDICTION 5958

SERVICES 5959

CAP-001 Renovate Rollman Center \$ 41,236 5960

CAP-002 Community Assistance Projects \$ 3,560,104 5961

CAP-003 Alcohol/Drug Addiction Center \$ 7,314 5962

Total Department of Alcohol and Drug Addiction 5963

Services \$ 3,608,654 5964

COMMUNITY ASSISTANCE PROJECTS 5965

Of the foregoing appropriation item CAP-002, Community 5966
 Assistance Projects, \$266,512 shall be used for the Oak House 5967
 Women's Residential Treatment Facility. 5968

Reappropriations

| | | | |
|-----------------------------------|--------------------------------------------------------------------|--------------|------|
| Section 26.02. | DMH DEPARTMENT OF MENTAL HEALTH | | 5969 |
| | STATEWIDE AND CENTRAL OFFICE PROJECTS | | 5970 |
| CAP-092 | Hazardous Materials Abatement | \$ 240,104 | 5971 |
| CAP-479 | Community Assistance Projects | \$ 1,281,313 | 5972 |
| CAP-906 | Campus Consolidation-Automation | \$ 307,487 | 5973 |
| CAP-946 | Demolition | \$ 126,012 | 5974 |
| CAP-976 | Life Safety/Critical Plant Renovations | \$ 147,387 | 5975 |
| CAP-977 | Patient Care/Environment Improvement | \$ 2,062,910 | 5976 |
| CAP-978 | Infrastructure Renovations | \$ 420,050 | 5977 |
| CAP-981 | Emergency Improvements | \$ 2,540,710 | 5978 |
| Total Department of Mental Health | | \$ 7,125,973 | 5979 |
| | COMMUNITY ASSISTANCE PROJECTS | | 5980 |
| | Of the foregoing appropriation item CAP-479, Community | | 5981 |
| | Assistance Projects, \$250,000 shall be used for the Berea | | 5982 |
| | Children's Home. | | 5983 |
| | PATIENT CARE AND ENVIRONMENT IMPROVEMENTS | | 5984 |
| | The amount reappropriated for appropriation item CAP-977, | | 5985 |
| | Patient Care/Environment Improvement, is the unencumbered and | | 5986 |
| | unallotted balances as of June 30, 2004, in appropriation item | | 5987 |
| | CAP-977, Patient Care/Environment Improvement, plus \$371,199. | | 5988 |
| | PATIENT ENVIRONMENT IMPROVEMENT CONSOLIDATION | | 5989 |
| | The amount reappropriated for appropriation item CAP-984, | | 5990 |
| | Patient Environment Improvement/Consolidation, is the unencumbered | | 5991 |
| | and unallotted balance as of June 30, 2004, in appropriation item | | 5992 |
| | CAP-984, Patient Environment Improvement/Consolidation plus | | 5993 |
| | \$176,853. | | 5994 |

Reappropriations

| | | | |
|-----------------------|------------------------------------------|--|------|
| Section 26.03. | DMR DEPARTMENT OF MENTAL RETARDATION AND | | 5995 |
|-----------------------|------------------------------------------|--|------|

| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|---------------|------------------------------------------------------------------------------------------------------|
| DEVELOPMENTAL DISABILITIES | | | 5996 |
| STATEWIDE PROJECTS | | | 5997 |
| CAP-001 | Asbestos Abatement | \$ 1,324,722 | 5998 |
| CAP-480 | Community Assistance Projects | \$ 15,366,610 | 5999 |
| CAP-901 | Razing of Buildings | \$ 369,502 | 6000 |
| CAP-912 | Telecommunications Systems Improvement | \$ 208,417 | 6001 |
| CAP-941 | Emergency Generator Replacement | \$ 88,942 | 6002 |
| CAP-955 | Statewide Developmental Centers | \$ 4,496,148 | 6003 |
| CAP-981 | Emergency Improvements | \$ 266,017 | 6004 |
| Total Statewide and Central Office Projects | | \$ 22,120,358 | 6005 |
| COMMUNITY ASSISTANCE PROJECTS | | | 6006 |
| 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. | | | 6007 6008 6009 6010 6011 6012 6013 6014 6015 6016 6017 6018 6019 |
| Of the foregoing appropriation item CAP-480, Community Assistance Projects, \$150,000 shall be used for the Fostoria Area Community Childhood and Family Center and \$1,000,000 shall be used for the Bellefaire Jewish Children's Bureau. | | | 6020 6021 6022 6023 |
| STATEWIDE DEVELOPMENTAL CENTERS | | | 6024 |
| APPLE CREEK DEVELOPMENTAL CENTER | | | 6025 |
| CAP-956 | Apple Creek Developmental Center | \$ 49,611 | 6026 |
| CAP-790 | Cortland Hall Renovation | \$ 31,183 | 6027 |

| | | | | |
|-------------------------------------------|------------------------------------------|----|---------|------|
| CAP-791 | Jonathan Hall Renovation | \$ | 417,107 | 6028 |
| CAP-795 | Ruby Hall Renovation | \$ | 277,500 | 6029 |
| CAP-940 | Sewage Treatment Plant Renovation | \$ | 55,307 | 6030 |
| CAP-953 | Door Replacements | \$ | 20,000 | 6031 |
| Total Apple Creek Developmental Center | | \$ | 850,708 | 6032 |
| CAMBRIDGE DEVELOPMENTAL CENTER | | | | 6033 |
| CAP-711 | Residential Renovations - CAMDC | \$ | 45,037 | 6034 |
| CAP-910 | HVAC Renovations - Residential Buildings | \$ | 53,550 | 6035 |
| CAP-913 | Cambridge HVAC Upgrade - Activity Center | \$ | 43,125 | 6036 |
| CAP-969 | Utility Upgrade Centerwide | | 50,000 | 6037 |
| Total Cambridge Developmental Center | | \$ | 191,712 | 6038 |
| COLUMBUS DEVELOPMENTAL CENTER | | | | 6039 |
| CAP-852 | Fire Alarm System Improvements | \$ | 39,295 | 6040 |
| CAP-958 | Columbus Developmental Center | \$ | 245,368 | 6041 |
| Total Columbus Developmental Center | | \$ | 284,663 | 6042 |
| GALLIPOLIS DEVELOPMENTAL CENTER | | | | 6043 |
| CAP-959 | Gallipolis Developmental Center | \$ | 160,000 | 6044 |
| Total Gallipolis Developmental Center | | \$ | 160,000 | 6045 |
| MONTGOMERY DEVELOPMENTAL CENTER | | | | 6046 |
| CAP-960 | Montgomery Developmental Center | \$ | 91,172 | 6047 |
| Total Montgomery Developmental Center | | \$ | 91,172 | 6048 |
| MOUNT VERNON DEVELOPMENTAL CENTER | | | | 6049 |
| CAP-080 | Renovate Main Kitchen - Rian Hall | \$ | 71,143 | 6050 |
| CAP-101 | Rian Hall Residential Renovations | \$ | 105,742 | 6051 |
| CAP-947 | Replace Chiller | \$ | 67,865 | 6052 |
| CAP-962 | Mount Vernon Developmental Center | \$ | 239,039 | 6053 |
| CAP-974 | Pool/Gymnasium Renovation | \$ | 60,000 | 6054 |
| Total Mount Vernon Developmental Center | | \$ | 543,789 | 6055 |
| NORTHWEST OHIO DEVELOPMENTAL CENTER | | | | 6056 |
| CAP-963 | Northwest Ohio Developmental Center | \$ | 409,409 | 6057 |
| CAP-982 | Cooling Tower Replacement | \$ | 50,000 | 6058 |
| Total Northwest Ohio Developmental Center | | \$ | 459,409 | 6059 |

| | | | |
|---------|--------------------------------------------------------------------------|---------------|--------------|
| | SOUTHWEST OHIO DEVELOPMENTAL CENTER | | 6060 |
| CAP-863 | Residential Renovation - HVAC Upgrade | \$ 30,838 | 6061 |
| CAP-964 | Southwest Ohio Developmental Center | \$ 142,134 | 6062 |
| CAP-976 | Renovation Program and Support Services Building | \$ 162,100 | 6063 |
| | Total Southwest Ohio Developmental Center | \$ 335,072 | 6064 |
| | SPRINGVIEW DEVELOPMENTAL CENTER | | 6065 |
| CAP-742 | Administration Building Roof | \$ 124,437 | 6066 |
| CAP-977 | Roof Replacement | \$ 203,468 | 6067 |
| | Total Springview Developmental Center | \$ 327,905 | 6068 |
| | TIFFIN DEVELOPMENTAL CENTER | | 6069 |
| CAP-085 | Roof Replacement - Dietary | \$ 100,000 | 6070 |
| CAP-086 | Replace Boiler Feedwater Heating and Storage Unit | \$ 88,738 | 6071 |
| CAP-899 | Utah & Nevada Buildings Renovation | \$ 4,750 | 6072 |
| CAP-931 | Roof and Exterior Renovations | \$ 184,825 | 6073 |
| CAP-966 | Tiffin Developmental Center | \$ 192,528 | 6074 |
| | Total Tiffin Developmental Center | \$ 570,841 | 6075 |
| | WARRENSVILLE DEVELOPMENTAL CENTER | | 6076 |
| CAP-088 | Exterior Lighting Replacement | \$ 38,000 | 6077 |
| CAP-867 | Residential Renovations - WDC | \$ 75,000 | 6078 |
| CAP-900 | Water Line Replacement - WDC | \$ 77,922 | 6079 |
| CAP-936 | HVAC Renovations | \$ 44,035 | 6080 |
| CAP-950 | ADA Compliance - WDC | \$ 41,435 | 6081 |
| CAP-951 | Central Kitchen Improvements | \$ 6,805 | 6082 |
| CAP-967 | Warrensville Developmental Center | \$ 39,217 | 6083 |
| | Total Warrensville Developmental Center | \$ 322,414 | 6084 |
| | TOTAL Department of Mental Retardation and Developmental Disabilities | \$ 26,258,043 | 6085 6086 |
| | TOTAL Mental Health Facilities Improvement Fund | \$ 36,992,670 | 6087 |

Section 26.04. The foregoing appropriations for the 6089

Department of Alcohol and Drug Addiction Services, CAP-002, 6090
Community Assistance Projects; Department of Mental Health, 6091
CAP-479, Community Assistance Projects; and Department of Mental 6092
Retardation and Developmental Disabilities, CAP-480, Community 6093
Assistance Projects, may be used on facilities constructed or to 6094
be constructed pursuant to Chapter 340., 3793., 5119., 5123., or 6095
5126. of the Revised Code or the authority granted by section 6096
154.20 of the Revised Code and the rules adopted pursuant to those 6097
chapters and that section and shall be distributed by the 6098
Department of Alcohol and Drug Addiction Services, the Department 6099
of Mental Health, and the Department of Mental Retardation and 6100
Developmental Disabilities, subject to Controlling Board approval. 6101

Section 26.05. (A) No capital improvement appropriations made 6102
in Sections 26.01 to 26.03 of this act shall be released for 6103
planning or for improvement, renovation, or construction or 6104
acquisition of capital facilities if a governmental agency, as 6105
defined in section 154.01 of the Revised Code, does not own the 6106
real property that constitutes the capital facilities or on which 6107
the capital facilities are or will be located. This restriction 6108
does not apply in any of the following circumstances: 6109

(1) The governmental agency has a long-term (at least fifteen 6110
years) lease of, or other interest (such as an easement) in, the 6111
real property. 6112

(2) In the case of an appropriation for capital facilities 6113
that, because of their unique nature or location, will be owned or 6114
be part of facilities owned by a separate nonprofit organization 6115
and made available to the governmental agency for its use, the 6116
nonprofit organization either owns or has a long-term (at least 6117
fifteen years) lease of the real property or other capital 6118
facility to be improved, renovated, constructed, or acquired and 6119
has entered into a joint or cooperative use agreement, approved by 6120

the Department of Mental Health, Department of Mental Retardation 6121
and Developmental Disabilities, or Department of Alcohol and Drug 6122
Addiction Services, whichever is applicable, with the governmental 6123
agency for that agency's use of and right to use the capital 6124
facilities to be financed and, if applicable, improved, the value 6125
of such use or right to use being, as determined by the parties, 6126
reasonably related to the amount of the appropriation. 6127

(B) In the case of capital facilities referred to in division 6128
(A)(2) of this section, the joint or cooperative use agreement 6129
shall include, as a minimum, provisions that: 6130

(1) Specify the extent and nature of that joint or 6131
cooperative use, extending for no fewer than fifteen years, with 6132
the value of such use or right to use to be, as determined by the 6133
parties and approved by the applicable department, reasonably 6134
related to the amount of the appropriation; 6135

(2) Provide for pro rata reimbursement to the state should 6136
the arrangement for joint or cooperative use by a governmental 6137
agency be terminated; 6138

(3) Provide that procedures to be followed during the capital 6139
improvement process will comply with appropriate applicable state 6140
statutes and rules, including provisions of this act. 6141

Section 27. All items set forth in Sections 27.01 to 27.53 of 6142
this act are hereby appropriated out of any moneys in the state 6143
treasury to the credit of the Higher Education Improvement Fund 6144
(Fund 034) that are not otherwise appropriated: 6145

Reappropriations

Section 27.01. OEB OHIO EDUCATIONAL TELECOMMUNICATIONS 6146
NETWORK COMMISSION 6147
CAP-001 Educational Television and Radio \$ 1,650,617 6148
Equipment

| | | | | |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------------|----------------------------------------------|
| CAP-002 | Educational Broadcasting Fiber Optic Network | \$ | 51,748 | 6149 |
| | Total Ohio Educational Telecommunications Network Commission | | | 6150 |
| | | \$ | 1,702,365 | 6151 |
| | EDUCATIONAL TELEVISION AND RADIO EQUIPMENT | | | 6152 |
| | The foregoing appropriation item CAP-001, Educational Television and Radio Equipment, shall be used to provide broadcasting, transmission, and production equipment to Ohio public radio and television stations, radio reading services, and the Ohio Educational Telecommunications Network Commission. | | | 6153 6154 6155 6156 6157 |
| | EDUCATIONAL BROADCASTING FIBER OPTIC NETWORK | | | 6158 |
| | The foregoing appropriation item CAP-002, Educational Broadcasting Fiber Optic Network, shall be used to link the Ohio public radio and television stations, radio reading services, and the Ohio Educational Broadcasting Network for the reception and transmission of digital communications through fiber optic cable or other technology. | | | 6159 6160 6161 6162 6163 6164 |
| | | | Reappropriations | |
| | Section 27.02. BOR BOARD OF REGENTS | | | 6165 |
| CAP-032 | Research Facility Investment Loans/Grants | \$ | 3,581,226 | 6166 |
| CAP-033 | Child Care Facility - Matching Grants | \$ | 742,695 | 6167 |
| CAP-060 | Technology Initiatives | \$ | 1,183,398 | 6168 |
| CAP-061 | Central State Rehabilitation | \$ | 207,012 | 6169 |
| CAP-062 | Non Credit Job Training Facility Grants | \$ | 5,985,000 | 6170 |
| CAP-068 | Third Frontier Project | \$ | 54,360,000 | 6171 |
| CAP-071 | Center for Transitional and Applied Genomics | \$ | 500,000 | 6172 |
| CAP-072 | Cleveland Clinic Heart Center Infrastructure | \$ | 1,000,000 | 6173 |
| CAP-073 | Technology Incubator for Market-Ready | \$ | 2,000,000 | 6174 |

Applications

Total Board of Regents \$ 69,559,331 6175

Section 27.03. RESEARCH FACILITY ACTION AND INVESTMENT FUNDS 6177

The foregoing appropriation item CAP-032, Research Facility 6178
Action and Investment Funds, shall be used for a program of grants 6179
to be administered by the Board of Regents to provide timely 6180
availability of capital facilities for research programs and 6181
research-oriented instructional programs at or involving 6182
state-supported and state-assisted institutions of higher 6183
education. 6184

The Board of Regents shall adopt rules under Chapter 119. of 6185
the Revised Code relative to the application for and approval of 6186
projects funded from appropriation item CAP-032, Research Facility 6187
Action and Investment Funds. The rules shall be reviewed and 6188
approved by the Legislative Committee on Education Oversight. The 6189
Board of Regents shall inform the President of the Senate and the 6190
Speaker of the House of Representatives of each project 6191
application for funding received. Each project receiving a 6192
commitment for funding by the Board of Regents under the rules 6193
shall be reported to the President of the Senate and the Speaker 6194
of the House of Representatives. 6195

Section 27.04. REPAYMENT OF RESEARCH FACILITY ACTION AND 6196
INVESTMENT FUNDS MONEYS 6197

Notwithstanding any provision of law to the contrary, all 6198
repayments of Research Facility Action and Investment Funds loans 6199
shall be made to the Bond Service Account in the Higher Education 6200
Bond Service Trust Fund. 6201

Institutions of higher education shall make timely repayments 6202
of Research Facility Action and Investment Funds loans, according 6203
to the schedule established by the Board of Regents. In the case 6204

of late payments, the Board of Regents may deduct from an 6205
institution's periodic subsidy distribution an amount equal to the 6206
amount of the overdue payment for that institution, transfer such 6207
amount to the Bond Service Trust Fund, and credit the appropriate 6208
institution for the repayment. 6209

Section 27.05. CHILD CARE FACILITY - MATCHING GRANTS 6210

The foregoing appropriation item CAP-033, Child Care Facility 6211
- Matching Grants, shall be used by the Board of Regents to make 6212
grants to state-supported or state-assisted institutions of higher 6213
education for projects to expand, construct, renovate space, or 6214
equip child care centers. All grants shall be awarded on a 50 per 6215
cent match basis. In making grant awards, the Board of Regents 6216
shall give priority to: 6217

(A) Projects located at state-supported or state-assisted 6218
institutions without child care facilities; 6219

(B) Projects for which the principal clients are children of 6220
students enrolled at the institution; and 6221

(C) Projects where the facility will be used as a 6222
classroom/training lab for child care/preschool certification 6223
programs. 6224

Section 27.06. TECHNOLOGY INITIATIVES 6225

The foregoing appropriation item CAP-060, Technology 6226
Initiatives, shall be used by the Board of Regents to support 6227
collaborative initiatives to improve the quality and efficiency of 6228
instruction, services, and program offerings at Ohio's 6229
state-assisted colleges and universities. 6230

Section 27.07. THIRD FRONTIER PROJECT 6231

The foregoing appropriation item CAP-068, Third Frontier 6232

Project, shall be used to acquire, renovate, or construct 6233
facilities and purchase equipment for research programs, 6234
technology development, product development, and commercialization 6235
programs at or involving state-supported and state-assisted 6236
institutions of higher education. The funds shall be used to make 6237
grants awarded on a competitive basis, and shall be administered 6238
by the Third Frontier Commission. Expenditure of these funds shall 6239
comply with Section 2n of Article VIII, Ohio Constitution, and 6240
section 151.01 and 151.04 of the Revised Code for the period 6241
beginning July 1, 2004, and ending June 30, 2006. 6242

The Third Frontier Commission shall develop guidelines 6243
relative to the application for and selection of projects funded 6244
from appropriation item CAP-068, Third Frontier Project. The 6245
commission may develop these guidelines in consultation with other 6246
interested parties. The Board of Regents and all state-assisted 6247
and state-supported institutions of higher education shall take 6248
all actions necessary to implement grants awarded by the Third 6249
Frontier Commission. 6250

The foregoing appropriation item CAP-068, Third Frontier 6251
Project, for which an appropriation is made from the Higher 6252
Education Improvement Fund (Fund 034), is determined to consist of 6253
capital improvements and capital facilities for state-supported 6254
and state-assisted institutions of higher education, and is 6255
designated for the capital facilities to which proceeds of 6256
obligations in the Higher Education Improvement Fund (Fund 034) 6257
are to be applied. 6258

Section 27.08. TECHNOLOGY INCUBATOR FOR MARKET-READY 6259
APPLICATIONS 6260

The amount reappropriated for the foregoing appropriation 6261
item CAP-073, Technology Incubator for Market-Ready Applications, 6262
is the unencumbered and unallotted balance as of June 30, 2004, in 6263

Youngstown State University's appropriation item CAP-128, 6264
Technology Incubator for Market-Ready Applications, and CAP-116, 6265
Technology Incubator for Market-Ready Applications. 6266

Section 27.09. REIMBURSEMENT FOR PROJECT COSTS 6267

Appropriations made in Sections 27.02 to 27.53 of this act 6268
for purposes of the costs of capital facilities for the interim 6269
financing of which the particular institution has previously 6270
issued its own obligations anticipating the possibility of future 6271
state appropriations to pay all or a portion of such costs, as 6272
contemplated in division (B) of section 3345.12 of the Revised 6273
Code, shall be paid directly to the institution or the paying 6274
agent for those outstanding obligations in the full principal 6275
amount of those obligations then to be paid from the anticipated 6276
appropriation, and shall be timely applied to the retirement of a 6277
like principal amount of the institution's obligations. 6278

Appropriations made in Sections 27.02 to 27.53 of this act 6279
for purposes of the costs of capital facilities, all or a portion 6280
of which costs the particular institution has paid from the 6281
institution's moneys that were temporarily available and which 6282
expenditures were reasonably expected at the time of the advance 6283
by the institution and the state to be reimbursed from the 6284
proceeds of obligations issued by the state, shall be directly 6285
paid to the institution in the full amounts of those payments and 6286
shall be timely applied to the reimbursement of those temporarily 6287
available moneys. All reimbursements are subject to review and 6288
approval through the capital release process. 6289

Reappropriations

Section 27.10. UAK UNIVERSITY OF AKRON 6290

| | | | | |
|---------|----------------------------|----|-----------|------|
| CAP-008 | Basic Renovations | \$ | 3,394,867 | 6291 |
| CAP-047 | Polsky Building Renovation | \$ | 577,185 | 6292 |

| | | | | |
|---------------------------|----------------------------------------------|----|------------|------|
| CAP-049 | Basic Renovations - Wayne | \$ | 270,316 | 6293 |
| CAP-054 | Auburn Science/Whitby Rehabilitation | \$ | 4,099,600 | 6294 |
| CAP-061 | Asbestos Abatement | \$ | 29,650 | 6295 |
| CAP-063 | Child Care Facility | \$ | 149,998 | 6296 |
| CAP-075 | Infrastructure Materials/Rehabilitation | \$ | 102,932 | 6297 |
| CAP-076 | Supercritical Fluid Technology | \$ | 17,500 | 6298 |
| CAP-080 | UAK/Medina Technology Link | \$ | 43,307 | 6299 |
| CAP-081 | Classroom/Office Building - Arts/Sciences | \$ | 21,710 | 6300 |
| CAP-091 | Student Affairs Building | \$ | 1,235,626 | 6301 |
| CAP-095 | Online Math | \$ | 29,305 | 6302 |
| CAP-097 | Ohio NMR Consortium | \$ | 96,500 | 6303 |
| CAP-098 | Guzzetta Hall Addition | \$ | 7,784,808 | 6304 |
| CAP-099 | D Wing Expansion | \$ | 243,750 | 6305 |
| CAP-100 | Classroom Office Addition-Design | \$ | 120,120 | 6306 |
| CAP-101 | National Polymer Processing Center | \$ | 1,000,000 | 6307 |
| CAP-102 | Scanning Raman Spectrometer | \$ | 635 | 6308 |
| CAP-104 | Nanoscale Polymers Manufacturing | \$ | 237,500 | 6309 |
| CAP-105 | Hydrogen Production and Storage | \$ | 169,000 | 6310 |
| Total University of Akron | | \$ | 19,624,309 | 6311 |

Reappropriations

| | | | | |
|----------------------------------------------------------|------------------------------------------------|----|-----------|------|
| Section 27.11. BGU BOWLING GREEN STATE UNIVERSITY | | | | 6313 |
| CAP-009 | Basic Renovations | \$ | 6,290,012 | 6314 |
| CAP-060 | Basic Renovations - Firelands | \$ | 267,550 | 6315 |
| CAP-074 | Instructional and Data Processing Equipment | \$ | 1,586,263 | 6316 |
| CAP-078 | Asbestos Abatement | \$ | 1,584 | 6317 |
| CAP-088 | ADA Modifications | \$ | 329,896 | 6318 |
| CAP-091 | Child Care Facility | \$ | 49,406 | 6319 |
| CAP-093 | Pedestrian Mall Project | \$ | 20,766 | 6320 |
| CAP-094 | Materials Network | \$ | 90,981 | 6321 |
| CAP-104 | Jerome Library Renovations | \$ | 89,146 | 6322 |

| | | | | |
|--------------------------------------|-------------------------------------|----|------------|------|
| CAP-105 | Administration Building Elevators | \$ | 25,003 | 6323 |
| CAP-108 | Tunnel Upgrade - Phase II | \$ | 98,820 | 6324 |
| CAP-109 | Cedar Point Community Center | \$ | 862,684 | 6325 |
| CAP-110 | Hannah Hall Rehabilitation | \$ | 2,005,522 | 6326 |
| CAP-112 | Biology Lab Renovation | \$ | 1,199,595 | 6327 |
| CAP-113 | Campus-Wide Paving/Sidewalk Upgrade | \$ | 352,700 | 6328 |
| CAP-114 | Student Learning | \$ | 128,920 | 6329 |
| CAP-115 | Video Teaching Network | \$ | 33,627 | 6330 |
| CAP-117 | Administration Building Chiller | \$ | 2,475 | 6331 |
| CAP-118 | Kinetic Spectrometry Consortium | \$ | 187,798 | 6332 |
| CAP-119 | Admissions Visitor Center | \$ | 3,000,000 | 6333 |
| CAP-120 | Theatre/Performing Arts Complex | \$ | 8,750,000 | 6334 |
| CAP-121 | University Hall Rehabilitation | \$ | 1,174,981 | 6335 |
| CAP-122 | Convocation Center | \$ | 50,000 | 6336 |
| Total Bowling Green State University | | \$ | 26,597,729 | 6337 |

BASIC RENOVATIONS 6338

The amount reappropriated for the foregoing appropriation 6339
item CAP-009, Basic Renovations, is the sum of the unencumbered 6340
and unallotted balances as of June 30, 2004, in appropriation 6341
items CAP-009, Basic Renovations; CAP-066, South Hall Replacement; 6342
and CAP-106, LSC Stairwell/MSC Exterior Steps. 6343

Reappropriations

Section 27.12. CSU CENTRAL STATE UNIVERSITY 6344

| | | | | |
|---------|--------------------------------------------------|----|-----------|------|
| CAP-022 | Basic Renovations | \$ | 862,299 | 6345 |
| CAP-068 | Instructional and Data Processing Replacement | \$ | 16,002 | 6346 |
| CAP-075 | ADA Modifications | \$ | 51,645 | 6347 |
| CAP-078 | Brown Library Roof Replacement | \$ | 21,479 | 6348 |
| CAP-081 | Campus Rehabilitation | \$ | 236,907 | 6349 |
| CAP-083 | Master Plan/Supplemental Renovations | \$ | 91,278 | 6350 |
| CAP-084 | Academic Facility - Phase 1 | \$ | 7,144,745 | 6351 |

| | | | | |
|--------------------------------|-----------------------------------|----|------------|------|
| CAP-085 | Green Hall Rehabilitation | \$ | 50,406 | 6352 |
| CAP-088 | Capacity Grant | \$ | 28,609 | 6353 |
| CAP-090 | Emery Hall Roof Rehabilitation | \$ | 632,500 | 6354 |
| CAP-091 | Carnegie Hall Roof Rehabilitation | \$ | 76,503 | 6355 |
| CAP-092 | Page Hall Rehabilitation | \$ | 1,000,000 | 6356 |
| CAP-095 | Williamson Hall HVAC | \$ | 126,110 | 6357 |
| CAP-096 | Lane Hall Rehabilitation | \$ | 3,700,000 | 6358 |
| CAP-097 | Campus-wide Master Plan | \$ | 11,366 | 6359 |
| CAP-098 | Web Instruction | \$ | 888 | 6360 |
| Total Central State University | | \$ | 14,050,737 | 6361 |

Reappropriations

| | | | | |
|----------------------------------------------------|-------------------------------------------------|----|-----------|------|
| Section 27.13. UCN UNIVERSITY OF CINCINNATI | | | | 6363 |
| CAP-009 | Basic Renovations | \$ | 6,003,233 | 6364 |
| CAP-018 | Basic Renovations - Clermont | \$ | 227,093 | 6365 |
| CAP-054 | Raymond Walters Renovations | \$ | 146,415 | 6366 |
| CAP-115 | Hazardous Waste | \$ | 6,648 | 6367 |
| CAP-122 | Infrastructure Assessment | \$ | 1,639 | 6368 |
| CAP-125 | Supplemental Renovations - Interior Spaces | \$ | 15,223 | 6369 |
| CAP-128 | Science and Allied Health Building - Walters | \$ | 248,614 | 6370 |
| CAP-137 | MSB Otolaryngology | \$ | 1,228 | 6371 |
| CAP-141 | ADA Modifications | \$ | 239,535 | 6372 |
| CAP-142 | ADA Modifications - Clermont | \$ | 6,039 | 6373 |
| CAP-143 | ADA Modifications - Walters | \$ | 2,101 | 6374 |
| CAP-156 | CFC Unit Replacement | \$ | 2,173 | 6375 |
| CAP-158 | Molecular Components/Simulation Network | \$ | 14,154 | 6376 |
| CAP-171 | Asbestos - Rieveschl Hall | \$ | 298,057 | 6377 |
| CAP-173 | Surface Engineering | \$ | 69,428 | 6378 |
| CAP-174 | Classroom/Teaching Lab Renovations | \$ | 55,965 | 6379 |
| CAP-176 | Network Expansion | \$ | 19,000 | 6380 |
| CAP-177 | Critical Building Component Renovations | \$ | 422,700 | 6381 |

| | | | | |
|---------|---------------------------------------------------------|----|-----------|------|
| CAP-179 | Rieveschl Rehabilitation | \$ | 27,240 | 6382 |
| CAP-180 | Rapid Prototype Process | \$ | 72,043 | 6383 |
| CAP-182 | Elevator - Critical Building Components | \$ | 33,271 | 6384 |
| CAP-187 | MSB Small Group Learning Spaces | \$ | 1,125 | 6385 |
| CAP-188 | HPB/Wherry Service Entrances | \$ | 24,454 | 6386 |
| CAP-193 | Nano Particles | \$ | 1,103 | 6387 |
| CAP-194 | Transgenic Core Capacity | \$ | 1,633 | 6388 |
| CAP-195 | Thin Film Analysis | \$ | 110,452 | 6389 |
| CAP-196 | Electronic Reconstruction | \$ | 1,784 | 6390 |
| CAP-197 | Med Center Technology | \$ | 1,546 | 6391 |
| CAP-198 | TC/Dyer Rehabilitation Phase 1A | \$ | 8,532 | 6392 |
| CAP-200 | Braustein Rehabilitation Phase 1 | \$ | 301 | 6393 |
| CAP-201 | WC Faculty Media Center | \$ | 7,275 | 6394 |
| CAP-202 | Baldwin Hall Rehabilitation - Phase I | \$ | 8,360 | 6395 |
| CAP-203 | Zimmer Plaza & Auditorium Rehabilitation | \$ | 5,919 | 6396 |
| CAP-205 | Medical Science Building Rehabilitation | \$ | 7,481,108 | 6397 |
| CAP-206 | One Stop Services Center | \$ | 1,221,776 | 6398 |
| CAP-207 | Central Campus Infrastructure | \$ | 327,727 | 6399 |
| CAP-208 | Security System Upgrade | \$ | 54,483 | 6400 |
| CAP-209 | Library Renovations | \$ | 900,500 | 6401 |
| CAP-211 | Cincinnati Symphony Facility | \$ | 500,000 | 6402 |
| CAP-212 | Roof Replacement - MSB Complex | \$ | 24,906 | 6403 |
| CAP-218 | Creation of a P3 Facility | \$ | 500 | 6404 |
| CAP-223 | Teachers College/Dyer Hall Rehabilitation Phase 2 | \$ | 3,073,015 | 6405 |
| CAP-224 | Van Wormer Administrative Building Rehabilitation | \$ | 642,423 | 6406 |
| CAP-226 | Holocaust Archives at Hebron Union College | \$ | 250,000 | 6407 |
| CAP-227 | Old Chemistry Roof and Masonry | \$ | 99,049 | 6408 |
| CAP-228 | Medical Science Building Level G, 1 & 2 Lab Upgrades | \$ | 2,117 | 6409 |
| CAP-232 | Expression Technology | \$ | 52,979 | 6410 |

| | | | | |
|---------|-------------------------------------------------------------|----|---------|------|
| CAP-237 | Biomedical Engineering | \$ | 231,816 | 6411 |
| CAP-244 | Pulse Detonation Engine | \$ | 140,050 | 6412 |
| CAP-250 | Student Services | \$ | 97,898 | 6413 |
| CAP-251 | Information Technology | \$ | 15,972 | 6414 |
| CAP-252 | Surgery Research Renovation Level G & 1 | \$ | 3,566 | 6415 |
| CAP-253 | Electron Photo Reagents | \$ | 62,055 | 6416 |
| CAP-254 | Elevator Modernization - Sanders | \$ | 232,372 | 6417 |
| CAP-257 | Micro and Nano-materials Consortium | \$ | 160,000 | 6418 |
| CAP-258 | Genome Research | \$ | 176,439 | 6419 |
| CAP-259 | Ohio NMR Consortium | \$ | 114,500 | 6420 |
| CAP-260 | Environmental Technology Consortium | \$ | 50,000 | 6421 |
| CAP-262 | Central Campus Renovations | \$ | 8,442 | 6422 |
| CAP-264 | McMicken Window Replacement | \$ | 66,882 | 6423 |
| CAP-265 | Rieveschl/Crosley Rehab/Expansion | \$ | 285,633 | 6424 |
| CAP-266 | Muntz Rehab Phase 2 | \$ | 77,623 | 6425 |
| CAP-267 | Muntz Classroom/Office Upgrades | \$ | 16,297 | 6426 |
| CAP-269 | Raymond Walters Veterinary College | \$ | 400,000 | 6427 |
| CAP-270 | CAS HVAC Upgrades | \$ | 294,680 | 6428 |
| CAP-272 | French West | \$ | 557 | 6429 |
| CAP-273 | Help Phones | \$ | 43,754 | 6430 |
| CAP-276 | Health Professionals Building G44E Renovation | \$ | 25,428 | 6431 |
| CAP-277 | Rieveschl 800 Lab Reloc. | \$ | 705,147 | 6432 |
| CAP-278 | Structural Biology | \$ | 500,000 | 6433 |
| CAP-279 | Developmental Neurobiology | \$ | 500,000 | 6434 |
| CAP-283 | College of Applied Science | \$ | 154,000 | 6435 |
| CAP-284 | Mechanistic Modeling Tools | \$ | 60,000 | 6436 |
| CAP-285 | Medical Science Building Library Computer Lab Renovation | \$ | 63,003 | 6437 |
| CAP-286 | CAS Fire Alarm Upgrade | \$ | 618,174 | 6438 |
| CAP-287 | Classroom Security System | \$ | 71,696 | 6439 |
| CAP-288 | Doped Electroluminescent Devices | \$ | 100,000 | 6440 |
| CAP-289 | Medical Science Building Data Electronic | \$ | 29,965 | 6441 |

| | | | | |
|---------|-------------------------------------|----|------------|------|
| | RM Walls | | | |
| CAP-290 | Mainframe Computing Alliance | \$ | 104,727 | 6442 |
| CAP-291 | Proteomics in the Post Genome Era | \$ | 1,000,000 | 6443 |
| CAP-292 | Nanoscale Hybrid Materials | \$ | 600,287 | 6444 |
| CAP-293 | Accelerated Maturation of Materials | \$ | 250,000 | 6445 |
| CAP-294 | Hydrogen Production & Storage | \$ | 206,000 | 6446 |
| CAP-295 | Edwards Corridors Tile | \$ | 26,801 | 6447 |
| | Total University of Cincinnati | \$ | 30,208,640 | 6448 |

