

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

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

Sub. S. B. No. 189

Senators Harris, Amstutz, Carey

A B I L L

| | |
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| To amend sections 9.24, 102.02, 123.01, 123.10, | 1 |
| 124.15, 124.152, 124.181, 124.183, 124.382, | 2 |
| 126.32, 152.09, 175.21, 3311.059, 3327.01, | 3 |
| 3334.01, 3383.09, 3701.881, 3712.09, 3734.02, | 4 |
| 3734.18, 3734.57, 3769.021, 3769.087, 3781.19, | 5 |
| 4701.03, 4707.05, 4758.20, 4758.40, 4758.41, | 6 |
| 4758.42, 4758.55, 4758.56, 4758.57, 4758.58, | 7 |
| 4758.59, 4758.61, 5101.27, 5111.022, 5119.18, | 8 |
| 5123.352, 5731.47, 5731.48, and 6301.03 and to | 9 |
| repeal sections 152.101 and 901.85 of the Revised | 10 |
| Code and to amend Section 11.04 of Am. Sub. H.B. | 11 |
| 87 of the 125th General Assembly, as subsequently | 12 |
| amended, and to amend Sections 8.04, 12, 41.06, | 13 |
| 41.13, 55, 59, 59.29, 66, 89, 89.04, 89.05, 89.08, | 14 |
| 89.11, and 145 of Am. Sub. H.B. 95 of the 125th | 15 |
| General Assembly to make capital reappropriations | 16 |
| for the biennium ending June 30, 2006, to make | 17 |
| certain supplemental and capital appropriations, | 18 |
| and to provide authorization and conditions for | 19 |
| the operation of state programs. | 20 |

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

Section 1. That sections 9.24, 102.02, 123.01, 123.10, 21
124.15, 124.152, 124.181, 124.183, 124.382, 126.32, 152.09, 22
175.21, 3311.059, 3327.01, 3334.01, 3383.09, 3701.881, 3712.09, 23
3734.02, 3734.18, 3734.57, 3769.021, 3769.087, 3781.19, 4701.03, 24
4707.05, 4758.20, 4758.40, 4758.41, 4758.42, 4758.55, 4758.56, 25
4758.57, 4758.58, 4758.59, 4758.61, 5101.27, 5111.022, 5119.18, 26
5123.352, 5731.47, 5731.48, and 6301.03 of the Revised Code be 27
amended to read as follows: 28

Sec. 9.24. (A) ~~No~~ Except as may be allowed under division (F) 29
this section, no state agency and no political subdivision shall 30
award a contract as described in division (G)(1) of this section 31
for goods, services, or construction, paid for in whole or in part 32
with state ~~funds~~ money, to a person against whom a finding for 33
recovery has been issued by the auditor of state on and after 34
January 1, 2001, if the finding for recovery is unresolved. 35

A contract is considered to be awarded when it is entered 36
into or executed, irrespective of whether the parties to the 37
contract have exchanged any money. 38

(B) For purposes of this section, a finding for recovery is 39
unresolved unless one of the following criteria applies: 40

(1) The money identified in the finding for recovery is paid 41
in full to the state agency or political subdivision to whom the 42
money was owed; 43

(2) The debtor has entered into a repayment plan that is 44
approved by the attorney general and the state agency or political 45
subdivision to whom the money identified in the finding for 46
recovery is owed. A repayment plan may include a provision 47
permitting a state agency or political subdivision to withhold 48
payment to a debtor for goods, services, or construction provided 49
to or for the state agency or political subdivision pursuant to a 50

contract that is entered into with the debtor after the date the 51
finding for recovery was issued. 52

(3) The attorney general waives a repayment plan described in 53
division (B)(2) of this section for good cause; 54

(4) The debtor and state agency or political subdivision to 55
whom the money identified in the finding for recovery is owed have 56
agreed to a payment plan established through an enforceable 57
settlement agreement. 58

(5) The state agency or political subdivision desiring to 59
enter into a contract with a debtor certifies, and the attorney 60
general concurs, that all of the following are true: 61

(a) Essential services the state agency or political 62
subdivision is seeking to obtain from the debtor cannot be 63
provided by any other person besides the debtor; 64

(b) Awarding a contract to the debtor for the essential 65
services described in division (B)(5)(a) of this section is in the 66
best interest of the state; 67

(c) Good faith efforts have been made to collect the money 68
identified in the finding of recovery. 69

(6) The debtor has commenced an action to contest the finding 70
for recovery and a final determination on the action has not yet 71
been reached. 72

(C) The attorney general shall submit an initial report to 73
the auditor of state, not later than December 1, 2003, indicating 74
the status of collection for all findings for recovery issued by 75
the auditor of state for calendar years 2001, 2002, and 2003. 76
Beginning on January 1, 2004, the attorney general shall submit to 77
the auditor of state, on the first day of every January, April, 78
July, and October, a list of all findings for recovery that have 79
been resolved in accordance with division (B) of this section 80

during the calendar quarter preceding the submission of the list 81
and a description of the means of resolution. 82

(D) The auditor of state shall maintain a database, 83
accessible to the public, listing persons against whom an 84
unresolved finding for recovery has been issued, and the amount of 85
the money identified in the unresolved finding for recovery. The 86
auditor of state shall have this database operational on or before 87
January 1, 2004. The initial database shall contain the 88
information required under this division for calendar years 2001, 89
2002, and 2003. 90

Beginning January 15, 2004, the auditor of state shall update 91
the database by the fifteenth day of every January, April, July, 92
and October to reflect resolved findings for recovery that are 93
reported to the auditor of state by the attorney general on the 94
first day of the same month pursuant to division (C) of this 95
section. 96

(E) Before awarding a contract as described in division 97
(G)(1) of this section for goods, services, or construction, paid 98
for in whole or in part with state ~~funds~~ money, a state agency or 99
political subdivision shall verify that the person to whom the 100
state agency or political subdivision plans to award the contract 101
does not appear in the database described in division (D) of this 102
section. 103

(F) The prohibition of division (A) of this section does not 104
apply to the companies or agreements described in divisions (F)(1) 105
and (2) of this section, or in the circumstance described in 106
division (F)(3) of this section. 107

(1) A bonding company or a company authorized to transact the 108
business of insurance in this state unless a court has entered a 109
final judgment against the company and the company has not yet 110
satisfied the final judgment. 111

(2) To medicaid provider agreements under Chapter 5111. of 112
the Revised Code or payments or provider agreements under 113
disability assistance medical assistance established under Chapter 114
5115. of the Revised Code. 115

(3) When federal law dictates that a specified entity provide 116
the goods, services, or construction for which a contract is being 117
awarded, regardless of whether that entity would otherwise be 118
prohibited from entering into the contract pursuant to this 119
section. 120

(G)(1) This section applies only to contracts for goods, 121
services, or construction that satisfy the criteria in either 122
division (G)(1)(a) or (b) of this division. This section may apply 123
to contracts for goods, services, or construction that satisfy the 124
criteria in division (G)(1)(c) or (d), provided that the contracts 125
also satisfy the criteria in either division (G)(1)(a) or (b) of 126
this division. 127

(a) The cost for the goods, services, or construction 128
provided under the contract is estimated to exceed twenty-five 129
thousand dollars. 130

(b) The aggregate cost for the goods, services, or 131
construction provided under multiple contracts entered into within 132
the fiscal year preceding the fiscal year within which the 133
multiple contracts are being entered into by either a state agency 134
and a single person or a political subdivision and a single 135
person, is estimated to exceed fifty thousand dollars. 136

(c) The contract is a renewal of a contract previously 137
entered into and renewed pursuant to that preceding contract. 138

(d) The contract is an employment contract between a state 139
agency or political subdivision and an independent contractor. 140

(2) This section does not apply to employment contracts, 141

except for the type of employment contracts described in division 142
(G)(1)(d) of this section. 143

(H) As used in this section: 144

(1) "State agency" has the same meaning as in section 9.66 of 145
the Revised Code. 146

(2) "Political subdivision" means a political subdivision as 147
defined in section 9.82 of the Revised Code that has received more 148
than fifty thousand dollars of state money in the current fiscal 149
year or the preceding fiscal year. 150

(3) "Finding for recovery" means a determination issued by 151
the auditor of state, contained in a report the auditor of state 152
gives to the attorney general pursuant to section 117.28 of the 153
Revised Code, that public money has been illegally expended, 154
public money has been collected but not been accounted for, public 155
money is due but has not been collected, or public property has 156
been converted or misappropriated. 157

~~(3)~~(4) "Debtor" means a person against whom a finding for 158
recovery has been issued. 159

(5) "Person" means the person named in the finding for 160
recovery, and includes the named person doing business under any 161
name other than the person's legal name. 162

(6) "State money" does not include money the state receives 163
from another source and passes through to a political subdivision. 164

Sec. 102.02. (A) Except as otherwise provided in division (H) 165
of this section, every person who is elected to or is a candidate 166
for a state, county, or city office, ~~or the office of member of~~ 167
~~the United States congress,~~ and every person who is appointed to 168
fill a vacancy for an unexpired term in such an elective office; 169
all members of the state board of education; the director, 170
assistant directors, deputy directors, division chiefs, or persons 171

of equivalent rank of any administrative department of the state; 172
the president or other chief administrative officer of every state 173
institution of higher education as defined in section 3345.011 of 174
the Revised Code; the chief executive officer of each state 175
retirement system; all members of the board of commissioners on 176
grievances and discipline of the supreme court and the ethics 177
commission created under section 102.05 of the Revised Code; every 178
business manager, treasurer, or superintendent of a city, local, 179
exempted village, joint vocational, or cooperative education 180
school district or an educational service center; every person who 181
is elected to or is a candidate for the office of member of a 182
board of education of a city, local, exempted village, joint 183
vocational, or cooperative education school district or of a 184
governing board of an educational service center that has a total 185
student count of twelve thousand or more as most recently 186
determined by the department of education pursuant to section 187
3317.03 of the Revised Code; every person who is appointed to the 188
board of education of a municipal school district pursuant to 189
division (B) or (F) of section 3311.71 of the Revised Code; all 190
members of the board of directors of a sanitary district that is 191
established under Chapter 6115. of the Revised Code and organized 192
wholly for the purpose of providing a water supply for domestic, 193
municipal, and public use, and that includes two municipal 194
corporations in two counties; every public official or employee 195
who is paid a salary or wage in accordance with schedule C of 196
section 124.15 or schedule E-2 of section 124.152 of the Revised 197
Code; members of the board of trustees and the executive director 198
of the tobacco use prevention and control foundation; members of 199
the board of trustees and the executive director of the southern 200
Ohio agricultural and community development foundation; and every 201
other public official or employee who is designated by the 202
appropriate ethics commission pursuant to division (B) of this 203
section shall file with the appropriate ethics commission on a 204

form prescribed by the commission, a statement disclosing all of 205
the following: 206

(1) The name of the person filing the statement and each 207
member of the person's immediate family and all names under which 208
the person or members of the person's immediate family do 209
business; 210

(2)(a) Subject to divisions (A)(2)(b) and (c) of this section 211
and except as otherwise provided in section 102.022 of the Revised 212
Code, identification of every source of income, other than income 213
from a legislative agent identified in division (A)(2)(b) of this 214
section, received during the preceding calendar year, in the 215
person's own name or by any other person for the person's use or 216
benefit, by the person filing the statement, and a brief 217
description of the nature of the services for which the income was 218
received. If the person filing the statement is a member of the 219
general assembly, the statement shall identify the amount of every 220
source of income received in accordance with the following ranges 221
of amounts: zero or more, but less than one thousand dollars; one 222
thousand dollars or more, but less than ten thousand dollars; ten 223
thousand dollars or more, but less than twenty-five thousand 224
dollars; twenty-five thousand dollars or more, but less than fifty 225
thousand dollars; fifty thousand dollars or more, but less than 226
one hundred thousand dollars; and one hundred thousand dollars or 227
more. Division (A)(2)(a) of this section shall not be construed to 228
require a person filing the statement who derives income from a 229
business or profession to disclose the individual items of income 230
that constitute the gross income of that business or profession, 231
except for those individual items of income that are attributable 232
to the person's or, if the income is shared with the person, the 233
partner's, solicitation of services or goods or performance, 234
arrangement, or facilitation of services or provision of goods on 235
behalf of the business or profession of clients, including 236

corporate clients, who are legislative agents as defined in 237
section 101.70 of the Revised Code. A person who files the 238
statement under this section shall disclose the identity of and 239
the amount of income received from a person who the public 240
official or employee knows or has reason to know is doing or 241
seeking to do business of any kind with the public official's or 242
employee's agency. 243

(b) If the person filing the statement is a member of the 244
general assembly, the statement shall identify every source of 245
income and the amount of that income that was received from a 246
legislative agent, as defined in section 101.70 of the Revised 247
Code, during the preceding calendar year, in the person's own name 248
or by any other person for the person's use or benefit, by the 249
person filing the statement, and a brief description of the nature 250
of the services for which the income was received. Division 251
(A)(2)(b) of this section requires the disclosure of clients of 252
attorneys or persons licensed under section 4732.12 of the Revised 253
Code, or patients of persons certified under section 4731.14 of 254
the Revised Code, if those clients or patients are legislative 255
agents. Division (A)(2)(b) of this section requires a person 256
filing the statement who derives income from a business or 257
profession to disclose those individual items of income that 258
constitute the gross income of that business or profession that 259
are received from legislative agents. 260

(c) Except as otherwise provided in division (A)(2)(c) of 261
this section, division (A)(2)(a) of this section applies to 262
attorneys, physicians, and other persons who engage in the 263
practice of a profession and who, pursuant to a section of the 264
Revised Code, the common law of this state, a code of ethics 265
applicable to the profession, or otherwise, generally are required 266
not to reveal, disclose, or use confidences of clients, patients, 267
or other recipients of professional services except under 268

specified circumstances or generally are required to maintain 269
those types of confidences as privileged communications except 270
under specified circumstances. Division (A)(2)(a) of this section 271
does not require an attorney, physician, or other professional 272
subject to a confidentiality requirement as described in division 273
(A)(2)(c) of this section to disclose the name, other identity, or 274
address of a client, patient, or other recipient of professional 275
services if the disclosure would threaten the client, patient, or 276
other recipient of professional services, would reveal details of 277
the subject matter for which legal, medical, or professional 278
advice or other services were sought, or would reveal an otherwise 279
privileged communication involving the client, patient, or other 280
recipient of professional services. Division (A)(2)(a) of this 281
section does not require an attorney, physician, or other 282
professional subject to a confidentiality requirement as described 283
in division (A)(2)(c) of this section to disclose in the brief 284
description of the nature of services required by division 285
(A)(2)(a) of this section any information pertaining to specific 286
professional services rendered for a client, patient, or other 287
recipient of professional services that would reveal details of 288
the subject matter for which legal, medical, or professional 289
advice was sought or would reveal an otherwise privileged 290
communication involving the client, patient, or other recipient of 291
professional services. 292

(3) The name of every corporation on file with the secretary 293
of state that is incorporated in this state or holds a certificate 294
of compliance authorizing it to do business in this state, trust, 295
business trust, partnership, or association that transacts 296
business in this state in which the person filing the statement or 297
any other person for the person's use and benefit had during the 298
preceding calendar year an investment of over one thousand dollars 299
at fair market value as of the thirty-first day of December of the 300
preceding calendar year, or the date of disposition, whichever is 301

earlier, or in which the person holds any office or has a 302
fiduciary relationship, and a description of the nature of the 303
investment, office, or relationship. Division (A)(3) of this 304
section does not require disclosure of the name of any bank, 305
savings and loan association, credit union, or building and loan 306
association with which the person filing the statement has a 307
deposit or a withdrawable share account. 308

(4) All fee simple and leasehold interests to which the 309
person filing the statement holds legal title to or a beneficial 310
interest in real property located within the state, excluding the 311
person's residence and property used primarily for personal 312
recreation; 313

(5) The names of all persons residing or transacting business 314
in the state to whom the person filing the statement owes, in the 315
person's own name or in the name of any other person, more than 316
one thousand dollars. Division (A)(5) of this section shall not be 317
construed to require the disclosure of debts owed by the person 318
resulting from the ordinary conduct of a business or profession or 319
debts on the person's residence or real property used primarily 320
for personal recreation, except that the superintendent of 321
financial institutions shall disclose the names of all 322
state-chartered savings and loan associations and of all service 323
corporations subject to regulation under division (E)(2) of 324
section 1151.34 of the Revised Code to whom the superintendent in 325
the superintendent's own name or in the name of any other person 326
owes any money, and that the superintendent and any deputy 327
superintendent of banks shall disclose the names of all 328
state-chartered banks and all bank subsidiary corporations subject 329
to regulation under section 1109.44 of the Revised Code to whom 330
the superintendent or deputy superintendent owes any money. 331

(6) The names of all persons residing or transacting business 332
in the state, other than a depository excluded under division 333

(A)(3) of this section, who owe more than one thousand dollars to 334
the person filing the statement, either in the person's own name 335
or to any person for the person's use or benefit. Division (A)(6) 336
of this section shall not be construed to require the disclosure 337
of clients of attorneys or persons licensed under section 4732.12 338
or 4732.15 of the Revised Code, or patients of persons certified 339
under section 4731.14 of the Revised Code, nor the disclosure of 340
debts owed to the person resulting from the ordinary conduct of a 341
business or profession. 342

(7) Except as otherwise provided in section 102.022 of the 343
Revised Code, the source of each gift of over seventy-five 344
dollars, or of each gift of over twenty-five dollars received by a 345
member of the general assembly from a legislative agent, received 346
by the person in the person's own name or by any other person for 347
the person's use or benefit during the preceding calendar year, 348
except gifts received by will or by virtue of section 2105.06 of 349
the Revised Code, or received from spouses, parents, grandparents, 350
children, grandchildren, siblings, nephews, nieces, uncles, aunts, 351
brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, 352
fathers-in-law, mothers-in-law, or any person to whom the person 353
filing the statement stands in loco parentis, or received by way 354
of distribution from any inter vivos or testamentary trust 355
established by a spouse or by an ancestor; 356

(8) Except as otherwise provided in section 102.022 of the 357
Revised Code, identification of the source and amount of every 358
payment of expenses incurred for travel to destinations inside or 359
outside this state that is received by the person in the person's 360
own name or by any other person for the person's use or benefit 361
and that is incurred in connection with the person's official 362
duties, except for expenses for travel to meetings or conventions 363
of a national or state organization to which any state agency, 364
including, but not limited to, any legislative agency or state 365

institution of higher education as defined in section 3345.011 of 366
the Revised Code, pays membership dues, or any political 367
subdivision or any office or agency of a political subdivision 368
pays membership dues; 369

(9) Except as otherwise provided in section 102.022 of the 370
Revised Code, identification of the source of payment of expenses 371
for meals and other food and beverages, other than for meals and 372
other food and beverages provided at a meeting at which the person 373
participated in a panel, seminar, or speaking engagement or at a 374
meeting or convention of a national or state organization to which 375
any state agency, including, but not limited to, any legislative 376
agency or state institution of higher education as defined in 377
section 3345.011 of the Revised Code, pays membership dues, or any 378
political subdivision or any office or agency of a political 379
subdivision pays membership dues, that are incurred in connection 380
with the person's official duties and that exceed one hundred 381
dollars aggregated per calendar year; 382

(10) If the financial disclosure statement is filed by a 383
public official or employee described in division (B)(2) of 384
section 101.73 of the Revised Code or division (B)(2) of section 385
121.63 of the Revised Code who receives a statement from a 386
legislative agent, executive agency lobbyist, or employer that 387
contains the information described in division (F)(2) of section 388
101.73 of the Revised Code or division (G)(2) of section 121.63 of 389
the Revised Code, all of the nondisputed information contained in 390
the statement delivered to that public official or employee by the 391
legislative agent, executive agency lobbyist, or employer under 392
division (F)(2) of section 101.73 or (G)(2) of section 121.63 of 393
the Revised Code. As used in division (A)(10) of this section, 394
"legislative agent," "executive agency lobbyist," and "employer" 395
have the same meanings as in sections 101.70 and 121.60 of the 396
Revised Code. 397

A person may file a statement required by this section in 398
person or by mail. A person who is a candidate for elective office 399
shall file the statement no later than the thirtieth day before 400
the primary, special, or general election at which the candidacy 401
is to be voted on, whichever election occurs soonest, except that 402
a person who is a write-in candidate shall file the statement no 403
later than the twentieth day before the earliest election at which 404
the person's candidacy is to be voted on. A person who holds 405
elective office shall file the statement on or before the 406
fifteenth day of April of each year unless the person is a 407
candidate for office. A person who is appointed to fill a vacancy 408
for an unexpired term in an elective office shall file the 409
statement within fifteen days after the person qualifies for 410
office. Other persons shall file an annual statement on or before 411
the fifteenth day of April or, if appointed or employed after that 412
date, within ninety days after appointment or employment. No 413
person shall be required to file with the appropriate ethics 414
commission more than one statement or pay more than one filing fee 415
for any one calendar year. 416

The appropriate ethics commission, for good cause, may extend 417
for a reasonable time the deadline for filing a statement under 418
this section. 419

A statement filed under this section is subject to public 420
inspection at locations designated by the appropriate ethics 421
commission except as otherwise provided in this section. 422

(B) The Ohio ethics commission, the joint legislative ethics 423
committee, and the board of commissioners on grievances and 424
discipline of the supreme court, using the rule-making procedures 425
of Chapter 119. of the Revised Code, may require any class of 426
public officials or employees under its jurisdiction and not 427
specifically excluded by this section whose positions involve a 428
substantial and material exercise of administrative discretion in 429

the formulation of public policy, expenditure of public funds, 430
enforcement of laws and rules of the state or a county or city, or 431
the execution of other public trusts, to file an annual statement 432
on or before the fifteenth day of April under division (A) of this 433
section. The appropriate ethics commission shall send the public 434
officials or employees written notice of the requirement by the 435
fifteenth day of February of each year the filing is required 436
unless the public official or employee is appointed after that 437
date, in which case the notice shall be sent within thirty days 438
after appointment, and the filing shall be made not later than 439
ninety days after appointment. 440

Except for disclosure statements filed by members of the 441
board of trustees and the executive director of the tobacco use 442
prevention and control foundation and members of the board of 443
trustees and the executive director of the southern Ohio 444
agricultural and community development foundation, disclosure 445
statements filed under this division with the Ohio ethics 446
commission by members of boards, commissions, or bureaus of the 447
state for which no compensation is received other than reasonable 448
and necessary expenses shall be kept confidential. Disclosure 449
statements filed with the Ohio ethics commission under division 450
(A) of this section by business managers, treasurers, and 451
superintendents of city, local, exempted village, joint 452
vocational, or cooperative education school districts or 453
educational service centers shall be kept confidential, except 454
that any person conducting an audit of any such school district or 455
educational service center pursuant to section 115.56 or Chapter 456
117. of the Revised Code may examine the disclosure statement of 457
any business manager, treasurer, or superintendent of that school 458
district or educational service center. The Ohio ethics commission 459
shall examine each disclosure statement required to be kept 460
confidential to determine whether a potential conflict of interest 461
exists for the person who filed the disclosure statement. A 462

potential conflict of interest exists if the private interests of 463
the person, as indicated by the person's disclosure statement, 464
might interfere with the public interests the person is required 465
to serve in the exercise of the person's authority and duties in 466
the person's office or position of employment. If the commission 467
determines that a potential conflict of interest exists, it shall 468
notify the person who filed the disclosure statement and shall 469
make the portions of the disclosure statement that indicate a 470
potential conflict of interest subject to public inspection in the 471
same manner as is provided for other disclosure statements. Any 472
portion of the disclosure statement that the commission determines 473
does not indicate a potential conflict of interest shall be kept 474
confidential by the commission and shall not be made subject to 475
public inspection, except as is necessary for the enforcement of 476
Chapters 102. and 2921. of the Revised Code and except as 477
otherwise provided in this division. 478

(C) No person shall knowingly fail to file, on or before the 479
applicable filing deadline established under this section, a 480
statement that is required by this section. 481

(D) No person shall knowingly file a false statement that is 482
required to be filed under this section. 483

(E)(1) Except as provided in divisions (E)(2) and (3) of this 484
section, the statement required by division (A) or (B) of this 485
section shall be accompanied by a filing fee of forty dollars. 486

(2) The statement required by division (A) of this section 487
shall be accompanied by the following filing fee to be paid by the 488
person who is elected or appointed to, or is a candidate for, any 489
of the following offices: 490

| | | |
|---|------|-----|
| For state office, except member of the | | 491 |
| state board of education | \$65 | 492 |
| For office of member of United States | | 493 |
| congress or member of general assembly | \$40 | 494 |

| | | |
|--|------|--|
| For county office | \$40 | 495 |
| For city office | \$25 | 496 |
| For office of member of the state board of education | \$25 | 497 498 |
| For office of member of a city, local, exempted village, or cooperative education board of education or educational service center governing board | \$20 | 499 500 501 502 503 |
| For position of business manager, treasurer, or superintendent of a city, local, exempted village, joint vocational, or cooperative education school district or educational service center | \$20 | 504 505 506 507 508 509 |
| (3) No judge of a court of record or candidate for judge of a court of record, and no referee or magistrate serving a court of record, shall be required to pay the fee required under division (E)(1) or (2) or (F) of this section. | | 510 511 512 513 |
| (4) For any public official who is appointed to a nonelective office of the state and for any employee who holds a nonelective position in a public agency of the state, the state agency that is the primary employer of the state official or employee shall pay the fee required under division (E)(1) or (F) of this section. | | 514 515 516 517 518 |
| (F) If a statement required to be filed under this section is not filed by the date on which it is required to be filed, the appropriate ethics commission shall assess the person required to file the statement a late filing fee of ten dollars for each day the statement is not filed, except that the total amount of the late filing fee shall not exceed two hundred fifty dollars. | | 519 520 521 522 523 524 |
| (G)(1) The appropriate ethics commission other than the Ohio ethics commission shall deposit all fees it receives under | | 525 526 |

divisions (E) and (F) of this section into the general revenue 527
fund of the state. 528

(2) The Ohio ethics commission shall deposit all receipts, 529
including, but not limited to, fees it receives under divisions 530
(E) and (F) of this section and all moneys it receives from 531
settlements under division (G) of section 102.06 of the Revised 532
Code, into the Ohio ethics commission fund, which is hereby 533
created in the state treasury. All moneys credited to the fund 534
shall be used solely for expenses related to the operation and 535
statutory functions of the commission. 536

(H) Division (A) of this section does not apply to a person 537
elected or appointed to the office of precinct, ward, or district 538
committee member under Chapter 3517. of the Revised Code; a 539
presidential elector; a delegate to a national convention; village 540
or township officials and employees; any physician or psychiatrist 541
who is paid a salary or wage in accordance with schedule C of 542
section 124.15 or schedule E-2 of section 124.152 of the Revised 543
Code and whose primary duties do not require the exercise of 544
administrative discretion; or any member of a board, commission, 545
or bureau of any county or city who receives less than one 546
thousand dollars per year for serving in that position. 547

Sec. 123.01. (A) The department of administrative services, 548
in addition to those powers enumerated in Chapters 124. and 125. 549
of the Revised Code, and as provided elsewhere by law, shall 550
exercise the following powers: 551

(1) To prepare, or contract to be prepared, by licensed 552
engineers or architects, surveys, general and detailed plans, 553
specifications, bills of materials, and estimates of cost for any 554
projects, improvements, or public buildings to be constructed by 555
state agencies that may be authorized by legislative 556
appropriations or any other funds made available therefor, 557

provided that the construction of the projects, improvements, or 558
public buildings is a statutory duty of the department. This 559
section does not require the independent employment of an 560
architect or engineer as provided by section 153.01 of the Revised 561
Code in the cases to which that section applies nor affect or 562
alter the existing powers of the director of transportation. 563

(2) To have general supervision over the construction of any 564
projects, improvements, or public buildings constructed for a 565
state agency and over the inspection of materials previous to 566
their incorporation into those projects, improvements, or 567
buildings; 568

(3) To make contracts for and supervise the construction of 569
any projects and improvements or the construction and repair of 570
buildings under the control of a state agency, except contracts 571
for the repair of buildings under the management and control of 572
the departments of public safety, job and family services, mental 573
health, mental retardation and developmental disabilities, 574
rehabilitation and correction, and youth services, the bureau of 575
workers' compensation, the rehabilitation services commission, and 576
boards of trustees of educational and benevolent institutions. 577
These contracts shall be made and entered into by the directors of 578
public safety, job and family services, mental health, mental 579
retardation and developmental disabilities, rehabilitation and 580
correction, and youth services, the administrator of workers' 581
compensation, the rehabilitation services commission, and the 582
boards of trustees of such institutions, respectively. All such 583
contracts may be in whole or in part on unit price basis of 584
maximum estimated cost, with payment computed and made upon actual 585
quantities or units. 586

(4) To prepare and suggest comprehensive plans for the 587
development of grounds and buildings under the control of a state 588
agency; 589

(5) To acquire, by purchase, gift, devise, lease, or grant, 590
all real estate required by a state agency, in the exercise of 591
which power the department may exercise the power of eminent 592
domain, in the manner provided by sections 163.01 to 163.22 of the 593
Revised Code; 594

(6) To make and provide all plans, specifications, and models 595
for the construction and perfection of all systems of sewerage, 596
drainage, and plumbing for the state in connection with buildings 597
and grounds under the control of a state agency; 598

(7) To erect, supervise, and maintain all public monuments 599
and memorials erected by the state, except where the supervision 600
and maintenance is otherwise provided by law; 601

(8) To procure, by lease, storage accommodations for a state 602
agency; 603

(9) To lease or grant easements or licenses for unproductive 604
and unused lands or other property under the control of a state 605
agency. Such leases, easements, or licenses shall be granted for a 606
period not to exceed fifteen years and shall be executed for the 607
state by the director of administrative services and the governor 608
and shall be approved as to form by the attorney general, provided 609
that leases, easements, or licenses may be granted to any county, 610
township, municipal corporation, port authority, water or sewer 611
district, school district, library district, health district, park 612
district, soil and water conservation district, conservancy 613
district, or other political subdivision or taxing district, or 614
any agency of the United States government, for the exclusive use 615
of that agency, political subdivision, or taxing district, without 616
any right of sublease or assignment, for a period not to exceed 617
fifteen years, and provided that the director shall grant leases, 618
easements, or licenses of university land for periods not to 619
exceed twenty-five years for purposes approved by the respective 620

university's board of trustees wherein the uses are compatible 621
with the uses and needs of the university and may grant leases of 622
university land for periods not to exceed forty years for purposes 623
approved by the respective university's board of trustees pursuant 624
to section 123.77 of the Revised Code. 625

(10) To lease office space in buildings for the use of a 626
state agency; 627

(11) To have general supervision and care of the storerooms, 628
offices, and buildings leased for the use of a state agency; 629

(12) To exercise general custodial care of all real property 630
of the state; 631

(13) To assign and group together state offices in any city 632
in the state and to establish, in cooperation with the state 633
agencies involved, rules governing space requirements for office 634
or storage use; 635

(14) To lease for a period not to exceed forty years, 636
pursuant to a contract providing for the construction thereof 637
under a lease-purchase plan, buildings, structures, and other 638
improvements for any public purpose, and, in conjunction 639
therewith, to grant leases, easements, or licenses for lands under 640
the control of a state agency for a period not to exceed forty 641
years. The lease-purchase plan shall provide that at the end of 642
the lease period, the buildings, structures, and related 643
improvements, together with the land on which they are situated, 644
shall become the property of the state without cost. 645

(a) Whenever any building, structure, or other improvement is 646
to be so leased by a state agency, the department shall retain 647
either basic plans, specifications, bills of materials, and 648
estimates of cost with sufficient detail to afford bidders all 649
needed information or, alternatively, all of the following plans, 650
details, bills of materials, and specifications: 651

- (i) Full and accurate plans suitable for the use of mechanics and other builders in the improvement; 652
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- (ii) Details to scale and full sized, so drawn and represented as to be easily understood; 654
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- (iii) Accurate bills showing the exact quantity of different kinds of material necessary to the construction; 656
657
- (iv) Definite and complete specifications of the work to be performed, together with such directions as will enable a competent mechanic or other builder to carry them out and afford bidders all needed information; 658
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661
- (v) A full and accurate estimate of each item of expense and of the aggregate cost thereof. 662
663
- (b) The department shall give public notice, in such newspaper, in such form, and with such phraseology as the director of administrative services prescribes, published once each week for four consecutive weeks, of the time when and place where bids will be received for entering into an agreement to lease to a state agency a building, structure, or other improvement. The last publication shall be at least eight days preceding the day for opening the bids. The bids shall contain the terms upon which the builder would propose to lease the building, structure, or other improvement to the state agency. The form of the bid approved by the department shall be used, and a bid is invalid and shall not be considered unless that form is used without change, alteration, or addition. Before submitting bids pursuant to this section, any builder shall comply with Chapter 153. of the Revised Code. 664
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- (c) On the day and at the place named for receiving bids for entering into lease agreements with a state agency, the director of administrative services shall open the bids and shall publicly proceed immediately to tabulate the bids upon duplicate sheets. No lease agreement shall be entered into until the bureau of workers' 678
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compensation has certified that the person to be awarded the lease 683
agreement has complied with Chapter 4123. of the Revised Code, 684
until, if the builder submitting the lowest and best bid is a 685
foreign corporation, the secretary of state has certified that the 686
corporation is authorized to do business in this state, until, if 687
the builder submitting the lowest and best bid is a person 688
nonresident of this state, the person has filed with the secretary 689
of state a power of attorney designating the secretary of state as 690
its agent for the purpose of accepting service of summons in any 691
action brought under Chapter 4123. of the Revised Code, and until 692
the agreement is submitted to the attorney general and the 693
attorney general's approval is certified thereon. Within thirty 694
days after the day on which the bids are received, the department 695
shall investigate the bids received and shall determine that the 696
bureau and the secretary of state have made the certifications 697
required by this section of the builder who has submitted the 698
lowest and best bid. Within ten days of the completion of the 699
investigation of the bids, the department shall award the lease 700
agreement to the builder who has submitted the lowest and best bid 701
and who has been certified by the bureau and secretary of state as 702
required by this section. If bidding for the lease agreement has 703
been conducted upon the basis of basic plans, specifications, 704
bills of materials, and estimates of costs, upon the award to the 705
builder the department, or the builder with the approval of the 706
department, shall appoint an architect or engineer licensed in 707
this state to prepare such further detailed plans, specifications, 708
and bills of materials as are required to construct the building, 709
structure, or improvement. The department shall adopt such rules 710
as are necessary to give effect to this section. The department 711
may reject any bid. Where there is reason to believe there is 712
collusion or combination among bidders, the bids of those 713
concerned therein shall be rejected. 714

(15) To acquire by purchase, gift, devise, or grant and to 715

transfer, lease, or otherwise dispose of all real property 716
required to assist in the development of a conversion facility as 717
defined in section 5709.30 of the Revised Code as that section 718
existed before its repeal by H.B. 95 of the 125th general 719
assembly; 720

(16) To lease for a period not to exceed forty years, 721
notwithstanding any other division of this section, the 722
state-owned property located at 408-450 East Town Street, 723
Columbus, Ohio, formerly the state school for the deaf, to a 724
developer in accordance with this section. "Developer," as used in 725
this section, has the same meaning as in section 123.77 of the 726
Revised Code. 727

Such a lease shall be for the purpose of development of the 728
land for use by senior citizens by constructing, altering, 729
renovating, repairing, expanding, and improving the site as it 730
existed on June 25, 1982. A developer desiring to lease the land 731
shall prepare for submission to the department a plan for 732
development. Plans shall include provisions for roads, sewers, 733
water lines, waste disposal, water supply, and similar matters to 734
meet the requirements of state and local laws. The plans shall 735
also include provision for protection of the property by insurance 736
or otherwise, and plans for financing the development, and shall 737
set forth details of the developer's financial responsibility. 738

The department may employ, as employees or consultants, 739
persons needed to assist in reviewing the development plans. Those 740
persons may include attorneys, financial experts, engineers, and 741
other necessary experts. The department shall review the 742
development plans and may enter into a lease if it finds all of 743
the following: 744

(a) The best interests of the state will be promoted by 745
entering into a lease with the developer; 746

(b) The development plans are satisfactory; 747

(c) The developer has established the developer's financial 748
responsibility and satisfactory plans for financing the 749
development. 750

The lease shall contain a provision that construction or 751
renovation of the buildings, roads, structures, and other 752
necessary facilities shall begin within one year after the date of 753
the lease and shall proceed according to a schedule agreed to 754
between the department and the developer or the lease will be 755
terminated. The lease shall contain such conditions and 756
stipulations as the director considers necessary to preserve the 757
best interest of the state. Moneys received by the state pursuant 758
to this lease shall be paid into the general revenue fund. The 759
lease shall provide that at the end of the lease period the 760
buildings, structures, and related improvements shall become the 761
property of the state without cost. 762

(17) To lease to any person any tract of land owned by the 763
state and under the control of the department, or any part of such 764
a tract, for the purpose of drilling for or the pooling of oil or 765
gas. Such a lease shall be granted for a period not exceeding 766
forty years, with the full power to contract for, determine the 767
conditions governing, and specify the amount the state shall 768
receive for the purposes specified in the lease, and shall be 769
prepared as in other cases. 770

(18) ~~Biennially implement~~ To manage the use of space owned 771
and controlled by the department, including space in property 772
under the jurisdiction of the Ohio building authority, by doing 773
all of the following: 774

(a) Biennially implementing, by state agency location, a 775
census of agency employees assigned space; 776

~~(19) Require~~ (b) Periodically in the discretion of the 777

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| <u>director of administrative services:</u> | 778 |
| <i>(i) Requiring</i> each state agency to categorize periodically | 779 |
| the use of space allotted to the agency between office space, | 780 |
| common areas, storage space, and other uses, and <u>to</u> report its | 781 |
| findings to the department; | 782 |
| (20) Create <u>(ii) Creating</u> and update periodically <u>updating</u> a | 783 |
| master space utilization plan for all space allotted to state | 784 |
| agencies. The plan shall incorporate space utilization metrics. | 785 |
| (21) Conduct periodically <u>(iii) Conducting</u> a cost-benefit | 786 |
| analysis to determine the effectiveness of state-owned buildings; | 787 |
| (22) Assess periodically <u>(iv) Assessing</u> the alternatives | 788 |
| associated with consolidating the commercial leases for buildings | 789 |
| located in Columbus+. | 790 |
| (23) Commission <u>(c) Commissioning</u> a comprehensive space | 791 |
| utilization and capacity study in order to determine the | 792 |
| feasibility of consolidating existing commercially leased space | 793 |
| used by state agencies into a new state-owned facility. | 794 |
| (B) This section and section 125.02 of the Revised Code shall | 795 |
| not interfere with any of the following: | 796 |
| (1) The power of the adjutant general to purchase military | 797 |
| supplies, or with the custody of the adjutant general of property | 798 |
| leased, purchased, or constructed by the state and used for | 799 |
| military purposes, or with the functions of the adjutant general | 800 |
| as director of state armories; | 801 |
| (2) The power of the director of transportation in acquiring | 802 |
| rights-of-way for the state highway system, or the leasing of | 803 |
| lands for division or resident district offices, or the leasing of | 804 |
| lands or buildings required in the maintenance operations of the | 805 |
| department of transportation, or the purchase of real property for | 806 |
| garage sites or division or resident district offices, or in | 807 |

preparing plans and specifications for and constructing such 808
buildings as the director may require in the administration of the 809
department; 810

(3) The power of the director of public safety and the 811
registrar of motor vehicles to purchase or lease real property and 812
buildings to be used solely as locations to which a deputy 813
registrar is assigned pursuant to division (B) of section 4507.011 814
of the Revised Code and from which the deputy registrar is to 815
conduct the deputy registrar's business, the power of the director 816
of public safety to purchase or lease real property and buildings 817
to be used as locations for division or district offices as 818
required in the maintenance of operations of the department of 819
public safety, and the power of the superintendent of the state 820
highway patrol in the purchase or leasing of real property and 821
buildings needed by the patrol, to negotiate the sale of real 822
property owned by the patrol, to rent or lease real property owned 823
or leased by the patrol, and to make or cause to be made repairs 824
to all property owned or under the control of the patrol; 825

(4) The power of the division of liquor control in the 826
leasing or purchasing of retail outlets and warehouse facilities 827
for the use of the division; 828

(5) The power of the director of development to enter into 829
leases of real property, buildings, and office space to be used 830
solely as locations for the state's foreign offices to carry out 831
the purposes of section 122.05 of the Revised Code. 832

(C) Purchases for, and the custody and repair of, buildings 833
under the management and control of the capitol square review and 834
advisory board, the rehabilitation services commission, the bureau 835
of workers' compensation, or the departments of public safety, job 836
and family services, mental health, mental retardation and 837
developmental disabilities, and rehabilitation and correction, and 838
buildings of educational and benevolent institutions under the 839

management and control of boards of trustees, are not subject to 840
the control and jurisdiction of the department of administrative 841
services. 842

(D) Any instrument by which real property is acquired 843
pursuant to this section shall identify the agency of the state 844
that has the use and benefit of the real property as specified in 845
section 5301.012 of the Revised Code. 846

Sec. 123.10. (A) The director of administrative services 847
shall regulate the rate of tolls to be collected on the public 848
works of the state, and shall fix all rentals and collect all 849
tolls, rents, fines, commissions, fees, and other revenues arising 850
from any source in the public works, including the sale, 851
construction, purchase, or rental of property. 852

(B) There is hereby created in the state treasury the state 853
architect's fund which shall consist of money received by the 854
department of administrative services under division (A) of this 855
section, transfers of money to the fund authorized by the general 856
assembly, and such ~~percentage~~ amount of the investment earnings of 857
the administrative building fund created in division (C) of this 858
section 152.101 of the Revised Code as the director of budget and 859
management determines to be appropriate and in excess of the 860
amounts required to meet estimated federal arbitrage rebate 861
requirements. Money in the fund shall be used by the department of 862
administrative services for the following purposes: 863

(1) To pay personnel and other administrative expenses of the 864
department; 865

(2) To pay the cost of conducting evaluations of public 866
works; 867

(3) To pay the cost of building design specifications; 868

(4) To pay the cost of providing project management services; 869

(5) Any other purposes that the director of administrative services determines to be necessary for the department to execute its duties under this chapter. 870
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(C) There is hereby created in the state treasury the administrative building fund which shall consist of proceeds of obligations authorized to pay the cost of capital facilities. Except as provided in division (B) of this section, all investment earnings of the fund shall be credited to the fund. The fund shall be used to pay the cost of capital facilities designated by or pursuant to an act of the general assembly. The director of budget and management shall approve and provide a voucher for payments of amounts from the fund that represent the portion of investment earnings to be rebated or to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes on interest on those obligations pursuant to section 148(f) of the Internal Revenue Code. 873
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As used in this division, "capital facilities" has the same meaning as under section 152.09 of the Revised Code. 886
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Sec. 124.15. (A) Board and commission members appointed prior to July 1, 1991, shall be paid a salary or wage in accordance with the following schedules of rates: 888
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 890

Schedule B 891

| | | Pay Ranges and Step Values | | | | |
|-------|----------|----------------------------|----------|----------|----------|-----|
| Range | | Step 1 | Step 2 | Step 3 | Step 4 | |
| 23 | Hourly | 5.72 | 5.91 | 6.10 | 6.31 | 894 |
| | Annually | 11897.60 | 12292.80 | 12688.00 | 13124.80 | 895 |
| | | Step 5 | Step 6 | | | 896 |
| | Hourly | 6.52 | 6.75 | | | 897 |
| | Annually | 13561.60 | 14040.00 | | | 898 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 899 |
| 24 | Hourly | 6.00 | 6.20 | 6.41 | 6.63 | 900 |

| | | | | | | |
|----|----------|----------|----------|----------|----------|-----|
| | Annually | 12480.00 | 12896.00 | 13332.80 | 13790.40 | 901 |
| | | Step 5 | Step 6 | | | 902 |
| | Hourly | 6.87 | 7.10 | | | 903 |
| | Annually | 14289.60 | 14768.00 | | | 904 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 905 |
| 25 | Hourly | 6.31 | 6.52 | 6.75 | 6.99 | 906 |
| | Annually | 13124.80 | 13561.60 | 14040.00 | 14539.20 | 907 |
| | | Step 5 | Step 6 | | | 908 |
| | Hourly | 7.23 | 7.41 | | | 909 |
| | Annually | 15038.40 | 15412.80 | | | 910 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 911 |
| 26 | Hourly | 6.63 | 6.87 | 7.10 | 7.32 | 912 |
| | Annually | 13790.40 | 14289.60 | 14768.00 | 15225.60 | 913 |
| | | Step 5 | Step 6 | | | 914 |
| | Hourly | 7.53 | 7.77 | | | 915 |
| | Annually | 15662.40 | 16161.60 | | | 916 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 917 |
| 27 | Hourly | 6.99 | 7.23 | 7.41 | 7.64 | 918 |
| | Annually | 14534.20 | 15038.40 | 15412.80 | 15891.20 | 919 |
| | | Step 5 | Step 6 | Step 7 | | 920 |
| | Hourly | 7.88 | 8.15 | 8.46 | | 921 |
| | Annually | 16390.40 | 16952.00 | 17596.80 | | 922 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 923 |
| 28 | Hourly | 7.41 | 7.64 | 7.88 | 8.15 | 924 |
| | Annually | 15412.80 | 15891.20 | 16390.40 | 16952.00 | 925 |
| | | Step 5 | Step 6 | Step 7 | | 926 |
| | Hourly | 8.46 | 8.79 | 9.15 | | 927 |
| | Annually | 17596.80 | 18283.20 | 19032.00 | | 928 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 929 |
| 29 | Hourly | 7.88 | 8.15 | 8.46 | 8.79 | 930 |
| | Annually | 16390.40 | 16952.00 | 17596.80 | 18283.20 | 931 |
| | | Step 5 | Step 6 | Step 7 | | 932 |
| | Hourly | 9.15 | 9.58 | 10.01 | | 933 |

| | | | | | | |
|----|----------|----------|----------|----------|----------|-----|
| | Annually | 19032.00 | 19926.40 | 20820.80 | | 934 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 935 |
| 30 | Hourly | 8.46 | 8.79 | 9.15 | 9.58 | 936 |
| | Annually | 17596.80 | 18283.20 | 19032.00 | 19926.40 | 937 |
| | | Step 5 | Step 6 | Step 7 | | 938 |
| | Hourly | 10.01 | 10.46 | 10.99 | | 939 |
| | Annually | 20820.80 | 21756.80 | 22859.20 | | 940 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 941 |
| 31 | Hourly | 9.15 | 9.58 | 10.01 | 10.46 | 942 |
| | Annually | 19032.00 | 19962.40 | 20820.80 | 21756.80 | 943 |
| | | Step 5 | Step 6 | Step 7 | | 944 |
| | Hourly | 10.99 | 11.52 | 12.09 | | 945 |
| | Annually | 22859.20 | 23961.60 | 25147.20 | | 946 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 947 |
| 32 | Hourly | 10.01 | 10.46 | 10.99 | 11.52 | 948 |
| | Annually | 20820.80 | 21756.80 | 22859.20 | 23961.60 | 949 |
| | | Step 5 | Step 6 | Step 7 | Step 8 | 950 |
| | Hourly | 12.09 | 12.68 | 13.29 | 13.94 | 951 |
| | Annually | 25147.20 | 26374.40 | 27643.20 | 28995.20 | 952 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 953 |
| 33 | Hourly | 10.99 | 11.52 | 12.09 | 12.68 | 954 |
| | Annually | 22859.20 | 23961.60 | 25147.20 | 26374.40 | 955 |
| | | Step 5 | Step 6 | Step 7 | Step 8 | 956 |
| | Hourly | 13.29 | 13.94 | 14.63 | 15.35 | 957 |
| | Annually | 27643.20 | 28995.20 | 30430.40 | 31928.00 | 958 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 959 |
| 34 | Hourly | 12.09 | 12.68 | 13.29 | 13.94 | 960 |
| | Annually | 25147.20 | 26374.40 | 27643.20 | 28995.20 | 961 |
| | | Step 5 | Step 6 | Step 7 | Step 8 | 962 |
| | Hourly | 14.63 | 15.35 | 16.11 | 16.91 | 963 |
| | Annually | 30430.40 | 31928.00 | 33508.80 | 35172.80 | 964 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 965 |
| 35 | Hourly | 13.29 | 13.94 | 14.63 | 15.35 | 966 |

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|----------------------|--|----------|----------|----------|----------|-----|
| | Annually | 27643.20 | 28995.20 | 30430.40 | 31928.00 | 967 |
| | | Step 5 | Step 6 | Step 7 | Step 8 | 968 |
| | Hourly | 16.11 | 16.91 | 17.73 | 18.62 | 969 |
| | Annually | 33508.80 | 35172.80 | 36878.40 | 38729.60 | 970 |
| | | Step 1 | Step 2 | Step 3 | Step 4 | 971 |
| 36 | Hourly | 14.63 | 15.35 | 16.11 | 16.91 | 972 |
| | Annually | 30430.40 | 31928.00 | 33508.80 | 35172.80 | 973 |
| | | Step 5 | Step 6 | Step 7 | Step 8 | 974 |
| | Hourly | 17.73 | 18.62 | 19.54 | 20.51 | 975 |
| | Annually | 36878.40 | 38729.60 | 40643.20 | 42660.80 | 976 |
| Schedule C | | | | | | 977 |
| Pay Range and Values | | | | | | 978 |
| Range | | Minimum | | Maximum | | 979 |
| 41 | Hourly | 10.44 | | 15.72 | | 980 |
| | Annually | 21715.20 | | 32697.60 | | 981 |
| 42 | Hourly | 11.51 | | 17.35 | | 982 |
| | Annually | 23940.80 | | 36088.00 | | 983 |
| 43 | Hourly | 12.68 | | 19.12 | | 984 |
| | Annually | 26374.40 | | 39769.60 | | 985 |
| 44 | Hourly | 13.99 | | 20.87 | | 986 |
| | Annually | 29099.20 | | 43409.60 | | 987 |
| 45 | Hourly | 15.44 | | 22.80 | | 988 |
| | Annually | 32115.20 | | 47424.00 | | 989 |
| 46 | Hourly | 17.01 | | 24.90 | | 990 |
| | Annually | 35380.80 | | 51792.00 | | 991 |
| 47 | Hourly | 18.75 | | 27.18 | | 992 |
| | Annually | 39000.00 | | 56534.40 | | 993 |
| 48 | Hourly | 20.67 | | 29.69 | | 994 |
| | Annually | 42993.60 | | 61755.20 | | 995 |
| 49 | Hourly | 22.80 | | 32.06 | | 996 |
| | Annually | 47424.00 | | 66684.80 | | 997 |
| | (B) The pay schedule of all employees shall be on a biweekly | | | | | 998 |

basis, with amounts computed on an hourly basis. 999

(C) Part-time employees shall be compensated on an hourly 1000
basis for time worked, at the rates shown in division (A) of this 1001
section or in section 124.152 of the Revised Code. 1002

(D) The salary and wage rates in division (A) of this section 1003
or in section 124.152 of the Revised Code represent base rates of 1004
compensation and may be augmented by the provisions of section 1005
124.181 of the Revised Code. In those cases where lodging, meals, 1006
laundry, or other personal services are furnished an employee, the 1007
actual costs or fair market value of the personal services shall 1008
be paid by the employee in such amounts and manner as determined 1009
by the director of administrative services and approved by the 1010
director of budget and management, and those personal services 1011
shall not be considered as a part of the employee's compensation. 1012
An appointing authority, with the approval of the director of 1013
administrative services and the director of budget and management, 1014
may establish payments to employees for uniforms, tools, 1015
equipment, and other requirements of the department and payments 1016
for the maintenance of them. 1017

The director of administrative services may review collective 1018
bargaining agreements entered into under Chapter 4117. of the 1019
Revised Code that cover state employees and determine whether 1020
certain benefits or payments provided to state employees covered 1021
by those agreements should also be provided to employees who are 1022
exempt from collective bargaining coverage and are paid in 1023
accordance with section 124.152 of the Revised Code or are listed 1024
in division (B)(2) or (4) of section 124.14 of the Revised Code. 1025
On completing the review, the director of administrative services, 1026
with the approval of the director of budget and management, may 1027
provide to some or all of these employees any payment or benefit, 1028
except for salary, contained in such a collective bargaining 1029
agreement even if it is similar to a payment or benefit already 1030

provided by law to some or all of these employees. Any payment or 1031
benefit so provided shall not exceed the highest level for that 1032
payment or benefit specified in such a collective bargaining 1033
agreement. The director of administrative services shall not 1034
provide, and the director of budget and management shall not 1035
approve, any payment or benefit to such an employee under this 1036
division unless the payment or benefit is provided pursuant to a 1037
collective bargaining agreement to a state employee who is in a 1038
position with similar duties as, is supervised by, or is employed 1039
by the same appointing authority as, the employee to whom the 1040
benefit or payment is to be provided. 1041

As used in this division, "payment or benefit already 1042
provided by law" includes, but is not limited to, bereavement, 1043
personal, vacation, administrative, and sick leave, disability 1044
benefits, holiday pay, and pay supplements provided under the 1045
Revised Code, but does not include wages or salary. 1046

(E) New employees paid ~~under~~ in accordance with schedule B of 1047
division (A) of this section or ~~under~~ schedule E-1 of section 1048
124.152 of the Revised Code shall be employed at the minimum rate 1049
established for the range unless otherwise provided. Employees 1050
with qualifications that are beyond the minimum normally required 1051
for the position and that are determined by the director to be 1052
exceptional may be employed in, or may be transferred or promoted 1053
to, a position at an advanced step of the range. Further, in time 1054
of a serious labor market condition when it is relatively 1055
impossible to recruit employees at the minimum rate for a 1056
particular classification, the entrance rate may be set at an 1057
advanced step in the range by the director of administrative 1058
services. This rate may be limited to geographical regions of the 1059
state. Appointments made to an advanced step under the provision 1060
regarding exceptional qualifications shall not affect the step 1061
assignment of employees already serving. However, anytime the 1062

hiring rate of an entire classification is advanced to a higher 1063
step, all incumbents of that classification being paid at a step 1064
lower than that being used for hiring, shall be advanced beginning 1065
at the start of the first pay period thereafter to the new hiring 1066
rate, and any time accrued at the lower step will be used to 1067
calculate advancement to a succeeding step. If the hiring rate of 1068
a classification is increased for only a geographical region of 1069
the state, only incumbents who work in that geographical region 1070
shall be advanced to a higher step. When an employee in the 1071
unclassified service changes from one state position to another or 1072
is appointed to a position in the classified service, or if an 1073
employee in the classified service is appointed to a position in 1074
the unclassified service, the employee's salary or wage in the new 1075
position shall be determined in the same manner as if the employee 1076
were an employee in the classified service. When an employee in 1077
the unclassified service who is not eligible for step increases is 1078
appointed to a classification in the classified service under 1079
which step increases are provided, future step increases shall be 1080
based on the date on which the employee last received a pay 1081
increase. If the employee has not received an increase during the 1082
previous year, the date of the appointment to the classified 1083
service shall be used to determine the employee's annual step 1084
advancement eligibility date. In reassigning any employee to a 1085
classification resulting in a pay range increase or to a new pay 1086
range as a result of a promotion, an increase pay range 1087
adjustment, or other classification change resulting in a pay 1088
range increase, the director shall assign such employee to the 1089
step in the new pay range that will provide an increase of 1090
approximately four per cent if the new pay range can accommodate 1091
the increase. When an employee is being assigned to a 1092
classification or new pay range as the result of a class plan 1093
change, if the employee has completed a probationary period, the 1094
employee shall be placed in a step no lower than step two of the 1095

new pay range. If the employee has not completed a probationary 1096
period, the employee may be placed in step one of the new pay 1097
range. Such new salary or wage shall become effective on such date 1098
as the director determines. 1099

(F) If employment conditions and the urgency of the work 1100
require such action, the director of administrative services may, 1101
upon the application of a department head, authorize payment at 1102
any rate established within the range for the class of work, for 1103
work of a casual or intermittent nature or on a project basis. 1104
Payment at such rates shall not be made to the same individual for 1105
more than three calendar months in any one calendar year. Any such 1106
action shall be subject to the approval of the director of budget 1107
and management as to the availability of funds. This section and 1108
sections 124.14 and 124.152 of the Revised Code do not repeal any 1109
authority of any department or public official to contract with or 1110
fix the compensation of professional persons who may be employed 1111
temporarily for work of a casual nature or for work on a project 1112
basis. 1113