BASIC RENOVATIONS 6449

The amount reappropriated for the foregoing appropriation 6450
 item CAP-009, Basic Renovations, is the sum of the unencumbered 6451
 and unallotted balance as of June 30, 2004, in appropriation item 6452
 CAP-009, Basic Renovations, plus \$14,860. 6453

SCIENCE AND ALLIED HEALTH BUILDING - WALTERS 6454

The amount reappropriated for the foregoing appropriation 6455
 item CAP-128, Science and Allied Health Building - Walters, is the 6456
 sum of the unencumbered and unallotted balance as of June 30, 6457
 2004, in appropriation item CAP-128, Science and Allied Health 6458
 Building - Walters, plus \$81,931. 6459

CLASSROOM/TEACHING LAB RENOVATIONS 6460

The amount reappropriated for the foregoing appropriation 6461
 item CAP-174, Classroom/Teaching Lab Renovations, is the sum of 6462
 the unencumbered and unallotted balance as of June 30, 2004, in 6463
 appropriation item CAP-174, Classroom/Teaching Lab Renovations, 6464
 plus \$698. 6465

ELEVATOR - CRITICAL BUILDING COMPONENTS 6466

The amount reappropriated for the foregoing appropriation 6467
 item CAP-182, Elevator - Critical Building Components, is the sum 6468
 of the unencumbered and unallotted balance as of June 30, 2004, in 6469
 appropriation item CAP-182, Elevator - Critical Building 6470

| | |
|--------------------------------------------------------------------|------|
| Components, plus \$45,048. | 6471 |
| MSB SMALL GROUP LEARNING SPACES | 6472 |
| The amount reappropriated for the foregoing appropriation | 6473 |
| item CAP-187, MSB Small Group Learning Spaces, is the sum of the | 6474 |
| unencumbered and unallotted balance as of June 30, 2004, in | 6475 |
| appropriation item CAP-187, MSB Small Group Learning Spaces, plus | 6476 |
| \$1,125. | 6477 |
| TC/DYER REHABILITATION PHASE 1A | 6478 |
| The amount reappropriated for the foregoing appropriation | 6479 |
| item CAP-198, TC/DYER Rehabilitation Phase 1A, is the sum of the | 6480 |
| unencumbered and unallotted balance as of June 30, 2004, in | 6481 |
| appropriation item CAP-198, TC/DYER Rehabilitation Phase 1A, plus | 6482 |
| \$2,406. | 6483 |
| BRAUSTEIN REHABILITATION PHASE 1 | 6484 |
| The amount reappropriated for the foregoing appropriation | 6485 |
| item CAP-200, Braustein Rehabilitation Phase 1, is the sum of the | 6486 |
| unencumbered and unallotted balance as of June 30, 2004, in | 6487 |
| appropriation item CAP-200, Braustein Rehabilitation Phase 1, plus | 6488 |
| \$301. | 6489 |
| BALDWIN HALL REHABILITATION - PHASE 1 | 6490 |
| The amount reappropriated for the foregoing appropriation | 6491 |
| item CAP-202, Baldwin Hall Rehabilitation - Phase 1, is the sum of | 6492 |
| the unencumbered and unallotted balance as of June 30, 2004, in | 6493 |
| appropriation item CAP-202, Baldwin Hall Rehabilitation - Phase 1, | 6494 |
| plus \$8,360. | 6495 |
| MEDICAL SCIENCE BUILDING REHABILITATION | 6496 |
| The amount reappropriated for the foregoing appropriation | 6497 |
| item CAP-205, Medical Science Building Rehabilitation, is the sum | 6498 |
| of the unencumbered and unallotted balance as of June 30, 2004, in | 6499 |
| appropriation item CAP-205, Medical Science Building | 6500 |

Rehabilitation, plus \$274. 6501

ONE STOP SERVICES CENTER 6502

The amount reappropriated for the foregoing appropriation 6503
 item CAP-206, One Stop Services Center, is the sum of the 6504
 unencumbered and unallotted balance as of June 30, 2004, in 6505
 appropriation item CAP-206, One Stop Services Center, plus \$1,260. 6506

CREATION OF A P3 FACILITY 6507

The amount reappropriated for the foregoing appropriation 6508
 item CAP-218, Creation of a P3 Facility, is the sum of the 6509
 unencumbered and unallotted balance as of June 30, 2004, in 6510
 appropriation item CAP-218, Creation of a P3 Facility, plus \$500. 6511

Reappropriations

| | | | |
|------------------------------------------------------|----------------------------------------------------------------|--------------|------|
| Section 27.14. CLS CLEVELAND STATE UNIVERSITY | | | 6512 |
| CAP-007 | Stilwell Hall Completion | \$ 25,160 | 6513 |
| CAP-023 | Basic Renovations | \$ 4,173,262 | 6514 |
| CAP-067 | 17th - 18th Street Block | \$ 164,026 | 6515 |
| CAP-069 | Great Lakes Museum for Science, Environment, and Technology | \$ 200,000 | 6516 |
| CAP-088 | Asbestos Abatement | \$ 1,636,687 | 6517 |
| CAP-092 | Handicapped Requirements | \$ 17,148 | 6518 |
| CAP-101 | Classroom Building Conversion | \$ 50,000 | 6519 |
| CAP-109 | Classroom Upgrade | \$ 533,031 | 6520 |
| CAP-112 | Land Acquisitions | \$ 16,803 | 6521 |
| CAP-114 | Geographic Information Systems | \$ 77,738 | 6522 |
| CAP-117 | Landscaping/Sidewalks/Stairs | \$ 29,350 | 6523 |
| CAP-118 | Structural Concrete Rehabilitation | \$ 36,893 | 6524 |
| CAP-125 | College of Education Building | \$ 9,386,384 | 6525 |
| CAP-126 | Electrical System Upgrades Phase 2 | \$ 1,072,619 | 6526 |
| CAP-127 | Fire Alarm System Upgrade | \$ 400,000 | 6527 |
| CAP-128 | Property Acquisition | \$ 2,886,556 | 6528 |
| CAP-130 | WVIZ Technology Center | \$ 1,000,000 | 6529 |

| | | | | |
|----------------------------------|----------------------------------------------|----|------------|------|
| CAP-135 | Law Building Stair Renovation | \$ | 6,669 | 6530 |
| CAP-136 | University Center HVAC Phase 1 | \$ | 3,843 | 6531 |
| CAP-137 | University Center Elevator Upgrades | \$ | 26,545 | 6532 |
| CAP-138 | Student Services | \$ | 142,174 | 6533 |
| CAP-139 | Landscape, Sidewalk Replacement | \$ | 5,845 | 6534 |
| CAP-142 | Rhodes Tower Library Roof Replacement | \$ | 1,170,372 | 6535 |
| CAP-143 | Cleveland Food Bank | \$ | 500,000 | 6536 |
| CAP-144 | Rhodes Tower Plaza Renovation Phase 2 | \$ | 1,300,000 | 6537 |
| CAP-145 | Cleveland Manufactures Technology Complex | \$ | 500,000 | 6538 |
| CAP-146 | Rhodes Tower Exterior Renovation | \$ | 56,709 | 6539 |
| Total Cleveland State University | | \$ | 25,417,813 | 6540 |

BASIC RENOVATIONS 6541

The amount reappropriated for the foregoing appropriation 6542
item CAP-023, Basic Renovations, is the unencumbered and 6543
unallotted balance as of June 30, 2004, in appropriation item 6544
CAP-023, Basic Renovations, plus \$9,122. 6545

Reappropriations

Section 27.15. KSU KENT STATE UNIVERSITY 6546

| | | | | |
|---------|------------------------------------|----|-----------|------|
| CAP-022 | Basic Renovations | \$ | 4,061,411 | 6547 |
| CAP-098 | Trumbull Branch Addition | \$ | 13,972 | 6548 |
| CAP-105 | Basic Renovations - East Liverpool | \$ | 171,174 | 6549 |
| CAP-106 | Basic Renovations - Geauga | \$ | 93,274 | 6550 |
| CAP-107 | Basic Renovations - Salem | \$ | 178,129 | 6551 |
| CAP-108 | Basic Renovations - Stark | \$ | 397,489 | 6552 |
| CAP-110 | Basic Renovations - Ashtabula | \$ | 249,026 | 6553 |
| CAP-111 | Basic Renovations - Trumbull | \$ | 618,878 | 6554 |
| CAP-112 | Basic Renovations - Tuscarawas | \$ | 2,198 | 6555 |
| CAP-122 | Faculty Office Addition - Salem | \$ | 12,072 | 6556 |
| CAP-126 | HVAC Renovations - Ashtabula | \$ | 5,545 | 6557 |
| CAP-128 | Roof Renovations - Ashtabula | \$ | 1,435 | 6558 |

| | | | | |
|---------|-------------------------------------------------------------|----|---------|------|
| CAP-137 | LCI/Materials Science Building | \$ | 24,730 | 6559 |
| CAP-139 | Science Building - Stark | \$ | 54,890 | 6560 |
| CAP-140 | Road Improvements - Trumbull | \$ | 12,282 | 6561 |
| CAP-143 | Liquid Crystals | \$ | 450,884 | 6562 |
| CAP-146 | Williams Hall Medium Voltage | \$ | 13,816 | 6563 |
| CAP-154 | Separation Science | \$ | 1,497 | 6564 |
| CAP-156 | Boiler Plant Controls and Building Alterations | \$ | 36,932 | 6565 |
| CAP-157 | Moulton Hall Rehabilitation | \$ | 30,772 | 6566 |
| CAP-159 | Electrical Substation/Fiber Optic Network | \$ | 51,993 | 6567 |
| CAP-161 | Addition to Cunningham Hall | \$ | 80,149 | 6568 |
| CAP-162 | Science and Technology Building - Trumbull | \$ | 125,374 | 6569 |
| CAP-164 | ADA Modifications - Ashtabula | \$ | 6,772 | 6570 |
| CAP-166 | ADA Modifications - Geauga | \$ | 440 | 6571 |
| CAP-167 | ADA Modifications - Salem | \$ | 5,312 | 6572 |
| CAP-168 | ADA Modifications - Stark | \$ | 620 | 6573 |
| CAP-173 | Child Care Facility | \$ | 18,650 | 6574 |
| CAP-176 | Midway Drive Utilities Tunnel - II | \$ | 100,087 | 6575 |
| CAP-177 | Corporate Education and Conference Center, Phase 2 Stark | \$ | 28,556 | 6576 |
| CAP-179 | New Power Plant | \$ | 125,445 | 6577 |
| CAP-184 | Distributed Computation/Visualization | \$ | 33,833 | 6578 |
| CAP-188 | Child Care Funds - East Liverpool | \$ | 90,000 | 6579 |
| CAP-189 | Child Care Funds - Tuscarawas | \$ | 19,847 | 6580 |
| CAP-190 | Child Care Funds - Ashtabula | \$ | 12,500 | 6581 |
| CAP-194 | Child Care - Salem | \$ | 100,000 | 6582 |
| CAP-195 | Child Care - Geauga | \$ | 20,666 | 6583 |
| CAP-196 | Technology Improvements - Ashtabula | \$ | 282,331 | 6584 |
| CAP-197 | Technology Improvements - Geauga | \$ | 6,044 | 6585 |
| CAP-198 | Technology Improvements - Salem | \$ | 5,648 | 6586 |
| CAP-199 | Technology Improvements - Trumbull | \$ | 72,860 | 6587 |

| | | | | |
|---------|-------------------------------------------------------------|----|-----------|------|
| CAP-200 | Technology Improvements - Tuscarawas | \$ | 18,638 | 6588 |
| CAP-202 | Utility Tunnel Upgrade | \$ | 133,929 | 6589 |
| CAP-206 | Child Care Facility | \$ | 2,637 | 6590 |
| CAP-207 | Kent Hall Planning and Addition | \$ | 1,650,674 | 6591 |
| CAP-210 | Rooftop Air Handler | \$ | 600 | 6592 |
| CAP-212 | Technology Building and Parking | \$ | 1,700,333 | 6593 |
| CAP-213 | Electric Distribution Renovation | \$ | 36,396 | 6594 |
| CAP-214 | Stark Selective Interior Renovation | \$ | 10,549 | 6595 |
| CAP-218 | Henderson Hall Roof Replace/Masonry | \$ | 56,385 | 6596 |
| CAP-219 | Campus Electrical Infrastructure Improvements | \$ | 22,181 | 6597 |
| CAP-220 | Campus Steam System Evaluation & Upgrade | \$ | 297,556 | 6598 |
| CAP-221 | Organic Semiconductor Facility | \$ | 60,000 | 6599 |
| CAP-225 | MPA Based Template | \$ | 15,078 | 6600 |
| CAP-227 | 3D Microscopy Imaging | \$ | 287,100 | 6601 |
| CAP-228 | Exterior Site Improvements | \$ | 2,159 | 6602 |
| CAP-231 | Organic Semiconductor Consortium | \$ | 52,863 | 6603 |
| CAP-232 | Ohio NMR Consortium | \$ | 80,800 | 6604 |
| CAP-233 | Environmental Technology Consortium | \$ | 56,850 | 6605 |
| CAP-234 | Terrace Drive Heating Plant Rehabilitation I | \$ | 2,254,722 | 6606 |
| CAP-235 | Rehabilitation of Franklin Hall - Planning | \$ | 1,815,000 | 6607 |
| CAP-237 | Classroom Building Interior Renovation - Tuscarawas | \$ | 1,015,746 | 6608 |
| CAP-238 | Roof Replacement, Classroom Building | \$ | 169,002 | 6609 |
| CAP-239 | Classroom Building Roof, Coping, Fascia Restoration | \$ | 581,919 | 6610 |
| CAP-240 | Roadway Parking Lot Improvements Phase 1 | \$ | 250,000 | 6611 |
| CAP-241 | Main Hall Selective Interior Renovations - Phase 1 | \$ | 146,547 | 6612 |
| CAP-243 | Classroom Building Interior Renovations - East Liverpool | \$ | 804,594 | 6613 |

| | | | | |
|-----------------------------|-------------------------------------------------|----|------------|------|
| CAP-244 | Fine Arts Building Addition | \$ | 1,300,000 | 6614 |
| CAP-245 | Rockwell Hall Sprinkler System | \$ | 1,018 | 6615 |
| CAP-246 | Tuscarawas Wing C Penthouse Roof Replacement | \$ | 83,745 | 6616 |
| CAP-248 | Mary Patterson Building Boiler Replacement | \$ | 119,631 | 6617 |
| CAP-250 | Rockwell Hall Tunnel Waterproofing | \$ | 16,707 | 6618 |
| CAP-251 | Hydrogen Production & Storage | \$ | 185,000 | 6619 |
| CAP-252 | Ohio Organic Semiconductor | \$ | 250,000 | 6620 |
| Total Kent State University | | \$ | 21,095,892 | 6621 |

BOILER PLANT CONTROLS AND BUILDING ALTERATIONS 6622

The amount reappropriated for the foregoing appropriation 6623
item CAP-156, Boiler Plant Controls and Building Alterations, is 6624
the unencumbered and unallotted balance as of June 30, 2004, in 6625
appropriation item CAP-156, Boiler Plant Controls and Building 6626
Alterations, plus \$6,738. 6627

ELECTRICAL SUBSTATION/FIBER OPTIC NETWORK 6628

The amount reappropriated for the foregoing appropriation 6629
item CAP-159, Electrical Substation/Fiber Optic Network, is the 6630
unencumbered and unallotted balance as of June 30, 2004, in 6631
appropriation item CAP-159, Electrical Substation/Fiber Optic 6632
Network, plus \$6,526. 6633

MIDWAY DRIVE UTILITIES TUNNEL - II 6634

The amount reappropriated for the foregoing appropriation 6635
item CAP-176, Midway Drive Utilities Tunnel - II, is the 6636
unencumbered and unallotted balance as of June 30, 2004, in 6637
appropriation item CAP-176, Midway Drive Utilities Tunnel - II, 6638
plus \$1,522. 6639

Reappropriations

Section 27.16. MUN MIAMI UNIVERSITY 6640

| | | | | |
|---------|----------------------------------------------------------|----|-----------|------|
| CAP-018 | Basic Renovations | \$ | 4,352,129 | 6641 |
| CAP-064 | Land Restoration - Hamilton | \$ | 11,466 | 6642 |
| CAP-066 | Basic Renovations - Hamilton | \$ | 438,175 | 6643 |
| CAP-069 | Basic Renovations - Middletown | \$ | 552,927 | 6644 |
| CAP-070 | Chilled Water System | \$ | 358,075 | 6645 |
| CAP-072 | Hiestand Hall Renovations | \$ | 782 | 6646 |
| CAP-081 | Cooperative Regional Library Depository SW | \$ | 2,546 | 6647 |
| CAP-083 | Campus Avenue Building Renovation | \$ | 43,612 | 6648 |
| CAP-085 | Alumni Hall Rehabilitation - Phase I | \$ | 972 | 6649 |
| CAP-088 | Hoyt Hall Rehabilitation | \$ | 7,785 | 6650 |
| CAP-089 | High Voltage Electric | \$ | 735,266 | 6651 |
| CAP-092 | Science Building - Middletown | \$ | 271,261 | 6652 |
| CAP-096 | McGuffey Hall Rehabilitation | \$ | 137,677 | 6653 |
| CAP-098 | Computer Network Installation | \$ | 23,259 | 6654 |
| CAP-099 | King Library Rehabilitation | \$ | 3,001,865 | 6655 |
| CAP-101 | ADA Modifications | \$ | 963 | 6656 |
| CAP-102 | ADA Modifications - Hamilton | \$ | 686 | 6657 |
| CAP-103 | ADA Modifications - Middletown | \$ | 2,798 | 6658 |
| CAP-105 | Plant Response/Environmental Stress | \$ | 72,641 | 6659 |
| CAP-107 | Gas Phase Chemistry of Ions | \$ | 34,740 | 6660 |
| CAP-109 | Molecular Microbial Biology | \$ | 67,500 | 6661 |
| CAP-110 | Micromachining Technology | \$ | 510,553 | 6662 |
| CAP-111 | Roudebush Hall Rehabilitation | \$ | 291,058 | 6663 |
| CAP-112 | Chilled Water Loop Phase I - Hamilton | \$ | 45,291 | 6664 |
| CAP-113 | Special Academic/Administrative Projects - Hamilton | \$ | 508,381 | 6665 |
| CAP-114 | Chilled Water Loop Phase I - Middletown | \$ | 47,553 | 6666 |
| CAP-115 | Special Academic/Administrative Projects - Middletown | \$ | 1,607,518 | 6667 |
| CAP-116 | Hughes Hall Rehabilitation - Phase 2 | \$ | 15,008 | 6668 |
| CAP-117 | North Campus Refrigeration/Chilled Water | \$ | 26,698 | 6669 |
| CAP-120 | Cole Service Building Addition | \$ | 15,206 | 6670 |

| | | | | |
|------------------------|--------------------------------------------------|----|------------|------|
| CAP-121 | Southwestern Book Depository | \$ | 178,821 | 6671 |
| CAP-123 | Phillips Hall Rehabilitation | \$ | 86,743 | 6672 |
| CAP-126 | Collaboration to Improve Learning | \$ | 28,516 | 6673 |
| CAP-127 | Campus Steam Distribution - Phase I | \$ | 850,000 | 6674 |
| CAP-129 | Steam Plant Electrostatic Precipitator | \$ | 6,699 | 6675 |
| CAP-130 | MacMillan Rehabilitation/Multicultural Center | \$ | 32,919 | 6676 |
| CAP-131 | Miami University Learning Center | \$ | 1,001,515 | 6677 |
| CAP-132 | Mass Spectrum Consortium | \$ | 21,413 | 6678 |
| CAP-133 | Single Crystal X-Ray Diffractometer | \$ | 70,144 | 6679 |
| CAP-134 | Thermal Ionization Mass Spectrometer | \$ | 147,481 | 6680 |
| CAP-135 | NMR Spectrometer | \$ | 159,654 | 6681 |
| CAP-139 | Ohio NMR Consortium | \$ | 193,000 | 6682 |
| CAP-140 | Environmental Technology Consortium | \$ | 50,000 | 6683 |
| CAP-141 | 385 Peck Boulevard | \$ | 1,068,019 | 6684 |
| CAP-142 | Engineering and Applied Science Facility | \$ | 500,000 | 6685 |
| CAP-143 | Warfield Hall Rehabilitation | \$ | 250,000 | 6686 |
| CAP-145 | Campus Chilled Water Efficiency | \$ | 339,109 | 6687 |
| CAP-146 | Information Technology System Upgrade | \$ | 811,969 | 6688 |
| CAP-147 | Central Campus Water and Sewer Improvement | \$ | 350,000 | 6689 |
| CAP-149 | Parrish Auditorium Rehabilitation | \$ | 700,000 | 6690 |
| CAP-150 | Student and Community Center | \$ | 1,120 | 6691 |
| Total Miami University | | \$ | 20,031,513 | 6692 |

Reappropriations

| | | | | |
|-------------------------------------------------|---------------------------------------|----|------------|------|
| Section 27.17. OSU OHIO STATE UNIVERSITY | | | | 6694 |
| CAP-074 | Basic Renovations | \$ | 21,755,353 | 6695 |
| CAP-149 | Basic Renovations - Regional Campuses | \$ | 1,586,910 | 6696 |
| CAP-198 | Brown Hall Annex Replacement | \$ | 6,213 | 6697 |
| CAP-216 | Evans Lab Addition | \$ | 92,250 | 6698 |
| CAP-217 | Library Book Warehouse | \$ | 14,721 | 6699 |
| CAP-219 | Supplemental Renovations | \$ | 101,419 | 6700 |

| | | | | |
|---------|------------------------------------------------|----|-----------|------|
| CAP-254 | Basic Renovations - ATI | \$ | 184,610 | 6701 |
| CAP-255 | Supplemental Renovations - OARDC | \$ | 1,408,980 | 6702 |
| CAP-256 | Supplemental Renovations - Regional | \$ | 191,955 | 6703 |
| CAP-258 | Dreese Lab Addition | \$ | 283,941 | 6704 |
| CAP-259 | Mendenhall Lab Rehabilitation | \$ | 20,690 | 6705 |
| CAP-261 | Bioscience/Parks Hall Addition | \$ | 12,584 | 6706 |
| CAP-268 | Horse/Farm Management Facility - ATI | \$ | 5,417 | 6707 |
| CAP-269 | Greenhouse Modernization | \$ | 40,982 | 6708 |
| CAP-271 | Horticulture/Entomology Greenhouse - OARDC | \$ | 15,425 | 6709 |
| CAP-273 | Retrovirus Research Center | \$ | 3,554 | 6710 |
| CAP-274 | OARDC Thorne & Gourley Halls | \$ | 20,955 | 6711 |
| CAP-292 | Life Sciences Research Building | \$ | 218,170 | 6712 |
| CAP-293 | College of Business Facilities | \$ | 134,074 | 6713 |
| CAP-294 | Stillman Hall Addition | \$ | 58,779 | 6714 |
| CAP-295 | Poultry Science Facility | \$ | 2,888 | 6715 |
| CAP-297 | Library/Classroom Building - Marion | \$ | 572 | 6716 |
| CAP-302 | Food Science & Technology Building | \$ | 92,743 | 6717 |
| CAP-304 | Conference Center - OARDC/ATI | \$ | 23,350 | 6718 |
| CAP-306 | Heart & Lung Institute | \$ | 32,437 | 6719 |
| CAP-311 | Superconducting Radiation | \$ | 65,094 | 6720 |
| CAP-313 | Brain Tumor Research Center | \$ | 6,001 | 6721 |
| CAP-314 | Engineering Center Net Shape Manufacturing | \$ | 20,730 | 6722 |
| CAP-315 | Membrane Protein Typology | \$ | 8,835 | 6723 |
| CAP-316 | Instructional and Data Processing Equipment | \$ | 200,806 | 6724 |
| CAP-321 | Fine Particle Technologies | \$ | 159,363 | 6725 |
| CAP-323 | Advanced Plasma Engineering | \$ | 22,379 | 6726 |
| CAP-324 | Plasma Ramparts | \$ | 1,150 | 6727 |
| CAP-326 | IN-SITU AL-BE Composites | \$ | 1,733 | 6728 |
| CAP-331 | Cunz Hall - Partial 2nd Floor Renovation | \$ | 7,286 | 6729 |
| CAP-333 | Larkins Hall - Roof Replacement Phase | \$ | 84,795 | 6730 |

III

| | | | | |
|---------|----------------------------------------------------------|----|---------|------|
| CAP-334 | Center for Automotive Research | \$ | 3,445 | 6731 |
| CAP-335 | Jay Cooke Residence - Roof and Windows | \$ | 86,668 | 6732 |
| CAP-339 | Poultry Science Lab Remodeling | \$ | 213 | 6733 |
| CAP-347 | Asbestos Abatement | \$ | 5,724 | 6734 |
| CAP-349 | Materials Network | \$ | 56,025 | 6735 |
| CAP-350 | Bio-Technology Consortium | \$ | 42,378 | 6736 |
| CAP-352 | Analytical Electron Microscope | \$ | 375,000 | 6737 |
| CAP-353 | High Temp Alloys & Alluminoids | \$ | 220,000 | 6738 |
| CAP-356 | Pesticide Storage/Disposal Buildings | \$ | 606 | 6739 |
| CAP-357 | Supplemental Renovations - ATI | \$ | 33,969 | 6740 |
| CAP-361 | Maintenance, Receiving, and Storage Facility - Marion | \$ | 58,646 | 6741 |
| CAP-362 | McPherson Lab Rehabilitation | \$ | 169,056 | 6742 |
| CAP-368 | Heart and Lung Institute | \$ | 101,808 | 6743 |
| CAP-372 | Veterinary Hospital - Animal Isolation | \$ | 200 | 6744 |
| CAP-374 | ADA Modifications | \$ | 141,183 | 6745 |
| CAP-375 | ADA Modifications - ATI | \$ | 41,936 | 6746 |
| CAP-376 | ADA Modifications - Lima | \$ | 95,538 | 6747 |
| CAP-377 | ADA Modifications - Mansfield | \$ | 15,253 | 6748 |
| CAP-379 | ADA Modifications - Newark | \$ | 7,732 | 6749 |
| CAP-387 | Titanium Alloys | \$ | 54,912 | 6750 |
| CAP-391 | Haskett/Hopkins Halls Renovations | \$ | 7,312 | 6751 |
| CAP-394 | ATI/OARDC Roof Replacements | \$ | 13,913 | 6752 |
| CAP-398 | Advanced Manufacturing | \$ | 38,579 | 6753 |
| CAP-399 | Manufacturing Processes/Materials | \$ | 62,574 | 6754 |
| CAP-401 | Terhertz Studies | \$ | 35,294 | 6755 |
| CAP-402 | Caldwell Laboratory Remodeling | \$ | 37,839 | 6756 |
| CAP-406 | Marion Park/Road/Sidewalk/Lights | \$ | 2,750 | 6757 |
| CAP-407 | Dulles Chilled Water | \$ | 2,095 | 6758 |
| CAP-411 | Campus Grounds - Lights Phase 4 | \$ | 7,018 | 6759 |
| CAP-412 | Hitchcock Hall HVAC Upgrades | \$ | 10,392 | 6760 |
| CAP-413 | Pomerene Lighting/Wiring | \$ | 235,300 | 6761 |

| | | | | |
|---------|-------------------------------------------------------------|----|-----------|------|
| CAP-414 | Postle Hall Roof Replacement | \$ | 2,332 | 6762 |
| CAP-419 | NMR Consortium | \$ | 75,116 | 6763 |
| CAP-420 | Versatile Film Facility | \$ | 72,894 | 6764 |
| CAP-421 | OCARNET | \$ | 5,916 | 6765 |
| CAP-422 | Bioprocessing Research | \$ | 90,252 | 6766 |
| CAP-423 | Localized Corrosion Research | \$ | 6,128 | 6767 |
| CAP-424 | ATM Testbed | \$ | 3,633 | 6768 |
| CAP-425 | Physical Sciences Building | \$ | 2,653,195 | 6769 |
| CAP-427 | Morrill Hall Remodeling - Vacated Library Space - Marion | \$ | 730,742 | 6770 |
| CAP-428 | Capital Equipment - OARDC | \$ | 2,510 | 6771 |
| CAP-430 | Hagerty Hall Rehabilitation | \$ | 89,231 | 6772 |
| CAP-431 | Sisson Hall Replacement | \$ | 5,571 | 6773 |
| CAP-434 | Ramseyer Hall Roof Renovations | \$ | 19,700 | 6774 |
| CAP-436 | Machinery Acoustics | \$ | 3,804 | 6775 |
| CAP-439 | Sensors and Measurements | \$ | 15,115 | 6776 |
| CAP-440 | Polymer Magnets | \$ | 1,099 | 6777 |
| CAP-443 | ADA Modifications - Elevator/Handrails | \$ | 45,426 | 6778 |
| CAP-444 | Larkins Hall HVAC System Upgrade | \$ | 3,500 | 6779 |
| CAP-445 | Starling Loving Hall A Wing - HVAC | \$ | 367 | 6780 |
| CAP-449 | Bolz Hall Roof Replacement | \$ | 64,180 | 6781 |
| CAP-450 | Campus Grounds Exterior Lighting, Phase 5 | \$ | 5,748 | 6782 |
| CAP-453 | Evans Lab Chiller Replacement | \$ | 5,647 | 6783 |
| CAP-454 | Utilities Upgrade Lighting Retrofit | \$ | 11,575 | 6784 |
| CAP-458 | Al Alloy Corrosion | \$ | 14,292 | 6785 |
| CAP-464 | Main Library HVAC Renovations | \$ | 6,711 | 6786 |
| CAP-465 | Veterinary Hospital Chiller Replacement | \$ | 35,668 | 6787 |
| CAP-466 | ARPS Hall Chiller Replacement | \$ | 6,323 | 6788 |
| CAP-468 | Larkins Hall Window Replacements | \$ | 11,295 | 6789 |
| CAP-471 | Newton Hall Renovations | \$ | 2,134 | 6790 |
| CAP-472 | OSHA Safety Devices | \$ | 3,426 | 6791 |
| CAP-476 | Mount Hall Lecture Hall | \$ | 1,559 | 6792 |

| | | | | |
|---------|--------------------------------------------------------------------------------------------------|----|------------|------|
| CAP-479 | ADA Compliant Restrooms 1997 | \$ | 1,906 | 6793 |
| CAP-480 | Campbell Hall Public Space | \$ | 102,104 | 6794 |
| CAP-481 | OSHA Ventilation - Bio Science | \$ | 9,162 | 6795 |
| CAP-484 | Page Hall Planning | \$ | 179,557 | 6796 |
| CAP-485 | Botany & Zoology Building Planning | \$ | 20,803,345 | 6797 |
| CAP-487 | Robinson Laboratory Planning | \$ | 20,000,000 | 6798 |
| CAP-488 | Don Scott Field Replacement Barns | \$ | 24,889 | 6799 |
| CAP-489 | Galvin Hall 3rd Floor Renovation - Lima | \$ | 367,657 | 6800 |
| CAP-491 | Horticultural Operations Center - ATI | \$ | 1,474,400 | 6801 |
| CAP-492 | OARDC Feed Mill | \$ | 5,800,000 | 6802 |
| CAP-496 | 1314 Kinnear Road Building Improvement | \$ | 3,370 | 6803 |
| CAP-497 | Book Depository | \$ | 8,262 | 6804 |
| CAP-498 | Curl Drive Mill & Overlay | \$ | 28,830 | 6805 |
| CAP-499 | Biological Sciences Cooling Tower | \$ | 6,930 | 6806 |
| CAP-500 | Campus Buildings - Emergency Lighting | \$ | 25,258 | 6807 |
| CAP-504 | Fontana Lab - Chiller Replacement | \$ | 12,210 | 6808 |
| CAP-505 | Main Library HVAC Upgrade | \$ | 1,000 | 6809 |
| CAP-507 | Utilities High Voltage Electric | \$ | 216,544 | 6810 |
| CAP-509 | Mount Hall HVAC Modifications | \$ | 40,982 | 6811 |
| CAP-510 | Derby Hall Roof Replacement | \$ | 67,415 | 6812 |
| CAP-512 | Main Library Roof Replacement | \$ | 1,316 | 6813 |
| CAP-513 | Main Library Carpeting | \$ | 8,352 | 6814 |
| CAP-517 | Vet Hospital Roof Replacement | \$ | 36,185 | 6815 |
| CAP-518 | French Field House Glass Replacement | \$ | 57,625 | 6816 |
| CAP-519 | Ohio Biomedical Consortium on Medical Therapeutic Micro Devices | \$ | 70,797 | 6817 |
| CAP-520 | Plant and Microbe Functional Genomics Facilities | \$ | 16,259 | 6818 |
| CAP-521 | Ohio Center for Wetland & River Restoration | \$ | 4,919 | 6819 |
| CAP-523 | Consortium for Novem Microfabrications Methods of Medical Devices in Non-Silicon Materials | \$ | 499,010 | 6820 |

| | | | | |
|---------|-----------------------------------------------------------|----|------------|------|
| CAP-524 | Bone & Mineral Metabolism Research Lab | \$ | 17,730 | 6821 |
| CAP-526 | Koffolt/Fontana Roof Replacement | \$ | 81,281 | 6822 |
| CAP-530 | OSHA Fume Hood Monitors Phase I | \$ | 27,033 | 6823 |
| CAP-531 | Animal & Plant Biology Level 3 | \$ | 3,303,062 | 6824 |
| CAP-532 | Food, AG, and Environmental Sciences | \$ | 1,500,000 | 6825 |
| CAP-534 | Main Library Rehabilitation | \$ | 1,693,806 | 6826 |
| CAP-535 | Psychology Building | \$ | 13,517,273 | 6827 |
| CAP-536 | Thorne Hall and Gowley Hall Renovations, Phase 3 | \$ | 3,895,974 | 6828 |
| CAP-539 | Nanosecond Infrared Measurement | \$ | 2,588 | 6829 |
| CAP-544 | Cockins Hall Math & Statistics | \$ | 59,371 | 6830 |
| CAP-546 | Nanometer Scale Auger Electron | \$ | 34 | 6831 |
| CAP-549 | Caldwell Asbestos Abatement | \$ | 193,947 | 6832 |
| CAP-552 | X-Ray Powder Diffractometer | \$ | 558 | 6833 |
| CAP-554 | Deconvolution Microscope | \$ | 1,097 | 6834 |
| CAP-556 | Heart/Lung Inst Animal Facility | \$ | 442,855 | 6835 |
| CAP-557 | Pomerene Hall Renovation | \$ | 10,546 | 6836 |
| CAP-558 | Campus Lighting Phase VII | \$ | 2,356 | 6837 |
| CAP-560 | Campus Grounds - Woody Hayes Drive Rebuild | \$ | 343,351 | 6838 |
| CAP-561 | Campus Grounds Street Rebuild | \$ | 13,767 | 6839 |
| CAP-564 | Denney Hall Renovation Phase I | \$ | 18,538 | 6840 |
| CAP-565 | Ion Mass Spectrometry | \$ | 7,556 | 6841 |
| CAP-566 | Accelerated Maturation of Materials | \$ | 31,231 | 6842 |
| CAP-568 | Role of Molecular Interfaces | \$ | 26,304 | 6843 |
| CAP-569 | McCracken Steam Turbine Vibration Monitoring | \$ | 50,926 | 6844 |
| CAP-570 | Celeste Laboratory HVAC Modifications | \$ | 396,848 | 6845 |
| CAP-571 | Electron and Ion Optical Characterization of Materials | \$ | 10,164 | 6846 |
| CAP-572 | New Millimeter Spectrometer | \$ | 11,962 | 6847 |
| CAP-573 | Noncredit Job Training - Mansfield | \$ | 46,640 | 6848 |
| CAP-574 | Noncredit Job Training - Marion | \$ | 6,644 | 6849 |

| | | | | |
|---------|-----------------------------------------------|----|-----------|------|
| CAP-575 | Multi Object Double Spectrograph | \$ | 132,981 | 6850 |
| CAP-576 | 1224 Kinnear Road - Bale | \$ | 41,520 | 6851 |
| CAP-577 | Non-Silicon Micromachining | \$ | 73,991 | 6852 |
| CAP-579 | Veterinary Hospital Auditorium Renovation | \$ | 60,196 | 6853 |
| CAP-580 | Bevis Hall Roof Replacement | \$ | 38,366 | 6854 |
| CAP-582 | Hayes Hall Roof Replacement | \$ | 21,269 | 6855 |
| CAP-583 | Rightmire Hall Roof Replacement | \$ | 14,233 | 6856 |
| CAP-584 | Starling-Loving Hall Renovation | \$ | 35,179 | 6857 |
| CAP-585 | Marion Campus - Student Services | \$ | 35,654 | 6858 |
| CAP-586 | Electroscience Lab Renovation | \$ | 731,500 | 6859 |
| CAP-587 | OARDC Boiler Replacement | \$ | 1,173,042 | 6860 |
| CAP-588 | Graves Hall Roof Replacement | \$ | 76,594 | 6861 |
| CAP-590 | Supercomputer Center Expansion | \$ | 9,922,376 | 6862 |
| CAP-591 | Mansfield Parking Lot Resurfacing/Striping | \$ | 146,794 | 6863 |
| CAP-592 | Oval Restoration 2001 | \$ | 1,390,350 | 6864 |
| CAP-594 | Forging Technologies | \$ | 115,539 | 6865 |
| CAP-596 | Information Literacy | \$ | 273,779 | 6866 |
| CAP-597 | Online Business Major | \$ | 119,351 | 6867 |
| CAP-598 | Child Care Facility | \$ | 125,000 | 6868 |
| CAP-599 | Renovation of Graves Hall | \$ | 271,876 | 6869 |
| CAP-600 | ATI Shisler Center Courtyard | \$ | 7,381 | 6870 |
| CAP-602 | OARDC Wooster Phone System Replacement | \$ | 467,398 | 6871 |
| CAP-604 | Extramural Research Facilities | \$ | 1,000,000 | 6872 |
| CAP-605 | Utility - North Tunnel Steamline Upgrade | \$ | 1,302,420 | 6873 |
| CAP-607 | Springback of Aluminum Alloys | \$ | 10,612 | 6874 |
| CAP-608 | Dual Beam Characterization | \$ | 150,000 | 6875 |
| CAP-609 | Precision Navigation System | \$ | 2,696 | 6876 |
| CAP-613 | Organic Semiconductor Consortium | \$ | 224,911 | 6877 |
| CAP-616 | Environmental Technology Consortium | \$ | 50,000 | 6878 |
| CAP-617 | Campbell, University, and Evans Hall | \$ | 1,546,496 | 6879 |
| CAP-618 | Laboratory Animal Facility | \$ | 6,700,000 | 6880 |

| | | | | |
|---------|-----------------------------------------------------|----|-----------|------|
| CAP-619 | Fry Hall Building Addition | \$ | 3,600,000 | 6881 |
| CAP-620 | School of Music - Planning | \$ | 250,000 | 6882 |
| CAP-622 | Western Branch Headquarters & Machinery Building | \$ | 850,000 | 6883 |
| CAP-623 | Piketon Training & Development Center | \$ | 900,000 | 6884 |
| CAP-624 | Muck Crops Branch/Shop Building Replacement | \$ | 825,000 | 6885 |
| CAP-626 | Agr/Engineering Building Renovation & Addition | \$ | 200,000 | 6886 |
| CAP-628 | Wood County Center for Agriculture | \$ | 1,000,000 | 6887 |
| CAP-629 | Community Heritage Art Gallery - Lima | \$ | 100,000 | 6888 |
| CAP-631 | Health Psychology | \$ | 250,000 | 6889 |
| CAP-632 | Nanotechnology Molecular Assembly | \$ | 500,000 | 6890 |
| CAP-633 | Networking and Communication | \$ | 500,000 | 6891 |
| CAP-634 | Planetary Gear | \$ | 125,000 | 6892 |
| CAP-635 | X-Ray Fluorescence Spectrometer | \$ | 60,000 | 6893 |
| CAP-636 | Precision Navigation | \$ | 85,000 | 6894 |
| CAP-637 | Welding & Metal Working | \$ | 200,000 | 6895 |
| CAP-638 | Spin Driven Electronics | \$ | 78,841 | 6896 |
| CAP-639 | Inductively Coupled Plasma Etching | \$ | 139,661 | 6897 |
| CAP-641 | Accelerated Metals | \$ | 1,100,000 | 6898 |
| CAP-642 | Mathematical Biosciences Institute | \$ | 100,000 | 6899 |
| CAP-645 | Lincoln Morrill Tower Walkway | \$ | 611,100 | 6900 |
| CAP-646 | Mershon Auditorium HVAC System Improvements | \$ | 456,250 | 6901 |
| CAP-647 | Molecular Microdevices | \$ | 200,000 | 6902 |
| CAP-648 | Research Center HVAC System Improvements | \$ | 163,485 | 6903 |
| CAP-649 | Infrared Absorption Measurements | \$ | 187,500 | 6904 |
| CAP-650 | Dark Fiber | \$ | 5,000,000 | 6905 |
| CAP-651 | Shared Data Backup System | \$ | 252,560 | 6906 |
| CAP-652 | Mainframe Computing Alliance | \$ | 40,650 | 6907 |
| CAP-653 | Third Frontier Network Testbed | \$ | 1,029,988 | 6908 |
| CAP-654 | Distributed Learning Workshop | \$ | 750,000 | 6909 |

| | | | | |
|-----------------------------|-------------------------------------|----|-------------|------|
| CAP-655 | Nanoscale Patterning Consortium | \$ | 1,868,997 | 6910 |
| CAP-656 | Accelerated Maturation of Materials | \$ | 1,650,000 | 6911 |
| CAP-657 | Nanoscale Polymers Manufacturing | \$ | 1,762,500 | 6912 |
| CAP-658 | Hydrogen Production and Storage | \$ | 440,000 | 6913 |
| CAP-659 | Ohio Organic Semiconductor | \$ | 500,000 | 6914 |
| CAP-660 | Macromolecular Crystallography | \$ | 240,000 | 6915 |
| Total Ohio State University | | \$ | 160,705,353 | 6916 |

ANIMAL AND PLANT BIOLOGY LEVEL 3 6917

The amount reappropriated for the foregoing appropriation 6918
item CAP-531, Animal and Plant Biology Level 3, shall be 6919
\$3,303,062. 6920

Reappropriations

Section 27.18. OHU OHIO UNIVERSITY 6921

| | | | | |
|---------|--------------------------------------|----|-----------|------|
| CAP-020 | Basic Renovations | \$ | 5,116,698 | 6922 |
| CAP-021 | Conservancy District Assessment | \$ | 8,807 | 6923 |
| CAP-086 | Memorial Auditorium Rehabilitation | \$ | 10,013 | 6924 |
| CAP-094 | Bentley Hall Renovation | \$ | 111,333 | 6925 |
| CAP-095 | Basic Renovations - Eastern | \$ | 520,810 | 6926 |
| CAP-098 | Basic Renovations - Lancaster | \$ | 267,010 | 6927 |
| CAP-099 | Basic Renovations - Zanesville | \$ | 244,601 | 6928 |
| CAP-113 | Basic Renovations - Chillicothe | \$ | 299,716 | 6929 |
| CAP-114 | Basic Renovations - Ironton | \$ | 301,350 | 6930 |
| CAP-115 | Bennett Hall HVAC/Lab - Chillicothe | \$ | 997,950 | 6931 |
| CAP-116 | Copeland Hall Rehabilitation | \$ | 3,881 | 6932 |
| CAP-117 | Porter Hall Rehabilitation | \$ | 26,531 | 6933 |
| CAP-119 | Biomedical Research Center | \$ | 21,374 | 6934 |
| CAP-120 | Ridges Auditorium Rehabilitation | \$ | 1,177 | 6935 |
| CAP-136 | Gymnasium Development - Eastern | \$ | 97,734 | 6936 |
| CAP-137 | Classroom Building - Ironton | \$ | 6,025 | 6937 |
| CAP-141 | College of Health and Human Services | \$ | 74,963 | 6938 |
| CAP-142 | Health Professions Labs Phase I | \$ | 33,308 | 6939 |

| | | | | |
|---------|-------------------------------------------|----|-----------|------|
| CAP-145 | Asbestos Abatement | \$ | 27,136 | 6940 |
| CAP-148 | RTVC Building Asbestos Abatement | \$ | 1,037 | 6941 |
| CAP-149 | Electrical Distribution System | \$ | 1,490 | 6942 |
| CAP-152 | Gordy Hall Addition and Rehabilitation | \$ | 21,464 | 6943 |
| CAP-155 | Brasee Hall Rehabilitation - Lancaster | \$ | 1,072,411 | 6944 |
| CAP-157 | ADA Modifications | \$ | 67,665 | 6945 |
| CAP-160 | ADA Modifications - Ironton | \$ | 9,113 | 6946 |
| CAP-161 | ADA Modifications - Lancaster | \$ | 20,345 | 6947 |
| CAP-164 | Southeast Library Warehouse | \$ | 251,254 | 6948 |
| CAP-169 | Elevator Improvements Phase III | \$ | 95,345 | 6949 |
| CAP-172 | Elson Hall Rehabilitation - Zanesville | \$ | 1,080,130 | 6950 |
| CAP-183 | Central Classroom Building | \$ | 298,040 | 6951 |
| CAP-184 | Utilities to Scripps Hall | \$ | 211 | 6952 |
| CAP-186 | Ellis Hall Partial Renovation | \$ | 7,080 | 6953 |
| CAP-187 | Technology Center Planning - Ironton | \$ | 1,292 | 6954 |
| CAP-188 | Technology Center Construction - Ironton | \$ | 5,331 | 6955 |
| CAP-189 | Conference Center Planning - Lancaster | \$ | 500,358 | 6956 |
| CAP-190 | Center for Public Policy | \$ | 29,589 | 6957 |
| CAP-191 | District Water Cooling | \$ | 17,029 | 6958 |
| CAP-192 | Plant and Microbe Functional Genomics | \$ | 38,358 | 6959 |
| | Facilities | | | |
| CAP-199 | Bently Hall Phase I | \$ | 36,100 | 6960 |
| CAP-200 | Building Acquisition/Renovation - Eastern | \$ | 373,182 | 6961 |
| CAP-202 | Putnam Hall Rehabilitation | \$ | 258,523 | 6962 |
| CAP-203 | Supplemental Renovations | \$ | 309,937 | 6963 |
| CAP-205 | Noncredit Job Training | \$ | 731,000 | 6964 |
| CAP-206 | Human Resources Training Center | \$ | 1,116 | 6965 |
| CAP-208 | Student Services | \$ | 33,238 | 6966 |
| CAP-209 | Creativity Through Technology | \$ | 338,520 | 6967 |
| CAP-211 | Ohio NMR Consortium | \$ | 80,800 | 6968 |
| CAP-212 | Exterior Site Improvement | \$ | 248,065 | 6969 |
| CAP-213 | Daycare Center | \$ | 447,950 | 6970 |
| CAP-214 | Science/Fine Arts Renovation Phase 2 | \$ | 725,213 | 6971 |

| | | | | |
|-----------------------|----------------------------------|----|------------|------|
| CAP-215 | Land-Use Plan/Future Development | \$ | 30,000 | 6972 |
| CAP-219 | Mainframe Computing Alliance | \$ | 10,000 | 6973 |
| CAP-220 | Nanoscale Patterning Consortium | \$ | 131,003 | 6974 |
| Total Ohio University | | \$ | 15,442,606 | 6975 |

BASIC RENOVATIONS 6976

The amount reappropriated for the foregoing appropriation 6977
item CAP-020, Basic Renovations, is the unencumbered and 6978
unallotted balance as of June 30, 2004, in appropriation item 6979
CAP-020, Basic Renovations, plus \$42,454. 6980

BASIC RENOVATIONS - LANCASTER 6981

The amount reappropriated for the foregoing appropriation 6982
item CAP-098, Basic Renovations - Lancaster, is the unencumbered 6983
and unallotted balance as of June 30, 2004, in appropriation item 6984
CAP-098, Basic Renovations - Lancaster, plus \$441. 6985

BASIC RENOVATIONS - ZANESVILLE 6986

The amount reappropriated for the foregoing appropriation 6987
item CAP-099, Basic Renovations - Zanesville, is the unencumbered 6988
and unallotted balance as of June 30, 2004, in appropriation item 6989
CAP-099, Basic Renovations - Zanesville, plus \$1,333. 6990

BENNETT HALL HVAC/LAB - CHILLICOTHE 6991

The amount reappropriated for the foregoing appropriation 6992
item CAP-115, Bennett Hall HVAC/Lab - Chillicothe, is the 6993
unencumbered and unallotted balance as of June 30, 2004, in 6994
appropriation item CAP-115, Bennett Hall HVAC/Lab - Chillicothe, 6995
plus \$11,590. 6996

GYMNASIUM DEVELOPMENT - EASTERN 6997

The amount reappropriated for the foregoing appropriation 6998
item CAP-136, Gymnasium Development - Eastern, is the unencumbered 6999
and unallotted balance as of June 30, 2004, in appropriation item 7000
CAP-136, Gymnasium Development - Eastern, plus \$305. 7001

COLLEGE OF HEALTH AND HUMAN SERVICES 7002

The amount reappropriated for the foregoing appropriation 7003
item CAP-141, College of Health and Human Services, is the 7004
unencumbered and unallotted balance as of June 30, 2004, in 7005
appropriation item CAP-141, College of Health and Human Services, 7006
plus \$7,534. 7007

HEALTH PROFESSIONS LABS - PHASE I 7008

The amount reappropriated for the foregoing appropriation 7009
item CAP-142, Health Professions Labs Phase I, is the unencumbered 7010
and unallotted balance as of June 30, 2004, in appropriation item 7011
CAP-142, Health Professions Labs Phase I, plus \$33,308. 7012

GORDY HALL ADDITION AND REHABILITATION 7013

The amount reappropriated for the foregoing appropriation 7014
item CAP-152, Gordy Hall Addition and Rehabilitation, is the 7015
unencumbered and unallotted balance as of June 30, 2004, in 7016
appropriation item CAP-152, Gordy Hall Addition and 7017
Rehabilitation, plus \$940. 7018

BRASEE HALL REHABILITATION - LANCASTER 7019

The amount reappropriated for the foregoing appropriation 7020
item CAP-155, Brasee Hall Rehabilitation - Lancaster, is the 7021
unencumbered and unallotted balance as of June 30, 2004, in 7022
appropriation item CAP-155, Brasee Hall Rehabilitation - 7023
Lancaster, plus \$13,216. 7024

ELSON HALL REHABILITATION - ZANESVILLE 7025

The amount reappropriated for the foregoing appropriation 7026
item CAP-172, Elson Hall Rehabilitation - Zanesville, is the 7027
unencumbered and unallotted balance as of June 30, 2004, in 7028
appropriation item CAP-172, Elson Hall Rehabilitation - 7029
Zanesville, plus \$4,404. 7030

TECHNOLOGY CENTER PLANNING - IRONTON 7031

The amount reappropriated for the foregoing appropriation 7032
item CAP-187, Technology Center Planning - Ironton, is the 7033
unencumbered and unallotted balance as of June 30, 2004, in 7034
appropriation item CAP-187, Technology Center Planning - Ironton, 7035
plus \$1,292. 7036

TECHNOLOGY CENTER CONSTRUCTION - IRONTON 7037

The amount reappropriated for the foregoing appropriation 7038
item CAP-188, Technology Center Construction - Ironton, is the 7039
unencumbered and unallotted balance as of June 30, 2004, in 7040
appropriation item CAP-188, Technology Center Construction - 7041
Ironton, plus \$5,331. 7042

CENTER FOR PUBLIC POLICY 7043

The amount reappropriated for the foregoing appropriation 7044
item CAP-190, Center for Public Policy, is the unencumbered and 7045
unallotted balance as of June 30, 2004, in appropriation item 7046
CAP-190, Center for Public Policy, plus \$23,891. 7047

DISTRICT WATER COOLING 7048

The amount reappropriated for the foregoing appropriation 7049
item CAP-191, District Water Cooling, is the unencumbered and 7050
unallotted balance as of June 30, 2004, in appropriation item 7051
CAP-191, District Water Cooling, plus \$17,029. 7052

SUPPLEMENTAL RENOVATIONS 7053

The amount reappropriated for the foregoing appropriation 7054
item CAP-203, Supplemental Renovations, is the unencumbered and 7055
unallotted balance as of June 30, 2004, in appropriation item 7056
CAP-203, Supplemental Renovations, plus \$6,621. 7057

HUMAN RESOURCES TRAINING CENTER 7058

The amount reappropriated for the foregoing appropriation 7059
item CAP-206, Human Resources Training Center, is the unencumbered 7060
and unallotted balance as of June 30, 2004, in appropriation item 7061

CAP-206, Human Resources Training Center, plus \$1,116. 7062

Reappropriations

Section 27.19. SSC SHAWNEE STATE UNIVERSITY 7063

| | | | | |
|--------------------------------|-------------------------------------------------------|----|-----------|------|
| CAP-004 | Basic Renovations | \$ | 1,468,735 | 7064 |
| CAP-008 | Massie Hall Renovation | \$ | 54,541 | 7065 |
| CAP-010 | Land Acquisition | \$ | 116,917 | 7066 |
| CAP-016 | Library Building | \$ | 10,777 | 7067 |
| CAP-017 | Math/Science Building | \$ | 17,061 | 7068 |
| CAP-029 | Fine Arts Class and Lab Building | \$ | 108,704 | 7069 |
| CAP-030 | Utilities and Landscaping | \$ | 4,679 | 7070 |
| CAP-037 | ADA Modifications | \$ | 53,188 | 7071 |
| CAP-039 | Central Heating Plant Replacement | \$ | 5,215 | 7072 |
| CAP-040 | Chiller Replacement | \$ | 12,054 | 7073 |
| CAP-041 | Kricker Hall Renovation | \$ | 1,932 | 7074 |
| CAP-042 | Sidewalk/Plaza Replacement | \$ | 250,276 | 7075 |
| CAP-043 | Communication/Data Upgrade | \$ | 23,079 | 7076 |
| CAP-044 | Land Acquisition | \$ | 343,830 | 7077 |
| CAP-045 | Rehabilitation of Health Sciences Building Phase I | \$ | 1,681,974 | 7078 |
| CAP-046 | Digital Infrastructure | \$ | 81,153 | 7079 |
| CAP-047 | Natatorium Rehabilitation | \$ | 450,000 | 7080 |
| CAP-048 | Facilities Building Renovation | \$ | 242,120 | 7081 |
| Total Shawnee State University | | \$ | 4,926,235 | 7082 |

Reappropriations

Section 27.20. UTO UNIVERSITY OF TOLEDO 7084

| | | | | |
|---------|--------------------------------------------------|----|-----------|------|
| CAP-007 | University Hall Renovation | \$ | 12,966 | 7085 |
| CAP-010 | Basic Renovations | \$ | 4,724,946 | 7086 |
| CAP-025 | Roof Renovations | \$ | 25,655 | 7087 |
| CAP-062 | Pharmacy, Chemical and Life Sciences Facility | \$ | 3,318 | 7088 |
| CAP-071 | Southwest Academic Center Rehabilitation | \$ | 12,321 | 7089 |

| | | | | |
|----------------------------|-----------------------------------------------------|----|------------|------|
| CAP-073 | ADA Modifications | \$ | 6,452 | 7090 |
| CAP-077 | Tribology | \$ | 231,196 | 7091 |
| CAP-083 | Bowman-Oddy Rehabilitation Phase 2 | \$ | 241,368 | 7092 |
| CAP-091 | Greenhouse Improvements | \$ | 11,675 | 7093 |
| CAP-092 | Plant and Microbe Functional Genomics Facilities | \$ | 42,587 | 7094 |
| CAP-093 | Distance Learning | \$ | 50,915 | 7095 |
| CAP-094 | Plant Operations Renovation | \$ | 450,000 | 7096 |
| CAP-096 | Health & Human Services Rehabilitation Phase I | \$ | 2,559,923 | 7097 |
| CAP-097 | Libbey Hall Rehabilitation | \$ | 275,000 | 7098 |
| CAP-100 | University Computer Center | \$ | 4,878 | 7099 |
| CAP-105 | Gillham Hall Rehabilitation | \$ | 9,522,871 | 7100 |
| CAP-108 | Roof Renovations/Scott Park | \$ | 12,508 | 7101 |
| CAP-109 | Student Services | \$ | 192,781 | 7102 |
| CAP-110 | Distributed Learning Courses | \$ | 94,996 | 7103 |
| CAP-111 | Scott Park Classroom Abatement | \$ | 418,139 | 7104 |
| CAP-112 | Campus Signage Improvements | \$ | 132,951 | 7105 |
| CAP-113 | Wind Tunnel Relocation | \$ | 16,370 | 7106 |
| CAP-115 | Palmer Hall - 3rd Floor Classroom Renovations | \$ | 2,200,000 | 7107 |
| CAP-116 | Bowman-Oddy-N Wing Renovations | \$ | 5,207,000 | 7108 |
| CAP-117 | Mainframe Computing Alliance | \$ | 61,277 | 7109 |
| CAP-118 | Macromolecular Crystallography | \$ | 941,600 | 7110 |
| Total University of Toledo | | \$ | 27,453,693 | 7111 |

Reappropriations

| | | | | |
|---------------------------------------------------|-------------------------------------|----|-----------|------|
| Section 27.21. WSU WRIGHT STATE UNIVERSITY | | | | 7113 |
| CAP-015 | Basic Renovations | \$ | 2,291,904 | 7114 |
| CAP-064 | Basic Renovations - Lake | \$ | 7,350 | 7115 |
| CAP-071 | New Academic Building | \$ | 8,881 | 7116 |
| CAP-080 | Library Access Consolidation System | \$ | 6,160,731 | 7117 |
| CAP-084 | ADA Modifications | \$ | 2,751 | 7118 |

| | | | | |
|-------------------------------|-------------------------------------|----|------------|------|
| CAP-093 | Information Technology Center | \$ | 23,860 | 7119 |
| CAP-102 | Specialized Communication | \$ | 12,894 | 7120 |
| CAP-103 | Millett Hall Rehabilitation | \$ | 21,479 | 7121 |
| CAP-113 | Advanced Internet Utilization | \$ | 167,583 | 7122 |
| CAP-114 | Environmental Technology Consortium | \$ | 575,245 | 7123 |
| CAP-115 | Russ Engineering Expansion | \$ | 2,631,000 | 7124 |
| CAP-116 | Rike Hall Renovation - Planning | \$ | 200,000 | 7125 |
| CAP-117 | Electrical Infrastructure Phase 1 | \$ | 1,956,600 | 7126 |
| CAP-118 | Campus Master Plan Phase V-A | \$ | 1,534,031 | 7127 |
| CAP-119 | Science Lab Renovations - Planning | \$ | 500,000 | 7128 |
| CAP-120 | Lake Campus University Center | \$ | 587,200 | 7129 |
| CAP-122 | Accelerated Maturation of Materials | \$ | 100,000 | 7130 |
| Total Wright State University | | \$ | 16,781,509 | 7131 |

BASIC RENOVATIONS 7132

The amount reappropriated for the foregoing appropriation 7133
item CAP-015, Basic Renovations, is the unencumbered and 7134
unallotted balance as of June 30, 2004, in appropriation items 7135
CAP-015, Basic Renovations; CAP-094, Campus Services Building; and 7136
CAP-098, Center/Hamilton/Physical Education Chiller, plus \$23,400. 7137

BASIC RENOVATIONS - LAKE 7138

The amount reappropriated for the foregoing appropriation 7139
item CAP-064, Basic Renovations - Lake, is the sum of the 7140
unencumbered and unallotted balance as of June 30, 2004, in 7141
appropriation item CAP-064, Basic Renovations - Lake, plus \$7,350. 7142

LIBRARY ACCESS CONSOLIDATION SYSTEM 7143

The amount reappropriated for the foregoing appropriation 7144
item CAP-080, Library Access Consolidation System, is the 7145
unencumbered and unallotted balance as of June 30, 2004, in 7146
appropriation item CAP-080, Library Access Consolidation System, 7147
plus \$33,780. 7148

CAMPUS MASTER PLAN PHASE V-A 7149

The amount reappropriated for the foregoing appropriation 7150
 item CAP-118, Campus Master Plan Phase V-A, is the sum of the 7151
 unencumbered and unallotted balance as of June 30, 2004, in 7152
 appropriation items CAP-072, Access Circulation, CAP-104, Road and 7153
 Parking Lot Improvements, and CAP-118, Campus Master Plan Phase 7154
 V-A. 7155

Reappropriations

| | | | |
|-------------------------------------------------------|------------------------------------------------------------|--------------|--------------------|
| Section 27.22. YSU YOUNGSTOWN STATE UNIVERSITY | | | 7156 |
| CAP-014 | Basic Renovations | \$ 3,029,503 | 7157 |
| CAP-027 | Property Acquisition/Street Closures | \$ 19,673 | 7158 |
| CAP-040 | Bliss Hall Rehabilitation - Final Phase | \$ 49,029 | 7159 |
| CAP-066 | Asbestos Abatement | \$ 48,279 | 7160 |
| CAP-086 | Instructional and Data Processing Equipment | \$ 898,064 | 7161 |
| CAP-099 | Todd Hall Renovations | \$ 151,979 | 7162 |
| CAP-108 | Electronic Campus Infrastructure/Technology | \$ 1,553,708 | 7163 |
| CAP-111 | Fine Arts Distance Learning | \$ 45,146 | 7164 |
| CAP-112 | Beeghly Center Rehabilitation | \$ 229,765 | 7165 |
| CAP-113 | Campus Development | \$ 929,396 | 7166 |
| CAP-114 | Chiller and Steamline Replacement Phase 3 | \$ 777,900 | 7167 |
| CAP-117 | Ward Beecher/HVAC Upgrade | \$ 174,982 | 7168 |
| CAP-120 | Student Services | \$ 61,545 | 7169 |
| CAP-121 | Administrative Technology Computer Systems Improvements | \$ 1,500,000 | 7170 |
| CAP-123 | Campus Wide Electrical Upgrades | \$ 1,000,000 | 7171 |
| CAP-124 | Classroom Updates | \$ 800,000 | 7172 |
| CAP-125 | Campus Wide Building System Upgrades | \$ 400,000 | 7173 |
| CAP-127 | Recreation and Wellness Center | \$ 1,000,000 | 7174 |
| Total Youngstown State University | | | \$ 12,668,969 7175 |