(G)(1) Except as provided in division (G)(2) of this section, 1114
each state employee paid ~~under~~ in accordance with schedule B of 1115
this section or ~~under~~ schedule E-1 of section 124.152 of the 1116
Revised Code shall be eligible for advancement to succeeding steps 1117
in the range for the employee's class or grade according to the 1118
schedule established in this division. Beginning on the first day 1119
of the pay period within which the employee completes the 1120
prescribed probationary period in the employee's classification 1121
with the state, each employee shall receive an automatic salary 1122
adjustment equivalent to the next higher step within the pay range 1123
for the employee's class or grade. 1124

Each employee paid ~~under~~ in accordance with schedule E-1 of 1125
section 124.152 of the Revised Code shall be eligible to advance 1126
to the next higher step until the employee reaches ~~step six~~ the 1127

top step in the range for the employee's class or grade, if the 1128
employee has maintained satisfactory performance in accordance 1129
with criteria established by the employee's appointing authority. 1130
Those step advancements shall not occur more frequently than once 1131
in any twelve-month period. ~~An employee only may advance to step~~ 1132
~~seven upon performing at an exemplary level as determined in the~~ 1133
~~employee's performance evaluation. An employee's advancement to~~ 1134
~~step seven is at the discretion of the employee's appointing~~ 1135
~~authority. An employee may not appeal the denial of advancement to~~ 1136
~~step seven to the state personnel board of review.~~ 1137

When an employee is promoted or reassigned to a higher pay 1138
range, the employee's step indicator shall return to "0" or be 1139
adjusted to account for a probationary period, as appropriate. 1140
Step advancement shall not be affected by demotion. A promoted 1141
employee shall advance to the next higher step of the pay range on 1142
the first day of the pay period in which the required probationary 1143
period is completed. Step advancement shall become effective at 1144
the beginning of the pay period within which the employee attains 1145
the necessary length of service. Time spent on authorized leave of 1146
absence shall be counted for this purpose. 1147

If determined to be in the best interest of the state 1148
service, the director of administrative services may, either 1149
statewide or in selected agencies, adjust the dates on which 1150
annual step advancements are received by employees paid ~~under~~ in 1151
accordance with schedule E-1 of section 124.152 of the Revised 1152
Code. 1153

(2)(a)(i) Except as provided in division (G)(2)(a)(ii) of 1154
this section, there shall be a moratorium on step advancements 1155
under division (G)(1) of this section from the pay period 1156
beginning June 29, 2003, through the pay period ending June 25, 1157
2005. Step advancements shall resume with the pay period beginning 1158
June 26, 2005. Upon the resumption of step advancements, there 1159

shall be no retroactive step advancements for the period the 1160
moratorium was in effect. The moratorium shall not affect an 1161
employee's performance evaluation schedule. 1162

(ii) During the moratorium under division (G)(2)(a)(i) of 1163
this section, an employee who is hired or promoted and serves a 1164
probationary period in the employee's new position shall advance 1165
to the next step in the employee's pay range upon successful 1166
completion of the employee's probationary period. Thereafter, the 1167
employee is subject to the moratorium. 1168

(b) The moratorium under division (G)(2)(a)(i) of this 1169
section shall apply to the employees of the secretary of state, 1170
the auditor of state, the treasurer of state, and the attorney 1171
general, who are subject to this section unless the secretary of 1172
state, the auditor of state, the treasurer of state, or the 1173
attorney general decides to exempt the office's employees from the 1174
moratorium and so notifies the director of administrative services 1175
in writing on or before July 1, 2003. 1176

(H) Employees in appointive managerial or professional 1177
positions paid ~~under salary~~ in accordance with schedule C of this 1178
section or ~~under salary~~ schedule E-2 of section 124.152 of the 1179
Revised Code may be appointed at any rate within the appropriate 1180
pay range. This rate of pay may be adjusted higher or lower within 1181
the respective pay range at any time the appointing authority so 1182
desires as long as the adjustment is based on the employee's 1183
ability to successfully administer those duties assigned to the 1184
employee. Salary adjustments shall not be made more frequently 1185
than once in any six-month period under this provision to 1186
incumbents holding the same position and classification. 1187

(I) When an employee is assigned to duty outside this state, 1188
the employee may be compensated, upon request of the department 1189
head and with the approval of the director of administrative 1190
services, at a rate not to exceed fifty per cent in excess of the 1191

employee's current base rate for the period of time spent on that 1192
duty. 1193

(J) Unless compensation for members of a board or commission 1194
is otherwise specifically provided by law, the director of 1195
administrative services shall establish the rate and method of 1196
payment for members of boards and commissions pursuant to the pay 1197
schedules listed in section 124.152 of the Revised Code. 1198

(K) Regular full-time employees in positions assigned to 1199
classes within the instruction and education administration series 1200
under the rules of the director of administrative services, except 1201
certificated employees on the instructional staff of the state 1202
school for the blind or the state school for the deaf, whose 1203
positions are scheduled to work on the basis of an academic year 1204
rather than a full calendar year, shall be paid according to the 1205
pay range assigned by such rules but only during those pay periods 1206
included in the academic year of the school where the employee is 1207
located. 1208

(1) Part-time or substitute teachers or those whose period of 1209
employment is other than the full academic year shall be 1210
compensated for the actual time worked at the rate established by 1211
this section. 1212

(2) Employees governed by this division are exempt from 1213
sections 124.13 and 124.19 of the Revised Code. 1214

(3) Length of service for the purpose of determining 1215
eligibility for step advancements as provided by division (G) of 1216
this section and for the purpose of determining eligibility for 1217
longevity pay supplements as provided by division (E) of section 1218
124.181 of the Revised Code shall be computed on the basis of one 1219
full year of service for the completion of each academic year. 1220

(L) The superintendent of the state school for the deaf and 1221
the superintendent of the state school for the blind shall, 1222

subject to the approval of the superintendent of public 1223
instruction, carry out both of the following: 1224

(1) Annually, between the first day of April and the last day 1225
of June, establish for the ensuing fiscal year a schedule of 1226
hourly rates for the compensation of each certificated employee on 1227
the instructional staff of that superintendent's respective school 1228
constructed as follows: 1229

(a) Determine for each level of training, experience, and 1230
other professional qualification for which an hourly rate is set 1231
forth in the current schedule, the per cent that rate is of the 1232
rate set forth in such schedule for a teacher with a bachelor's 1233
degree and no experience. If there is more than one such rate for 1234
such a teacher, the lowest rate shall be used to make the 1235
computation. 1236

(b) Determine which six city, local, and exempted village 1237
school districts with territory in Franklin county have in effect 1238
on, or have adopted by, the first day of April for the school year 1239
that begins on the ensuing first day of July, teacher salary 1240
schedules with the highest minimum salaries for a teacher with a 1241
bachelor's degree and no experience; 1242

(c) Divide the sum of such six highest minimum salaries by 1243
ten thousand five hundred sixty; 1244

(d) Multiply each per cent determined in division (L)(1)(a) 1245
of this section by the quotient obtained in division (L)(1)(c) of 1246
this section; 1247

(e) One hundred five per cent of each product thus obtained 1248
shall be the hourly rate for the corresponding level of training, 1249
experience, or other professional qualification in the schedule 1250
for the ensuing fiscal year. 1251

(2) Annually, assign each certificated employee on the 1252
instructional staff of the superintendent's respective school to 1253

an hourly rate on the schedule that is commensurate with the 1254
employee's training, experience, and other professional 1255
qualifications. 1256

If an employee is employed on the basis of an academic year, 1257
the employee's annual salary shall be calculated by multiplying 1258
the employee's assigned hourly rate times one thousand seven 1259
hundred sixty. If an employee is not employed on the basis of an 1260
academic year, the employee's annual salary shall be calculated in 1261
accordance with the following formula: 1262

(a) Multiply the number of days the employee is required to 1263
work pursuant to the employee's contract by eight; 1264

(b) Multiply the product of division (L)(2)(a) of this 1265
section by the employee's assigned hourly rate. 1266

Each employee shall be paid an annual salary in biweekly 1267
installments. The amount of each installment shall be calculated 1268
by dividing the employee's annual salary by the number of biweekly 1269
installments to be paid during the year. 1270

Sections 124.13 and 124.19 of the Revised Code do not apply 1271
to an employee who is paid under this division. 1272

As used in this division, "academic year" means the number of 1273
days in each school year that the schools are required to be open 1274
for instruction with pupils in attendance. Upon completing an 1275
academic year, an employee paid under this division shall be 1276
deemed to have completed one year of service. An employee paid 1277
under this division is eligible to receive a pay supplement under 1278
division (L)(1), (2), or (3) of section 124.181 of the Revised 1279
Code for which the employee qualifies, but is not eligible to 1280
receive a pay supplement under division (L)(4) or (5) of that 1281
section. An employee paid under this division is eligible to 1282
receive a pay supplement under division (L)(6) of section 124.181 1283
of the Revised Code for which the employee qualifies, except that 1284

the supplement is not limited to a maximum of five per cent of the 1285
employee's regular base salary in a calendar year. 1286

(M) Division (A) of this section does not apply to "exempt 1287
employees," as defined in section 124.152 of the Revised Code, who 1288
are paid under that section. 1289

Notwithstanding any other provisions of this chapter, when an 1290
employee transfers between bargaining units or transfers out of or 1291
into a bargaining unit, the director shall establish the 1292
employee's compensation and adjust the maximum leave accrual 1293
schedule as the director deems equitable. 1294

Sec. 124.152. (A)(1) Except as provided in divisions (A)(2) 1295
and (3) of this section, each exempt employee shall be paid a 1296
salary or wage in accordance with schedule E-1 or schedule E-2 of 1297
division (B) or (C) of this section. 1298

(2) Each exempt employee who holds a position in the 1299
unclassified civil service pursuant to division (A)(26) or (30) of 1300
section 124.11 of the Revised Code may be paid a salary or wage in 1301
accordance with schedule E-1, schedule E-1 for step seven only, or 1302
schedule E-2 of division (B), (C), (D), or (E) of this section, as 1303
applicable. 1304

(3)(a) Each exempt employee who was paid a salary or wage at 1305
step 7 in the employee's pay range on June 28, 2003, in accordance 1306
with the applicable schedule E-1 of former section 124.152 of the 1307
Revised Code and who continued to be so paid on June 29, 2003, 1308
shall be paid a salary or a wage in the corresponding pay range in 1309
schedule E-1 for step seven only of division (D) or (E) of this 1310
section for as long as the employee remains in the position the 1311
employee held as of July 1, 2003, except as otherwise provided in 1312
division (A)(3)(b) of this section. 1313

(b) If an exempt employee who is being paid a salary or wage 1314

in accordance with schedule E-1 for step seven only of division 1315
(D) or (E) of this section moves to a position assigned to pay 1316
range 12 or above, the appointing authority has the discretion to 1317
assign the employee to be paid a salary or wage in the appropriate 1318
pay range for the new position in accordance with schedule E-1 for 1319
step seven only, provided that the appointing authority so 1320
notifies the director of administrative services in writing at the 1321
time the employee is appointed to the new position. 1322

(c) If an exempt employee who is being paid a salary or wage 1323
in accordance with schedule E-1 for step seven only of division 1324
(D) or (E) of this section moves to a position where the employee 1325
is not eligible to receive a salary or wage in accordance with 1326
that schedule, the employee shall not receive a salary or wage in 1327
accordance with that schedule in the new position or any other new 1328
position in the future. 1329

(B) Beginning on the first day of the pay period that 1330
includes July 1, 2002, each exempt employee who must be paid in 1331
accordance with schedule E-1 or schedule E-2 of this section shall 1332
be paid a salary or wage in accordance with the following schedule 1333
of rates: 1334

Schedule E-1 1335

Pay Ranges and Step Values 1336

| | | Step | Step | Step | Step | Step | Step | Step |
|---|----------|-------|-------|-------|-------|------|------|------|
| | Range | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | Hourly | 8.78 | 9.16 | 9.56 | 9.97 | | | |
| | Annually | 18262 | 19053 | 19885 | 20738 | | | |
| 2 | Hourly | 10.64 | 11.09 | 11.58 | 12.08 | | | |
| | Annually | 22131 | 23067 | 24086 | 25126 | | | |
| 3 | Hourly | 11.14 | 11.65 | 12.16 | 12.69 | | | |
| | Annually | 23171 | 24232 | 25293 | 26395 | | | |
| 4 | Hourly | 11.70 | 12.23 | 12.81 | 13.38 | | | |
| | Annually | 24336 | 25438 | 26645 | 27830 | | | |

| | | | | | | | | | |
|----|--------------|-------|-------|---------|-------|-------|---------|-------------------|------|
| 5 | Hourly | 12.28 | 12.84 | 13.38 | 13.97 | | | | 1347 |
| | Annually | 25542 | 26707 | 27830 | 29058 | | | | 1348 |
| 6 | Hourly | 12.94 | 13.47 | 14.07 | 14.64 | | | | 1349 |
| | Annually | 26915 | 28018 | 29266 | 30451 | | | | 1350 |
| 7 | Hourly | 13.74 | 14.26 | 14.83 | 15.35 | 15.94 | | | 1351 |
| | Annually | 28579 | 29661 | 30846 | 31928 | 33155 | | | 1352 |
| 8 | Hourly | 14.53 | 15.16 | 15.83 | 16.53 | 17.23 | | | 1353 |
| | Annually | 30222 | 31533 | 32926 | 34382 | 35838 | | | 1354 |
| 9 | Hourly | 15.50 | 16.30 | 17.11 | 17.95 | 18.87 | | | 1355 |
| | Annually | 32240 | 33904 | 35589 | 37336 | 39250 | | | 1356 |
| 10 | Hourly | 16.72 | 17.63 | 18.58 | 19.65 | 20.70 | | | 1357 |
| | Annually | 34778 | 36670 | 38646 | 40872 | 43056 | | | 1358 |
| 11 | Hourly | 18.20 | 19.27 | 20.38 | 21.53 | 22.76 | | | 1359 |
| | Annually | 37856 | 40082 | 42390 | 44782 | 47341 | | | 1360 |
| 12 | Hourly | 20.08 | 21.21 | 22.35 | 23.59 | 24.90 | 26.26 | 27.71 | 1361 |
| | Annually | 41766 | 44117 | 46488 | 49067 | 51792 | 54621 | 57637 | 1362 |
| 13 | Hourly | 22.13 | 23.35 | 24.63 | 25.95 | 27.40 | 28.90 | 30.49 | 1363 |
| | Annually | 46030 | 48568 | 51230 | 53976 | 56992 | 60112 | 63419 | 1364 |
| 14 | Hourly | 24.35 | 25.72 | 27.10 | 28.59 | 30.20 | 31.88 | 33.62 | 1365 |
| | Annually | 50648 | 53498 | 56368 | 59467 | 62816 | 66310 | 69930 | 1366 |
| 15 | Hourly | 26.74 | 28.24 | 29.84 | 31.48 | 33.22 | 35.06 | 36.98 | 1367 |
| | Annually | 55619 | 58739 | 62067 | 65478 | 69098 | 72925 | 76918 | 1368 |
| 16 | Hourly | 29.48 | 31.12 | 32.84 | 34.67 | 36.59 | 38.67 | 40.80 | 1369 |
| | Annually | 61318 | 64730 | 68307 | 72114 | 76107 | 80434 | 84864 | 1370 |
| 17 | Hourly | 32.49 | 34.28 | 36.20 | 38.20 | 40.33 | 42.58 | 44.93 | 1371 |
| | Annually | 67579 | 71302 | 75296 | 79456 | 83886 | 88566 | 93454 | 1372 |
| 18 | Hourly | 35.80 | 37.78 | 39.90 | 42.11 | 44.43 | 46.92 | 49.50 | 1373 |
| | Annually | 74464 | 78582 | 82992 | 87589 | 92414 | 97594 | 102960 | 1374 |
| | Schedule E-2 | | | | | | | | 1375 |
| | Range | | | Minimum | | | Maximum | | 1376 |
| 41 | Hourly | | | 16.23 | | | 32.46 | | 1377 |
| | Annually | | | 33758 | | | 67517 | | 1378 |
| 42 | Hourly | | | 17.89 | | | 35.86 | | 1379 |

| | | | | |
|----|----------|-------|--------|------|
| | Annually | 37211 | 74589 | 1380 |
| 43 | Hourly | 19.70 | 39.49 | 1381 |
| | Annually | 40976 | 82139 | 1382 |
| 44 | Hourly | 21.73 | 43.13 | 1383 |
| | Annually | 45198 | 89710 | 1384 |
| 45 | Hourly | 24.01 | 47.09 | 1385 |
| | Annually | 49941 | 97947 | 1386 |
| 46 | Hourly | 26.43 | 51.46 | 1387 |
| | Annually | 54974 | 107037 | 1388 |
| 47 | Hourly | 29.14 | 56.16 | 1389 |
| | Annually | 60611 | 116813 | 1390 |
| 48 | Hourly | 32.14 | 61.29 | 1391 |
| | Annually | 66851 | 127483 | 1392 |
| 49 | Hourly | 35.44 | 66.18 | 1393 |
| | Annually | 73715 | 137654 | 1394 |

~~(B)~~(C) Beginning on the first day of the pay period that 1395
includes July 1, 2005, each exempt employee who must be paid in 1396
accordance with schedule E-1 or schedule E-2 of this section shall 1397
be paid a salary or wage in accordance with the following schedule 1398
of rates: 1399

Schedule E-1 1400

Pay Ranges and Step Values 1401

| | | Step | Step | Step | Step | Step | Step | Step | |
|---|----------|-------|-------|-------|-------|------|------|------|------|
| | Range | 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
| 1 | Hourly | 9.13 | 9.53 | 9.94 | 10.37 | | | | 1403 |
| | Annually | 18990 | 19822 | 20675 | 21570 | | | | 1404 |
| 2 | Hourly | 11.07 | 11.53 | 12.04 | 12.56 | | | | 1405 |
| | Annually | 23026 | 23982 | 25043 | 26125 | | | | 1406 |
| 3 | Hourly | 11.59 | 12.12 | 12.65 | 13.20 | | | | 1407 |
| | Annually | 24107 | 25210 | 26312 | 27456 | | | | 1408 |
| 4 | Hourly | 12.17 | 12.72 | 13.32 | 13.92 | | | | 1409 |
| | Annually | 25314 | 26458 | 27706 | 28954 | | | | 1410 |

| | | | | | | | | | |
|----|--------------|-------|-------|---------|-------|-------|---------|-------------------|------|
| 5 | Hourly | 12.77 | 13.35 | 13.92 | 14.53 | | | | 1412 |
| | Annually | 26562 | 27768 | 28954 | 30222 | | | | 1413 |
| 6 | Hourly | 13.46 | 14.01 | 14.63 | 15.23 | | | | 1414 |
| | Annually | 27997 | 29141 | 30430 | 31678 | | | | 1415 |
| 7 | Hourly | 14.29 | 14.83 | 15.42 | 15.96 | 16.58 | | | 1416 |
| | Annually | 29723 | 30846 | 32074 | 33197 | 34486 | | | 1417 |
| 8 | Hourly | 15.11 | 15.77 | 16.46 | 17.19 | 17.92 | | | 1418 |
| | Annually | 31429 | 32802 | 34237 | 35755 | 37274 | | | 1419 |
| 9 | Hourly | 16.12 | 16.95 | 17.79 | 18.67 | 19.62 | | | 1420 |
| | Annually | 33530 | 35256 | 37003 | 38834 | 40810 | | | 1421 |
| 10 | Hourly | 17.39 | 18.34 | 19.32 | 20.44 | 21.53 | | | 1422 |
| | Annually | 36171 | 38147 | 40186 | 42515 | 44782 | | | 1423 |
| 11 | Hourly | 18.93 | 20.04 | 21.20 | 22.39 | 23.67 | | | 1424 |
| | Annually | 39374 | 41683 | 44096 | 46571 | 49234 | | | 1425 |
| 12 | Hourly | 20.88 | 22.06 | 23.24 | 24.53 | 25.90 | 27.31 | 28.82 | 1426 |
| | Annually | 43430 | 45885 | 48339 | 51022 | 53872 | 56805 | 59946 | 1427 |
| 13 | Hourly | 23.02 | 24.28 | 25.62 | 26.99 | 28.50 | 30.06 | 31.71 | 1428 |
| | Annually | 47882 | 50502 | 53290 | 56139 | 59280 | 62525 | 65957 | 1429 |
| 14 | Hourly | 25.32 | 26.75 | 28.18 | 29.73 | 31.41 | 33.16 | 34.96 | 1430 |
| | Annually | 52666 | 55640 | 58614 | 61838 | 65333 | 68973 | 72717 | 1431 |
| 15 | Hourly | 27.81 | 29.37 | 31.03 | 32.74 | 34.55 | 36.46 | 38.46 | 1432 |
| | Annually | 57845 | 61090 | 64542 | 68099 | 71864 | 75837 | 79997 | 1433 |
| 16 | Hourly | 30.66 | 32.36 | 34.15 | 36.06 | 38.05 | 40.22 | 42.43 | 1434 |
| | Annually | 63773 | 67309 | 71032 | 75005 | 79144 | 83658 | 88254 | 1435 |
| 17 | Hourly | 33.79 | 35.65 | 37.65 | 39.73 | 41.94 | 44.28 | 46.73 | 1436 |
| | Annually | 70283 | 74152 | 78312 | 82638 | 87235 | 92102 | 97198 | 1437 |
| 18 | Hourly | 37.23 | 39.29 | 41.50 | 43.79 | 46.21 | 48.80 | 51.48 | 1438 |
| | Annually | 77438 | 81723 | 86320 | 91083 | 96117 | 101504 | 107078 | 1439 |
| | Schedule E-2 | | | | | | | | 1440 |
| | Range | | | Minimum | | | Maximum | | 1441 |
| 41 | Hourly | | | 16.23 | | | 33.76 | | 1442 |
| | Annually | | | 33758 | | | 70221 | | 1443 |
| 42 | Hourly | | | 17.89 | | | 37.29 | | 1444 |

| | | | | |
|----|----------|-------|--------|------|
| | Annually | 37211 | 77563 | 1445 |
| 43 | Hourly | 19.70 | 41.07 | 1446 |
| | Annually | 40976 | 85426 | 1447 |
| 44 | Hourly | 21.73 | 44.86 | 1448 |
| | Annually | 45198 | 93309 | 1449 |
| 45 | Hourly | 24.01 | 48.97 | 1450 |
| | Annually | 49941 | 101858 | 1451 |
| 46 | Hourly | 26.43 | 53.52 | 1452 |
| | Annually | 54974 | 111322 | 1453 |
| 47 | Hourly | 29.14 | 58.41 | 1454 |
| | Annually | 60611 | 121493 | 1455 |
| 48 | Hourly | 32.14 | 63.74 | 1456 |
| | Annually | 66851 | 132579 | 1457 |
| 49 | Hourly | 35.44 | 68.83 | 1458 |
| | Annually | 73715 | 143166 | 1459 |

(D) Beginning on the first day of the pay period that 1460
includes July 1, 2003, each exempt employee who must be paid in 1461
accordance with schedule E-1 for step seven only shall be paid a 1462
salary or wage in accordance with the following schedule of rates: 1463

Schedule E-1 for Step Seven Only 1464

Pay Ranges and Step Seven Values 1465

| | | | | |
|-----------|-----------------|--------------|--|------|
| | <u>Range</u> | | | 1466 |
| <u>12</u> | <u>Hourly</u> | <u>27.71</u> | | 1467 |
| | <u>Annually</u> | <u>57637</u> | | 1468 |
| <u>13</u> | <u>Hourly</u> | <u>30.49</u> | | 1469 |
| | <u>Annually</u> | <u>63419</u> | | 1470 |
| <u>14</u> | <u>Hourly</u> | <u>33.62</u> | | 1471 |
| | <u>Annually</u> | <u>69930</u> | | 1472 |
| <u>15</u> | <u>Hourly</u> | <u>36.98</u> | | 1473 |
| | <u>Annually</u> | <u>76918</u> | | 1474 |
| <u>16</u> | <u>Hourly</u> | <u>40.80</u> | | 1475 |
| | <u>Annually</u> | <u>84864</u> | | 1476 |

| | | | |
|-----------|-----------------|---------------|------|
| <u>17</u> | <u>Hourly</u> | <u>44.93</u> | 1477 |
| | <u>Annually</u> | <u>93454</u> | 1478 |
| <u>18</u> | <u>Hourly</u> | <u>49.50</u> | 1479 |
| | <u>Annually</u> | <u>102960</u> | 1480 |

(E) Beginning on the first day of the pay period that 1481
includes July 1, 2005, each exempt employee who must be paid in 1482
accordance with schedule E-1 for step seven only shall be paid a 1483
salary or wage in accordance with the following schedule of rates: 1484

Schedule E-1 for Step Seven Only 1485

Pay Ranges and Step Seven Values 1486

| | <u>Range</u> | | 1487 |
|-----------|-----------------|---------------|------|
| <u>12</u> | <u>Hourly</u> | <u>28.82</u> | 1488 |
| | <u>Annually</u> | <u>59946</u> | 1489 |
| <u>13</u> | <u>Hourly</u> | <u>31.71</u> | 1490 |
| | <u>Annually</u> | <u>65957</u> | 1491 |
| <u>14</u> | <u>Hourly</u> | <u>34.96</u> | 1492 |
| | <u>Annually</u> | <u>72717</u> | 1493 |
| <u>15</u> | <u>Hourly</u> | <u>38.46</u> | 1494 |
| | <u>Annually</u> | <u>79997</u> | 1495 |
| <u>16</u> | <u>Hourly</u> | <u>42.43</u> | 1496 |
| | <u>Annually</u> | <u>88254</u> | 1497 |
| <u>17</u> | <u>Hourly</u> | <u>46.73</u> | 1498 |
| | <u>Annually</u> | <u>97198</u> | 1499 |
| <u>18</u> | <u>Hourly</u> | <u>51.48</u> | 1500 |
| | <u>Annually</u> | <u>107078</u> | 1501 |

~~(C)~~(F) As used in this section, "exempt employee" means a 1502
permanent full-time or permanent part-time employee paid directly 1503
by warrant of the auditor of state whose position is included in 1504
the job classification plan established under division (A) of 1505
section 124.14 of the Revised Code but who is not considered a 1506
public employee for the purposes of Chapter 4117. of the Revised 1507
Code. As used in this section, "exempt employee" also includes a 1508

permanent full-time or permanent part-time employee of the 1509
secretary of state, auditor of state, treasurer of state, or 1510
attorney general who has not been placed in an appropriate 1511
bargaining unit by the state employment relations board. 1512

Sec. 124.181. (A) Except as provided in division (M) of this 1513
section, any employee paid ~~under~~ in accordance with schedule B of 1514
section 124.15 or ~~under~~ schedule E-1 or schedule E-1 for step 1515
seven only of section 124.152 of the Revised Code is eligible for 1516
the pay supplements provided in this section upon application by 1517
the appointing authority substantiating the employee's 1518
qualifications for the supplement and with the approval of the 1519
director of administrative services except as provided in division 1520
(E) of this section. 1521

(B)(1) Except as provided in section 124.183 of the Revised 1522
Code, in computing any of the pay supplements provided in this 1523
section for an employee paid in accordance with schedule B of 1524
section 124.15 of the Revised Code, the classification salary base 1525
shall be the minimum hourly rate of the pay range, provided in 1526
that section ~~124.15 or 124.152~~ of the Revised Code, in which the 1527
employee is assigned at the time of computation. 1528

(2) Except as provided in section 124.183 of the Revised 1529
Code, in computing any of the pay supplements provided in this 1530
section for an employee paid in accordance with schedule E-1 of 1531
section 124.152 of the Revised Code, the classification salary 1532
base shall be the minimum hourly rate of the pay range, provided 1533
in that section, in which the employee is assigned at the time of 1534
computation. 1535

(3) Except as provided in section 124.183 of the Revised 1536
Code, in computing any of the pay supplements provided in this 1537
section for an employee paid in accordance with schedule E-1 for 1538
step seven only of section 124.152 of the Revised Code, the 1539

classification salary base shall be the minimum hourly rate in the 1540
corresponding pay range, provided in schedule E-1 of that section, 1541
to which the employee is assigned at the time of the computation. 1542

(C) The effective date of any pay supplement, except as 1543
provided in section 124.183 of the Revised Code or unless 1544
otherwise provided in this section, shall be determined by the 1545
director. 1546

(D) The director shall, by rule, establish standards 1547
regarding the administration of this section. 1548

(E)(1) Except as otherwise provided in this division, 1549
beginning on the first day of the pay period within which the 1550
employee completes five years of total service with the state 1551
government or any of its political subdivisions, each employee in 1552
positions paid ~~under salary~~ in accordance with schedule B of 1553
section 124.15 of the Revised Code or ~~under salary~~ in accordance 1554
with schedule E-1 or schedule E-1 for step seven only of section 1555
124.152 of the Revised Code shall receive an automatic salary 1556
adjustment equivalent to two and one-half per cent of the 1557
classification salary base, to the nearest whole cent. Each 1558
employee shall receive thereafter an annual adjustment equivalent 1559
to one-half of one per cent of the employee's classification 1560
salary base, to the nearest whole cent, for each additional year 1561
of qualified employment until a maximum of ten per cent of the 1562
employee's classification salary base is reached. The granting of 1563
longevity adjustments shall not be affected by promotion, 1564
demotion, or other changes in classification held by the employee, 1565
nor by any change in pay range for the employee's class or grade. 1566
Longevity pay adjustments shall become effective at the beginning 1567
of the pay period within which the employee completes the 1568
necessary length of service, except that when an employee requests 1569
credit for prior service, the effective date of the prior service 1570
credit and of any longevity adjustment shall be the first day of 1571

the pay period following approval of the credit by the director of 1572
administrative services. No employee, other than an employee who 1573
submits proof of prior service within ninety days after the date 1574
of the employee's hiring, shall receive any longevity adjustment 1575
for the period prior to the director's approval of a prior service 1576
credit. Time spent on authorized leave of absence shall be counted 1577
for this purpose. 1578

(2) An employee who has retired in accordance with the 1579
provisions of any retirement system offered by the state and who 1580
is employed by the state or any political subdivision of the state 1581
on or after June 24, 1987, shall not have prior service with the 1582
state or any political subdivision of the state counted for the 1583
purpose of determining the amount of the salary adjustment 1584
provided under this division. 1585

(3) There shall be a moratorium on employees' receipt under 1586
this division of credit for service with the state government or 1587
any of its political subdivisions during the period from July 1, 1588
2003, through June 30, 2005. In calculating the number of years of 1589
total service under this division, no credit shall be included for 1590
service during the moratorium. The moratorium shall apply to the 1591
employees of the secretary of state, the auditor of state, the 1592
treasurer of state, and the attorney general, who are subject to 1593
this section unless the secretary of state, the auditor of state, 1594
the treasurer of state, or the attorney general decides to exempt 1595
the office's employees from the moratorium and so notifies the 1596
director of administrative services in writing on or before July 1597
1, 2003. 1598

If an employee is exempt from the moratorium, receives credit 1599
for a period of service during the moratorium, and takes a 1600
position with another entity in the state government or any of its 1601
political subdivisions, either during or after the moratorium, and 1602
if that entity's employees are or were subject to the moratorium, 1603

the employee shall continue to retain the credit. However, if the
moratorium is in effect upon the taking of the new position, the
employee shall cease receiving additional credit as long as the
employee is in the position, until the moratorium expires.

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

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

(2) A hazardous salary adjustment of seven and one-half per
cent of the employee's classification salary base may be applied
in the case of some considerable hazardous condition not common to
the class for those hours worked, or a fraction ~~thereof~~ of those
hours worked, while the employee was subject to the considerable
hazard condition.

(3) A hazardous salary adjustment of ten per cent of the
employee's classification salary base may be applied in the case
of some exceptional hazardous condition not common to the class
for those hours worked, or a fraction ~~thereof~~ of those hours

worked, when the employee was subject to the exceptional hazard 1636
condition. 1637

(4) Each claim for temporary hazard pay shall be submitted as 1638
a separate payment and shall be subject to an administrative audit 1639
by the director as to the extent and duration of the employee's 1640
exposure to the hazardous condition. 1641

(G) When a full-time employee whose salary or wage is paid 1642
directly by warrant of the auditor of state and who also is 1643
eligible for overtime under the "Fair Labor Standards Act of 1644
1938," 52 Stat. 1060, 29 U.S.C.A. 207, 213, as amended, is ordered 1645
by the appointing authority to report back to work after 1646
termination of the employee's regular work schedule and the 1647
employee reports, the employee shall be paid for such time. The 1648
employee shall be entitled to four hours at the employee's total 1649
rate of pay or overtime compensation for the actual hours worked, 1650
whichever is greater. This division does not apply to work that is 1651
a continuation of or immediately preceding an employee's regular 1652
work schedule. 1653

(H) When a certain position or positions paid ~~under~~ in 1654
accordance with schedule B of section 124.15 of the Revised Code 1655
~~or under salary~~ in accordance with schedule E-1 or schedule E-1 1656
for step seven only of section 124.152 of the Revised Code require 1657
the ability to speak or write a language other than English, a 1658
special pay supplement may be granted to attract bilingual 1659
individuals, to encourage present employees to become proficient 1660
in other languages, or to retain qualified bilingual employees. 1661
The bilingual pay supplement provided in this division may be 1662
granted in the amount of five per cent of the employee's 1663
classification salary base for each required foreign language and 1664
shall remain in effect as long as the bilingual requirement 1665
exists. 1666

(I) The director may establish a shift differential for 1667

employees. ~~Such~~ The differential shall be paid to employees in 1668
positions working in other than the regular or first shift. In 1669
those divisions or agencies where only one shift prevails, no 1670
shift differential shall be paid regardless of the hours of the 1671
day that are worked. The director and the appointing authority 1672
shall designate which positions shall be covered by this division. 1673

(J) Whenever an employee is assigned to work in a higher 1674
level position for a continuous period of more than two weeks but 1675
no more than two years because of a vacancy, the employee's pay 1676
may be established at a rate that is approximately four per cent 1677
above the employee's current base rate for the period the employee 1678
occupies the position, provided that this temporary occupancy is 1679
approved by the director. Employees paid under this division shall 1680
continue to receive any of the pay supplements due them under 1681
other divisions of this section based on the step one base rate 1682
for their normal classification. 1683

(K) If a certain position, or positions, within a class paid 1684
~~under in accordance with~~ schedule B of section 124.15 of the 1685
Revised Code or ~~under salary in accordance with~~ schedule E-1 or 1686
schedule E-1 for step seven only of section 124.152 of the Revised 1687
Code are mandated by state or federal law or regulation or other 1688
regulatory agency or other certification authority to have special 1689
technical certification, registration, or licensing to perform the 1690
functions which are under the mandate, a special professional 1691
achievement pay supplement may be granted. This special 1692
professional achievement pay supplement shall not be granted when 1693
all incumbents in all positions in a class require a license as 1694
provided in the classification description published by the 1695
department of administrative services; to licensees where no 1696
special or extensive training is required; when certification is 1697
granted upon completion of a stipulated term of in-service 1698
training; when an appointing authority has required certification; 1699

or any other condition prescribed by the director. 1700

(1) Before this supplement may be applied, evidence as to the 1701
requirement must be provided by the agency for each position 1702
involved, and certification must be received from the director as 1703
to the director's concurrence for each of the positions so 1704
affected. 1705

(2) The professional achievement pay supplement provided in 1706
this division shall be granted in an amount up to ten per cent of 1707
the employee's classification salary base and shall remain in 1708
effect as long as the mandate exists. 1709

(L) Those employees assigned to teaching supervisory, 1710
principal, assistant principal, or superintendent positions who 1711
have attained a higher educational level than a basic bachelor's 1712
degree may receive an educational pay supplement to remain in 1713
effect as long as the employee's assignment and classification 1714
remain the same. 1715

(1) An educational pay supplement of two and one-half per 1716
cent of the employee's classification salary base may be applied 1717
upon the achievement of a bachelor's degree plus twenty quarter 1718
hours of postgraduate work. 1719

(2) An educational pay supplement of an additional five per 1720
cent of the employee's classification salary base may be applied 1721
upon achievement of a master's degree. 1722

(3) An educational pay supplement of an additional two and 1723
one-half per cent of the employee's classification salary base may 1724
be applied upon achievement of a master's degree plus thirty 1725
quarter hours of postgraduate work. 1726

(4) An educational pay supplement of five per cent of the 1727
employee's classification salary base may be applied when the 1728
employee is performing as a master teacher. 1729

(5) An educational pay supplement of five per cent of the 1730
employee's classification salary base may be applied when the 1731
employee is performing as a special education teacher. 1732

(6) Those employees in teaching supervisory, principal, 1733
assistant principal, or superintendent positions who are 1734
responsible for specific extracurricular activity programs shall 1735
receive overtime pay for those hours worked in excess of their 1736
normal schedule, at their straight time hourly rate up to a 1737
maximum of five per cent of their regular base salary in any 1738
calendar year. 1739

(M)(1) A state agency, board, or commission may establish a 1740
supplementary compensation schedule for those licensed physicians 1741
employed by the agency, board, or commission in positions 1742
requiring a licensed physician. The supplementary compensation 1743
schedule, together with the compensation otherwise authorized by 1744
this chapter, shall provide for the total compensation for these 1745
employees to range appropriately, but not necessarily uniformly, 1746
for each classification title requiring a licensed physician, in 1747
accordance with a schedule approved by the state controlling 1748
board. The individual salary levels recommended for each such 1749
physician employed shall be approved by the director. 1750
Notwithstanding section 124.11 of the Revised Code, such personnel 1751
are in the unclassified civil service. 1752

(2) The director of administrative services may approve 1753
supplementary compensation for the director of health, if the 1754
director is a licensed physician, in accordance with a 1755
supplementary compensation schedule approved under division (M)(1) 1756
of this section or in accordance with another supplementary 1757
compensation schedule the director of administrative services 1758
considers appropriate. The supplementary compensation shall not 1759
exceed twenty per cent of the director of health's base rate of 1760
pay. 1761

(N) Notwithstanding sections 117.28, 117.30, 117.33, 117.36, 1762
117.42, and 131.02 of the Revised Code, the state shall not 1763
institute any civil action to recover and shall not seek 1764
reimbursement for overpayments made in violation of division (E) 1765
of this section or division (C) of section 9.44 of the Revised 1766
Code for the period starting after June 24, 1987, and ending on 1767
October 31, 1993. 1768

(O) Employees of the office of the treasurer of state who are 1769
exempt from collective bargaining coverage may be granted a merit 1770
pay supplement of up to one and one-half per cent of their step 1771
rate. The rate at which this supplement is granted shall be based 1772
on performance standards established by the treasurer of state. 1773
Any supplements granted under this division shall be administered 1774
on an annual basis. 1775

Sec. 124.183. (A) As used in this section, "active payroll" 1776
means when an employee is actively working; on military, ~~worker's~~ 1777
workers' compensation, occupational injury, or disability leave; 1778
or on an approved leave of absence. 1779

(B)(1) Each permanent employee paid ~~under~~ in accordance with 1780
schedule E-1 of section 124.152 of the Revised Code who was 1781
appointed on or before March 6, 2003, and ~~is~~ remains continuously 1782
on the active payroll ~~as of~~ through November 14, 2004, shall 1783
receive a one-time pay supplement. The supplement shall be a two 1784
per cent lump sum payment that is based on the annualization of 1785
the top step of the pay range in schedule E-1 that the employee is 1786
in on November 14, 2004. 1787

(2) Each permanent employee paid in accordance with schedule 1788
E-1 for step seven only of section 124.152 of the Revised Code who 1789
was appointed on or before March 6, 2003, and remains continuously 1790
on the active payroll through November 14, 2004, shall receive a 1791
one-time pay supplement. The supplement shall be a two per cent 1792

lump sum payment that is based on the annualization of step 6 of 1793
the pay range in schedule E-1 of section 124.152 of the Revised 1794
Code that corresponds with the pay range in schedule E-1 for step 1795
seven only that the employee is in on November 14, 2004. 1796

(3) Each permanent employee paid under schedule E-2 of 1797
section 124.152 of the Revised Code who was appointed on or before 1798
March 6, 2003, and ~~is~~ remains continuously on the active payroll 1799
~~as of~~ through November 14, 2004, shall receive a one-time pay 1800
supplement. The supplement shall be a two per cent lump sum 1801
payment that is based upon the annualization of the maximum hourly 1802
rate of the pay range in schedule E-2 that the employee is in on 1803
November 14, 2004. 1804

(C) Each permanent employee who is exempt from collective 1805
bargaining, is not covered by division (B) of this section, was 1806
appointed on or before March 6, 2003, and ~~is~~ remains continuously 1807
on the active payroll ~~as of~~ through November 14, 2004, shall 1808
receive a one-time pay supplement. The supplement shall be a two 1809
per cent lump sum payment that is based upon the annualization of 1810
the base rate of the employee's pay on November 14, 2004. 1811

(D) A part-time employee who is eligible to receive a 1812
one-time pay supplement under division (B) or (C) of this section 1813
shall have the employee's one-time pay supplement pro-rated based 1814
on the number of hours worked in the twenty-six pay periods prior 1815
to November 14, 2004. 1816

An employee who is eligible to receive a one-time pay 1817
supplement under division (B) or (C) of this section and was on a 1818
voluntary leave of absence shall have the employee's one-time pay 1819
supplement pro-rated based on the number of hours worked in the 1820
twenty-six pay periods prior to November 14, 2004. 1821

(E) A one-time pay supplement under this section shall be 1822
paid in the employee's first paycheck in December of 2004. 1823

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

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

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

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

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

(2) "Pay period" means the fourteen-day period of time during which the payroll is accumulated, as determined by the director of administrative services.

(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.

(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. 1854
1855

(5) "Disability leave" means the leave granted pursuant to 1856
section 124.385 of the Revised Code. 1857

(6) "Full-time permanent employee" means an employee whose 1858
regular hours of duty total eighty hours in a pay period in a 1859
state agency, and whose appointment is not for a limited period of 1860
time. 1861

(7) "Base rate of pay" means the rate of pay established 1862
under schedule B or C of section 124.15 of the Revised Code or 1863
under schedule E-1, schedule E-1 for step seven only, or schedule 1864
E-2 of section 124.152 of the Revised Code, plus any supplement 1865
provided under section 124.181 of the Revised Code, plus any 1866
supplements enacted into law which are added to schedule B or C of 1867
section 124.15 of the Revised Code or to schedule E-1, schedule 1868
E-1 for step seven only, or schedule E-2 of section 124.152 of the 1869
Revised Code. 1870

(8) "Part-time permanent employee" means an employee whose 1871
regular hours of duty total less than eighty hours in a pay period 1872
in a state agency and whose appointment is not for a limited 1873
period of time. 1874

(B) Each full-time permanent and part-time permanent employee 1875
whose salary or wage is paid directly by warrant of the auditor of 1876
state shall be credited with sick leave of three and one-tenth 1877
hours for each completed eighty hours of service, excluding 1878
overtime hours worked. 1879

(C) Any sick leave credit provided pursuant to division (B) 1880
of this section, remaining as of the last day of the pay period 1881
preceding the next succeeding base pay period, shall be converted 1882
pursuant to section 124.383 of the Revised Code. 1883

(D) Employees may use sick leave, provided a credit balance 1884

is available, upon approval of the responsible administrative 1885
officer of the employing unit, for absence due to personal 1886
illness, pregnancy, injury, exposure to contagious disease ~~which~~ 1887
that could be communicated to other employees, and ~~to~~ illness, 1888
injury, or death in the employee's immediate family. When sick 1889
leave is used, it shall be deducted from the employee's credit on 1890
the basis of absence from previously scheduled work in such 1891
increments of an hour and at such a compensation rate as the 1892
director of administrative services determines. The appointing 1893
authority of each employing unit may require an employee to 1894
furnish a satisfactory, signed statement to justify the use of 1895
sick leave. 1896

If, after having utilized the credit provided by this 1897
section, an employee utilizes sick leave that was accumulated 1898
prior to November 15, 1981, compensation for such sick leave used 1899
shall be at a rate as the director determines. 1900

(E)(1) The previously accumulated sick leave balance of an 1901
employee who has been separated from the public service, for which 1902
separation payments pursuant to ~~the provisions of~~ section 124.384 1903
of the Revised Code have not been made, shall be placed to the 1904
employee's credit upon the employee's reemployment in the public 1905
service, if the reemployment takes place within ten years of the 1906
date on which the employee was last terminated from public 1907
service. 1908

(2) The previously accumulated sick leave balance of an 1909
employee who has separated from a school district shall be placed 1910
to the employee's credit upon the employee's appointment as an 1911
unclassified employee of the state department of education, if all 1912
of the following apply: 1913

(a) The employee accumulated the sick leave balance while 1914
employed by the school district~~+~~. 1915

(b) The employee did not receive any separation payments for 1916
the sick leave balance+ 1917

(c) The employee's employment with the department takes place 1918
within ten years after the date on which the employee separated 1919
from the school district. 1920

(F) An employee who transfers from one public agency to 1921
another shall be credited with the unused balance of the 1922
employee's accumulated sick leave. 1923

(G) The director of administrative services shall establish 1924
procedures to uniformly administer this section. No sick leave may 1925
be granted to a state employee upon or after the employee's 1926
retirement or termination of employment. 1927

Sec. 126.32. (A) Any officer of any state agency may 1928
authorize reimbursement for travel, including the costs of 1929
transportation, for lodging, and for meals to any person who is 1930
interviewing for a position that is classified in pay range 13 or 1931
above in schedule E-1 or schedule E-1 for step seven only, or is 1932
classified in schedule E-2, of section 124.152 of the Revised 1933
Code. 1934

(B) If a person is appointed to a position listed in section 1935
121.03 of the Revised Code, to the position of chairperson of the 1936
industrial commission, adjutant general, chancellor of the Ohio 1937
board of regents, superintendent of public instruction, 1938
chairperson of the public utilities commission of Ohio, or 1939
director of the state lottery commission, to a position holding a 1940
fiduciary relationship to the governor, to a position of an 1941
appointing authority of the department of mental health, mental 1942
retardation and developmental disabilities, or rehabilitation and 1943
correction, to a position of superintendent in the department of 1944
youth services, or to a position under section 122.05 of the 1945

Revised Code, and if that appointment requires a permanent change 1946
of residence, the appropriate state agency may reimburse the 1947
person for the person's actual and necessary expenses, including 1948
the cost of in-transit storage of household goods and personal 1949
effects, of moving the person and members of the person's 1950
immediate family residing in the person's household, and of moving 1951
their household goods and personal effects, to the person's new 1952
location. 1953

Until that person moves the person's permanent residence to 1954
the new location, but not for a period that exceeds thirty 1955
consecutive days, the state agency may reimburse the person for 1956
the person's temporary living expenses at the new location that 1957
the person has incurred on behalf of the person and members of the 1958
person's immediate family residing in the person's household. In 1959
addition, the state agency may reimburse that person for the 1960
person's travel expenses between the new location and the person's 1961
former residence during this period for a maximum number of trips 1962
specified by rule of the director of budget and management, but 1963
the state agency shall not reimburse the person for travel 1964
expenses incurred for those trips by members of the person's 1965
immediate family. With the prior written approval of the director, 1966
the maximum thirty-day period for temporary living expenses may be 1967
extended for a person appointed to a position under section 122.05 1968
of the Revised Code. 1969

The director of development may reimburse a person appointed 1970
to a position under section 122.05 of the Revised Code for the 1971
person's actual and necessary expenses of moving the person and 1972
members of the person's immediate family residing in the person's 1973
household back to the United States and may reimburse a person 1974
appointed to such a position for the cost of storage of household 1975
goods and personal effects of the person and the person's 1976
immediate family while the person is serving outside the United 1977

States, if the person's office outside the United States is the 1978
person's primary job location. 1979

(C) All reimbursement under division (A) or (B) of this 1980
section shall be made in the manner, and at rates that do not 1981
exceed those, provided by rule of the director of budget and 1982
management in accordance with section 111.15 of the Revised Code. 1983
Reimbursements may be made under division (B) of this section 1984
directly to the persons who incurred the expenses or directly to 1985
the providers of goods or services the persons receive, as 1986
determined by the director of budget and management. 1987

Sec. 152.09. (A) As used in sections 152.06 and 152.09 to 1988
152.33 of the Revised Code: 1989

(1) "Obligations" means bonds, notes, or other evidences of 1990
obligation, including interest coupons pertaining thereto, issued 1991
pursuant to sections 152.09 to 152.33 of the Revised Code. 1992

(2) "State agencies" means the state of Ohio and branches, 1993
officers, boards, commissions, authorities, departments, 1994
divisions, courts, general assembly, or other units or agencies of 1995
the state. "State agency" also includes counties, municipal 1996
corporations, and governmental entities of this state that enter 1997
into leases with the Ohio building authority pursuant to section 1998
152.31 of the Revised Code or that are designated by law as state 1999
agencies for the purpose of performing a state function that is to 2000
be housed by a capital facility for which the Ohio building 2001
authority is authorized to issue revenue obligations pursuant to 2002
sections 152.09 to 152.33 of the Revised Code. 2003

(3) "Bond service charges" means principal, including 2004
mandatory sinking fund requirements for retirement of obligations, 2005
and interest, and redemption premium, if any, required to be paid 2006
by the Ohio building authority on obligations. 2007

(4) "Capital facilities" means buildings, structures, and other improvements, and equipment, real estate, and interests in real estate therefor, within the state, and any one, part of, or combination of the foregoing, 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, for which the Ohio building authority is authorized to issue obligations pursuant to Chapter 152. of the Revised Code, and includes storage and parking facilities related to such capital facilities.