Reappropriations

| | | | |
|---------------------------------------------------|------------------------------------------------|--------------|-------------------|
| Section 27.23. MCO MEDICAL COLLEGE OF OHIO | | | 7177 |
| CAP-010 | Basic Renovations | \$ 123,787 | 7178 |
| CAP-046 | Instructional and Data Processing Equipment | \$ 490,676 | 7179 |
| CAP-048 | Medical Informatics Data Highway | \$ 6,803 | 7180 |
| CAP-049 | Center for Classrooms of the Future | \$ 5,460 | 7181 |
| CAP-053 | ADA Modifications | \$ 8,258 | 7182 |
| CAP-062 | Waterproofing | \$ 3,381 | 7183 |
| CAP-066 | Core Research Facility | \$ 2,193,940 | 7184 |
| CAP-067 | Student Services | \$ 553 | 7185 |
| CAP-072 | Campus Substation Repairs | \$ 5,317 | 7186 |
| CAP-074 | Mulford Library Roof | \$ 1,740 | 7187 |
| CAP-076 | Supplemental Renovations | \$ 16,306 | 7188 |
| CAP-077 | Academic Classroom Improvements | \$ 400,000 | 7189 |
| CAP-078 | Clinical Academic Renovation | \$ 700,000 | 7190 |
| CAP-079 | Campus Waterproofing | \$ 41,500 | 7191 |
| Total Medical College of Ohio | | | \$ 3,997,721 7192 |

Reappropriations

| | | | |
|---------------------------------------------------------------------|-----------------------------------------|--------------|-------------------|
| Section 27.24. NEM NORTHEASTERN OHIO UNIVERSITIES COLLEGE OF | | | 7194 |
| MEDICINE | | | 7195 |
| CAP-018 | Basic Renovations | \$ 495,179 | 7196 |
| CAP-022 | Cooperating Regional Library Depository | \$ 452,200 | 7197 |
| CAP-034 | ADA Modifications | \$ 5,562 | 7198 |
| CAP-036 | Computer Services Networking | \$ 398 | 7199 |
| CAP-040 | Campus Network Expansion | \$ 1,223,974 | 7200 |
| CAP-042 | Outdoor Athletic Facilities | \$ 6,158 | 7201 |
| CAP-045 | Renovation of Olson and Meshul Halls | \$ 1,316,849 | 7202 |
| CAP-046 | HEI Data Reporting | \$ 217,400 | 7203 |
| CAP-047 | Roof Renovations | \$ 12,418 | 7204 |
| Total Northeastern Ohio Universities College of | | | \$ 3,730,138 7205 |

Medicine

ROOF RENOVATIONS 7206

The amount reappropriated for the foregoing appropriation 7207
 item CAP-047, Roof Renovations, shall be \$12,418. 7208

Reappropriations

Section 27.25. CTC CINCINNATI STATE TECHNICAL AND COMMUNITY 7209

COLLEGE 7210

| | | | | |
|------------------------------------------|--------------------------------------|----|-----------|-------------------|
| CAP-008 | Interior Renovations | \$ | 102,045 | 7211 |
| CAP-013 | Basic Renovations | \$ | 479,518 | 7212 |
| CAP-016 | Health Professions Building Planning | \$ | 1,468 | 7213 |
| CAP-030 | Student Life/Education Building | \$ | 3,707,269 | 7214 |
| CAP-032 | Child Care Facility | \$ | 89,715 | 7215 |
| CAP-033 | One Stop Shop Renovation | \$ | 547,860 | 7216 |
| CAP-034 | Rekeying of Main Campus | \$ | 365,160 | 7217 |
| CAP-035 | Install Kiosks | \$ | 150,450 | 7218 |
| Total Cincinnati State Community College | | | | \$ 5,443,485 7219 |

Reappropriations

Section 27.26. CLT CLARK STATE COMMUNITY COLLEGE 7221

| | | | | |
|-------------------------------------|---------------------------------------|----|---------|-----------------|
| CAP-006 | Basic Renovations | \$ | 703,692 | 7222 |
| CAP-034 | ADA Modifications | \$ | 28,451 | 7223 |
| CAP-038 | Future Health Professionals | \$ | 25,910 | 7224 |
| CAP-039 | Champaign Health and Education Center | \$ | 100,000 | 7225 |
| CAP-040 | Clark Health and Education Center | \$ | 50,000 | 7226 |
| Total Clark State Community College | | | | \$ 908,053 7227 |

Reappropriations

Section 27.27. CTI COLUMBUS STATE COMMUNITY COLLEGE 7229

| | | | | |
|-----------|-----------------------------------|----|-----------|------|
| CAP-006 | Basic Renovations | \$ | 1,286,530 | 7230 |
| CAP-007 | Land Acquisition | \$ | 936,000 | 7231 |
| CAP-028 | Instructional and Data Processing | \$ | 858,973 | 7232 |
| Equipment | | | | |

| | | | | |
|----------------------------------------|-----------------------|----|------------|------|
| CAP-033 | Child Care Facility | \$ | 89,510 | 7233 |
| CAP-037 | Academic Center "C" | \$ | 132,684 | 7234 |
| CAP-040 | Building "D" Planning | \$ | 22,283,398 | 7235 |
| CAP-043 | Building "E" Planning | \$ | 1,022,862 | 7236 |
| Total Columbus State Community College | | \$ | 26,609,957 | 7237 |

ACADEMIC CENTER "C" 7238

The amount reappropriated for the foregoing appropriation 7239
 item CAP-037, Academic Center "C", shall be the sum of the 7240
 unencumbered and unallotted balance as of June 30, 2004, in 7241
 appropriation item CAP-037, Academic Center "C", plus \$29,271. 7242

Reappropriations

Section 27.28. CCC CUYAHOGA COMMUNITY COLLEGE 7243

| | | | | |
|----------------------------------|---------------------------------------|----|------------|------|
| CAP-031 | Basic Renovations | \$ | 4,226,339 | 7244 |
| CAP-064 | Technology Learning Center - Western | \$ | 57,818 | 7245 |
| CAP-067 | Plans Ops/Vehicle | \$ | 63,336 | 7246 |
| Maintenance/Storage-Phase 1 | | | | |
| CAP-073 | Noncredit Job Training | \$ | 1,994 | 7247 |
| CAP-076 | Distance Learning | \$ | 139,287 | 7248 |
| CAP-079 | Cleveland Art Museum - Improvements | \$ | 5,000,000 | 7249 |
| CAP-084 | Literacy Initiative | \$ | 202,020 | 7250 |
| CAP-087 | Center for Nursing and Health Careers | \$ | 222,164 | 7251 |
| CAP-088 | Corporate College | \$ | 500,000 | 7252 |
| CAP-089 | East I Renovations Phase 2 - Eastern | \$ | 4,339,089 | 7253 |
| CAP-090 | Building A Expansion Module - Western | \$ | 6,194,517 | 7254 |
| Total Cuyahoga Community College | | \$ | 20,946,564 | 7255 |

BASIC RENOVATIONS 7256

The amount reappropriated for the foregoing appropriation 7257
 item CAP-031, Basic Renovations, is the sum of the unencumbered 7258
 and unallotted balance as of June 30, 2004, in appropriation items 7259
 CAP-031, Basic Renovations, CAP-058, ADA Modifications, CAP-070, 7260
 Interior/Exterior Signage Program, CAP-078, Humanities Building 7261

Renovations - Metro, CAP 080, UTC Curtainwall Modifications, 7262
 CAP-081, Interior Courtyards Renovations, CAP-082, Carpet 7263
 Replacement - Western, CAP-085, Expansion Joint Construction, 7264
 CAP-086, Carpet Replacement - Western, plus \$15,884. 7265

TECHNOLOGY LEARNING CENTER 7266

The amount reappropriated for the foregoing appropriation 7267
 item CAP-064, Technology Learning Center - Western, is the sum of 7268
 the unencumbered and unallotted balance as of June 30, 2004, in 7269
 appropriation item CAP-064, Technology Learning Center - Western, 7270
 minus \$1,693,253. 7271

BUILDING A EXPANSION MODULE - WESTERN 7272

The amount reappropriated for the foregoing appropriation 7273
 item CAP-090, Building A Expansion Module - Western, is the sum of 7274
 the unencumbered and unallotted balance as of June 30, 2004, in 7275
 appropriation items CAP-066, Renovate/Create New Classrooms - 7276
 West, CAP-090, Building A Expansion Module - Western, plus 7277
 \$1,677,369. 7278

Reappropriations

Section 27.29. ESC EDISON STATE COMMUNITY COLLEGE 7279

| | | | | | |
|--------------------------------------|-------------------------|----|---------|---------|------|
| CAP-006 | Basic Renovations | \$ | 427,272 | 7280 | |
| CAP-011 | Roadway Construction | \$ | 16,696 | 7281 | |
| CAP-014 | Student Activities Area | \$ | 13,398 | 7282 | |
| CAP-018 | Master Plan Update | \$ | 1,220 | 7283 | |
| CAP-021 | Student Services | \$ | 12,358 | 7284 | |
| Total Edison State Community College | | | \$ | 470,944 | 7285 |

Reappropriations

Section 27.30. JTC JEFFERSON COMMUNITY COLLEGE 7287

| | | | | |
|---------|---------------------------------|----|---------|------|
| CAP-022 | Basic Renovations | \$ | 630,584 | 7288 |
| CAP-031 | Law Enforcement/Engineering Lab | \$ | 56,172 | 7289 |
| | Renovations | | | |

| | | | | |
|-----------------------------------|-----------------------------------------|----|-----------|------|
| CAP-033 | ADA Modifications | \$ | 19,598 | 7290 |
| CAP-037 | Electrical System Evaluation/Renovation | \$ | 382,820 | 7291 |
| CAP-038 | Library Interior Renovation | \$ | 259,020 | 7292 |
| CAP-039 | Lecture Hall Interior Renovation | \$ | 175,325 | 7293 |
| CAP-041 | Campus Master Plan | \$ | 189,442 | 7294 |
| Total Jefferson Community College | | \$ | 1,712,961 | 7295 |

Reappropriations

| | | | | |
|------------------------------------------------------|------------------------------------------------|----|-----------|------|
| Section 27.31. LCC LAKELAND COMMUNITY COLLEGE | | | | 7297 |
| CAP-006 | Basic Renovations | \$ | 1,736,909 | 7298 |
| CAP-034 | Child Care Facility | \$ | 1,197 | 7299 |
| CAP-036 | Noncredit Job Training | \$ | 850,000 | 7300 |
| CAP-037 | Building East End Project | \$ | 985,000 | 7301 |
| CAP-038 | HVAC Upgrades/Rehabilitation | \$ | 1,000,000 | 7302 |
| CAP-039 | Main Gym Floor Renovation | \$ | 150,000 | 7303 |
| CAP-040 | Roadway and Drainage Improvements | \$ | 534,730 | 7304 |
| CAP-043 | Mooreland Educational Center Rehabilitation | \$ | 84,400 | 7305 |
| Total Lakeland Community College | | \$ | 5,342,236 | 7306 |

Reappropriations

| | | | | |
|----------------------------------------------------|---------------------|----|-----------|------|
| Section 27.32. LOR LORAIN COMMUNITY COLLEGE | | | | 7308 |
| CAP-005 | Basic Renovations | \$ | 858,437 | 7309 |
| CAP-041 | Student Services | \$ | 388,000 | 7310 |
| CAP-042 | Virtual Lab Courses | \$ | 224,730 | 7311 |
| Total Lorain Community College | | \$ | 1,471,167 | 7312 |

Reappropriations

| | | | | |
|-------------------------------------------------------------|------------------------------------------------|----|---------|------|
| Section 27.33. NTC NORTHWEST STATE COMMUNITY COLLEGE | | | | 7314 |
| CAP-003 | Basic Renovations | \$ | 269,232 | 7315 |
| CAP-010 | Instructional and Data Processing Equipment | \$ | 118,215 | 7316 |
| CAP-013 | Classroom & Engineering Build | \$ | 9,917 | 7317 |

| | | | | |
|-----------------------------------------|-------------------|----|---------|------|
| CAP-021 | Services Facility | \$ | 200,000 | 7318 |
| Total Northwest State Community College | | \$ | 597,364 | 7319 |

Reappropriations

Section 27.34. OTC OWENS COMMUNITY COLLEGE 7321

| | | | | |
|-------------------------------|-------------------------------------------------------|----|------------|------|
| CAP-019 | Basic Renovations | \$ | 1,621,573 | 7322 |
| CAP-034 | Center for Fine and Performing Arts - Construction | \$ | 11,419 | 7323 |
| CAP-036 | Child Care Facility | \$ | 250,600 | 7324 |
| CAP-037 | Education Center | \$ | 9,546,360 | 7325 |
| CAP-038 | Fire and Police Training Center | \$ | 1,145,610 | 7326 |
| Total Owens Community College | | \$ | 12,575,562 | 7327 |

Reappropriations

Section 27.35. RGC RIO GRANDE COMMUNITY COLLEGE 7329

| | | | | |
|------------------------------------|------------------------------------------------|----|---------|------|
| CAP-005 | Basic Renovations | \$ | 638,954 | 7330 |
| CAP-012 | Instructional and Data Processing Equipment | \$ | 84,061 | 7331 |
| CAP-013 | College of Business | \$ | 7,392 | 7332 |
| CAP-015 | ADA Modifications | \$ | 75,446 | 7333 |
| CAP-022 | Child Care Facility | \$ | 35,000 | 7334 |
| Total Rio Grande Community College | | \$ | 840,853 | 7335 |

Reappropriations

Section 27.36. SCC SINCLAIR COMMUNITY COLLEGE 7337

| | | | | |
|----------------------------------|-----------------------------------------------------|----|-----------|------|
| CAP-007 | Basic Renovations | \$ | 2,295,992 | 7338 |
| CAP-034 | Advanced Educational Applications Center Phase I | \$ | 40,000 | 7339 |
| CAP-036 | Advanced Integrated Manufacturing Center | \$ | 188,286 | 7340 |
| CAP-042 | Autolab/Fire Science Facility | \$ | 45,000 | 7341 |
| CAP-055 | Distance Learning | \$ | 54,463 | 7342 |
| CAP-056 | Information Literacy | \$ | 334,053 | 7343 |
| Total Sinclair Community College | | \$ | 2,957,794 | 7344 |

Reappropriations

| | | | |
|------------------------------------------------------------|-------------------------|------------|-------------------|
| Section 27.37. SOC SOUTHERN STATE COMMUNITY COLLEGE | | | 7346 |
| CAP-010 | Basic Renovations | \$ 384,421 | 7347 |
| CAP-022 | Clinton County Facility | \$ 180 | 7348 |
| CAP-024 | Noncredit Job Training | \$ 228,055 | 7349 |
| CAP-025 | Multi-Purpose Facility | \$ 749,525 | 7350 |
| Total Southern State Community College | | | \$ 1,362,181 7351 |

Reappropriations

| | | | |
|---------------------------------------------------------|---------------------|------------|-----------------|
| Section 27.38. TTC TERRA STATE COMMUNITY COLLEGE | | | 7353 |
| CAP-009 | Basic Renovations | \$ 327,766 | 7354 |
| CAP-015 | Child Care Facility | \$ 166,148 | 7355 |
| CAP-018 | Nursing Online | \$ 1,677 | 7356 |
| Total Terra State Community College | | | \$ 495,591 7357 |

Reappropriations

| | | | |
|--------------------------------------------------------------|------------------------------------------------|------------|-----------------|
| Section 27.39. WTC WASHINGTON STATE COMMUNITY COLLEGE | | | 7359 |
| CAP-009 | Instructional and Data Processing Equipment | \$ 115,254 | 7360 |
| CAP-012 | ADA Modifications | \$ 14,575 | 7361 |
| CAP-013 | Child Care Facility | \$ 5,860 | 7362 |
| CAP-016 | Noncredit Job Training | \$ 14,859 | 7363 |
| Total Washington State Community College | | | \$ 150,548 7364 |

Reappropriations

| | | | |
|-----------------------------------------------------|------------------------------------|------------|-----------------|
| Section 27.40. BTC BELMONT TECHNICAL COLLEGE | | | 7366 |
| CAP-008 | Basic Renovations | \$ 698,854 | 7367 |
| CAP-014 | Main Building Renovation - Phase 3 | \$ 49,137 | 7368 |
| CAP-019 | ADA Modifications | \$ 49,915 | 7369 |
| Total Belmont Technical College | | | \$ 797,906 7370 |

Reappropriations

| | | | |
|------------------------------------------------------------|------------------------------------------------|--------------|-------------------|
| Section 27.41. COT CENTRAL OHIO TECHNICAL COLLEGE | | | 7372 |
| CAP-003 | Basic Renovations | \$ 154,332 | 7373 |
| Total Central Ohio Technical College | | | \$ 154,332 7374 |
| Reappropriations | | | |
| Section 27.42. HTC HOCKING TECHNICAL COLLEGE | | | 7376 |
| CAP-019 | Basic Renovations | \$ 572,765 | 7377 |
| CAP-024 | Building Addition | \$ 5,270 | 7378 |
| CAP-027 | Instructional and Data Processing Equipment | \$ 370,526 | 7379 |
| CAP-028 | College Hall Rehabilitation | \$ 3,769 | 7380 |
| CAP-032 | Public Safety Service | \$ 57,060 | 7381 |
| CAP-033 | Light and Oakley Halls | \$ 40,855 | 7382 |
| CAP-035 | Child Care Facility | \$ 9,406 | 7383 |
| Total Hocking Technical College | | | \$ 1,059,651 7384 |
| Reappropriations | | | |
| Section 27.43. LTC LIMA TECHNICAL COLLEGE | | | 7386 |
| CAP-004 | Basic Renovations | \$ 861,383 | 7387 |
| CAP-006 | Building Renovations | \$ 5,000 | 7388 |
| CAP-007 | Training and Education Facility | \$ 79,934 | 7389 |
| CAP-008 | Instructional and Data Processing Equipment | \$ 156,394 | 7390 |
| CAP-009 | Life and Physical Sciences | \$ 10,133 | 7391 |
| CAP-014 | Distance Education | \$ 222,115 | 7392 |
| CAP-015 | Information Technology Building | \$ 3,767,610 | 7393 |
| Total Lima Technical College | | | \$ 5,102,569 7394 |
| Reappropriations | | | |
| Section 27.44. MAT MUSKINGUM AREA TECHNICAL COLLEGE | | | 7396 |
| CAP-007 | Basic Renovations | \$ 244,465 | 7397 |
| CAP-017 | Basic Capacity Grant | \$ 1,410 | 7398 |
| CAP-021 | Lighting/HVAC Replacement | \$ 843,606 | 7399 |

| | | | |
|--------------------------------------------------------------------|----|-------------|------------------|
| Total Muskingum Area Technical College | \$ | 1,089,481 | 7400 |
| | | | Reappropriations |
| Section 27.45. MTC MARION TECHNICAL COLLEGE | | | 7402 |
| CAP-006 Instructional and Data Processing Equipment | \$ | 84,323 | 7403 |
| CAP-012 Technical Education Center | \$ | 205,044 | 7404 |
| Total Marion Technical College | \$ | 289,367 | 7405 |
| | | | Reappropriations |
| Section 27.46. NCC NORTH CENTRAL TECHNICAL COLLEGE | | | 7407 |
| CAP-003 Basic Renovations | \$ | 360,533 | 7408 |
| CAP-009 ADA Modifications | \$ | 25,000 | 7409 |
| CAP-013 Engineering Center Renovation | \$ | 2,372 | 7410 |
| CAP-018 Fallerius Center Rehabilitation | \$ | 39,674 | 7411 |
| Total North Central Technical College | \$ | 427,579 | 7412 |
| | | | Reappropriations |
| Section 27.47. STC STARK TECHNICAL COLLEGE | | | 7414 |
| CAP-004 Basic Renovations | \$ | 537,874 | 7415 |
| CAP-015 Loop Road Property Acquisition/Development | \$ | 629 | 7416 |
| CAP-024 Phase 2 Renovations | \$ | 252 | 7417 |
| CAP-027 Information Technology Learning Center | \$ | 10,000 | 7418 |
| CAP-030 Northside Development Parking Lot - Phase II | \$ | 77,423 | 7419 |
| CAP-031 Student Services | \$ | 31,087 | 7420 |
| CAP-032 Automotive Technology Building Addition | \$ | 1,719,554 | 7421 |
| Total Stark Technical College | \$ | 2,376,819 | 7422 |
| TOTAL HIGHER EDUCATION IMPROVEMENT FUND | \$ | 567,177,517 | 7423 |
| Section 27.48. For all of the foregoing appropriation items | | | 7425 |
| from the Higher Education Improvement Fund (Fund 034) that require | | | 7426 |

local funds to be contributed by any state-supported or 7427
state-assisted institution of higher education, the Board of 7428
Regents shall not recommend that any funds be released until the 7429
recipient institution demonstrates to the Board of Regents and the 7430
Office of Budget and Management that the local funds contribution 7431
requirement has been secured or satisfied. The local funds shall 7432
be in addition to the foregoing appropriations. 7433

Section 27.49. None of the foregoing capital improvements 7434
appropriations for state-supported or state-assisted institutions 7435
of higher education shall be expended until the particular 7436
appropriation has been recommended for release by the Board of 7437
Regents and released by the Director of Budget and Management or 7438
the Controlling Board. Either the institution concerned, or the 7439
Board of Regents with the concurrence of the institution 7440
concerned, may initiate the request to the Director of Budget and 7441
Management or the Controlling Board for the release of the 7442
particular appropriations. 7443

Section 27.50. (A) No capital improvement appropriations made 7444
in Sections 27.02 to 27.53 of this act shall be released for 7445
planning or for improvement, renovation, construction, or 7446
acquisition of capital facilities if the institution of higher 7447
education or the state does not own the real property on which the 7448
capital facilities are or will be located. This restriction does 7449
not apply in any of the following circumstances: 7450

(1) The institution has a long-term (at least fifteen years) 7451
lease of, or other interest (such as an easement) in, the real 7452
property. 7453

(2) The Board of Regents certifies to the Controlling Board 7454
that undue delay will occur if planning does not proceed while the 7455
property or property interest acquisition process continues. In 7456

this case, funds may be released upon approval of the Controlling Board to pay for planning through the development of schematic drawings only.

(3) In the case of an appropriation for capital facilities that, because of their unique nature or location, will be owned or will be part of facilities owned by a separate nonprofit organization or public body and made available to the institution of higher education for its use, the nonprofit organization or public body 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 Board of Regents, with the institution of higher education that meets the requirements of division (C) of this section.

(B) Any foregoing appropriations which require cooperation between a technical college and a branch campus of a university may be released by the Controlling Board upon recommendation by the Board of Regents that the facilities proposed by the institutions are:

(1) The result of a joint planning effort by the university and the technical college, satisfactory to the Board of Regents;

(2) Facilities that will meet the needs of the region in terms of technical and general education, taking into consideration the totality of facilities which will be available after the completion of these projects;

(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;

(4) To be located on or adjacent to the branch campus of the university.

(C) In the case of capital facilities referred to in division

| | |
|---------------------------------------------------------------------|------|
| (A)(3) of this section, the joint or cooperative use agreements | 7488 |
| shall include, as a minimum, provisions that: | 7489 |
| (1) Specify the extent and nature of that joint or | 7490 |
| cooperative use, extending for not fewer than fifteen years, with | 7491 |
| the value of such use or right to use to be, as determined by the | 7492 |
| parties and approved by the Board of Regents, reasonably related | 7493 |
| to the amount of the appropriations; | 7494 |
| (2) Provide for pro rata reimbursement to the state should | 7495 |
| the arrangement for joint or cooperative use be terminated; | 7496 |
| (3) Provide that procedures to be followed during the capital | 7497 |
| improvement process will comply with appropriate applicable state | 7498 |
| laws and rules, including provisions of this act; | 7499 |
| (4) Provide for payment or reimbursement to the institution | 7500 |
| of its administrative costs incurred as a result of the facilities | 7501 |
| project, not to exceed 1.5 per cent of the appropriated amount. | 7502 |
| (D) Upon the recommendation of the Board of Regents, the | 7503 |
| Controlling Board may approve the transfer of appropriations for | 7504 |
| projects requiring cooperation between institutions from one | 7505 |
| institution to another institution, with the approval of both | 7506 |
| institutions. | 7507 |
| (E) Notwithstanding section 127.14 of the Revised Code, the | 7508 |
| Controlling Board, upon the recommendation of the Board of | 7509 |
| Regents, may transfer amounts appropriated to the Board of Regents | 7510 |
| to accounts of state-supported or state-assisted institutions | 7511 |
| created for that same purpose. | 7512 |
| Section 27.51. The requirements of Chapters 123. and 153. of | 7513 |
| the Revised Code, with respect to the powers and duties of the | 7514 |
| Director of Administrative Services in the procedure for and award | 7515 |
| of contracts for capital improvement projects, and the | 7516 |
| requirements of section 127.16 of the Revised Code, with respect | 7517 |

to the Controlling Board, do not apply to projects of community 7518
college districts and technical college districts. 7519

Section 27.52. Those institutions locally administering 7520
capital improvement projects pursuant to section 3345.50 of the 7521
Revised Code may: 7522

(A) Establish charges for recovering costs directly related 7523
to project administration as defined by the Director of 7524
Administrative Services. The Department of Administrative Services 7525
shall review and approve these administrative charges when such 7526
charges are in excess of 1.5 per cent of the total construction 7527
budget. 7528

(B) Seek reimbursement from state capital appropriations to 7529
the institution for the in-house design services performed by the 7530
institution for such capital projects. Acceptable charges shall be 7531
limited to design document preparation work that is done by the 7532
institution. These reimbursable design costs shall be shown as 7533
"A/E fees" within the project's budget that is submitted to the 7534
Controlling Board or the Director of Budget and Management as part 7535
of a request for release of funds. The reimbursement for in-house 7536
design may not exceed seven per cent of the estimated construction 7537
cost. 7538

Section 27.53. The Board of Regents shall adopt rules 7539
regarding the release of moneys from all the foregoing 7540
appropriations for capital facilities for all state-supported and 7541
state-assisted institutions of higher education. 7542

Section 28. All items set forth in this section are hereby 7543
appropriated out of any moneys in the state treasury to the credit 7544
of the Parks and Recreation Improvement Fund (Fund 035) that are 7545
not otherwise appropriated: 7546

| DNR DEPARTMENT OF NATURAL RESOURCES | | | 7547 |
|-------------------------------------|---------------------------------------------------|--------------|------|
| CAP-005 | Cowan Lake State Park | \$ 23,445 | 7548 |
| CAP-008 | Delaware State Park | \$ 56,223 | 7549 |
| CAP-011 | Findley State Park | \$ 22,856 | 7550 |
| CAP-012 | Land Acquisition | \$ 6,800,000 | 7551 |
| CAP-016 | Hueston Woods State Park | \$ 23,258 | 7552 |
| CAP-017 | Indian Lake State Park | \$ 130,288 | 7553 |
| CAP-019 | Lake Hope State Park | \$ 6,776 | 7554 |
| CAP-025 | Punderson State Park | \$ 1,163 | 7555 |
| CAP-029 | Salt Fork State Park | \$ 127,555 | 7556 |
| CAP-032 | West Branch State Park | \$ 200,895 | 7557 |
| CAP-045 | Mary J. Thurston State Park Marina/Dock | \$ 300,000 | 7558 |
| CAP-051 | Buck Creek State Park | \$ 250 | 7559 |
| CAP-064 | Geneva State Park | \$ 4,182 | 7560 |
| CAP-069 | Hocking Hills State Park | \$ 87,756 | 7561 |
| CAP-070 | Lake Logan State Park | \$ 600 | 7562 |
| CAP-093 | Portage Lakes State Park | \$ 13,373 | 7563 |
| CAP-113 | East Harbor State Park Shoreline Stabilization | \$ 850,000 | 7564 |
| CAP-119 | Forked Run State Park | \$ 27,747 | 7565 |
| CAP-162 | Shawnee State Park | \$ 760 | 7566 |
| CAP-205 | Deer Creek State Park | \$ 19,051 | 7567 |
| CAP-234 | State Parks Campgrounds, Lodges, and Cabins | \$ 5,494,293 | 7568 |
| CAP-331 | Park Boating Facilities | \$ 2,688,216 | 7569 |
| CAP-390 | State Park Maintenance Facility Development | \$ 1,656,339 | 7570 |
| CAP-701 | Buckeye Lake Dam Rehabilitation | \$ 427,756 | 7571 |
| CAP-702 | Upgrade Underground Storage Tanks | \$ 234,134 | 7572 |
| CAP-703 | Cap Abandoned Water Wells | \$ 78,000 | 7573 |
| CAP-718 | Grand Lake St. Mary's State Park | \$ 251,882 | 7574 |
| CAP-719 | Indian Lake State Park | \$ 1,000 | 7575 |
| CAP-727 | Riverfront Improvements | \$ 1,275,000 | 7576 |

| | | | | |
|---------|-------------------------------------------------|----|------------|------|
| CAP-744 | Multi-Agency Radio Communication Equipment | \$ | 425,000 | 7577 |
| CAP-748 | Local Parks Projects | \$ | 3,269,000 | 7578 |
| CAP-821 | State Park Dredging and Shoreline Protection | \$ | 14,000 | 7579 |
| CAP-827 | Cuyahoga Valley Scenic Railroad | \$ | 3,716,666 | 7580 |
| CAP-836 | State Parks Renovation/Upgrading | \$ | 350 | 7581 |
| CAP-876 | Statewide Trails Program | \$ | 1,168,398 | 7582 |
| CAP-927 | Mohican State Park | \$ | 96,816 | 7583 |
| CAP-928 | Handicapped Accessibility | \$ | 472,555 | 7584 |
| CAP-929 | Hazardous Waste/Asbestos Abatement | \$ | 49,383 | 7585 |
| CAP-931 | Wastewater/Water Systems Upgrade | \$ | 2,804,375 | 7586 |
| | Total Department of Natural Resources | \$ | 32,819,341 | 7587 |
| | TOTAL Parks and Recreation Improvement Fund | \$ | 32,819,341 | 7588 |

Section 28.01. RIVERFRONT IMPROVEMENTS 7589

Of the foregoing reappropriation item CAP-727, Riverfront 7590
Improvements, \$100,000 shall be used for the Spencerville Canal 7591
Improvements and \$350,000 shall be used for the Rush Creek and 7592
Upper Hocking Project. 7593

LOCAL PARKS PROJECTS 7594

The following projects shall be funded from the foregoing 7595
reappropriation item CAP-748, Local Parks Projects: \$12,500 for 7596
Big Prairie/Lakeville Park Improvements; \$6,500 for Crossroads 7597
Park Improvements; \$1,500,000 for the Cleveland Lakefront Park 7598
Improvements; \$500,000 for Colerain Township Park Improvements; 7599
\$50,000 for Smith Field Park Improvements; \$50,000 for St. 7600
Clairsville Park Improvements; \$50,000 for Mt. Orab Park 7601
Improvements; \$50,000 for Liberty Township Playground; \$100,000 7602
for Gallipolis City Park; \$20,000 for Junction City Park 7603
Improvements; \$200,000 for the Goll Woods Nature Preserve; \$15,000 7604
for Ryan Park Improvements; and \$15,000 for Circleville Park 7605
Improvements. 7606

STATEWIDE TRAILS PROGRAM 7607

Of the foregoing reappropriation item CAP-876, Statewide 7608
Trails Program, \$30,000 shall be used for Fairfield Heritage 7609
Trails and \$100,000 shall be used for the Upper Sandusky Bike 7610
Path. 7611

FEDERAL REIMBURSEMENT 7612

All reimbursements received from the federal government for 7613
any expenditures made pursuant to Sections 28 and 28.01 shall be 7614
deposited in the state treasury to the credit of the Parks and 7615
Recreation Improvement Fund. 7616

Section 28.02. (A) No capital improvement appropriations made 7617
in Section 25 of this act shall be released for planning or for 7618
improvement, renovation, construction, or acquisition of capital 7619
facilities if a governmental agency, as defined in section 154.01 7620
of the Revised Code, does not own the real property that 7621
constitutes the capital facilities or on which the capital 7622
facilities are or will be located. This restriction does not apply 7623
in any of the following circumstances: 7624

(1) The governmental agency has a long-term (at least fifteen 7625
years) lease of, or other interest (such as an easement) in, the 7626
real property. 7627

(2) In the case of an appropriation for capital facilities 7628
for parks and recreation that, because of their unique nature or 7629
location, will be owned or will be part of facilities owned by a 7630
separate nonprofit organization and made available to the 7631
governmental agency for its use, the nonprofit organization either 7632
owns or has a long-term (at least fifteen years) lease of the real 7633
property or other capital facility to be improved, renovated, 7634
constructed, or acquired and has entered into a joint or 7635
cooperative use agreement, approved by the Department of Natural 7636

Resources, with the governmental agency for that agency's use of 7637
and right to use the capital facilities to be financed and, if 7638
applicable, improved, the value of such use or right to use being, 7639
as determined by the parties, reasonably related to the amount of 7640
the appropriation. 7641

(B) In the case of capital facilities referred to in division 7642
(A)(2) of this section, the joint or cooperative use agreement 7643
shall include, as a minimum, provisions that: 7644

(1) Specify the extent and nature of that joint or 7645
cooperative use, extending for not fewer than fifteen years, with 7646
the value of such use or right to use to be, as determined by the 7647
parties and approved by the applicable department, reasonably 7648
related to the amount of the appropriation; 7649

(2) Provide for pro rata reimbursement to the state should 7650
the arrangement for joint or cooperative use by a governmental 7651
agency be terminated; and 7652

(3) Provide that procedures to be followed during the capital 7653
improvement process will comply with appropriate applicable state 7654
laws and rules, including provisions of this act. 7655

Section 29. All items set forth in this section are hereby 7656
appropriated out of any moneys in the state treasury to the credit 7657
of the State Capital Improvements Fund (Fund 038) that are not 7658
otherwise appropriated: 7659

Reappropriations

PWC PUBLIC WORKS COMMISSION 7660

Ohio Small Government Capital Improvement Commission 7661

| | | | | |
|---------|----------------------------------------------|----|------------|------|
| CAP-150 | Local Public Infrastructure | \$ | 6,012,256 | 7662 |
| CIF-000 | Ohio Small Government Capital Improvement | \$ | 28,663,238 | 7663 |
| CIF-001 | Infrastructure - District 1 | \$ | 38,838,365 | 7664 |
| CIF-002 | Infrastructure - District 2 | \$ | 15,959,512 | 7665 |

| | | | | |
|--------------------------------------|------------------------------|----|-------------|------|
| CIF-003 | Infrastructure - District 3 | \$ | 25,971,425 | 7666 |
| CIF-004 | Infrastructure - District 4 | \$ | 10,770,680 | 7667 |
| CIF-005 | Infrastructure - District 5 | \$ | 9,844,776 | 7668 |
| CIF-006 | Infrastructure - District 6 | \$ | 10,014,525 | 7669 |
| CIF-007 | Infrastructure - District 7 | \$ | 11,202,068 | 7670 |
| CIF-008 | Infrastructure - District 8 | \$ | 16,715,668 | 7671 |
| CIF-009 | Infrastructure - District 9 | \$ | 7,843,466 | 7672 |
| CIF-010 | Infrastructure - District 10 | \$ | 17,810,902 | 7673 |
| CIF-011 | Infrastructure - District 11 | \$ | 13,088,231 | 7674 |
| CIF-012 | Infrastructure - District 12 | \$ | 11,302,331 | 7675 |
| CIF-013 | Infrastructure - District 13 | \$ | 7,319,679 | 7676 |
| CIF-014 | Infrastructure - District 14 | \$ | 7,650,077 | 7677 |
| CIF-015 | Infrastructure - District 15 | \$ | 8,599,690 | 7678 |
| CIF-016 | Infrastructure - District 16 | \$ | 12,055,292 | 7679 |
| CIF-017 | Infrastructure - District 17 | \$ | 7,821,687 | 7680 |
| CIF-018 | Infrastructure - District 18 | \$ | 7,187,679 | 7681 |
| CIF-019 | Infrastructure - District 19 | \$ | 10,134,118 | 7682 |
| CIF-020 | Infrastructure - District 20 | \$ | 5,332,876 | 7683 |
| CIF-021 | Infrastructure - District 21 | \$ | 388,034 | 7684 |
| Total Public Works Commission | | \$ | 290,546,575 | 7685 |
| TOTAL State Capital Improvement Fund | | \$ | 290,546,575 | 7686 |

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 30. 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 Revolving Loan Fund (Fund 040) and derived from repayments of loans made to local subdivisions for capital improvements, investment earnings on moneys in the

fund, and moneys obtained from federal or private grants or from 7698
 other sources for the purpose of making loans for the purpose of 7699
 financing or assisting in the financing of the cost of capital 7700
 improvement projects of local subdivisions: 7701

Reappropriations

| | | | |
|-------------------------------------------------|---------------------------------|---------------|------|
| | PWC PUBLIC WORKS COMMISSION | | 7702 |
| CAP-151 | Revolving Loan | \$ 7,995,595 | 7703 |
| RLF-001 | Revolving Loan Fund-District 1 | \$ 6,925,816 | 7704 |
| RLF-002 | Revolving Loan Fund-District 2 | \$ 5,365,318 | 7705 |
| RLF-003 | Revolving Loan Fund-District 3 | \$ 5,352,452 | 7706 |
| RLF-004 | Revolving Loan Fund-District 4 | \$ 3,032,167 | 7707 |
| RLF-005 | Revolving Loan Fund-District 5 | \$ 1,973,026 | 7708 |
| RLF-006 | Revolving Loan Fund-District 6 | \$ 1,743,529 | 7709 |
| RLF-007 | Revolving Loan Fund-District 7 | \$ 3,277,638 | 7710 |
| RLF-008 | Revolving Loan Fund-District 8 | \$ 1,971,732 | 7711 |
| RLF-009 | Revolving Loan Fund-District 9 | \$ 1,868,591 | 7712 |
| RLF-010 | Revolving Loan Fund-District 10 | \$ 3,875,201 | 7713 |
| RLF-011 | Revolving Loan Fund-District 11 | \$ 1,908,555 | 7714 |
| RLF-012 | Revolving Loan Fund-District 12 | \$ 5,337,940 | 7715 |
| RLF-013 | Revolving Loan Fund-District 13 | \$ 1,169,315 | 7716 |
| RLF-014 | Revolving Loan Fund-District 14 | \$ 1,380,861 | 7717 |
| RLF-015 | Revolving Loan Fund-District 15 | \$ 948,611 | 7718 |
| RLF-016 | Revolving Loan Fund-District 16 | \$ 1,753,105 | 7719 |
| RLF-017 | Revolving Loan Fund-District 17 | \$ 1,834,153 | 7720 |
| RLF-018 | Revolving Loan Fund-District 18 | \$ 2,071,737 | 7721 |
| RLF-019 | Revolving Loan Fund-District 19 | \$ 1,158,219 | 7722 |
| RLF-020 | Revolving Loan Fund-District 20 | \$ 1,402,306 | 7723 |
| RLF-021 | Revolving Loan Fund-District 21 | \$ 307,232 | 7724 |
| Total Public Works Commission | | \$ 62,653,099 | 7725 |
| TOTAL State Capital Improvements Revolving Loan | | 62,653,099 | 7726 |
| Fund | | | |

The appropriations in this section shall be used in 7727
 accordance with sections 164.01 to 164.12 of the Revised Code. All 7728

expenditures made from these appropriations shall be approved by 7729
the Director of the Public Works Commission. The Director of the 7730
Public Works Commission shall not allocate funds in amounts 7731
greater than those amounts appropriated by the General Assembly. 7732

Section 31. All items set forth in this section are hereby 7733
appropriated out of any moneys in the state treasury to the credit 7734
of the Clean Ohio Conservation Fund (Fund 056) that are not 7735
otherwise appropriated: 7736

| | | Reappropriations | |
|------------------------------------|------------------------|------------------|------|
| PWC PUBLIC WORKS COMMISSION | | | 7737 |
| COF-001 | Clean Ohio-District 1 | \$ 6,763,703 | 7738 |
| COF-002 | Clean Ohio-District 2 | \$ 2,936,190 | 7739 |
| COF-003 | Clean Ohio-District 3 | \$ 3,668,434 | 7740 |
| COF-004 | Clean Ohio-District 4 | \$ 2,011,171 | 7741 |
| COF-005 | Clean Ohio-District 5 | \$ 1,383,772 | 7742 |
| COF-006 | Clean Ohio-District 6 | \$ 1,171,944 | 7743 |
| COF-007 | Clean Ohio-District 7 | \$ 1,377,683 | 7744 |
| COF-008 | Clean Ohio-District 8 | \$ 2,508,162 | 7745 |
| COF-009 | Clean Ohio-District 9 | \$ 381,213 | 7746 |
| COF-010 | Clean Ohio-District 10 | \$ 3,009,510 | 7747 |
| COF-011 | Clean Ohio-District 11 | \$ 3,493,667 | 7748 |
| COF-012 | Clean Ohio-District 12 | \$ 1,561,788 | 7749 |
| COF-013 | Clean Ohio-District 13 | \$ 2,399,270 | 7750 |
| COF-014 | Clean Ohio-District 14 | \$ 3,179,867 | 7751 |
| COF-015 | Clean Ohio-District 15 | \$ 942,242 | 7752 |
| COF-016 | Clean Ohio-District 16 | \$ 3,545,729 | 7753 |
| COF-017 | Clean Ohio-District 17 | \$ 2,631,843 | 7754 |
| COF-018 | Clean Ohio-District 18 | \$ 2,403,861 | 7755 |
| COF-019 | Clean Ohio-District 19 | \$ 1,161,016 | 7756 |
| Total Public Works Commission | | \$ 46,531,065 | 7757 |
| TOTAL Clean Ohio Conservation Fund | | \$ 46,531,065 | 7758 |

Section 32. All items set forth in this section are hereby 7760
appropriated out of any moneys in the state treasury to the credit 7761
of the Clean Ohio Agricultural Easement Fund (Fund 057) that are 7762
not otherwise appropriated: 7763

Reappropriations

AGR DEPARTMENT OF AGRICULTURE 7764
CAP-047 Clean Ohio Agricultural Easement \$ 6,256,886 7765
Total Department of Agriculture \$ 6,256,886 7766
TOTAL Clean Ohio Agricultural Easement Fund \$ 6,256,886 7767

AGRICULTURAL EASEMENT PURCHASE 7768

The foregoing appropriation item CAP-047, Clean Ohio 7769
Agricultural Easement Fund, shall be used in accordance with 7770
sections 901.21, 901.22, and 5301.67 to 5301.70 of the Revised 7771
Code. 7772

Section 33. All items set forth in this section are hereby 7773
appropriated out of any moneys in the state treasury to the credit 7774
of the Clean Ohio Trail Fund (Fund 061) that are not otherwise 7775
appropriated: 7776

DNR DEPARTMENT OF NATURAL RESOURCES 7777

Reappropriations

CAP-014 Clean Trail Ohio \$ 6,250,000 7778
Total Department of Natural Resources \$ 6,250,000 7779
TOTAL Clean Ohio Trail Fund \$ 6,250,000 7780

Section 34. All items set forth in this section are hereby 7782
appropriated out of any moneys in the state treasury to the credit 7783
of the School Building Program Assistance Fund (Fund 032) that are 7784
not otherwise appropriated: 7785

Appropriations

SFC SCHOOL FACILITIES COMMISSION 7786
CAP-770 School Facilities Program Assistance \$ 522,600,000 7787

| | | |
|-----------------------------------------------|----------------|------|
| Total School Facilities Commission | \$ 522,600,000 | 7788 |
| TOTAL School Building Program Assistance Fund | \$ 522,600,000 | 7789 |

Section 34.01. The Ohio Public Facilities Commission is 7791
hereby authorized to issue and sell, in accordance with Section 2n 7792
of Article VIII, Ohio Constitution, and Chapter 151. of the 7793
Revised Code and particularly sections 151.01 and 151.03 of the 7794
Revised Code, original obligations in an aggregate principal 7795
amount not to exceed \$522,000,000, in addition to the original 7796
issuance of obligations heretofore authorized by prior acts of the 7797
General Assembly. The authorized obligations shall be issued, 7798
subject to applicable constitutional and statutory limitations, to 7799
pay the costs to the state of constructing classroom facilities 7800
pursuant to sections 3318.01 to 3318.35 of the Revised Code. 7801

Section 35. All items set forth in this section are hereby 7802
appropriated out of any moneys in the state treasury to the credit 7803
of the State Capital Improvements Fund (Fund 038) that are not 7804
otherwise appropriated: 7805

| | Appropriations | |
|---------------------------------------|----------------|------|
| PWC PUBLIC WORKS COMMISSION | | 7806 |
| CAP-150 Local Public Infrastructure | \$ 120,000,000 | 7807 |
| Total Public Works Commission | \$ 120,000,000 | 7808 |
| TOTAL State Capital Improvements Fund | \$ 120,000,000 | 7809 |

The foregoing appropriation item CAP-150, Local Public 7810
Infrastructure, shall be used in accordance with sections 164.01 7811
to 164.12 of the Revised Code. The Director of the Public Works 7812
Commission may certify to the Director of Budget and Management 7813
that a need exists to appropriate investment earnings to be used 7814
in accordance with sections 164.01 to 164.12 of the Revised Code. 7815
If the Director of Budget and Management determines pursuant to 7816
division (D) of section 164.08 and section 164.12 of the Revised 7817
Code that investment earnings are available to support additional 7818

appropriations, such amounts are hereby appropriated. 7819

Section 36. The Treasurer of State is hereby authorized 7820
pursuant to section 164.09 of the Revised Code to issue and sell, 7821
in accordance with Section 2m of Article VIII, Ohio Constitution, 7822
and sections 164.01 to 164.12 of the Revised Code, original 7823
obligations of the state, in an aggregate principal amount not to 7824
exceed \$120,000,000, in addition to the original obligations 7825
heretofore authorized by prior acts of the General Assembly. These 7826
authorized obligations shall be issued and sold from time to time 7827
and in amounts necessary to ensure sufficient moneys to the credit 7828
of the State Capital Improvements Fund (Fund 038) to pay costs 7829
charged to that fund, as estimated by the Director of Budget and 7830
Management. 7831

Section 37. All items set forth in this section are hereby 7832
appropriated out of any moneys in the state treasury to the credit 7833
of the State Capital Improvements Revolving Loan Fund (Fund 040). 7834
Revenues to the State Capital Improvements Revolving Loan Fund 7835
shall consist of all repayments of loans made to local 7836
subdivisions for capital improvements, investment earnings on 7837
moneys in the fund, and moneys obtained from federal or private 7838
grants or from other sources for the purpose of making loans for 7839
the purpose of financing or assisting in the financing of the cost 7840
of capital improvement projects of local subdivisions. 7841

PWC PUBLIC WORKS COMMISSION 7842

| | Appropriations | |
|--------------------------------------------|----------------|------|
| CAP-151 Revolving Loan | \$ 11,250,000 | 7843 |
| Total Public Works Commission | \$ 11,250,000 | 7844 |
| TOTAL State Capital Improvements Revolving | | 7845 |
| Loan Fund | \$ 11,250,000 | 7846 |

The foregoing appropriation item CAP-151, Revolving Loan, 7847
shall be used in accordance with sections 164.01 to 164.12 of the 7848

Revised Code. 7849

Section 38. CERTIFICATION OF AVAILABILITY OF MONEYS 7850

No moneys that require release shall be expended from any 7851
appropriation contained in this act without certification of the 7852
Director of Budget and Management that there are sufficient moneys 7853
in the state treasury in the fund from which the appropriation is 7854
made. Such certification made by the Office of Budget and 7855
Management shall be based on estimates of revenue, receipts, and 7856
expenses. Nothing herein shall be construed as a limitation on the 7857
authority of the Director of Budget and Management as granted in 7858
section 126.07 of the Revised Code. 7859

Section 39. LIMITATION ON USE OF CAPITAL APPROPRIATIONS 7860

The appropriations made in this act, excluding those made to 7861
the State Capital Improvement Fund (Fund 038) and the State 7862
Capital Improvements Revolving Loan Fund (Fund 040) for buildings 7863
or structures, including remodeling and renovations, are limited 7864
to: 7865

(A) Acquisition of real property or interest in real 7866
property; 7867

(B) Buildings and structures, which includes construction, 7868
demolition, complete heating, lighting, and lighting fixtures, and 7869
all necessary utilities, ventilating, plumbing, sprinkling, and 7870
sewer systems, when such systems are authorized or necessary; 7871

(C) Architectural, engineering, and professional services 7872
expenses directly related to the projects; 7873

(D) Machinery that is a part of structures at the time of 7874
initial acquisition or construction; 7875

(E) Acquisition, development, and deployment of new computer 7876
systems, including the redevelopment or integration of existing 7877

and new computer systems, but excluding regular or ongoing 7878
maintenance or support agreements; 7879

(F) Equipment that meets all the following criteria: 7880

(1) The equipment is essential in bringing the facility up to 7881
its intended use. 7882

(2) The unit cost of the equipment, and not the individual 7883
parts of a unit, is about \$100 or more. 7884

(3) The equipment has a useful life of five years or more. 7885

(4) The equipment is necessary for the functioning of the 7886
particular facility or project. 7887

No equipment shall be paid for from these appropriations that 7888
is not an integral part of or directly related to the basic 7889
purpose or function of a project for which moneys are 7890
appropriated. This paragraph does not apply to appropriation items 7891
for equipment. 7892

Section 40. CONTINGENCY RESERVE REQUIREMENT 7893

Any request for release of capital appropriations by the 7894
Director of Budget and Management or the Controlling Board of 7895
capital appropriations for projects, the contracts for which are 7896
awarded by the Department of Administrative Services, shall 7897
contain a contingency reserve, the amount of which shall be 7898
determined by the Department of Administrative Services, for 7899
payment of unanticipated project expenses. Any amount deducted 7900
from the encumbrance for a contractor's contract as an assessment 7901
for liquidated damages shall be added to the encumbrance for the 7902
contingency reserve. Contingency reserve funds shall be used to 7903
pay costs resulting from unanticipated job conditions, to comply 7904
with rulings regarding building and other codes, to pay costs 7905
related to errors or omissions in contract documents, to pay costs 7906
associated with changes in the scope of work, and to pay the cost 7907

of settlements and judgments related to the project. 7908

Any funds remaining upon completion of a project, may, upon 7909
approval of the Controlling Board, be released for the use of the 7910
institution to which the appropriation was made for another 7911
capital facilities project or projects. 7912

Section 41. AGENCY ADMINISTRATION OF CAPITAL FACILITIES 7913
PROJECTS 7914

Notwithstanding sections 123.01 and 123.15 of the Revised 7915
Code, the Director of Administrative Services may authorize the 7916
Departments of Mental Health, Mental Retardation and Developmental 7917
Disabilities, Alcohol and Drug Addiction Services, Agriculture, 7918
Jobs and Family Services, Rehabilitation and Correction, Youth 7919
Services, Public Safety, and Transportation, the Ohio Veterans' 7920
Home, and the Rehabilitation Services Commission to administer any 7921
capital facilities projects when the estimated cost, including 7922
design fees, construction, equipment, and contingency amounts, is 7923
less than \$1,500,000. Requests for authorization to administer 7924
capital facilities projects shall be made in writing to the 7925
Director of Administrative Services by the respective state agency 7926
within sixty days after the effective date of the act in which the 7927
General Assembly initially makes an appropriation for the project. 7928
Upon the release of funds for such projects by the Controlling 7929
Board or the Director of Budget and Management, the agency may 7930
administer the capital project or projects for which agency 7931
administration has been authorized without the supervision, 7932
control, or approval of the Director of Administrative Services. 7933

The state agency authorized by the Director of Administrative 7934
Services to administer capital facilities projects pursuant to 7935
this section shall comply with the applicable procedures and 7936
guidelines established in Chapter 153. of the Revised Code. 7937

Section 42. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST 7938
THE STATE 7939

Except as otherwise provided in this section, an 7940
appropriation contained in this act or any other act may be used 7941
for the purpose of satisfying judgments, settlements, or 7942
administrative awards ordered or approved by the Court of Claims 7943
or by any other court of competent jurisdiction in connection with 7944
civil actions against the state. This authorization shall not 7945
apply to appropriations to be applied to or used for payment of 7946
guarantees by or on behalf of the state or for payments under 7947
lease agreements relating to or debt service on bonds, notes, or 7948
other obligations of the state. Notwithstanding any other section 7949
of law to the contrary, this authorization includes appropriations 7950
from funds into which proceeds or direct obligations of the state 7951
are deposited only to the extent that the judgment, settlement, or 7952
administrative award is for or represents capital costs for which 7953
the appropriation may otherwise be used and is consistent with the 7954
purpose for which any related bonds were issued. Nothing contained 7955
in this section is intended to subject the state to suit in any 7956
forum in which it is not otherwise subject to suit, or is it 7957
intended to waive or compromise any defense or right available to 7958
the state in any suit against it. 7959

Section 43. Notwithstanding section 126.14 of the Revised 7960
Code, appropriations for appropriation items CAP-002, Local Jails, 7961
and CAP-003, Community-Based Correctional Facilities, appropriated 7962
from the Adult Correctional Building Fund (Fund 027) to the 7963
Department of Rehabilitation and Correction shall be released upon 7964
the written approval of the Director of Budget and Management. The 7965
appropriations from the Public School Building Fund (Fund 021), 7966
the Education Facilities Trust Fund (Fund N87), and the School 7967
Building Program Assistance Fund (Fund 032) to the School 7968

Facilities Commission, from the Transportation Building Fund (Fund 7969
029) to the Department of Transportation, from the Clean Ohio 7970
Conservation Fund (Fund 056) to the Public Works Commission, and 7971
appropriations from the State Capital Improvement Fund (Fund 038) 7972
and the State Capital Improvements Revolving Loan Fund (Fund 040) 7973
to the Public Works Commission shall be released upon presentation 7974
of a request to release the funds, by the agency to which the 7975
appropriation has been made, to the Director of Budget and 7976
Management. 7977

Section 44. Except as provided in section 4115.04 of the 7978
Revised Code, no moneys appropriated or reappropriated by the 7979
125th General Assembly shall be used for the construction of 7980
public improvements, as defined in section 4115.03 of the Revised 7981
Code, unless the mechanics, laborers, or workers engaged therein 7982
are paid the prevailing rate of wages as prescribed in section 7983
4115.04 of the Revised Code. Nothing in this section shall affect 7984
the wages and salaries established for state employees under the 7985
provisions of Chapter 124. of the Revised Code, or collective 7986
bargaining agreements entered into by the state pursuant to 7987
Chapter 4117. of the Revised Code, while engaged on force account 7988
work, nor shall this section interfere with the use of inmate and 7989
patient labor by the state. 7990

Section 45. CAPITAL FACILITIES LEASES 7991

Capital facilities for which appropriations are made from the 7992
Administrative Building Fund (Fund 026), the Adult Correctional 7993
Building Fund (Fund 027), the Juvenile Correctional Building Fund 7994
(Fund 028), and the Arts Facilities Building Fund (Fund 030) may 7995
be leased by the Ohio Building Authority to the Department of 7996
Youth Services, the Arts and Sports Facilities Commission, the 7997
Department of Administrative Services, and the Department of 7998
Rehabilitation and Correction, and other agreements may be made by 7999

the Ohio Building Authority and the departments with respect to 8000
the use or purchase of such capital facilities, or subject to the 8001
approval of the director of the department or the commission, the 8002
Ohio Building Authority may lease such capital facilities to, and 8003
make other agreements with respect to the use or purchase thereof 8004
with, any governmental agency or nonprofit corporation having 8005
authority under law to own, lease, or operate such capital 8006
facilities. The director of the department or the commission may 8007
sublease such capital facilities to, and make other agreements 8008
with respect to the use or purchase thereof with, any such 8009
governmental agency or nonprofit corporation, which may include 8010
provisions for transmittal of receipts of that agency or nonprofit 8011
corporation of any charges for the use of such facilities, all 8012
upon such terms and conditions as the parties may agree upon and 8013
any other provision of law affecting the leasing, acquisition, or 8014
disposition of capital facilities by such parties. 8015

**Section 46. AUTHORIZATION OF THE DIRECTOR OF BUDGET AND 8016
MANAGEMENT 8017**

The Director of Budget and Management shall authorize both of 8018
the following: 8019

(A) The initial release of moneys for projects from the funds 8020
into which proceeds of direct obligations of the state are 8021
deposited. 8022

(B) The expenditure or encumbrance of moneys from funds into 8023
which proceeds of direct obligations are deposited, only after 8024
determining to the director's satisfaction that either of the 8025
following apply: 8026

(1) The application of such moneys to the particular project 8027
will not negatively affect any exemption or exclusion from federal 8028
income tax of the interest or interest equivalent on obligations, 8029
issued to provide moneys to the particular fund. 8030

(2) Moneys for the project will come from the proceeds of obligations, the interest on which is not so excluded or exempt and which have been authorized as "taxable obligations" by the issuing authority.

The director shall report any nonrelease of moneys pursuant to this section to the Governor, the presiding officer of each house of the General Assembly, and the agency for the use of which the project is intended.

Section 47. OHIO ADMINISTRATIVE KNOWLEDGE SYSTEM PROJECT

The Ohio Administrative Knowledge System (OAKS) shall be an enterprise resource planning system that replaces the state's central services infrastructure systems, including, but not limited to, the central accounting system, the human resources/payroll system, the capital improvements projects tracking system, the fixed assets management system, and the procurement system. The Department of Administrative Services, in conjunction with the Office of Budget and Management, may acquire the system, including, but not limited to, the enterprise resource planning software and installation and implementation thereof pursuant to Chapter 125. of the Revised Code. Any lease-purchase arrangement utilized under Chapter 125. of the Revised Code, including any fractionalized interest therein as defined in division (N) of section 133.01 of the Revised Code, shall provide at the end of the lease periods that OAKS becomes the property of the state.

Section 48. SCHOOL FACILITIES ENCUMBRANCES AND REAPPROPRIATION

At the request of the Executive Director of the Ohio School Facilities Commission, the Director of Budget and Management may cancel encumbrances for school district projects from a previous

biennium if the district has not raised its local share of project 8061
costs within one year of receiving Controlling Board approval in 8062
accordance with section 3318.05 of the Revised Code. The Executive 8063
Director of the Ohio School Facilities Commission shall certify 8064
the amounts of these canceled encumbrances to the Director of 8065
Budget and Management on a quarterly basis. The amounts of the 8066
canceled encumbrances are hereby appropriated. 8067

Section 49. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES 8068
OF CAPITAL APPROPRIATIONS 8069

(A) An unexpended balance of a capital appropriation or 8070
reappropriation that a state agency has lawfully encumbered prior 8071
to the close of a capital biennium is hereby reappropriated for 8072
the following capital biennium from the fund from which it was 8073
originally appropriated or was reappropriated and shall be used 8074
only for the purpose of discharging the encumbrance in the 8075
following capital biennium. For those encumbered appropriations or 8076
reappropriations, any Controlling Board approval previously 8077
granted and referenced by the encumbering document remains in 8078
effect until the encumbrance is discharged in the following 8079
capital biennium or until the encumbrance expires at the end of 8080
the following capital biennium. 8081

(B) At the end of the reappropriation period provided for by 8082
division (A) of this section, an unexpended balance of a capital 8083
appropriation or reappropriation that remains encumbered at the 8084
end of that period is hereby reappropriated for the next capital 8085
biennium from the fund from which it was originally appropriated 8086
or was reappropriated and shall be used only for the purpose of 8087
discharging the encumbrance in the next capital biennium. For 8088
those encumbered appropriations or reappropriations, any 8089
Controlling Board approval previously granted and referenced by 8090
the encumbering document remains in effect until the encumbrance 8091

is discharged in the next capital biennium or until the 8092
encumbrance expires at the end of the next capital biennium. 8093

(C) At the end of the reappropriation period provided for by 8094
division (B) of this section, a reappropriation made pursuant to 8095
division (B) of this section shall lapse, and the encumbrance 8096
shall expire. 8097

(D) If an encumbrance expired pursuant to division (C) of 8098
this section, the Director of Budget and Management may 8099
re-establish the encumbrance as provided in this division. If a 8100
reappropriation for a project is made by the General Assembly for 8101
the biennium immediately following the biennium in which an 8102
encumbrance for that project expired, the Director of Budget and 8103
Management may re-establish the encumbrance in an amount not to 8104
exceed the amount of the expired encumbrance, in the name of the 8105
contractor named in the expired encumbrance, and for the same 8106
purpose specified in the expired encumbrance. The encumbrance 8107
shall be charged against the reappropriation for the project. The 8108
amount re-encumbered shall be used only for the purpose of 8109
discharging the encumbrance in the capital biennium for which the 8110
reappropriation was made. For those re-encumbered 8111
reappropriations, any Controlling Board approval previously 8112
granted and referenced by the expired encumbering document remains 8113
in effect until the encumbrance is discharged or expires at the 8114
end of the capital biennium for which the reappropriation was 8115
made. If any portion of the amount re-encumbered by the Director 8116
of Budget and Management under this division is not expended prior 8117
to the close of the capital biennium for which the reappropriation 8118
was made, that amount is hereby reappropriated for the following 8119
capital biennium as provided for in division (A) of this section 8120
and subject to the provisions of division (A) of this section. 8121

Section 50. Capital reappropriations in this act that have 8122

been released by the Controlling Board or the Director of Budget 8123
and Management between June 30, 2002, and July 1, 2004, do not 8124
require further approval or release prior to being encumbered. 8125
Funds reappropriated in excess of such prior releases shall be 8126
released in accordance with applicable provisions of this act. 8127

Section 51. Unless otherwise specified, the reappropriations 8128
made in this act represent the unencumbered and unallotted 8129
balances of prior years' capital improvements appropriations 8130
estimated to be available on June 30, 2004. The actual balances on 8131
June 30, 2004, for the appropriation items in this act are hereby 8132
reappropriated. Additionally, there is hereby reappropriated the 8133
unencumbered and unallotted balances on June 30, 2004, of any 8134
appropriation items either reappropriated in Am. Sub. H.B. 524 of 8135
the 124th General Assembly or appropriated in H.B. 675 of the 8136
124th General Assembly, or created by the Controlling Board 8137
pursuant to section 127.15 of the Revised Code from appropriation 8138
items in Am. Sub. H.B. 524 and H.B. 675, both of the 124th General 8139
Assembly, and this act, if the Director of Budget and Management 8140
determines that such balances are needed to complete the projects 8141
for which they were reappropriated or appropriated. The 8142
appropriation items and amounts that are reappropriated by this 8143
act shall be reported to the Controlling Board within 30 days 8144
after the effective date of this section. 8145

Section 52. No appropriation for a health care facility 8146
authorized under this act may be released until the requirements 8147
of sections 3702.51 to 3702.68 of the Revised Code have been met. 8148

Section 53. All proceeds received by the state as a result of 8149
litigation, judgments, settlements, or claims, filed by or on 8150
behalf of any state agency as defined by section 1.60 of the 8151
Revised Code or any state-supported or state-assisted institution 8152

of higher education, for damages or costs resulting from the use, 8153
removal, or hazard abatement of asbestos materials shall be 8154
deposited in the Asbestos Abatement Distribution Fund (Fund 674). 8155
All funds deposited into the Asbestos Abatement Distribution Fund 8156
are hereby appropriated to the Attorney General. To the extent 8157
practicable, the proceeds placed in the Asbestos Abatement 8158
Distribution Fund shall be divided among the state agencies and 8159
state-supported or state-assisted institutions of higher education 8160
in accordance with the general provisions of the litigation 8161
regarding the percentage of recovery. Distribution of the proceeds 8162
to each state agency or state-supported or state-assisted 8163
institution of higher education shall be made in accordance with 8164
the Asbestos Abatement Distribution Plan to be developed by the 8165
Attorney General, the Division of Public Works within the 8166
Department of Administrative Services, and the Office of Budget 8167
and Management. 8168