(5) "Cost of capital facilities" means the costs of acquiring, constructing, reconstructing, rehabilitating, remodeling, renovating, enlarging, improving, altering, maintaining, equipping, furnishing, repairing, painting, decorating, managing, or operating capital facilities, and the financing thereof, including the cost of clearance and preparation of the site and of any land to be used in connection with capital facilities, the cost of participating in capital facilities pursuant to section 152.33 of the Revised Code, the cost of any indemnity and surety bonds and premiums on insurance, all related direct administrative expenses and allocable portions of direct costs of the authority and lessee state agencies, cost of engineering and architectural services, designs, plans, specifications, surveys, and estimates of cost, legal fees, fees and expenses of trustees, depositories, and paying agents for the obligations, cost of issuance of the obligations and financing charges and fees and expenses of financial advisers and consultants in connection therewith, interest on obligations from the date thereof to the time when interest is to be covered from sources other than proceeds of obligations, amounts that represent the portion of investment earnings to be rebated or to be paid to

the federal government in order to maintain the exclusion from 2040
gross income for federal income tax purposes of interest on those 2041
obligations pursuant to section 148(f) of the Internal Revenue 2042
Code, amounts necessary to establish reserves as required by the 2043
resolutions or the obligations, trust agreements, or indentures, 2044
costs of audits, the reimbursement of all moneys advanced or 2045
applied by or borrowed from any governmental entity, whether to or 2046
by the authority or others, from whatever source provided, for the 2047
payment of any item or items of cost of the capital facilities, 2048
any share of the cost undertaken by the authority pursuant to 2049
arrangements made with governmental entities under division (J) of 2050
section 152.21 of the Revised Code, and all other expenses 2051
necessary or incident to planning or determining the feasibility 2052
or practicability with respect to capital facilities, and such 2053
other expenses as may be necessary or incident to the acquisition, 2054
construction, reconstruction, rehabilitation, remodeling, 2055
renovation, enlargement, improvement, alteration, maintenance, 2056
equipment, furnishing, repair, painting, decoration, management, 2057
or operation of capital facilities, the financing thereof and the 2058
placing of the same in use and operation, including any one, part 2059
of, or combination of such classes of costs and expenses. 2060

(6) "Governmental entity" means any state agency, municipal 2061
corporation, county, township, school district, and any other 2062
political subdivision or special district in this state 2063
established pursuant to law, and, except where otherwise 2064
indicated, also means the United States or any of the states or 2065
any department, division, or agency thereof, and any agency, 2066
commission, or authority established pursuant to an interstate 2067
compact or agreement. 2068

(7) "Governing body" means: 2069

(a) In the case of a county, the board of county 2070
commissioners or other legislative authority; in the case of a 2071

municipal corporation, the legislative authority; in the case of a 2072
township, the board of township trustees; in the case of a school 2073
district, the board of education; 2074

(b) In the case of any other governmental entity, the 2075
officer, board, commission, authority, or other body having the 2076
general management of the entity or having jurisdiction or 2077
authority in the particular circumstances. 2078

(8) "Available receipts" means fees, charges, revenues, 2079
grants, subsidies, income from the investment of moneys, proceeds 2080
from the sale of goods or services, and all other revenues or 2081
receipts received by or on behalf of any state agency for which 2082
capital facilities are financed with obligations issued under 2083
Chapter 152. of the Revised Code, any state agency participating 2084
in capital facilities pursuant to section 152.33 of the Revised 2085
Code, or any state agency by which the capital facilities are 2086
constructed or financed; revenues or receipts derived by the 2087
authority from the operation, leasing, or other disposition of 2088
capital facilities, and the proceeds of obligations issued under 2089
Chapter 152. of the Revised Code; and also any moneys appropriated 2090
by a governmental entity, gifts, grants, donations, and pledges, 2091
and receipts therefrom, available for the payment of bond service 2092
charges on such obligations. 2093

(B) Pursuant to the powers granted to the general assembly 2094
under Section 2i of Article VIII, Ohio Constitution, to authorize 2095
the issuance of revenue obligations and other obligations, the 2096
owners or holders of which are not given the right to have excises 2097
or taxes levied by the general assembly for the payment of 2098
principal thereof or interest thereon, the Ohio building authority 2099
may issue obligations, in accordance with Chapter 152. of the 2100
Revised Code, and shall cause the net proceeds thereof, after any 2101
deposits of accrued interest for the payment of bond service 2102
charges and after any deposit of all or such lesser portion as the 2103

authority may direct of the premium received upon the sale of 2104
those obligations for the payment of the bond service charges, to 2105
be applied to the costs of capital facilities designated by or 2106
pursuant to act of the general assembly for housing state agencies 2107
as authorized by Chapter 152. of the Revised Code. The authority 2108
shall provide by resolution for the issuance of such obligations. 2109
The bond service charges and all other payments required to be 2110
made by the trust agreement or indenture securing such obligations 2111
shall be payable solely from available receipts of the authority 2112
pledged thereto as provided in such resolution. The available 2113
receipts pledged and thereafter received by the authority are 2114
immediately subject to the lien of such pledge without any 2115
physical delivery thereof or further act, and the lien of any such 2116
pledge is valid and binding against all parties having claims of 2117
any kind against the authority, irrespective of whether those 2118
parties have notice thereof, and creates a perfected security 2119
interest for all purposes of Chapter 1309. of the Revised Code and 2120
a perfected lien for purposes of any real property interest, all 2121
without the necessity for separation or delivery of funds or for 2122
the filing or recording of the resolution, trust agreement, 2123
indenture, or other agreement by which such pledge is created or 2124
any certificate, statement, or other document with respect 2125
thereto; and the pledge of such available receipts is effective 2126
and the money therefrom and thereof may be applied to the purposes 2127
for which pledged. Every pledge, and every covenant and agreement 2128
made with respect to the pledge, made in the resolution may 2129
therein be extended to the benefit of the owners and holders of 2130
obligations authorized by Chapter 152. of the Revised Code, and to 2131
any trustee therefor, for the further securing of the payment of 2132
the bond service charges, and all or any rights under any 2133
agreement or lease made under this section may be assigned for 2134
such purpose. Obligations may be issued at one time or from time 2135
to time, and each issue shall be dated, shall mature at such time 2136

or times as determined by the authority not exceeding forty years 2137
from the date of issue, and may be redeemable before maturity at 2138
the option of the authority at such price or prices and under such 2139
terms and conditions as are fixed by the authority prior to the 2140
issuance of the obligations. The authority shall determine the 2141
form of the obligations, fix their denominations, establish their 2142
interest rate or rates, which may be a variable rate or rates, or 2143
the maximum interest rate, and establish within or without this 2144
state a place or places of payment of bond service charges. 2145

(C) The obligations shall be signed by the authority 2146
chairperson, vice-chairperson, and secretary-treasurer, and the 2147
authority seal shall be affixed. The signatures may be facsimile 2148
signatures and the seal affixed may be a facsimile seal, as 2149
provided by resolution of the authority. Any coupons attached may 2150
bear the facsimile signature of the chairperson. In case any 2151
officer who has signed any obligations, or caused the officer's 2152
facsimile signature to be affixed thereto, ceases to be such 2153
officer before such obligations have been delivered, such 2154
obligations may, nevertheless, be issued and delivered as though 2155
the person who had signed the obligations or caused the person's 2156
facsimile signature to be affixed thereto had not ceased to be 2157
such officer. 2158

Any obligations may be executed on behalf of the authority by 2159
an officer who, on the date of execution, is the proper officer 2160
although on the date of such obligations such person was not the 2161
proper officer. 2162

(D) All obligations issued by the authority shall have all 2163
the qualities and incidents of negotiable instruments and may be 2164
issued in coupon or in registered form, or both, as the authority 2165
determines. Provision may be made for the registration of any 2166
obligations with coupons attached thereto as to principal alone or 2167
as to both principal and interest, their exchange for obligations 2168

so registered, and for the conversion or reconversion into 2169
obligations with coupons attached thereto of any obligations 2170
registered as to both principal and interest, and for reasonable 2171
charges for such registration, exchange, conversion, and 2172
reconversion. The authority may sell its obligations in any manner 2173
and for such prices as it determines, except that the authority 2174
shall sell obligations sold at public or private sale in 2175
accordance with section 152.091 of the Revised Code. 2176

(E) The obligations of the authority, principal, interest, 2177
and any proceeds from their sale or transfer, are exempt from all 2178
taxation within this state. 2179

(F) The authority is authorized to issue revenue obligations 2180
and other obligations under Section 2i of Article VIII, Ohio 2181
Constitution, for the purpose of paying the cost of capital 2182
facilities for housing of branches and agencies of state 2183
government, including capital facilities for the purpose of 2184
housing personnel, equipment, or functions, or any combination 2185
thereof that the state agencies are responsible for housing, as 2186
are authorized by Chapter 152. of the Revised Code, and that are 2187
authorized by the general assembly by the appropriation of lease 2188
payments or other moneys for such capital facilities or by any 2189
other act of the general assembly, but not including the 2190
appropriation of moneys for feasibility studies for such capital 2191
facilities. This division does not authorize the authority to 2192
issue obligations pursuant to Section 2i of Article VIII, Ohio 2193
Constitution, to pay the cost of capital facilities for mental 2194
hygiene and retardation, parks and recreation, or state-supported 2195
or state-assisted institutions of higher education. 2196

Sec. 175.21. (A) The low- and moderate-income housing trust 2197
fund is hereby created in the state treasury. The fund shall 2198
consist of all appropriations made to the fund, housing trust fund 2199

fees collected by county recorders pursuant to section 317.36 of 2200
the Revised Code and deposited into the fund pursuant to section 2201
319.63 of the Revised Code, and all grants, gifts, loan 2202
repayments, and contributions of money made from any source to the 2203
department of development for deposit in the fund. All investment 2204
earnings of the fund shall be credited to the fund. The director 2205
of development shall allocate a portion of the money in the fund 2206
to an account of the Ohio housing finance agency. The department 2207
shall administer the fund. The agency shall use money allocated to 2208
it in the fund for implementing and administering its programs and 2209
duties under sections 175.22 and 175.24 of the Revised Code, and 2210
the department shall use the remaining money in the fund for 2211
implementing and administering its programs and duties under 2212
sections 175.22 to 175.25 of the Revised Code. Use of all money in 2213
the fund is subject to the following restrictions: 2214

(1) Not more than six per cent of any current year 2215
appropriation authority for the fund shall be used for the 2216
transitional and permanent housing program to make grants to 2217
municipal corporations, counties, townships, and nonprofit 2218
organizations for the acquisition, rehabilitation, renovation, 2219
construction, conversion, operation, and cost of supportive 2220
services for new and existing transitional and permanent housing 2221
for homeless persons. 2222

(2)(a) Not more than five per cent of any current year 2223
appropriation authority for the fund shall be used for grants and 2224
loans to community development corporations and the Ohio community 2225
development finance fund, a private nonprofit corporation. 2226

(b) In any year in which the amount in the fund exceeds one 2227
hundred thousand dollars, not less than one hundred thousand 2228
dollars shall be used to provide training, technical assistance, 2229
and capacity building assistance to nonprofit development 2230
organizations in areas of the state the director designates as 2231

| | |
|--|------|
| underserved. | 2232 |
| (c) For monies awarded in any fiscal year, priority shall be | 2233 |
| given to proposals submitted by nonprofit development | 2234 |
| organizations from areas of the state the director designates as | 2235 |
| underserved. | 2236 |
| (3) Not more than seven per cent of any current year | 2237 |
| appropriation authority for the fund shall be used for the | 2238 |
| emergency shelter housing grants program to make grants to | 2239 |
| private, nonprofit organizations and municipal corporations, | 2240 |
| counties, and townships for emergency shelter housing for the | 2241 |
| homeless. The grants shall be distributed pursuant to rules the | 2242 |
| director adopts and qualify as matching funds for funds obtained | 2243 |
| pursuant to the McKinney Act, 101 Stat. 85 (1987), 42 U.S.C.A. | 2244 |
| 11371 to 11378. | 2245 |
| (4) In any fiscal year in which the amount in the fund | 2246 |
| exceeds the amount awarded pursuant to division (A)(2)(b) of this | 2247 |
| section by at least two hundred fifty thousand dollars, at least | 2248 |
| two hundred fifty thousand dollars from the fund shall be provided | 2249 |
| to the department of aging for the resident services coordinator | 2250 |
| program. | 2251 |
| (5) Of all money in <u>current year appropriation authority for</u> | 2252 |
| the fund: | 2253 |
| (a) Not, not more than five per cent shall be used for | 2254 |
| administration. | 2255 |
| (b) (6) Not less than forty-five per cent of the funds awarded | 2256 |
| during any one fiscal year shall be for grants and loans to | 2257 |
| nonprofit organizations under section 175.22 of the Revised Code. | 2258 |
| (c) (7) Not less than fifty per cent of the funds awarded | 2259 |
| during any one fiscal year, excluding the amounts awarded pursuant | 2260 |
| to divisions (A)(1), (A)(2), and (A)(3) of this section, shall be | 2261 |
| for grants and loans for activities that provide housing and | 2262 |

housing assistance to families and individuals in rural areas and 2263
small cities that are not eligible to participate as a 2264
participating jurisdiction under the "HOME Investment Partnerships 2265
Act," 104 Stat. 4094 (1990), 42 U.S.C. 12701 note, 12721. 2266

~~(d)~~(8) No money in the fund shall be used to pay for any 2267
legal services other than the usual and customary legal services 2268
associated with the acquisition of housing. 2269

~~(6)~~(9) Except as otherwise provided by the director under 2270
division (B) of this section, money in the fund may be used as 2271
matching money for federal funds received by the state, counties, 2272
municipal corporations, and townships for the activities listed in 2273
section 175.22 of the Revised Code. 2274

(B) If after the second quarter of any year it appears to the 2275
director that the full amount of the money in the fund designated 2276
in that year for activities that provide housing and housing 2277
assistance to families and individuals in rural areas and small 2278
cities under division (A) of this section will not be used for 2279
that purpose, the director may reallocate all or a portion of that 2280
amount for other housing activities. In determining whether or how 2281
to reallocate money under this division, the director may consult 2282
with and shall receive advice from the housing trust fund advisory 2283
committee. 2284

Sec. 3311.059. The procedure prescribed in this section may 2285
be used in lieu of a transfer prescribed under section 3311.231 of 2286
the Revised Code. 2287

(A) Subject to divisions (B) and (C) of this section, a board 2288
of education of a local school district may by a resolution 2289
approved by a majority of all its members propose to sever that 2290
local school district from the territory of the educational 2291
service center in which the local school district is currently 2292
included and to instead annex the local school district to the 2293

territory of another educational service center, the current 2294
territory of which is adjacent to the territory of the educational 2295
service center in which the local school district is currently 2296
included. The resolution shall promptly be filed with the 2297
governing board of each educational service center affected by the 2298
resolution and with the superintendent of public instruction. 2299

(B) The resolution adopted under division (A) of this section 2300
shall not be effective unless it is approved by ~~both the governing~~ 2301
~~board of the educational service center to which the board of~~ 2302
~~education proposes to annex the local school district and the~~ 2303
state board of education. The severance of the local school 2304
district from one educational service center and its annexation to 2305
another educational service center under this section shall not be 2306
effective until one year after the first day of July following the 2307
later of the date that the ~~governing board of the educational~~ 2308
~~service center to which the local school district is proposed to~~ 2309
~~be annexed~~ state board of education approves the resolution or the 2310
date the board of elections certifies the results of the 2311
referendum election as provided in division (C) of this section. 2312

(C) Within sixty days following the date of the adoption of 2313
the resolution under division (A) of this section, the electors of 2314
the local school district may petition for a referendum vote on 2315
the resolution. The question whether to approve or disapprove the 2316
resolution shall be submitted to the electors of such school 2317
district if a number of qualified electors equal to twenty per 2318
cent of the number of electors in the school district who voted 2319
for the office of governor at the most recent general election for 2320
that office sign a petition asking that the question of whether 2321
the resolution shall be disapproved be submitted to the electors. 2322
The petition shall be filed with the board of elections of the 2323
county in which the school district is located. If the school 2324
district is located in more than one county, the petition shall be 2325

filed with the board of elections of the county in which the 2326
majority of the territory of the school district is located. The 2327
board shall certify the validity and sufficiency of the signatures 2328
on the petition. 2329

The board of elections shall immediately notify the board of 2330
education of the local school district and the governing board of 2331
each educational service center affected by the resolution that 2332
the petition has been filed. 2333

The effect of the resolution shall be stayed until the board 2334
of elections certifies the validity and sufficiency of the 2335
signatures on the petition. If the board of elections determines 2336
that the petition does not contain a sufficient number of valid 2337
signatures and sixty days have passed since the adoption of the 2338
resolution, the resolution shall become effective as provided in 2339
division (B) of this section. 2340

If the board of elections certifies that the petition 2341
contains a sufficient number of valid signatures, the board shall 2342
submit the question to the qualified electors of the school 2343
district on the day of the next general or primary election held 2344
at least seventy-five days after the board of elections certifies 2345
the validity and sufficiency of signatures on the petition. The 2346
election shall be conducted and canvassed and the results shall be 2347
certified in the same manner as in regular elections for the 2348
election of members of a board of education. 2349

If a majority of the electors voting on the question 2350
disapprove the resolution, the resolution shall not become 2351
effective. If a majority of the electors voting on the question 2352
approve the resolution, the resolution shall become effective as 2353
provided in division (B) of this section. 2354

(D) Upon the effective date of the severance of the local 2355
school district from one educational service center and its 2356

annexation to another educational service center as provided in 2357
division (B) of this section, the governing board of each 2358
educational service center shall take such steps for the election 2359
of members of the governing board and for organization of the 2360
governing board as prescribed in Chapter 3313. of the Revised 2361
Code. 2362

(E) If a school district is severed from one educational 2363
service center and annexed to another service center under this 2364
section, the board of education of that school district shall not 2365
propose a subsequent severance and annexation action under this 2366
section that would be effective sooner than five years after the 2367
effective date of the next previous severance and annexation 2368
action under this section. 2369

Sec. 3327.01. Notwithstanding division (D) of section 3311.19 2370
and division (D) of section 3311.52 of the Revised Code, this 2371
section and sections 3327.011, 3327.012, and 3327.02 of the 2372
Revised Code do not apply to any joint vocational or cooperative 2373
education school district. 2374

In all city, local, and exempted village school districts 2375
where resident school pupils in grades kindergarten through eight 2376
live more than two miles from the school for which the state board 2377
of education prescribes minimum standards pursuant to division (D) 2378
of section 3301.07 of the Revised Code and to which they are 2379
assigned by the board of education of the district of residence or 2380
to and from the nonpublic or community school which they attend 2381
the board of education shall provide transportation for such 2382
pupils to and from such school except as provided in section 2383
3327.02 of the Revised Code. 2384

In all city, local, and exempted village school districts the 2385
board may provide transportation for resident school pupils in 2386
grades nine through twelve to and from the high school to which 2387

they are assigned by the board of education of the district of 2388
residence or to and from the nonpublic or community high school 2389
which they attend for which the state board of education 2390
prescribes minimum standards pursuant to division (D) of section 2391
3301.07 of the Revised Code. 2392

A board of education shall not be required to transport 2393
elementary or high school pupils to and from a nonpublic or 2394
community school where such transportation would require more than 2395
thirty minutes of direct travel time as measured by school bus 2396
from the ~~collection point~~ public school building to which the 2397
pupils would be assigned if attending the public school designated 2398
by the district of residence. 2399

Where it is impractical to transport a pupil by school 2400
conveyance, a board of education may offer payment, in lieu of 2401
providing such transportation in accordance with section 3327.02 2402
of the Revised Code. 2403

In all city, local, and exempted village school districts the 2404
board shall provide transportation for all children who are so 2405
crippled that they are unable to walk to and from the school for 2406
which the state board of education prescribes minimum standards 2407
pursuant to division (D) of section 3301.07 of the Revised Code 2408
and which they attend. In case of dispute whether the child is 2409
able to walk to and from the school, the health commissioner shall 2410
be the judge of such ability. In all city, exempted village, and 2411
local school districts the board shall provide transportation to 2412
and from school or special education classes for educable mentally 2413
retarded children in accordance with standards adopted by the 2414
state board of education. 2415

When transportation of pupils is provided the conveyance 2416
shall be run on a time schedule that shall be adopted and put in 2417
force by the board not later than ten days after the beginning of 2418
the school term. 2419

The cost of any transportation service authorized by this 2420
section shall be paid first out of federal funds, if any, 2421
available for the purpose of pupil transportation, and secondly 2422
out of state appropriations, in accordance with regulations 2423
adopted by the state board of education. 2424

No transportation of any pupils shall be provided by any 2425
board of education to or from any school which in the selection of 2426
pupils, faculty members, or employees, practices discrimination 2427
against any person on the grounds of race, color, religion, or 2428
national origin. 2429

Sec. 3334.01. As used in this chapter: 2430

(A) "Aggregate original principal amount" means the aggregate 2431
of the initial offering prices to the public of college savings 2432
bonds, exclusive of accrued interest, if any. "Aggregate original 2433
principal amount" does not mean the aggregate accreted amount 2434
payable at maturity or redemption of such bonds. 2435

(B) "Beneficiary" means: 2436

(1) An individual designated by the purchaser under a tuition 2437
payment contract or through a scholarship program as the 2438
individual on whose behalf tuition credits purchased under the 2439
contract or awarded through the scholarship program will be 2440
applied toward the payment of undergraduate, graduate, or 2441
professional tuition; or 2442

(2) An individual designated by the contributor under a 2443
variable college savings program contract as the individual whose 2444
tuition and other higher education expenses will be paid from a 2445
variable college savings program account. 2446

(C) "Capital appreciation bond" means a bond for which the 2447
following is true: 2448

(1) The principal amount is less than the amount payable at 2449

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| maturity or early redemption; and | 2450 |
| (2) No interest is payable on a current basis. | 2451 |
| (D) "Tuition credit" means a credit of the Ohio tuition trust authority purchased under section 3334.09 of the Revised Code. | 2452 2453 |
| (E) "College savings bonds" means revenue and other obligations issued on behalf of the state or any agency or issuing authority thereof as a zero-coupon or capital appreciation bond, and designated as college savings bonds as provided in this chapter. "College savings bond issue" means any issue of bonds of which any part has been designated as college savings bonds. | 2454 2455 2456 2457 2458 2459 |
| (F) "Institution of higher education" means a state institution of higher education, a private college, university, or other postsecondary institution located in this state that possesses a certificate of authorization issued by the Ohio board of regents pursuant to Chapter 1713. of the Revised Code or a certificate of registration issued by the state board of career colleges and schools under Chapter 3332. of the Revised Code, or an accredited college, university, or other postsecondary institution located outside this state that is accredited by an accrediting organization or professional association recognized by the authority. To be considered an institution of higher education, an institution shall meet the definition of an eligible educational institution under section 529 of the Internal Revenue Code. | 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 |
| (G) "Issuing authority" means any authority, commission, body, agency, or individual empowered by the Ohio Constitution or the Revised Code to issue bonds or any other debt obligation of the state or any agency or department thereof. "Issuer" means the issuing authority or, if so designated under division (B) of section 3334.04 of the Revised Code, the treasurer of state. | 2474 2475 2476 2477 2478 2479 |
| (H) "Tuition" means the charges imposed to attend an | 2480 |

institution of higher education as an undergraduate, graduate, or 2481
professional student and all fees required as a condition of 2482
enrollment, as determined by the Ohio tuition trust authority. 2483
"Tuition" does not include laboratory fees, room and board, or 2484
other similar fees and charges. 2485

(I) "Weighted average tuition" means the tuition cost 2486
resulting from the following calculation: 2487

(1) Add the products of the annual undergraduate tuition 2488
charged to Ohio residents at each four-year state university 2489
multiplied by that institution's total number of undergraduate 2490
fiscal year equated students; and 2491

(2) Divide the gross total of the products from division 2492
(I)(1) of this section by the total number of undergraduate fiscal 2493
year equated students attending four-year state universities. 2494

When making this calculation, the "annual undergraduate 2495
tuition charged to Ohio residents" shall not incorporate any 2496
tuition reductions that vary in amount among individual recipients 2497
and that are awarded to Ohio residents based upon their particular 2498
circumstances, beyond any minimum amount awarded uniformly to all 2499
Ohio residents. In addition, any tuition reductions awarded 2500
uniformly to all Ohio residents shall be incorporated into this 2501
calculation. 2502

(J) "Zero-coupon bond" means a bond which has a stated 2503
interest rate of zero per cent and on which no interest is payable 2504
until the maturity or early redemption of the bond, and is offered 2505
at a substantial discount from its original stated principal 2506
amount. 2507

(K) "State institution of higher education" includes the 2508
state universities listed in section 3345.011 of the Revised Code, 2509
community colleges created pursuant to Chapter 3354. of the 2510
Revised Code, university branches created pursuant to Chapter 2511

3355. of the Revised Code, technical colleges created pursuant to 2512
Chapter 3357. of the Revised Code, state community colleges 2513
created pursuant to Chapter 3358. of the Revised Code, the medical 2514
college of Ohio at Toledo, and the northeastern Ohio universities 2515
college of medicine. 2516

(L) "Four-year state university" means those state 2517
universities listed in section 3345.011 of the Revised Code. 2518

(M) "Principal amount" refers to the initial offering price 2519
to the public of an obligation, exclusive of the accrued interest, 2520
if any. "Principal amount" does not refer to the aggregate 2521
accrued amount payable at maturity or redemption of an 2522
obligation. 2523

(N) "Scholarship program" means a program registered with the 2524
Ohio tuition trust authority pursuant to section 3334.17 of the 2525
Revised Code. 2526

(O) "Internal Revenue Code" means the "Internal Revenue Code 2527
of 1986," 100 Stat. 2085, 26 U.S.C.A. 1 et seq., as amended. 2528

(P) "Other higher education expenses" means room and board 2529
and books, supplies, equipment, and nontuition-related fees 2530
associated with the cost of attendance of a beneficiary at an 2531
institution of higher education, but only to the extent that such 2532
expenses meet the definition of "qualified higher education 2533
expenses" under section 529 of the Internal Revenue Code. "Other 2534
higher education expenses" does not include tuition as defined in 2535
division (H) of this section. 2536

(Q) "Purchaser" means the person signing the tuition payment 2537
contract, who controls the account and acquires tuition credits 2538
for an account under the terms and conditions of the contract. 2539

(R) "Contributor" means a person who signs a variable college 2540
savings program contract with the Ohio tuition trust authority and 2541
contributes to and owns the account created under the contract. 2542

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

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

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

~~(C)~~ The director of budget and management may transfer, to the Ohio arts and sports facilities commission administration fund, investment earnings credited to the arts ~~facilities building fund~~ and the sports facilities building fund that exceed the amounts required to meet estimated federal arbitrage rebate requirements when requested of the director of budget and management by the chairperson or executive director of the commission.

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

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

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

(b) A person who is under final consideration for employment with a home health agency in a full-time, part-time, or temporary

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| position that involves providing direct care to an older adult. | 2572 |
| With regard to persons providing direct care to older adults, | 2573 |
| "applicant" does not include a person who provides direct care as | 2574 |
| a volunteer without receiving or expecting to receive any form of | 2575 |
| remuneration other than reimbursement for actual expenses. | 2576 |
| (2) "Criminal records check" and "older adult" have the same | 2577 |
| meanings as in section 109.572 of the Revised Code. | 2578 |
| (3) "Home health agency" means a person or government entity, | 2579 |
| other than a nursing home, residential care facility, or hospice | 2580 |
| care program, that has the primary function of providing any of | 2581 |
| the following services to a patient at a place of residence used | 2582 |
| as the patient's home: | 2583 |
| (a) Skilled nursing care; | 2584 |
| (b) Physical therapy; | 2585 |
| (c) Speech-language pathology; | 2586 |
| (d) Occupational therapy; | 2587 |
| (e) Medical social services; | 2588 |
| (f) Home health aide services. | 2589 |
| (4) "Home health aide services" means any of the following | 2590 |
| services provided by an individual employed with or contracted for | 2591 |
| by a home health agency: | 2592 |
| (a) Hands-on bathing or assistance with a tub bath or shower; | 2593 |
| (b) Assistance with dressing, ambulation, and toileting; | 2594 |
| (c) Catheter care but not insertion; | 2595 |
| (d) Meal preparation and feeding. | 2596 |
| (5) "Hospice care program" has the same meaning as in section | 2597 |
| 3712.01 of the Revised Code. | 2598 |
| (6) "Medical social services" means services provided by a | 2599 |

social worker under the direction of a patient's attending physician. 2600
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(7) "Minor drug possession offense" has the same meaning as in section 2925.01 of the Revised Code. 2602
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(8) "Nursing home," "residential care facility," and "skilled nursing care" have the same meanings as in section 3721.01 of the Revised Code. 2604
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(9) "Occupational therapy" has the same meaning as in section 4755.01 of the Revised Code. 2607
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(10) "Physical therapy" has the same meaning as in section 4755.40 of the Revised Code. 2609
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(11) "Social worker" means a person licensed under Chapter 4757. of the Revised Code to practice as a social worker or independent social worker. 2611
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(12) "Speech-language pathology" has the same meaning as in section 4753.01 of the Revised Code. 2614
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(B)(1) Except as provided in division (I) of this section, the chief administrator of a home health agency shall request the superintendent of the bureau of criminal identification and investigation to conduct a criminal records check with respect to each applicant. If the position may involve both responsibility for the care, custody, or control of a child and provision of direct care to an older adult, the chief administrator shall request that the superintendent conduct a single criminal records check for the applicant. If an applicant for whom a criminal records check request is required under this division does not present proof of having been a resident of this state for the five-year period immediately prior to the date upon which the criminal records check is requested or does not provide evidence that within that five-year period the superintendent has requested information about the applicant from the federal bureau of 2616
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investigation in a criminal records check, the chief administrator 2631
shall request that the superintendent obtain information from the 2632
federal bureau of investigation as a part of the criminal records 2633
check for the applicant. Even if an applicant for whom a criminal 2634
records check request is required under this division presents 2635
proof that the applicant has been a resident of this state for 2636
that five-year period, the chief administrator may request that 2637
the superintendent include information from the federal bureau of 2638
investigation in the criminal records check. 2639

(2) Any person required by division (B)(1) of this section to 2640
request a criminal records check shall provide to each applicant 2641
for whom a criminal records check request is required under that 2642
division a copy of the form prescribed pursuant to division (C)(1) 2643
of section 109.572 of the Revised Code and a standard impression 2644
sheet prescribed pursuant to division (C)(2) of section 109.572 of 2645
the Revised Code, obtain the completed form and impression sheet 2646
from each applicant, and forward the completed form and impression 2647
sheet to the superintendent of the bureau of criminal 2648
identification and investigation at the time the chief 2649
administrator requests a criminal records check pursuant to 2650
division (B)(1) of this section. 2651

(3) An applicant who receives pursuant to division (B)(2) of 2652
this section a copy of the form prescribed pursuant to division 2653
(C)(1) of section 109.572 of the Revised Code and a copy of an 2654
impression sheet prescribed pursuant to division (C)(2) of that 2655
section and who is requested to complete the form and provide a 2656
set of fingerprint impressions shall complete the form or provide 2657
all the information necessary to complete the form and shall 2658
provide the impression sheets with the impressions of the 2659
applicant's fingerprints. If an applicant, upon request, fails to 2660
provide the information necessary to complete the form or fails to 2661
provide fingerprint impressions, the home health agency shall not 2662

employ that applicant for any position for which a criminal 2663
records check is required by division (B)(1) of this section. 2664

(C)(1) Except as provided in rules adopted by the department 2665
of health in accordance with division (F) of this section and 2666
subject to division (C)(3) of this section, no home health agency 2667
shall employ a person as a person responsible for the care, 2668
custody, or control of a child if the person previously has been 2669
convicted of or pleaded guilty to any of the following: 2670

(a) A violation of section 2903.01, 2903.02, 2903.03, 2671
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2672
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2673
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2674
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2675
2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2676
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2677
2925.06, or 3716.11 of the Revised Code, a violation of section 2678
2905.04 of the Revised Code as it existed prior to July 1, 1996, a 2679
violation of section 2919.23 of the Revised Code that would have 2680
been a violation of section 2905.04 of the Revised Code as it 2681
existed prior to July 1, 1996, had the violation been committed 2682
prior to that date, a violation of section 2925.11 of the Revised 2683
Code that is not a minor drug possession offense, or felonious 2684
sexual penetration in violation of former section 2907.12 of the 2685
Revised Code; 2686

(b) A violation of an existing or former law of this state, 2687
any other state, or the United States that is substantially 2688
equivalent to any of the offenses listed in division (C)(1)(a) of 2689
this section. 2690

(2) Except as provided in rules adopted by the department of 2691
health in accordance with division (F) of this section and subject 2692
to division (C)(3) of this section, no home health agency shall 2693
employ a person in a position that involves providing direct care 2694

to an older adult if the person previously has been convicted of 2695
or pleaded guilty to any of the following: 2696

(a) A violation of section 2903.01, 2903.02, 2903.03, 2697
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2698
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2699
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2700
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2701
2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2702
2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2703
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2704
2925.22, 2925.23, or 3716.11 of the Revised Code. 2705

(b) A violation of an existing or former law of this state, 2706
any other state, or the United States that is substantially 2707
equivalent to any of the offenses listed in division (C)(2)(a) of 2708
this section. 2709

(3)(a) A home health agency may employ conditionally an 2710
applicant for whom a criminal records check request is required 2711
under division (B) of this section as a person responsible for the 2712
care, custody, or control of a child until the criminal records 2713
check regarding the applicant required by this section is 2714
completed and the agency receives the results of the criminal 2715
records check. If the results of the criminal records check 2716
indicate that, pursuant to division (C)(1) of this section, the 2717
applicant does not qualify for employment, the agency shall 2718
release the applicant from employment unless the agency chooses to 2719
employ the applicant pursuant to division (F) of this section. 2720

(b)(i) A home health agency may employ conditionally an 2721
applicant for whom a criminal records check request is required 2722
under division (B) of this section in a position that involves 2723
providing direct care to an older adult or in a position that 2724
involves both responsibility for the care, custody, and control of 2725
a child and the provision of direct care to older adults prior to 2726

obtaining the results of a criminal records check regarding the 2727
individual, provided that the agency shall request a criminal 2728
records check regarding the individual in accordance with division 2729
(B)(1) of this section not later than five business days after the 2730
individual begins conditional employment. In the circumstances 2731
described in division (I)(2) of this section, a home health agency 2732
may employ conditionally in a position that involves providing 2733
direct care to an older adult an applicant who has been referred 2734
to the home health agency by an employment service that supplies 2735
full-time, part-time, or temporary staff for positions involving 2736
the direct care of older adults and for whom, pursuant to that 2737
division, a criminal records check is not required under division 2738
(B) of this section. In the circumstances described in division 2739
(I)(4) of this section, a home health agency may employ 2740
conditionally in a position that involves both responsibility for 2741
the care, custody, and control of a child and the provision of 2742
direct care to older adults an applicant who has been referred to 2743
the home health agency by an employment service that supplies 2744
full-time, part-time, or temporary staff for positions involving 2745
both responsibility for the care, custody, and control of a child 2746
and the provision of direct care to older adults and for whom, 2747
pursuant to that division, a criminal records check is not 2748
required under division (B) of this section. 2749

(ii) A home health agency that employs an individual 2750
conditionally under authority of division (C)(3)(b)(i) of this 2751
section shall terminate the individual's employment if the results 2752
of the criminal records check requested under division (B)(1) of 2753
this section or described in division (I)(2) or (4) of this 2754
section, other than the results of any request for information 2755
from the federal bureau of investigation, are not obtained within 2756
the period ending ~~sixty~~ thirty days after the date the request is 2757
made. Regardless of when the results of the criminal records check 2758
are obtained, if the individual was employed conditionally in a 2759

position that involves the provision of direct care to older 2760
adults and the results indicate that the individual has been 2761
convicted of or pleaded guilty to any of the offenses listed or 2762
described in division (C)(2) of this section, or if the individual 2763
was employed conditionally in a position that involves both 2764
responsibility for the care, custody, and control of a child and 2765
the provision of direct care to older adults and the results 2766
indicate that the individual has been convicted of or pleaded 2767
guilty to any of the offenses listed or described in division 2768
(C)(1) or (2) of this section, the agency shall terminate the 2769
individual's employment unless the agency chooses to employ the 2770
individual pursuant to division (F) of this section. Termination 2771
of employment under this division shall be considered just cause 2772
for discharge for purposes of division (D)(2) of section 4141.29 2773
of the Revised Code if the individual makes any attempt to deceive 2774
the agency about the individual's criminal record. 2775

(D)(1) Each home health agency shall pay to the bureau of 2776
criminal identification and investigation the fee prescribed 2777
pursuant to division (C)(3) of section 109.572 of the Revised Code 2778
for each criminal records check conducted in accordance with that 2779
section upon the request pursuant to division (B)(1) of this 2780
section of the chief administrator of the home health agency. 2781

(2) A home health agency may charge an applicant a fee for 2782
the costs it incurs in obtaining a criminal records check under 2783
this section, unless the medical assistance program established 2784
under Chapter 5111. of the Revised Code reimburses the agency for 2785
the costs. A fee charged under division (D)(2) of this section 2786
shall not exceed the amount of fees the agency pays under division 2787
(D)(1) of this section. If a fee is charged under division (D)(2) 2788
of this section, the agency shall notify the applicant at the time 2789
of the applicant's initial application for employment of the 2790
amount of the fee and that, unless the fee is paid, the agency 2791

will not consider the applicant for employment. 2792

(E) The report of any criminal records check conducted by the 2793
bureau of criminal identification and investigation in accordance 2794
with section 109.572 of the Revised Code and pursuant to a request 2795
made under division (B)(1) of this section is not a public record 2796
for the purposes of section 149.43 of the Revised Code and shall 2797
not be made available to any person other than the following: 2798

(1) The individual who is the subject of the criminal records 2799
check or the individual's representative; 2800

(2) The home health agency requesting the criminal records 2801
check or its representative; 2802

(3) The administrator of any other facility, agency, or 2803
program that provides direct care to older adults that is owned or 2804
operated by the same entity that owns or operates the home health 2805
agency; 2806

(4) Any court, hearing officer, or other necessary individual 2807
involved in a case dealing with a denial of employment of the 2808
applicant or dealing with employment or unemployment benefits of 2809
the applicant; 2810

(5) Any person to whom the report is provided pursuant to, 2811
and in accordance with, division (I)(1), (2), (3), or (4) of this 2812
section. 2813

(F) The department of health shall adopt rules in accordance 2814
with Chapter 119. of the Revised Code to implement this section. 2815
The rules shall specify circumstances under which the home health 2816
agency may employ a person who has been convicted of or pleaded 2817
guilty to an offense listed or described in division (C)(1) of 2818
this section but who meets standards in regard to rehabilitation 2819
set by the department or employ a person who has been convicted of 2820
or pleaded guilty to an offense listed or described in division 2821
(C)(2) of this section but meets personal character standards set 2822

by the department. 2823

(G) Any person required by division (B)(1) of this section to 2824
request a criminal records check shall inform each person, at the 2825
time of initial application for employment that the person is 2826
required to provide a set of fingerprint impressions and that a 2827
criminal records check is required to be conducted and 2828
satisfactorily completed in accordance with section 109.572 of the 2829
Revised Code if the person comes under final consideration for 2830
appointment or employment as a precondition to employment for that 2831
position. 2832

(H) In a tort or other civil action for damages that is 2833
brought as the result of an injury, death, or loss to person or 2834
property caused by an individual who a home health agency employs 2835
in a position that involves providing direct care to older adults, 2836
all of the following shall apply: 2837

(1) If the agency employed the individual in good faith and 2838
reasonable reliance on the report of a criminal records check 2839
requested under this section, the agency shall not be found 2840
negligent solely because of its reliance on the report, even if 2841
the information in the report is determined later to have been 2842
incomplete or inaccurate; 2843

(2) If the agency employed the individual in good faith on a 2844
conditional basis pursuant to division (C)(3)(b) of this section, 2845
the agency shall not be found negligent solely because it employed 2846
the individual prior to receiving the report of a criminal records 2847
check requested under this section; 2848

(3) If the agency in good faith employed the individual 2849
according to the personal character standards established in rules 2850
adopted under division (F) of this section, the agency shall not 2851
be found negligent solely because the individual prior to being 2852
employed had been convicted of or pleaded guilty to an offense 2853

listed or described in division (C)(1) or (2) of this section. 2854

(I)(1) The chief administrator of a home health agency is not 2855
required to request that the superintendent of the bureau of 2856
criminal identification and investigation conduct a criminal 2857
records check of an applicant for a position that involves the 2858
provision of direct care to older adults if the applicant has been 2859
referred to the agency by an employment service that supplies 2860
full-time, part-time, or temporary staff for positions involving 2861
the direct care of older adults and both of the following apply: 2862

(a) The chief administrator receives from the employment 2863
service or the applicant a report of the results of a criminal 2864
records check regarding the applicant that has been conducted by 2865
the superintendent within the one-year period immediately 2866
preceding the applicant's referral; 2867

(b) The report of the criminal records check demonstrates 2868
that the person has not been convicted of or pleaded guilty to an 2869
offense listed or described in division (C)(2) of this section, or 2870
the report demonstrates that the person has been convicted of or 2871
pleaded guilty to one or more of those offenses, but the home 2872
health agency chooses to employ the individual pursuant to 2873
division (F) of this section. 2874

(2) The chief administrator of a home health agency is not 2875
required to request that the superintendent of the bureau of 2876
criminal identification and investigation conduct a criminal 2877
records check of an applicant for a position that involves 2878
providing direct care to older adults and may employ the applicant 2879
conditionally in a position of that nature as described in this 2880
division, if the applicant has been referred to the agency by an 2881
employment service that supplies full-time, part-time, or 2882
temporary staff for positions involving the direct care of older 2883
adults and if the chief administrator receives from the employment 2884
service or the applicant a letter from the employment service that 2885

is on the letterhead of the employment service, dated, and signed 2886
by a supervisor or another designated official of the employment 2887
service and that states that the employment service has requested 2888
the superintendent to conduct a criminal records check regarding 2889
the applicant, that the requested criminal records check will 2890
include a determination of whether the applicant has been 2891
convicted of or pleaded guilty to any offense listed or described 2892
in division (C)(2) of this section, that, as of the date set forth 2893
on the letter, the employment service had not received the results 2894
of the criminal records check, and that, when the employment 2895
service receives the results of the criminal records check, it 2896
promptly will send a copy of the results to the home health 2897
agency. If a home health agency employs an applicant conditionally 2898
in accordance with this division, the employment service, upon its 2899
receipt of the results of the criminal records check, promptly 2900
shall send a copy of the results to the home health agency, and 2901
division (C)(3)(b) of this section applies regarding the 2902
conditional employment. 2903

(3) The chief administrator of a home health agency is not 2904
required to request that the superintendent of the bureau of 2905
criminal identification and investigation conduct a criminal 2906
records check of an applicant for a position that involves both 2907
responsibility for the care, custody, and control of a child and 2908
the provision of direct care to older adults if the applicant has 2909
been referred to the agency by an employment service that supplies 2910
full-time, part-time, or temporary staff for positions involving 2911
both responsibility for the care, custody, and control of a child 2912
and the provision of direct care to older adults and both of the 2913
following apply: 2914

(a) The chief administrator receives from the employment 2915
service or applicant a report of a criminal records check of the 2916
type described in division (I)(1)(a) of this section; 2917

(b) The report of the criminal records check demonstrates 2918
that the person has not been convicted of or pleaded guilty to an 2919
offense listed or described in division (C)(1) or (2) of this 2920
section, or the report demonstrates that the person has been 2921
convicted of or pleaded guilty to one or more of those offenses, 2922
but the home health agency chooses to employ the individual 2923
pursuant to division (F) of this section. 2924

(4) The chief administrator of a home health agency is not 2925
required to request that the superintendent of the bureau of 2926
criminal identification and investigation conduct a criminal 2927
records check of an applicant for a position that involves both 2928
responsibility for the care, custody, and control of a child and 2929
the provision of direct care to older adults and may employ the 2930
applicant conditionally in a position of that nature as described 2931
in this division, if the applicant has been referred to the agency 2932
by an employment service that supplies full-time, part-time, or 2933
temporary staff for positions involving both responsibility for 2934
the care, custody, and control of a child and the direct care of 2935
older adults and if the chief administrator receives from the 2936
employment service or the applicant a letter from the employment 2937
service that is on the letterhead of the employment service, 2938
dated, and signed by a supervisor or another designated official 2939
of the employment service and that states that the employment 2940
service has requested the superintendent to conduct a criminal 2941
records check regarding the applicant, that the requested criminal 2942
records check will include a determination of whether the 2943
applicant has been convicted of or pleaded guilty to any offense 2944
listed or described in division (C)(1) or (2) of this section, 2945
that, as of the date set forth on the letter, the employment 2946
service had not received the results of the criminal records 2947
check, and that, when the employment service receives the results 2948
of the criminal records check, it promptly will send a copy of the 2949

results to the home health agency. If a home health agency employs 2950
an applicant conditionally in accordance with this division, the 2951
employment service, upon its receipt of the results of the 2952
criminal records check, promptly shall send a copy of the results 2953
to the home health agency, and division (C)(3)(b) of this section 2954
applies regarding the conditional employment. 2955

Sec. 3712.09. (A) As used in this section: 2956

(1) "Applicant" means a person who is under final 2957
consideration for employment with a hospice care program in a 2958
full-time, part-time, or temporary position that involves 2959
providing direct care to an older adult. "Applicant" does not 2960
include a person who provides direct care as a volunteer without 2961
receiving or expecting to receive any form of remuneration other 2962
than reimbursement for actual expenses. 2963

(2) "Criminal records check" and "older adult" have the same 2964
meanings as in section 109.572 of the Revised Code. 2965

(B)(1) Except as provided in division (I) of this section, 2966
the chief administrator of a hospice care program shall request 2967
that the superintendent of the bureau of criminal identification 2968
and investigation conduct a criminal records check with respect to 2969
each applicant. If an applicant for whom a criminal records check 2970
request is required under this division does not present proof of 2971
having been a resident of this state for the five-year period 2972
immediately prior to the date the criminal records check is 2973
requested or provide evidence that within that five-year period 2974
the superintendent has requested information about the applicant 2975
from the federal bureau of investigation in a criminal records 2976
check, the chief administrator shall request that the 2977
superintendent obtain information from the federal bureau of 2978
investigation as part of the criminal records check of the 2979
applicant. Even if an applicant for whom a criminal records check 2980

request is required under this division presents proof of having 2981
been a resident of this state for the five-year period, the chief 2982
administrator may request that the superintendent include 2983
information from the federal bureau of investigation in the 2984
criminal records check. 2985

(2) A person required by division (B)(1) of this section to 2986
request a criminal records check shall do both of the following: 2987

(a) Provide to each applicant for whom a criminal records 2988
check request is required under that division a copy of the form 2989
prescribed pursuant to division (C)(1) of section 109.572 of the 2990
Revised Code and a standard fingerprint impression sheet 2991
prescribed pursuant to division (C)(2) of that section, and obtain 2992
the completed form and impression sheet from the applicant; 2993

(b) Forward the completed form and impression sheet to the 2994
superintendent of the bureau of criminal identification and 2995
investigation. 2996

(3) An applicant provided the form and fingerprint impression 2997
sheet under division (B)(2)(a) of this section who fails to 2998
complete the form or provide fingerprint impressions shall not be 2999
employed in any position for which a criminal records check is 3000
required by this section. 3001

(C)(1) Except as provided in rules adopted by the public 3002
health council in accordance with division (F) of this section and 3003
subject to division (C)(2) of this section, no hospice care 3004
program shall employ a person in a position that involves 3005
providing direct care to an older adult if the person has been 3006
convicted of or pleaded guilty to any of the following: 3007

(a) A violation of section 2903.01, 2903.02, 2903.03, 3008
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 3009
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 3010
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 3011

2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 3012
2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 3013
2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 3014
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 3015
2925.22, 2925.23, or 3716.11 of the Revised Code. 3016

(b) A violation of an existing or former law of this state, 3017
any other state, or the United States that is substantially 3018
equivalent to any of the offenses listed in division (C)(1)(a) of 3019
this section. 3020

(2)(a) A hospice care program may employ conditionally an 3021
applicant for whom a criminal records check request is required 3022
under division (B) of this section prior to obtaining the results 3023
of a criminal records check regarding the individual, provided 3024
that the program shall request a criminal records check regarding 3025
the individual in accordance with division (B)(1) of this section 3026
not later than five business days after the individual begins 3027
conditional employment. In the circumstances described in division 3028
(I)(2) of this section, a hospice care program may employ 3029
conditionally an applicant who has been referred to the hospice 3030
care program by an employment service that supplies full-time, 3031
part-time, or temporary staff for positions involving the direct 3032
care of older adults and for whom, pursuant to that division, a 3033
criminal records check is not required under division (B) of this 3034
section. 3035

(b) A hospice care program that employs an individual 3036
conditionally under authority of division (C)(2)(a) of this 3037
section shall terminate the individual's employment if the results 3038
of the criminal records check requested under division (B) of this 3039
section or described in division (I)(2) of this section, other 3040
than the results of any request for information from the federal 3041
bureau of investigation, are not obtained within the period ending 3042
~~sixty~~ thirty days after the date the request is made. Regardless 3043

of when the results of the criminal records check are obtained, if 3044
the results indicate that the individual has been convicted of or 3045
pleaded guilty to any of the offenses listed or described in 3046
division (C)(1) of this section, the program shall terminate the 3047
individual's employment unless the program chooses to employ the 3048
individual pursuant to division (F) of this section. Termination 3049
of employment under this division shall be considered just cause 3050
for discharge for purposes of division (D)(2) of section 4141.29 3051
of the Revised Code if the individual makes any attempt to deceive 3052
the program about the individual's criminal record. 3053

(D)(1) Each hospice care program shall pay to the bureau of 3054
criminal identification and investigation the fee prescribed 3055
pursuant to division (C)(3) of section 109.572 of the Revised Code 3056
for each criminal records check conducted pursuant to a request 3057
made under division (B) of this section. 3058

(2) A hospice care program may charge an applicant a fee not 3059
exceeding the amount the program pays under division (D)(1) of 3060
this section. A program may collect a fee only if both of the 3061
following apply: 3062

(a) The program notifies the person at the time of initial 3063
application for employment of the amount of the fee and that, 3064
unless the fee is paid, the person will not be considered for 3065
employment; 3066

(b) The medical assistance program established under Chapter 3067
5111. of the Revised Code does not reimburse the program the fee 3068
it pays under division (D)(1) of this section. 3069

(E) The report of a criminal records check conducted pursuant 3070
to a request made under this section is not a public record for 3071
the purposes of section 149.43 of the Revised Code and shall not 3072
be made available to any person other than the following: 3073

(1) The individual who is the subject of the criminal records 3074

| | |
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| check or the individual's representative; | 3075 |
| (2) The chief administrator of the program requesting the criminal records check or the administrator's representative; | 3076 3077 |
| (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 hospice care program; | 3078 3079 3080 3081 |
| (4) A court, hearing officer, or other necessary individual involved in a case dealing with a denial of employment of the applicant or dealing with employment or unemployment benefits of the applicant; | 3082 3083 3084 3085 |
| (5) Any person to whom the report is provided pursuant to, and in accordance with, division (I)(1) or (2) of this section. | 3086 3087 |
| (F) The public health council shall adopt rules in accordance with Chapter 119. of the Revised Code to implement this section. 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. | 3088 3089 3090 3091 3092 3093 3094 |
| (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. | 3095 3096 3097 3098 3099 3100 3101 |
| (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 | 3102 3103 3104 3105 |

adults, all of the following shall apply: 3106

(1) If the program employed the individual in good faith and 3107
reasonable reliance on the report of a criminal records check 3108
requested under this section, the program shall not be found 3109
negligent solely because of its reliance on the report, even if 3110
the information in the report is determined later to have been 3111
incomplete or inaccurate; 3112

(2) If the program employed the individual in good faith on a 3113
conditional basis pursuant to division (C)(2) of this section, the 3114
program shall not be found negligent solely because it employed 3115
the individual prior to receiving the report of a criminal records 3116
check requested under this section; 3117

(3) If the program in good faith employed the individual 3118
according to the personal character standards established in rules 3119
adopted under division (F) of this section, the program shall not 3120
be found negligent solely because the individual prior to being 3121
employed had been convicted of or pleaded guilty to an offense 3122
listed or described in division (C)(1) of this section. 3123

(I)(1) The chief administrator of a hospice care program is 3124
not required to request that the superintendent of the bureau of 3125
criminal identification and investigation conduct a criminal 3126
records check of an applicant if the applicant has been referred 3127
to the program by an employment service that supplies full-time, 3128
part-time, or temporary staff for positions involving the direct 3129
care of older adults and both of the following apply: 3130

(a) The chief administrator receives from the employment 3131
service or the applicant a report of the results of a criminal 3132
records check regarding the applicant that has been conducted by 3133
the superintendent within the one-year period immediately 3134
preceding the applicant's referral; 3135

(b) The report of the criminal records check demonstrates 3136

that the person has not been convicted of or pleaded guilty to an 3137
offense listed or described in division (C)(1) of this section, or 3138
the report demonstrates that the person has been convicted of or 3139
pleaded guilty to one or more of those offenses, but the hospice 3140
care program chooses to employ the individual pursuant to division 3141
(F) of this section. 3142

(2) The chief administrator of a hospice care program is not 3143
required to request that the superintendent of the bureau of 3144
criminal identification and investigation conduct a criminal 3145
records check of an applicant and may employ the applicant 3146
conditionally as described in this division, if the applicant has 3147
been referred to the program by an employment service that 3148
supplies full-time, part-time, or temporary staff for positions 3149
involving the direct care of older adults and if the chief 3150
administrator receives from the employment service or the 3151
applicant a letter from the employment service that is on the 3152
letterhead of the employment service, dated, and signed by a 3153
supervisor or another designated official of the employment 3154
service and that states that the employment service has requested 3155
the superintendent to conduct a criminal records check regarding 3156
the applicant, that the requested criminal records check will 3157
include a determination of whether the applicant has been 3158
convicted of or pleaded guilty to any offense listed or described 3159
in division (C)(1) of this section, that, as of the date set forth 3160
on the letter, the employment service had not received the results 3161
of the criminal records check, and that, when the employment 3162
service receives the results of the criminal records check, it 3163
promptly will send a copy of the results to the hospice care 3164
program. If a hospice care program employs an applicant 3165
conditionally in accordance with this division, the employment 3166
service, upon its receipt of the results of the criminal records 3167
check, promptly shall send a copy of the results to the hospice 3168
care program, and division (C)(2)(b) of this section applies 3169

regarding the conditional employment. 3170

Sec. 3734.02. (A) The director of environmental protection, 3171
in accordance with Chapter 119. of the Revised Code, shall adopt 3172
and may amend, suspend, or rescind rules having uniform 3173
application throughout the state governing solid waste facilities 3174
and the inspections of and issuance of permits and licenses for 3175
all solid waste facilities in order to ensure that the facilities 3176
will be located, maintained, and operated, and will undergo 3177
closure and post-closure care, in a sanitary manner so as not to 3178
create a nuisance, cause or contribute to water pollution, create 3179
a health hazard, or violate 40 C.F.R. 257.3-2 or 40 C.F.R. 3180
257.3-8, as amended. The rules may include, without limitation, 3181
financial assurance requirements for closure and post-closure care 3182
and corrective action and requirements for taking corrective 3183
action in the event of the surface or subsurface discharge or 3184
migration of explosive gases or leachate from a solid waste 3185
facility, or of ground water contamination resulting from the 3186
transfer or disposal of solid wastes at a facility, beyond the 3187
boundaries of any area within a facility that is operating or is 3188
undergoing closure or post-closure care where solid wastes were 3189
disposed of or are being disposed of. The rules shall not concern 3190
or relate to personnel policies, salaries, wages, fringe benefits, 3191
or other conditions of employment of employees of persons owning 3192
or operating solid waste facilities. The director, in accordance 3193
with Chapter 119. of the Revised Code, shall adopt and may amend, 3194
suspend, or rescind rules governing the issuance, modification, 3195
revocation, suspension, or denial of variances from the director's 3196
solid waste rules, including, without limitation, rules adopted 3197
under this chapter governing the management of scrap tires. 3198

Variances shall be issued, modified, revoked, suspended, or 3199
rescinded in accordance with this division, rules adopted under 3200
it, and Chapter 3745. of the Revised Code. The director may order 3201

the person to whom a variance is issued to take such action within 3202
such time as the director may determine to be appropriate and 3203
reasonable to prevent the creation of a nuisance or a hazard to 3204
the public health or safety or the environment. Applications for 3205
variances shall contain such detail plans, specifications, and 3206
information regarding objectives, procedures, controls, and other 3207
pertinent data as the director may require. The director shall 3208
grant a variance only if the applicant demonstrates to the 3209
director's satisfaction that construction and operation of the 3210
solid waste facility in the manner allowed by the variance and any 3211
terms or conditions imposed as part of the variance will not 3212
create a nuisance or a hazard to the public health or safety or 3213
the environment. In granting any variance, the director shall 3214
state the specific provision or provisions whose terms are to be 3215
varied and also shall state specific terms or conditions imposed 3216
upon the applicant in place of the provision or provisions. The 3217
director may hold a public hearing on an application for a 3218
variance or renewal of a variance at a location in the county 3219
where the operations that are the subject of the application for 3220
the variance are conducted. The director shall give not less than 3221
twenty days' notice of the hearing to the applicant by certified 3222
mail and shall publish at least one notice of the hearing in a 3223
newspaper with general circulation in the county where the hearing 3224
is to be held. The director shall make available for public 3225
inspection at the principal office of the environmental protection 3226
agency a current list of pending applications for variances and a 3227
current schedule of pending variance hearings. The director shall 3228
make a complete stenographic record of testimony and other 3229
evidence submitted at the hearing. Within ten days after the 3230
hearing, the director shall make a written determination to issue, 3231
renew, or deny the variance and shall enter the determination and 3232
the basis for it into the record of the hearing. The director 3233
shall issue, renew, or deny an application for a variance or 3234

renewal of a variance within six months of the date upon which the 3235
director receives a complete application with all pertinent 3236
information and data required. No variance shall be issued, 3237
revoked, modified, or denied until the director has considered the 3238
relative interests of the applicant, other persons and property 3239
affected by the variance, and the general public. Any variance 3240
granted under this division shall be for a period specified by the 3241
director and may be renewed from time to time on such terms and 3242
for such periods as the director determines to be appropriate. No 3243
application shall be denied and no variance shall be revoked or 3244
modified without a written order stating the findings upon which 3245
the denial, revocation, or modification is based. A copy of the 3246
order shall be sent to the applicant or variance holder by 3247
certified mail. 3248

(B) The director shall prescribe and furnish the forms 3249
necessary to administer and enforce this chapter. The director may 3250
cooperate with and enter into agreements with other state, local, 3251
or federal agencies to carry out the purposes of this chapter. The 3252
director may exercise all incidental powers necessary to carry out 3253
the purposes of this chapter. 3254

The director may use moneys in the infectious waste 3255
management fund created in section 3734.021 of the Revised Code 3256
exclusively for administering and enforcing the provisions of this 3257
chapter governing the management of infectious wastes. Of each 3258
registration and renewal fee collected under rules adopted under 3259
division (A)(2)(a) of section 3734.021 or under section 3734.022 3260
of the Revised Code, the director, within forty-five days of its 3261
receipt, shall remit from the fund one-half of the fee received to 3262
the board of health of the health district in which the registered 3263
premises is located, or, in the instance of an infectious wastes 3264
transporter, to the board of health of the health district in 3265
which the transporter's principal place of business is located. 3266

However, if the board of health having jurisdiction over a 3267
registrant's premises or principal place of business is not on the 3268
approved list under section 3734.08 of the Revised Code, the 3269
director shall not make that payment to the board of health. 3270

(C) Except as provided in this division and divisions (N)(2) 3271
and (3) of this section, no person shall establish a new solid 3272
waste facility or infectious waste treatment facility, or modify 3273
an existing solid waste facility or infectious waste treatment 3274
facility, without submitting an application for a permit with 3275
accompanying detail plans, specifications, and information 3276
regarding the facility and method of operation and receiving a 3277
permit issued by the director, except that no permit shall be 3278
required under this division to install or operate a solid waste 3279
facility for sewage sludge treatment or disposal when the 3280
treatment or disposal is authorized by a current permit issued 3281
under Chapter 3704. or 6111. of the Revised Code. 3282

No person shall continue to operate a solid waste facility 3283
for which the director has denied a permit for which an 3284
application was required under division (A)(3) of section 3734.05 3285
of the Revised Code, or for which the director has disapproved 3286
plans and specifications required to be filed by an order issued 3287
under division (A)(5) of that section, after the date prescribed 3288
for commencement of closure of the facility in the order issued 3289
under division (A)(6) of section 3734.05 of the Revised Code 3290
denying the permit application or approval. 3291

On and after the effective date of the rules adopted under 3292
division (A) of this section and division (D) of section 3734.12 3293
of the Revised Code governing solid waste transfer facilities, no 3294
person shall establish a new, or modify an existing, solid waste 3295
transfer facility without first submitting an application for a 3296
permit with accompanying engineering detail plans, specifications, 3297
and information regarding the facility and its method of operation 3298

| | |
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| to the director and receiving a permit issued by the director. | 3299 |
| No person shall establish a new compost facility or continue | 3300 |
| to operate an existing compost facility that accepts exclusively | 3301 |
| source separated yard wastes without submitting a completed | 3302 |
| registration for the facility to the director in accordance with | 3303 |
| rules adopted under divisions (A) and (N)(3) of this section. | 3304 |
| This division does not apply to an infectious waste treatment | 3305 |
| facility that meets any of the following conditions: | 3306 |
| (1) Is owned or operated by the generator of the wastes and | 3307 |
| exclusively treats, by methods, techniques, and practices | 3308 |
| established by rules adopted under division (C)(1) or (3) of | 3309 |
| section 3734.021 of the Revised Code, wastes that are generated at | 3310 |
| any premises owned or operated by that generator regardless of | 3311 |
| whether the wastes are generated on the premises where the | 3312 |
| generator's treatment facility is located or, if the generator is | 3313 |
| a hospital as defined in section 3727.01 of the Revised Code, | 3314 |
| infectious wastes that are described in division (A)(1)(g), (h), | 3315 |
| or (i) of section 3734.021 of the Revised Code; | 3316 |
| (2) Holds a license or renewal of a license to operate a | 3317 |
| crematory facility issued under Chapter 4717. and a permit issued | 3318 |
| under Chapter 3704. of the Revised Code; | 3319 |
| (3) Treats or disposes of dead animals or parts thereof, or | 3320 |
| the blood of animals, and is subject to any of the following: | 3321 |
| (a) Inspection under the "Federal Meat Inspection Act," 81 | 3322 |
| Stat. 584 (1967), 21 U.S.C.A. 603, as amended; | 3323 |
| (b) Chapter 918. of the Revised Code; | 3324 |
| (c) Chapter 953. of the Revised Code. | 3325 |
| (D) Neither this chapter nor any rules adopted under it apply | 3326 |
| to single-family residential premises; to infectious wastes | 3327 |
| generated by individuals for purposes of their own care or | 3328 |

treatment that are disposed of with solid wastes from the 3329
individual's residence; to the temporary storage of solid wastes, 3330
other than scrap tires, prior to their collection for disposal; to 3331
the storage of one hundred or fewer scrap tires unless they are 3332
stored in such a manner that, in the judgment of the director or 3333
the board of health of the health district in which the scrap 3334
tires are stored, the storage causes a nuisance, a hazard to 3335
public health or safety, or a fire hazard; or to the collection of 3336
solid wastes, other than scrap tires, by a political subdivision 3337
or a person holding a franchise or license from a political 3338
subdivision of the state; to composting, as defined in section 3339
1511.01 of the Revised Code, conducted in accordance with section 3340
1511.022 of the Revised Code; or to any person who is licensed to 3341
transport raw rendering material to a compost facility pursuant to 3342
section 953.23 of the Revised Code. 3343