In those circumstances where asbestos litigation proceeds are 8169
for reimbursement of expenditures made with funds outside the 8170
state treasury or damages to buildings not constructed with state 8171
appropriations, direct payments shall be made to the affected 8172
institutions of higher education. Any proceeds received for 8173
reimbursement of expenditures made with funds within the state 8174
treasury or damages to buildings occupied by state agencies shall 8175
be distributed to the affected agencies with an intrastate 8176
transfer voucher to the funds identified in the Asbestos Abatement 8177
Distribution Plan. 8178

Such proceeds shall be used for additional asbestos abatement 8179
or encapsulation projects, or for other capital improvements, 8180
except that proceeds distributed to the General Revenue Fund and 8181
other funds that are not bond improvement funds may be used for 8182
any purpose. The Controlling Board may, for bond improvement 8183
funds, create appropriation items or increase appropriation 8184

authority in existing appropriation items equaling the amount of 8185
such proceeds. Such amounts approved by the Controlling Board are 8186
hereby appropriated. Such proceeds deposited in bond improvement 8187
funds shall not be expended until released by the Controlling 8188
Board, which shall require certification by the Director of Budget 8189
and Management that such proceeds are sufficient and available to 8190
fund the additional anticipated expenditures. 8191

Section 54. OBLIGATIONS ISSUED UNDER CHAPTER 151. OF THE 8192
REVISED CODE 8193

The capital improvements for which appropriations are made in 8194
this act from the Ohio Parks and Natural Resources Fund (Fund 8195
031), the School Building Program Assistance Fund (Fund 032), the 8196
Higher Education Improvement Fund (Fund 034), the Clean Ohio 8197
Conservation Fund (Fund 056), the Clean Ohio Agricultural Easement 8198
Fund (Fund 057), and the Clean Ohio Trail Fund (Fund 061) are 8199
determined to be capital improvements and capital facilities for 8200
natural resources, a statewide system of common schools, 8201
state-supported and state-assisted institutions of higher 8202
education, and conservation purposes (under the Clean Ohio 8203
Program) and are designated as capital facilities to which 8204
proceeds of obligations issued under Chapter 151. of the Revised 8205
Code are to be applied. 8206

Section 55. OBLIGATIONS ISSUED UNDER CHAPTER 152. OF THE 8207
REVISED CODE 8208

The capital improvements for which appropriations are made in 8209
this act from the Sports Facilities Building Fund (Fund 024), the 8210
Highway Safety Building Fund (Fund 025), the Administrative 8211
Building Fund (Fund 026), the Adult Correctional Building Fund 8212
(Fund 027), the Juvenile Correctional Building Fund (Fund 028), 8213
the Transportation Building Fund (Fund 029), and the Arts 8214

Facilities Building Fund (Fund 030) are determined to be capital 8215
improvements and capital facilities for housing state agencies and 8216
branches of state government and are designated as capital 8217
facilities to which proceeds of obligations issued under Chapter 8218
152. of the Revised Code are to be applied. 8219

Section 56. OBLIGATIONS ISSUED UNDER CHAPTER 154. OF THE 8220
REVISED CODE 8221

The capital improvements for which appropriations are made in 8222
this act from the Mental Health Facilities Improvement Fund (Fund 8223
033) and the Parks and Recreation Improvement Fund (Fund 035) are 8224
determined to be capital improvements and capital facilities for 8225
mental hygiene and retardation and parks and recreation and are 8226
designated as capital facilities to which proceeds of obligations 8227
issued under Chapter 154. of the Revised Code are to be applied. 8228

Section 57. Upon the request of the agency to which a capital 8229
project appropriation item is appropriated, the Director of Budget 8230
and Management may transfer open encumbrance amounts between 8231
separate encumbrances for the project appropriation item to the 8232
extent that any reductions in encumbrances are agreed to by the 8233
contracting vendor and the agency. 8234

Section 58. Any proceeds received by the state as the result 8235
of litigation or a settlement agreement related to any liability 8236
for the planning, design, engineering, construction, or 8237
constructed management of such facilities operated by the 8238
Department of Administrative Services shall be deposited into the 8239
Administrative Building Fund (Fund 026). 8240

Section 59. Sections 3 to 58 of this act shall remain in full 8241
force and effect commencing on July 1, 2004, and terminating on 8242
June 30, 2006, for the purpose of drawing money from the state 8243

treasury in payment of liabilities lawfully incurred hereunder, 8244
and on June 30, 2006, and not before, the moneys hereby 8245
appropriated shall lapse into the funds from which they are 8246
severally appropriated. If, under Section 1c of Article II, Ohio 8247
Constitution, Section 1c, Sections 3 to 58 of this act do not take 8248
effect until after July 1, 2004, Sections 3 to 58 of this act 8249
shall be and remain in full force and effect commencing on that 8250
later effective date. 8251

Section 60. (A) As used in this section, "design-build 8252
construction method" means a construction method that has both of 8253
the following characteristics: 8254

(1) An architecture firm and a contractor form a single 8255
entity that files a bid to construct a project and that, if 8256
awarded the contract to construct the project, agrees to a project 8257
price and completion date. 8258

(2) The entity described in division (A)(1) of this section 8259
assumes all of the financial risk if the project is delayed or 8260
exceeds the project price, and receives bonuses if the cost it 8261
incurs is less than the project price and it meets the 8262
construction target dates. 8263

(B) The Board of County Commissioners of Ashtabula County may 8264
construct, as a pilot project and by using the design-build 8265
construction method, a lodge and conference center at Geneva State 8266
Park on land leased from the Department of Natural Resources. In 8267
carrying out this pilot project, the Board and the Department are 8268
exempt from complying with any otherwise applicable provisions of 8269
Chapter 153. and sections 307.86 to 307.92 of the Revised Code. 8270

Section 61. That Sections 8.04, 12, 41.06, 41.13, 55, 59, 66, 8271
89.04, 89.05, 89.08, and 145 of Am. Sub. H.B. 95 of the 125th 8272
General Assembly be amended to read as follows: 8273

Sec. 8.04. CENTRAL SERVICE AGENCY FUND 8274

The Director of Budget and Management may transfer up to 8275
 \$423,200 in fiscal year 2004 and up to \$427,700 in fiscal year 8276
 2005 from the Occupational Licensing and Regulatory Fund (Fund 8277
 4K9) to the Central Service Agency Fund (Fund 115). The Director 8278
 of Budget and Management may transfer up to \$40,700 in fiscal year 8279
 2004 and up to \$41,200 in fiscal year 2005 from the State Medical 8280
 Board Operating Fund (Fund 5C6) to the Central Service Agency Fund 8281
 (Fund 115). The Director of Budget and Management may transfer up 8282
to \$1,210 in fiscal year 2004 and up to \$1,340 in fiscal year 2005 8283
from the Motor Vehicle Collision Repair Registration Fund (Fund 8284
5H9) to the Central Service Agency Fund (Fund 115). The 8285
 appropriation item 100-632, Central Service Agency, shall be used 8286
 to purchase the necessary equipment, products, and services to 8287
 maintain a local area network for the professional licensing 8288
 boards, and to support their licensing applications in fiscal 8289
 years 2004 and 2005. The amount of the cash transfer is 8290
 appropriated to appropriation item 100-632, Central Service 8291
 Agency. 8292

Sec. 12. AGR DEPARTMENT OF AGRICULTURE 8293

| | | | | |
|------------------------------------|----|-----------|--------------|------|
| General Revenue Fund | | | | 8294 |
| GRF 700-321 Operating Expenses | \$ | 2,737,665 | \$ 2,771,628 | 8295 |
| GRF 700-401 Animal Disease Control | \$ | 4,121,815 | \$ 4,121,815 | 8296 |
| GRF 700-402 Amusement Ride Safety | \$ | 278,767 | \$ 275,943 | 8297 |
| GRF 700-403 Dairy Division | \$ | 1,494,597 | \$ 1,494,153 | 8298 |
| GRF 700-404 Ohio Proud | \$ | 197,727 | \$ 197,229 | 8299 |
| GRF 700-405 Animal Damage Control | \$ | 94,954 | \$ 94,954 | 8300 |
| GRF 700-406 Consumer Analytical | \$ | 819,281 | \$ 872,241 | 8301 |
| Lab | | | | |
| GRF 700-407 Food Safety | \$ | 999,042 | \$ 999,042 | 8302 |

| | | | | | | |
|-------------|-----------------------------------------------------------------|----|----------------------|----|-----------------------|------|
| GRF 700-409 | Farmland Preservation | \$ | 256,993 | \$ | 256,993 | 8303 |
| GRF 700-410 | Plant Industry | \$ | 1,109,867 | \$ | 1,107,677 | 8304 |
| GRF 700-411 | International Trade and Market Development | \$ | 621,049 | \$ | 517,524 | 8305 |
| GRF 700-412 | Weights and Measures | \$ | 914,137 | \$ | 909,120 | 8306 |
| GRF 700-413 | Gypsy Moth Prevention | \$ | 546,118 | \$ | 576,299 | 8307 |
| GRF 700-414 | Concentrated Animal Feeding Facilities Advisory Committee | \$ | 16,521 | \$ | 16,086 | 8308 |
| GRF 700-415 | Poultry Inspection | \$ | 270,645 | \$ | 267,743 | 8309 |
| GRF 700-418 | Livestock Regulation Program | \$ | 1,306,911 | \$ | 1,306,911 | 8310 |
| GRF 700-424 | Livestock Testing and Inspections | \$ | 123,347 | \$ | 123,347 | 8311 |
| GRF 700-499 | Meat Inspection Program - State Share | \$ | 4,651,611 | \$ | 4,696,889 | 8312 |
| GRF 700-501 | County Agricultural Societies | \$ | 381,091 | \$ | 381,091 | 8313 |
| TOTAL GRF | General Revenue Fund | \$ | 20,942,138 | \$ | 20,986,685 | 8314 |
| | Federal Special Revenue Fund Group | | | | | 8315 |
| 3J4 700-607 | Indirect Cost | \$ | 938,785 | \$ | 949,877 | 8316 |
| 3R2 700-614 | Federal Plant Industry | \$ | 1,400,000 | \$ | 1,425,000 | 8317 |
| 326 700-618 | Meat Inspection Service - Federal Share | \$ | 4,876,904 | \$ | 4,951,291 | 8318 |
| 336 700-617 | Ohio Farm Loan Revolving Fund | \$ | 181,774 | \$ | 181,774 | 8319 |
| 382 700-601 | Cooperative Contracts | \$ | 2,400,000 | \$ | 2,500,000 | 8320 |
| | | | <u>2,460,000</u> | | <u>2,560,000</u> | 8321 |
| TOTAL FED | Federal Special Revenue Fund Group | \$ | 9,797,463 | \$ | 10,007,942 | 8322 |
| | | | <u>9,857,463</u> | | <u>10,067,942</u> | 8324 |

| | | | | | |
|---------------------------------------------------------------------|----|------------|----|------------|--------------|
| State Special Revenue Fund Group | | | | | 8325 |
| 4C9 700-605 Feed, Fertilizer, and Lime Inspection | \$ | 986,765 | \$ | 1,008,541 | 8326 |
| 4D2 700-609 Auction Education | \$ | 30,476 | \$ | 30,476 | 8327 |
| 4E4 700-606 Utility Radiological Safety | \$ | 73,059 | \$ | 73,059 | 8328 |
| 4P7 700-610 Food Safety Inspection | \$ | 575,797 | \$ | 582,711 | 8329 |
| 4R0 700-636 Ohio Proud Marketing | \$ | 40,300 | \$ | 38,300 | 8330 |
| 4R2 700-637 Dairy Inspection Fund | \$ | 1,157,603 | \$ | 1,184,183 | 8331 |
| 4T6 700-611 Poultry and Meat Inspection | \$ | 46,162 | \$ | 47,294 | 8332 |
| 4T7 700-613 International Trade and Market Development Rotary | \$ | 41,238 | \$ | 42,000 | 8333 |
| 4V5 700-615 Animal Industry Lab Fees | \$ | 711,944 | \$ | 711,944 | 8334 |
| 494 700-612 Agricultural Commodity Marketing Program | \$ | 170,077 | \$ | 170,220 | 8335 |
| 496 700-626 Ohio Grape Industries | \$ | 1,071,099 | \$ | 1,071,099 | 8336 |
| 497 700-627 Commodity Handlers Regulatory Program | \$ | 664,118 | \$ | 664,118 | 8337 |
| 498 700-628 Commodity Indemnity Fund | \$ | 250,000 | \$ | 250,000 | 8338 |
| 5B8 700-629 Auctioneers | \$ | 291,672 | \$ | 365,390 | 8339 |
| 5H2 700-608 Metrology Lab | \$ | 105,879 | \$ | 108,849 | 8340 |
| 5L8 700-604 Livestock Management Program | \$ | 250,000 | \$ | 250,000 | 8341 |
| 578 700-620 Ride Inspection Fees | \$ | 497,000 | \$ | 497,000 | 8342 |
| 579 700-630 Scale Certification | \$ | 168,785 | \$ | 171,677 | 8343 |
| 652 700-634 Laboratory Services | \$ | 1,043,444 | \$ | 1,074,447 | 8344 |
| 669 700-635 Pesticide Program | \$ | 2,243,232 | \$ | 2,243,232 | 8345 |
| TOTAL SSR State Special Revenue Fund Group | \$ | 10,418,650 | \$ | 10,584,540 | 8346 8347 |

| | | | | |
|--------------------------------------------------------------------------|---------------|-------------------|----------------------|------|
| Clean Ohio Fund Group | | | | 8348 |
| 057 700-632 Clean Ohio | \$ | 149,000 | \$ 149,000 | 8349 |
| Agricultural Easement | | | | |
| TOTAL CLR Clean Ohio Fund Group | \$ | 149,000 | \$ 149,000 | 8350 |
| Holding Account Redistribution Fund Group | | | | 8351 |
| XXX 700-XXX Farm Service | \$ | 60,000 | \$ 60,000 | 8352 |
| Electronic Filing | | | | |
| TOTAL 090 Holding Account | \$ | 60,000 | \$ 60,000 | 8353 |
| Redistribution Fund Group | | | | |
| TOTAL ALL BUDGET FUND GROUPS | \$ | 41,367,251 | \$ 41,788,167 | 8354 |
| ANIMAL DAMAGE CONTROL 8355 | | | | |
| Of the foregoing appropriation item 700-405, Animal Damage 8356 | | | | |
| Control, \$50,000 shall be used in each fiscal year for coyote and 8357 | | | | |
| black vulture indemnification. 8358 | | | | |
| INTERNATIONAL TRADE AND MARKET DEVELOPMENT 8359 | | | | |
| Of the foregoing appropriation item 700-411, International 8360 | | | | |
| Trade and Market Development, \$100,000 shall be used in fiscal 8361 | | | | |
| year 2004 for the Ohio-Israel Agricultural Initiative. 8362 | | | | |
| FAMILY FARM LOAN PROGRAM 8363 | | | | |
| Notwithstanding Chapter 166. of the Revised Code, up to 8364 | | | | |
| \$1,500,000 in each fiscal year shall be transferred from moneys in 8365 | | | | |
| the Facilities Establishment Fund (Fund 037) to the Family Farm 8366 | | | | |
| Loan Fund (Fund 5H1) in the Department of Development. These 8367 | | | | |
| moneys shall be used for loan guarantees. The transfer is subject 8368 | | | | |
| to Controlling Board approval. 8369 | | | | |
| Financial assistance from the Family Farm Loan Fund (Fund 8370 | | | | |
| 5H1) shall be repaid to Fund 5H1. This fund is established in 8371 | | | | |
| accordance with sections 166.031, 901.80, 901.81, 901.82, and 8372 | | | | |
| 901.83 of the Revised Code. 8373 | | | | |
| When the Family Farm Loan Fund (Fund 5H1) ceases to exist, 8374 | | | | |

all outstanding balances, all loan repayments, and any other 8375
outstanding obligations shall revert to the Facilities 8376
Establishment Fund (Fund 037). 8377

CLEAN OHIO AGRICULTURAL EASEMENT 8378

The foregoing appropriation item 700-632, Clean Ohio 8379
Agricultural Easement, shall be used by the Department of 8380
Agriculture in administering sections 901.21, 901.22, and 5301.67 8381
to 5301.70 of the Revised Code. 8382

~~FARM SERVICE ELECTRONIC FILING~~ 8383

~~As soon as possible on or after July 1, 2003, the Director of~~ 8384
~~Budget and Management shall make a one time cash transfer of~~ 8385
~~\$60,000 from Fund 382, Cooperative Contracts, to Fund XXX, Farm~~ 8386
~~Service Electronic Filing Fund, in fiscal year 2004. The Farm~~ 8387
~~Service Electronic Filing Fund shall be administered by the~~ 8388
~~Department of Agriculture.~~ 8389

COOPERATIVE CONTRACTS 8390

The Director of Budget and Management shall transfer the cash 8391
balance as of the effective date of this amendment from Fund 5Y7, 8392
Farm Service Agency Electronic Filing Fund, to Fund 382, 8393
Cooperative Contracts. Encumbrances from appropriation item 8394
700-XXX, Farm Service Electronic Filing, shall be canceled and 8395
re-established in appropriation item 700-601, Cooperative 8396
Contracts. Those amounts are hereby appropriated. Fund 5Y7, Farm 8397
Service Agency Electronic Filing Fund, is hereby closed. The 8398
definition of Fund 382 is hereby expanded to include revenue from 8399
the United States Farm Service Agency. The use of the money is 8400
hereby expanded to include fees charged in advance by the 8401
Secretary of State for electronic filing related to Farm Service 8402
Agency agricultural loans. 8403

Sec. 41.06. EDUCATION MANAGEMENT INFORMATION SYSTEM 8404

The foregoing appropriation item 200-446, Education 8405
Management Information System, shall be used by the Department of 8406
Education to improve the Education Management Information System 8407
(EMIS). 8408

Of the foregoing appropriation item 200-446, Education 8409
Management Information System, up to \$1,295,857 in each fiscal 8410
year shall be distributed to designated data acquisition sites for 8411
costs relating to processing, storing, and transferring data for 8412
the effective operation of the EMIS. These costs may include, but 8413
are not limited to, personnel, hardware, software development, 8414
communications connectivity, professional development, and support 8415
services, and to provide services to participate in the State 8416
Education Technology Plan pursuant to section 3301.07 of the 8417
Revised Code. 8418

Of the foregoing appropriation item 200-446, Education 8419
Management Information System, up to \$8,055,189 in each fiscal 8420
year shall be distributed on a per-pupil basis to school 8421
districts, community schools established under Chapter 3314. of 8422
the Revised Code, education service centers, joint vocational 8423
school districts, and any other education entity that reports data 8424
through EMIS. From this funding, each school district or community 8425
school established under Chapter 3314. of the Revised Code with 8426
enrollment greater than 100 students and each vocational school 8427
district shall receive a minimum of \$5,000 in each fiscal year. 8428
Each school district or community school established under Chapter 8429
3314. of the Revised Code with enrollment between one and one 8430
hundred and each education service center and each county board of 8431
MR/DD that submits data through EMIS shall receive \$3,000 in each 8432
fiscal year. This subsidy shall be used for costs relating to 8433
reporting, processing, storing, transferring, and exchanging data 8434
necessary to meet requirements of the Department of Education's 8435
data system. 8436

Of the foregoing appropriation item 200-446, Education 8437
Management Information System, \$782,500 in each fiscal year shall 8438
be used by the Department of Education, in consultation with an 8439
advisory group of school districts, community schools, and other 8440
education-related entities, for the development and implementation 8441
of a common core of Education Management Information System data 8442
definitions and data format standards. Once these definitions and 8443
standards have been developed, they shall be approved by the 8444
Education Data Advisory Council. Once the standards are approved 8445
by the Education Data Advisory Council, any software meeting the 8446
standards shall be designated as an approved vendor and may enter 8447
into contracts with local school districts, community schools, 8448
data acquisition centers, or other educational entities for the 8449
purpose of collecting and managing data required under Ohio's 8450
education management information system (EMIS) laws. On an annual 8451
basis, the Department of Education shall convene an advisory group 8452
of school districts, community schools, and other 8453
education-related entities to review the Education Management 8454
Information System data definitions and data format standards. The 8455
advisory group shall recommend changes and enhancements based upon 8456
surveys of its members, education agencies in other states, and 8457
current industry practices, to reflect best practices, align with 8458
federal initiatives, and meet the needs of school districts. 8459

School districts and community schools shall implement a 8460
common and uniform set of data definitions and data format 8461
standards for Education Management Information System purposes by 8462
July 1, 2004. The Department of Education shall work with data 8463
acquisition sites and their member school districts and community 8464
schools to implement those uniform standards. School districts and 8465
community schools that do not adopt and implement the uniform data 8466
definitions and standards by July 1, 2004, as jointly determined 8467
by the Department of Education software development team and the 8468

advisory group shall have all EMIS funding withheld until they are 8469
in compliance. 8470

GED TESTING/ADULT HIGH SCHOOL 8471

The foregoing appropriation item 200-447, GED Testing/Adult 8472
High School, shall be used to provide General Educational 8473
Development (GED) testing at no cost to applicants, pursuant to 8474
rules adopted by the State Board of Education. The Department of 8475
Education shall reimburse school districts and community schools, 8476
created in accordance with Chapter 3314. of the Revised Code, for 8477
a portion of the costs incurred in providing summer instructional 8478
or intervention services to students who have not graduated due to 8479
their inability to pass one or more parts of the state's ninth 8480
grade proficiency test. School districts shall also provide such 8481
services to students who are residents of the district pursuant to 8482
section 3313.64 of the Revised Code, but who are enrolled in 8483
chartered, nonpublic schools. The services shall be provided in 8484
the public school, in nonpublic schools, in public centers, or in 8485
mobile units located on or off the nonpublic school premises. No 8486
school district shall provide summer instructional or intervention 8487
services to nonpublic school students as authorized by this 8488
section unless such services are available to students attending 8489
the public schools within the district. No school district shall 8490
provide services for use in religious courses, devotional 8491
exercises, religious training, or any other religious activity. 8492
Chartered, nonpublic schools shall pay for any unreimbursed costs 8493
incurred by school districts for providing summer instruction or 8494
intervention services to students enrolled in chartered, nonpublic 8495
schools. School districts may provide these services to students 8496
directly or contract with postsecondary or nonprofit 8497
community-based institutions in providing instruction. The 8498
appropriation also shall be used for state reimbursement to school 8499
districts for adult high school continuing education programs 8500

pursuant to section 3313.531 of the Revised Code or for costs 8501
associated with awarding adult high school diplomas under section 8502
3313.611 of the Revised Code. 8503

EDUCATOR PREPARATION 8504

The foregoing appropriation item 200-448, Educator 8505
Preparation, shall be used by the Ohio Teacher Education and 8506
Licensure Advisory Commission to carry out the responsibilities of 8507
the 21-member Ohio Teacher Education and Licensure Advisory 8508
Commission. The advisory commission is charged by the State Board 8509
of Education with considering all matters related to educator 8510
preparation and licensure, including standards for educator 8511
preparation and licensure, approval of institutions and programs, 8512
and recommending decisions to the State Board of Education. 8513

TITLE IV-A HEAD START AND TITLE IV-A HEAD START PLUS START UP 8514

The foregoing appropriation item 200-449, Head Start/Head 8515
Start Plus Start Up, shall be used to provide start up grants for 8516
Title IV-A reimbursable funding for the provision of services to 8517
children eligible for Title IV-A services. In fiscal year 2004, 8518
these grants shall be provided to Title IV-A Head Start agencies. 8519
In fiscal year 2005, these grants shall be provided to Title IV-A 8520
Head Start agencies and Title IV-A Head Start Plus agencies. The 8521
amount of each grant shall be determined by the Department of 8522
Education. In fiscal year 2005, up to \$100,000 may be used by the 8523
Department of Education to provide associated program support and 8524
technical assistance. Funds appropriated for this purpose shall be 8525
reimbursed to the General Revenue Fund when the Title IV-A Head 8526
Start or Title IV-A Head Start Plus programs cease or are no 8527
longer funded from Title IV-A. If one program ceases or is no 8528
longer funded with Title IV-A funds, the General Revenue Fund will 8529
be reimbursed for that program. 8530

If a Title IV-A Head Start agency or Title IV-A Head Start 8531

Plus agency chooses not to participate in the program or if the 8532
Department ~~or~~ of Education suspends or terminates part or all of 8533
its funding, reimbursement owed to the grantee shall be held by 8534
the Department of Education up to the amount of the grant owed by 8535
the grantee. If insufficient reimbursement is available to recover 8536
the amount owed by the grantee, the grantee shall return the 8537
remaining balance within 60 days of the date of the decision not 8538
to participate, the suspension, or the termination. Funding 8539
recovered from such grantees shall be used by the Department of 8540
Education for supplying grants to new grantees for Title IV-A 8541
reimbursable funding for provision of services to children 8542
eligible for Title IV-A services. Any funding remaining when the 8543
Title IV-A Head Start and the Title IV-A Head Start Plus programs 8544
cease or are no longer funded with Title IV-A funds shall be 8545
returned to the General Revenue Fund. 8546

The Title IV-A Head Start Plus agency that is receiving funds 8547
to operate a Head Start program in accordance with section 3301.35 8548
of the Revised Code shall provide the program through contracts 8549
with child care providers licensed or certified in accordance with 8550
Chapter 5104. of the Revised Code. If a licensed or certified 8551
child care provider is not in operation or willing to participate 8552
and if eligible families are in need of full-day and full-year 8553
Head Start and child care services, the Title IV-A Head Start Plus 8554
agency may be the sole source provider. 8555

TEACHING SUCCESS COMMISSION INITIATIVES 8556

The foregoing appropriation item 200-452, Teaching Success 8557
Commission Initiatives, shall be used by the Department of 8558
Education to support initiatives recommended by the Governor's 8559
Commission on Teaching Success. 8560

COMMUNITY SCHOOLS 8561

Of the foregoing appropriation item 200-455, Community 8562

Schools, up to \$1,308,661 in each fiscal year may be used by the 8563
Department of Education for additional services and 8564
responsibilities under section 3314.11 of the Revised Code. 8565

Of the foregoing appropriation item 200-455, Community 8566
Schools, up to \$250,000 in each fiscal year may be used by the 8567
Department of Education for developing and conducting training 8568
sessions for sponsors and prospective sponsors of community 8569
schools as prescribed in division (A)(1) of section 3314.015 of 8570
the Revised Code. In developing such training sessions, the 8571
Department shall collect and disseminate examples of best 8572
practices used by sponsors of independent charter schools in Ohio 8573
and other states. 8574

The remaining appropriation may be used by the Department of 8575
Education to make grants of up to \$50,000 to each proposing group 8576
with a preliminary agreement obtained under division (C)(2) of 8577
section 3314.02 of the Revised Code in order to defray planning 8578
and initial start-up costs. In the first year of operation of a 8579
community school, the Department of Education may make a grant of 8580
not more than \$100,000 to the governing authority of the school to 8581
partially defray additional start-up costs. The amount of the 8582
grant shall be based on a thorough examination of the needs of the 8583
community school. The Department of Education shall not utilize 8584
moneys received under this section for any other purpose other 8585
than those specified under this section. 8586

A community school awarded start-up grants from appropriation 8587
item 200-613, Public Charter Schools (Fund 3T4), shall not be 8588
eligible for grants under this section. 8589

Sec. 41.13. SPECIAL EDUCATION ENHANCEMENTS 8590

Of the foregoing appropriation item 200-540, Special 8591
Education Enhancements, up to \$44,204,000 in fiscal year 2004 and 8592
up to \$45,441,712 in fiscal year 2005 shall be used to fund 8593

special education and related services at county boards of mental 8594
retardation and developmental disabilities for eligible students 8595
under section 3317.20 of the Revised Code. Up to \$2,452,125 shall 8596
be used in each fiscal year to fund special education classroom 8597
and related services units at institutions. 8598

Of the foregoing appropriation item 200-540, Special 8599
Education Enhancements, up to \$2,906,875 in each fiscal year shall 8600
be used for home instruction for children with disabilities; up to 8601
\$1,462,500 in each fiscal year shall be used for parent mentoring 8602
programs; and up to \$2,783,396 in each fiscal year may be used for 8603
school psychology interns. 8604

Of the foregoing appropriation item 200-540, Special 8605
Education Enhancements, \$3,406,090 in each fiscal year shall be 8606
used by the Department of Education to assist school districts in 8607
funding aides pursuant to paragraph (A)(3)(c)(i)(b) of rule 8608
3301-51-04 of the Administrative Code. 8609

Of the foregoing appropriation item 200-540, Special 8610
Education Enhancements, \$78,384,498 in each fiscal year shall be 8611
distributed by the Department of Education to county boards of 8612
mental retardation and developmental disabilities, educational 8613
service centers, and school districts for preschool special 8614
education units and preschool supervisory units in accordance with 8615
section 3317.161 of the Revised Code. The ~~department~~ Department 8616
may reimburse county boards of mental retardation and 8617
developmental disabilities, educational service centers, and 8618
school districts for related services as defined in rule 8619
~~3301-31-05~~ 3301-51-11 of the Administrative Code, for preschool 8620
occupational and physical therapy services provided by a physical 8621
therapy assistant and certified occupational therapy assistant, 8622
and for an instructional assistant. To the greatest extent 8623
possible, the Department of Education shall allocate these units 8624
to school districts and educational service centers. The 8625

Controlling Board may approve the transfer of unallocated funds 8626
from appropriation item 200-501, Base Cost Funding, to 8627
appropriation item 200-540, Special Education Enhancements, to 8628
fully fund existing units as necessary or to fully fund additional 8629
units. The Controlling Board may approve the transfer of 8630
unallocated funds from appropriation item 200-540, Special 8631
Education Enhancements, to appropriation item 200-501, Base Cost 8632
Funding, to fully fund the special education weight cost funding. 8633

The Department of Education shall require school districts, 8634
educational service centers, and county MR/DD boards serving 8635
preschool children with disabilities to document child progress 8636
using research-based indicators prescribed by the Department and 8637
report results annually. The reporting dates and methodology shall 8638
be determined by the Department. 8639

Of the foregoing appropriation item 200-540, Special 8640
Education Enhancements, \$315,000 in each fiscal year shall be 8641
expended to conduct a demonstration project involving language and 8642
literacy intervention teams supporting student acquisition of 8643
language and literacy skills. The demonstration project shall 8644
demonstrate improvement of language and literacy skills of at-risk 8645
learners under the instruction of certified speech pathologists 8646
and educators. Baseline data shall be collected and comparison 8647
data for fiscal year 2004 and fiscal year 2005 shall be collected 8648
and reported to the Governor, ~~Ohio Reads~~ OhioReads Council, 8649
Department of Education, and the General Assembly. 8650

Of the foregoing appropriation item 200-540, Special 8651
Education Enhancements, up to \$500,000 in each fiscal year shall 8652
be used for the Research-Based Reading Mentoring Program. 8653

Of the foregoing appropriation item 200-540, Special 8654
Education Enhancements, \$600,000 in each fiscal year shall be used 8655
to support the Bellefaire Jewish Children's Bureau. 8656

| | | | | | |
|---------------------------------------------|----------------------|----|--------------------------|-----------------------|------|
| Sec. 55. OHS OHIO HISTORICAL SOCIETY | | | | 8657 | |
| General Revenue Fund | | | | 8658 | |
| GRF 360-403 | Adena - Worthington | \$ | 200,000 \$ | 150,000 | 8659 |
| | Home | | | | |
| GRF 360-501 | Operating Subsidy | \$ | 3,389,973 \$ | 3,389,973 | 8660 |
| GRF 360-502 | Site Operations | \$ | 8,240,438 \$ | 8,240,438 | 8661 |
| GRF 360-503 | Ohio Bicentennial | \$ | 1,847,239 \$ | 58,164 | 8662 |
| | Commission | | | | |
| GRF 360-504 | Ohio Preservation | \$ | 289,733 \$ | 289,733 | 8663 |
| | Office | | | | |
| GRF 360-505 | Afro-American Museum | \$ | 778,231 \$ | 778,231 | 8664 |
| GRF 360-506 | Hayes Presidential | \$ | 524,981 \$ | 524,981 | 8665 |
| | Center | | | | |
| GRF 360-508 | Historical Grants | \$ | 2,200,000 \$ | 1,550,000 | 8666 |
| | | | <u>2,400,000</u> | <u>1,750,000</u> | |
| TOTAL GRF General Revenue Fund | | \$ | 17,470,595 \$ | 14,981,520 | 8667 |
| | | | <u>17,670,595</u> | <u>15,181,520</u> | |
| TOTAL ALL BUDGET FUND GROUPS | | \$ | 17,470,595 \$ | 14,981,520 | 8668 |
| | | | <u>17,670,595</u> | <u>15,181,520</u> | |

SUBSIDY APPROPRIATION 8669

Upon approval by the Director of Budget and Management, the 8670
foregoing appropriation items shall be released to the Ohio 8671
Historical Society in quarterly amounts that in total do not 8672
exceed the annual appropriations. The funds and fiscal records of 8673
the society for fiscal years 2004 and 2005 shall be examined by 8674
independent certified public accountants approved by the Auditor 8675
of State, and a copy of the audited financial statements shall be 8676
filed with the Office of Budget and Management. The society shall 8677
prepare and submit to the Office of Budget and Management the 8678
following: 8679

(A) An estimated operating budget for each fiscal year of the 8680

biennium. The operating budget shall be submitted at or near the 8681
beginning of each year. 8682

(B) Financial reports, indicating actual receipts and 8683
expenditures for the fiscal year to date. These reports shall be 8684
filed at least semiannually during the fiscal biennium. 8685

The foregoing appropriations shall be considered to be the 8686
contractual consideration provided by the state to support the 8687
state's offer to contract with the Ohio Historical Society under 8688
section 149.30 of the Revised Code. If the Ohio Historical Society 8689
accepts this contractual offer, the society may not, during fiscal 8690
year 2004 or 2005, close any of the sites operated by the society 8691
as of the effective date of this section. 8692

Not later than May 15, 2004, the Ohio Historical Society 8693
shall submit to the Controlling Board a plan for the 8694
implementation of the recommendations of the Select Committee to 8695
Study the Effectiveness of Ohio's Historical Programs and 8696
Partnerships. No appropriations to the society for fiscal year 8697
2005 may be expended without prior approval of the implementation 8698
plan by the Controlling Board. 8699

HAYES PRESIDENTIAL CENTER 8700

If a United States government agency, including, but not 8701
limited to, the National Park Service, chooses to take over the 8702
operations or maintenance of the Hayes Presidential Center, in 8703
whole or in part, the Ohio Historical Society shall make 8704
arrangements with the National Park Service or other United States 8705
government agency for the efficient transfer of operations or 8706
maintenance. 8707

HISTORICAL GRANTS 8708

Of the foregoing appropriation item 360-508, Historical 8709
Grants, ~~\$91,667~~ \$100,000 in each fiscal year ~~2004~~ and ~~\$88,571~~ in 8710
~~fiscal year 2005~~ shall be distributed to the Hebrew Union College 8711

in Cincinnati for the Center for Holocaust and Humanity Education, 8712
~~\$137,500~~ \$150,000 in fiscal year 2004 shall be distributed to the 8713
National Underground Railroad Freedom Center in Cincinnati, 8714
~~\$229,167~~ \$250,000 in each fiscal year ~~2004 and \$221,430 in fiscal~~ 8715
~~year 2005~~ shall be distributed to the Great Lakes Historical 8716
Society in Vermilion, ~~\$733,333~~ \$800,000 in each fiscal year ~~2004~~ 8717
~~and \$708,571 in fiscal year 2005~~ shall be distributed to the 8718
Western Reserve Historical Society in Cleveland, ~~\$458,333~~ \$500,000 8719
in fiscal year 2004 shall be distributed to the Village of 8720
Dennison for the Historical Center Street District, ~~\$91,667~~ 8721
\$100,000 in each fiscal year ~~2004 and \$88,571 in fiscal year 2005~~ 8722
shall be distributed to the Harbor Heritage Society Steamship 8723
Mather in Cleveland, and ~~\$458,333~~ \$500,000 in each fiscal year 8724
~~2004 and \$442,857 in fiscal year 2005~~ shall be distributed to the 8725
Cincinnati Museum Center. 8726

OHIO BICENTENNIAL COMMISSION ROYALTIES 8727

Notwithstanding any previous arrangement to the contrary, the 8728
Ohio Bicentennial Commission shall keep the first \$100,000 in 8729
earned royalties associated with the Ohio Bicentennial logo during 8730
the 2004-2005 biennium. This \$100,000 shall be used to cover the 8731
operating expenses of the Ohio Bicentennial Commission in fiscal 8732
year 2005. The remaining moneys collected from royalties 8733
associated with the Ohio Bicentennial logo shall be deposited into 8734
the General Revenue Fund, of which \$350,000 shall be distributed 8735
to the Ohio Historical Society for use in appropriation item 8736
360-403, Adena - Worthington Home. 8737

Sec. 59. JFS DEPARTMENT OF JOB AND FAMILY SERVICES 8738

General Revenue Fund 8739

GRF 600-321 Support Services 8740

| | | | | | |
|-------|----|------------|----|------------|------|
| State | \$ | 62,361,047 | \$ | 58,611,047 | 8741 |
|-------|----|------------|----|------------|------|

| | | | | | |
|---------|----|-----------|----|-----------|------|
| Federal | \$ | 7,176,249 | \$ | 7,125,883 | 8742 |
|---------|----|-----------|----|-----------|------|

| | | | | | | |
|-------------|---------------------------------------------------|----|-------------|----|-------------|------|
| | Support Services Total | \$ | 69,537,296 | \$ | 65,736,930 | 8743 |
| GRF 600-410 | TANF State | \$ | 272,619,061 | \$ | 272,619,061 | 8744 |
| GRF 600-413 | Child Care | \$ | 84,120,596 | \$ | 84,120,596 | 8745 |
| | Match/Maintenance of Effort | | | | | |
| GRF 600-416 | Computer Projects | | | | | 8746 |
| | State | \$ | 120,000,000 | \$ | 120,000,000 | 8747 |
| | Federal | \$ | 31,095,442 | \$ | 31,400,454 | 8748 |
| | Computer Projects Total | \$ | 151,095,442 | \$ | 151,400,454 | 8749 |
| GRF 600-420 | Child Support Administration | \$ | 5,091,446 | \$ | 5,091,446 | 8750 |
| GRF 600-421 | Office of Family Stability | \$ | 4,864,932 | \$ | 4,864,932 | 8751 |
| GRF 600-422 | Local Operations | \$ | 2,305,232 | \$ | 2,305,232 | 8752 |
| GRF 600-423 | Office of Children and Families | \$ | 5,000,000 | \$ | 5,000,000 | 8753 |
| GRF 600-424 | Office of Workforce Development | \$ | 877,971 | \$ | 877,971 | 8754 |
| GRF 600-425 | Office of Ohio Health Plans | | | | | 8755 |
| | State | \$ | 21,944,901 | \$ | 22,603,740 | 8756 |
| | Federal | \$ | 21,848,555 | \$ | 22,495,502 | 8757 |
| | Office of Ohio Health Plans Total | \$ | 43,793,456 | \$ | 45,099,242 | 8758 |
| GRF 600-435 | Unemployment Compensation Review Commission | \$ | 3,188,473 | \$ | 3,188,473 | 8759 |
| GRF 600-439 | Commission to Reform Medicaid | \$ | 125,000 | \$ | 125,000 | 8760 |
| GRF 600-502 | Child Support Match | \$ | 16,814,103 | \$ | 16,814,103 | 8761 |
| GRF 600-511 | Disability Financial Assistance | \$ | 22,839,371 | \$ | 22,839,371 | 8762 |

| | | | | |
|-------------------------|----------------------------------|-----------------------------|------------------------------|------|
| GRF 600-521 | Family Stability Subsidy | \$ 55,206,401 | \$ 55,206,401 | 8763 |
| GRF 600-523 | Children and Families Subsidy | \$ 69,846,563 | \$ 69,846,563 | 8764 |
| GRF 600-525 | Health Care/Medicaid | | | 8765 |
| | State | \$ 3,651,294,321 | \$ 3,842,465,911 | 8766 |
| | Federal | \$ 5,188,691,539 | \$ 5,463,149,039 | 8767 |
| | | <u>5,189,580,735</u> | <u>5,493,159,762</u> | |
| | Health Care Total | \$ 8,839,985,860 | \$ 9,305,614,950 | 8768 |
| | | <u>8,840,875,056</u> | <u>9,335,625,673</u> | |
| GRF 600-528 | Adoption Services | | | 8769 |
| | State | \$ 33,395,955 | \$ 36,017,981 | 8770 |
| | Federal | \$ 37,368,248 | \$ 41,115,000 | 8771 |
| | Adoption Services | \$ 70,764,203 | \$ 77,132,981 | 8772 |
| | Total | | | |
| TOTAL GRF | General Revenue Fund | | | 8773 |
| | State | \$ 4,428,706,900 | \$ 4,619,409,355 | 8774 |
| | Federal | \$ 5,286,180,033 | \$ 5,565,285,878 | 8775 |
| | | <u>5,287,069,229</u> | <u>5,595,387,601</u> | |
| | GRF Total | \$ 9,718,075,406 | \$ 10,187,883,706 | 8776 |
| | | <u>9,718,964,602</u> | <u>10,217,894,429</u> | |
| General Services | Fund Group | | | 8777 |
| 4A8 600-658 | Child Support Collections | \$ 27,255,646 | \$ 26,680,794 | 8778 |
| 4R4 600-665 | BCII Services/Fees | \$ 136,974 | \$ 136,974 | 8779 |
| 5C9 600-671 | Medicaid Program Support | \$ 54,686,270 | \$ 55,137,078 | 8780 |
| 5N1 600-677 | County Technologies | \$ 5,000,000 | \$ 5,000,000 | 8781 |
| 613 600-645 | Training Activities | \$ 135,000 | \$ 135,000 | 8782 |
| TOTAL GSF | General Services | | | 8783 |
| Fund Group | | \$ 87,213,890 | \$ 87,089,846 | 8784 |
| Federal Special Revenue | Fund Group | | | 8785 |

| | | | | | | | |
|-----|---------|-------------------------------------------------------------|----|---------------|----|---------------|------|
| 3A2 | 600-641 | Emergency Food Distribution | \$ | 2,083,500 | \$ | 2,187,675 | 8786 |
| 3D3 | 600-648 | Children's Trust Fund Federal | \$ | 2,040,524 | \$ | 2,040,524 | 8787 |
| 3F0 | 600-623 | Health Care Federal | \$ | 391,658,105 | \$ | 394,221,409 | 8788 |
| 3F0 | 600-650 | Hospital Care Assurance Match | \$ | 298,128,308 | \$ | 305,879,644 | 8789 |
| 3G5 | 600-655 | Interagency Reimbursement | \$ | 1,180,523,642 | \$ | 1,245,244,536 | 8790 |
| 3H7 | 600-617 | Child Care Federal | \$ | 224,539,425 | \$ | 235,045,596 | 8791 |
| 3N0 | 600-628 | IV-E Foster Care Maintenance | \$ | 173,963,142 | \$ | 173,963,142 | 8792 |
| 3S5 | 600-622 | Child Support Projects | \$ | 534,050 | \$ | 534,050 | 8793 |
| 3V0 | 600-662 | WIA Ohio Option #7 | \$ | 87,407,014 | \$ | 89,352,850 | 8794 |
| 3V0 | 600-688 | Workforce Investment Act | \$ | 93,636,390 | \$ | 94,932,750 | 8795 |
| 3V4 | 600-678 | Federal Unemployment Programs | \$ | 153,690,682 | \$ | 154,111,608 | 8796 |
| 3V4 | 600-679 | Unemployment Compensation Review Commission - Federal | \$ | 3,097,320 | \$ | 2,860,297 | 8797 |
| 3V6 | 600-689 | TANF Block Grant | \$ | 786,095,609 | \$ | 845,909,688 | 8798 |
| 3W3 | 600-659 | TANF/Title XX | \$ | 88,994,049 | \$ | 93,498,158 | 8799 |
| 316 | 600-602 | State and Local Training | \$ | 11,212,594 | \$ | 11,249,282 | 8800 |
| 327 | 600-606 | Child Welfare | \$ | 29,119,408 | \$ | 28,665,728 | 8801 |
| 331 | 600-686 | Federal Operating | \$ | 48,237,185 | \$ | 47,340,081 | 8802 |
| 365 | 600-681 | JOB Training Program | \$ | 5,000,000 | \$ | 0 | 8803 |
| 384 | 600-610 | Food Stamps and State Administration | \$ | 134,560,572 | \$ | 135,141,694 | 8804 |
| 385 | 600-614 | Refugee Services | \$ | 5,793,656 | \$ | 5,841,407 | 8805 |
| 395 | 600-616 | Special Activities/Child and | \$ | 3,975,821 | \$ | 3,975,821 | 8806 |

| | | | | | | |
|-----------------------|---------|-------------------------|----|---------------|----|--------------------|
| | | Family Services | | | | |
| 396 | 600-620 | Social Services Block | \$ | 74,969,767 | \$ | 74,986,134 8807 |
| | | Grant | | | | |
| 397 | 600-626 | Child Support | \$ | 304,157,939 | \$ | 307,468,576 8808 |
| 398 | 600-627 | Adoption Maintenance/ | \$ | 339,957,978 | \$ | 340,104,370 8809 |
| | | Administration | | | | |
| TOTAL FED | | Federal Special Revenue | | | | 8810 |
| Fund Group | | | \$ | 4,443,376,680 | \$ | 4,594,555,020 8811 |
| State Special Revenue | | Fund Group | | | | 8812 |
| 198 | 600-647 | Children's Trust Fund | \$ | 4,336,109 | \$ | 4,336,109 8813 |
| 4A9 | 600-607 | Unemployment | \$ | 8,001,000 | \$ | 8,001,000 8814 |
| | | Compensation Admin | | | | |
| | | Fund | | | | |
| 4E3 | 600-605 | Nursing Home | \$ | 4,759,913 | \$ | 4,759,914 8815 |
| | | Assessments | | | | |
| 4E7 | 600-604 | Child and Family | \$ | 300,000 | \$ | 300,000 8816 |
| | | Services Collections | | | | |
| 4F1 | 600-609 | Foundation | \$ | 119,310 | \$ | 119,310 8817 |
| | | Grants/Child and | | | | |
| | | Family Services | | | | |
| 4J5 | 600-613 | Nursing Facility Bed | \$ | 35,060,013 | \$ | 35,064,238 8818 |
| | | Assessments | | | | |
| 4J5 | 600-618 | Residential State | \$ | 15,700,000 | \$ | 15,700,000 8819 |
| | | Supplement Payments | | | | |
| 4K1 | 600-621 | ICF/MR Bed Assessments | \$ | 20,467,050 | \$ | 20,428,726 8820 |
| 4R3 | 600-687 | Banking Fees | \$ | 892,000 | \$ | 892,000 8821 |
| 4Z1 | 600-625 | HealthCare Compliance | \$ | 10,000,000 | \$ | 10,000,000 8822 |
| 5A5 | 600-685 | Unemployment Benefit | \$ | 14,000,000 | \$ | 0 8823 |
| | | Automation | | | | |
| 5P5 | 600-692 | Health Care Services | \$ | 492,932,514 | \$ | 515,947,439 8824 |
| 5Q9 | 600-619 | Supplemental Inpatient | \$ | 30,797,539 | \$ | 30,797,539 8825 |
| | | Hospital Payments | | | | |
| 5R2 | 600-608 | Medicaid-Nursing | \$ | 113,754,184 | \$ | 113,754,184 8826 |

| | | | | | | |
|------------------------------|-------------------------------------------------|----|-----------------------------|----|-----------------------------|------|
| | Facilities | | | | | |
| 5S3 | 600-629 MR/DD Medicaid | \$ | 1,620,960 | \$ | 1,620,960 | 8827 |
| | Administration and Oversight | | | | | |
| 5T2 | 600-652 Child Support Special Payment | \$ | 1,500,000 | \$ | 750,000 | 8828 |
| 5U3 | 600-654 Health Care Services Administration | \$ | 7,576,322 | \$ | 6,119,127 | 8829 |
| 5U6 | 600-663 Children and Family Support | \$ | 4,929,718 | \$ | 4,929,718 | 8830 |
| 651 | 600-649 Hospital Care Assurance Program Fund | \$ | 208,634,072 | \$ | 214,058,558 | 8831 |
| TOTAL SSR | State Special Revenue | | | | | 8832 |
| Fund Group | | \$ | 975,380,704 | \$ | 987,578,822 | 8833 |
| Agency Fund Group | | | | | | 8834 |
| 192 | 600-646 Support Intercept - Federal | \$ | 136,500,000 | \$ | 136,500,000 | 8835 |
| 5B6 | 600-601 Food Stamp Intercept | \$ | 5,000,000 | \$ | 5,000,000 | 8836 |
| 583 | 600-642 Support Intercept - State | \$ | 20,565,582 | \$ | 20,565,582 | 8837 |
| TOTAL AGY | Agency Fund Group | \$ | 162,065,582 | \$ | 162,065,582 | 8838 |
| Holding Account | Redistribution Fund Group | | | | | 8839 |
| R12 | 600-643 Refunds and Audit Settlements | \$ | 5,343,906 | \$ | 5,343,906 | 8840 |
| R13 | 600-644 Forgery Collections | \$ | 700,000 | \$ | 700,000 | 8841 |
| TOTAL 090 | Holding Account | \$ | 6,043,906 | \$ | 6,043,906 | 8842 |
| Redistribution Fund Group | | | | | | |
| TOTAL ALL BUDGET FUND GROUPS | | | \$15,392,156,168 | | \$16,025,216,882 | 8843 |
| | | | <u>15,393,045,364</u> | | <u>16,055,227,605</u> | |
| Sec. 66. | LIB STATE LIBRARY BOARD | | | | | 8845 |
| General Revenue Fund | | | | | | 8846 |

| | | | | | | |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|----|------------|------------------------------|
| GRF 350-321 | Operating Expenses | \$ | 6,700,721 | \$ | 6,700,721 | 8847 |
| GRF 350-400 | Ohio Public Library Information Network | \$ | 0 | \$ | 5,000,000 | 8848 |
| GRF 350-401 | Ohioana Rental Payments | \$ | 124,816 | \$ | 124,816 | 8849 |
| GRF 350-501 | Cincinnati Public Library | \$ | 584,414 | \$ | 569,803 | 8850 |
| GRF 350-502 | Regional Library Systems | \$ | 1,194,374 | \$ | 1,194,374 | 8851 |
| GRF 350-503 | Cleveland Public Library | \$ | 879,042 | \$ | 857,066 | 8852 |
| TOTAL GRF | General Revenue Fund | \$ | 9,483,367 | \$ | 14,446,780 | 8853 |
| | General Services Fund Group | | | | | 8854 |
| 139 350-602 | Intra-Agency Service Charges | \$ | 9,000 | \$ | 9,000 | 8855 |
| 4S4 350-604 | OPLIN Technology | \$ | 6,450,000 | \$ | 1,000,000 | 8856 |
| 459 350-602 | Interlibrary Service Charges | \$ | 2,759,661 | \$ | 2,809,661 | 8857 |
| TOTAL GSF | General Services Fund Group | \$ | 9,218,661 | \$ | 3,818,661 | 8858 8859 |
| | Federal Special Revenue Fund Group | | | | | 8860 |
| 313 350-601 | LSTA Federal | \$ | 5,541,647 | \$ | 5,541,647 | 8861 |
| TOTAL FED | Federal Special Revenue Fund Group | \$ | 5,541,647 | \$ | 5,541,647 | 8862 8863 |
| TOTAL ALL BUDGET FUND GROUPS | | \$ | 24,243,675 | \$ | 23,807,088 | 8864 |
| | OHIOANA RENTAL PAYMENTS | | | | | 8865 |
| | The foregoing appropriation item 350-401, Ohioana Rental Payments, shall be used to pay the rental expenses of the Martha Kinney Cooper Ohioana Library Association pursuant to section 3375.61 of the Revised Code. | | | | | 8866 8867 8868 8869 |
| | CINCINNATI PUBLIC LIBRARY | | | | | 8870 |

The foregoing appropriation item 350-501, Cincinnati Public Library, shall be used for the Talking Book program, which assists the blind and disabled.

REGIONAL LIBRARY SYSTEMS 8874

The foregoing appropriation item 350-502, Regional Library Systems, shall be used to support regional library systems eligible for funding under ~~section~~ sections 3375.83 and 3375.90 of the Revised Code.

CLEVELAND PUBLIC LIBRARY 8879

The foregoing appropriation item 350-503, Cleveland Public Library, shall be used for the Talking Book program, which assists the blind and disabled.

OHIO PUBLIC LIBRARY INFORMATION NETWORK 8883

The foregoing appropriation items 350-604, OPLIN Technology, and, in fiscal year 2005, 350-400, Ohio Public Library Information Network, shall be used for an information telecommunications network linking public libraries in the state and such others as may be certified as participants by the Ohio Public Library Information Network Board.

The Ohio Public Library Information Network Board shall consist of eleven members appointed by the State Library Board from among the staff of public libraries and past and present members of boards of trustees of public libraries, based on the recommendations of the Ohio library community. The Ohio Public Library Information Network Board, in consultation with the State Library, shall develop a plan of operations for the network. The board may make decisions regarding use of the foregoing OPLIN appropriation items 350-400 and 350-604 and may receive and expend grants to carry out the operations of the network in accordance with state law and the authority to appoint and fix the

compensation of a director and necessary staff. The State Library 8901
shall be the fiscal agent for the network and shall have fiscal 8902
accountability for the expenditure of funds. The Ohio Public 8903
Library Information Network Board members shall be reimbursed for 8904
actual travel and necessary expenses incurred in carrying out 8905
their responsibilities. 8906

In order to limit access to obscene and illegal materials 8907
through internet use at Ohio Public Library Information Network 8908
(OPLIN) terminals, local libraries with OPLIN computer terminals 8909
shall adopt policies that control access to obscene and illegal 8910
materials. These policies may include use of technological systems 8911
to select or block certain internet access. The OPLIN shall 8912
condition provision of its funds, goods, and services on 8913
compliance with these policies. The OPLIN Board shall also adopt 8914
and communicate specific recommendations to local libraries on 8915
methods to control such improper usage. These methods may include 8916
each library implementing a written policy controlling such 8917
improper use of library terminals and requirements for parental 8918
involvement or written authorization for juvenile internet usage. 8919

The OPLIN Board shall research and assist or advise local 8920
libraries with regard to emerging technologies and methods that 8921
may be effective means to control access to obscene and illegal 8922
materials. The OPLIN Executive Director shall biannually provide 8923
written reports to the Governor, the Speaker and Minority Leader 8924
of the House of Representatives, and the President and Minority 8925
Leader of the Senate on any steps being taken by OPLIN and public 8926
libraries in the state to limit and control such improper usage as 8927
well as information on technological, legal, and law enforcement 8928
trends nationally and internationally affecting this area of 8929
public access and service. 8930

The Ohio Public Library Information Network, InfOhio, and 8931
OhioLink shall, to the extent feasible, coordinate and cooperate 8932

in their purchase or other acquisition of the use of electronic 8933
databases for their respective users and shall contribute funds in 8934
an equitable manner to such effort. 8935

TRANSFER TO OPLIN TECHNOLOGY FUND 8936

Notwithstanding sections 5747.03 and 5747.47 of the Revised 8937
Code and any other provision of law to the contrary, in accordance 8938
with a schedule established by the Director of Budget and 8939
Management, the Director of Budget and Management shall transfer 8940
up to \$5,000,000 in fiscal year 2004 from the Library and Local 8941
Government Support Fund (Fund 065) to the OPLIN Technology Fund 8942
(Fund 4S4). 8943

Sec. 89.04. STATE SHARE OF INSTRUCTION 8944

As soon as practicable during each fiscal year of the 8945
2003-2005 biennium in accordance with instructions of the Board of 8946
Regents, each state-assisted institution of higher education shall 8947
report its actual enrollment to the Board of Regents. 8948

The Board of Regents shall establish procedures required by 8949
the system of formulas set out below and for the assignment of 8950
individual institutions to categories described in the formulas. 8951
The system of formulas establishes the manner in which aggregate 8952
expenditure requirements shall be determined for each of the three 8953
components of institutional operations. In addition to other 8954
adjustments and calculations described below, the subsidy 8955
entitlement of an institution shall be determined by subtracting 8956
from the institution's aggregate expenditure requirements income 8957
to be derived from the local contributions assumed in calculating 8958
the subsidy entitlements. The local contributions for purposes of 8959
determining subsidy support shall not limit the authority of the 8960
individual boards of trustees to establish fee levels. 8961

The General Studies and Technical models shall be adjusted by 8962

the Board of Regents so that the share of state subsidy earned by 8963
those models is not altered by changes in the overall local share. 8964
A lower-division fee differential shall be used to maintain the 8965
relationship that would have occurred between these models and the 8966
baccalaureate models had an assumed share of 37 per cent been 8967
funded. 8968

In defining the number of full-time equivalent (FTE) students 8969
for state subsidy purposes, the Board of Regents shall exclude all 8970
undergraduate students who are not residents of Ohio, except those 8971
charged in-state fees in accordance with reciprocity agreements 8972
made pursuant to section 3333.17 of the Revised Code or employer 8973
contracts entered into pursuant to section 3333.32 of the Revised 8974
Code. 8975

(A) AGGREGATE EXPENDITURE PER FULL-TIME EQUIVALENT STUDENT 8976

(1) INSTRUCTION AND SUPPORT SERVICES 8977

| MODEL | FY 2004 | FY 2005 | |
|------------------------------|-----------|-----------|------|
| General Studies I | \$ 4,947 | \$ 4,983 | 8978 |
| General Studies II | \$ 5,323 | \$ 5,336 | 8979 |
| General Studies III | \$ 6,883 | \$ 7,120 | 8980 |
| Technical I | \$ 5,913 | \$ 6,137 | 8981 |
| Technical III | \$ 9,522 | \$ 10,026 | 8982 |
| Baccalaureate I | \$ 7,623 | \$ 7,721 | 8983 |
| Baccalaureate II | \$ 8,584 | \$ 8,864 | 8984 |
| Baccalaureate III | \$ 12,559 | \$ 12,932 | 8985 |
| Masters and Professional I | \$ 15,867 | \$ 18,000 | 8986 |
| Masters and Professional II | \$ 20,861 | \$ 22,141 | 8987 |
| Masters and Professional III | \$ 27,376 | \$ 28,190 | 8988 |
| Medical I | \$ 30,867 | \$ 31,819 | 8989 |
| Medical II | \$ 41,495 | \$ 41,960 | 8990 |
| MPD I | \$ 14,938 | \$ 14,966 | 8991 |

(2) STUDENT SERVICES 8992

For this purpose, FTE counts shall be weighted to reflect 8994
differences among institutions in the numbers of students enrolled 8995
on a part-time basis. The student services subsidy per FTE shall 8996
be \$822 in fiscal year 2004 and \$903 in fiscal year 2005 for all 8997
models. 8998

(B) PLANT OPERATION AND MAINTENANCE (POM) 8999

(1) DETERMINATION OF THE SQUARE-FOOT-BASED POM SUBSIDY 9000

Space undergoing renovation shall be funded at the rate 9001
allowed for storage space. 9002

In the calculation of square footage for each campus, square 9003
footage shall be weighted to reflect differences in space 9004
utilization. 9005

The space inventories for each campus shall be those 9006
determined in the fiscal year 2003 state share of instruction 9007
calculation, adjusted for changes attributable to the construction 9008
or renovation of facilities for which state appropriations were 9009
made or local commitments were made prior to January 1, 1995. 9010

Only 50 per cent of the space permanently taken out of 9011
operation in fiscal year 2004 or fiscal year 2005 that is not 9012
otherwise replaced by a campus shall be deleted from the plant 9013
operation and maintenance space inventory. 9014

The square-foot-based plant operation and maintenance subsidy 9015
for each campus shall be determined as follows: 9016

(a) For each standard room type category shown below, the 9017
subsidy-eligible net assignable square feet (NASF) for each campus 9018
shall be multiplied by the following rates, and the amounts summed 9019
for each campus to determine the total gross square-foot-based POM 9020
expenditure requirement: 9021

| | FY 2004 | FY 2005 | |
|------------|---------|---------|------|
| Classrooms | \$5.80 | \$6.04 | 9023 |

| | | | |
|------------------------------|--------|--------|------|
| Laboratories | \$7.22 | \$7.53 | 9024 |
| Offices | \$5.80 | \$6.04 | 9025 |
| Audio Visual Data Processing | \$7.22 | \$7.53 | 9026 |
| Storage | \$2.57 | \$2.68 | 9027 |
| Circulation | \$7.31 | \$7.62 | 9028 |
| Other | \$5.80 | \$6.04 | 9029 |

(b) The total gross square-foot POM expenditure requirement shall be allocated to models in proportion to ~~FTE enrollments as reported in enrollment data~~ each campus's activity-based POM weight multiplied by the two- or five-year average subsidy-eligible FTEs for all models ~~except Doctoral I and Doctoral II.~~

(c) The amounts allocated to models in division (B)(1)(b) of this section shall be multiplied by the ratio of subsidy-eligible FTE students to total FTE students reported in each model, and the amounts summed for all models. To this total amount shall be added an amount to support roads and grounds expenditures, which shall also be multiplied by the ratio of subsidy-eligible FTE students to total FTEs reported for each model. From this total amount, the amounts for Doctoral I and Doctoral II shall be subtracted to produce the ~~total~~ square-foot-based POM subsidy.

(2) DETERMINATION OF THE ACTIVITY-BASED POM SUBSIDY

(a) The number of subsidy-eligible FTE students in each model shall be multiplied by the following rates for each campus for each fiscal year.

| | FY 2004 | FY 2005 | |
|---------------------|---------|---------|------|
| General Studies I | \$ 552 | \$ 560 | 9049 |
| General Studies II | \$ 696 | \$ 705 | 9050 |
| General Studies III | \$1,608 | \$1,651 | 9051 |
| Technical I | \$ 777 | \$ 806 | 9052 |
| Technical III | \$1,501 | \$1,570 | 9053 |
| Baccalaureate I | \$ 700 | \$ 706 | 9054 |
| | | | 9055 |

| | | | |
|------------------------------|---------|---------|------|
| Baccalaureate II | \$1,250 | \$1,232 | 9056 |
| Baccalaureate III | \$1,520 | \$1,458 | 9057 |
| Masters and Professional I | \$1,258 | \$1,301 | 9058 |
| Masters and Professional II | \$2,817 | \$2,688 | 9059 |
| Masters and Professional III | \$3,832 | \$3,712 | 9060 |
| Medical I | \$2,663 | \$2,669 | 9061 |
| Medical II | \$3,837 | \$4,110 | 9062 |
| MPD I | \$1,213 | \$1,233 | 9063 |

(b) The sum of the products for each campus determined in 9064
division (B)(2)(a) of this section for all models except Doctoral 9065
I and Doctoral II for each fiscal year shall be weighted by a 9066
factor to reflect sponsored research activity and job 9067
training-related public services expenditures to determine the 9068
total activity-based POM subsidy. 9069

(C) CALCULATION OF CORE SUBSIDY ENTITLEMENTS AND ADJUSTMENTS 9070

(1) CALCULATION OF CORE SUBSIDY ENTITLEMENTS 9071

The calculation of the core subsidy entitlement shall consist 9072
of the following components: 9073

(a) For each campus and for each fiscal year, the core 9074
subsidy entitlement shall be determined by multiplying the amounts 9075
listed above in divisions (A)(1) and (2) and (B)(2) of this 9076
section less assumed local contributions, by (i) average 9077
subsidy-eligible FTEs for the two-year period ending in the prior 9078
year for all models except Doctoral I and Doctoral II; and (ii) 9079
average subsidy-eligible FTEs for the five-year period ending in 9080
the prior year for all models except Doctoral I and Doctoral II. 9081

(b) In calculating the core subsidy entitlements for Medical 9082
II models only, the Board of Regents shall use the following count 9083
of FTE students: 9084

(i) For those medical schools whose current year enrollment, 9085
including students repeating terms, is below the base enrollment, 9086

the Medical II FTE enrollment shall equal: 65 per cent of the base enrollment plus 35 per cent of the current year enrollment including students repeating terms, where the base enrollment is:

| | | |
|----------------------------------------------------|------|------|
| The Ohio State University | 1010 | 9090 |
| University of Cincinnati | 833 | 9091 |
| Medical College of Ohio at Toledo | 650 | 9092 |
| Wright State University | 433 | 9093 |
| Ohio University | 433 | 9094 |
| Northeastern Ohio Universities College of Medicine | 433 | 9095 |

(ii) For those medical schools whose current year enrollment, excluding students repeating terms, is equal to or greater than the base enrollment, the Medical II FTE enrollment shall equal the base enrollment plus the FTE for repeating students.

(iii) Students repeating terms may be no more than five per cent of current year enrollment.