(E)(1) As used in this division ~~and section 3734.18 of the~~ 3344
~~Revised Code:~~ 3345

(a) "On-site facility" means a facility that stores, treats, 3346
or disposes of hazardous waste that is generated on the premises 3347
of the facility. 3348

(b) "Off-site facility" means a facility that stores, treats, 3349
or disposes of hazardous waste that is generated off the premises 3350
of the facility and includes such a facility that is also an 3351
on-site facility. 3352

(c) "Satellite facility" means any of the following: 3353

(i) An on-site facility that also receives hazardous waste 3354
from other premises owned by the same person who generates the 3355
waste on the facility premises; 3356

(ii) An off-site facility operated so that all of the 3357
hazardous waste it receives is generated on one or more premises 3358
owned by the person who owns the facility; 3359

(iii) An on-site facility that also receives hazardous waste 3360
that is transported uninterruptedly and directly to the facility 3361
through a pipeline from a generator who is not the owner of the 3362
facility. 3363

(2) Except as provided in division (E)(3) of this section, no 3364
person shall establish or operate a hazardous waste facility, or 3365
use a solid waste facility for the storage, treatment, or disposal 3366
of any hazardous waste, without a hazardous waste facility 3367
installation and operation permit issued in accordance with 3368
section 3734.05 of the Revised Code and subject to the payment of 3369
an application fee not to exceed one thousand five hundred 3370
dollars, payable upon application for a hazardous waste facility 3371
installation and operation permit and upon application for a 3372
renewal permit issued under division (H) of section 3734.05 of the 3373
Revised Code, to be credited to the hazardous waste facility 3374
management fund created in section 3734.18 of the Revised Code. 3375
The term of a hazardous waste facility installation and operation 3376
permit shall not exceed five years. 3377

In addition to the application fee, there is hereby levied an 3378
annual permit fee to be paid by the permit holder upon the 3379
anniversaries of the date of issuance of the hazardous waste 3380
facility installation and operation permit and of any subsequent 3381
renewal permits and to be credited to the hazardous waste facility 3382
management fund. Annual permit fees totaling forty thousand 3383
dollars or more for any one facility may be paid on a quarterly 3384
basis with the first quarterly payment each year being due on the 3385
anniversary of the date of issuance of the hazardous waste 3386
facility installation and operation permit and of any subsequent 3387
renewal permits. The annual permit fee shall be determined for 3388
each permit holder by the director in accordance with the 3389
following schedule: 3390

TYPE OF BASIC 3391

| MANAGEMENT UNIT | TYPE OF FACILITY | FEE | |
|--|------------------------|--------|------|
| | | | 3392 |
| Storage facility using: | | | 3393 |
| Containers | On-site, off-site, and | | 3394 |
| | satellite | \$ 500 | 3395 |
| Tanks | On-site, off-site, and | | 3396 |
| | satellite | 500 | 3397 |
| Waste pile | On-site, off-site, and | | 3398 |
| | satellite | 3,000 | 3399 |
| Surface impoundment | On-site and satellite | 8,000 | 3400 |
| | Off-site | 10,000 | 3401 |
| Disposal facility using: | | | 3402 |
| Deep well injection | On-site and satellite | 15,000 | 3403 |
| | Off-site | 25,000 | 3404 |
| Landfill | On-site and satellite | 25,000 | 3405 |
| | Off-site | 40,000 | 3406 |
| Land application | On-site and satellite | 2,500 | 3407 |
| | Off-site | 5,000 | 3408 |
| Surface impoundment | On-site and satellite | 10,000 | 3409 |
| | Off-site | 20,000 | 3410 |
| Treatment facility using: | | | 3411 |
| Tanks | On-site, off-site, and | | 3412 |
| | satellite | 700 | 3413 |
| Surface impoundment | On-site and satellite | 8,000 | 3414 |
| | Off-site | 10,000 | 3415 |
| Incinerator | On-site and satellite | 5,000 | 3416 |
| | Off-site | 10,000 | 3417 |
| Other forms | | | 3418 |
| of treatment | On-site, off-site, and | | 3419 |
| | satellite | 1,000 | 3420 |
| | | | 3421 |
| <u>A hazardous waste disposal facility that disposes of</u> | | | 3422 |
| <u>hazardous waste by deep well injection and that pays the annual</u> | | | 3423 |
| <u>permit fee established in section 6111.046 of the Revised Code is</u> | | | 3424 |
| <u>not subject to the permit fee established in this division for</u> | | | |

disposal facilities using deep well injection unless the director 3425
determines that the facility is not in compliance with applicable 3426
requirements established under this chapter and rules adopted 3427
under it. 3428

In determining the annual permit fee required by this 3429
section, the director shall not require additional payments for 3430
multiple units of the same method of storage, treatment, or 3431
disposal or for individual units that are used for both storage 3432
and treatment. A facility using more than one method of storage, 3433
treatment, or disposal shall pay the permit fee indicated by the 3434
schedule for each such method. 3435

The director shall not require the payment of that portion of 3436
an annual permit fee of any permit holder that would apply to a 3437
hazardous waste management unit for which a permit has been 3438
issued, but for which construction has not yet commenced. Once 3439
construction has commenced, the director shall require the payment 3440
of a part of the appropriate fee indicated by the schedule that 3441
bears the same relationship to the total fee that the number of 3442
days remaining until the next anniversary date at which payment of 3443
the annual permit fee is due bears to three hundred sixty-five. 3444

The director, by rules adopted in accordance with Chapters 3445
119. and 3745. of the Revised Code, shall prescribe procedures for 3446
collecting the annual permit fee established by this division and 3447
may prescribe other requirements necessary to carry out this 3448
division. 3449

(3) The prohibition against establishing or operating a 3450
hazardous waste facility without a hazardous waste facility 3451
installation and operation permit does not apply to either of the 3452
following: 3453

(a) A facility that is operating in accordance with a permit 3454
renewal issued under division (H) of section 3734.05 of the 3455

Revised Code, a revision issued under division (I) of that section 3456
as it existed prior to August 20, 1996, or a modification issued 3457
by the director under division (I) of that section on and after 3458
August 20, 1996; 3459

(b) Except as provided in division (J) of section 3734.05 of 3460
the Revised Code, a facility that will operate or is operating in 3461
accordance with a permit by rule, or that is not subject to permit 3462
requirements, under rules adopted by the director. In accordance 3463
with Chapter 119. of the Revised Code, the director shall adopt, 3464
and subsequently may amend, suspend, or rescind, rules for the 3465
purposes of division (E)(3)(b) of this section. Any rules so 3466
adopted shall be consistent with and equivalent to regulations 3467
pertaining to interim status adopted under the "Resource 3468
Conservation and Recovery Act of 1976," 90 Stat. 2806, 42 U.S.C.A. 3469
6921, as amended, except as otherwise provided in this chapter. 3470

If a modification is requested or proposed for a facility 3471
described in division (E)(3)(a) or (b) of this section, division 3472
(I)(7) of section 3734.05 of the Revised Code applies. 3473

(F) No person shall store, treat, or dispose of hazardous 3474
waste identified or listed under this chapter and rules adopted 3475
under it, regardless of whether generated on or off the premises 3476
where the waste is stored, treated, or disposed of, or transport 3477
or cause to be transported any hazardous waste identified or 3478
listed under this chapter and rules adopted under it to any other 3479
premises, except at or to any of the following: 3480

(1) A hazardous waste facility operating under a permit 3481
issued in accordance with this chapter; 3482

(2) A facility in another state operating under a license or 3483
permit issued in accordance with the "Resource Conservation and 3484
Recovery Act of 1976," 90 Stat. 2806, 42 U.S.C.A. 6921, as 3485
amended; 3486

(3) A facility in another nation operating in accordance with 3487
the laws of that nation; 3488

(4) A facility holding a permit issued pursuant to Title I of 3489
the "Marine Protection, Research, and Sanctuaries Act of 1972," 86 3490
Stat. 1052, 33 U.S.C.A. 1401, as amended; 3491

(5) A hazardous waste facility as described in division 3492
(E)(3)(a) or (b) of this section. 3493

(G) The director, by order, may exempt any person generating, 3494
collecting, storing, treating, disposing of, or transporting solid 3495
wastes or hazardous waste, or processing solid wastes that consist 3496
of scrap tires, in such quantities or under such circumstances 3497
that, in the determination of the director, are unlikely to 3498
adversely affect the public health or safety or the environment 3499
from any requirement to obtain a registration certificate, permit, 3500
or license or comply with the manifest system or other 3501
requirements of this chapter. Such an exemption shall be 3502
consistent with and equivalent to any regulations adopted by the 3503
administrator of the United States environmental protection agency 3504
under the "Resource Conservation and Recovery Act of 1976," 90 3505
Stat. 2806, 42 U.S.C.A. 6921, as amended, except as otherwise 3506
provided in this chapter. 3507

(H) No person shall engage in filling, grading, excavating, 3508
building, drilling, or mining on land where a hazardous waste 3509
facility, or a solid waste facility, was operated without prior 3510
authorization from the director, who shall establish the procedure 3511
for granting such authorization by rules adopted in accordance 3512
with Chapter 119. of the Revised Code. 3513

A public utility that has main or distribution lines above or 3514
below the land surface located on an easement or right-of-way 3515
across land where a solid waste facility was operated may engage 3516
in any such activity within the easement or right-of-way without 3517

prior authorization from the director for purposes of performing 3518
emergency repair or emergency replacement of its lines; of the 3519
poles, towers, foundations, or other structures supporting or 3520
sustaining any such lines; or of the appurtenances to those 3521
structures, necessary to restore or maintain existing public 3522
utility service. A public utility may enter upon any such easement 3523
or right-of-way without prior authorization from the director for 3524
purposes of performing necessary or routine maintenance of those 3525
portions of its existing lines; of the existing poles, towers, 3526
foundations, or other structures sustaining or supporting its 3527
lines; or of the appurtenances to any such supporting or 3528
sustaining structure, located on or above the land surface on any 3529
such easement or right-of-way. Within twenty-four hours after 3530
commencing any such emergency repair, replacement, or maintenance 3531
work, the public utility shall notify the director or the 3532
director's authorized representative of those activities and shall 3533
provide such information regarding those activities as the 3534
director or the director's representative may request. Upon 3535
completion of the emergency repair, replacement, or maintenance 3536
activities, the public utility shall restore any land of the solid 3537
waste facility disturbed by those activities to the condition 3538
existing prior to the commencement of those activities. 3539

(I) No owner or operator of a hazardous waste facility, in 3540
the operation of the facility, shall cause, permit, or allow the 3541
emission therefrom of any particulate matter, dust, fumes, gas, 3542
mist, smoke, vapor, or odorous substance that, in the opinion of 3543
the director, unreasonably interferes with the comfortable 3544
enjoyment of life or property by persons living or working in the 3545
vicinity of the facility, or that is injurious to public health. 3546
Any such action is hereby declared to be a public nuisance. 3547

(J) Notwithstanding any other provision of this chapter, in 3548
the event the director finds an imminent and substantial danger to 3549

public health or safety or the environment that creates an 3550
emergency situation requiring the immediate treatment, storage, or 3551
disposal of hazardous waste, the director may issue a temporary 3552
emergency permit to allow the treatment, storage, or disposal of 3553
the hazardous waste at a facility that is not otherwise authorized 3554
by a hazardous waste facility installation and operation permit to 3555
treat, store, or dispose of the waste. The emergency permit shall 3556
not exceed ninety days in duration and shall not be renewed. The 3557
director shall adopt, and may amend, suspend, or rescind, rules in 3558
accordance with Chapter 119. of the Revised Code governing the 3559
issuance, modification, revocation, and denial of emergency 3560
permits. 3561

(K) No owner or operator of a sanitary landfill shall 3562
knowingly accept for disposal, or dispose of, any infectious 3563
wastes, other than those subject to division (A)(1)(c) of section 3564
3734.021 of the Revised Code, that have not been treated to render 3565
them noninfectious. For the purposes of this division, 3566
certification by the owner or operator of the treatment facility 3567
where the wastes were treated on the shipping paper required by 3568
rules adopted under division (D)(2) of that section creates a 3569
rebuttable presumption that the wastes have been so treated. 3570

(L) The director, in accordance with Chapter 119. of the 3571
Revised Code, shall adopt, and may amend, suspend, or rescind, 3572
rules having uniform application throughout the state establishing 3573
a training and certification program that shall be required for 3574
employees of boards of health who are responsible for enforcing 3575
the solid waste and infectious waste provisions of this chapter 3576
and rules adopted under them and for persons who are responsible 3577
for the operation of solid waste facilities or infectious waste 3578
treatment facilities. The rules shall provide all of the 3579
following, without limitation: 3580

(1) The program shall be administered by the director and 3581

| | |
|---|--|
| shall consist of a course on new solid waste and infectious waste technologies, enforcement procedures, and rules; | 3582 3583 |
| (2) The course shall be offered on an annual basis; | 3584 |
| (3) Those persons who are required to take the course under division (L) of this section shall do so triennially; | 3585 3586 |
| (4) Persons who successfully complete the course shall be certified by the director; | 3587 3588 |
| (5) Certification shall be required for all employees of boards of health who are responsible for enforcing the solid waste or infectious waste provisions of this chapter and rules adopted under them and for all persons who are responsible for the operation of solid waste facilities or infectious waste treatment facilities; | 3589 3590 3591 3592 3593 3594 |
| (6)(a) All employees of a board of health who, on the effective date of the rules adopted under this division, are responsible for enforcing the solid waste or infectious waste provisions of this chapter and the rules adopted under them shall complete the course and be certified by the director not later than January 1, 1995; | 3595 3596 3597 3598 3599 3600 |
| (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. | 3601 3602 3603 3604 3605 3606 3607 3608 |
| No person shall fail to obtain the certification required under this division. | 3609 3610 |
| (M) The director shall not issue a permit under section | 3611 |

3734.05 of the Revised Code to establish a solid waste facility, 3612
or to modify a solid waste facility operating on December 21, 3613
1988, in a manner that expands the disposal capacity or geographic 3614
area covered by the facility, that is or is to be located within 3615
the boundaries of a state park established or dedicated under 3616
Chapter 1541. of the Revised Code, a state park purchase area 3617
established under section 1541.02 of the Revised Code, any unit of 3618
the national park system, or any property that lies within the 3619
boundaries of a national park or recreation area, but that has not 3620
been acquired or is not administered by the secretary of the 3621
United States department of the interior, located in this state, 3622
or any candidate area located in this state and identified for 3623
potential inclusion in the national park system in the edition of 3624
the "national park system plan" submitted under paragraph (b) of 3625
section 8 of "The Act of August 18, 1970," 84 Stat. 825, 16 3626
U.S.C.A. 1a-5, as amended, current at the time of filing of the 3627
application for the permit, unless the facility or proposed 3628
facility is or is to be used exclusively for the disposal of solid 3629
wastes generated within the park or recreation area and the 3630
director determines that the facility or proposed facility will 3631
not degrade any of the natural or cultural resources of the park 3632
or recreation area. The director shall not issue a variance under 3633
division (A) of this section and rules adopted under it, or issue 3634
an exemption order under division (G) of this section, that would 3635
authorize any such establishment or expansion of a solid waste 3636
facility within the boundaries of any such park or recreation 3637
area, state park purchase area, or candidate area, other than a 3638
solid waste facility exclusively for the disposal of solid wastes 3639
generated within the park or recreation area when the director 3640
determines that the facility will not degrade any of the natural 3641
or cultural resources of the park or recreation area. 3642

(N)(1) The rules adopted under division (A) of this section, 3643
other than those governing variances, do not apply to scrap tire 3644

collection, storage, monocell, monofill, and recovery facilities. 3645
Those facilities are subject to and governed by rules adopted 3646
under sections 3734.70 to 3734.73 of the Revised Code, as 3647
applicable. 3648

(2) Division (C) of this section does not apply to scrap tire 3649
collection, storage, monocell, monofill, and recovery facilities. 3650
The establishment and modification of those facilities are subject 3651
to sections 3734.75 to 3734.78 and section 3734.81 of the Revised 3652
Code, as applicable. 3653

(3) The director may adopt, amend, suspend, or rescind rules 3654
under division (A) of this section creating an alternative system 3655
for authorizing the establishment, operation, or modification of a 3656
solid waste compost facility in lieu of the requirement that a 3657
person seeking to establish, operate, or modify a solid waste 3658
compost facility apply for and receive a permit under division (C) 3659
of this section and section 3734.05 of the Revised Code and a 3660
license under division (A)(1) of that section. The rules may 3661
include requirements governing, without limitation, the 3662
classification of solid waste compost facilities, the submittal of 3663
operating records for solid waste compost facilities, and the 3664
creation of a registration or notification system in lieu of the 3665
issuance of permits and licenses for solid waste compost 3666
facilities. The rules shall specify the applicability of divisions 3667
(A)(1), (2)(a), (3), and (4) of section 3734.05 of the Revised 3668
Code to a solid waste compost facility. 3669

Sec. 3734.18. (A) As used in this section: 3670

(1) "On-site facility" means a facility that treats or 3671
disposes of hazardous waste that is generated on the premises of 3672
the facility. 3673

(2) "Off-site facility" means a facility that treats or 3674
disposes of hazardous waste that is generated off the premises of 3675

the facility. 3676

(3) "Satellite facility" means any of the following: 3677

(a) An on-site facility that also receives hazardous waste 3678
from other premises owned by the same person who generates the 3679
waste on the facility premises; 3680

(b) An off-site facility operated so that all of the 3681
hazardous waste it receives is generated on one or more premises 3682
owned by the person who owns the facility; 3683

(c) An on-site facility that also receives hazardous waste 3684
that is transported uninterruptedly and directly to the facility 3685
through a pipeline from a generator who is not the owner of the 3686
facility. 3687

(B) A treatment or disposal facility that is subject to the 3688
fees that are levied under this section may be both an on-site 3689
facility and an off-site facility. The determination of whether an 3690
on-site facility fee or an off-site facility fee is to be paid for 3691
a hazardous waste that is treated or disposed of at the facility 3692
shall be based on whether that hazardous waste was generated on or 3693
off the premises of the facility. 3694

(C) There are hereby levied fees on the disposal of hazardous 3695
waste to be collected according to the following schedule at each 3696
disposal facility to which a hazardous waste facility installation 3697
and operation permit or renewal of a permit has been issued under 3698
this chapter or that is operating in accordance with a permit by 3699
rule under rules adopted by the director of environmental 3700
protection: 3701

(1) For disposal facilities that are off-site facilities as 3702
defined in division (E) of section 3734.02 of the Revised Code, 3703
fees shall be levied at the rate of four dollars and fifty cents 3704
per ton for hazardous waste disposed of by deep well injection and 3705
nine dollars per ton for hazardous waste disposed of by land 3706

application or landfilling. The owner or operator of the facility, 3707
as a trustee for the state, shall collect the fees and forward 3708
them to the director in accordance with rules adopted under this 3709
section. 3710

(2) For disposal facilities that are on-site or satellite 3711
facilities, ~~as defined in division (E) of section 3734.02 of the~~ 3712
~~Revised Code~~, fees shall be levied at the rate of two dollars per 3713
ton for hazardous waste disposed of by deep well injection and 3714
four dollars per ton for hazardous waste disposed of by land 3715
application or landfilling. The maximum annual disposal fee for an 3716
on-site disposal facility that disposes of one hundred thousand 3717
tons or less of hazardous waste in a year is twenty-five thousand 3718
dollars. The maximum annual disposal fee for an on-site facility 3719
that disposes of more than one hundred thousand tons of hazardous 3720
waste in a year by land application or landfilling is fifty 3721
thousand dollars, and the maximum annual fee for an on-site 3722
facility that disposes of more than one hundred thousand tons of 3723
hazardous waste in a year by deep well injection is one hundred 3724
thousand dollars. The maximum annual disposal fee for a satellite 3725
facility that disposes of one hundred thousand tons or less of 3726
hazardous waste in a year is thirty-seven thousand five hundred 3727
dollars, and the maximum annual disposal fee for a satellite 3728
facility that disposes of more than one hundred thousand tons of 3729
hazardous waste in a year is seventy-five thousand dollars, except 3730
that a satellite facility defined under division ~~(E)~~(A)(3)(b) of 3731
this section 3734.02 of the Revised Code that receives hazardous 3732
waste from a single generation site is subject to the same maximum 3733
annual disposal fees as an on-site disposal facility. The owner or 3734
operator shall pay the fee to the director each year upon the 3735
anniversary of the date of issuance of the owner's or operator's 3736
installation and operation permit during the term of that permit 3737
and any renewal permit issued under division (H) of section 3738
3734.05 of the Revised Code or on the anniversary of the date of a 3739

permit by rule. If payment is late, the owner or operator shall 3740
pay an additional ten per cent of the amount of the fee for each 3741
month that it is late. 3742

~~(B)~~(D) There are hereby levied fees at the rate of two 3743
dollars per ton on hazardous waste that is treated at treatment 3744
facilities that are not on-site or satellite facilities, ~~as~~ 3745
~~defined in division (E) of section 3734.02 of the Revised Code,~~ to 3746
which a hazardous waste facility installation and operation permit 3747
or renewal of a permit has been issued under this chapter, whose 3748
owner or operator is operating in accordance with a permit by rule 3749
under rules adopted by the director, or that are not subject to 3750
the hazardous waste facility installation and operation permit 3751
requirements under rules adopted by the director. 3752

~~(C)~~(E) There are hereby levied additional fees on the 3753
treatment and disposal of hazardous waste at the rate of ten per 3754
cent of the applicable fees prescribed in division ~~(A)~~(C) or 3755
~~(B)~~(D) of this section for the purposes of paying the costs of 3756
municipal corporations and counties for conducting reviews of 3757
applications for hazardous waste facility installation and 3758
operation permits for proposed new or modified hazardous waste 3759
landfills within their boundaries, emergency response actions with 3760
respect to releases of hazardous waste from hazardous waste 3761
facilities within their boundaries, monitoring the operation of 3762
such hazardous waste facilities, and local waste management 3763
planning programs. The owner or operator of a facility located 3764
within a municipal corporation, as a trustee for the municipal 3765
corporation, shall collect the fees levied by this division and 3766
forward them to the treasurer of the municipal corporation or such 3767
officer as, by virtue of the charter, has the duties of the 3768
treasurer in accordance with rules adopted under this section. The 3769
owner or operator of a facility located in an unincorporated area, 3770
as a trustee of the county in which the facility is located, shall 3771

collect the fees levied by this division and forward them to the 3772
county treasurer of that county in accordance with rules adopted 3773
under this section. The owner or operator shall pay the fees 3774
levied by this division to the treasurer or such other officer of 3775
the municipal corporation or to the county treasurer each year 3776
upon the anniversary of the date of issuance of the owner's or 3777
operator's installation and operation permit during the term of 3778
that permit and any renewal permit issued under division (H) of 3779
section 3734.05 of the Revised Code or on the anniversary of the 3780
date of a permit by rule or the date on which the facility became 3781
exempt from hazardous waste facility installation and operation 3782
permit requirements under rules adopted by the director. If 3783
payment is late, the owner or operator shall pay an additional ten 3784
per cent of the amount of the fee for each month that the payment 3785
is late. 3786

Moneys received by a municipal corporation under this 3787
division shall be paid into a special fund of the municipal 3788
corporation and used exclusively for the purposes of conducting 3789
reviews of applications for hazardous waste facility installation 3790
and operation permits for new or modified hazardous waste 3791
landfills located or proposed within the municipal corporation, 3792
conducting emergency response actions with respect to releases of 3793
hazardous waste from facilities located within the municipal 3794
corporation, monitoring operation of such hazardous waste 3795
facilities, and conducting waste management planning programs 3796
within the municipal corporation through employees of the 3797
municipal corporation or pursuant to contracts entered into with 3798
persons or political subdivisions. Moneys received by a board of 3799
county commissioners under this division shall be paid into a 3800
special fund of the county and used exclusively for those purposes 3801
within the unincorporated area of the county through employees of 3802
the county or pursuant to contracts entered into with persons or 3803
political subdivisions. 3804

~~(D)~~(F) As used in this section, "treatment" or "treated" does 3805
not include any method, technique, or process designed to recover 3806
energy or material resources from the waste or to render the waste 3807
amenable for recovery. The fees levied by division ~~(B)~~(D) of this 3808
section do not apply to hazardous waste that is treated and 3809
disposed of on the same premises or by the same person. 3810

~~(E)~~(G) The director, by rules adopted in accordance with 3811
Chapters 119. and 3745. of the Revised Code, shall prescribe any 3812
dates not specified in this section and procedures for collecting 3813
and forwarding the fees prescribed by this section and may 3814
prescribe other requirements that are necessary to carry out this 3815
section. 3816

The director shall deposit the moneys collected under 3817
divisions ~~(A)~~(C) and ~~(B)~~(D) of this section into one or more 3818
minority banks, as "minority bank" is defined in division (F)(1) 3819
of section 135.04 of the Revised Code, to the credit of the 3820
hazardous waste facility management fund, which is hereby created 3821
in the state treasury, except that the director shall deposit to 3822
the credit of the underground injection control fund created in 3823
section 6111.046 of the Revised Code moneys in excess of fifty 3824
thousand dollars that are collected during a fiscal year under 3825
division ~~(A)~~(C)(2) of this section from the fee levied on the 3826
disposal of hazardous waste by deep well injection at an on-site 3827
disposal facility that disposes of more than one hundred thousand 3828
tons of hazardous waste in a year. 3829

The environmental protection agency may use moneys in the 3830
hazardous waste facility management fund for administration of the 3831
hazardous waste program established under this chapter and, in 3832
accordance with this section, may request approval by the 3833
controlling board for that use on an annual basis. In addition, 3834
the agency may use and pledge moneys in that fund for repayment of 3835
and for interest on any loans made by the Ohio water development 3836

authority to the agency for the hazardous waste program 3837
established under this chapter without the necessity of requesting 3838
approval by the controlling board, which use and pledge shall have 3839
priority over any other use of the moneys in the fund. 3840

Until September 28, 1996, the director also may use moneys in 3841
the fund to pay the start-up costs of administering Chapter 3746. 3842
of the Revised Code. 3843

If moneys in the fund that the agency uses in accordance with 3844
this chapter are reimbursed by grants or other moneys from the 3845
United States government, the grants or other moneys shall be 3846
placed in the fund. 3847

Before the agency makes any expenditure from the fund other 3848
than for repayment of and interest on any loan made by the Ohio 3849
water development authority to the agency in accordance with this 3850
section, the controlling board shall approve the expenditure. 3851

Sec. 3734.57. (A) For the purposes of paying the state's 3852
long-term operation costs or matching share for actions taken 3853
under the "Comprehensive Environmental Response, Compensation, and 3854
Liability Act of 1980," 94 Stat. 2767, 42 U.S.C.A. 9601, as 3855
amended; paying the costs of measures for proper clean-up of sites 3856
where polychlorinated biphenyls and substances, equipment, and 3857
devices containing or contaminated with polychlorinated biphenyls 3858
have been stored or disposed of; paying the costs of conducting 3859
surveys or investigations of solid waste facilities or other 3860
locations where it is believed that significant quantities of 3861
hazardous waste were disposed of and for conducting enforcement 3862
actions arising from the findings of such surveys or 3863
investigations; paying the costs of acquiring and cleaning up, or 3864
providing financial assistance for cleaning up, any hazardous 3865
waste facility or solid waste facility containing significant 3866
quantities of hazardous waste, that constitutes an imminent and 3867

substantial threat to public health or safety or the environment; 3868
and, from July 1, 2003, through June 30, 2006, for the purposes of 3869
paying the costs of administering and enforcing the laws 3870
pertaining to solid wastes, infectious wastes, and construction 3871
and demolition debris, including, without limitation, ground water 3872
evaluations related to solid wastes, infectious wastes, and 3873
construction and demolition debris, under this chapter and Chapter 3874
3714. of the Revised Code and any rules adopted under them, and 3875
paying a share of the administrative costs of the environmental 3876
protection agency pursuant to section 3745.014 of the Revised 3877
Code, the following fees are hereby levied on the disposal of 3878
solid wastes in this state: 3879

(1) One dollar per ton on and after July 1, 1993; 3880

(2) An additional one dollar per ton on and after July 1, 3881
2003, through June 30, 2006. 3882

The owner or operator of a solid waste disposal facility 3883
shall collect the fees levied under this division as a trustee for 3884
the state and shall prepare and file with the director of 3885
environmental protection monthly returns indicating the total 3886
tonnage of solid wastes received for disposal at the gate of the 3887
facility and the total amount of the fees collected under this 3888
division. Not later than thirty days after the last day of the 3889
month to which such a return applies, the owner or operator shall 3890
mail to the director the return for that month together with the 3891
fees collected during that month as indicated on the return. The 3892
owner or operator may request an extension of not more than thirty 3893
days for filing the return and remitting the fees, provided that 3894
the owner or operator has submitted such a request in writing to 3895
the director together with a detailed description of why the 3896
extension is requested, the director has received the request not 3897
later than the day on which the return is required to be filed, 3898
and the director has approved the request. If the fees are not 3899

remitted within ~~sixty~~ thirty days after the last day of the month 3900
during which they were collected or are not remitted by the last 3901
day of an extension approved by the director, the owner or 3902
operator shall pay an additional fifty per cent of the amount of 3903
the fees for each month that they are late. 3904

One-half of the moneys remitted to the director under 3905
division (A)(1) of this section shall be credited to the hazardous 3906
waste facility management fund created in section 3734.18 of the 3907
Revised Code, and one-half shall be credited to the hazardous 3908
waste clean-up fund created in section 3734.28 of the Revised 3909
Code. The moneys remitted to the director under division (A)(2) of 3910
this section shall be credited to the solid waste fund, which is 3911
hereby created in the state treasury. The environmental protection 3912
agency shall use moneys in the solid waste fund only to pay the 3913
costs of administering and enforcing the laws pertaining to solid 3914
wastes, infectious wastes, and construction and demolition debris, 3915
including, without limitation, ground water evaluations related to 3916
solid wastes, infectious wastes, and construction and demolition 3917
debris, under this chapter and Chapter 3714. of the Revised Code 3918
and rules adopted under them and to pay a share of the 3919
administrative costs of the environmental protection agency 3920
pursuant to section 3745.014 of the Revised Code. 3921

The fees levied under this division and divisions (B) and (C) 3922
of this section are in addition to all other applicable fees and 3923
taxes and shall be added to any other fee or amount specified in a 3924
contract that is charged by the owner or operator of a solid waste 3925
disposal facility or to any other fee or amount that is specified 3926
in a contract entered into on or after March 4, 1992, and that is 3927
charged by a transporter of solid wastes. 3928

(B) For the purpose of preparing, revising, and implementing 3929
the solid waste management plan of the county or joint solid waste 3930
management district, including, without limitation, the 3931

development and implementation of solid waste recycling or 3932
reduction programs; providing financial assistance to boards of 3933
health within the district, if solid waste facilities are located 3934
within the district, for the enforcement of this chapter and rules 3935
adopted and orders and terms and conditions of permits, licenses, 3936
and variances issued under it, other than the hazardous waste 3937
provisions of this chapter and rules adopted and orders and terms 3938
and conditions of permits issued under those provisions; providing 3939
financial assistance to the county to defray the added costs of 3940
maintaining roads and other public facilities and of providing 3941
emergency and other public services resulting from the location 3942
and operation of a solid waste facility within the county under 3943
the district's approved solid waste management plan; paying the 3944
costs incurred by boards of health for collecting and analyzing 3945
water samples from public or private wells on lands adjacent to 3946
solid waste facilities that are contained in the approved or 3947
amended plan of the district; paying the costs of developing and 3948
implementing a program for the inspection of solid wastes 3949
generated outside the boundaries of this state that are disposed 3950
of at solid waste facilities included in the district's approved 3951
solid waste management plan or amended plan; providing financial 3952
assistance to boards of health within the district for enforcing 3953
laws prohibiting open dumping; providing financial assistance to 3954
local law enforcement agencies within the district for enforcing 3955
laws and ordinances prohibiting littering; providing financial 3956
assistance to boards of health of health districts within the 3957
district that are on the approved list under section 3734.08 of 3958
the Revised Code for the training and certification required for 3959
their employees responsible for solid waste enforcement by rules 3960
adopted under division (L) of section 3734.02 of the Revised Code; 3961
providing financial assistance to individual municipal 3962
corporations and townships within the district to defray their 3963
added costs of maintaining roads and other public facilities and 3964

of providing emergency and other public services resulting from 3965
the location and operation within their boundaries of a 3966
composting, energy or resource recovery, incineration, or 3967
recycling facility that either is owned by the district or is 3968
furnishing solid waste management facility or recycling services 3969
to the district pursuant to a contract or agreement with the board 3970
of county commissioners or directors of the district; and payment 3971
of any expenses that are agreed to, awarded, or ordered to be paid 3972
under section 3734.35 of the Revised Code and of any 3973
administrative costs incurred pursuant to that section, the solid 3974
waste management policy committee of a county or joint solid waste 3975
management district may levy fees upon the following activities: 3976

(1) The disposal at a solid waste disposal facility located 3977
in the district of solid wastes generated within the district; 3978

(2) The disposal at a solid waste disposal facility within 3979
the district of solid wastes generated outside the boundaries of 3980
the district, but inside this state; 3981

(3) The disposal at a solid waste disposal facility within 3982
the district of solid wastes generated outside the boundaries of 3983
this state. 3984

If any such fees are levied prior to January 1, 1994, fees 3985
levied under division (B)(1) of this section always shall be equal 3986
to one-half of the fees levied under division (B)(2) of this 3987
section, and fees levied under division (B)(3) of this section, 3988
which shall be in addition to fees levied under division (B)(2) of 3989
this section, always shall be equal to fees levied under division 3990
(B)(1) of this section, except as otherwise provided in this 3991
division. The solid waste management plan of the county or joint 3992
district approved under section 3734.521 or 3734.55 of the Revised 3993
Code and any amendments to it, or the resolution adopted under 3994
this division, as appropriate, shall establish the rates of the 3995
fees levied under divisions (B)(1), (2), and (3) of this section, 3996

if any, and shall specify whether the fees are levied on the basis 3997
of tons or cubic yards as the unit of measurement. Although the 3998
fees under divisions (A)(1) and (2) of this section are levied on 3999
the basis of tons as the unit of measurement, the solid waste 4000
management plan of the district and any amendments to it or the 4001
solid waste management policy committee in its resolution levying 4002
fees under this division may direct that the fees levied under 4003
those divisions be levied on the basis of cubic yards as the unit 4004
of measurement based upon a conversion factor of three cubic yards 4005
per ton generally or one cubic yard per ton for baled wastes if 4006
the fees under divisions (B)(1) to (3) of this section are being 4007
levied on the basis of cubic yards as the unit of measurement 4008
under the plan, amended plan, or resolution. 4009

On and after January 1, 1994, the fee levied under division 4010
(B)(1) of this section shall be not less than one dollar per ton 4011
nor more than two dollars per ton, the fee levied under division 4012
(B)(2) of this section shall be not less than two dollars per ton 4013
nor more than four dollars per ton, and the fee levied under 4014
division (B)(3) of this section shall be not more than the fee 4015
levied under division (B)(1) of this section, except as otherwise 4016
provided in this division and notwithstanding any schedule of 4017
those fees established in the solid waste management plan of a 4018
county or joint district approved under section 3734.55 of the 4019
Revised Code or a resolution adopted and ratified under this 4020
division that is in effect on that date. If the fee that a 4021
district is levying under division (B)(1) of this section on that 4022
date under its approved plan or such a resolution is less than one 4023
dollar per ton, the fee shall be one dollar per ton on and after 4024
January 1, 1994, and if the fee that a district is so levying 4025
under that division exceeds two dollars per ton, the fee shall be 4026
two dollars per ton on and after that date. If the fee that a 4027
district is so levying under division (B)(2) of this section is 4028
less than two dollars per ton, the fee shall be two dollars per 4029

ton on and after that date, and if the fee that the district is so 4030
levying under that division exceeds four dollars per ton, the fee 4031
shall be four dollars per ton on and after that date. On that 4032
date, the fee levied by a district under division (B)(3) of this 4033
section shall be equal to the fee levied under division (B)(1) of 4034
this section. Except as otherwise provided in this division, the 4035
fees established by the operation of this amendment shall remain 4036
in effect until the district's resolution levying fees under this 4037
division is amended or repealed in accordance with this division 4038
to amend or abolish the schedule of fees, the schedule of fees is 4039
amended or abolished in an amended plan of the district approved 4040
under section 3734.521 or division (A) or (D) of section 3734.56 4041
of the Revised Code, or the schedule of fees is amended or 4042
abolished through an amendment to the district's plan under 4043
division (E) of section 3734.56 of the Revised Code; the 4044
notification of the amendment or abolishment of the fees has been 4045
given in accordance with this division; and collection of the 4046
amended fees so established commences, or collection of the fees 4047
ceases, in accordance with this division. 4048

The solid waste management policy committee of a district 4049
levying fees under divisions (B)(1) to (3) of this section on 4050
October 29, 1993, under its solid waste management plan approved 4051
under section 3734.55 of the Revised Code or a resolution adopted 4052
and ratified under this division that are within the ranges of 4053
rates prescribed by this amendment, by adoption of a resolution 4054
not later than December 1, 1993, and without the necessity for 4055
ratification of the resolution under this division, may amend 4056
those fees within the prescribed ranges, provided that the 4057
estimated revenues from the amended fees will not substantially 4058
exceed the estimated revenues set forth in the district's budget 4059
for calendar year 1994. Not later than seven days after the 4060
adoption of such a resolution, the committee shall notify by 4061
certified mail the owner or operator of each solid waste disposal 4062

facility that is required to collect the fees of the adoption of 4063
the resolution and of the amount of the amended fees. Collection 4064
of the amended fees shall take effect on the first day of the 4065
first month following the month in which the notification is sent 4066
to the owner or operator. The fees established in such a 4067
resolution shall remain in effect until the district's resolution 4068
levying fees that was adopted and ratified under this division is 4069
amended or repealed, and the amendment or repeal of the resolution 4070
is ratified, in accordance with this division, to amend or abolish 4071
the fees, the schedule of fees is amended or abolished in an 4072
amended plan of the district approved under section 3734.521 or 4073
division (A) or (D) of section 3734.56 of the Revised Code, or the 4074
schedule of fees is amended or abolished through an amendment to 4075
the district's plan under division (E) of section 3734.56 of the 4076
Revised Code; the notification of the amendment or abolishment of 4077
the fees has been given in accordance with this division; and 4078
collection of the amended fees so established commences, or 4079
collection of the fees ceases, in accordance with this division. 4080

Prior to the approval of the solid waste management plan of 4081
the district under section 3734.55 of the Revised Code, the solid 4082
waste management policy committee of a district may levy fees 4083
under this division by adopting a resolution establishing the 4084
proposed amount of the fees. Upon adopting the resolution, the 4085
committee shall deliver a copy of the resolution to the board of 4086
county commissioners of each county forming the district and to 4087
the legislative authority of each municipal corporation and 4088
township under the jurisdiction of the district and shall prepare 4089
and publish the resolution and a notice of the time and location 4090
where a public hearing on the fees will be held. Upon adopting the 4091
resolution, the committee shall deliver written notice of the 4092
adoption of the resolution; of the amount of the proposed fees; 4093
and of the date, time, and location of the public hearing to the 4094
director and to the fifty industrial, commercial, or institutional 4095

generators of solid wastes within the district that generate the 4096
largest quantities of solid wastes, as determined by the 4097
committee, and to their local trade associations. The committee 4098
shall make good faith efforts to identify those generators within 4099
the district and their local trade associations, but the 4100
nonprovision of notice under this division to a particular 4101
generator or local trade association does not invalidate the 4102
proceedings under this division. The publication shall occur at 4103
least thirty days before the hearing. After the hearing, the 4104
committee may make such revisions to the proposed fees as it 4105
considers appropriate and thereafter, by resolution, shall adopt 4106
the revised fee schedule. Upon adopting the revised fee schedule, 4107
the committee shall deliver a copy of the resolution doing so to 4108
the board of county commissioners of each county forming the 4109
district and to the legislative authority of each municipal 4110
corporation and township under the jurisdiction of the district. 4111
Within sixty days after the delivery of a copy of the resolution 4112
adopting the proposed revised fees by the policy committee, each 4113
such board and legislative authority, by ordinance or resolution, 4114
shall approve or disapprove the revised fees and deliver a copy of 4115
the ordinance or resolution to the committee. If any such board or 4116
legislative authority fails to adopt and deliver to the policy 4117
committee an ordinance or resolution approving or disapproving the 4118
revised fees within sixty days after the policy committee 4119
delivered its resolution adopting the proposed revised fees, it 4120
shall be conclusively presumed that the board or legislative 4121
authority has approved the proposed revised fees. 4122

In the case of a county district or a joint district formed 4123
by two or three counties, the committee shall declare the proposed 4124
revised fees to be ratified as the fee schedule of the district 4125
upon determining that the board of county commissioners of each 4126
county forming the district has approved the proposed revised fees 4127
and that the legislative authorities of a combination of municipal 4128

corporations and townships with a combined population within the 4129
district comprising at least sixty per cent of the total 4130
population of the district have approved the proposed revised 4131
fees, provided that in the case of a county district, that 4132
combination shall include the municipal corporation having the 4133
largest population within the boundaries of the district, and 4134
provided further that in the case of a joint district formed by 4135
two or three counties, that combination shall include for each 4136
county forming the joint district the municipal corporation having 4137
the largest population within the boundaries of both the county in 4138
which the municipal corporation is located and the joint district. 4139
In the case of a joint district formed by four or more counties, 4140
the committee shall declare the proposed revised fees to be 4141
ratified as the fee schedule of the joint district upon 4142
determining that the boards of county commissioners of a majority 4143
of the counties forming the district have approved the proposed 4144
revised fees; that, in each of a majority of the counties forming 4145
the joint district, the proposed revised fees have been approved 4146
by the municipal corporation having the largest population within 4147
the county and the joint district; and that the legislative 4148
authorities of a combination of municipal corporations and 4149
townships with a combined population within the joint district 4150
comprising at least sixty per cent of the total population of the 4151
joint district have approved the proposed revised fees. 4152

For the purposes of this division, only the population of the 4153
unincorporated area of a township shall be considered. For the 4154
purpose of determining the largest municipal corporation within 4155
each county under this division, a municipal corporation that is 4156
located in more than one solid waste management district, but that 4157
is under the jurisdiction of one county or joint solid waste 4158
management district in accordance with division (A) of section 4159
3734.52 of the Revised Code shall be considered to be within the 4160
boundaries of the county in which a majority of the population of 4161

the municipal corporation resides. 4162

The committee may amend the schedule of fees levied pursuant 4163
to a resolution or amended resolution adopted and ratified under 4164
this division by adopting a resolution establishing the proposed 4165
amount of the amended fees. The committee may abolish the fees 4166
levied pursuant to such a resolution or amended resolution by 4167
adopting a resolution proposing to repeal them. Upon adopting such 4168
a resolution, the committee shall proceed to obtain ratification 4169
of the resolution in accordance with this division. 4170

Not later than fourteen days after declaring the fees or 4171
amended fees to be ratified under this division, the committee 4172
shall notify by certified mail the owner or operator of each solid 4173
waste disposal facility that is required to collect the fees of 4174
the ratification and the amount of the fees. Collection of any 4175
fees or amended fees ratified on or after March 24, 1992, shall 4176
commence on the first day of the second month following the month 4177
in which notification is sent to the owner or operator. 4178

Not later than fourteen days after declaring the repeal of 4179
the district's schedule of fees to be ratified under this 4180
division, the committee shall notify by certified mail the owner 4181
or operator of each facility that is collecting the fees of the 4182
repeal. Collection of the fees shall cease on the first day of the 4183
second month following the month in which notification is sent to 4184
the owner or operator. 4185

Not later than fourteen days after the director issues an 4186
order approving a district's solid waste management plan under 4187
section 3734.55 of the Revised Code or amended plan under division 4188
(A) or (D) of section 3734.56 of the Revised Code that establishes 4189
or amends a schedule of fees levied by the district, or the 4190
ratification of an amendment to the district's approved plan or 4191
amended plan under division (E) of section 3734.56 of the Revised 4192
Code that establishes or amends a schedule of fees, as 4193

appropriate, the committee shall notify by certified mail the 4194
owner or operator of each solid waste disposal facility that is 4195
required to collect the fees of the approval of the plan or 4196
amended plan, or the amendment to the plan, as appropriate, and 4197
the amount of the fees or amended fees. In the case of an initial 4198
or amended plan approved under section 3734.521 of the Revised 4199
Code in connection with a change in district composition, other 4200
than one involving the withdrawal of a county from a joint 4201
district, that establishes or amends a schedule of fees levied 4202
under divisions (B)(1) to (3) of this section by a district 4203
resulting from the change, the committee, within fourteen days 4204
after the change takes effect pursuant to division (G) of that 4205
section, shall notify by certified mail the owner or operator of 4206
each solid waste disposal facility that is required to collect the 4207
fees that the change has taken effect and of the amount of the 4208
fees or amended fees. Collection of any fees set forth in a plan 4209
or amended plan approved by the director on or after April 16, 4210
1993, or an amendment of a plan or amended plan under division (E) 4211
of section 3734.56 of the Revised Code that is ratified on or 4212
after April 16, 1993, shall commence on the first day of the 4213
second month following the month in which notification is sent to 4214
the owner or operator. 4215

Not later than fourteen days after the director issues an 4216
order approving a district's plan under section 3734.55 of the 4217
Revised Code or amended plan under division (A) or (D) of section 4218
3734.56 of the Revised Code that abolishes the schedule of fees 4219
levied under divisions (B)(1) to (3) of this section, or an 4220
amendment to the district's approved plan or amended plan 4221
abolishing the schedule of fees is ratified pursuant to division 4222
(E) of section 3734.56 of the Revised Code, as appropriate, the 4223
committee shall notify by certified mail the owner or operator of 4224
each facility that is collecting the fees of the approval of the 4225
plan or amended plan, or the amendment of the plan or amended 4226

plan, as appropriate, and the abolishment of the fees. In the case 4227
of an initial or amended plan approved under section 3734.521 of 4228
the Revised Code in connection with a change in district 4229
composition, other than one involving the withdrawal of a county 4230
from a joint district, that abolishes the schedule of fees levied 4231
under divisions (B)(1) to (3) of this section by a district 4232
resulting from the change, the committee, within fourteen days 4233
after the change takes effect pursuant to division (G) of that 4234
section, shall notify by certified mail the owner or operator of 4235
each solid waste disposal facility that is required to collect the 4236
fees that the change has taken effect and of the abolishment of 4237
the fees. Collection of the fees shall cease on the first day of 4238
the second month following the month in which notification is sent 4239
to the owner or operator. 4240

Except as otherwise provided in this division, if the 4241
schedule of fees that a district is levying under divisions (B)(1) 4242
to (3) of this section pursuant to a resolution or amended 4243
resolution adopted and ratified under this division, the solid 4244
waste management plan of the district approved under section 4245
3734.55 of the Revised Code, an amended plan approved under 4246
division (A) or (D) of section 3734.56 of the Revised Code, or an 4247
amendment to the district's approved plan or amended plan under 4248
division (E) of section 3734.56 of the Revised Code, is amended by 4249
the adoption and ratification of an amendment to the resolution or 4250
amended resolution or an amendment of the district's approved plan 4251
or amended plan, the fees in effect immediately prior to the 4252
approval of the plan or the amendment of the resolution, amended 4253
resolution, plan, or amended plan, as appropriate, shall continue 4254
to be collected until collection of the amended fees commences 4255
pursuant to this division. 4256

If, in the case of a change in district composition involving 4257
the withdrawal of a county from a joint district, the director 4258

completes the actions required under division (G)(1) or (3) of 4259
section 3734.521 of the Revised Code, as appropriate, forty-five 4260
days or more before the beginning of a calendar year, the policy 4261
committee of each of the districts resulting from the change that 4262
obtained the director's approval of an initial or amended plan in 4263
connection with the change, within fourteen days after the 4264
director's completion of the required actions, shall notify by 4265
certified mail the owner or operator of each solid waste disposal 4266
facility that is required to collect the district's fees that the 4267
change is to take effect on the first day of January immediately 4268
following the issuance of the notice and of the amount of the fees 4269
or amended fees levied under divisions (B)(1) to (3) of this 4270
section pursuant to the district's initial or amended plan as so 4271
approved or, if appropriate, the abolishment of the district's 4272
fees by that initial or amended plan. Collection of any fees set 4273
forth in such a plan or amended plan shall commence on the first 4274
day of January immediately following the issuance of the notice. 4275
If such an initial or amended plan abolishes a schedule of fees, 4276
collection of the fees shall cease on that first day of January. 4277

If, in the case of a change in district composition involving 4278
the withdrawal of a county from a joint district, the director 4279
completes the actions required under division (G)(1) or (3) of 4280
section 3734.521 of the Revised Code, as appropriate, less than 4281
forty-five days before the beginning of a calendar year, the 4282
director, on behalf of each of the districts resulting from the 4283
change that obtained the director's approval of an initial or 4284
amended plan in connection with the change proceedings, shall 4285
notify by certified mail the owner or operator of each solid waste 4286
disposal facility that is required to collect the district's fees 4287
that the change is to take effect on the first day of January 4288
immediately following the mailing of the notice and of the amount 4289
of the fees or amended fees levied under divisions (B)(1) to (3) 4290
of this section pursuant to the district's initial or amended plan 4291

as so approved or, if appropriate, the abolishment of the 4292
district's fees by that initial or amended plan. Collection of any 4293
fees set forth in such a plan or amended plan shall commence on 4294
the first day of the second month following the month in which 4295
notification is sent to the owner or operator. If such an initial 4296
or amended plan abolishes a schedule of fees, collection of the 4297
fees shall cease on the first day of the second month following 4298
the month in which notification is sent to the owner or operator. 4299

In the case of a change in district composition, the schedule 4300
of fees that the former districts that existed prior to the change 4301
were levying under divisions (B)(1) to (3) of this section 4302
pursuant to a resolution or amended resolution adopted and 4303
ratified under this division, the solid waste management plan of a 4304
former district approved under section 3734.521 or 3734.55 of the 4305
Revised Code, an amended plan approved under section 3734.521 or 4306
division (A) or (D) of section 3734.56 of the Revised Code, or an 4307
amendment to a former district's approved plan or amended plan 4308
under division (E) of section 3734.56 of the Revised Code, and 4309
that were in effect on the date that the director completed the 4310
actions required under division (G)(1) or (3) of section 3734.521 4311
of the Revised Code shall continue to be collected until the 4312
collection of the fees or amended fees of the districts resulting 4313
from the change is required to commence, or if an initial or 4314
amended plan of a resulting district abolishes a schedule of fees, 4315
collection of the fees is required to cease, under this division. 4316
Moneys so received from the collection of the fees of the former 4317
districts shall be divided among the resulting districts in 4318
accordance with division (B) of section 343.012 of the Revised 4319
Code and the agreements entered into under division (B) of section 4320
343.01 of the Revised Code to establish the former and resulting 4321
districts and any amendments to those agreements. 4322

For the purposes of the provisions of division (B) of this 4323

section establishing the times when newly established or amended 4324
fees levied by a district are required to commence and the 4325
collection of fees that have been amended or abolished is required 4326
to cease, "fees" or "schedule of fees" includes, in addition to 4327
fees levied under divisions (B)(1) to (3) of this section, those 4328
levied under section 3734.573 or 3734.574 of the Revised Code. 4329

(C) For the purposes of defraying the added costs to a 4330
municipal corporation or township of maintaining roads and other 4331
public facilities and of providing emergency and other public 4332
services, and compensating a municipal corporation or township for 4333
reductions in real property tax revenues due to reductions in real 4334
property valuations resulting from the location and operation of a 4335
solid waste disposal facility within the municipal corporation or 4336
township, a municipal corporation or township in which such a 4337
solid waste disposal facility is located may levy a fee of not 4338
more than twenty-five cents per ton on the disposal of solid 4339
wastes at a solid waste disposal facility located within the 4340
boundaries of the municipal corporation or township regardless of 4341
where the wastes were generated. 4342

The legislative authority of a municipal corporation or 4343
township may levy fees under this division by enacting an 4344
ordinance or adopting a resolution establishing the amount of the 4345
fees. Upon so doing the legislative authority shall mail a 4346
certified copy of the ordinance or resolution to the board of 4347
county commissioners or directors of the county or joint solid 4348
waste management district in which the municipal corporation or 4349
township is located or, if a regional solid waste management 4350
authority has been formed under section 343.011 of the Revised 4351
Code, to the board of trustees of that regional authority, the 4352
owner or operator of each solid waste disposal facility in the 4353
municipal corporation or township that is required to collect the 4354
fee by the ordinance or resolution, and the director of 4355

environmental protection. Although the fees levied under this 4356
division are levied on the basis of tons as the unit of 4357
measurement, the legislative authority, in its ordinance or 4358
resolution levying the fees under this division, may direct that 4359
the fees be levied on the basis of cubic yards as the unit of 4360
measurement based upon a conversion factor of three cubic yards 4361
per ton generally or one cubic yard per ton for baled wastes. 4362

Not later than five days after enacting an ordinance or 4363
adopting a resolution under this division, the legislative 4364
authority shall so notify by certified mail the owner or operator 4365
of each solid waste disposal facility that is required to collect 4366
the fee. Collection of any fee levied on or after March 24, 1992, 4367
shall commence on the first day of the second month following the 4368
month in which notification is sent to the owner or operator. 4369

(D)(1) The fees levied under divisions (A), (B), and (C) of 4370
this section do not apply to the disposal of solid wastes that: 4371

(a) Are disposed of at a facility owned by the generator of 4372
the wastes when the solid waste facility exclusively disposes of 4373
solid wastes generated at one or more premises owned by the 4374
generator regardless of whether the facility is located on a 4375
premises where the wastes are generated; 4376

(b) Are disposed of at facilities that exclusively dispose of 4377
wastes that are generated from the combustion of coal, or from the 4378
combustion of primarily coal in combination with scrap tires, that 4379
is not combined in any way with garbage at one or more premises 4380
owned by the generator. 4381

(2) Except as provided in section 3734.571 of the Revised 4382
Code, any fees levied under division (B)(1) of this section apply 4383
to solid wastes originating outside the boundaries of a county or 4384
joint district that are covered by an agreement for the joint use 4385
of solid waste facilities entered into under section 343.02 of the 4386

Revised Code by the board of county commissioners or board of 4387
directors of the county or joint district where the wastes are 4388
generated and disposed of. 4389

(3) When solid wastes, other than solid wastes that consist 4390
of scrap tires, are burned in a disposal facility that is an 4391
incinerator or energy recovery facility, the fees levied under 4392
divisions (A), (B), and (C) of this section shall be levied upon 4393
the disposal of the fly ash and bottom ash remaining after burning 4394
of the solid wastes and shall be collected by the owner or 4395
operator of the sanitary landfill where the ash is disposed of. 4396

(4) When solid wastes are delivered to a solid waste transfer 4397
facility, the fees levied under divisions (A), (B), and (C) of 4398
this section shall be levied upon the disposal of solid wastes 4399
transported off the premises of the transfer facility for disposal 4400
and shall be collected by the owner or operator of the solid waste 4401
disposal facility where the wastes are disposed of. 4402

(5) The fees levied under divisions (A), (B), and (C) of this 4403
section do not apply to sewage sludge that is generated by a waste 4404
water treatment facility holding a national pollutant discharge 4405
elimination system permit and that is disposed of through 4406
incineration, land application, or composting or at another 4407
resource recovery or disposal facility that is not a landfill. 4408

(6) The fees levied under divisions (A), (B), and (C) of this 4409
section do not apply to solid wastes delivered to a solid waste 4410
composting facility for processing. When any unprocessed solid 4411
waste or compost product is transported off the premises of a 4412
composting facility and disposed of at a landfill, the fees levied 4413
under divisions (A), (B), and (C) of this section shall be 4414
collected by the owner or operator of the landfill where the 4415
unprocessed waste or compost product is disposed of. 4416

(7) When solid wastes that consist of scrap tires are 4417

processed at a scrap tire recovery facility, the fees levied under 4418
divisions (A), (B), and (C) of this section shall be levied upon 4419
the disposal of the fly ash and bottom ash or other solid wastes 4420
remaining after the processing of the scrap tires and shall be 4421
collected by the owner or operator of the solid waste disposal 4422
facility where the ash or other solid wastes are disposed of. 4423