(c) The Board of Regents shall compute the sum of the two calculations listed in division (C)(1)(a) of this section and use the greater sum as the core subsidy entitlement.

The POM subsidy for each campus shall equal the greater of the square-foot-based subsidy or the activity-based POM subsidy component of the core subsidy entitlement.

(d) The state share of instruction provided for doctoral students shall be based on a fixed percentage of the total appropriation. In each fiscal year of the biennium not more than 10.34 per cent of the total state share of instruction shall be reserved to implement the recommendations of the Graduate Funding Commission. It is the intent of the General Assembly that the doctoral reserve not exceed 10.34 per cent of the total state share of instruction to implement the recommendations of the Graduate Funding Commission. The Board of Regents may reallocate

up to two per cent in each fiscal year of the reserve among the 9117
state-assisted universities on the basis of a quality review as 9118
specified in the recommendations of the Graduate Funding 9119
Commission. No such reallocation shall occur unless the Board of 9120
Regents, in consultation with representatives of state-assisted 9121
universities, determines that sufficient funds are available for 9122
this purpose. 9123

The amount so reserved shall be allocated to universities in 9124
proportion to their share of the total number of Doctoral I 9125
equivalent FTEs as calculated on an institutional basis using the 9126
greater of the two-year or five-year FTEs for the period fiscal 9127
year 1994 through fiscal year 1998 with annualized FTEs for fiscal 9128
years 1994 through 1997 and all-term FTEs for fiscal year 1998 as 9129
adjusted to reflect the effects of doctoral review and subsequent 9130
changes in Doctoral I equivalent enrollments. For the purposes of 9131
this calculation, Doctoral I equivalent FTEs shall equal the sum 9132
of Doctoral I FTEs plus 1.5 times the sum of Doctoral II FTEs. 9133

(2) ANNUAL STATE SHARE OF INSTRUCTION FUNDING GUARANTEE 9134

In addition to and after the other adjustment noted above, in 9135
fiscal year 2004, no campus shall receive a state share of 9136
instruction allocation that is less than 100 per cent of the prior 9137
year's state share of instruction amount. In fiscal year 2005, no 9138
campus shall receive a state share of instruction allocation that 9139
is less than 99 per cent of what that campus' state share of 9140
instruction would have been had the allocation in fiscal year 2004 9141
been not less than 99 per cent, rather than 100 per cent, of the 9142
prior year's state share of instruction amount. 9143

(3) CAPITAL COMPONENT DEDUCTION 9144

After all other adjustments have been made, state share of 9145
instruction earnings shall be reduced for each campus by the 9146
amount, if any, by which debt service charged in Am. H.B. No. 748 9147

of the 121st General Assembly, Am. Sub. H.B. No. 850 of the 122nd 9148
General Assembly, Am. H.B. No. 640 of the 123rd General Assembly, 9149
and H.B. No. 675 of the 124th General Assembly for that campus 9150
exceeds that campus's capital component earnings. The sum of the 9151
amounts deducted shall be transferred to appropriation item 9152
235-552, Capital Component, in each fiscal year. 9153

(D) REDUCTIONS IN EARNINGS 9154

If the total state share of instruction earnings in any 9155
fiscal year exceed the total appropriations available for such 9156
purposes, the Board of Regents shall proportionately reduce the 9157
state share of instruction earnings for all campuses by a uniform 9158
percentage so that the system wide sum equals available 9159
appropriations. 9160

(E) EXCEPTIONAL CIRCUMSTANCES 9161

Adjustments may be made to the state share of instruction 9162
payments and other subsidies distributed by the Board of Regents 9163
to state-assisted colleges and universities for exceptional 9164
circumstances. No adjustments for exceptional circumstances may be 9165
made without the recommendation of the Chancellor and the approval 9166
of the Controlling Board. 9167

(F) MID-YEAR APPROPRIATION REDUCTIONS TO THE STATE SHARE OF 9168
INSTRUCTION 9169

The standard provisions of the state share of instruction 9170
calculation as described in the preceding sections of temporary 9171
law shall apply to any reductions made to appropriation line item 9172
235-501, State Share of Instruction, before the Board of Regents 9173
has formally approved the final allocation of the state share of 9174
instruction funds for any fiscal year. 9175

Any reductions made to appropriation line item 235-501, State 9176
Share of Instruction, after the Board of Regents has formally 9177
approved the final allocation of the state share of instruction 9178

funds for any fiscal year, shall be uniformly applied to each 9179
campus in proportion to its share of the final allocation. 9180

(G) DISTRIBUTION OF STATE SHARE OF INSTRUCTION 9181

The state share of instruction payments to the institutions 9182
shall be in substantially equal monthly amounts during the fiscal 9183
year, unless otherwise determined by the Director of Budget and 9184
Management pursuant to section 126.09 of the Revised Code. 9185
Payments during the first six months of the fiscal year shall be 9186
based upon the state share of instruction appropriation estimates 9187
made for the various institutions of higher education according to 9188
Board of Regents enrollment estimates. Payments during the last 9189
six months of the fiscal year shall be distributed after approval 9190
of the Controlling Board upon the request of the Board of Regents. 9191

(H) LAW SCHOOL SUBSIDY 9192

The state share of instruction to state-supported 9193
universities for students enrolled in law schools in fiscal year 9194
2004 and fiscal year 2005 shall be calculated by using the number 9195
of subsidy-eligible FTE law school students funded by state 9196
subsidy in fiscal year 1995 or the actual number of 9197
subsidy-eligible FTE law school students at the institution in the 9198
fiscal year, whichever is less. 9199

Sec. 89.05. HIGHER EDUCATION - BOARD OF TRUSTEES 9200

Funds appropriated for instructional subsidies at colleges 9201
and universities may be used to provide such branch or other 9202
off-campus undergraduate courses of study and such master's degree 9203
courses of study as may be approved by the Board of Regents. 9204

In providing instructional and other services to students, 9205
boards of trustees of state-assisted institutions of higher 9206
education shall supplement state subsidies by income from charges 9207
to students. Each board shall establish the fees to be charged to 9208

all students, including an instructional fee for educational and 9209
associated operational support of the institution and a general 9210
fee for noninstructional services, including locally financed 9211
student services facilities used for the benefit of enrolled 9212
students. The instructional fee and the general fee shall 9213
encompass all charges for services assessed uniformly to all 9214
enrolled students. Each board may also establish special purpose 9215
fees, service charges, and fines as required; such special purpose 9216
fees and service charges shall be for services or benefits 9217
furnished individual students or specific categories of students 9218
and shall not be applied uniformly to all enrolled students. 9219
Except for the board of trustees of Miami University, in 9220
implementing the pilot tuition restructuring plan recognized by 9221
this act, a tuition surcharge shall be paid by all students who 9222
are not residents of Ohio. 9223

The boards of trustees of individual state-assisted 9224
universities, university branch campuses, community colleges, 9225
state community colleges, and technical colleges shall limit 9226
in-state undergraduate instructional and general fee increases for 9227
an academic year over the amounts charged in the prior academic 9228
year to no more than six per cent. In addition to the six per cent 9229
main campus in-state undergraduate instructional and general fee 9230
increase limit established in this section, the Board of Trustees 9231
of The Ohio State University may authorize an additional 9232
university main campus in-state undergraduate instructional and 9233
general fee increase of three per cent for academic years 9234
2003-2004 and 2004-2005. Except for the board of trustees of ~~the~~ 9235
The Ohio State University, the boards of trustees of individual 9236
state-assisted universities, university branch campuses, community 9237
colleges, state community colleges, and technical colleges shall 9238
not authorize combined instructional and general fee increases of 9239
more than six per cent in a single vote. The board of trustees of 9240
The Ohio State University shall not authorize combined 9241

instructional and general fee increases of more than nine per cent 9242
in a single vote. The boards of trustees of individual 9243
state-assisted universities, university branch campuses, community 9244
colleges, state community colleges, and technical colleges may 9245
authorize an additional 3.9 per cent increase in in-state 9246
undergraduate instructional and general fees in a separate vote. 9247
The additional increase shall only be used for providing 9248
scholarships to low-income students, to be known as Access 9249
Scholarship Grants, or to provide additional or improved 9250
technology services to students. These fee increase limitations 9251
apply even if an institutional board of trustees has, prior to the 9252
effective date of this section, voted to assess a higher fee for 9253
the 2003-2004 academic year. These limitations shall not apply to 9254
increases required to comply with institutional covenants related 9255
to their obligations or to meet unfunded legal mandates or legally 9256
binding obligations incurred or commitments made prior to the 9257
effective date of ~~this act~~ Am. Sub. H.B. 95 of the 125th General 9258
Assembly with respect to which the institution had identified such 9259
fee increases as the source of funds. Any increase required by 9260
such covenants and any such mandates, obligations, or commitments 9261
shall be reported by the Board of Regents to the Controlling 9262
Board. These limitations may also be modified by the Board of 9263
Regents, with the approval of the Controlling Board, to respond to 9264
exceptional circumstances as identified by the Board of Regents. 9265

The board of trustees of a state-assisted institution of 9266
higher education shall not authorize a waiver or nonpayment of 9267
instructional fees or general fees for any particular student or 9268
any class of students other than waivers specifically authorized 9269
by law or approved by the Chancellor. This prohibition is not 9270
intended to limit the authority of boards of trustees to provide 9271
for payments to students for services rendered the institution, 9272
nor to prohibit the budgeting of income for staff benefits or for 9273
student assistance in the form of payment of such instructional 9274

and general fees. This prohibition is not intended to limit the 9275
authority of the board of trustees of Miami University in 9276
providing financial assistance to students in implementing the 9277
pilot tuition restructuring plan recognized by this act. 9278

Except for Miami University, in implementing the pilot 9279
tuition restructuring plan recognized by this act, each 9280
state-assisted institution of higher education in its statement of 9281
charges to students shall separately identify the instructional 9282
fee, the general fee, the tuition charge, and the tuition 9283
surcharge. Fee charges to students for instruction shall not be 9284
considered to be a price of service but shall be considered to be 9285
an integral part of the state government financing program in 9286
support of higher educational opportunity for students. 9287

In providing the appropriations in support of instructional 9288
services at state-assisted institutions of higher education and 9289
the appropriations for other instruction it is the intent of the 9290
General Assembly that faculty members shall devote a proper and 9291
judicious part of their work week to the actual instruction of 9292
students. Total class credit hours of production per quarter per 9293
full-time faculty member is expected to meet the standards set 9294
forth in the budget data submitted by the Board of Regents. 9295

The authority of government vested by law in the boards of 9296
trustees of state-assisted institutions of higher education shall 9297
in fact be exercised by those boards. Boards of trustees may 9298
consult extensively with appropriate student and faculty groups. 9299
Administrative decisions about the utilization of available 9300
resources, about organizational structure, about disciplinary 9301
procedure, about the operation and staffing of all auxiliary 9302
facilities, and about administrative personnel shall be the 9303
exclusive prerogative of boards of trustees. Any delegation of 9304
authority by a board of trustees in other areas of responsibility 9305
shall be accompanied by appropriate standards of guidance 9306

concerning expected objectives in the exercise of such delegated 9307
authority and shall be accompanied by periodic review of the 9308
exercise of this delegated authority to the end that the public 9309
interest, in contrast to any institutional or special interest, 9310
shall be served. 9311

The General Assembly recognizes the pilot tuition 9312
restructuring plan of the board of trustees of Miami University 9313
for undergraduate students enrolled at the Oxford campus. The 9314
purpose of this plan is to make higher education more affordable 9315
for moderate income Ohioans, encourage high-achieving Ohio 9316
students to stay in Ohio rather than attending colleges in other 9317
states, and provide incentives for Ohio students to major in areas 9318
crucial to Ohio's priorities and future economic development. 9319

Notwithstanding any limit on in-state undergraduate 9320
instructional and general fees imposed by this act, the General 9321
Assembly recognizes that the plan will provide that all 9322
undergraduate students enrolled at the Oxford campus will be 9323
charged combined instructional and general fees in an amount equal 9324
to the nonresident instructional and general fees and tuition 9325
surcharge. For both resident student first enrolling on or after 9326
the summer term of 2003 and resident students who enrolled prior 9327
to this date, any increases in fees approved thereafter by the 9328
board of trustees are subject to any instructional and general fee 9329
caps imposed by the General Assembly. 9330

The General Assembly recognizes that the plan provides that 9331
all students who are residents of Ohio will receive student 9332
financial assistance in an amount to be determined by the 9333
University. 9334

The General Assembly recognizes that the plan provides that, 9335
for any resident student who enrolls at the Miami University 9336
Oxford campus prior to August 2004, the plan will have no direct 9337
financial impact except for paper changes on invoices so that such 9338

a student would only pay instructional and general fees in an 9339
amount equivalent to what the student was charged in the preceding 9340
year in addition to any increases in fees approved by the board of 9341
trustees. 9342

Sec. 89.08. CASE WESTERN RESERVE UNIVERSITY SCHOOL OF 9343
MEDICINE 9344

The foregoing appropriation item 235-515, Case Western 9345
Reserve University School of Medicine, shall be disbursed to Case 9346
Western Reserve University through the Board of Regents in 9347
accordance with agreements entered into as provided for by section 9348
3333.10 of the Revised Code, provided that the state support per 9349
full-time medical student shall not exceed that provided to 9350
full-time medical students at state universities. 9351

CAPITAL SCHOLARSHIP PROGRAM 9352

The foregoing appropriation item 235-518, Capital Scholarship 9353
Program, shall be used by the Board of Regents to provide 9354
scholarships to undergraduates of Ohio's four-year public and 9355
private institutions of higher education participating in the 9356
Washington Center Internship Program. A scholarship of \$1,800 9357
shall be awarded to students enrolled in an institution operating 9358
on a quarter system, and a scholarship of \$2,300 shall be awarded 9359
to students enrolled in an institution operating on a semester 9360
system. The number of scholarships awarded shall be limited by the 9361
amounts appropriated in fiscal years 2004 and 2005. The Washington 9362
Center shall match the scholarships awarded to students as 9363
follows: \$1,200 for students enrolled in an institution operating 9364
on a quarter system, and \$1,700 for students enrolled in an 9365
institution operating on a semester system. 9366

FAMILY PRACTICE, GERIATRIC MEDICINE, AND PRIMARY CARE 9367
RESIDENCIES 9368

The Board of Regents shall develop plans consistent with 9369
existing criteria and guidelines as may be required for the 9370
distribution of appropriation items 235-519, Family Practice, 9371
235-525, Geriatric Medicine, and 235-526, Primary Care 9372
Residencies. 9373

SHAWNEE STATE SUPPLEMENT 9374

The foregoing appropriation item 235-520, Shawnee State 9375
Supplement, shall be used by Shawnee State University as detailed 9376
by both of the following: 9377

(A) To allow Shawnee State University to keep its 9378
undergraduate fees below the statewide average, consistent with 9379
its mission of service to an economically depressed Appalachian 9380
region; 9381

(B) To allow Shawnee State University to employ new faculty 9382
to develop and teach in new degree programs that meet the needs of 9383
Appalachians. 9384

POLICE AND FIRE PROTECTION 9385

The foregoing appropriation item 235-524, Police and Fire 9386
Protection, shall be used for police and fire services in the 9387
municipalities of Kent, Athens, Oxford, Fairborn, Bowling Green, 9388
Portsmouth, Xenia Township (Greene County), Rootstown Township, 9389
and the City of Nelsonville that may be used to assist these local 9390
governments in providing police and fire protection for the 9391
central campus of the state-affiliated university located therein. 9392
Each participating municipality and township shall receive at 9393
least \$5,000 each year. Funds shall be distributed according to 9394
the methodology employed by the Board of Regents in the previous 9395
biennium. 9396

PRIMARY CARE RESIDENCIES 9397

The foregoing appropriation item 235-526, Primary Care 9398

Residencies, shall be distributed in each fiscal year of the 9399
biennium, based on whether or not the institution has submitted 9400
and gained approval for a plan. If the institution does not have 9401
an approved plan, it shall receive five per cent less funding per 9402
student than it would have received from its annual allocation. 9403
The remaining funding shall be distributed among those 9404
institutions that meet or exceed their targets. 9405

OHIO AEROSPACE INSTITUTE 9406

The foregoing appropriation item 235-527, Ohio Aerospace 9407
Institute, shall be distributed by the Board of Regents under 9408
section 3333.042 of the Revised Code. 9409

ACADEMIC SCHOLARSHIPS 9410

The foregoing appropriation item 235-530, Academic 9411
Scholarships, shall be used to provide academic scholarships to 9412
students under section 3333.22 of the Revised Code. 9413

STUDENT CHOICE GRANTS 9414

The foregoing appropriation item 235-531, Student Choice 9415
Grants, shall be used to support the Student Choice Grant Program 9416
created by section 3333.27 of the Revised Code. The unencumbered 9417
balance of appropriation item 235-531, Student Choice Grants, at 9418
the end of fiscal year 2004 shall be transferred to fiscal year 9419
2005 for use under the same appropriation item to maintain grant 9420
award amounts in fiscal year 2005 equal to the awards provided in 9421
fiscal year 2004. The amounts transferred are hereby appropriated. 9422

STUDENT WORKFORCE DEVELOPMENT GRANTS 9423

The foregoing appropriation item 235-534, Student Workforce 9424
Development Grants, shall be used to support the Student Workforce 9425
Development Grant Program. Of the appropriated funds available, 9426
the Board of Regents shall distribute grants to each eligible 9427
student in an academic year. The size of each grant award shall be 9428

determined by the Board of Regents based on the amount of funds 9429
available for the program. 9430

OHIO AGRICULTURAL RESEARCH AND DEVELOPMENT CENTER 9431

The foregoing appropriation item 235-535, Ohio Agricultural 9432
Research and Development Center, shall be disbursed through the 9433
Board of Regents to The Ohio State University in monthly payments, 9434
unless otherwise determined by the Director of Budget and 9435
Management pursuant to section 126.09 of the Revised Code. The 9436
Ohio Agricultural Research and Development Center shall not be 9437
required to remit payment to The Ohio State University during the 9438
2003-2005 biennium for cost reallocation assessments. The cost 9439
reallocation assessments include, but are not limited to, any 9440
assessment on state appropriations to the center. The Ohio 9441
Agricultural Research and Development Center, in conjunction with 9442
the Third Frontier Commission, shall provide for an independently 9443
evaluated self-study of research excellence and commercial 9444
relevance in a manner to be prescribed by the Third Frontier 9445
Commission. 9446

Of the foregoing appropriation item 235-535, Ohio 9447
Agricultural Research and Development Center, \$470,164 in fiscal 9448
year 2004 and \$458,410 in fiscal year 2005 shall be used to 9449
purchase equipment. 9450

Of the foregoing appropriation item 235-535, Ohio 9451
Agricultural Research and Development Center, \$827,141 in fiscal 9452
year 2004 and \$806,463 in fiscal year 2005 shall be distributed to 9453
the Piketon Agricultural Research and Extension Center. 9454

Of the foregoing appropriation item 235-535, Ohio 9455
Agricultural Research and Development Center, \$217,669 in fiscal 9456
year 2004 and \$212,227 in fiscal year 2005 shall be distributed to 9457
the Raspberry/Strawberry-Ellagic Acid Research program at ~~the~~ The 9458
Ohio State University Medical College in cooperation with ~~the~~ The 9459

Ohio State University College of Agriculture. 9460

Of the foregoing appropriation item 235-535, Ohio 9461
Agricultural Research and Development Center, \$43,534 in fiscal 9462
year 2004 and \$42,445 in fiscal year 2005 shall be used to support 9463
the Ohio Berry Administrator. 9464

Of the foregoing appropriation item 235-535, Ohio 9465
Agricultural Research and Development Center, \$87,067 in fiscal 9466
year 2004 and \$84,890 in fiscal year 2005 shall be used for the 9467
development of agricultural crops and products not currently in 9468
widespread production in Ohio, in order to increase the income and 9469
viability of family farmers. 9470

STATE UNIVERSITY CLINICAL TEACHING 9471

The foregoing appropriation items 235-536, The Ohio State 9472
University Clinical Teaching; 235-537, University of Cincinnati 9473
Clinical Teaching; 235-538, Medical College of Ohio at Toledo 9474
Clinical Teaching; 235-539, Wright State University Clinical 9475
Teaching; 235-540, Ohio University Clinical Teaching; and 235-541, 9476
Northeastern Ohio Universities College of Medicine Clinical 9477
Teaching, shall be distributed through the Board of Regents. 9478

Of the foregoing appropriation item 235-539, Wright State 9479
University Clinical Teaching, \$124,644 in each fiscal year of the 9480
biennium shall be for the use of Wright State University's Ellis 9481
Institute for Clinical Teaching Studies to operate the clinical 9482
facility to serve the Greater Dayton area. 9483

SCHOOL OF INTERNATIONAL BUSINESS 9484

Of the foregoing appropriation item 235-547, School of 9485
International Business, \$901,975 in fiscal year 2004 and \$879,426 9486
in fiscal year 2005 shall be used for the continued development 9487
and support of the School of International Business of the state 9488
universities of northeast Ohio. The money shall go to the 9489
University of Akron. These funds shall be used by the university 9490

to establish a School of International Business located at the 9491
University of Akron. It may confer with Kent State University, 9492
Youngstown State University, and Cleveland State University as to 9493
the curriculum and other matters regarding the school. 9494

Of the foregoing appropriation item 235-547, School of 9495
International Business, \$181,318 in fiscal year 2004 and \$176,785 9496
in fiscal year 2005 shall be used by the University of Toledo 9497
College of Business for expansion of its international business 9498
programs. 9499

Of the foregoing appropriation item 235-547, School of 9500
International Business, \$181,318 in fiscal year 2004 and \$176,785 9501
in fiscal year 2005 shall be used to support ~~the~~ The Ohio State 9502
University BioMEMS program. 9503

PART-TIME STUDENT INSTRUCTIONAL GRANTS 9504

The foregoing appropriation item 235-549, Part-time Student 9505
Instructional Grants, shall be used to support a grant program for 9506
part-time undergraduate students who are Ohio residents and who 9507
are enrolled in degree granting programs. 9508

Eligibility for participation in the program shall include 9509
degree granting educational institutions that hold a certificate 9510
of registration from the State Board of Career Colleges and 9511
Schools, and nonprofit institutions that have a certificate of 9512
authorization issued pursuant to Chapter 1713. of the Revised 9513
Code, as well as state-assisted colleges and universities. Grants 9514
shall be given to students on the basis of need, as determined by 9515
the college, which, in making these determinations, shall give 9516
special consideration to single-parent heads-of-household and 9517
displaced homemakers who enroll in an educational degree program 9518
that prepares the individual for a career. In determining need, 9519
the college also shall consider the availability of educational 9520
assistance from a student's employer. It is the intent of the 9521

General Assembly that these grants not supplant such assistance. 9522

Sec. 145. FEDERAL JOBS AND GROWTH TAX RELIEF RECONCILIATION 9523
ACT OF 2003 9524

(A) The enhanced federal medical assistance percentage (FMAP) 9525
rate is authorized pursuant to the Federal Jobs and Growth Relief 9526
Reconciliation Act of 2003 for the third and fourth calendar 9527
quarters of federal fiscal year 2003 and the first, second, and 9528
third calendar quarters of federal fiscal year 2004. During this 9529
period, the reimbursement rate for all Medicaid service 9530
expenditures paid by state or local entities shall be the 9531
non-enhanced rate. 9532

(B) During the quarters that the enhanced FMAP rate is 9533
authorized pursuant to the Federal Jobs and Growth Relief 9534
Reconciliation Act of 2003, when drawing FMAP to the state 9535
treasury for Medicaid services paid by the Department of Job and 9536
Family Services or other state or local entities, the Department 9537
of Job and Family Services shall deposit the amount of federal 9538
revenue attributable to the enhanced FMAP that is being made 9539
available to the Federal Fiscal Relief Fund, which is hereby 9540
created in the state treasury. The disposition of cash from this 9541
fund shall occur as follows: 9542

(1) On a schedule to be determined by the Office of Budget 9543
and Management, the Director of Budget and Management shall make 9544
cash transfers to the Medicaid Reserve Fund, which is hereby 9545
created in the state treasury. The total amount transferred shall 9546
be up to \$18,611,156 in state fiscal year 2004 and \$90,851,972 in 9547
state fiscal year 2005. The Director of Job and Family Services 9548
shall make requests to the Director of Budget and Management as 9549
necessary to increase the appropriation in appropriation item 9550
600-525, Health Care/Medicaid. The Director of Budget and 9551
Management shall transfer the state share of such amounts from the 9552

Medicaid Reserve Fund to the General Revenue Fund. The transferred 9553
amount plus the federal share associated with this amount is 9554
hereby appropriated. The Department of Job and Family Services 9555
shall use this appropriation authority to pay claims for Medicaid 9556
services. 9557

(2) ~~After the amounts in division (B)(1) of this section have~~ 9558
~~been transferred, The Director of Budget and Management shall~~ 9559
determine the amount of enhanced reimbursement that is 9560
attributable to Medicaid expenditures for which the state share 9561
was paid by one of the following entities: county boards of mental 9562
retardation and developmental disabilities; boards of mental 9563
health; boards of alcohol, drug addiction, and mental health 9564
services; boards of alcohol and drug addiction services; and any 9565
other entity that qualifies under the Federal Jobs and Growth Tax 9566
Relief Reconciliation Act of 2003. On a schedule to be determined 9567
by the Office of Budget and Management, the Director of Budget and 9568
Management shall make cash transfers of these amounts from the 9569
Federal Fiscal Relief Fund to the Interagency Reimbursement Fund. 9570
The appropriation in appropriation item 600-655, Interagency 9571
Reimbursement, is hereby increased by these amounts in order to 9572
transfer the enhanced reimbursement to other agencies. If 9573
necessary, the Office of Budget and Management shall seek 9574
Controlling Board approval to increase appropriations in federal 9575
appropriation items used by the Department of Mental Retardation 9576
and Developmental Disabilities, the Department of Mental Health, 9577
and the Department of Alcohol and Drug Addiction Services in order 9578
for these departments to pass the enhanced federal share to the 9579
aforementioned local entities. The Department of Mental 9580
Retardation and Developmental Disabilities, the Department of 9581
Mental Health, and the Department of Alcohol and Drug Addiction 9582
Services shall distribute such amounts to the boards or entities 9583
as listed in this section based on the direction of the Office of 9584
Budget and Management. 9585

(3) On a schedule to be determined by the Office of Budget and Management, the Director of Budget and Management ~~shall~~ may transfer ~~the remainder of~~ cash not required by division (B)(1) or (B)(2) of this section in the Federal Fiscal Relief Fund to the General Revenue Fund ~~on a schedule to be determined by the Office of Budget and Management~~.

Section 62. That existing Sections 8.04, 12, 41.06, 41.13, 55, 59, 66, 89.04, 89.05, 89.08, and 145 of Am. Sub. H.B. 95 of the 125th General Assembly are hereby repealed.

Section 63. (A) Except as otherwise provided in division (B) of this section, the amendment by this act of sections of Am. Sub. H.B. 95 of the 125th General Assembly, and the items of which the amendments are composed, are not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the amendments of those sections, and the items of which the amendments are composed, go into immediate effect when this act becomes law.

(B) The amendment by this act of Section 12 of Am. Sub. H.B. 95 of the 125th General Assembly, and the items of which the amendment is composed, are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendment, and the items of which the amendment is composed, take effect on the ninety-first day after this act is filed with the Secretary of State. However, if a referendum petition is filed against the amendment, or an item of which it is composed, the amendment, or item, unless rejected at the referendum, takes effect at the earliest time permitted by law.

Section 64. The Sports Facilities Building Fund (Fund 024) previously created by section 3383.09 of the Revised Code shall be

closed and any unexpended balance or earnings shall be transferred 9616
and credited to the Arts and Sports Facilities Building Fund (Fund 9617
030) created by section 3383.09 of the Revised Code, as amended by 9618
this act, and segregated within the Arts and Sports Facilities 9619
Building Fund and used, with any investment earnings on such 9620
amounts, to pay costs of Ohio sports facilities. 9621

Any unencumbered and unallotted appropriations set forth in 9622
Section 9.01 of H.B. 675 and Section 14 of Am. Sub. H.B. 524 of 9623
the 124th General Assembly that were appropriated out of any money 9624
in the state treasury to the credit of the Sports Facilities 9625
Building Fund are hereby transferred to the Arts and Sports 9626
Facilities Building Fund, subject to the conditions specified in 9627
those sections. Any encumbrances on the Sports Facilities Building 9628
Fund are hereby cancelled and re-established in the Arts and 9629
Sports Facilities Building Fund. 9630

Any heretofore unutilized amounts of separate authorizations 9631
to issue and sell obligations granted to the Ohio Building 9632
Authority by prior acts of the General Assembly pursuant to 9633
Section 2i of Article VIII, Ohio Constitution, and Chapter 152. 9634
and any other applicable provisions of the Revised Code, to pay 9635
costs of capital facilities or improvements for Ohio arts 9636
facilities and for Ohio sports facilities are hereby combined into 9637
a common authorization. The Ohio Building Authority is hereby 9638
authorized to issue and sell those obligations, in accordance with 9639
and subject to the applicable limitations in Section 2i of Article 9640
VIII, Ohio Constitution, and Chapter 152. and other applicable 9641
provisions of the Revised Code, to pay the costs of capital 9642
facilities consisting of Ohio arts facilities and Ohio sports 9643
facilities, as defined in section 3383.01 of the Revised Code. 9644

Section 65. Not later than June 30, 2005, the Director of 9645
Mental Health shall revise rule 5122-29-06 of the Administrative 9646

Code regarding the certification standards for the 9647
partial-hospitalization community mental health service. As part 9648
of the revision, the Director shall address client eligibility 9649
criteria. 9650

**Section 66. JOB AND FAMILY SERVICES - CHILDREN AND FAMILY 9651
SUBSIDY 9652**

In fiscal year 2004, appropriation item 600-523, Children and 9653
Family Subsidy, shall be increased by \$4,524,074 to pay for foster 9654
care training that occurred in a prior fiscal year. This amount is 9655
hereby appropriated. 9656

This section is not subject to the referendum. Therefore, 9657
under Ohio Constitution, Article II, Section 1d and section 1.471 9658
of the Revised Code, this section goes into immediate effect when 9659
this act becomes law. 9660

**Section 67. Except as otherwise specifically provided in this 9661
act, the codified and uncodified sections of law amended or 9662
enacted by this act, and the items of law of which the codified 9663
and uncodified sections of law amended or enacted by this act are 9664
composed, are subject to the referendum. Therefore, under section 9665
1c of Article II, Ohio Constitution and section 1.471 of the 9666
Revised Code, the codified and uncodified sections of law amended 9667
or enacted by this act, and the items of law of which the codified 9668
and uncodified sections amended or enacted by this act are 9669
composed, take effect on the ninety-first day after this act is 9670
filed with the Secretary of State. If, however, a referendum 9671
petition is filed against any such codified or uncodified section 9672
of law as amended or enacted by this act, or against any item of 9673
law of which any such codified or uncodified section of law as 9674
amended or enacted by this act is composed, the codified or 9675
uncodified section of law as amended or enacted, or item of law, 9676**

unless rejected at the referendum, takes effect at the earliest 9677
time permitted by law. 9678

Section 68. The repeal by this act of sections 152.101 and 9679
901.85 of the Revised Code is subject to the referendum. 9680
Therefore, under Ohio Constitution, Article II, Section 1c and 9681
section 1.471 of the Revised Code, the repeals take effect on the 9682
ninety-first day after this act is filed with the Secretary of 9683
State. However, if a referendum petition is filed against either 9684
of the repeals, the repeal, unless rejected at the referendum, 9685
takes effect at the earliest time permitted by law. 9686

Section 69. The amendment by this act of sections 124.15, 9687
124.152, 124.181, 124.183, 124.382, 126.32, 175.21, and 4701.03 of 9688
the Revised Code, and the items of which the amendments are 9689
composed, are not subject to the referendum. Therefore, under Ohio 9690
Constitution, Article II, Section 1d and section 1.471 of the 9691
Revised Code, the amendment by this act of those sections, and the 9692
items of which the amendments are composed, go into immediate 9693
effect when this act becomes law. 9694

Section 70. If any item of law that constitutes the whole or 9695
part of a codified or uncodified section of law contained in this 9696
act, or if any application of any item of law that constitutes the 9697
whole or part of a codified or uncodified section of law contained 9698
in this act, is held invalid, the invalidity does not affect other 9699
items of law or applications of items of law that can be given 9700
effect without the invalid item of law or application. To this 9701
end, the items of law of which the codified and uncodified 9702
sections of law contained in this act are composed, and their 9703
applications, are independent and severable. 9704