(E) The fees levied under divisions (B) and (C) of this 4424
section shall be collected by the owner or operator of the solid 4425
waste disposal facility where the wastes are disposed of as a 4426
trustee for the county or joint district and municipal corporation 4427
or township where the wastes are disposed of. Moneys from the fees 4428
levied under division (B) of this section shall be forwarded to 4429
the board of county commissioners or board of directors of the 4430
district in accordance with rules adopted under division (H) of 4431
this section. Moneys from the fees levied under division (C) of 4432
this section shall be forwarded to the treasurer or such other 4433
officer of the municipal corporation as, by virtue of the charter, 4434
has the duties of the treasurer or to the clerk of the township, 4435
as appropriate, in accordance with those rules. 4436

(F) Moneys received by the treasurer or such other officer of 4437
the municipal corporation under division (E) of this section shall 4438
be paid into the general fund of the municipal corporation. Moneys 4439
received by the clerk of the township under that division shall be 4440
paid into the general fund of the township. The treasurer or such 4441
other officer of the municipal corporation or the clerk, as 4442
appropriate, shall maintain separate records of the moneys 4443
received from the fees levied under division (C) of this section. 4444

(G) Moneys received by the board of county commissioners or 4445
board of directors under division (E) of this section or section 4446
3734.571, 3734.572, 3734.573, or 3734.574 of the Revised Code 4447
shall be paid to the county treasurer, or other official acting in 4448
a similar capacity under a county charter, in a county district or 4449

to the county treasurer or other official designated by the board 4450
of directors in a joint district and kept in a separate and 4451
distinct fund to the credit of the district. If a regional solid 4452
waste management authority has been formed under section 343.011 4453
of the Revised Code, moneys received by the board of trustees of 4454
that regional authority under division (E) of this section shall 4455
be kept by the board in a separate and distinct fund to the credit 4456
of the district. Moneys in the special fund of the county or joint 4457
district arising from the fees levied under division (B) of this 4458
section and the fee levied under division (A) of section 3734.573 4459
of the Revised Code shall be expended by the board of county 4460
commissioners or directors of the district in accordance with the 4461
district's solid waste management plan or amended plan approved 4462
under section 3734.521, 3734.55, or 3734.56 of the Revised Code 4463
exclusively for the following purposes: 4464

(1) Preparation of the solid waste management plan of the 4465
district under section 3734.54 of the Revised Code, monitoring 4466
implementation of the plan, and conducting the periodic review and 4467
amendment of the plan required by section 3734.56 of the Revised 4468
Code by the solid waste management policy committee; 4469

(2) Implementation of the approved solid waste management 4470
plan or amended plan of the district, including, without 4471
limitation, the development and implementation of solid waste 4472
recycling or reduction programs; 4473

(3) Providing financial assistance to boards of health within 4474
the district, if solid waste facilities are located within the 4475
district, for enforcement of this chapter and rules, orders, and 4476
terms and conditions of permits, licenses, and variances adopted 4477
or issued under it, other than the hazardous waste provisions of 4478
this chapter and rules adopted and orders and terms and conditions 4479
of permits issued under those provisions; 4480

(4) Providing financial assistance to each county within the 4481

district to defray the added costs of maintaining roads and other 4482
public facilities and of providing emergency and other public 4483
services resulting from the location and operation of a solid 4484
waste facility within the county under the district's approved 4485
solid waste management plan or amended plan; 4486

(5) Pursuant to contracts entered into with boards of health 4487
within the district, if solid waste facilities contained in the 4488
district's approved plan or amended plan are located within the 4489
district, for paying the costs incurred by those boards of health 4490
for collecting and analyzing samples from public or private water 4491
wells on lands adjacent to those facilities; 4492

(6) Developing and implementing a program for the inspection 4493
of solid wastes generated outside the boundaries of this state 4494
that are disposed of at solid waste facilities included in the 4495
district's approved solid waste management plan or amended plan; 4496

(7) Providing financial assistance to boards of health within 4497
the district for the enforcement of section 3734.03 of the Revised 4498
Code or to local law enforcement agencies having jurisdiction 4499
within the district for enforcing anti-littering laws and 4500
ordinances; 4501

(8) Providing financial assistance to boards of health of 4502
health districts within the district that are on the approved list 4503
under section 3734.08 of the Revised Code to defray the costs to 4504
the health districts for the participation of their employees 4505
responsible for enforcement of the solid waste provisions of this 4506
chapter and rules adopted and orders and terms and conditions of 4507
permits, licenses, and variances issued under those provisions in 4508
the training and certification program as required by rules 4509
adopted under division (L) of section 3734.02 of the Revised Code; 4510

(9) Providing financial assistance to individual municipal 4511
corporations and townships within the district to defray their 4512

added costs of maintaining roads and other public facilities and 4513
of providing emergency and other public services resulting from 4514
the location and operation within their boundaries of a 4515
composting, energy or resource recovery, incineration, or 4516
recycling facility that either is owned by the district or is 4517
furnishing solid waste management facility or recycling services 4518
to the district pursuant to a contract or agreement with the board 4519
of county commissioners or directors of the district; 4520

(10) Payment of any expenses that are agreed to, awarded, or 4521
ordered to be paid under section 3734.35 of the Revised Code and 4522
of any administrative costs incurred pursuant to that section. In 4523
the case of a joint solid waste management district, if the board 4524
of county commissioners of one of the counties in the district is 4525
negotiating on behalf of affected communities, as defined in that 4526
section, in that county, the board shall obtain the approval of 4527
the board of directors of the district in order to expend moneys 4528
for administrative costs incurred. 4529

Prior to the approval of the district's solid waste 4530
management plan under section 3734.55 of the Revised Code, moneys 4531
in the special fund of the district arising from the fees shall be 4532
expended for those purposes in the manner prescribed by the solid 4533
waste management policy committee by resolution. 4534

Notwithstanding division (G)(6) of this section as it existed 4535
prior to October 29, 1993, or any provision in a district's solid 4536
waste management plan prepared in accordance with division 4537
(B)(2)(e) of section 3734.53 of the Revised Code as it existed 4538
prior to that date, any moneys arising from the fees levied under 4539
division (B)(3) of this section prior to January 1, 1994, may be 4540
expended for any of the purposes authorized in divisions (G)(1) to 4541
(10) of this section. 4542

(H) The director shall adopt rules in accordance with Chapter 4543
119. of the Revised Code prescribing procedures for collecting and 4544

forwarding the fees levied under divisions (B) and (C) of this 4545
section to the boards of county commissioners or directors of 4546
county or joint solid waste management districts and to the 4547
treasurers or other officers of municipal corporations or to the 4548
clerks of townships. The rules also shall prescribe the dates for 4549
forwarding the fees to the boards and officials and may prescribe 4550
any other requirements the director considers necessary or 4551
appropriate to implement and administer divisions (A), (B), and 4552
(C) of this section. Collection of the fees levied under division 4553
(A)(1) of this section shall commence on July 1, 1993. Collection 4554
of the fees levied under division (A)(2) of this section shall 4555
commence on January 1, 1994. 4556

Sec. 3769.021. The state racing commission shall appoint a 4557
secretary, who shall serve during the pleasure of the commission. 4558
The secretary shall devote ~~his~~ full time to the duties of the 4559
office and shall not hold any other office or employment. To be 4560
eligible for appointment as secretary, a person ~~must~~ shall meet 4561
the qualifications required of a commissioner under section 4562
3769.02 of the Revised Code, ~~and the~~ except that the secretary 4563
shall be a qualified elector and resident of the state and does 4564
not need to additionally satisfy the qualification of a 4565
commissioner to be a resident of this state for not less than five 4566
years immediately preceding appointment. The secretary is subject 4567
to the restrictions applying to a commissioner under that section. 4568

The secretary shall be paid a salary fixed pursuant to 4569
section 124.14 of the Revised Code and shall be allowed actual and 4570
necessary traveling expenses when on commission business. The 4571
salary and expenses shall be paid out of the state racing 4572
commission operating fund created by section 3769.03 of the 4573
Revised Code. 4574

The secretary shall attend all meetings of the commission. ~~He~~ 4575

The secretary shall keep a complete record of its proceedings and 4576
preserve, at its general office, all books, maps, documents, and 4577
papers entrusted to its care. 4578

~~He~~ The secretary shall be the executive officer of the 4579
commission and be responsible for keeping all commission records 4580
and the carrying out of the rules and orders of the commission. ~~He~~ 4581
The secretary shall perform ~~such~~ any other duties ~~as~~ the 4582
commission prescribes. 4583

Sec. 3769.087. (A) In addition to the commission of eighteen 4584
per cent retained by each permit holder as provided in section 4585
3769.08 of the Revised Code, each permit holder shall retain an 4586
additional amount equal to four per cent of the total of all 4587
moneys wagered on each racing day on all wagering pools other than 4588
win, place, and show, of which amount retained an amount equal to 4589
three per cent of the total of all moneys wagered on each racing 4590
day on those pools shall be paid by check, draft, or money order 4591
to the tax commissioner, as a tax. Subject to the restrictions 4592
contained in divisions (B), (C), and (M) of section 3769.08 of the 4593
Revised Code, from such additional moneys paid to the tax 4594
commissioner: 4595

(1) Four-sixths shall be allocated to fund distribution as 4596
provided in division (M) of section 3769.08 of the Revised Code. 4597

(2) One-twelfth shall be paid into the Ohio fairs fund 4598
created by section 3769.082 of the Revised Code. 4599

(3) One-twelfth of the additional moneys paid to the tax 4600
commissioner by thoroughbred racing permit holders shall be paid 4601
into the Ohio thoroughbred race fund created by section 3769.083 4602
of the Revised Code. 4603

(4) One-twelfth of the additional moneys paid to the tax 4604
commissioner by harness horse racing permit holders shall be paid 4605

to the Ohio standardbred development fund created by section 4606
3769.085 of the Revised Code. 4607

(5) One-twelfth of the additional moneys paid to the tax 4608
commissioner by quarter horse racing permit holders shall be paid 4609
to the Ohio quarter horse development fund created by section 4610
3769.086 of the Revised Code. 4611

(6) One-sixth shall be paid into the state racing commission 4612
operating fund created by section 3769.03 of the Revised Code. 4613

The remaining one per cent that is retained of the total of 4614
all moneys wagered on each racing day on all pools other than win, 4615
place, and show, shall be retained by racing permit holders, and, 4616
except as otherwise provided in section 3769.089 of the Revised 4617
Code, racing permit holders shall use one-half for purse money and 4618
retain one-half. 4619

(B) In addition to the commission of eighteen per cent 4620
retained by each permit holder as provided in section 3769.08 of 4621
the Revised Code and the additional amount retained by each permit 4622
holder as provided in division (A) of this section, each permit 4623
holder shall retain an additional amount equal to one-half of one 4624
per cent of the total of all moneys wagered on each racing day on 4625
all wagering pools other than win, place, and show. Except as 4626
provided in division (C) of this section, from the additional 4627
amount retained under this division, each permit holder shall 4628
retain an amount equal to one-quarter of one per cent of the total 4629
of all moneys wagered on each racing day on all pools other than 4630
win, place, and show and shall pay that amount by check, draft, or 4631
money order to the tax commissioner, as a tax. The tax 4632
commissioner shall pay the amount of the tax received under this 4633
division to the state racing commission operating fund created by 4634
section 3769.03 of the Revised Code. 4635

Except as provided in division (C) of this section, the 4636

remaining one-quarter of one per cent that is retained from the 4637
total of all moneys wagered on each racing day on all pools other 4638
than win, place, and show shall be retained by the permit holder, 4639
and the permit holder shall use one-half for purse money and 4640
retain one-half. 4641

(C) During the period commencing on July 1, 2003, and ending 4642
on and including June 30, ~~2004~~ 2005, the additional amount 4643
retained by each permit holder under division (B) of this section 4644
shall be paid by check, draft, or money order to the tax 4645
commissioner, as a tax. The tax commissioner shall pay the amount 4646
of the tax received under this division to the state racing 4647
commission operating fund created by section 3769.03 of the 4648
Revised Code. 4649

Sec. 3781.19. There is hereby established in the department 4650
of commerce a board of building appeals consisting of five members 4651
who shall be appointed by the governor with the advice and consent 4652
of the senate. Terms of office shall be for four years, commencing 4653
on the fourteenth day of October and ending on the thirteenth day 4654
of October. Each member shall hold office from the date of ~~his~~ 4655
appointment until the end of the term for which ~~he~~ the member was 4656
appointed. Any member appointed to fill a vacancy occurring prior 4657
to the expiration of the term for which ~~his~~ the member's 4658
predecessor was appointed shall hold office for the remainder of 4659
such term. Any member shall continue in office subsequent to the 4660
expiration date of ~~his~~ the member's term until ~~his~~ a successor 4661
takes office, or until a period of sixty days has elapsed, 4662
whichever occurs first. One member shall be an attorney-at-law, 4663
admitted to the bar of this state and of the remaining members, 4664
one shall be a registered architect and one shall be a 4665
professional engineer, each of whom shall be duly licensed to 4666
practice their respective professions in this state, one shall be 4667
a fire prevention officer qualified under section 3737.66 of the 4668

Revised Code, and one shall be a person with recognized ability in 4669
the plumbing or pipefitting profession. No member of the board of 4670
building standards shall be a member of the board of building 4671
appeals. Each member shall be paid an amount fixed pursuant to 4672
Chapter 124. of the Revised Code per diem. The department shall 4673
provide and assign to the board such employees as are required by 4674
the board to perform its functions. The board may adopt its own 4675
rules of procedure not inconsistent with sections 3781.06 to 4676
3781.18 and 3791.04 of the Revised Code, and may change them in 4677
its discretion. The board may establish reasonable fees, based on 4678
actual costs for administration of filing and processing, not to 4679
exceed ~~one~~ two hundred dollars, for the costs of filing and 4680
processing appeals. A full and complete record of all proceedings 4681
of the board shall be kept and be open to public inspection. 4682

In the enforcement by any department of the state or any 4683
political subdivision of this chapter and Chapter 3791., and 4684
sections 3737.41, 3737.42, 4104.02, 4104.06, 4104.44, 4104.45, 4685
4105.011, and 4105.11 of the Revised Code and any rule made 4686
thereunder, such department is the agency referred to in sections 4687
119.07, 119.08, and 119.10 of the Revised Code. 4688

The appropriate municipal or county board of appeals, where 4689
one exists, certified pursuant to section 3781.20 of the Revised 4690
Code shall conduct the adjudication hearing referred to in 4691
sections 119.09 to 119.13 and required by section 3781.031 of the 4692
Revised Code. If there is no certified municipal or county board 4693
of appeals, the board of building appeals shall conduct the 4694
adjudication hearing. If the adjudication hearing concerns section 4695
3781.111 of the Revised Code or any rule made thereunder, 4696
reasonable notice of the time, date, place, and subject of the 4697
hearing shall be given to any local corporation, association, or 4698
other organization composed of or representing handicapped 4699
persons, as defined in section 3781.111 of the Revised Code, or if 4700

there is no local organization, then to any statewide corporation, 4701
association, or other organization composed of or representing 4702
handicapped persons. 4703

In addition to the provisions of Chapter 119. of the Revised 4704
Code, the municipal, county, or state board of building appeals, 4705
as the agency conducting the adjudication hearing, may reverse or 4706
modify the order of the enforcing agency if it finds that the 4707
order is contrary to this chapter and Chapters 3791. and 4104., 4708
and sections 3737.41, 3737.42, 4105.011 and 4105.11 of the Revised 4709
Code and any rule made thereunder or to a fair interpretation or 4710
application of such laws or any rule made thereunder, or that a 4711
variance from the provisions of such laws or any rule made 4712
thereunder, in the specific case, will not be contrary to the 4713
public interest where a literal enforcement of such provisions 4714
will result in unnecessary hardship. 4715

The state board of building appeals or a certified municipal 4716
or county board of appeals shall render its decision within thirty 4717
days after the date of the adjudication hearing. Following the 4718
adjudication hearing, any municipal or county officer, official 4719
municipal or county board, or person who was a party to the 4720
hearing before the municipal or county board of appeals may apply 4721
to the state board of appeals for a de novo hearing before the 4722
state board, or may appeal directly to the court of common pleas 4723
pursuant to section 3781.031 of the Revised Code. 4724

In addition, any local corporation, association, or other 4725
organization composed of or representing handicapped persons as 4726
defined in section 3781.111 of the Revised Code, or, if no local 4727
corporation, association, or organization exists, then any 4728
statewide corporation, association, or other organization composed 4729
of or representing handicapped persons may apply for the de novo 4730
hearing or appeal to the court of common pleas from any decision 4731
of a certified municipal or county board of appeals interpreting, 4732

applying, or granting a variance from section 3781.111 of the 4733
Revised Code and any rule made thereunder. Application for a de 4734
novo hearing before the state board shall be made no later than 4735
thirty days after the municipal or county board renders its 4736
decision. 4737

The state board of building appeals or the appropriate 4738
certified local board of building appeals shall grant variances 4739
and exemptions from the requirements of section 3781.108 of the 4740
Revised Code in accordance with rules adopted by the board of 4741
building standards pursuant to division (J) of section 3781.10 of 4742
the Revised Code. 4743

The state board of building appeals or the appropriate 4744
certified local board of building appeals shall, in granting a 4745
variance or exemption from section 3781.108 of the Revised Code, 4746
in addition to any other considerations the state or the 4747
appropriate local board determines appropriate, consider the 4748
architectural and historical significance of the building. 4749

Sec. 4701.03. (A) The accountancy board annually shall elect 4750
a president, secretary, and treasurer from its members. The board 4751
may adopt and amend rules for the orderly conduct of its affairs 4752
and for the administration of this chapter. The board may adopt 4753
and amend rules defining the practice of public accounting, rules 4754
of professional conduct appropriate to establish and maintain a 4755
high standard of integrity and dignity in registrants and 4756
certificate holders under this chapter, and rules regulating the 4757
sole proprietorship, partnership, limited liability company, 4758
professional association, corporation-for-profit, or other legal 4759
entity practice of public accounting. A majority of the board 4760
shall constitute a quorum for the transaction of business. 4761

(B) The board shall keep and hold open for public inspection 4762
all records of its proceedings. 4763

(C) The board may employ any clerks that are necessary to 4764
assist it in the performance of its duties and the keeping of its 4765
records. If the board employs an executive director, the executive 4766
director shall be paid in accordance with pay range 18 of ~~salary~~ 4767
schedule E-1 ~~listed in~~ of section 124.152 of the Revised Code, or, 4768
if the director was employed and being paid on June 28, 2003, in 4769
accordance with step 7 in pay range 18 of schedule E-1 of former 4770
section 124.152 of the Revised Code and continued to be so paid on 4771
June 29, 2003, the executive director shall be paid in accordance 4772
with pay range 18 of salary schedule E-1 for step seven only of 4773
section 124.152 of the Revised Code. 4774

Sec. 4707.05. Except as otherwise provided in section 4707.25 4775
of the Revised Code, all fees and charges collected by the 4776
department of agriculture pursuant to this chapter shall be paid 4777
into the state treasury to the credit of the auctioneers fund, 4778
which is hereby created. All expenses incurred by the department 4779
in administering this chapter shall be paid out of the fund. The 4780
total expenses incurred by the department in the administration of 4781
this chapter shall not exceed the total fees, charges, fines, and 4782
penalties imposed under sections 4707.08, 4707.10, and 4707.99 of 4783
the Revised Code and paid to the treasurer of state. The 4784
department may conduct education programs for the enlightenment 4785
and benefit of all auctioneers who have paid fees pursuant to 4786
sections 4707.08 and 4707.10 of the Revised Code. 4787

Out of the moneys credited pursuant to this section, the fund 4788
shall be assessed a proportionate share of the administrative 4789
costs of the department in accordance with procedures prescribed 4790
by the director of agriculture and approved by the director of 4791
budget and management. The assessment shall be paid from the 4792
auctioneers fund to the division of administration fund. 4793

At the end of each fiscal year, if the balance of the fund is 4794

greater than three hundred thousand dollars, the director of 4795
agriculture shall request the director of budget and management 4796
to, and the director of budget and management shall, transfer 4797
twenty-five per cent of the balance that is in excess of three 4798
hundred thousand dollars to the auction recovery fund created in 4799
section 4707.25 of the Revised Code. 4800

Sec. 4758.20. (A) The chemical dependency professionals board 4801
shall adopt rules to establish, specify, or provide for all of the 4802
following: 4803

(1) Fees for the purposes authorized by section 4758.21 of 4804
the Revised Code; 4805

(2) For the purpose of section 4758.23 of the Revised Code, 4806
codes of ethical practice and professional conduct for individuals 4807
who hold a license or certificate issued under this chapter; 4808

(3) For the purpose of section 4758.24 of the Revised Code, 4809
all of the following: 4810

(a) Good moral character requirements for an individual who 4811
seeks or holds a license or certificate issued under this chapter; 4812

(b) The documents that an individual seeking such a license 4813
or certificate must submit to the board; 4814

(c) Requirements to obtain the license or certificate that 4815
are in addition to the requirements established under sections 4816
4758.40, 4758.41, 4758.42, 4758.43, 4758.44, and 4758.45 of the 4817
Revised Code. The additional requirements may include 4818
preceptorships. 4819

(4) Procedures for renewal of a chemical dependency counselor 4820
I license under section 4758.27 of the Revised Code; 4821

(5) For the purpose of section 4758.28 of the Revised Code, 4822
requirements for approval of continuing education courses of study 4823
for individuals who hold a license or certificate issued under 4824

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| this chapter; | 4825 |
| (6) For the purpose of section 4758.30 of the Revised Code, the intervention for and treatment of an individual holding a license or certificate issued under this chapter whose abilities to practice are impaired due to abuse of or dependency on alcohol or other drugs or other physical or mental condition; | 4826 4827 4828 4829 4830 |
| (7) Requirements governing reinstatement of a suspended or revoked license or certificate under division (B) of section 4758.30 of the Revised Code, including requirements for determining the amount of time an individual must wait to apply for reinstatement; | 4831 4832 4833 4834 4835 |
| (8) For the purpose of section 4758.31 of the Revised Code, methods of ensuring that all records the board holds pertaining to an investigation remain confidential during the investigation; | 4836 4837 4838 |
| (9) Criteria for employees of the board to follow when performing their duties under division (B) of section 4758.35 of the Revised Code; | 4839 4840 4841 |
| (10) For the purpose of division (A)(1) of section 4758.40 of the Revised Code, course requirements for a master's degree in behavioral sciences that shall, at a minimum, include at least sixty quarter hours, or the equivalent number of semester hours, in all of the following courses: | 4842 4843 4844 4845 4846 |
| (a) Theories of counseling and psychotherapy; | 4847 |
| (b) Counseling procedures; | 4848 |
| (c) Group process and techniques; | 4849 |
| (d) Relationship therapy; | 4850 |
| (e) Research methods and statistics; | 4851 |
| (f) Fundamentals of assessment and diagnosis, including measurement and appraisal; | 4852 4853 |

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| (g) Psychopathology; | 4854 |
| (h) Human development; | 4855 |
| (i) Cultural competence in counseling; | 4856 |
| (j) Ethics. | 4857 |
| (11) For the purpose of division (A)(3) of section 4758.40, | 4858 |
| division (A)(3) of section 4758.41, and division (A)(3) of section | 4859 |
| 4758.42, training requirements for chemical dependency that shall, | 4860 |
| at a minimum, include qualifications for the individuals who | 4861 |
| provide the training and instruction in all of the following | 4862 |
| courses: | 4863 |
| (a) Theories of addiction; | 4864 |
| (b) Counseling procedures and strategies with addicted | 4865 |
| populations; | 4866 |
| (c) Group process and techniques working with addicted | 4867 |
| populations; | 4868 |
| (d) Assessment and diagnosis of addiction; | 4869 |
| (e) Relationship counseling with addicted populations; | 4870 |
| (f) Pharmacology; | 4871 |
| (g) Prevention strategies; | 4872 |
| (h) Treatment planning; | 4873 |
| (i) Legal and ethical issues. | 4874 |
| (12) For the purpose of division (B)(2)(b) of section 4758.40 | 4875 |
| and division (B)(2) of section 4758.41 of the Revised Code, | 4876 |
| requirements for the forty clock hours of training on the version | 4877 |
| of the diagnostic and statistical manual of mental disorders that | 4878 |
| is current at the time of the training, including the number of | 4879 |
| the clock hours that must be on substance-related disorders and | 4880 |
| the number of the clock hours that must be on awareness of other | 4881 |

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| mental and emotional disorders; | 4882 |
| (13) For the purpose of division (A)(1) of section 4758.41 of the Revised Code, course requirements for a bachelor's degree in behavioral sciences; | 4883 4884 4885 |
| (14) For the purpose of division (A) of section 4758.43 of the Revised Code, training requirements for chemical dependency counseling that shall, at a minimum, include qualifications for the individuals who provide the training and instruction in one or more of the courses listed in division (A)(11) of this section as selected by the individual seeking the chemical dependency counselor assistant certificate; | 4886 4887 4888 4889 4890 4891 4892 |
| (15) For the purpose of division (A)(3) of section 4758.44, division (A)(3) of section 4758.45, and division (A)(2) of section 4758.53 of the Revised Code, requirements for prevention-related education; | 4893 4894 4895 4896 |
| (16) For the purpose of section 4758.51 of the Revised Code, continuing education requirements for individuals who hold a license or certificate issued under this chapter; | 4897 4898 4899 |
| (17) For the purpose of section 4758.51 of the Revised Code, the number of hours of continuing education that an individual must complete to have an expired license or certificate restored under section 4758.26 of the Revised Code; | 4900 4901 4902 4903 |
| (18) For the purpose of section 4758.53 of the Revised Code, the requirements an individual holding a registered applicant certificate must complete to take an examination administered pursuant to section 4758.22 of the Revised Code to obtain a prevention specialist II certificate or prevention specialist I certificate and the documentation the individual must submit to the board showing that the individual has completed the requirements; | 4904 4905 4906 4907 4908 4909 4910 4911 |
| (19) The method of determining the amount of time an | 4912 |

individual must wait to apply to the board for a new registered 4913
applicant certificate under division (B) of section 4758.53 of the 4914
Revised Code; 4915

(20) The duties of an independent chemical dependency 4916
counselor licensed under this chapter who supervises a chemical 4917
dependency counselor III under section 4758.56~~7~~i; independent 4918
chemical dependency counselor or chemical dependency counselor III 4919
licensed under this chapter who supervises a chemical dependency 4920
counselor assistant under section 4758.59~~7~~i or prevention 4921
specialist II or prevention specialist I certified under this 4922
chapter or independent chemical dependency counselor, chemical 4923
dependency counselor III, or chemical dependency counselor II 4924
licensed under this chapter who supervises a registered applicant 4925
under section 4758.61 of the Revised Code. The duties may differ. 4926

(21) Anything else necessary to administer this chapter. 4927

(B) All rules adopted under this section shall be adopted in 4928
accordance with Chapter 119. of the Revised Code and any 4929
applicable federal laws and regulations. Initial rules shall be 4930
adopted not later than nine months after ~~the effective date of~~ 4931
~~this section~~ December 23, 2002. 4932

(C) When it adopts rules under this section, the board may 4933
consider standards established by any national association or 4934
other organization representing the interests of those involved in 4935
chemical dependency counseling or alcohol and other drug 4936
prevention services. 4937

Sec. 4758.40. An individual seeking an independent chemical 4938
dependency counselor license shall meet either of the following 4939
requirements: 4940

(A) Meet all of the following requirements: 4941

(1) Hold from an accredited educational institution at least 4942

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| a master's degree in behavioral sciences that meets the course | 4943 |
| requirements specified in rules adopted under section 4758.20 of | 4944 |
| the Revised Code; | 4945 |
| (2) Have not less than four thousand hours of compensated | 4946 |
| work experience in either of the following, not less than eight | 4947 |
| hundred hours of which are in chemical dependency counseling: | 4948 |
| (a) Chemical dependency services, substance abuse services, | 4949 |
| or both types of services; | 4950 |
| (b) The practice of psychology, as defined in section 4732.01 | 4951 |
| of the Revised Code, or the practice of professional counseling or | 4952 |
| the practice of social work, both as defined in section 4757.01 of | 4953 |
| the Revised Code. | 4954 |
| (3) Have a minimum of two hundred seventy hours of training | 4955 |
| in chemical dependency that meets the requirements specified in | 4956 |
| rules adopted under section 4758.20 of the Revised Code; | 4957 |
| (4) Pass one or more examinations administered pursuant to | 4958 |
| section 4758.22 of the Revised Code for the purpose of determining | 4959 |
| competence to practice as an independent chemical dependency | 4960 |
| counselor. | 4961 |
| (B) Meet both of the following requirements: | 4962 |
| (1) Hold, on the effective date of this section <u>December 23,</u> | 4963 |
| <u>2002</u> , a certificate or credentials that were accepted under | 4964 |
| section 3793.07 of the Revised Code as authority to practice as a | 4965 |
| certified chemical dependency counselor III or certified chemical | 4966 |
| dependency counselor III-E; | 4967 |
| (2) Meet one of the following requirements: | 4968 |
| (a) Hold the degree described in division (A)(1) of this | 4969 |
| section; | 4970 |
| (b) Have held a chemical dependency counselor III, II, or I | 4971 |
| certificate for at least eight consecutive years and have not less | 4972 |

than forty clock hours of training on the version of the 4973
diagnostic and statistical manual of mental disorders that is 4974
current at the time of the training. The training must meet the 4975
requirements specified in rules adopted under section 4758.20 of 4976
the Revised Code and have been provided by an individual 4977
authorized under Chapter 4731. of the Revised Code to practice 4978
medicine and surgery or osteopathic medicine and surgery, a 4979
psychologist licensed under Chapter 4732. of the Revised Code, ~~or~~ 4980
a professional clinical counselor or independent social worker 4981
licensed under Chapter 4757. of the Revised Code, or an 4982
independent chemical dependency counselor licensed under this 4983
chapter. 4984

Sec. 4758.41. An individual seeking a chemical dependency 4985
counselor III license shall meet any of the following 4986
requirements: 4987

(A) Meet all of the following requirements: 4988

(1) Hold from an accredited educational institution a 4989
bachelor's degree in a behavioral science that meets the course 4990
requirements specified in rules adopted under section 4758.20 of 4991
the Revised Code; 4992

(2) Have not less than four thousand hours of compensated 4993
work experience in either of the following, not less than eight 4994
hundred work hours of which are in chemical dependency counseling: 4995

(a) Chemical dependency services, substance abuse services, 4996
or both types of services; 4997

(b) The practice of psychology, as defined in section 4732.01 4998
of the Revised Code, or the practice of professional counseling or 4999
the practice of social work, both as defined in section 4757.01 of 5000
the Revised Code. 5001

(3) Have a minimum of two hundred seventy hours of training 5002

in chemical dependency that meets the requirements specified in 5003
rules adopted under section 4758.20 of the Revised Code; 5004

(4) Pass one or more examinations administered pursuant to 5005
section 4758.22 of the Revised Code for the purpose of determining 5006
competence to practice as a chemical dependency counselor III. 5007

(B) Meet both of the following requirements: 5008

(1) Hold, on ~~the effective date of this section~~ December 23, 5009
2002, a certificate or credentials that were accepted under 5010
section 3793.07 of the Revised Code as authority to practice as a 5011
certified chemical dependency counselor III or certified chemical 5012
dependency counselor III-E; 5013

(2) Have not less than forty clock hours of training on the 5014
version of the diagnostic and statistical manual of mental 5015
disorders that is current at the time of the training. The 5016
training must meet the requirements specified in rules adopted 5017
under section 4758.20 of the Revised Code and have been provided 5018
by an individual authorized under Chapter 4731. of the Revised 5019
Code to practice medicine and surgery or osteopathic medicine and 5020
surgery, a psychologist licensed under Chapter 4732. of the 5021
Revised Code, ~~or~~ a professional clinical counselor or independent 5022
social worker licensed under Chapter 4757. of the Revised Code, or 5023
an independent chemical dependency counselor licensed under this 5024
chapter. 5025

(C) Meet all of the following requirements: 5026

(1) Hold, on ~~the effective date of this section~~ December 23, 5027
2002, a certificate or credentials that were accepted under 5028
section 3793.07 of the Revised Code as authority to practice as a 5029
certified chemical dependency counselor II; 5030

(2) Meet the requirement of division (B)(2) of this section; 5031

(3) Hold a bachelor's degree in a behavioral science. 5032

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| Sec. 4758.42. An individual seeking a chemical dependency counselor II license shall meet either of the following requirements: | 5033 5034 5035 |
| (A) Meet all of the following requirements: | 5036 |
| (1) Hold from an accredited educational institution an associate's degree in a behavioral science or a bachelor's degree in any field; | 5037 5038 5039 |
| (2)(a) If the individual holds an associate's degree, have not less than five thousand hours of compensated or volunteer work, field placement, intern, or practicum experience in either of the following, not less than one thousand hours of which are in chemical dependency counseling: | 5040 5041 5042 5043 5044 |
| (i) Chemical dependency services, substance abuse services, or both types of services; | 5045 5046 |
| (ii) The practice of psychology, as defined in section 4732.01 of the Revised Code, or the practice of professional counseling or the practice of social work, both as defined in section 4757.01 of the Revised Code. | 5047 5048 5049 5050 |
| (b) If the individual holds a bachelor's degree, have not less than six thousand hours of compensated or volunteer work, field placement, intern, or practicum experience in either of the following, not less than one thousand two hundred hours of which are in chemical dependency counseling: | 5051 5052 5053 5054 5055 |
| (i) Chemical dependency services, substance abuse services, or both types of services; | 5056 5057 |
| (ii) The practice of psychology, as defined in section 4732.01 of the Revised Code, or the practice of professional counseling or the practice of social work, both as defined in section 4757.01 of the Revised Code. | 5058 5059 5060 5061 |

(3) Have a minimum of two hundred seventy hours of training in chemical dependency that meets the requirements specified in rules adopted under section 4758.20 of the Revised Code;

(4) Pass one or more examinations administered pursuant to section 4758.22 of the Revised Code for the purpose of determining competence to practice as a chemical dependency counselor II.

(B) Meet both of the following requirements:

(1) ~~Hold~~ Unless the individual files a written application for the chemical dependency counselor II license under section 4758.35 of the Revised Code before the date that is one year after the effective date of this amendment, hold a degree described in division (A)(1) of this section;

(2) Hold, on ~~the effective date of this section~~ December 23, 2002, a certificate or credentials that were accepted under section 3793.07 of the Revised Code as authority to practice as a certified chemical dependency counselor II.

Sec. 4758.55. ~~An~~ In addition to practicing chemical dependency counseling, an individual holding a valid independent chemical dependency counselor license may do all of the following:

(A) Diagnose and treat chemical dependency conditions;

(B) Perform treatment planning, assessment, crisis intervention, individual and group counseling, case management, and education services as they relate to abuse of and dependency on alcohol and other drugs;

(C) Refer individuals with nonchemical dependency conditions to appropriate sources of help.

Sec. 4758.56. (A) ~~An~~ In addition to practicing chemical dependency counseling, an individual holding a valid chemical dependency counselor III license may do all of the following:

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|---|--|
| (1) Diagnose chemical dependency conditions under the supervision of any of the following: | 5091 5092 |
| (a) An independent chemical dependency counselor licensed under this chapter; | 5093 5094 |
| (b) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery; | 5095 5096 5097 |
| (c) A psychologist licensed under Chapter 4732. of the Revised Code; | 5098 5099 |
| (d) A registered nurse licensed under Chapter 4723. of the Revised Code or professional clinical counselor or independent social worker licensed under Chapter 4757. of the Revised Code if such supervision is consistent with the scope of practice of the registered nurse, professional clinical counselor, or independent social worker. | 5100 5101 5102 5103 5104 5105 |
| (2) Treat chemical dependency conditions; | 5106 |
| (3) Perform treatment planning, assessment, crisis intervention, individual and group counseling, case management, and education services as they relate to abuse of and dependency on alcohol and other drugs; | 5107 5108 5109 5110 |
| (4) Refer individuals with nonchemical dependency conditions to appropriate sources of help. | 5111 5112 |
| (B) A chemical dependency counselor III may not practice as an individual practitioner. | 5113 5114 |
| Sec. 4758.57. (A) An <u>In addition to practicing chemical dependency counseling, an</u> individual holding a valid chemical dependency counselor II license may do both of the following: | 5115 5116 5117 |
| (1) Perform <u>treatment planning</u> , assessment, crisis intervention, individual and group counseling, case management, | 5118 5119 |

| | |
|--|------|
| and education services as they relate to abuse of and dependency | 5120 |
| on alcohol and other drugs; | 5121 |
| (2) Refer individuals with nonchemical dependency conditions | 5122 |
| to appropriate sources of help. | 5123 |
| (B) A chemical dependency counselor II may not practice as an | 5124 |
| individual practitioner. | 5125 |
| | |
| Sec. 4758.58. (A) Until six years after the effective date of | 5126 |
| this section <u>December 23, 2002</u> , an individual holding a valid | 5127 |
| chemical dependency counselor I certificate may do both of the | 5128 |
| following <u>in addition to practicing chemical dependency</u> | 5129 |
| <u>counseling</u> : | 5130 |
| (1) Perform <u>treatment planning</u> , assessment, crisis | 5131 |
| intervention, individual and group counseling, case management, | 5132 |
| and education services as they relate to abuse of and dependency | 5133 |
| on alcohol and other drugs; | 5134 |
| (2) Refer individuals with nonchemical dependency conditions | 5135 |
| to appropriate sources of help. | 5136 |
| (B) A chemical dependency counselor I may not practice as an | 5137 |
| individual practitioner. | 5138 |
| | |
| Sec. 4758.59. (A) Subject to division (B) of this section, an | 5139 |
| individual holding a valid chemical dependency counselor assistant | 5140 |
| certificate may do both of the following <u>in addition to practicing</u> | 5141 |
| <u>chemical dependency counseling</u> : | 5142 |
| (1) Perform <u>treatment planning</u> , assessment, crisis | 5143 |
| intervention, individual and group counseling, case management, | 5144 |
| and education services as they relate to abuse of or dependency on | 5145 |
| alcohol and other drugs; | 5146 |
| (2) Refer individuals with nonchemical dependency conditions | 5147 |
| to appropriate sources of help. | 5148 |

(B) An individual holding a valid chemical dependency counselor assistant certificate may practice chemical dependency counseling and perform the tasks specified in division (A) of this section only while under the supervision of any of the following:

(1) An independent chemical dependency counselor or chemical dependency counselor III licensed under this chapter;

(2) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(3) A psychologist licensed under Chapter 4732. of the Revised Code;

(4) A registered nurse licensed under Chapter 4723. of the Revised Code or professional clinical counselor or independent social worker licensed under Chapter 4757. of the Revised Code if such supervision is consistent with the scope of practice of the registered nurse, professional clinical counselor, or independent social worker.

(C) A chemical dependency counselor assistant may not practice as an individual practitioner.

Sec. 4758.61. An individual who holds a valid registered applicant certificate issued under this chapter may engage in the practice of alcohol and other drug prevention services under the supervision of an individual holding a valid prevention specialist II certificate ~~or~~ prevention specialist I certificate, independent chemical dependency counselor license, chemical dependency counselor III license, or chemical dependency counselor II license issued under this chapter.

Sec. 5101.27. (A) Except as permitted by this section, section 5101.28 or 5101.29 of the Revised Code, or the rules

adopted under division (A) of section 5101.30 of the Revised Code, 5178
or required by federal law, no person or government entity shall 5179
solicit, disclose, receive, use, or knowingly permit, or 5180
participate in the use of any information regarding a public 5181
assistance recipient for any purpose not directly connected with 5182
the administration of a public assistance program. 5183

(B) To the extent permitted by federal law, the department of 5184
job and family services and county agencies shall do ~~both~~ all of 5185
the following: 5186

(1) Release information regarding a public assistance 5187
recipient for purposes directly connected to the administration of 5188
the program to a government entity responsible for administering 5189
that public assistance program; 5190

(2) Provide information regarding a public assistance 5191
recipient to a law enforcement agency for the purpose of any 5192
investigation, prosecution, or criminal or civil proceeding 5193
relating to the administration of that public assistance program; 5194

(3) Provide, for purposes directly connected to the 5195
administration of a program that assists needy individuals with 5196
the costs of public utility services, information regarding a 5197
recipient of financial assistance provided under a program 5198
administered by the department or a county agency pursuant to 5199
Chapter 5107. or 5108. of the Revised Code or sections 5115.01 to 5200
5115.07 of the Revised Code to an entity administering the public 5201
utility services program. 5202

(C) To the extent permitted by federal law and section 5203
1347.08 of the Revised Code, the department and county agencies 5204
shall provide access to information regarding a public assistance 5205
recipient to all of the following: 5206

(1) The recipient; 5207

(2) The authorized representative; 5208

| | |
|--|--|
| (3) The legal guardian of the recipient; | 5209 |
| (4) The attorney of the recipient, if the attorney has written authorization that complies with section 5101.271 of the Revised Code from the recipient. | 5210 5211 5212 |
| (D) To the extent permitted by federal law and subject to division (E) of this section, the department and county agencies may do both of the following: | 5213 5214 5215 |
| (1) Release information about a public assistance recipient if the recipient gives voluntary, written authorization that complies with section 5101.271 of the Revised Code; | 5216 5217 5218 |
| (2) Release information regarding a public assistance recipient to a state, federal, or federally assisted program that provides cash or in-kind assistance or services directly to individuals based on need or for the purpose of protecting children to a government entity responsible for administering a children's protective services program. | 5219 5220 5221 5222 5223 5224 |
| (E) Except when the release is required by division (B), (C), or (D)(2) of this section, the department or county agency shall release the information only in accordance with the authorization. The department or county agency shall provide, at no cost, a copy of each written authorization to the individual who signed it. | 5225 5226 5227 5228 5229 |
| (F) The department or county agency may release information under division (D) of this section concerning the receipt of medical assistance provided under a public assistance program only if all of the following conditions are met: | 5230 5231 5232 5233 |
| (1) The release of information is for purposes directly connected to the administration of or provision of medical assistance provided under a public assistance program; | 5234 5235 5236 |
| (2) The information is released to persons or government entities that are subject to standards of confidentiality and | 5237 5238 |

safeguarding information substantially comparable to those 5239
established for medical assistance provided under a public 5240
assistance program; 5241

(3) The department or county agency has obtained an 5242
authorization consistent with section 5101.271 of the Revised 5243
Code. 5244

(G) Information concerning the receipt of medical assistance 5245
provided under a public assistance program may be released only if 5246
the release complies with this section and rules adopted by the 5247
department pursuant to section 5101.30 of the Revised Code or, if 5248
more restrictive, the Health Insurance Portability and 5249
Accountability Act of 1996, Pub. L. No. 104-191, 110 Stat. 1955, 5250
42 U.S.C. 1320d, et seq., as amended, and regulations adopted by 5251
the United States department of health and human services to 5252
implement the act. 5253

(H) The department of job and family services may adopt rules 5254
defining "authorized representative" for purposes of division 5255
(C)(2) of this section. 5256

Sec. 5111.022. (A) As used in this section: 5257

(1) "Community mental health facility" means a community 5258
mental health facility that has a quality assurance program 5259
accredited by the joint commission on accreditation of healthcare 5260
organizations or is certified by the department of mental health 5261
or department of job and family services. 5262

(2) "Mental health professional" means a person qualified to 5263
work with mentally ill persons under the standards established by 5264
the director of mental health pursuant to section 5119.611 of the 5265
Revised Code. 5266

(B) The state medicaid plan shall include provision of the 5267
following mental health services when provided by community mental 5268

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|--|--|
| health facilities: | 5269 |
| (1) Outpatient mental health services, including, but not limited to, preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, monitored, and reviewed; | 5270 5271 5272 5273 5274 5275 |
| (2) Partial-hospitalization mental health services of three to fourteen hours per service day, rendered by persons directly supervised by a mental health professional; | 5276 5277 5278 |
| (3) Unscheduled, emergency mental health services of a kind ordinarily provided to persons in crisis when rendered by persons supervised by a mental health professional; | 5279 5280 5281 |
| (4) Subject to receipt of federal approval, assertive community treatment and intensive home-based mental health services. | 5282 5283 5284 |
| (C) The comprehensive annual plan shall certify the availability of sufficient unencumbered community mental health state subsidy and local funds to match federal medicaid reimbursement funds earned by community mental health facilities. | 5285 5286 5287 5288 |
| (D) The department of job and family services shall enter into a separate contract with the department of mental health under section 5111.91 of the Revised Code with regard to the component of the medicaid program provided for by this section. | 5289 5290 5291 5292 |
| (E) Not later than May 1 <u>July 21</u> , 2004, the department of job and family services shall request federal approval to provide assertive community treatment and intensive home-based mental health services under medicaid pursuant to this section. | 5293 5294 5295 5296 |
| (F) On receipt of federal approval sought under division (E) of this section, the director of job and family services shall | 5297 5298 |

adopt rules in accordance with Chapter 119. of the Revised Code 5299
establishing ~~statewide access and acuity standards for partial~~ 5300
~~hospitalization mental health services and for~~ assertive community 5301
treatment and intensive home-based mental health services provided 5302
under medicaid pursuant to this section. The director shall 5303
consult with the department of mental health in adopting the 5304
rules. 5305

Sec. 5119.18. There is hereby created in the state treasury 5306
the department of mental health trust fund. Not later than the 5307
first day of September of each year, the director of mental health 5308
shall certify to the director of budget and management the amount 5309
of all of the unexpended, unencumbered balances of general revenue 5310
fund appropriations made to the department of mental health for 5311
the previous fiscal year, excluding funds appropriated for rental 5312
payments to the Ohio public facilities commission. On receipt of 5313
the certification, the director of budget and management shall 5314
transfer cash to the trust fund in an amount up to, but not 5315
exceeding, the total of the amounts certified by the director of 5316
mental health. 5317

In addition, the trust fund shall receive all amounts, 5318
subject to any provisions in bond documents, received from the 5319
sale or lease of lands and facilities by the department. 5320

All moneys in the trust fund shall be used by the department 5321
of mental health for mental health purposes specified in division 5322
(A) of section 5119.06 of the Revised Code. The use of moneys in 5323
the trust fund pursuant to this section does not represent an 5324
ongoing commitment to the continuation of the trust fund or to the 5325
use of moneys in the trust fund. 5326

Sec. 5123.352. There is hereby created in the state treasury 5327
the community mental retardation and developmental disabilities 5328

trust fund. The director of mental retardation and developmental 5329
disabilities, not later than sixty days after the end of each 5330
fiscal year, shall certify to the director of budget and 5331
management the amount of all the unexpended, unencumbered balances 5332
of general revenue fund appropriations made to the department of 5333
mental retardation and developmental disabilities for the fiscal 5334
year, excluding appropriations for rental payments to the Ohio 5335
public facilities commission, and the amount of any other funds 5336
held by the department in excess of amounts necessary to meet the 5337
department's operating costs and obligations pursuant to this 5338
chapter and Chapter 5126. of the Revised Code. On receipt of the 5339
certification, the director of budget and management shall 5340
transfer cash to the trust fund in an amount up to, but not 5341
exceeding, the total of the amounts certified by the director of 5342
mental retardation and developmental disabilities, except in cases 5343
in which the transfer will involve more than twenty million 5344
dollars. In such cases, the director of budget and management 5345
shall notify the controlling board and must receive the board's 5346
approval of the transfer prior to making the transfer. 5347

Except for expenses paid under division (C) of section 5348
5123.353 of the Revised Code, all moneys in the trust fund shall 5349
be distributed in accordance with section 5126.19 of the Revised 5350
Code. 5351

Sec. 5731.47. The fees of the sheriff or other officers for 5352
services performed under ~~Chapter 5731. of the Revised Code~~ this 5353
chapter and the expenses of the county auditor shall be certified 5354
by the county auditor by a report filed with the tax commissioner. 5355
If the tax commissioner finds that ~~such~~ those fees and expenses 5356
are correct and reasonable in amount, the tax commissioner shall 5357
indicate approval of the fees and expenses in writing to the 5358
county auditor. The county auditor shall pay ~~such~~ those fees and 5359
expenses out of the ~~state's share of the undivided inheritance~~ 5360

~~taxes in the county treasury and undivided estate tax fund. The~~ 5361
~~county auditor then shall deduct, from the amount required to be~~ 5362
~~credited to each of the funds or boards of education listed or~~ 5363
~~referred to in division (A) of section 5731.48 of the Revised~~ 5364
~~Code, a pro rata share of the amount so paid. The pro rata share~~ 5365
~~shall be computed on the basis of the proportions of the gross~~ 5366
~~taxes levied and paid under this chapter that are required to be~~ 5367
~~credited to the funds or boards of education listed or referred to~~ 5368
~~under that section. The county auditor shall draw warrants payable~~ 5369
~~from such those taxes on the county treasurer in favor of the fee~~ 5370
~~funds or officers personally entitled thereto to the fees and~~ 5371
~~expenses. If the fees and expenses approved by the tax~~ 5372
~~commissioner exceed the amount of the state's share of undivided~~ 5373
~~inheritance taxes in the county treasury, the county auditor shall~~ 5374
~~certify the amount of the excess to the tax commissioner, who~~ 5375
~~shall certify the amount to the director of budget and management.~~ 5376
~~The director shall provide for payment of the excess from the~~ 5377
~~general revenue fund to the county treasury, and the county~~ 5378
~~auditor shall draw warrants on the county treasurer in favor of~~ 5379
~~the appropriate fee funds or officers.~~ 5380

Sec. 5731.48. (A) If a decedent dies on or after July 1, 5381
1989, and before January 1, 2001, sixty-four per cent of the gross 5382
amount of taxes levied and paid under this chapter shall be for 5383
the use of the municipal corporation or township in which the tax 5384
originates, and shall be credited as provided in division (A)(1), 5385
(2), or (3) of this section: 5386

(1) To the general revenue fund in the case of a city; 5387

(2) To the general revenue fund of a village or to the board 5388
of education of a village, for school purposes, as the village 5389
council by resolution may approve; 5390

(3) To the general revenue fund or to the board of education 5391

of the school district of which the township is a part, for school 5392
purposes, as the board of township trustees by resolution may 5393
approve, in the case of a township. 5394

The remainder of the taxes levied and paid shall be for the 5395
use of the state and shall be credited to the general revenue fund 5396
~~after any deduction for fees and costs charged under section~~ 5397
~~5731.47 of the Revised Code.~~ 5398

(B) If a decedent dies on or after January 1, 2001, and 5399
before January 1, 2002, seventy per cent of the gross amount of 5400
taxes levied and paid under this chapter shall be for the use of 5401
the municipal corporation or township in which the tax originates 5402
and credited as provided in division (A)(1), (2), or (3) of this 5403
section, and the remainder shall be for the use of the state and 5404
credited to the general revenue fund ~~after any deduction for fees~~ 5405
~~and costs charged under section 5731.47 of the Revised Code.~~ 5406

(C) If a decedent dies on or after January 1, 2002, eighty 5407
per cent of the gross amount of taxes levied and paid under this 5408
chapter, less any deduction from the municipal corporation's or 5409
township's share of those taxes for fees or expenses charged under 5410
section 5731.47 of the Revised Code, shall be for the use of the 5411
municipal corporation or township in which the tax originates and 5412
credited as provided in division (A)(1), (2), or (3) of this 5413
section, and the remainder, less any deduction from the state's 5414
share of those taxes for fees or expenses charged under section 5415
5731.47 of the Revised Code, shall be for the use of the state and 5416
shall be credited to the general revenue fund ~~after any deduction~~ 5417
~~for fees and costs charged under section 5731.47 of the Revised~~ 5418
~~Code.~~ 5419

(D) If a municipal corporation is in default with respect to 5420
the principal or interest of any outstanding notes or bonds, one 5421
half of the taxes distributed under this section shall be credited 5422
to the sinking or bond retirement fund of the municipal 5423

corporation, and the residue shall be credited to the general 5424
revenue fund. 5425

(E) The council, board of trustees, or other legislative 5426
authority of a village or township may, by ordinance in the case 5427
of a village, or by resolution in the case of a township, provide 5428
that whenever there is money in the treasury of the village or 5429
township from taxes levied under this chapter, not required for 5430
immediate use, that money may be invested in federal, state, 5431
county, or municipal bonds, upon which there has been no default 5432
of the principal during the preceding five years. 5433

Sec. 6301.03. (A) In administering the "Workforce Investment 5434
Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended, the 5435
"Wagner-Peyser Act," 48 Stat. 113 (1933), 29 U.S.C.A. 49, as 5436
amended, the funds received pursuant to those acts, and the 5437
workforce development system, the director of job and family 5438
services may make allocations and payment of funds for the local 5439
administration of the workforce development activities established 5440
under this chapter. Pursuant to the "Workforce Investment Act of 5441
1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended, the governor 5442
shall reserve not more than fifteen per cent of the amounts 5443
allocated to the state under Title I of that act for adults, 5444
dislocated workers, and youth for statewide activities, and not 5445
more than twenty-five per cent of funds allocated for dislocated 5446
workers under Title I of that act for statewide rapid response 5447
activities. 5448

(B) The director shall allocate to local areas all funds 5449
required to be allocated to local areas pursuant to the "Workforce 5450
Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as 5451
amended. The director shall make allocations only with funds 5452
available ~~and in accordance with all of the following:~~ 5453

~~(1) If a board of county commissioners administering 5454~~

~~workforce development activities at the local level designates the 5455
county department of job and family services as its workforce 5456
development agency, the director shall allocate the funds to that 5457
county department. That county department shall deposit all funds 5458
received pursuant to this section into the county public 5459
assistance fund. 5460~~

~~(2) If a board of county commissioners administering 5461
workforce development activities at the local level designates as 5462
its workforce development agency an entity for which the board 5463
maintains responsibility or control, but which is not the county 5464
department of job and family services, the board. Local areas, as 5465
defined by either section 101 of the "Workforce Investment Act of 5466
1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended, or section 5467
6301.01 of the Revised Code, and subrecipients of a local area 5468
shall establish a ~~county~~ workforce development fund, and the 5469
entity receiving the funds shall deposit all funds received under 5470
this section into the ~~county~~ workforce development fund. All 5471
expenditures for activities funded under this section shall be 5472
made from the ~~county~~ workforce development fund. 5473~~

~~(3) If a board of county commissioners administering 5474
workforce development activities at the local level designates as 5475
its workforce development agency an entity other than one 5476
described in divisions (B)(1) and (2) of this section, the board 5477
shall designate a fiscal agent to receive and be responsible for 5478
the funds. Any entity designated by the board as the fiscal agent 5479
shall be an agency supervised by the director or the county 5480
auditor. 5481~~

~~(4) If a municipal corporation administering workforce 5482
development activities at the local level is designated to receive 5483
funds under this section, the municipal corporation shall place 5484
all funds received under this section into a special fund and all 5485
expenditures for workforce development activities shall be made 5486~~

~~from that fund. The municipal corporation may use the funds in~~ 5487
~~that fund only for the workforce development activities for which~~ 5488
~~the funds are appropriated.~~ 5489

(C) The use of funds, reporting requirements, and other 5490
administrative and operational requirements governing the use of 5491
funds received by the director pursuant to this section shall be 5492
governed by internal management rules adopted by the director 5493
pursuant to section 111.15 of the Revised Code. 5494

(D) To the extent permitted by state or federal law, the 5495
director, local areas, counties, and municipal corporations 5496
authorized to administer workforce development activities may 5497
assess a fee for specialized services requested by an employer. 5498
The director shall adopt rules pursuant to Chapter 119. of the 5499
Revised Code governing the nature and amount of those types of 5500
fees. 5501

Section 2. That existing sections 9.24, 102.02, 123.01, 5502
123.10, 124.15, 124.152, 124.181, 124.183, 124.382, 126.32, 5503
152.09, 175.21, 3311.059, 3327.01, 3334.01, 3383.09, 3701.881, 5504
3712.09, 3734.02, 3734.18, 3734.57, 3769.021, 3769.087, 3781.19, 5505
4701.03, 4707.05, 4758.20, 4758.40, 4758.41, 4758.42, 4758.55, 5506
4758.56, 4758.57, 4758.58, 4758.59, 4758.61, 5101.27, 5111.022, 5507
5119.18, 5123.352, 5731.47, 5731.48, and 6301.03 and sections 5508
152.101 and 901.85 of the Revised Code are hereby repealed. 5509

Section 3. All items set forth in Sections 3.01 to 3.04 of 5510
this act are hereby appropriated out of any moneys in the General 5511
Revenue Fund (GRF) that are not otherwise appropriated: 5512

Reappropriations

Section 3.01. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES 5513
CAP-773 Governor's Residence Restoration \$ 4,705 5514
CAP-786 Rural Areas Community Improvements \$ 440,000 5515

| | | | | |
|---|------------------------------------|----|-----------|------|
| CAP-804 | Day Care Centers | \$ | 6,472 | 5516 |
| CAP-817 | Urban Areas Community Improvements | \$ | 1,058,900 | 5517 |
| Total Department of Administrative Services | | \$ | 1,510,077 | 5518 |

RURAL AREAS COMMUNITY IMPROVEMENTS 5519

From the foregoing appropriation item CAP-786, Rural Areas 5520
Community Improvements, grants shall be made for the following 5521
projects: \$20,000 for the Smith Field Memorial Foundation; 5522
\$200,000 for the Champaign YMCA; \$75,000 for the Bellepoint Bridge 5523
Reconstruction; \$100,000 for the Mentor Fire & Police Headquarters 5524
Relocation; \$20,000 for the Red Mill Creek Water Retention Basin; 5525
and \$25,000 for the Lawrence County Water Projects. 5526

URBAN AREAS COMMUNITY IMPROVEMENTS 5527

From the foregoing appropriation item CAP-817, Urban Areas 5528
Community Improvements, grants shall be made for the following 5529
projects: \$100,000 for the Maumee Youth Center; \$25,000 for the 5530
Columbus Civic Arena Development Planning; \$50,000 for the Brown 5531
Senior Center Renovations; \$100,000 for Project AHEAD Facility 5532
Improvements; \$75,000 for the J. Frank-Troy Senior Citizens 5533
Center; \$15,000 for the Victorian Village Society; \$50,000 for the 5534
Beech Acres Family Center; \$23,900 for the Canton Jewish Women's 5535
Center; \$450,000 for the Gateway Social Services Building; \$50,000 5536
for the Loew Field Improvements; \$20,000 for the Harvard Community 5537
Services Center Renovation & Expansion; \$20,000 for the Collinwood 5538
Community Service Center Repair & Renovation; and \$80,000 for 5539
Bowman Park - City of Toledo. 5540

Reappropriations

Section 3.02. AFC ARTS AND SPORTS FACILITIES COMMISSION 5541

| | | | | |
|---|---|----|---------|------|
| CAP-819 | Cooper Stadium Relocation Feasibility Study | \$ | 350,000 | 5542 |
| Total Arts and Sports Facilities Commission | | \$ | 350,000 | 5543 |

COOPER STADIUM RELOCATION FEASIBILITY STUDY 5544

Notwithstanding division (F) of section 3383.07 of the 5545
 Revised Code, all or a portion of the foregoing appropriation item 5546
 CAP-819, Cooper Stadium Relocation Feasibility Study, may be 5547
 expended for the cost of preparing a financial and development 5548
 plan or feasibility study, renovation, and purchasing engineering 5549
 and architectural services, designs, plans, specifications, 5550
 surveys, and estimates of costs for Cooper Stadium. Any amount 5551
 expended for that purpose from the appropriation shall count 5552
 toward the maximum 15 per cent of the construction cost of the 5553
 sports facility to be paid from state funds. 5554

Reappropriations

Section 3.03. OHS OHIO HISTORICAL SOCIETY 5555

| | | | | |
|-------------------------------|------------------------------------|----|--------|------|
| CAP-745 | Historic Sites/Museums - Emergency | \$ | 30,721 | 5556 |
| | Repair | | | |
| Total Ohio Historical Society | | \$ | 30,721 | 5557 |

Reappropriations

Section 3.04. DNR DEPARTMENT OF NATURAL RESOURCES 5559

| | | | | |
|---------|---------------------------------------|----|---------|------|
| CAP-245 | Millcreek Valley Conservancy District | \$ | 230,503 | 5560 |
| CAP-702 | Upgrade Underground Fuel Tanks | \$ | 296,963 | 5561 |
| CAP-703 | Cap Abandoned Water Wells | \$ | 357,481 | 5562 |
| CAP-823 | Cost Sharing-Pollution Abatement | \$ | 33,614 | 5563 |
| CAP-847 | Assistance to Local Governments for | \$ | 25,000 | 5564 |
| | Conservation Works of Improvement | | | |
| CAP-848 | Hazardous Dam Repair | \$ | 91,521 | 5565 |
| CAP-875 | Ohio River Access | \$ | 100,000 | 5566 |
| CAP-929 | Hazardous Waste/Asbestos Abatement | \$ | 286,154 | 5567 |
| CAP-931 | Wastewater/Water Systems Upgrades | \$ | 32,205 | 5568 |
| CAP-932 | Wetlands/Waterfront Development and | \$ | 32,460 | 5569 |
| | Acquisition | | | |

| | | | | |
|---------------------------------------|--|----|-----------|------|
| CAP-942 | Local Parks Projects | \$ | 5,225 | 5570 |
| CAP-969 | Frost-Parker Wetlands Preserve | \$ | 4,760 | 5571 |
| CAP-999 | Geographic Information Management System | \$ | 1,085 | 5572 |
| Total Department of Natural Resources | | \$ | 1,496,971 | 5573 |
| TOTAL GRF General Revenue Fund | | \$ | 3,387,769 | 5574 |

Section 3.05. No expenditures shall be made from any of the 5576
items appropriated from the General Revenue Fund in Sections 3.01 5577
to 3.04 of this act until the funds are released by the 5578
Controlling Board. 5579

Section 4. All items set forth in this section are hereby 5580
appropriated out of any moneys in the state treasury to the credit 5581
of the Wildlife Fund (Fund 015) that are not otherwise 5582
appropriated: 5583

Reappropriations

| | | | | |
|-------------------------------------|---------------------------------------|----|-----------|------|
| DNR DEPARTMENT OF NATURAL RESOURCES | | | | 5584 |
| CAP-015 | Highlandtown Wildlife Area | \$ | 2,768 | 5585 |
| CAP-117 | Cooper Hollow Wildlife Area | \$ | 4,815 | 5586 |
| CAP-161 | Tranquility Wildlife Area | \$ | 1,286 | 5587 |
| CAP-216 | Killbuck Creek Wildlife Area | \$ | 550 | 5588 |
| CAP-387 | Access Development | \$ | 3,204,333 | 5589 |
| CAP-702 | Upgrade Underground Fuel Tanks | \$ | 84,945 | 5590 |
| CAP-703 | Cap Abandoned Water Wells | \$ | 50,000 | 5591 |
| CAP-732 | Mosquito Creek Wildlife Area | \$ | 300 | 5592 |
| CAP-754 | Tiffin River Wildlife Area | \$ | 1,000 | 5593 |
| CAP-764 | Fire Lookout & Radio Tower Inspection | \$ | 7,215 | 5594 |
| CAP-785 | K.H. Butler Ohio River Access | \$ | 978 | 5595 |
| CAP-795 | Headlands Beach State Park | \$ | 90,958 | 5596 |
| CAP-804 | Lake La Su An Wildlife Area | \$ | 400 | 5597 |
| CAP-834 | Appraisal Fees - Statewide | \$ | 51,995 | 5598 |
| CAP-852 | Wildlife Area Building | \$ | 3,489,530 | 5599 |
| Development/Renovation | | | | |

| | | | | |
|---------------------------------------|---------------------|----|-----------|------|
| CAP-881 | Dam Rehabilitation | \$ | 500,000 | 5600 |
| CAP-995 | Boundary Protection | \$ | 50,000 | 5601 |
| Total Department of Natural Resources | | \$ | 7,541,073 | 5602 |
| TOTAL Wildlife Fund | | \$ | 7,541,073 | 5603 |

Section 5. The items set forth in this section are hereby 5605
appropriated out of any moneys in the state treasury to the credit 5606
of the Public School Building Fund (Fund 021) that are not 5607
otherwise appropriated: 5608

Reappropriations

SFC SCHOOL FACILITIES COMMISSION 5609

| | | | | |
|------------------------------------|--------------------------------------|----|------------|------|
| CAP-622 | Public School Buildings | \$ | 26,998,886 | 5610 |
| CAP-778 | Exceptional Needs | \$ | 1,440,286 | 5611 |
| CAP-783 | Emergency School Building Assistance | \$ | 15,000,000 | 5612 |
| Total School Facilities Commission | | \$ | 43,439,172 | 5613 |
| TOTAL Public School Building Fund | | \$ | 43,439,172 | 5614 |

PUBLIC SCHOOL BUILDINGS 5615

The amount reappropriated for the foregoing appropriation 5616
item CAP-622, Public School Buildings, is \$349,622 plus the sum of 5617
the unencumbered and unallotted balances as of June 30, 2004, for 5618
appropriation item CAP-622, Public School Buildings. 5619

Section 6. The items set forth in this section are hereby 5620
appropriated out of any moneys in the state treasury to the credit 5621
of the Highway Safety Fund (Fund 036) that are not otherwise 5622
appropriated: 5623

Reappropriations

DHS DEPARTMENT OF PUBLIC SAFETY 5624

| | | | | |
|---------|----------------------------------|----|---------|------|
| CAP-045 | Platform Scales Improvements | \$ | 400,000 | 5625 |
| CAP-059 | Patrol Post ADA Compliance | \$ | 250,000 | 5626 |
| CAP-065 | Replace Windows at the Academy | \$ | 79,000 | 5627 |
| CAP-071 | Construct Georgetown Patrol Post | \$ | 41,240 | 5628 |

| | | | | |
|---------|--|----|-----------|------|
| CAP-072 | Patrol Academy Infrastructure Improvements | \$ | 41,355 | 5629 |
| CAP-074 | Construct Warren District Blue Title Facility | \$ | 39,585 | 5630 |
| CAP-077 | Van Wert Patrol Post | \$ | 1,700,000 | 5631 |
| | Total Department of Public Safety | \$ | 2,551,180 | 5632 |
| | TOTAL Highway Safety Fund | \$ | 2,551,180 | 5633 |

Section 7. All items set forth in this section are hereby 5635
appropriated out of any moneys in the state treasury to the credit 5636
of the Waterways Safety Fund (Fund 086) that are not otherwise 5637
appropriated: 5638

Reappropriations

| | | | | |
|---------|---|----|------------|------|
| | DNR DEPARTMENT OF NATURAL RESOURCES | | | 5639 |
| CAP-324 | Cooperative Funding for Boating Facilities | \$ | 7,375,543 | 5640 |
| CAP-390 | State Park Maintenance Facility Development - Middle Bass Island | \$ | 1,821,093 | 5641 |
| CAP-807 | Hocking Technical College Ramp | \$ | 30,643 | 5642 |
| CAP-844 | Put-in-Bay Township Port Authority | \$ | 6,466 | 5643 |
| CAP-858 | Clendening Lake Ramp | \$ | 2,736 | 5644 |
| CAP-871 | Village of Montezuma Ramp | \$ | 13,519 | 5645 |
| CAP-874 | Recreational Harbor Evaluation Project | \$ | 357,789 | 5646 |
| CAP-905 | City of Ironton Boat Launch | \$ | 168,007 | 5647 |
| CAP-934 | Operations Facilities Development | \$ | 762,508 | 5648 |
| | Total Department of Natural Resources | \$ | 10,538,304 | 5649 |
| | TOTAL Waterways Safety Fund | \$ | 10,538,304 | 5650 |

Section 8. All items set forth in this section are hereby 5652
appropriated out of any moneys in the state treasury to the credit 5653
of the Underground Parking Garage Operating Fund (Fund 208) that 5654
are not otherwise appropriated: 5655

Reappropriations

| | | | |
|---------|---|--------------|------|
| | CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD | | 5656 |
| CAP-003 | Renovate Garage Offices | \$ 127,194 | 5657 |
| CAP-004 | Emergency Generator and Lighting System | \$ 200,000 | 5658 |
| CAP-007 | Garage Elevator Upgrades | \$ 5,670 | 5659 |
| CAP-008 | Install Garage Oil Interceptor System | \$ 60,000 | 5660 |
| CAP-009 | Garage Fire Suppression System | \$ 1,050,000 | 5661 |
| | Total Capitol Square Review and Advisory Board | \$ 1,442,864 | 5662 |
| | TOTAL Underground Parking Garage Operating Fund | \$ 1,442,864 | 5663 |

UNDERGROUND PARKING GARAGE FIRE SUPPRESSION SYSTEM 5664

Appropriation item CAP-009, Garage Fire Suppression System, 5665
in the Underground Parking Garage Operating Fund (Fund 208), shall 5666
be used for completion of the second and final phase of a fire 5667
suppression system in the Statehouse garage. Notwithstanding any 5668
section of the Revised Code, any transfer or disbursement of 5669
moneys from appropriation items CAP-009, Garage Fire Suppression, 5670
and CAP-011, Statehouse Security Improvements, for this purpose 5671
shall be subject to Controlling Board approval. 5672

Section 9. All items set forth in this section are hereby 5673
appropriated out of any moneys in the state treasury to the credit 5674
of the Army National Guard Service Contract Fund (Fund 342) that 5675
are not otherwise appropriated: 5676

Reappropriations

| | | | |
|---------|---|---------------|------|
| | ADJ ADJUTANT GENERAL | | 5677 |
| CAP-065 | Local Armory Construction/Federal | \$ 16,200,000 | 5678 |
| | Total Adjutant General | \$ 16,200,000 | 5679 |
| | TOTAL Army National Guard Service Contract Fund | \$ 16,200,000 | 5680 |

Section 10. All items set forth in this section are hereby 5682
appropriated out of any moneys in the state treasury to the credit 5683
of the Special Administrative Fund (Fund 4A9) that are not 5684
otherwise appropriated: 5685

| | | |
|--|------------------|------|
| | Reappropriations | |
| JFS DEPARTMENT OF JOB AND FAMILY SERVICES | | 5686 |
| CAP-702 Central Office Building Renovations | \$ 16,000,000 | 5687 |
| Total Department of Job and Family Services | \$ 16,000,000 | 5688 |
| TOTAL Special Administrative Fund | \$ 16,000,000 | 5689 |
| CENTRAL OFFICE BUILDING RENOVATIONS SPENDING AND REPAYMENT | | 5690 |
| PLAN | | 5691 |
| Funds appropriated in the foregoing appropriation item | | 5692 |
| CAP-702, Central Office Building Renovations, are to be released | | 5693 |
| for expenditure only after approval of the Unemployment | | 5694 |
| Compensation Advisory Council created under section 4141.08 of the | | 5695 |
| Revised Code. The amount to be released shall be based on a | | 5696 |
| spending plan, which may include a repayment schedule, approved by | | 5697 |
| the Council. Once approval is received, the Director of Job and | | 5698 |
| Family Services shall request the Director of Budget and | | 5699 |
| Management or the Controlling Board to release the appropriation. | | 5700 |
| Section 11. All items set forth in this section are hereby | | 5701 |
| appropriated out of any moneys in the state treasury to the credit | | 5702 |
| of the Capital Donations Fund (Fund 5A1) that are not otherwise | | 5703 |
| appropriated: | | 5704 |
| | Reappropriations | |
| AFC ARTS AND SPORTS FACILITIES COMMISSION | | 5705 |
| CAP-702 Capital Donations | \$ 254,557 | 5706 |
| Total Arts and Sports Facilities Commission | \$ 254,557 | 5707 |
| TOTAL Capital Donations Fund | \$ 254,557 | 5708 |
| CAPITAL DONATIONS FUND CERTIFICATIONS AND APPROPRIATIONS | | 5709 |
| The Executive Director of the Arts and Sports Facilities | | 5710 |
| Commission shall certify to the Director of Budget and Management | | 5711 |
| the amount of cash receipts and related investment income, | | 5712 |
| irrevocable letters of credit from a bank, or certification of the | | 5713 |
| availability of funds that have been received from a county or a | | 5714 |

city for deposit to the Capital Donations Fund and are related to 5715
an anticipated project. These amounts are hereby appropriated to 5716
appropriation item CAP-702, Capital Donations. Prior to certifying 5717
these amounts to the Director, the Executive Director shall make a 5718
written agreement with the participating entity on the necessary 5719
cash flows required for the anticipated construction or equipment 5720
acquisition project. 5721

Section 12. The items set forth in this section are hereby 5722
appropriated out of any moneys in the state treasury to the credit 5723
of the Community Match Armories Fund (Fund 5U8) that are not 5724
otherwise appropriated: 5725

ADJUTANT GENERAL 5726

| | | | |
|-------------------------------------|----|-----------|------|
| CAP-066 Armory Construction/Local | \$ | 8,600,000 | 5727 |
| Total Adjutant General | \$ | 8,600,000 | 5728 |
| TOTAL Community Match Armories Fund | \$ | 8,600,000 | 5729 |

Section 13. The items set forth in this section are hereby 5731
appropriated out of any moneys in the state treasury to the credit 5732
of the State Fire Marshal Fund (Fund 546) that are not otherwise 5733
appropriated: 5734

DEPARTMENT OF COMMERCE 5735

| | | | |
|--------------------------------|----|-----------|------|
| CAP-013 Land Acquisition | \$ | 100,000 | 5736 |
| CAP-014 Office & Dorm Addition | \$ | 1,800,000 | 5737 |
| Total Department of Commerce | \$ | 1,900,000 | 5738 |
| TOTAL State Fire Marshal Fund | \$ | 1,900,000 | 5739 |

Section 14. The items set forth in this section are hereby 5741
appropriated out of any moneys in the state treasury to the credit 5742
of the Veterans' Home Improvement Fund (Fund 604) that are not 5743
otherwise appropriated: 5744

Reappropriations

OVH OHIO VETERANS' HOME 5745

| | | | | |
|---------------------------------------|-------------------------------------|----|-----------|------|
| CAP-755 | Secrest Security System Improvement | \$ | 65,000 | 5746 |
| CAP-760 | Security System Improvement | \$ | 22,832 | 5747 |
| CAP-762 | Renovate Secrest Bath Floor/Wall | \$ | 43,621 | 5748 |
| CAP-765 | Warehouse Freezer | \$ | 15,500 | 5749 |
| CAP-766 | Secrest Motor Coordinators | \$ | 33,000 | 5750 |
| CAP-769 | Water and Air Balance | \$ | 190,000 | 5751 |
| CAP-771 | Elevator Griffin | \$ | 190,000 | 5752 |
| CAP-773 | Emergency Generator | \$ | 26,500 | 5753 |
| CAP-774 | Fire Alarm System | \$ | 595,000 | 5754 |
| Total Ohio Veterans' Home | | \$ | 1,181,453 | 5755 |
| TOTAL Veterans' Home Improvement Fund | | \$ | 1,181,453 | 5756 |

Section 15. All items set forth in this section are hereby 5758
appropriated out of any moneys in the state treasury to the credit 5759
of the Education Facilities Trust Fund (Fund N87) that are not 5760
otherwise appropriated: 5761

Reappropriations

SFC SCHOOL FACILITIES COMMISSION 5762

| | | | | |
|---------------------------------------|---|----|------------|------|
| CAP-780 | Classroom Facilities Assistance Program | \$ | 13,395,208 | 5763 |
| CAP-784 | Exceptional Needs Program | \$ | 4,138,923 | 5764 |
| Total School Facilities Commission | | \$ | 17,534,131 | 5765 |
| TOTAL Education Facilities Trust Fund | | \$ | 17,534,131 | 5766 |

CLASSROOM FACILITIES ASSISTANCE PROJECTS 5767

The amount reappropriated for the foregoing appropriation 5768
item CAP-780, Classroom Facilities Assistance Program, is \$768,711 5769
plus the sum of the unencumbered and unallotted balances as of 5770
June 30, 2004, for appropriation item CAP-780, Classroom 5771
Facilities Assistance Program. 5772

EXCEPTIONAL NEEDS PROGRAM 5773

The amount reappropriated for the foregoing appropriation 5774
item CAP-784, Exceptional Needs Program, is \$761,146 plus the sum 5775
of the unencumbered and unallotted balances as of June 30, 2004, 5776

for appropriation item CAP-784, Exceptional Needs Program. 5777

Section 16. All items set forth in this section are hereby 5778
 appropriated out of any moneys in the state treasury to the credit 5779
 of the Clean Ohio Revitalization Fund (Fund 003) that are not 5780
 otherwise appropriated: 5781

Reappropriations

DEV DEPARTMENT OF DEVELOPMENT 5782

| | | | | |
|---------|--------------------------------------|----|------------|------|
| CAP-001 | Clean Ohio Revitalization | \$ | 444,008 | 5783 |
| CAP-002 | Clean Ohio Assistance | \$ | 16,564,467 | 5784 |
| | Total Department of Development | \$ | 17,008,475 | 5785 |
| | TOTAL Clean Ohio Revitalization Fund | \$ | 17,008,475 | 5786 |

Section 17. All items set forth in this section are hereby 5788
 appropriated out of any moneys in the state treasury to the credit 5789
 of the Highway Safety Building Fund (Fund 025) that are not 5790
 otherwise appropriated: 5791

Reappropriations

DHS DEPARTMENT OF PUBLIC SAFETY 5792

| | | | | |
|---------|------------------------------------|----|-----------|------|
| CAP-047 | Public Safety Office Building | \$ | 2,710,400 | 5793 |
| CAP-048 | Statewide Communications System | \$ | 4,006,530 | 5794 |
| CAP-068 | Alum Creek Warehouse Renovations | \$ | 1,441,969 | 5795 |
| CAP-069 | Centre School Renovations | \$ | 20,219 | 5796 |
| CAP-070 | Canton One-Stop Shop | \$ | 731,000 | 5797 |
| CAP-076 | Investigative Unit MARCS Equipment | \$ | 15,877 | 5798 |
| | Total Department of Public Safety | \$ | 8,925,995 | 5799 |
| | TOTAL Highway Safety Building Fund | \$ | 8,925,995 | 5800 |

Section 18. All items set forth in Sections 18.01 to 18.16 of 5802
 this act are hereby appropriated out of any moneys in the state 5803
 treasury to the credit of the Administrative Building Fund (Fund 5804
 026) that are not otherwise appropriated: 5805

Reappropriations

| | | | |
|--|--|---------------|------|
| Section 18.01. ADJ ADJUTANT GENERAL | | | 5806 |
| CAP-032 | Upgrade Underground Storage Tanks | \$ 46,078 | 5807 |
| CAP-034 | Asbestos Abatement - Various Facilities | \$ 154,750 | 5808 |
| CAP-036 | Roof Replacement - Various Facilities | \$ 892,145 | 5809 |
| CAP-038 | Electrical System - Various Facilities | \$ 774,521 | 5810 |
| CAP-039 | Camp Perry Facility Improvements | \$ 530,239 | 5811 |
| CAP-043 | Renovate/Expand Existing Eaton Facility | \$ 800,498 | 5812 |
| CAP-044 | Replace Windows/Doors - Various Facilities | \$ 878,911 | 5813 |
| CAP-045 | Plumbing Renovations - Various Facilities | \$ 345,503 | 5814 |
| CAP-046 | Paving Renovations - Various Facilities | \$ 1,439,575 | 5815 |
| CAP-050 | HVAC Systems - Various Facilities | \$ 607,319 | 5816 |
| CAP-052 | Cincinnati Shadybrook Armory | \$ 2,149,705 | 5817 |
| CAP-054 | Construct Camp Perry Administration Building | \$ 6,540 | 5818 |
| CAP-055 | Hillsboro Armory Renovations | \$ 478,974 | 5819 |
| CAP-056 | Masonry Renovations - Various Facilities | \$ 395,599 | 5820 |
| CAP-057 | Sewer Improvement - Rickenbacker | \$ 1,300 | 5821 |
| CAP-058 | Construct Cincinnati Armory | \$ 283,775 | 5822 |
| CAP-059 | Construct Bowling Green Armory | \$ 357,411 | 5823 |
| CAP-060 | Facility Protection Measures | \$ 590,061 | 5824 |
| CAP-061 | Repair/Renovate Waste Water System | \$ 200,000 | 5825 |
| CAP-062 | Construct Coshocton Armory | \$ 950,600 | 5826 |
| CAP-064 | Bowling Green Armory Construction/Local | \$ 1,000,000 | 5827 |
| Total Adjutant General | | \$ 12,883,504 | 5828 |

NEW ARMORY CONSTRUCTION 5829

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

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a certification by the Adjutant General to the Director of Budget 5835
 and Management that sufficient moneys have been allocated for the 5836
 federal share of the cost of construction. 5837

Reappropriations

| | | | |
|---|--|----------------|------|
| Section 18.02. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES | | | 5838 |
| CAP-773 | Governor's Residence Renovations | \$ 4,705 | 5839 |
| CAP-809 | Hazardous Substance Abatement | \$ 1,688,120 | 5840 |
| CAP-811 | Health/EPA Laboratory Facilities | \$ 20,840,003 | 5841 |
| CAP-813 | Heer Building Renovation | \$ 1,500,000 | 5842 |
| CAP-822 | Americans with Disabilities Act | \$ 1,535,675 | 5843 |
| CAP-826 | Office Services Building Renovation | \$ 1,250,000 | 5844 |
| CAP-827 | Statewide Communications System | \$ 72,787,285 | 5845 |
| CAP-834 | Capital Improvements Tracking System | \$ 407,600 | 5846 |
| CAP-835 | Energy Conservation Projects | \$ 1,817,260 | 5847 |
| CAP-837 | Major Computer Purchases | \$ 1,824,884 | 5848 |
| CAP-838 | SOCC Renovations | \$ 2,148,691 | 5849 |
| CAP-844 | Hamilton State/Local Government Center - Planning | \$ 57,500 | 5850 |
| CAP-848 | ODOT Building Boiler Replacement | \$ 155,981 | 5851 |
| CAP-849 | Facility Planning and Development | \$ 4,445,184 | 5852 |
| CAP-850 | Education Building Renovations | \$ 308,482 | 5853 |
| CAP-852 | North High Building Complex Renovations | \$ 2,689,102 | 5854 |
| CAP-855 | Office Space Planning | \$ 70,300 | 5855 |
| CAP-859 | eSecure Ohio | \$ 2,500,000 | 5856 |
| CAP-860 | Structured Cabling | \$ 397,155 | 5857 |
| CAP-864 | eGovernment Infrastructure | \$ 1,047,000 | 5858 |
| CAP-865 | DAS Building Security | \$ 78,100 | 5859 |
| CAP-867 | Lausche Building Connector | \$ 963,200 | 5860 |
| Total Department of Administrative Services | | \$ 118,516,627 | 5861 |

HAZARDOUS SUBSTANCE ABATEMENT IN STATE FACILITIES 5862

The foregoing appropriation item CAP-809, Hazardous Substance 5863

Abatement, shall be used to fund the removal of asbestos, PCB, 5864
radon gas, and other contamination hazards from state facilities. 5865

Prior to the release of funds for asbestos abatement, the 5866
Department of Administrative Services shall review proposals from 5867
state agencies to use these funds for asbestos abatement projects 5868
based on criteria developed by the Department of Administrative 5869
Services. Upon a determination by the Department of Administrative 5870
Services that the requesting agency cannot fund the asbestos 5871
abatement project or other toxic materials removal through 5872
existing capital and operating appropriations, the department may 5873
request the release of funds for such projects by the Controlling 5874
Board. State agencies intending to fund asbestos abatement or 5875
other toxic materials removal through existing capital and 5876
operating appropriations shall notify the Director of 5877
Administrative Services of the nature and scope prior to 5878
commencing the project. 5879

Only agencies that have received appropriations for capital 5880
projects from the Administrative Building Fund (Fund 026) are 5881
eligible to receive funding from this item. Public school 5882
districts are not eligible. 5883

IMPLEMENTATION OF AMERICANS WITH DISABILITIES ACT 5884

The foregoing appropriation item CAP-822, Americans with 5885
Disabilities Act, shall be used to renovate state-owned facilities 5886
to provide access for physically disabled persons in accordance 5887
with Title II of the Americans with Disabilities Act. 5888

Prior to the release of funds for renovation, state agencies 5889
shall perform self-evaluations of state-owned facilities 5890
identifying barriers to access to service. State agencies shall 5891
prioritize access barriers and develop a transition plan for the 5892
removal of these barriers. The Department of Administrative 5893
Services shall review proposals from state agencies to use these 5894

funds for Americans with Disabilities Act renovations. 5895

Only agencies that have received appropriations for capital 5896
projects from Administrative Building Fund (Fund 026) are eligible 5897
to receive funding from this item. Public school districts are not 5898
eligible. 5899

MARCS STEERING COMMITTEE AND STATEWIDE COMMUNICATIONS SYSTEM 5900

There is hereby continued a Multi-Agency Radio Communications 5901
System (MARCS) Steering Committee consisting of the designees of 5902
the Directors of Administrative Services, Public Safety, Natural 5903
Resources, Transportation, Rehabilitation and Correction, and 5904
Budget and Management. The Director of Administrative Services or 5905
the director's designee shall chair the committee. The committee 5906
shall provide assistance to the Director of Administrative 5907
Services for effective and efficient implementation of the MARCS 5908
system as well as develop policies for the ongoing management of 5909
the system. Upon dates prescribed by the Directors of 5910
Administrative Services and Budget and Management, the MARCS 5911
Steering Committee shall report to the directors on the progress 5912
of MARCS implementation and the development of policies related to 5913
the system. 5914

The foregoing appropriation item CAP-827, Statewide 5915
Communications System, shall be used to purchase or construct the 5916
components of MARCS that are not specific to any one agency. The 5917
equipment may include, but is not limited to, multi-agency 5918
equipment at the Emergency Operations Center/Joint Dispatch 5919
Facility, computer and telecommunication equipment used for the 5920
functioning and integration of the system, communications towers, 5921
tower sites, tower equipment, and linkages among towers and 5922
between towers and the State of Ohio Network for Integrated 5923
Communication (SONIC) system. The Director of Administrative 5924
Services shall, with the concurrence of the MARCS Steering 5925
Committee, determine the specific use of funds. 5926

Spending from this appropriation item shall not be subject to 5927
 Chapters 123. and 153. of the Revised Code. 5928

ENERGY CONSERVATION PROJECTS 5929

The foregoing appropriation item CAP-835, Energy Conservation 5930
 Projects, shall be used to perform energy conservation 5931
 renovations, including the United States Environmental Protection 5932
 Agency's Energy Star Program, in state-owned facilities. Prior to 5933
 the release of funds for renovation, state agencies shall have 5934
 performed a comprehensive energy audit for each project. The 5935
 Department of Administrative Services shall review and approve 5936
 proposals from state agencies to use these funds for energy 5937
 conservation. Public school districts and state-supported and 5938
 state-assisted institutions of higher education are not eligible 5939
 for funding from this item. 5940

Reappropriations

Section 18.03. AGE DEPARTMENT OF AGING 5941

CAP-001 Renovate Martin Janis Center \$ 10,013 5942

Total Department of Aging \$ 10,013 5943

Reappropriations

Section 18.04. AGR DEPARTMENT OF AGRICULTURE 5945

CAP-025 Building Renovations \$ 15,197 5946

CAP-029 Administration Building Renovation \$ 203,950 5947

CAP-033 Site Electrical/Utility Improvement \$ 117,341 5948

CAP-037 Consumer Lab/Weights/Measures Equip. \$ 20,254 5949

CAP-043 Building and Grounds Renovation \$ 478,529 5950

CAP-044 Renovate Building 4 \$ 176,366 5951

CAP-048 Alkaline Hydrolysis Equip & Addition \$ 658,336 5952

Total Department of Agriculture \$ 1,669,973 5953

Reappropriations

| | | | |
|--|---|--------------|-------------------|
| Section 18.05. AGO ATTORNEY GENERAL | | | 5955 |
| CAP-715 | Expand/Renovate Richfield Lab | \$ 12,359 | 5956 |
| CAP-717 | HVAC Improvements OPOTA | \$ 1,775,829 | 5957 |
| Total Attorney General | | | \$ 1,788,188 5958 |
| Reappropriations | | | |
| Section 18.06. CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD | | | 5960 |
| CAP-010 | Capitol Rotunda Renovations | \$ 500,000 | 5961 |
| CAP-011 | Statehouse Security Improvements | \$ 34,316 | 5962 |
| CAP-014 | Statehouse Grounds Repair/Improvements | \$ 500,000 | 5963 |
| Total Capitol Square Review and Advisory Board | | | \$ 1,034,316 5964 |
| Reappropriations | | | |
| Section 18.07. COM DEPARTMENT OF COMMERCE | | | 5966 |
| CAP-012 | Fire Academy Architectural Plan | \$ 26,500 | 5967 |
| Total Department of Commerce | | | \$ 26,500 5968 |
| Reappropriations | | | |
| Section 18.08. EXP EXPOSITIONS COMMISSION | | | 5970 |
| CAP-037 | Electric and Lighting Upgrade | \$ 2,488,929 | 5971 |
| CAP-046 | Land Acquisition | \$ 866,662 | 5972 |
| CAP-051 | Roof Renovations | \$ 2,602 | 5973 |
| CAP-052 | Sewer Separation | \$ 1,536,578 | 5974 |
| CAP-053 | Multipurpose Agricultural Center | \$ 2,671 | 5975 |
| CAP-056 | Building Renovations - 2 | \$ 1,009,813 | 5976 |
| CAP-057 | HVAC Planning | \$ 2,001 | 5977 |
| CAP-063 | Facility Improvements and Modernization Plan | \$ 700,000 | 5978 |
| CAP-064 | Replacement of Water Lines | \$ 16,209 | 5979 |
| CAP-066 | Stairtower Replacement | \$ 1,427 | 5980 |
| CAP-068 | Masonry Renovations | \$ 131,334 | 5981 |
| CAP-069 | Restroom Renovations | \$ 502,060 | 5982 |
| CAP-072 | Emergency Renovations and Equipment | \$ 501,578 | 5983 |

Replacement

Total Expositions Commission \$ 7,761,864 5984

Reappropriations

Section 18.09. DEPARTMENT OF HEALTH 5986

CAP-003 Building Renovation & Telecomm \$ 800,000 5987

Total Department of Health \$ 800,000 5988

Reappropriations

Section 18.10. JSC JUDICIARY/SUPREME COURT 5990

CAP-001 Ohio Courts Building Renovations \$ 1,381,580 5991

Total Judiciary/Supreme Court \$ 1,381,580 5992

EXEMPT FROM PER CENT FOR ARTS PROGRAM 5993

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. 5994
 5995
 5996

OHIO COURTS BUILDING 5997

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. 5998
 5999
 6000
 6001
 6002
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 6006

Reappropriations

Section 18.11. DNR DEPARTMENT OF NATURAL RESOURCES 6007

CAP-741 DNR Communications System \$ 51,894 6008

CAP-742 Fountain Square Building and Telephone System Improvements \$ 1,003,878 6009

| | | | | |
|---------------------------------------|--|----|-----------|------|
| CAP-744 | Multi-Agency Radio Communications Equipment | \$ | 3,062,468 | 6010 |
| CAP-867 | Reclamation Facility Renovation and Development | \$ | 225,000 | 6011 |
| CAP-928 | Handicapped Accessibility | \$ | 39,654 | 6012 |
| CAP-934 | District Office Renovations and Development | \$ | 868,025 | 6013 |
| Total Department of Natural Resources | | \$ | 5,250,919 | 6014 |

Reappropriations

Section 18.12. DHS DEPARTMENT OF PUBLIC SAFETY 6016

| | | | | |
|-----------------------------------|--|----|-----------|------|
| CAP-053 | Construct EMA/EOC and Office Building | \$ | 6,605 | 6017 |
| CAP-054 | Multi-Agency Radio Communications System | \$ | 658,151 | 6018 |
| CAP-056 | Emergency Operations Center Equipment | \$ | 1,502 | 6019 |
| CAP-067 | VHF Radio System Improvements | \$ | 306,102 | 6020 |
| CAP-078 | Upgrade/Replacement - State EOC Equipment | \$ | 810,000 | 6021 |
| Total Department of Public Safety | | \$ | 1,782,360 | 6022 |

Reappropriations

Section 18.13. OSB SCHOOL FOR THE BLIND 6024

| | | | | |
|---------------------------------|--|----|-----------|------|
| CAP-745 | Roof Improvements on the School and Cottage | \$ | 295,657 | 6025 |
| CAP-751 | Upgrade Fire Alarm System | \$ | 73,878 | 6026 |
| CAP-757 | Bathroom Handicapped Accessibility | \$ | 20,956 | 6027 |
| CAP-764 | Electric System Improvements | \$ | 44,000 | 6028 |
| CAP-772 | Boiler Replacement | \$ | 449,220 | 6029 |
| CAP-773 | School Residential Hot Water | \$ | 605,000 | 6030 |
| CAP-780 | Residential Renovations | \$ | 17,580 | 6031 |
| Total Ohio School for the Blind | | \$ | 1,506,291 | 6032 |

ROOF IMPROVEMENT SCHOOL AND COTTAGE 6033

The amount reappropriated for appropriation item CAP-745, 6034

Roof Improvements on the School and Cottage, is \$49,011 plus the unencumbered and unallotted balances as of June 30, 2004, in appropriation item CAP-745, Roof Improvements on the School and Cottage.

RESIDENTIAL RENOVATIONS

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

Reappropriations

Section 18.14. OSD SCHOOL FOR THE DEAF

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

DORMITORY RENOVATIONS

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

Reappropriations

Section 18.15. OVH OHIO VETERANS' HOME

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

Section 18.16. SOS SECRETARY OF STATE

| | | | | |
|---------|------------------------------------|----|-------------|------|
| CAP-002 | Voting Machines | \$ | 5,800,000 | 6062 |
| | Total Secretary of State | \$ | 5,800,000 | 6063 |
| | TOTAL Administrative Building Fund | \$ | 163,084,591 | 6064 |

VOTING MACHINES 6065

The foregoing appropriation item CAP-002, Voting Machines, 6066
shall be used to purchase upgraded voting equipment. Appropriation 6067
item CAP-002, Voting Machines, shall match federal funds provided 6068
through the Help America Vote Act of 2002. 6069

Section 19. All items set forth in this section are hereby 6070
appropriated out of any moneys in the state treasury to the credit 6071
of the Adult Correctional Building Fund (Fund 027) that are not 6072
otherwise appropriated: 6073

Reappropriations

DRC DEPARTMENT OF REHABILITATION AND CORRECTION 6074

STATEWIDE AND CENTRAL OFFICE PROJECTS 6075

| | | | | |
|---------|---|----|------------|------|
| CAP-002 | Local Jails | \$ | 24,107,550 | 6076 |
| CAP-003 | Community-Based Correctional Facilities | \$ | 16,839,357 | 6077 |
| CAP-004 | Site Renovations | \$ | 1,385,239 | 6078 |
| CAP-007 | Asbestos Removal | \$ | 1,093,777 | 6079 |
| CAP-008 | Powerhouse/Utility Improvements | \$ | 2,964,941 | 6080 |
| CAP-009 | Water System/Plant Improvements | \$ | 7,472,549 | 6081 |
| CAP-010 | Industrial Equipment - Statewide | \$ | 842,907 | 6082 |
| CAP-011 | Roof/Window Renovations - Statewide | \$ | 979,430 | 6083 |
| CAP-012 | Shower/Restroom Improvements | \$ | 1,506,660 | 6084 |
| CAP-015 | Underground Storage Tanks Improvements | \$ | 37,789 | 6085 |
| CAP-017 | Security Improvements - Statewide | \$ | 3,885,429 | 6086 |
| CAP-026 | Waste Water Treatment Facilities | \$ | 49,437 | 6087 |
| CAP-028 | Power House Improvements | \$ | 55,661 | 6088 |
| CAP-041 | Community Residential Program | \$ | 5,693,543 | 6089 |
| CAP-043 | Design/Construct/Parole Detention Centers | \$ | 149,288 | 6090 |

| | | | | |
|---|---|----|-------------|------|
| CAP-044 | Lightening Protection Plan | \$ | 1,504 | 6091 |
| CAP-087 | Correctional Camp | \$ | 8,079 | 6092 |
| CAP-105 | Special Counsel - Coit Road | \$ | 77,417 | 6093 |
| CAP-109 | Statewide Fire Alarm Systems | \$ | 179,647 | 6094 |
| CAP-111 | General Building Renovations | \$ | 12,795,525 | 6095 |
| CAP-129 | Water Treatment Plants - Statewide | \$ | 651,500 | 6096 |
| CAP-140 | Boot Camp/Substance Abuse Offenders | \$ | 336,709 | 6097 |
| CAP-141 | Multi-Agency Radio System Equipment | \$ | 2,550,651 | 6098 |
| CAP-142 | Various Facility Medical Services | \$ | 837,716 | 6099 |
| CAP-143 | Perimeter Security, Lighting, Alarms, and Sallyports | \$ | 2,243,962 | 6100 |
| CAP-186 | Close Custody Prison and Camp | \$ | 5,000,000 | 6101 |
| CAP-187 | Mandown Alert Communication System - Statewide | \$ | 5,382,422 | 6102 |
| CAP-188 | Manufacturing/Storage Building Additions - Statewide | \$ | 159,300 | 6103 |
| CAP-189 | Tuck-pointing - Statewide | \$ | 124,847 | 6104 |
| CAP-238 | Electrical Systems Upgrades | \$ | 175,025 | 6105 |
| CAP-239 | Emergency Projects | \$ | 2,014,537 | 6106 |
| CAP-240 | State Match for Federal Prison Construction Funds | \$ | 1,787,819 | 6107 |
| CAP-302 | OPI Shops Renovation - Statewide | \$ | 75,000 | 6108 |
| Total Statewide and Central Office Projects | | \$ | 101,465,217 | 6109 |

GENERAL BUILDING RENOVATIONS 6110

The amount reappropriated for the foregoing appropriation 6111
item CAP-111, General Building Renovations, is the unencumbered 6112
and unallotted balance as of June 30, 2004, in appropriation item 6113
CAP-111, General Building Renovations, plus \$1,170,818. 6114

ALLEN CORRECTIONAL INSTITUTION 6115

| | | | | |
|--------------------------------------|----------------------------|----|---------|------|
| CAP-304 | Lift Station By-pass - ACI | \$ | 189,546 | 6116 |
| Total Allen Correctional Institution | | \$ | 189,546 | 6117 |

BELMONT CORRECTIONAL INSTITUTION 6118

| | | | | |
|--|--|----|-----------|------|
| CAP-094 | Belmont Correctional Institution | \$ | 223,493 | 6119 |
| CAP-241 | Inmate Health Services Renovations - BECI | \$ | 2,389,974 | 6120 |
| Total Belmont Correctional Institution | | \$ | 2,613,468 | 6121 |
| CHILLICOTHE CORRECTIONAL INSTITUTION | | | | 6122 |
| CAP-045 | Perimeter Fence Replacement | \$ | 31,423 | 6123 |
| CAP-046 | Showers/Restroom Renovations | \$ | 66,527 | 6124 |
| CAP-048 | Control Room Security Improvements | \$ | 3,270 | 6125 |
| CAP-113 | Fire Alarm, Egress System Improvements | \$ | 106,733 | 6126 |
| CAP-114 | Emergency Lighting Renovations | \$ | 94,574 | 6127 |
| CAP-115 | Roof Renovations | \$ | 141,311 | 6128 |
| CAP-145 | Plumbing Renovations | \$ | 216 | 6129 |
| CAP-146 | Renovate Food Service Area - CCI | \$ | 199,900 | 6130 |
| CAP-177 | Convert Warehouse to Dormitory | \$ | 596 | 6131 |
| CAP-190 | Utility Improvements | \$ | 125,700 | 6132 |
| CAP-191 | Life & Fire Safety Improvements - CCI | \$ | 171,749 | 6133 |
| CAP-192 | Hot Water System Improvements - CCI | \$ | 11,711 | 6134 |
| CAP-254 | Boiler House Renovations | \$ | 1,182,550 | 6135 |
| CAP-255 | Replace Windows and Doors | \$ | 591,125 | 6136 |
| CAP-257 | Emergency Generator Improvements | \$ | 392,174 | 6137 |
| CAP-258 | Sewer Upgrades | \$ | 287,002 | 6138 |
| CAP-314 | Emergency Tunnel Repair | \$ | 95,553 | 6139 |
| Total Chillicothe Correctional Institution | | \$ | 3,502,116 | 6140 |
| CORRECTIONAL RECEPTION CENTER | | | | 6141 |
| CAP-320 | Fire Alarm - CRC | \$ | 268,280 | 6142 |
| Total Correctional Reception Center | | \$ | 268,280 | 6143 |
| CORRECTIONS MEDICAL CENTER | | | | 6144 |
| CAP-318 | Fire Alarm - CMC | \$ | 129,045 | 6145 |
| Total Corrections Medical Center | | \$ | 129,045 | 6146 |
| CORRECTIONS TRAINING ACADEMY | | | | 6147 |
| CAP-148 | Roof Replacement | \$ | 21,110 | 6148 |
| CAP-149 | New Classroom Building | \$ | 816,962 | 6149 |
| CAP-193 | AT Building Roof Replacement | \$ | 141,132 | 6150 |

| | | | | |
|---------|--|----|-----------|------|
| CAP-194 | Construct Conference Center | \$ | 12,314 | 6151 |
| | Total Corrections Training Academy | \$ | 991,518 | 6152 |
| | DAYTON CORRECTIONAL INSTITUTION | | | 6153 |
| CAP-195 | Hot Water System Improvements - DCI | \$ | 400,000 | 6154 |
| CAP-242 | Shower Renovations - DCI | \$ | 224,725 | 6155 |
| CAP-319 | Roof Renovations - DCI | \$ | 145,975 | 6156 |
| | Total Dayton Correctional Institution | \$ | 770,700 | 6157 |
| | FRANKLIN PRE-RELEASE CENTER | | | 6158 |
| CAP-316 | Roof Renovation - FPRC | \$ | 41,672 | 6159 |
| | Total Franklin Pre-Release Center | \$ | 41,672 | 6160 |
| | GRAFTON CORRECTIONAL INSTITUTION | | | 6161 |
| CAP-196 | Camp Egress System Improvements - GCI | \$ | 420,856 | 6162 |
| | Total Grafton Correctional Institution | \$ | 420,856 | 6163 |
| | HOCKING CORRECTIONAL FACILITY | | | 6164 |
| CAP-053 | General Building Renovations | \$ | 3,414 | 6165 |
| CAP-054 | Water Tower Improvements | \$ | 3,000 | 6166 |
| CAP-306 | Parking Lot Improvements - HCF | \$ | 67,360 | 6167 |
| | Total Hocking Correctional Facility | \$ | 73,774 | 6168 |
| | LAKE ERIE CORRECTIONAL INSTITUTION | | | 6169 |
| CAP-144 | Medium/Minimum Security Privatized Prison | \$ | 142,435 | 6170 |
| | Total Lake Erie Correctional Institution | \$ | 142,435 | 6171 |
| | LEBANON CORRECTIONAL INSTITUTION | | | 6172 |
| CAP-055 | Institution Roof Replacement | \$ | 39,500 | 6173 |
| CAP-056 | Kitchen Renovations | \$ | 6,641 | 6174 |
| CAP-057 | Shower Pan/Drain Renovations | \$ | 7,289 | 6175 |
| CAP-118 | Water Tower Renovations | \$ | 25,878 | 6176 |
| CAP-119 | Masonry Improvements - LECI | \$ | 308,074 | 6177 |
| CAP-197 | Cell Door Lock Replacement - LECI | \$ | 321,100 | 6178 |
| CAP-198 | Water Treatment Plant - LECI | \$ | 1,329,823 | 6179 |
| CAP-282 | Emergency Electrical Upgrade - LECI | \$ | 28,614 | 6180 |
| CAP-285 | Bar Screen Replacement | \$ | 147,713 | 6181 |
| CAP-300 | Water Softener Replacement | \$ | 225,008 | 6182 |

| | | | |
|--|----|-----------|------|
| Total Lebanon Correctional Institution | \$ | 2,439,640 | 6183 |
| LONDON CORRECTIONAL INSTITUTION | | | 6184 |
| CAP-059 Convert Brush Factory to Dormitory | \$ | 809 | 6185 |
| CAP-122 Master Plan Building/Renovations | \$ | 872,355 | 6186 |
| CAP-157 London Camp Renovation Project | \$ | 14,955 | 6187 |
| CAP-201 Water Treatment Plant Addition | \$ | 62,670 | 6188 |
| CAP-245 Bridge Replacement - LOCI | \$ | 3,424 | 6189 |
| CAP-261 Roof Replacement | \$ | 687,506 | 6190 |
| CAP-283 Gas Boiler Installation - LOCI | \$ | 45,144 | 6191 |
| CAP-308 Electric Upgrades - LOCI | \$ | 250,000 | 6192 |
| CAP-309 Building Demolition - LOCI | \$ | 500 | 6193 |
| Total London Correctional Institution | \$ | 1,937,363 | 6194 |
| LORAIN CORRECTIONAL INSTITUTION | | | 6195 |
| CAP-303 Auger Replacement - LLORCL | \$ | 500 | 6196 |
| Total Lorain Correctional Institution | \$ | 500 | 6197 |
| MADISON CORRECTIONAL INSTITUTION | | | 6198 |
| CAP-176 Madison Classroom Renovation | \$ | 15,600 | 6199 |
| CAP-263 Upgrade Emergency Electrical Service | \$ | 541,036 | 6200 |
| CAP-264 Sewage Station Upgrade | \$ | 13,285 | 6201 |
| CAP-286 Juvenile Unit Remodeling - Madison | \$ | 2,177 | 6202 |
| CAP-288 Water Softener System - Madison | \$ | 40,372 | 6203 |
| CAP-315 Roof Replacement - MACL | \$ | 206,750 | 6204 |
| Total Madison Correctional Institution | \$ | 819,220 | 6205 |
| MANSFIELD CORRECTIONAL INSTITUTION | | | 6206 |
| CAP-088 Mansfield Correctional Camp | \$ | 5,761 | 6207 |
| CAP-123 Smoke Removal/Sprinkler System | \$ | 4,330 | 6208 |
| Improvements | | | |
| CAP-159 Power Pole Replacement | \$ | 16,800 | 6209 |
| CAP-305 Site Improvements - MNCI | \$ | 314,375 | 6210 |
| CAP-307 Network Wiring - MNCI | \$ | 886,675 | 6211 |
| Total Mansfield Correctional Institution | \$ | 1,227,941 | 6212 |
| MARION CORRECTIONAL INSTITUTION | | | 6213 |
| CAP-033 Telephone System | \$ | 2,957 | 6214 |

| | | | | |
|---|---|----|-----------|------|
| CAP-065 | Sewage Lift Station Renovations | \$ | 8,863 | 6215 |
| CAP-067 | Roof Replacement | \$ | 22,725 | 6216 |
| CAP-124 | Fire Sprinkler System Improvements | \$ | 130,344 | 6217 |
| CAP-172 | Marion Camp Shower Renovation | \$ | 1,313 | 6218 |
| CAP-207 | HVAC Improvements - Administration Building | \$ | 31,185 | 6219 |
| CAP-208 | Hot Water Tank Replacement | \$ | 953,766 | 6220 |
| CAP-246 | Exterior Window Replacement - MCI | \$ | 254,880 | 6221 |
| CAP-247 | Plumbing Upgrades - MCI | \$ | 193,142 | 6222 |
| CAP-294 | Asphalt Paving - MCI | \$ | 7,380 | 6223 |
| CAP-295 | Sanitary Manhole Sewer - MCI | \$ | 112,234 | 6224 |
| Total Marion Correctional Institution | | \$ | 1,718,789 | 6225 |
| NORTH COAST CORRECTIONAL TREATMENT FACILITY | | | | 6226 |
| CAP-001 | New Prison Construction | \$ | 73,163 | 6227 |
| Total North Coast Correctional Treatment Facility | | \$ | 73,163 | 6228 |
| NORTHEAST PRE-RELEASE CENTER | | | | 6229 |
| CAP-209 | Security Improvements - NEPRC | \$ | 117,462 | 6230 |
| Total Northeast Pre-Release Center | | \$ | 117,462 | 6231 |
| OAKWOOD CORRECTIONAL FACILITY | | | | 6232 |
| CAP-162 | Renovate East Wing Plumbing | \$ | 21,969 | 6233 |
| CAP-163 | Install Positive Latching Devices | \$ | 74,977 | 6234 |
| Total Oakwood Correctional Facility | | \$ | 96,945 | 6235 |
| OHIO REFORMATORY FOR WOMEN | | | | 6236 |
| CAP-040 | Dormitory Housing - ORW | \$ | 6,452 | 6237 |
| CAP-074 | Fire Alarm System Improvements | \$ | 5,798 | 6238 |
| CAP-125 | Replacement Dormitory | \$ | 11,669 | 6239 |
| CAP-165 | Master Plan Building/Renovations - ORW | \$ | 262,305 | 6240 |
| CAP-210 | Replacement Dormitory - ORW | \$ | 772,090 | 6241 |
| CAP-211 | Renovate J.G. Cottage | \$ | 8,880 | 6242 |
| CAP-212 | Powerhouse Renovation & Replumbing | \$ | 1,250,000 | 6243 |
| CAP-216 | Elevator Renovation | \$ | 26,109 | 6244 |
| CAP-217 | Perimeter Lighting Improvements | \$ | 53,566 | 6245 |
| CAP-218 | Rewire Harmon Building | \$ | 329,389 | 6246 |

| | | | | |
|-----------------------------------|--|----|------------|------|
| CAP-219 | Fire Alarm System Improvements | \$ | 112,955 | 6247 |
| CAP-266 | Construct New Medical and Food Services Building | \$ | 7,375,019 | 6248 |
| CAP-267 | Renovate ARN Dorms | \$ | 449,843 | 6249 |
| CAP-268 | Emergency Generator Improvements | \$ | 1,395,085 | 6250 |
| CAP-289 | Perimeter Sec Fence | \$ | 639,406 | 6251 |
| CAP-296 | Domestic Waterline Renovation | \$ | 51,491 | 6252 |
| CAP-301 | 500 Car Parking/Road Design - ORW | \$ | 24,080 | 6253 |
| CAP-317 | Sanitary/Storm Sewer System Renovation - ORW | \$ | 332,050 | 6254 |
| Total Ohio Reformatory for Women | | \$ | 13,106,187 | 6255 |
| OHIO STATE PENITENTIARY | | | | 6256 |
| CAP-110 | Construct Maximum Security Facility | \$ | 124,679 | 6257 |
| CAP-291 | New Exterior Recreation Units | \$ | 4,125,659 | 6258 |
| Total Ohio State Penitentiary | | \$ | 4,250,337 | 6259 |
| PICKAWAY CORRECTIONAL INSTITUTION | | | | 6260 |
| CAP-062 | Meat Processing Operation | \$ | 199,883 | 6261 |
| CAP-076 | Laundry/Maintenance Shop/Farms Roof Renovation | \$ | 726 | 6262 |
| CAP-077 | Shower Renovations | \$ | 15,349 | 6263 |
| CAP-222 | Sludge Removal System Improvements | \$ | 897,118 | 6264 |
| CAP-223 | Replacement of Unit A Dorm | \$ | 517,387 | 6265 |
| CAP-225 | Water System Improvements | \$ | 85,876 | 6266 |
| CAP-226 | Milk Processing Plant | \$ | 31,912 | 6267 |
| CAP-227 | Roof Improvements | \$ | 393,306 | 6268 |
| CAP-228 | Power House Improvements | \$ | 10,545 | 6269 |
| CAP-248 | Replacement of Perimeter Fence - PCI | \$ | 152,495 | 6270 |
| CAP-252 | Construct Meat Processing Plant | \$ | 823,588 | 6271 |
| CAP-269 | Utility Tunnels Improvement | \$ | 382,729 | 6272 |
| CAP-274 | Replacement of Segregation Housing | \$ | 4,806,750 | 6273 |
| CAP-292 | Tunnel Renovation/Orient Complex | \$ | 30,139 | 6274 |
| CAP-297 | Steam Waterline Replacement - PCI | \$ | 820,996 | 6275 |
| CAP-310 | OPI Warehouse Addition - PCI | \$ | 1,537,241 | 6276 |

| | | | | |
|---|--|----|------------|------|
| CAP-312 | Waste Water Treatment Plant | \$ | 7,583,125 | 6277 |
| Total Pickaway Correctional Institution | | \$ | 18,289,165 | 6278 |
| RICHLAND CORRECTIONAL INSTITUTION | | | | 6279 |
| CAP-251 | Construct Retaining Wall - RICI | \$ | 61,474 | 6280 |
| CAP-293 | Asphalt Parking - RICI | \$ | 9,161 | 6281 |
| Total Richland Correctional Institution | | \$ | 70,634 | 6282 |
| ROSS CORRECTIONAL INSTITUTION | | | | 6283 |
| CAP-147 | Waste Water Treatment Plant | \$ | 6,120 | 6284 |
| CAP-229 | Waste Water Treatment Plant - RCI | \$ | 6,849,581 | 6285 |
| CAP-276 | Rubberized Roof Replacement | \$ | 200,104 | 6286 |
| CAP-311 | Water Tower Renovation - RCI | \$ | 175,000 | 6287 |
| Total Ross Correctional Institution | | \$ | 7,230,805 | 6288 |
| SOUTHEASTERN CORRECTIONAL INSTITUTION | | | | 6289 |
| CAP-133 | Construct New Dining Hall | \$ | 8,822 | 6290 |
| CAP-134 | Wastewater Treatment Storage Addition | \$ | 579,365 | 6291 |
| CAP-167 | Master Plan Building/Renovations - SCI | \$ | 186,643 | 6292 |
| CAP-183 | Two Story Dorm - SCI | \$ | 92,327 | 6293 |
| CAP-234 | High Voltage Electrical System | \$ | 2,702,624 | 6294 |
| CAP-235 | Construct Warehouse & Utility Buildings | \$ | 1,315,406 | 6295 |
| CAP-236 | Construct Dining Hall - SCI | \$ | 682,650 | 6296 |
| CAP-237 | Power Plant Improvements | \$ | 39,341 | 6297 |
| CAP-277 | Powerhouse Boiler Improvements | \$ | 397,147 | 6298 |
| CAP-313 | Perimeter Fence Upgrade - SCI | \$ | 1,375,977 | 6299 |
| Total Southeastern Correctional Institution | | \$ | 7,380,300 | 6300 |
| SOUTHERN OHIO CORRECTIONAL FACILITY | | | | 6301 |
| CAP-034 | Southern Ohio Telephone System | \$ | 9,943 | 6302 |
| CAP-135 | SOCF Renovation and Improvements | \$ | 148,445 | 6303 |
| CAP-136 | Waste Water Treatment Plant Improvements | \$ | 30,120 | 6304 |
| CAP-230 | Waste Water Treatment Plant | \$ | 3,410,347 | 6305 |
| CAP-231 | Gas Boiler Installation | \$ | 1,034,815 | 6306 |
| CAP-279 | Powerhouse Domestic Hot Water Replacement | \$ | 198,534 | 6307 |
| CAP-287 | Roof Renovations B Wing - SOCF | \$ | 18,494 | 6308 |

| | | | | |
|---------|---|----|-------------|------|
| CAP-322 | Water Tower Renovations - SOCF | \$ | 75,000 | 6309 |
| | Total Southern Ohio Correctional Facility | \$ | 4,925,698 | 6310 |
| | TOLEDO CORRECTIONAL INSTITUTION | | | 6311 |
| CAP-161 | 1000-Bed Close Security Prison | \$ | 1,118,383 | 6312 |
| | Total Toledo Correctional Institution | \$ | 1,118,383 | 6313 |
| | TRUMBULL CORRECTIONAL INSTITUTION | | | 6314 |
| CAP-280 | Door Control Switch Renovation | \$ | 141,799 | 6315 |
| CAP-281 | Construct Psychiatric Residential Treatment Unit | \$ | 558,508 | 6316 |
| | Total Trumbull Correctional Institution | \$ | 700,306 | 6317 |
| | WARREN CORRECTIONAL INSTITUTION | | | 6318 |
| CAP-284 | Compound Lighting Upgrade | \$ | 57,807 | 6319 |
| CAP-290 | Security Upgrades | \$ | 234,323 | 6320 |
| | Total Warren Correctional Institution | \$ | 292,131 | 6321 |
| | TOTAL Department of Rehabilitation and Correction | \$ | 174,827,327 | 6322 |
| | TOTAL Adult Correctional Building Fund | \$ | 176,403,594 | 6323 |

Section 19.01. LOCAL JAILS 6325

From the foregoing appropriation item, CAP-002, Local Jails, 6326
the Department of Rehabilitation and Correction shall designate 6327
the projects involving the construction and renovation of county, 6328
multicounty, municipal-county, and multicounty-municipal jail 6329
facilities and workhouses, including correctional centers 6330
authorized under sections 153.61 and 307.93 of the Revised Code, 6331
for which the Ohio Building Authority is authorized to issue 6332
obligations. Notwithstanding any provisions to the contrary in 6333
Chapter 152. or 153. of the Revised Code, the Department of 6334
Rehabilitation and Correction may coordinate, review, and monitor 6335
the drawdown and use of funds for the renovation or construction 6336
of projects for which designated funds are provided. 6337

The funding authorized under this section shall not be 6338
applied to any such facilities that are not designated by the 6339

Department of Rehabilitation and Correction. The amount of funding 6340
authorized under this section that may be applied to a project 6341
designated for initial funding after July 1, 2000, involving the 6342
construction or renovation of a county, multicounty, 6343
municipal-county, and multicounty-municipal jail facilities and 6344
workhouses, including correctional centers authorized under 6345
sections 153.61 and 307.93 of the Revised Code, shall not exceed 6346
\$35,000 per bed of the total allowable cost of the project in the 6347
case of construction of county and municipal-county jail 6348
facilities, workhouses, and correctional centers, or multicounty 6349
or multicounty-municipal jail facilities, workhouses, and 6350
correctional centers and shall not exceed 30 per cent of the total 6351
allowable cost of the project in the case of renovation of county, 6352
multicounty, municipal-county, and multicounty-municipal jail 6353
facilities, workhouses, and correctional centers. If a political 6354
subdivision is in the planning phase of constructing a multicounty 6355
or multicounty-municipal jail facility, workhouse, or correctional 6356
center on or before the effective date of this section, the 6357
Department of Rehabilitation and Correction shall fund that 6358
facility at \$42,000 per bed. Multicounty or multicounty-municipal 6359
jail facility construction projects initiated after the effective 6360
date of this section may be considered for, but are not entitled 6361
to be awarded, funding at \$42,000 per bed. The higher per bed 6362
award is at the discretion of the Department of Rehabilitation and 6363
Correction and is contingent upon available funds, the impact of 6364
the project, and inclusion of at least three counties in the 6365
project. 6366

The cost-per-bed funding authorized under this section that 6367
may be applied to a construction project shall not exceed the 6368
actual cost-per-bed of the project. The 30 per cent funding 6369
authorized under this section that may be applied to a renovation 6370
project shall not exceed \$35,000 per bed of the total allowable 6371
cost of the project. 6372

The funding authorized under this section shall not be 6373
applied to any project involving the construction of a county, 6374
multicounty, municipal-county, or multicounty-municipal jail 6375
facility or workhouse, including a correctional center established 6376
under sections 153.61 and 307.93 of the Revised Code, unless the 6377
facility, workhouse, or correctional center will be built in 6378
compliance with "The Minimum Standards for Jails in Ohio" and the 6379
plans have been approved under section 5120.10 of the Revised 6380
Code. In addition, the funding authorized under this section shall 6381
not be applied to any project involving the renovation of a 6382
county, multicounty, municipal-county, or multicounty-municipal 6383
jail facility or workhouse, including a correctional center 6384
established under sections 153.61 and 307.93 of the Revised Code, 6385
unless the renovation is for the purpose of bringing the facility, 6386
workhouse, or correctional center into compliance with "The 6387
Minimum Standards for Jails in Ohio" and the plans have been 6388
approved under section 5120.10 of the Revised Code. 6389

Section 19.02. COMMUNITY-BASED CORRECTIONAL FACILITIES 6390

The Department of Rehabilitation and Correction may designate 6391
to the Ohio Building Authority the sites of, and, notwithstanding 6392
any provisions to the contrary in Chapter 152. or 153. of the 6393
Revised Code, may review the renovation or construction of the 6394
single county and district community-based correctional facilities 6395
funded by the foregoing appropriation item CAP-003, 6396
Community-Based Correctional Facilities. 6397

Section 19.03. COMMUNITY RESIDENTIAL PROGRAM RENOVATIONS 6398

The foregoing appropriation item CAP-041, Community 6399
Residential Program, may be used by the Department of 6400
Rehabilitation and Correction, under sections 5120.103, 5120.104, 6401
and 5120.105 of the Revised Code, to provide for the construction 6402

or renovation of halfway house facilities for offenders eligible 6403
for community supervision by the Department of Rehabilitation and 6404
Correction. 6405

Section 20. All items set forth in this section are hereby 6406
appropriated out of any moneys in the state treasury to the credit 6407
of the Juvenile Correctional Building Fund (Fund 028) that are not 6408
otherwise appropriated: 6409

Reappropriations

DYS DEPARTMENT OF YOUTH SERVICES 6410

| | | | | |
|---|---|----|------------|------|
| CAP-004 | Cuyahoga Juvenile Court Detention | \$ | 5,459,404 | 6411 |
| CAP-801 | Fire Suppression/Safety/Security | \$ | 1,636,155 | 6412 |
| CAP-803 | General Institutional Renovations | \$ | 3,787,255 | 6413 |
| CAP-812 | Community Rehabilitation Centers | \$ | 916,913 | 6414 |
| CAP-821 | Construct Maximum Security Facility | \$ | 172,327 | 6415 |
| CAP-828 | Multi-Agency Radio System Equipment | \$ | 3,186 | 6416 |
| CAP-829 | Local Juvenile Detention Centers | \$ | 10,844,623 | 6417 |
| CAP-831 | Gym Expansion - Cuyahoga Hills Boys School | \$ | 649,290 | 6418 |
| CAP-832 | 72-Bed Unit Housing Addition - Ohio River Valley Correctional Center | \$ | 2,000 | 6419 |
| CAP-833 | Security Renovations - Indian River | \$ | 1,996 | 6420 |
| CAP-837 | Sanitary Safety/Renovations Indian River | \$ | 3,736,500 | 6421 |
| Total Department of Youth Services | | \$ | 27,209,649 | 6422 |
| TOTAL Juvenile Correctional Building Fund | | \$ | 27,209,649 | 6423 |

Section 20.01. GENERAL INSTITUTIONAL RENOVATIONS 6425

The amount reappropriated for the foregoing appropriation 6426
item CAP-803, General Institutional Renovations, is the 6427
unencumbered and unallotted balance as of June 30, 2004, in 6428
appropriation item CAP-803, General Institutional Renovations, 6429
plus \$788,000. 6430

Section 20.02. COMMUNITY REHABILITATION CENTERS 6431

From the foregoing appropriation item CAP-812, Community 6432
Rehabilitation Centers, the Department of Youth Services shall 6433
designate the projects involving the construction and renovation 6434
of single county and multicounty community corrections facilities 6435
for which the Ohio Building Authority is authorized to issue 6436
obligations. 6437

The Department of Youth Services is authorized to review and 6438
approve the renovation and construction of projects for which 6439
funds are provided. The proceeds of any obligations authorized 6440
under this section shall not be applied to any such facilities 6441
that are not designated and approved by the Department of Youth 6442
Services. 6443

The Department of Youth Services shall adopt guidelines to 6444
accept and review applications and designate projects. The 6445
guidelines shall require the county or counties to justify the 6446
need for the facility and to comply with timelines for the 6447
submission of documentation pertaining to the site, program, and 6448
construction. 6449

For purposes of this section, "community corrections 6450
facilities" has the same meaning as in section 5139.36 of the 6451
Revised Code. 6452

Section 20.03. LOCAL JUVENILE DETENTION CENTERS 6453

From the foregoing appropriation item CAP-829, Local Juvenile 6454
Detention Centers, the Department of Youth Services shall 6455
designate the projects involving the construction and renovation 6456
of county and multicounty juvenile detention centers for which the 6457
Ohio Building Authority is authorized to issue obligations. 6458

The Department of Youth Services is authorized to review and 6459

approve the renovation and construction of projects for which 6460
funds are provided. The proceeds of any obligations authorized 6461
under this section shall not be applied to any such facilities 6462
that are not designated by the Department of Youth Services. 6463

The Department of Youth Services shall comply with the 6464
guidelines set forth in this section, accept and review 6465
applications, designate projects, and determine the amount of 6466
state match funding to be applied to each project. The department 6467
shall, with the advice of the county or counties participating in 6468
a project, determine the funded design capacity of the detention 6469
centers that are designated to receive funding. Notwithstanding 6470
any provisions to the contrary contained in Chapter 152. or 153. 6471
of the Revised Code, the Department of Youth Services may 6472
coordinate, review, and monitor the drawdown and use of funds for 6473
the renovation and construction of projects for which designated 6474
funds are provided. 6475

(A) The Department of Youth Services shall develop a weighted 6476
numerical formula to determine the amount, if any, of state match 6477
that may be provided to a single or multicounty detention center 6478
project. The formula shall include the factors specified below in 6479
division (A)(1) of this section and may include the factors 6480
specified below in division (A)(2) of this section. The weight 6481
assigned to the factors specified in division (A)(1) of this 6482
section shall be not less than twice the weight assigned to 6483
factors specified in division (A)(2) of this section. 6484

(1)(a) The number of detention center beds needed in the 6485
county or group of counties, as estimated by the Department of 6486
Youth Services, is significantly more than the number of beds 6487
currently available; 6488

(b) Any existing detention center in the county or group of 6489
counties does not meet health, safety, or security standards for 6490
detention centers as established by the Department of Youth 6491

| | |
|--|--|
| Services; | 6492 |
| (c) The Department of Youth Services projects that the county or group of counties have a need for a sufficient number of detention beds to make the project economically viable. | 6493 6494 6495 |
| (2)(a) The percentage of children in the county or group of counties living below the poverty level is above the state average; | 6496 6497 6498 |
| (b) The per capita income in the county or group of counties is below the state average. | 6499 6500 |
| (B) The formula developed by the Department of Youth Services shall yield a percentage of state match ranging from 0 to 60 per cent based on the above factors. Notwithstanding the foregoing provisions, if a single county or multicounty system currently has no detention center beds, or if the projected need for detention center beds as estimated by the Department of Youth Services is greater than 120 per cent of current detention center bed capacity, then the percentage of state match shall be 60 per cent. To determine the dollar amount of the state match for new construction projects, the percentage of state match is multiplied by \$125,000 per bed for detention centers with a designated capacity of 99 beds or less, and by \$130,000 per bed for detention centers with a design capacity of 100 beds or more. To determine the dollar amount of the state match for renovation projects the percentage match shall be multiplied by the actual cost of the renovation, provided that the cost of the renovation does not exceed \$100,000 per bed. The funding authorized under this section that may be applied to a construction or renovation project shall not exceed the actual cost of the project. | 6501 6502 6503 6504 6505 6506 6507 6508 6509 6510 6511 6512 6513 6514 6515 6516 6517 6518 6519 |
| The funding authorized under this section shall not be applied to any project unless the detention center will be built in compliance with health, safety, and security standards for | 6520 6521 6522 |

detention centers as established by the Department of Youth 6523
 Services. In addition, the funding authorized under this section 6524
 shall not be applied to the renovation of a detention center 6525
 unless the renovation is for the purpose of increasing the number 6526
 of beds in the center, or to meet health, safety, or security 6527
 standards for detention centers as established by the Department 6528
 of Youth Services. 6529

Section 21. All items set forth in this section are hereby 6530
 appropriated out of any moneys in the state treasury to the credit 6531
 of the Transportation Building Fund (Fund 029) that are not 6532
 otherwise appropriated: 6533

| | | Reappropriations | |
|----------------------------------|------------------------------------|------------------|------|
| DOT DEPARTMENT OF TRANSPORTATION | | | 6534 |
| CAP-001 | Transportation Buildings Capital | \$ 35,000 | 6535 |
| | Improvements | | |
| | Total Department of Transportation | \$ 35,000 | 6536 |
| | TOTAL Transportation Building Fund | \$ 35,000 | 6537 |

Section 22. All items set forth in this section are hereby 6539
 appropriated out of any moneys in the state treasury to the credit 6540
 of the Arts and Sports Facilities Building Fund (Fund 030) that 6541
 are not otherwise appropriated: 6542

| | | Reappropriations | |
|---|---|------------------|------|
| AFC ARTS AND SPORTS FACILITIES COMMISSION | | | 6543 |
| CAP-003 | Center of Science and Industry - Toledo | \$ 12,268 | 6544 |
| CAP-004 | Valentine Theatre | \$ 1,111 | 6545 |
| CAP-005 | Center of Science and Industry - | \$ 181,636 | 6546 |
| | Columbus | | |
| CAP-010 | Sandusky State Theatre Improvements | \$ 1,000,000 | 6547 |
| CAP-017 | Zion Center of the National | \$ 488,232 | 6548 |
| | Afro-American Museum | | |
| CAP-021 | Ohio Historical Center - Archives and | \$ 2,395 | 6549 |

| | | | | |
|---------|---|----|-----------|------|
| | Library Shelving | | | |
| CAP-033 | Woodward Opera House Renovation | \$ | 1,050,000 | 6550 |
| CAP-037 | Canton Palace Theatre Renovations | \$ | 1,066,126 | 6551 |
| CAP-038 | Center Exhibit Replacement | \$ | 750,000 | 6552 |
| CAP-041 | Cleveland Playhouse | \$ | 500,000 | 6553 |
| CAP-042 | Statewide Site Exhibit/Renovation & Construction | \$ | 625,000 | 6554 |
| CAP-043 | Statewide Site Repairs | \$ | 454,000 | 6555 |
| CAP-046 | Cincinnati Museum Center Improvements | \$ | 500,000 | 6556 |
| CAP-052 | Akron Art Museum | \$ | 6,634,666 | 6557 |
| CAP-053 | Powers Auditorium Improvements | \$ | 200,000 | 6558 |
| CAP-055 | Waco Museum & Aviation Learning Center | \$ | 500,000 | 6559 |
| CAP-057 | Comprehensive Master Plan | \$ | 180,000 | 6560 |
| CAP-058 | Cedar Bog Nature Preserve Education Center | \$ | 766,200 | 6561 |
| CAP-061 | Statewide Arts Facilities Planning | \$ | 35,931 | 6562 |
| CAP-063 | Robins Theatre Renovations | \$ | 1,000,000 | 6563 |
| CAP-064 | Bramley Historic House | \$ | 75,000 | 6564 |
| CAP-066 | Delaware County Cultural Arts Center | \$ | 40,000 | 6565 |
| CAP-068 | Perry County Historical Society | \$ | 100,000 | 6566 |
| CAP-069 | Cleveland Institute of Art | \$ | 750,000 | 6567 |
| CAP-071 | Cleveland Institute of Music | \$ | 750,000 | 6568 |
| CAP-072 | West Side Arts Consortium | \$ | 138,000 | 6569 |
| CAP-074 | Stan Hywet Hall & Gardens | \$ | 250,000 | 6570 |
| CAP-075 | McKinley Museum Improvements | \$ | 125,000 | 6571 |
| CAP-076 | Spring Hill Historic Home | \$ | 125,000 | 6572 |
| CAP-077 | Western Reserve Ballet Improvements | \$ | 100,000 | 6573 |
| CAP-078 | Midland Theatre | \$ | 175,000 | 6574 |
| CAP-079 | Lorain Palace Civic Theatre | \$ | 200,000 | 6575 |
| CAP-080 | Great Lakes Historical Society | \$ | 150,000 | 6576 |
| CAP-734 | Hayes Presidential Center | \$ | 75,000 | 6577 |
| CAP-745 | Historic Sites and Museums | \$ | 750,000 | 6578 |
| CAP-753 | Buffington Island State Memorial | \$ | 91,500 | 6579 |

| | | | | |
|---|--|----|------------|------|
| CAP-770 | Serpent Mound State Memorial | \$ | 295,000 | 6580 |
| CAP-784 | Ohio Historical Center Rehabilitation | \$ | 673,700 | 6581 |
| CAP-786 | Piqua/Ft Picakawillany Acquisition and Improvements | \$ | 136,000 | 6582 |
| CAP-789 | Neil Armstrong Air and Space Museum Improvements | \$ | 103,516 | 6583 |
| CAP-791 | Harrison Tomb and Site Renovations | \$ | 149,500 | 6584 |
| CAP-796 | Moundbuilders State Memorial | \$ | 530,000 | 6585 |
| CAP-806 | Grant Boyhood Home Improvements | \$ | 68,333 | 6586 |
| CAP-809 | Cincinnati Ballet Facility Improvements | \$ | 450,000 | 6587 |
| CAP-810 | Toledo Museum of Art Improvements | \$ | 2,000,000 | 6588 |
| CAP-814 | Crawford Museum of Transportation & Industry | \$ | 2,500,000 | 6589 |
| CAP-820 | Historical Center Ohio Village Buildings | \$ | 502,000 | 6590 |
| CAP-821 | Lorain County Historical Society | \$ | 300,000 | 6591 |
| CAP-822 | Madison County Historic Schoolhouse | \$ | 40,000 | 6592 |
| CAP-823 | Marion Palace Theatre | \$ | 825,000 | 6593 |
| CAP-824 | McConnellsville Opera House | \$ | 75,000 | 6594 |
| CAP-825 | Secrest Auditorium | \$ | 75,000 | 6595 |
| CAP-826 | Renaissance Theatre | \$ | 50,000 | 6596 |
| CAP-827 | Trumpet in the Land | \$ | 100,000 | 6597 |
| CAP-828 | Becky Thatcher Showboat | \$ | 30,000 | 6598 |
| CAP-829 | Mid Ohio Valley Players | \$ | 50,000 | 6599 |
| CAP-830 | The Anchorage | \$ | 50,000 | 6600 |
| CAP-831 | Wayne County Historical Society | \$ | 300,000 | 6601 |
| CAP-833 | Promont House Museum | \$ | 200,000 | 6602 |
| CAP-836 | Fairfield Outdoor Theatre | \$ | 100,000 | 6603 |
| CAP-837 | Lake County Historical Society | \$ | 250,000 | 6604 |
| CAP-839 | Hancock Historical Society | \$ | 75,000 | 6605 |
| CAP-840 | Riversouth Development | \$ | 10,000,000 | 6606 |
| CAP-841 | Ft. Piqua Hotel | \$ | 200,000 | 6607 |
| CAP-843 | Marina District/Ice Arena Development | \$ | 4,000,000 | 6608 |
| Total Arts and Sports Facilities Commission | | \$ | 43,970,114 | 6609 |

| | | |
|--|---------------|------|
| TOTAL Arts and Sports Facilities Building Fund | \$ 43,970,114 | 6610 |
| COSI COLUMBUS - LOCAL ADMINISTRATION OF CAPITAL PROJECT | | 6611 |
| CONTRACTS | | 6612 |
| Notwithstanding division (A) of section 3383.07 of the | | 6613 |
| Revised Code, the Ohio Arts and Sports Facilities Commission, with | | 6614 |
| respect to the foregoing appropriation item CAP-005, Center of | | 6615 |
| Science and Industry - Columbus, may administer all or part of | | 6616 |
| capital facilities project contracts involving exhibit fabrication | | 6617 |
| and installation as determined by the Department of Administrative | | 6618 |
| Services, the Center of Science and Industry - Columbus, and the | | 6619 |
| Ohio Arts and Sports Facilities Commission in review of the | | 6620 |
| project plans. The Ohio Arts and Sports Facilities Commission | | 6621 |
| shall enter into a contract with the Center of Science and | | 6622 |
| Industry - Columbus to administer the exhibit fabrication and | | 6623 |
| installation contracts and such contracts are not subject to | | 6624 |
| Chapter 123. or 153. of the Revised Code. | | 6625 |
| SPORTS FACILITIES IMPROVEMENTS - AKRON | | 6626 |
| The amount reappropriated to the Arts and Sports Facilities | | 6627 |
| Building Fund (Fund 030), CAP-024, Sports Facilities Improvements | | 6628 |
| - Akron, is the unallotted and unencumbered balance in the Sports | | 6629 |
| Facilities Building Fund (Fund 024), CAP-024, Sports Facilities | | 6630 |
| Improvements - Akron. | | 6631 |
| REDS HALL OF FAME | | 6632 |
| The amount reappropriated to the Arts and Sports Facilities | | 6633 |
| Building Fund (Fund 030), CAP-025, Reds Hall of Fame, is the | | 6634 |
| unallotted and unencumbered balance in the Sports Facilities | | 6635 |
| Building Fund (Fund 024), CAP-025, Reds Hall of Fame. | | 6636 |
| MARINA DISTRICT/ICE ARENA DEVELOPMENT | | 6637 |
| The amount reappropriated to the Arts and Sports Facilities | | 6638 |
| Building Fund (Fund 030), CAP-843, Marina District/Ice Arena | | 6639 |

Development, is the unallotted and unencumbered balance in the 6640
Sports Facilities Building Fund (Fund 024), CAP-073, Marina 6641
District/Ice Arena Development. 6642

Section 22.01. The Ohio Building Authority is hereby 6643
authorized to issue and sell, in accordance with Section 2i of 6644
Article VIII, Ohio Constitution, and Chapter 152. and other 6645
applicable sections of the Revised Code, original obligations in 6646
an aggregate principal amount not to exceed \$1,000,000 in addition 6647
to the original issuance of obligations heretofore authorized by 6648
prior acts of the General Assembly. The authorized obligations 6649
shall be issued, subject to applicable constitutional and 6650
statutory limitations, to pay costs of capital facilities as 6651
defined in division (A)(5) of section 152.09 of the Revised Code, 6652
including construction as defined in division (H) of section 6653
3383.01 of the Revised Code, of the Ohio arts facilities 6654
designated in Section 15.01 of H.B. 675 of the 124th General 6655
Assembly. 6656

Section 23. All items set forth in this section are hereby 6657
appropriated out of any moneys in the state treasury to the credit 6658
of the Ohio Parks and Natural Resources Fund (Fund 031) that are 6659
not otherwise appropriated: 6660

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES 6661
STATEWIDE AND LOCAL PROJECTS 6662

| | | | | |
|---------|--|----|-----------|------|
| CAP-012 | Land Acquisition | \$ | 958,039 | 6663 |
| CAP-702 | Upgrade Underground Fuel Storage Tanks | \$ | 999,294 | 6664 |
| CAP-703 | Cap Abandoned Water Wells | \$ | 189,482 | 6665 |
| CAP-748 | Local Parks Projects - Statewide | \$ | 3,406,183 | 6666 |
| CAP-751 | City of Portsmouth Launch Ramp | \$ | 15,989 | 6667 |
| CAP-753 | Project Planning | \$ | 118,360 | 6668 |
| CAP-766 | South Fork Licking Watershed Study | \$ | 600 | 6669 |

| | | | | |
|---|--|----|------------|------|
| CAP-768 | Grand River Wildlife Area | \$ | 2,700 | 6670 |
| CAP-788 | Community Recreation Projects | \$ | 60,000 | 6671 |
| CAP-799 | Village of Nelville Boat Ramp | \$ | 140,727 | 6672 |
| CAP-800 | City of Gallipolis Courtesy Dock | \$ | 8,700 | 6673 |
| CAP-814 | North of Rush Run Wildlife Area | \$ | 200 | 6674 |
| CAP-834 | Appraisal Fees - Statewide | \$ | 77,265 | 6675 |
| CAP-844 | Put-In-Bay Township Port Authority | \$ | 79,784 | 6676 |
| CAP-868 | New Philadelphia Office Relocation | \$ | 1,500,000 | 6677 |
| CAP-881 | Dam Rehabilitation | \$ | 14,998,701 | 6678 |
| CAP-900 | City of Huron Docks | \$ | 46,786 | 6679 |
| CAP-928 | Handicapped Accessibility | \$ | 743,285 | 6680 |
| CAP-929 | Hazardous Waste/Asbestos Abatement | \$ | 102,857 | 6681 |
| CAP-931 | Wastewater/Water Systems Upgrades | \$ | 9,439,572 | 6682 |
| CAP-932 | Wetlands/Waterfront Acquisition | \$ | 223,481 | 6683 |
| CAP-934 | Operations Facilities Development | \$ | 1,486,438 | 6684 |
| CAP-963 | Fairpoint Harbor Port Authority | \$ | 103,293 | 6685 |
| CAP-995 | Boundary Protection | \$ | 32,426 | 6686 |
| CAP-999 | Geographic Information Management System | \$ | 779,501 | 6687 |
| Total Statewide and Local Projects | | \$ | 35,513,663 | 6688 |
| DIVISION OF CIVILIAN CONSERVATION | | | | 6689 |
| CAP-750 | Quilter CCC Camp | \$ | 900 | 6690 |
| CAP-817 | Riffe CCC Camp | \$ | 1,309 | 6691 |
| CAP-835 | Civilian Conservation Facilities | \$ | 1,847,074 | 6692 |
| Total Division of Civilian Conservation | | \$ | 1,849,283 | 6693 |
| DIVISION OF FORESTRY | | | | 6694 |
| CAP-021 | Mohican State Forest | \$ | 1,200 | 6695 |
| CAP-030 | Shawnee State Forest | \$ | 1,300 | 6696 |
| CAP-073 | Brush Creek State Forest | \$ | 5,850 | 6697 |
| CAP-146 | Zaleski State Forest | \$ | 200 | 6698 |
| CAP-213 | Shade River State Forest | \$ | 200 | 6699 |
| CAP-841 | Operations and Maintenance Facility | \$ | 1,489,212 | 6700 |
| | Development and Renovation | | | |
| CAP-977 | Fernwood State Forest | \$ | 7,181 | 6701 |

| | | | | |
|--|---|----|-----------|------|
| Total Division of Forestry | | \$ | 1,505,143 | 6702 |
| DIVISION OF MINERAL RESOURCES MANAGEMENT | | | | 6703 |
| CAP-867 | Reclamation Facilities Renovation and Development | \$ | 19,500 | 6704 |
| Total Division of Mineral Resources Management | | \$ | 19,500 | 6705 |
| DIVISION OF NATURAL AREAS AND PRESERVES | | | | 6706 |
| CAP-006 | Little Beaver Creek Nature Preserve | \$ | 1,500 | 6707 |
| CAP-826 | Natural Areas and Preserves Maintenance/Facility Development | \$ | 788,056 | 6708 |
| CAP-831 | Lake Katherine | \$ | 17,699 | 6709 |
| CAP-870 | Little Miami Scenic River | \$ | 4,800 | 6710 |
| Total Division of Natural Areas | | \$ | 812,055 | 6711 |
| DIVISION OF PARKS AND RECREATION | | | | 6712 |
| CAP-003 | Barkcamp State Park | \$ | 3,025 | 6713 |
| CAP-005 | Cowan Lake State Park | \$ | 34,684 | 6714 |
| CAP-010 | East Harbor State Park | \$ | 41,329 | 6715 |
| CAP-016 | Hueston Woods State Park | \$ | 2,500 | 6716 |
| CAP-017 | Indian Lake State Park | \$ | 2,319 | 6717 |
| CAP-018 | Kelleys Island State Park | \$ | 5,700 | 6718 |
| CAP-019 | Lake Hope State Park | \$ | 500 | 6719 |
| CAP-025 | Punderson Lake State Park | \$ | 8,997 | 6720 |
| CAP-026 | Pymatuning State Park | \$ | 2,650 | 6721 |
| CAP-032 | West Branch State Park | \$ | 6,243 | 6722 |
| CAP-037 | Kiser Lake State Park | \$ | 10,616 | 6723 |
| CAP-051 | Buck Creek State Park | \$ | 500 | 6724 |
| CAP-052 | Buckeye Lake State Park | \$ | 74,746 | 6725 |
| CAP-060 | East Fork State Park | \$ | 1,709 | 6726 |
| CAP-064 | Geneva State Park | \$ | 750 | 6727 |
| CAP-069 | Hocking Hills State Park | \$ | 472 | 6728 |
| CAP-089 | Mosquito Lake State Park | \$ | 2,789 | 6729 |
| CAP-093 | Portage Lakes State Park | \$ | 44,676 | 6730 |
| CAP-114 | Beaver Creek State Park | \$ | 12,000 | 6731 |
| CAP-119 | Forked Run State Park | \$ | 5,123 | 6732 |

| | | | | |
|---|---|----|------------|------|
| CAP-169 | Lake White State Park | \$ | 3,100 | 6733 |
| CAP-222 | Wolf Run State Park | \$ | 205,787 | 6734 |
| CAP-234 | State Parks, Campgrounds, Lodges, and Cabins | \$ | 3,431,369 | 6735 |
| CAP-305 | Maumee Bay State Park | \$ | 900 | 6736 |
| CAP-331 | Park Boating Facilities | \$ | 5,411,873 | 6737 |
| CAP-390 | State Park Maintenance/Facility Development | \$ | 1,803,182 | 6738 |
| CAP-718 | Grand Lake St Marys State Park | \$ | 7,490 | 6739 |
| CAP-719 | Indian Lake State Park | \$ | 7,610 | 6740 |
| CAP-758 | Muskingum River Parkway Lock #7 | \$ | 1,146 | 6741 |
| CAP-795 | Headlands Beach State Park | \$ | 25,160 | 6742 |
| CAP-815 | Mary Jane Thurston State Park | \$ | 4,700 | 6743 |
| CAP-825 | Marblehead Lighthouse State Park | \$ | 1,233 | 6744 |
| CAP-829 | Sycamore State Park | \$ | 500 | 6745 |
| CAP-836 | State Park Renovations/Upgrading | \$ | 3,254,137 | 6746 |
| CAP-851 | Cleveland Lakefront | \$ | 47,051 | 6747 |
| CAP-916 | Lake Milton State Park | \$ | 46,509 | 6748 |
| Total Division of Parks and Recreation | | \$ | 14,513,075 | 6749 |
| DIVISION OF SOIL AND WATER CONSERVATION | | | | 6750 |
| CAP-810 | New Facilities at Farm Science Review | \$ | 500 | 6751 |
| Total Division of Soil and Water Conservation | | \$ | 500 | 6752 |
| DIVISION OF WATER | | | | 6753 |
| CAP-705 | Rehabilitate Canals, Hydraulic Works, and Support Facilities | \$ | 3,781,222 | 6754 |
| CAP-730 | Miami and Erie Canal | \$ | 700 | 6755 |
| CAP-819 | Rehabilitate/Automate - Ohio Ground Water Observation Well Network | \$ | 294,266 | 6756 |
| CAP-820 | Automated Stream, Lake, and Ground Water Data Collection | \$ | 509,396 | 6757 |
| CAP-822 | Flood Hazard Information Studies | \$ | 5,518 | 6758 |
| CAP-848 | Hazardous Dam Repair - Statewide | \$ | 267,000 | 6759 |
| Total Division of Water | | \$ | 4,858,102 | 6760 |

| | | | |
|---|----|------------|------|
| TOTAL Department of Natural Resources | \$ | 59,071,321 | 6761 |
| TOTAL Ohio Parks and Natural Resources Fund | \$ | 59,071,321 | 6762 |

Section 23.01. LAND ACQUISITION 6764

Of the foregoing appropriation item CAP-012, Land 6765
Acquisition, \$300,000 shall be used by the City of Mentor to 6766
purchase property for the Mentor Marsh. 6767

MIAMI AND ERIE CANAL IMPROVEMENTS 6768

Of the foregoing appropriation item CAP-705, Rehabilitate 6769
Canals, Hydraulic Works, and Support Facilities, at least 6770
\$1,250,000 shall be used for Miami and Erie Canal improvements. 6771

LOCAL PARKS PROJECTS - STATEWIDE 6772

The amount reappropriated for the foregoing appropriation 6773
item CAP-748, Local Parks Projects - Statewide, is \$840,879 plus 6774
the unencumbered and unallotted balance as of June 30, 2004, in 6775
item CAP-748, Local Parks Projects - Statewide. The \$840,879 6776
represents amounts that were previously appropriated, allocated to 6777
counties pursuant to division (D) of section 1557.06 of the 6778
Revised Code, and encumbered for local project grants. The 6779
encumbrances for these local projects in the various counties 6780
shall be canceled by the Director of Natural Resources or the 6781
Director of Budget and Management. The Director of Natural 6782
Resources shall allocate the \$840,879 to the same counties the 6783
moneys were originally allocated to, in the amount of the canceled 6784
encumbrances. 6785

DAM REHABILITATION 6786

Of the foregoing appropriation item CAP-881, Dam 6787
Rehabilitation, up to \$5,000,000 shall be used to rehabilitate the 6788
Muskingum River Locks and Dams. 6789

Section 23.02. For the projects appropriated in Section 24 of 6790

this act, the Ohio Department of Natural Resources shall 6791
periodically prepare and submit to the Director of Budget and 6792
Management the estimated design, planning, and engineering costs 6793
of capital-related work to be done by the Department of Natural 6794
Resources for each project. Based on the estimates, the Director 6795
of Budget and Management may release appropriations from the 6796
foregoing appropriation item CAP-753, Project Planning, to pay for 6797
design, planning, and engineering costs incurred by the Department 6798
of Natural Resources for such projects. Upon release of the 6799
appropriations by the Director of Budget and Management, the 6800
Department of Natural Resources shall pay for these expenses from 6801
Fund 4S9, Capital Expenses, and be reimbursed by the Ohio Parks 6802
and Natural Resources Fund (Fund 031) using an intrastate voucher. 6803

Section 24. All items set forth in this section are hereby 6804
appropriated out of any moneys in the state treasury to the credit 6805
of the School Building Program Assistance Fund (Fund 032) that are 6806
not otherwise appropriated: 6807

| | | Reappropriations | |
|---------|---|------------------|------|
| | SFC SCHOOL FACILITIES COMMISSION | | 6808 |
| CAP-770 | School Building Program Assistance | \$ 11,319,352 | 6809 |
| CAP-779 | Exceptional Needs | \$ 602,365 | 6810 |
| | Total School Facilities Commission | \$ 11,921,717 | 6811 |
| | TOTAL School Building Program Assistance Fund | \$ 11,921,717 | 6812 |

SCHOOL BUILDING PROGRAM ASSISTANCE 6813

The amount reappropriated for the foregoing appropriation 6814
item CAP-770, School Building Program Assistance, is \$6,205,032, 6815
plus the sum of the unencumbered and unallotted balances as of 6816
June 30, 2004, for appropriation item CAP-770, School Building 6817
Program Assistance. 6818

Section 25. All items set forth in Sections 25.01 to 25.03 of 6819

this act are hereby appropriated out of any moneys in the state 6820
treasury to the credit of the Mental Health Facilities Improvement 6821
Fund (Fund 033) that are not otherwise appropriated: 6822

Reappropriations

Section 25.01. ADA DEPARTMENT OF ALCOHOL AND DRUG ADDICTION 6823
SERVICES 6824
CAP-001 Renovate Rollman Center \$ 41,236 6825
CAP-002 Community Assistance Projects \$ 3,560,104 6826
CAP-003 Alcohol/Drug Addiction Center \$ 7,314 6827
Total Department of Alcohol and Drug Addiction 6828
Services \$ 3,608,654 6829

COMMUNITY ASSISTANCE PROJECTS 6830

Of the foregoing appropriation item CAP-002, Community 6831
Assistance Projects, \$266,512 shall be used for the Oak House 6832
Women's Residential Treatment Facility. 6833

Reappropriations

Section 25.02. DMH DEPARTMENT OF MENTAL HEALTH 6834
STATEWIDE AND CENTRAL OFFICE PROJECTS 6835
CAP-092 Hazardous Materials Abatement \$ 240,104 6836
CAP-479 Community Assistance Projects \$ 1,281,313 6837
CAP-906 Campus Consolidation-Automation \$ 307,487 6838
CAP-946 Demolition \$ 126,012 6839
CAP-976 Life Safety/Critical Plant Renovations \$ 147,387 6840
CAP-977 Patient Care/Environment Improvement \$ 2,062,910 6841
CAP-978 Infrastructure Renovations \$ 420,050 6842
CAP-981 Emergency Improvements \$ 2,540,710 6843
Total Department of Mental Health \$ 7,125,973 6844

COMMUNITY ASSISTANCE PROJECTS 6845

Of the foregoing appropriation item CAP-479, Community 6846
Assistance Projects, \$250,000 shall be used for the Berea 6847

| | | |
|--|------------------|------|
| Children's Home. | | 6848 |
| PATIENT CARE AND ENVIRONMENT IMPROVEMENTS | | 6849 |
| The amount reappropriated for appropriation item CAP-977, | | 6850 |
| Patient Care/Environment Improvement, is the unencumbered and | | 6851 |
| unallotted balances as of June 30, 2004, in appropriation item | | 6852 |
| CAP-977, Patient Care/Environment Improvement, plus \$371,199. | | 6853 |
| PATIENT ENVIRONMENT IMPROVEMENT CONSOLIDATION | | 6854 |
| The amount reappropriated for appropriation item CAP-984, | | 6855 |
| Patient Environment Improvement/Consolidation, is the unencumbered | | 6856 |
| and unallotted balance as of June 30, 2004, in appropriation item | | 6857 |
| CAP-984, Patient Environment Improvement/Consolidation plus | | 6858 |
| \$176,853. | | 6859 |
| | Reappropriations | |
| Section 25.03. DMR DEPARTMENT OF MENTAL RETARDATION AND | | 6860 |
| DEVELOPMENTAL DISABILITIES | | 6861 |
| STATEWIDE PROJECTS | | 6862 |
| CAP-001 Asbestos Abatement | \$ 1,324,722 | 6863 |
| CAP-480 Community Assistance Projects | \$ 15,366,610 | 6864 |
| CAP-901 Razing of Buildings | \$ 369,502 | 6865 |
| CAP-912 Telecommunications Systems Improvement | \$ 208,417 | 6866 |
| CAP-941 Emergency Generator Replacement | \$ 88,942 | 6867 |
| CAP-955 Statewide Developmental Centers | \$ 4,496,148 | 6868 |
| CAP-981 Emergency Improvements | \$ 266,017 | 6869 |
| Total Statewide and Central Office Projects | \$ 22,120,358 | 6870 |
| COMMUNITY ASSISTANCE PROJECTS | | 6871 |
| The foregoing appropriation item CAP-480, Community | | 6872 |
| Assistance Projects, may be used to provide community assistance | | 6873 |
| funds for the construction or renovation of facilities for day | | 6874 |
| programs or residential programs that provide services to persons | | 6875 |
| eligible for services from the Department of Mental Retardation | | 6876 |

and Developmental Disabilities or county boards of mental 6877
retardation and developmental disabilities. Any funds provided to 6878
nonprofit agencies for the construction or renovation of 6879
facilities for persons eligible for services from the Department 6880
of Mental Retardation and Developmental Disabilities and county 6881
boards of mental retardation and developmental disabilities are 6882
subject to the prevailing wage provisions in section 176.05 of the 6883
Revised Code. 6884

Of the foregoing appropriation item CAP-480, Community 6885
Assistance Projects, \$150,000 shall be used for the Fostoria Area 6886
Community Childhood and Family Center and \$1,000,000 shall be used 6887
for the Bellefaire Jewish Children's Bureau. 6888

STATEWIDE DEVELOPMENTAL CENTERS 6889

APPLE CREEK DEVELOPMENTAL CENTER 6890

| | | | | |
|---------|--|----|---------|------|
| CAP-956 | Apple Creek Developmental Center | \$ | 49,611 | 6891 |
| CAP-790 | Cortland Hall Renovation | \$ | 31,183 | 6892 |
| CAP-791 | Jonathan Hall Renovation | \$ | 417,107 | 6893 |
| CAP-795 | Ruby Hall Renovation | \$ | 277,500 | 6894 |
| CAP-940 | Sewage Treatment Plant Renovation | \$ | 55,307 | 6895 |
| CAP-953 | Door Replacements | \$ | 20,000 | 6896 |
| | Total Apple Creek Developmental Center | \$ | 850,708 | 6897 |

CAMBRIDGE DEVELOPMENTAL CENTER 6898

| | | | | |
|---------|--|----|---------|------|
| CAP-711 | Residential Renovations - CAMDC | \$ | 45,037 | 6899 |
| CAP-910 | HVAC Renovations - Residential Buildings | \$ | 53,550 | 6900 |
| CAP-913 | Cambridge HVAC Upgrade - Activity Center | \$ | 43,125 | 6901 |
| CAP-969 | Utility Upgrade Centerwide | | 50,000 | 6902 |
| | Total Cambridge Developmental Center | \$ | 191,712 | 6903 |

COLUMBUS DEVELOPMENTAL CENTER 6904

| | | | | |
|---------|-------------------------------------|----|---------|------|
| CAP-852 | Fire Alarm System Improvements | \$ | 39,295 | 6905 |
| CAP-958 | Columbus Developmental Center | \$ | 245,368 | 6906 |
| | Total Columbus Developmental Center | \$ | 284,663 | 6907 |

GALLIPOLIS DEVELOPMENTAL CENTER 6908

| | | | | |
|---------|---------------------------------|----|---------|------|
| CAP-959 | Gallipolis Developmental Center | \$ | 160,000 | 6909 |
|---------|---------------------------------|----|---------|------|

| | | | |
|--|----|---------|------|
| Total Gallipolis Developmental Center | \$ | 160,000 | 6910 |
| MONTGOMERY DEVELOPMENTAL CENTER | | | 6911 |
| CAP-960 Montgomery Developmental Center | \$ | 91,172 | 6912 |
| Total Montgomery Developmental Center | \$ | 91,172 | 6913 |
| MOUNT VERNON DEVELOPMENTAL CENTER | | | 6914 |
| CAP-080 Renovate Main Kitchen - Rian Hall | \$ | 71,143 | 6915 |
| CAP-101 Rian Hall Residential Renovations | \$ | 105,742 | 6916 |
| CAP-947 Replace Chiller | \$ | 67,865 | 6917 |
| CAP-962 Mount Vernon Developmental Center | \$ | 239,039 | 6918 |
| CAP-974 Pool/Gymnasium Renovation | \$ | 60,000 | 6919 |
| Total Mount Vernon Developmental Center | \$ | 543,789 | 6920 |
| NORTHWEST OHIO DEVELOPMENTAL CENTER | | | 6921 |
| CAP-963 Northwest Ohio Developmental Center | \$ | 409,409 | 6922 |
| CAP-982 Cooling Tower Replacement | \$ | 50,000 | 6923 |
| Total Northwest Ohio Developmental Center | \$ | 459,409 | 6924 |
| SOUTHWEST OHIO DEVELOPMENTAL CENTER | | | 6925 |
| CAP-863 Residential Renovation - HVAC Upgrade | \$ | 30,838 | 6926 |
| CAP-964 Southwest Ohio Developmental Center | \$ | 142,134 | 6927 |
| CAP-976 Renovation Program and Support Services Building | \$ | 162,100 | 6928 |
| Total Southwest Ohio Developmental Center | \$ | 335,072 | 6929 |
| SPRINGVIEW DEVELOPMENTAL CENTER | | | 6930 |
| CAP-742 Administration Building Roof | \$ | 124,437 | 6931 |
| CAP-977 Roof Replacement | \$ | 203,468 | 6932 |
| Total Springview Developmental Center | \$ | 327,905 | 6933 |
| TIFFIN DEVELOPMENTAL CENTER | | | 6934 |
| CAP-085 Roof Replacement - Dietary | \$ | 100,000 | 6935 |
| CAP-086 Replace Boiler Feedwater Heating and Storage Unit | \$ | 88,738 | 6936 |
| CAP-899 Utah & Nevada Buildings Renovation | \$ | 4,750 | 6937 |
| CAP-931 Roof and Exterior Renovations | \$ | 184,825 | 6938 |
| CAP-966 Tiffin Developmental Center | \$ | 192,528 | 6939 |

| | | | |
|--|----|------------|--------------|
| Total Tiffin Developmental Center | \$ | 570,841 | 6940 |
| WARRENSVILLE DEVELOPMENTAL CENTER | | | 6941 |
| CAP-088 Exterior Lighting Replacement | \$ | 38,000 | 6942 |
| CAP-867 Residential Renovations - WDC | \$ | 75,000 | 6943 |
| CAP-900 Water Line Replacement - WDC | \$ | 77,922 | 6944 |
| CAP-936 HVAC Renovations | \$ | 44,035 | 6945 |
| CAP-950 ADA Compliance - WDC | \$ | 41,435 | 6946 |
| CAP-951 Central Kitchen Improvements | \$ | 6,805 | 6947 |
| CAP-967 Warrensville Developmental Center | \$ | 39,217 | 6948 |
| Total Warrensville Developmental Center | \$ | 322,414 | 6949 |
| TOTAL Department of Mental Retardation and Developmental Disabilities | \$ | 26,258,043 | 6950 6951 |
| TOTAL Mental Health Facilities Improvement Fund | \$ | 36,992,670 | 6952 |

Section 25.04. The foregoing appropriations for the 6954
Department of Alcohol and Drug Addiction Services, CAP-002, 6955
Community Assistance Projects; Department of Mental Health, 6956
CAP-479, Community Assistance Projects; and Department of Mental 6957
Retardation and Developmental Disabilities, CAP-480, Community 6958
Assistance Projects, may be used on facilities constructed or to 6959
be constructed pursuant to Chapter 340., 3793., 5119., 5123., or 6960
5126. of the Revised Code or the authority granted by section 6961
154.20 of the Revised Code and the rules adopted pursuant to those 6962
chapters and that section and shall be distributed by the 6963
Department of Alcohol and Drug Addiction Services, the Department 6964
of Mental Health, and the Department of Mental Retardation and 6965
Developmental Disabilities, subject to Controlling Board approval. 6966

Section 25.05. (A) No capital improvement appropriations made 6967
in Sections 26.01 to 26.03 of this act shall be released for 6968
planning or for improvement, renovation, or construction or 6969
acquisition of capital facilities if a governmental agency, as 6970
defined in section 154.01 of the Revised Code, does not own the 6971

real property that constitutes the capital facilities or on which 6972
the capital facilities are or will be located. This restriction 6973
does not apply in any of the following circumstances: 6974

(1) The governmental agency has a long-term (at least fifteen 6975
years) lease of, or other interest (such as an easement) in, the 6976
real property. 6977

(2) In the case of an appropriation for capital facilities 6978
that, because of their unique nature or location, will be owned or 6979
be part of facilities owned by a separate nonprofit organization 6980
and made available to the governmental agency for its use, the 6981
nonprofit organization either owns or has a long-term (at least 6982
fifteen years) lease of the real property or other capital 6983
facility to be improved, renovated, constructed, or acquired and 6984
has entered into a joint or cooperative use agreement, approved by 6985
the Department of Mental Health, Department of Mental Retardation 6986
and Developmental Disabilities, or Department of Alcohol and Drug 6987
Addiction Services, whichever is applicable, with the governmental 6988
agency for that agency's use of and right to use the capital 6989
facilities to be financed and, if applicable, improved, the value 6990
of such use or right to use being, as determined by the parties, 6991
reasonably related to the amount of the appropriation. 6992

(B) In the case of capital facilities referred to in division 6993
(A)(2) of this section, the joint or cooperative use agreement 6994
shall include, as a minimum, provisions that: 6995

(1) Specify the extent and nature of that joint or 6996
cooperative use, extending for no fewer than fifteen years, with 6997
the value of such use or right to use to be, as determined by the 6998
parties and approved by the applicable department, reasonably 6999
related to the amount of the appropriation; 7000

(2) Provide for pro rata reimbursement to the state should 7001
the arrangement for joint or cooperative use by a governmental 7002

agency be terminated; 7003

(3) Provide that procedures to be followed during the capital 7004
improvement process will comply with appropriate applicable state 7005
statutes and rules, including provisions of this act. 7006

Section 26. All items set forth in Sections 26.01 to 26.56 of 7007
this act are hereby appropriated out of any moneys in the state 7008
treasury to the credit of the Higher Education Improvement Fund 7009
(Fund 034) that are not otherwise appropriated: 7010

Reappropriations

Section 26.01. OEB OHIO EDUCATIONAL TELECOMMUNICATIONS 7011
NETWORK COMMISSION 7012

CAP-001 Educational Television and Radio \$ 1,650,617 7013
Equipment

CAP-002 Educational Broadcasting Fiber Optic \$ 51,748 7014
Network

Total Ohio Educational Telecommunications 7015

Network Commission \$ 1,702,365 7016

EDUCATIONAL TELEVISION AND RADIO EQUIPMENT 7017

The foregoing appropriation item CAP-001, Educational 7018
Television and Radio Equipment, shall be used to provide 7019
broadcasting, transmission, and production equipment to Ohio 7020
public radio and television stations, radio reading services, and 7021
the Ohio Educational Telecommunications Network Commission. 7022

EDUCATIONAL BROADCASTING FIBER OPTIC NETWORK 7023

The foregoing appropriation item CAP-002, Educational 7024
Broadcasting Fiber Optic Network, shall be used to link the Ohio 7025
public radio and television stations, radio reading services, and 7026
the Ohio Educational Broadcasting Network for the reception and 7027
transmission of digital communications through fiber optic cable 7028
or other technology. 7029

Reappropriations

| | | | |
|--|---|---------------|------|
| Section 26.02. BOR BOARD OF REGENTS | | | 7030 |
| CAP-032 | Research Facility Investment | \$ 3,581,226 | 7031 |
| | Loans/Grants | | |
| CAP-033 | Child Care Facility - Matching Grants | \$ 742,695 | 7032 |
| CAP-060 | Technology Initiatives | \$ 1,183,398 | 7033 |
| CAP-061 | Central State Rehabilitation | \$ 207,012 | 7034 |
| CAP-062 | Non Credit Job Training Facility Grants | \$ 5,985,000 | 7035 |
| CAP-068 | Third Frontier Project | \$ 54,360,000 | 7036 |
| CAP-071 | Center for Transitional and Applied | \$ 500,000 | 7037 |
| | Genomics | | |
| CAP-072 | Cleveland Clinic Heart Center | \$ 1,000,000 | 7038 |
| | Infrastructure | | |
| CAP-073 | Technology Incubator for Market-Ready | \$ 2,000,000 | 7039 |
| | Applications | | |
| Total Board of Regents | | \$ 69,559,331 | 7040 |

Section 26.03. RESEARCH FACILITY ACTION AND INVESTMENT FUNDS 7042

The foregoing appropriation item CAP-032, Research Facility 7043
 Action and Investment Funds, shall be used for a program of grants 7044
 to be administered by the Board of Regents to provide timely 7045
 availability of capital facilities for research programs and 7046
 research-oriented instructional programs at or involving 7047
 state-supported and state-assisted institutions of higher 7048
 education. 7049

The Board of Regents shall adopt rules under Chapter 119. of 7050
 the Revised Code relative to the application for and approval of 7051
 projects funded from appropriation item CAP-032, Research Facility 7052
 Action and Investment Funds. The rules shall be reviewed and 7053
 approved by the Legislative Committee on Education Oversight. The 7054
 Board of Regents shall inform the President of the Senate and the 7055

Speaker of the House of Representatives of each project 7056
application for funding received. Each project receiving a 7057
commitment for funding by the Board of Regents under the rules 7058
shall be reported to the President of the Senate and the Speaker 7059
of the House of Representatives. 7060

Section 26.04. REPAYMENT OF RESEARCH FACILITY ACTION AND 7061
INVESTMENT FUNDS MONEYS 7062

Notwithstanding any provision of law to the contrary, all 7063
repayments of Research Facility Action and Investment Funds loans 7064
shall be made to the Bond Service Account in the Higher Education 7065
Bond Service Trust Fund. 7066

Institutions of higher education shall make timely repayments 7067
of Research Facility Action and Investment Funds loans, according 7068
to the schedule established by the Board of Regents. In the case 7069
of late payments, the Board of Regents may deduct from an 7070
institution's periodic subsidy distribution an amount equal to the 7071
amount of the overdue payment for that institution, transfer such 7072
amount to the Bond Service Trust Fund, and credit the appropriate 7073
institution for the repayment. 7074

Section 26.05. CHILD CARE FACILITY - MATCHING GRANTS 7075

The foregoing appropriation item CAP-033, Child Care Facility 7076
- Matching Grants, shall be used by the Board of Regents to make 7077
grants to state-supported or state-assisted institutions of higher 7078
education for projects to expand, construct, renovate space, or 7079
equip child care centers. All grants shall be awarded on a 50 per 7080
cent match basis. In making grant awards, the Board of Regents 7081
shall give priority to: 7082

(A) Projects located at state-supported or state-assisted 7083
institutions without child care facilities; 7084

(B) Projects for which the principal clients are children of 7085

| | |
|--|------|
| students enrolled at the institution; and | 7086 |
| (C) Projects where the facility will be used as a | 7087 |
| classroom/training lab for child care/preschool certification | 7088 |
| programs. | 7089 |
| Section 26.06. TECHNOLOGY INITIATIVES | 7090 |
| The foregoing appropriation item CAP-060, Technology | 7091 |
| Initiatives, shall be used by the Board of Regents to support | 7092 |
| collaborative initiatives to improve the quality and efficiency of | 7093 |
| instruction, services, and program offerings at Ohio's | 7094 |
| state-assisted colleges and universities. | 7095 |
| Section 26.07. THIRD FRONTIER PROJECT | 7096 |
| The foregoing appropriation item CAP-068, Third Frontier | 7097 |
| Project, shall be used to acquire, renovate, or construct | 7098 |
| facilities and purchase equipment for research programs, | 7099 |
| technology development, product development, and commercialization | 7100 |
| programs at or involving state-supported and state-assisted | 7101 |
| institutions of higher education. The funds shall be used to make | 7102 |
| grants awarded on a competitive basis, and shall be administered | 7103 |
| by the Third Frontier Commission. Expenditure of these funds shall | 7104 |
| comply with Section 2n of Article VIII, Ohio Constitution, and | 7105 |
| section 151.01 and 151.04 of the Revised Code for the period | 7106 |
| beginning July 1, 2004, and ending June 30, 2006. | 7107 |
| The Third Frontier Commission shall develop guidelines | 7108 |
| relative to the application for and selection of projects funded | 7109 |
| from appropriation item CAP-068, Third Frontier Project. The | 7110 |
| commission may develop these guidelines in consultation with other | 7111 |
| interested parties. The Board of Regents and all state-assisted | 7112 |
| and state-supported institutions of higher education shall take | 7113 |
| all actions necessary to implement grants awarded by the Third | 7114 |
| Frontier Commission. | 7115 |

The foregoing appropriation item CAP-068, Third Frontier Project, for which an appropriation is made from the Higher Education Improvement Fund (Fund 034), is determined to consist of capital improvements and capital facilities for state-supported and state-assisted institutions of higher education, and is designated for the capital facilities to which proceeds of obligations in the Higher Education Improvement Fund (Fund 034) are to be applied.

Section 26.08. TECHNOLOGY INCUBATOR FOR MARKET-READY APPLICATIONS

The amount reappropriated for the foregoing appropriation item CAP-073, Technology Incubator for Market-Ready Applications, is the unencumbered and unallotted balance as of June 30, 2004, in Youngstown State University's appropriation item CAP-128, Technology Incubator for Market-Ready Applications, and CAP-116, Technology Incubator for Market-Ready Applications.

Section 26.09. REIMBURSEMENT FOR PROJECT COSTS

Appropriations made in Sections 26.02 to 26.56 of this act for purposes of the costs of capital facilities for the interim financing of which the particular institution has previously issued its own obligations anticipating the possibility of future state appropriations to pay all or a portion of such costs, as contemplated in division (B) of section 3345.12 of the Revised Code, shall be paid directly to the institution or the paying agent for those outstanding obligations in the full principal amount of those obligations then to be paid from the anticipated appropriation, and shall be timely applied to the retirement of a like principal amount of the institution's obligations.

Appropriations made in Sections 26.02 to 26.56 of this act for purposes of the costs of capital facilities, all or a portion

of which costs the particular institution has paid from the 7146
institution's moneys that were temporarily available and which 7147
expenditures were reasonably expected at the time of the advance 7148
by the institution and the state to be reimbursed from the 7149
proceeds of obligations issued by the state, shall be directly 7150
paid to the institution in the full amounts of those payments and 7151
shall be timely applied to the reimbursement of those temporarily 7152
available moneys. All reimbursements are subject to review and 7153
approval through the capital release process. 7154

Reappropriations

| | | | |
|---|--|--------------|------|
| Section 26.10. UAK UNIVERSITY OF AKRON | | | 7155 |
| CAP-008 | Basic Renovations | \$ 3,394,867 | 7156 |
| CAP-047 | Polsky Building Renovation | \$ 577,185 | 7157 |
| CAP-049 | Basic Renovations - Wayne | \$ 270,316 | 7158 |
| CAP-054 | Auburn Science/Whitby Rehabilitation | \$ 4,099,600 | 7159 |
| CAP-061 | Asbestos Abatement | \$ 29,650 | 7160 |
| CAP-063 | Child Care Facility | \$ 149,998 | 7161 |
| CAP-075 | Infrastructure Materials/Rehabilitation | \$ 102,932 | 7162 |
| CAP-076 | Supercritical Fluid Technology | \$ 17,500 | 7163 |
| CAP-080 | UAK/Medina Technology Link | \$ 43,307 | 7164 |
| CAP-081 | Classroom/Office Building - Arts/Sciences | \$ 21,710 | 7165 |
| CAP-091 | Student Affairs Building | \$ 1,235,626 | 7166 |
| CAP-095 | Online Math | \$ 29,305 | 7167 |
| CAP-097 | Ohio NMR Consortium | \$ 96,500 | 7168 |
| CAP-098 | Guzzetta Hall Addition | \$ 7,784,808 | 7169 |
| CAP-099 | D Wing Expansion | \$ 243,750 | 7170 |
| CAP-100 | Classroom Office Addition-Design | \$ 120,120 | 7171 |
| CAP-101 | National Polymer Processing Center | \$ 1,000,000 | 7172 |
| CAP-102 | Scanning Raman Spectrometer | \$ 635 | 7173 |
| CAP-104 | Nanoscale Polymers Manufacturing | \$ 237,500 | 7174 |
| CAP-105 | Hydrogen Production and Storage | \$ 169,000 | 7175 |

| | | | | |
|---------------------------|--|----|------------|------|
| CAP-107 | Stan Hywet Hall and Gardens | \$ | 500,000 | 7176 |
| CAP-108 | Weathervane Theatre, Akron | \$ | 100,000 | 7177 |
| CAP-109 | Case Barlow Farm, Hudson | \$ | 100,000 | 7178 |
| CAP-110 | Springfield HS/UAK Distance Learning Project | \$ | 382,000 | 7179 |
| Total University of Akron | | \$ | 20,706,309 | 7180 |

Reappropriations

| | | | | |
|--|---|----|-----------|------|
| Section 26.11. BGU BOWLING GREEN STATE UNIVERSITY | | | | 7182 |
| CAP-009 | Basic Renovations | \$ | 6,290,012 | 7183 |
| CAP-060 | Basic Renovations - Firelands | \$ | 267,550 | 7184 |
| CAP-074 | Instructional and Data Processing Equipment | \$ | 1,586,263 | 7185 |
| CAP-078 | Asbestos Abatement | \$ | 1,584 | 7186 |
| CAP-088 | ADA Modifications | \$ | 329,896 | 7187 |
| CAP-091 | Child Care Facility | \$ | 49,406 | 7188 |
| CAP-093 | Pedestrian Mall Project | \$ | 20,766 | 7189 |
| CAP-094 | Materials Network | \$ | 90,981 | 7190 |
| CAP-104 | Jerome Library Renovations | \$ | 89,146 | 7191 |
| CAP-105 | Administration Building Elevators | \$ | 25,003 | 7192 |
| CAP-108 | Tunnel Upgrade - Phase II | \$ | 98,820 | 7193 |
| CAP-109 | Cedar Point Community Center | \$ | 862,684 | 7194 |
| CAP-110 | Hannah Hall Rehabilitation | \$ | 2,005,522 | 7195 |
| CAP-112 | Biology Lab Renovation | \$ | 1,199,595 | 7196 |
| CAP-113 | Campus-Wide Paving/Sidewalk Upgrade | \$ | 352,700 | 7197 |
| CAP-114 | Student Learning | \$ | 128,920 | 7198 |
| CAP-115 | Video Teaching Network | \$ | 33,627 | 7199 |
| CAP-117 | Administration Building Chiller | \$ | 2,475 | 7200 |
| CAP-118 | Kinetic Spectrometry Consortium | \$ | 187,798 | 7201 |
| CAP-119 | Admissions Visitor Center | \$ | 3,000,000 | 7202 |
| CAP-120 | Theatre/Performing Arts Complex | \$ | 8,750,000 | 7203 |
| CAP-121 | University Hall Rehabilitation | \$ | 1,174,981 | 7204 |
| CAP-122 | Convocation Center | \$ | 50,000 | 7205 |

Total Bowling Green State University \$ 26,597,729 7206

BASIC RENOVATIONS 7207

The amount reappropriated for the foregoing appropriation 7208
item CAP-009, Basic Renovations, is the sum of the unencumbered 7209
and unallotted balances as of June 30, 2004, in appropriation 7210
items CAP-009, Basic Renovations; CAP-066, South Hall Replacement; 7211
and CAP-106, LSC Stairwell/MSC Exterior Steps. 7212

Reappropriations

Section 26.12. CSU CENTRAL STATE UNIVERSITY 7213

CAP-022 Basic Renovations \$ 862,299 7214

CAP-068 Instructional and Data Processing \$ 16,002 7215
Replacement

CAP-075 ADA Modifications \$ 51,645 7216

CAP-078 Brown Library Roof Replacement \$ 21,479 7217

CAP-081 Campus Rehabilitation \$ 236,907 7218

CAP-083 Master Plan/Supplemental Renovations \$ 91,278 7219

CAP-084 Academic Facility - Phase 1 \$ 7,144,745 7220

CAP-085 Green Hall Rehabilitation \$ 50,406 7221

CAP-088 Capacity Grant \$ 28,609 7222

CAP-090 Emery Hall Roof Rehabilitation \$ 632,500 7223

CAP-091 Carnegie Hall Roof Rehabilitation \$ 76,503 7224

CAP-092 Page Hall Rehabilitation \$ 1,000,000 7225

CAP-095 Williamson Hall HVAC \$ 126,110 7226

CAP-096 Lane Hall Rehabilitation \$ 3,700,000 7227

CAP-097 Campus-wide Master Plan \$ 11,366 7228

CAP-098 Web Instruction \$ 888 7229

Total Central State University \$ 14,050,737 7230

Reappropriations

Section 26.13. UCN UNIVERSITY OF CINCINNATI 7232

CAP-009 Basic Renovations \$ 6,003,233 7233

As Reported by the Senate Finance and Financial Institutions Committee

| | | | | |
|---------|---|----|---------|------|
| CAP-018 | Basic Renovations - Clermont | \$ | 227,093 | 7234 |
| CAP-054 | Raymond Walters Renovations | \$ | 146,415 | 7235 |
| CAP-115 | Hazardous Waste | \$ | 6,648 | 7236 |
| CAP-122 | Infrastructure Assessment | \$ | 1,639 | 7237 |
| CAP-125 | Supplemental Renovations - Interior Spaces | \$ | 15,223 | 7238 |
| CAP-128 | Science and Allied Health Building - Walters | \$ | 248,614 | 7239 |
| CAP-137 | MSB Otolaryngology | \$ | 1,228 | 7240 |
| CAP-141 | ADA Modifications | \$ | 239,535 | 7241 |
| CAP-142 | ADA Modifications - Clermont | \$ | 6,039 | 7242 |
| CAP-143 | ADA Modifications - Walters | \$ | 2,101 | 7243 |
| CAP-156 | CFC Unit Replacement | \$ | 2,173 | 7244 |
| CAP-158 | Molecular Components/Simulation Network | \$ | 14,154 | 7245 |
| CAP-171 | Asbestos - Rieveschl Hall | \$ | 298,057 | 7246 |
| CAP-173 | Surface Engineering | \$ | 69,428 | 7247 |
| CAP-174 | Classroom/Teaching Lab Renovations | \$ | 55,965 | 7248 |
| CAP-176 | Network Expansion | \$ | 19,000 | 7249 |
| CAP-177 | Critical Building Component Renovations | \$ | 422,700 | 7250 |
| CAP-179 | Rieveschl Rehabilitation | \$ | 27,240 | 7251 |
| CAP-180 | Rapid Prototype Process | \$ | 72,043 | 7252 |
| CAP-182 | Elevator - Critical Building Components | \$ | 33,271 | 7253 |
| CAP-187 | MSB Small Group Learning Spaces | \$ | 1,125 | 7254 |
| CAP-188 | HPB/Wherry Service Entrances | \$ | 24,454 | 7255 |
| CAP-193 | Nano Particles | \$ | 1,103 | 7256 |
| CAP-194 | Transgenic Core Capacity | \$ | 1,633 | 7257 |
| CAP-195 | Thin Film Analysis | \$ | 110,452 | 7258 |
| CAP-196 | Electronic Reconstruction | \$ | 1,784 | 7259 |
| CAP-197 | Med Center Technology | \$ | 1,546 | 7260 |
| CAP-198 | TC/Dyer Rehabilitation Phase 1A | \$ | 8,532 | 7261 |
| CAP-200 | Braustein Rehabilitation Phase 1 | \$ | 301 | 7262 |
| CAP-201 | WC Faculty Media Center | \$ | 7,275 | 7263 |
| CAP-202 | Baldwin Hall Rehabilitation - Phase I | \$ | 8,360 | 7264 |

| | | | | |
|---------|---|----|-----------|------|
| CAP-203 | Zimmer Plaza & Auditorium Rehabilitation | \$ | 5,919 | 7265 |
| CAP-205 | Medical Science Building Rehabilitation | \$ | 7,481,108 | 7266 |
| CAP-206 | One Stop Services Center | \$ | 1,221,776 | 7267 |
| CAP-207 | Central Campus Infrastructure | \$ | 327,727 | 7268 |
| CAP-208 | Security System Upgrade | \$ | 54,483 | 7269 |
| CAP-209 | Library Renovations | \$ | 900,500 | 7270 |
| CAP-211 | Cincinnati Symphony Facility | \$ | 500,000 | 7271 |
| CAP-212 | Roof Replacement - MSB Complex | \$ | 24,906 | 7272 |
| CAP-218 | Creation of a P3 Facility | \$ | 500 | 7273 |
| CAP-223 | Teachers College/Dyer Hall Rehabilitation Phase 2 | \$ | 3,073,015 | 7274 |
| CAP-224 | Van Wormer Administrative Building Rehabilitation | \$ | 642,423 | 7275 |
| CAP-226 | Holocaust Archives at Hebron Union College | \$ | 250,000 | 7276 |
| CAP-227 | Old Chemistry Roof and Masonry | \$ | 99,049 | 7277 |
| CAP-228 | Medical Science Building Level G, 1 & 2 Lab Upgrades | \$ | 2,117 | 7278 |
| CAP-232 | Expression Technology | \$ | 52,979 | 7279 |
| CAP-237 | Biomedical Engineering | \$ | 231,816 | 7280 |
| CAP-244 | Pulse Detonation Engine | \$ | 140,050 | 7281 |
| CAP-250 | Student Services | \$ | 97,898 | 7282 |
| CAP-251 | Information Technology | \$ | 15,972 | 7283 |
| CAP-252 | Surgery Research Renovation Level G & 1 | \$ | 3,566 | 7284 |
| CAP-253 | Electron Photo Reagents | \$ | 62,055 | 7285 |
| CAP-254 | Elevator Modernization - Sanders | \$ | 232,372 | 7286 |
| CAP-257 | Micro and Nano-materials Consortium | \$ | 160,000 | 7287 |
| CAP-258 | Genome Research | \$ | 176,439 | 7288 |
| CAP-259 | Ohio NMR Consortium | \$ | 114,500 | 7289 |
| CAP-260 | Environmental Technology Consortium | \$ | 50,000 | 7290 |
| CAP-262 | Central Campus Renovations | \$ | 8,442 | 7291 |
| CAP-264 | McMicken Window Replacement | \$ | 66,882 | 7292 |
| CAP-265 | Rieveschl/Crosley Rehab/Expansion | \$ | 285,633 | 7293 |

| | | | | |
|---|---|----|------------|------|
| CAP-266 | Muntz Rehab Phase 2 | \$ | 77,623 | 7294 |
| CAP-267 | Muntz Classroom/Office Upgrades | \$ | 16,297 | 7295 |
| CAP-269 | Raymond Walters Veterinary College | \$ | 400,000 | 7296 |
| CAP-270 | CAS HVAC Upgrades | \$ | 294,680 | 7297 |
| CAP-272 | French West | \$ | 557 | 7298 |
| CAP-273 | Help Phones | \$ | 43,754 | 7299 |
| CAP-276 | Health Professionals Building G44E Renovation | \$ | 25,428 | 7300 |
| CAP-277 | Rieveschl 800 Lab Reloc. | \$ | 705,147 | 7301 |
| CAP-278 | Structural Biology | \$ | 500,000 | 7302 |
| CAP-279 | Developmental Neurobiology | \$ | 500,000 | 7303 |
| CAP-283 | College of Applied Science | \$ | 154,000 | 7304 |
| CAP-284 | Mechanistic Modeling Tools | \$ | 60,000 | 7305 |
| CAP-285 | Medical Science Building Library Computer Lab Renovation | \$ | 63,003 | 7306 |
| CAP-286 | CAS Fire Alarm Upgrade | \$ | 618,174 | 7307 |
| CAP-287 | Classroom Security System | \$ | 71,696 | 7308 |
| CAP-288 | Doped Electroluminescent Devices | \$ | 100,000 | 7309 |
| CAP-289 | Medical Science Building Data Electronic RM Walls | \$ | 29,965 | 7310 |
| CAP-290 | Mainframe Computing Alliance | \$ | 104,727 | 7311 |
| CAP-291 | Proteomics in the Post Genome Era | \$ | 1,000,000 | 7312 |
| CAP-292 | Nanoscale Hybrid Materials | \$ | 600,287 | 7313 |
| CAP-293 | Accelerated Maturation of Materials | \$ | 250,000 | 7314 |
| CAP-294 | Hydrogen Production & Storage | \$ | 206,000 | 7315 |
| CAP-295 | Edwards Corridors Tile | \$ | 26,801 | 7316 |
| Total University of Cincinnati | | \$ | 30,208,640 | 7317 |
| BASIC RENOVATIONS | | | | 7318 |
| The amount reappropriated for the foregoing appropriation | | | | 7319 |
| item CAP-009, Basic Renovations, is the sum of the unencumbered | | | | 7320 |
| and unallotted balance as of June 30, 2004, in appropriation item | | | | 7321 |
| CAP-009, Basic Renovations, plus \$14,860. | | | | 7322 |

SCIENCE AND ALLIED HEALTH BUILDING - WALTERS 7323

The amount reappropriated for the foregoing appropriation 7324
item CAP-128, Science and Allied Health Building - Walters, is the 7325
sum of the unencumbered and unallotted balance as of June 30, 7326
2004, in appropriation item CAP-128, Science and Allied Health 7327
Building - Walters, plus \$81,931. 7328

CLASSROOM/TEACHING LAB RENOVATIONS 7329

The amount reappropriated for the foregoing appropriation 7330
item CAP-174, Classroom/Teaching Lab Renovations, is the sum of 7331
the unencumbered and unallotted balance as of June 30, 2004, in 7332
appropriation item CAP-174, Classroom/Teaching Lab Renovations, 7333
plus \$698. 7334

ELEVATOR - CRITICAL BUILDING COMPONENTS 7335

The amount reappropriated for the foregoing appropriation 7336
item CAP-182, Elevator - Critical Building Components, is the sum 7337
of the unencumbered and unallotted balance as of June 30, 2004, in 7338
appropriation item CAP-182, Elevator - Critical Building 7339
Components, plus \$45,048. 7340

MSB SMALL GROUP LEARNING SPACES 7341

The amount reappropriated for the foregoing appropriation 7342
item CAP-187, MSB Small Group Learning Spaces, is the sum of the 7343
unencumbered and unallotted balance as of June 30, 2004, in 7344
appropriation item CAP-187, MSB Small Group Learning Spaces, plus 7345
\$1,125. 7346

TC/DYER REHABILITATION PHASE 1A 7347

The amount reappropriated for the foregoing appropriation 7348
item CAP-198, TC/DYER Rehabilitation Phase 1A, is the sum of the 7349
unencumbered and unallotted balance as of June 30, 2004, in 7350
appropriation item CAP-198, TC/DYER Rehabilitation Phase 1A, plus 7351
\$2,406. 7352

| | |
|---|------|
| BRAUSTEIN REHABILITATION PHASE 1 | 7353 |
| The amount reappropriated for the foregoing appropriation | 7354 |
| item CAP-200, Braustein Rehabilitation Phase 1, is the sum of the | 7355 |
| unencumbered and unallotted balance as of June 30, 2004, in | 7356 |
| appropriation item CAP-200, Braustein Rehabilitation Phase 1, plus | 7357 |
| \$301. | 7358 |
| BALDWIN HALL REHABILITATION - PHASE 1 | 7359 |
| The amount reappropriated for the foregoing appropriation | 7360 |
| item CAP-202, Baldwin Hall Rehabilitation - Phase 1, is the sum of | 7361 |
| the unencumbered and unallotted balance as of June 30, 2004, in | 7362 |
| appropriation item CAP-202, Baldwin Hall Rehabilitation - Phase 1, | 7363 |
| plus \$8,360. | 7364 |
| MEDICAL SCIENCE BUILDING REHABILITATION | 7365 |
| The amount reappropriated for the foregoing appropriation | 7366 |
| item CAP-205, Medical Science Building Rehabilitation, is the sum | 7367 |
| of the unencumbered and unallotted balance as of June 30, 2004, in | 7368 |
| appropriation item CAP-205, Medical Science Building | 7369 |
| Rehabilitation, plus \$274. | 7370 |
| ONE STOP SERVICES CENTER | 7371 |
| The amount reappropriated for the foregoing appropriation | 7372 |
| item CAP-206, One Stop Services Center, is the sum of the | 7373 |
| unencumbered and unallotted balance as of June 30, 2004, in | 7374 |
| appropriation item CAP-206, One Stop Services Center, plus \$1,260. | 7375 |
| CREATION OF A P3 FACILITY | 7376 |
| The amount reappropriated for the foregoing appropriation | 7377 |
| item CAP-218, Creation of a P3 Facility, is the sum of the | 7378 |
| unencumbered and unallotted balance as of June 30, 2004, in | 7379 |
| appropriation item CAP-218, Creation of a P3 Facility, plus \$500. | 7380 |

| | | | |
|---------|--|---------------|------|
| | Section 26.14. CLS CLEVELAND STATE UNIVERSITY | | 7381 |
| CAP-007 | Stilwell Hall Completion | \$ 25,160 | 7382 |
| CAP-023 | Basic Renovations | \$ 4,173,262 | 7383 |
| CAP-067 | 17th - 18th Street Block | \$ 164,026 | 7384 |
| CAP-069 | Great Lakes Museum for Science, Environment, and Technology | \$ 200,000 | 7385 |
| CAP-088 | Asbestos Abatement | \$ 1,636,687 | 7386 |
| CAP-092 | Handicapped Requirements | \$ 17,148 | 7387 |
| CAP-101 | Classroom Building Conversion | \$ 50,000 | 7388 |
| CAP-109 | Classroom Upgrade | \$ 533,031 | 7389 |
| CAP-112 | Land Acquisitions | \$ 16,803 | 7390 |
| CAP-114 | Geographic Information Systems | \$ 77,738 | 7391 |
| CAP-117 | Landscaping/Sidewalks/Stairs | \$ 29,350 | 7392 |
| CAP-118 | Structural Concrete Rehabilitation | \$ 36,893 | 7393 |
| CAP-125 | College of Education Building | \$ 9,386,384 | 7394 |
| CAP-126 | Electrical System Upgrades Phase 2 | \$ 1,072,619 | 7395 |
| CAP-127 | Fire Alarm System Upgrade | \$ 400,000 | 7396 |
| CAP-128 | Property Acquisition | \$ 2,886,556 | 7397 |
| CAP-130 | WVIZ Technology Center | \$ 1,000,000 | 7398 |
| CAP-135 | Law Building Stair Renovation | \$ 6,669 | 7399 |
| CAP-136 | University Center HVAC Phase 1 | \$ 3,843 | 7400 |
| CAP-137 | University Center Elevator Upgrades | \$ 26,545 | 7401 |
| CAP-138 | Student Services | \$ 142,174 | 7402 |
| CAP-139 | Landscape, Sidewalk Replacement | \$ 5,845 | 7403 |
| CAP-142 | Rhodes Tower Library Roof Replacement | \$ 1,170,372 | 7404 |
| CAP-143 | Cleveland Food Bank | \$ 500,000 | 7405 |
| CAP-144 | Rhodes Tower Plaza Renovation Phase 2 | \$ 1,300,000 | 7406 |
| CAP-145 | Cleveland Manufactures Technology Complex | \$ 500,000 | 7407 |
| CAP-146 | Rhodes Tower Exterior Renovation | \$ 56,709 | 7408 |
| | Total Cleveland State University | \$ 25,417,813 | 7409 |
| | BASIC RENOVATIONS | | 7410 |

The amount reappropriated for the foregoing appropriation 7411
item CAP-023, Basic Renovations, is the unencumbered and 7412
unallotted balance as of June 30, 2004, in appropriation item 7413
CAP-023, Basic Renovations, plus \$9,122. 7414

Reappropriations

| | | | |
|---|---|--------------|------|
| Section 26.15. KSU KENT STATE UNIVERSITY | | | 7415 |
| CAP-022 | Basic Renovations | \$ 4,061,411 | 7416 |
| CAP-098 | Trumbull Branch Addition | \$ 13,972 | 7417 |
| CAP-105 | Basic Renovations - East Liverpool | \$ 171,174 | 7418 |
| CAP-106 | Basic Renovations - Geauga | \$ 93,274 | 7419 |
| CAP-107 | Basic Renovations - Salem | \$ 178,129 | 7420 |
| CAP-108 | Basic Renovations - Stark | \$ 397,489 | 7421 |
| CAP-110 | Basic Renovations - Ashtabula | \$ 249,026 | 7422 |
| CAP-111 | Basic Renovations - Trumbull | \$ 618,878 | 7423 |
| CAP-112 | Basic Renovations - Tuscarawas | \$ 2,198 | 7424 |
| CAP-122 | Faculty Office Addition - Salem | \$ 12,072 | 7425 |
| CAP-126 | HVAC Renovations - Ashtabula | \$ 5,545 | 7426 |
| CAP-128 | Roof Renovations - Ashtabula | \$ 1,435 | 7427 |
| CAP-137 | LCI/Materials Science Building | \$ 24,730 | 7428 |
| CAP-139 | Science Building - Stark | \$ 54,890 | 7429 |
| CAP-140 | Road Improvements - Trumbull | \$ 12,282 | 7430 |
| CAP-143 | Liquid Crystals | \$ 450,884 | 7431 |
| CAP-146 | Williams Hall Medium Voltage | \$ 13,816 | 7432 |
| CAP-154 | Separation Science | \$ 1,497 | 7433 |
| CAP-156 | Boiler Plant Controls and Building Alterations | \$ 36,932 | 7434 |
| CAP-157 | Moulton Hall Rehabilitation | \$ 30,772 | 7435 |
| CAP-159 | Electrical Substation/Fiber Optic Network | \$ 51,993 | 7436 |
| CAP-161 | Addition to Cunningham Hall | \$ 80,149 | 7437 |
| CAP-162 | Science and Technology Building - Trumbull | \$ 125,374 | 7438 |

As Reported by the Senate Finance and Financial Institutions Committee

| | | | | |
|---------|---|----|-----------|------|
| CAP-164 | ADA Modifications - Ashtabula | \$ | 6,772 | 7439 |
| CAP-166 | ADA Modifications - Geauga | \$ | 440 | 7440 |
| CAP-167 | ADA Modifications - Salem | \$ | 5,312 | 7441 |
| CAP-168 | ADA Modifications - Stark | \$ | 620 | 7442 |
| CAP-173 | Child Care Facility | \$ | 18,650 | 7443 |
| CAP-176 | Midway Drive Utilities Tunnel - II | \$ | 100,087 | 7444 |
| CAP-177 | Corporate Education and Conference Center, Phase 2 Stark | \$ | 28,556 | 7445 |
| CAP-179 | New Power Plant | \$ | 125,445 | 7446 |
| CAP-184 | Distributed Computation/Visualization | \$ | 33,833 | 7447 |
| CAP-188 | Child Care Funds - East Liverpool | \$ | 90,000 | 7448 |
| CAP-189 | Child Care Funds - Tuscarawas | \$ | 19,847 | 7449 |
| CAP-190 | Child Care Funds - Ashtabula | \$ | 12,500 | 7450 |
| CAP-194 | Child Care - Salem | \$ | 100,000 | 7451 |
| CAP-195 | Child Care - Geauga | \$ | 20,666 | 7452 |
| CAP-196 | Technology Improvements - Ashtabula | \$ | 282,331 | 7453 |
| CAP-197 | Technology Improvements - Geauga | \$ | 6,044 | 7454 |
| CAP-198 | Technology Improvements - Salem | \$ | 5,648 | 7455 |
| CAP-199 | Technology Improvements - Trumbull | \$ | 72,860 | 7456 |
| CAP-200 | Technology Improvements - Tuscarawas | \$ | 18,638 | 7457 |
| CAP-202 | Utility Tunnel Upgrade | \$ | 133,929 | 7458 |
| CAP-206 | Child Care Facility | \$ | 2,637 | 7459 |
| CAP-207 | Kent Hall Planning and Addition | \$ | 1,650,674 | 7460 |
| CAP-210 | Rooftop Air Handler | \$ | 600 | 7461 |
| CAP-212 | Technology Building and Parking | \$ | 1,700,333 | 7462 |
| CAP-213 | Electric Distribution Renovation | \$ | 36,396 | 7463 |
| CAP-214 | Stark Selective Interior Renovation | \$ | 10,549 | 7464 |
| CAP-218 | Henderson Hall Roof Replace/Masonry | \$ | 56,385 | 7465 |
| CAP-219 | Campus Electrical Infrastructure Improvements | \$ | 22,181 | 7466 |
| CAP-220 | Campus Steam System Evaluation & Upgrade | \$ | 297,556 | 7467 |
| CAP-221 | Organic Semiconductor Facility | \$ | 60,000 | 7468 |
| CAP-225 | MPA Based Template | \$ | 15,078 | 7469 |

| | | | | |
|--|---|----|------------|------|
| CAP-227 | 3D Microscopy Imaging | \$ | 287,100 | 7470 |
| CAP-228 | Exterior Site Improvements | \$ | 2,159 | 7471 |
| CAP-231 | Organic Semiconductor Consortium | \$ | 52,863 | 7472 |
| CAP-232 | Ohio NMR Consortium | \$ | 80,800 | 7473 |
| CAP-233 | Environmental Technology Consortium | \$ | 56,850 | 7474 |
| CAP-234 | Terrace Drive Heating Plant Rehabilitation I | \$ | 2,254,722 | 7475 |
| CAP-235 | Rehabilitation of Franklin Hall - Planning | \$ | 1,815,000 | 7476 |
| CAP-237 | Classroom Building Interior Renovation - Tuscarawas | \$ | 1,015,746 | 7477 |
| CAP-238 | Roof Replacement, Classroom Building | \$ | 169,002 | 7478 |
| CAP-239 | Classroom Building Roof, Coping, Fascia Restoration | \$ | 581,919 | 7479 |
| CAP-240 | Roadway Parking Lot Improvements Phase 1 | \$ | 250,000 | 7480 |
| CAP-241 | Main Hall Selective Interior Renovations - Phase 1 | \$ | 146,547 | 7481 |
| CAP-243 | Classroom Building Interior Renovations - East Liverpool | \$ | 804,594 | 7482 |
| CAP-244 | Fine Arts Building Addition | \$ | 1,300,000 | 7483 |
| CAP-245 | Rockwell Hall Sprinkler System | \$ | 1,018 | 7484 |
| CAP-246 | Tuscarawas Wing C Penthouse Roof Replacement | \$ | 83,745 | 7485 |
| CAP-248 | Mary Patterson Building Boiler Replacement | \$ | 119,631 | 7486 |
| CAP-250 | Rockwell Hall Tunnel Waterproofing | \$ | 16,707 | 7487 |
| CAP-251 | Hydrogen Production & Storage | \$ | 185,000 | 7488 |
| CAP-252 | Ohio Organic Semiconductor | \$ | 250,000 | 7489 |
| Total Kent State University | | \$ | 21,095,892 | 7490 |
| BOILER PLANT CONTROLS AND BUILDING ALTERATIONS | | | | 7491 |
| The amount reappropriated for the foregoing appropriation | | | | 7492 |
| item CAP-156, Boiler Plant Controls and Building Alterations, is | | | | 7493 |

the unencumbered and unallotted balance as of June 30, 2004, in 7494
 appropriation item CAP-156, Boiler Plant Controls and Building 7495
 Alterations, plus \$6,738. 7496

ELECTRICAL SUBSTATION/FIBER OPTIC NETWORK 7497

The amount reappropriated for the foregoing appropriation 7498
 item CAP-159, Electrical Substation/Fiber Optic Network, is the 7499
 unencumbered and unallotted balance as of June 30, 2004, in 7500
 appropriation item CAP-159, Electrical Substation/Fiber Optic 7501
 Network, plus \$6,526. 7502

MIDWAY DRIVE UTILITIES TUNNEL - II 7503

The amount reappropriated for the foregoing appropriation 7504
 item CAP-176, Midway Drive Utilities Tunnel - II, is the 7505
 unencumbered and unallotted balance as of June 30, 2004, in 7506
 appropriation item CAP-176, Midway Drive Utilities Tunnel - II, 7507
 plus \$1,522. 7508

Reappropriations

Section 26.16. MUN MIAMI UNIVERSITY 7509

| | | | | |
|---------|---|----|-----------|------|
| CAP-018 | Basic Renovations | \$ | 4,352,129 | 7510 |
| CAP-064 | Land Restoration - Hamilton | \$ | 11,466 | 7511 |
| CAP-066 | Basic Renovations - Hamilton | \$ | 438,175 | 7512 |
| CAP-069 | Basic Renovations - Middletown | \$ | 552,927 | 7513 |
| CAP-070 | Chilled Water System | \$ | 358,075 | 7514 |
| CAP-072 | Hiestand Hall Renovations | \$ | 782 | 7515 |
| CAP-081 | Cooperative Regional Library Depository | \$ | 2,546 | 7516 |
| | SW | | | |
| CAP-083 | Campus Avenue Building Renovation | \$ | 43,612 | 7517 |
| CAP-085 | Alumni Hall Rehabilitation - Phase I | \$ | 972 | 7518 |
| CAP-088 | Hoyt Hall Rehabilitation | \$ | 7,785 | 7519 |
| CAP-089 | High Voltage Electric | \$ | 735,266 | 7520 |
| CAP-092 | Science Building - Middletown | \$ | 271,261 | 7521 |
| CAP-096 | McGuffey Hall Rehabilitation | \$ | 137,677 | 7522 |

| | | | | |
|---------|--|----|-----------|------|
| CAP-098 | Computer Network Installation | \$ | 23,259 | 7523 |
| CAP-099 | King Library Rehabilitation | \$ | 3,001,865 | 7524 |
| CAP-101 | ADA Modifications | \$ | 963 | 7525 |
| CAP-102 | ADA Modifications - Hamilton | \$ | 686 | 7526 |
| CAP-103 | ADA Modifications - Middletown | \$ | 2,798 | 7527 |
| CAP-105 | Plant Response/Environmental Stress | \$ | 72,641 | 7528 |
| CAP-107 | Gas Phase Chemistry of Ions | \$ | 34,740 | 7529 |
| CAP-109 | Molecular Microbial Biology | \$ | 67,500 | 7530 |
| CAP-110 | Micromachining Technology | \$ | 510,553 | 7531 |
| CAP-111 | Roudebush Hall Rehabilitation | \$ | 291,058 | 7532 |
| CAP-112 | Chilled Water Loop Phase I - Hamilton | \$ | 45,291 | 7533 |
| CAP-113 | Special Academic/Administrative Projects - Hamilton | \$ | 508,381 | 7534 |
| CAP-114 | Chilled Water Loop Phase I - Middletown | \$ | 47,553 | 7535 |
| CAP-115 | Special Academic/Administrative Projects - Middletown | \$ | 1,607,518 | 7536 |
| CAP-116 | Hughes Hall Rehabilitation - Phase 2 | \$ | 15,008 | 7537 |
| CAP-117 | North Campus Refrigeration/Chilled Water | \$ | 26,698 | 7538 |
| CAP-120 | Cole Service Building Addition | \$ | 15,206 | 7539 |
| CAP-121 | Southwestern Book Depository | \$ | 178,821 | 7540 |
| CAP-123 | Phillips Hall Rehabilitation | \$ | 86,743 | 7541 |
| CAP-126 | Collaboration to Improve Learning | \$ | 28,516 | 7542 |
| CAP-127 | Campus Steam Distribution - Phase I | \$ | 850,000 | 7543 |
| CAP-129 | Steam Plant Electrostatic Precipitator | \$ | 6,699 | 7544 |
| CAP-130 | MacMillan Rehabilitation/Multicultural Center | \$ | 32,919 | 7545 |
| CAP-131 | Miami University Learning Center | \$ | 1,001,515 | 7546 |
| CAP-132 | Mass Spectrum Consortium | \$ | 21,413 | 7547 |
| CAP-133 | Single Crystal X-Ray Diffractometer | \$ | 70,144 | 7548 |
| CAP-134 | Thermal Ionization Mass Spectrometer | \$ | 147,481 | 7549 |
| CAP-135 | NMR Spectrometer | \$ | 159,654 | 7550 |
| CAP-139 | Ohio NMR Consortium | \$ | 193,000 | 7551 |
| CAP-140 | Environmental Technology Consortium | \$ | 50,000 | 7552 |

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|------------------------|---|----|------------|------|
| CAP-141 | 385 Peck Boulevard | \$ | 1,068,019 | 7553 |
| CAP-142 | Engineering and Applied Science Facility | \$ | 500,000 | 7554 |
| CAP-143 | Warfield Hall Rehabilitation | \$ | 250,000 | 7555 |
| CAP-145 | Campus Chilled Water Efficiency | \$ | 339,109 | 7556 |
| CAP-146 | Information Technology System Upgrade | \$ | 811,969 | 7557 |
| CAP-147 | Central Campus Water and Sewer Improvement | \$ | 350,000 | 7558 |
| CAP-149 | Parrish Auditorium Rehabilitation | \$ | 700,000 | 7559 |
| CAP-150 | Student and Community Center | \$ | 1,120 | 7560 |
| Total Miami University | | \$ | 20,031,513 | 7561 |

Reappropriations

| | | | | |
|---|---|----|------------|------|
| Section 26.17. OSU OHIO STATE UNIVERSITY | | | | 7563 |
| CAP-074 | Basic Renovations | \$ | 21,755,353 | 7564 |
| CAP-149 | Basic Renovations - Regional Campuses | \$ | 1,586,910 | 7565 |
| CAP-198 | Brown Hall Annex Replacement | \$ | 6,213 | 7566 |
| CAP-216 | Evans Lab Addition | \$ | 92,250 | 7567 |
| CAP-217 | Library Book Warehouse | \$ | 14,721 | 7568 |
| CAP-219 | Supplemental Renovations | \$ | 101,419 | 7569 |
| CAP-254 | Basic Renovations - ATI | \$ | 184,610 | 7570 |
| CAP-255 | Supplemental Renovations - OARDC | \$ | 1,408,980 | 7571 |
| CAP-256 | Supplemental Renovations - Regional | \$ | 191,955 | 7572 |
| CAP-258 | Dreese Lab Addition | \$ | 283,941 | 7573 |
| CAP-259 | Mendenhall Lab Rehabilitation | \$ | 20,690 | 7574 |
| CAP-261 | Bioscience/Parks Hall Addition | \$ | 12,584 | 7575 |
| CAP-268 | Horse/Farm Management Facility - ATI | \$ | 5,417 | 7576 |
| CAP-269 | Greenhouse Modernization | \$ | 40,982 | 7577 |
| CAP-271 | Horticulture/Entomology Greenhouse - OARDC | \$ | 15,425 | 7578 |
| CAP-273 | Retrovirus Research Center | \$ | 3,554 | 7579 |
| CAP-274 | OARDC Thorne & Gourley Halls | \$ | 20,955 | 7580 |
| CAP-292 | Life Sciences Research Building | \$ | 218,170 | 7581 |
| CAP-293 | College of Business Facilities | \$ | 134,074 | 7582 |

As Reported by the Senate Finance and Financial Institutions Committee

| | | | | |
|---------|--|----|---------|------|
| CAP-294 | Stillman Hall Addition | \$ | 58,779 | 7583 |
| CAP-295 | Poultry Science Facility | \$ | 2,888 | 7584 |
| CAP-297 | Library/Classroom Building - Marion | \$ | 572 | 7585 |
| CAP-302 | Food Science & Technology Building | \$ | 92,743 | 7586 |
| CAP-304 | Conference Center - OARDC/ATI | \$ | 23,350 | 7587 |
| CAP-306 | Heart & Lung Institute | \$ | 32,437 | 7588 |
| CAP-311 | Superconducting Radiation | \$ | 65,094 | 7589 |
| CAP-313 | Brain Tumor Research Center | \$ | 6,001 | 7590 |
| CAP-314 | Engineering Center Net Shape Manufacturing | \$ | 20,730 | 7591 |
| CAP-315 | Membrane Protein Typology | \$ | 8,835 | 7592 |
| CAP-316 | Instructional and Data Processing Equipment | \$ | 200,806 | 7593 |
| CAP-321 | Fine Particle Technologies | \$ | 159,363 | 7594 |
| CAP-323 | Advanced Plasma Engineering | \$ | 22,379 | 7595 |
| CAP-324 | Plasma Ramparts | \$ | 1,150 | 7596 |
| CAP-326 | IN-SITU AL-BE Composites | \$ | 1,733 | 7597 |
| CAP-331 | Cunz Hall - Partial 2nd Floor Renovation | \$ | 7,286 | 7598 |
| CAP-333 | Larkins Hall - Roof Replacement Phase III | \$ | 84,795 | 7599 |
| CAP-334 | Center for Automotive Research | \$ | 3,445 | 7600 |
| CAP-335 | Jay Cooke Residence - Roof and Windows | \$ | 86,668 | 7601 |
| CAP-339 | Poultry Science Lab Remodeling | \$ | 213 | 7602 |
| CAP-347 | Asbestos Abatement | \$ | 5,724 | 7603 |
| CAP-349 | Materials Network | \$ | 56,025 | 7604 |
| CAP-350 | Bio-Technology Consortium | \$ | 42,378 | 7605 |
| CAP-352 | Analytical Electron Microscope | \$ | 375,000 | 7606 |
| CAP-353 | High Temp Alloys & Alluminoids | \$ | 220,000 | 7607 |
| CAP-356 | Pesticide Storage/Disposal Buildings | \$ | 606 | 7608 |
| CAP-357 | Supplemental Renovations - ATI | \$ | 33,969 | 7609 |
| CAP-361 | Maintenance, Receiving, and Storage Facility - Marion | \$ | 58,646 | 7610 |
| CAP-362 | McPherson Lab Rehabilitation | \$ | 169,056 | 7611 |

| | | | | |
|---------|---|----|-----------|------|
| CAP-368 | Heart and Lung Institute | \$ | 101,808 | 7612 |
| CAP-372 | Veterinary Hospital - Animal Isolation | \$ | 200 | 7613 |
| CAP-374 | ADA Modifications | \$ | 141,183 | 7614 |
| CAP-375 | ADA Modifications - ATI | \$ | 41,936 | 7615 |
| CAP-376 | ADA Modifications - Lima | \$ | 95,538 | 7616 |
| CAP-377 | ADA Modifications - Mansfield | \$ | 15,253 | 7617 |
| CAP-379 | ADA Modifications - Newark | \$ | 7,732 | 7618 |
| CAP-387 | Titanium Alloys | \$ | 54,912 | 7619 |
| CAP-391 | Haskett/Hopkins Halls Renovations | \$ | 7,312 | 7620 |
| CAP-394 | ATI/OARDC Roof Replacements | \$ | 13,913 | 7621 |
| CAP-398 | Advanced Manufacturing | \$ | 38,579 | 7622 |
| CAP-399 | Manufacturing Processes/Materials | \$ | 62,574 | 7623 |
| CAP-401 | Terhertz Studies | \$ | 35,294 | 7624 |
| CAP-402 | Caldwell Laboratory Remodeling | \$ | 37,839 | 7625 |
| CAP-406 | Marion Park/Road/Sidewalk/Lights | \$ | 2,750 | 7626 |
| CAP-407 | Dulles Chilled Water | \$ | 2,095 | 7627 |
| CAP-411 | Campus Grounds - Lights Phase 4 | \$ | 7,018 | 7628 |
| CAP-412 | Hitchcock Hall HVAC Upgrades | \$ | 10,392 | 7629 |
| CAP-413 | Pomerene Lighting/Wiring | \$ | 235,300 | 7630 |
| CAP-414 | Postle Hall Roof Replacement | \$ | 2,332 | 7631 |
| CAP-419 | NMR Consortium | \$ | 75,116 | 7632 |
| CAP-420 | Versatile Film Facility | \$ | 72,894 | 7633 |
| CAP-421 | OCARNET | \$ | 5,916 | 7634 |
| CAP-422 | Bioprocessing Research | \$ | 90,252 | 7635 |
| CAP-423 | Localized Corrosion Research | \$ | 6,128 | 7636 |
| CAP-424 | ATM Testbed | \$ | 3,633 | 7637 |
| CAP-425 | Physical Sciences Building | \$ | 2,653,195 | 7638 |
| CAP-427 | Morrill Hall Remodeling - Vacated Library Space - Marion | \$ | 730,742 | 7639 |
| CAP-428 | Capital Equipment - OARDC | \$ | 2,510 | 7640 |
| CAP-430 | Hagerty Hall Rehabilitation | \$ | 89,231 | 7641 |
| CAP-431 | Sisson Hall Replacement | \$ | 5,571 | 7642 |
| CAP-434 | Ramseyer Hall Roof Renovations | \$ | 19,700 | 7643 |

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|---------|--|----|------------|------|
| CAP-436 | Machinery Acoustics | \$ | 3,804 | 7644 |
| CAP-439 | Sensors and Measurements | \$ | 15,115 | 7645 |
| CAP-440 | Polymer Magnets | \$ | 1,099 | 7646 |
| CAP-443 | ADA Modifications - Elevator/Handrails | \$ | 45,426 | 7647 |
| CAP-444 | Larkins Hall HVAC System Upgrade | \$ | 3,500 | 7648 |
| CAP-445 | Starling Loving Hall A Wing - HVAC | \$ | 367 | 7649 |
| CAP-449 | Bolz Hall Roof Replacement | \$ | 64,180 | 7650 |
| CAP-450 | Campus Grounds Exterior Lighting, Phase 5 | \$ | 5,748 | 7651 |
| CAP-453 | Evans Lab Chiller Replacement | \$ | 5,647 | 7652 |
| CAP-454 | Utilities Upgrade Lighting Retrofit | \$ | 11,575 | 7653 |
| CAP-458 | A1 Alloy Corrosion | \$ | 14,292 | 7654 |
| CAP-464 | Main Library HVAC Renovations | \$ | 6,711 | 7655 |
| CAP-465 | Veterinary Hospital Chiller Replacement | \$ | 35,668 | 7656 |
| CAP-466 | ARPS Hall Chiller Replacement | \$ | 6,323 | 7657 |
| CAP-468 | Larkins Hall Window Replacements | \$ | 11,295 | 7658 |
| CAP-471 | Newton Hall Renovations | \$ | 2,134 | 7659 |
| CAP-472 | OSHA Safety Devices | \$ | 3,426 | 7660 |
| CAP-476 | Mount Hall Lecture Hall | \$ | 1,559 | 7661 |
| CAP-479 | ADA Compliant Restrooms 1997 | \$ | 1,906 | 7662 |
| CAP-480 | Campbell Hall Public Space | \$ | 102,104 | 7663 |
| CAP-481 | OSHA Ventilation - Bio Science | \$ | 9,162 | 7664 |
| CAP-484 | Page Hall Planning | \$ | 179,557 | 7665 |
| CAP-485 | Botany & Zoology Building Planning | \$ | 20,803,345 | 7666 |
| CAP-487 | Robinson Laboratory Planning | \$ | 20,000,000 | 7667 |
| CAP-488 | Don Scott Field Replacement Barns | \$ | 24,889 | 7668 |
| CAP-489 | Galvin Hall 3rd Floor Renovation - Lima | \$ | 367,657 | 7669 |
| CAP-491 | Horticultural Operations Center - ATI | \$ | 1,474,400 | 7670 |
| CAP-492 | OARDC Feed Mill | \$ | 5,800,000 | 7671 |
| CAP-496 | 1314 Kinnear Road Building Improvement | \$ | 3,370 | 7672 |
| CAP-497 | Book Depository | \$ | 8,262 | 7673 |
| CAP-498 | Curl Drive Mill & Overlay | \$ | 28,830 | 7674 |
| CAP-499 | Biological Sciences Cooling Tower | \$ | 6,930 | 7675 |

| | | | | |
|---------|--|----|------------|------|
| CAP-500 | Campus Buildings - Emergency Lighting | \$ | 25,258 | 7676 |
| CAP-504 | Fontana Lab - Chiller Replacement | \$ | 12,210 | 7677 |
| CAP-505 | Main Library HVAC Upgrade | \$ | 1,000 | 7678 |
| CAP-507 | Utilities High Voltage Electric | \$ | 216,544 | 7679 |
| CAP-509 | Mount Hall HVAC Modifications | \$ | 40,982 | 7680 |
| CAP-510 | Derby Hall Roof Replacement | \$ | 67,415 | 7681 |
| CAP-512 | Main Library Roof Replacement | \$ | 1,316 | 7682 |
| CAP-513 | Main Library Carpeting | \$ | 8,352 | 7683 |
| CAP-517 | Vet Hospital Roof Replacement | \$ | 36,185 | 7684 |
| CAP-518 | French Field House Glass Replacement | \$ | 57,625 | 7685 |
| CAP-519 | Ohio Biomedical Consortium on Medical Therapeutic Micro Devices | \$ | 70,797 | 7686 |
| CAP-520 | Plant and Microbe Functional Genomics Facilities | \$ | 16,259 | 7687 |
| CAP-521 | Ohio Center for Wetland & River Restoration | \$ | 4,919 | 7688 |
| CAP-523 | Consortium for Novem Microfabrications Methods of Medical Devices in Non-Silicon Materials | \$ | 499,010 | 7689 |
| CAP-524 | Bone & Mineral Metabolism Research Lab | \$ | 17,730 | 7690 |
| CAP-526 | Koffolt/Fontana Roof Replacement | \$ | 81,281 | 7691 |
| CAP-530 | OSHA Fume Hood Monitors Phase I | \$ | 27,033 | 7692 |
| CAP-531 | Animal & Plant Biology Level 3 | \$ | 3,303,062 | 7693 |
| CAP-532 | Food, AG, and Environmental Sciences | \$ | 1,500,000 | 7694 |
| CAP-534 | Main Library Rehabilitation | \$ | 1,693,806 | 7695 |
| CAP-535 | Psychology Building | \$ | 13,517,273 | 7696 |
| CAP-536 | Thorne Hall and Gowley Hall Renovations, Phase 3 | \$ | 3,895,974 | 7697 |
| CAP-539 | Nanosecond Infrared Measurement | \$ | 2,588 | 7698 |
| CAP-544 | Cockins Hall Math & Statistics | \$ | 59,371 | 7699 |
| CAP-546 | Nanometer Scale Auger Electron | \$ | 34 | 7700 |
| CAP-549 | Caldwell Asbestos Abatement | \$ | 193,947 | 7701 |
| CAP-552 | X-Ray Powder Diffractometer | \$ | 558 | 7702 |

| | | | | |
|---------|---|----|-----------|------|
| CAP-554 | Deconvolution Microscope | \$ | 1,097 | 7703 |
| CAP-556 | Heart/Lung Inst Animal Facility | \$ | 442,855 | 7704 |
| CAP-557 | Pomerene Hall Renovation | \$ | 10,546 | 7705 |
| CAP-558 | Campus Lighting Phase VII | \$ | 2,356 | 7706 |
| CAP-560 | Campus Grounds - Woody Hayes Drive Rebuild | \$ | 343,351 | 7707 |
| CAP-561 | Campus Grounds Street Rebuild | \$ | 13,767 | 7708 |
| CAP-564 | Denney Hall Renovation Phase I | \$ | 18,538 | 7709 |
| CAP-565 | Ion Mass Spectrometry | \$ | 7,556 | 7710 |
| CAP-566 | Accelerated Maturation of Materials | \$ | 31,231 | 7711 |
| CAP-568 | Role of Molecular Interfaces | \$ | 26,304 | 7712 |
| CAP-569 | McCracken Steam Turbine Vibration Monitoring | \$ | 50,926 | 7713 |
| CAP-570 | Celeste Laboratory HVAC Modifications | \$ | 396,848 | 7714 |
| CAP-571 | Electron and Ion Optical Characterization of Materials | \$ | 10,164 | 7715 |
| CAP-572 | New Millimeter Spectrometer | \$ | 11,962 | 7716 |
| CAP-573 | Noncredit Job Training - Mansfield | \$ | 46,640 | 7717 |
| CAP-574 | Noncredit Job Training - Marion | \$ | 6,644 | 7718 |
| CAP-575 | Multi Object Double Spectrograph | \$ | 132,981 | 7719 |
| CAP-576 | 1224 Kinnear Road - Bale | \$ | 41,520 | 7720 |
| CAP-577 | Non-Silicon Micromachining | \$ | 73,991 | 7721 |
| CAP-579 | Veterinary Hospital Auditorium Renovation | \$ | 60,196 | 7722 |
| CAP-580 | Bevis Hall Roof Replacement | \$ | 38,366 | 7723 |
| CAP-582 | Hayes Hall Roof Replacement | \$ | 21,269 | 7724 |
| CAP-583 | Rightmire Hall Roof Replacement | \$ | 14,233 | 7725 |
| CAP-584 | Starling-Loving Hall Renovation | \$ | 35,179 | 7726 |
| CAP-585 | Marion Campus - Student Services | \$ | 35,654 | 7727 |
| CAP-586 | Electroscience Lab Renovation | \$ | 731,500 | 7728 |
| CAP-587 | OARDC Boiler Replacement | \$ | 1,173,042 | 7729 |
| CAP-588 | Graves Hall Roof Replacement | \$ | 76,594 | 7730 |
| CAP-590 | Supercomputer Center Expansion | \$ | 9,922,376 | 7731 |

As Reported by the Senate Finance and Financial Institutions Committee

| | | | | |
|---------|---|----|-----------|------|
| CAP-591 | Mansfield Parking Lot Resurfacing/Striping | \$ | 146,794 | 7732 |
| CAP-592 | Oval Restoration 2001 | \$ | 1,390,350 | 7733 |
| CAP-594 | Forging Technologies | \$ | 115,539 | 7734 |
| CAP-596 | Information Literacy | \$ | 273,779 | 7735 |
| CAP-597 | Online Business Major | \$ | 119,351 | 7736 |
| CAP-598 | Child Care Facility | \$ | 125,000 | 7737 |
| CAP-599 | Renovation of Graves Hall | \$ | 271,876 | 7738 |
| CAP-600 | ATI Shisler Center Courtyard | \$ | 7,381 | 7739 |
| CAP-602 | OARDC Wooster Phone System Replacement | \$ | 467,398 | 7740 |
| CAP-604 | Extramural Research Facilities | \$ | 1,000,000 | 7741 |
| CAP-605 | Utility - North Tunnel Steamline Upgrade | \$ | 1,302,420 | 7742 |
| CAP-607 | Springback of Aluminum Alloys | \$ | 10,612 | 7743 |
| CAP-608 | Dual Beam Characterization | \$ | 150,000 | 7744 |
| CAP-609 | Precision Navigation System | \$ | 2,696 | 7745 |
| CAP-613 | Organic Semiconductor Consortium | \$ | 224,911 | 7746 |
| CAP-616 | Environmental Technology Consortium | \$ | 50,000 | 7747 |
| CAP-617 | Campbell, University, and Evans Hall | \$ | 1,546,496 | 7748 |
| CAP-618 | Laboratory Animal Facility | \$ | 6,700,000 | 7749 |
| CAP-619 | Fry Hall Building Addition | \$ | 3,600,000 | 7750 |
| CAP-620 | School of Music - Planning | \$ | 250,000 | 7751 |
| CAP-622 | Western Branch Headquarters & Machinery Building | \$ | 850,000 | 7752 |
| CAP-623 | Piketon Training & Development Center | \$ | 900,000 | 7753 |
| CAP-624 | Muck Crops Branch/Shop Building Replacement | \$ | 825,000 | 7754 |
| CAP-626 | Agr/Engineering Building Renovation & Addition | \$ | 200,000 | 7755 |
| CAP-628 | Wood County Center for Agriculture | \$ | 1,000,000 | 7756 |
| CAP-629 | Community Heritage Art Gallery - Lima | \$ | 100,000 | 7757 |
| CAP-631 | Health Psychology | \$ | 250,000 | 7758 |
| CAP-632 | Nanotechnology Molecular Assembly | \$ | 500,000 | 7759 |
| CAP-633 | Networking and Communication | \$ | 500,000 | 7760 |

| | | | | |
|---|--|----|-------------|------|
| CAP-634 | Planetary Gear | \$ | 125,000 | 7761 |
| CAP-635 | X-Ray Fluorescence Spectrometer | \$ | 60,000 | 7762 |
| CAP-636 | Precision Navigation | \$ | 85,000 | 7763 |
| CAP-637 | Welding & Metal Working | \$ | 200,000 | 7764 |
| CAP-638 | Spin Driven Electronics | \$ | 78,841 | 7765 |
| CAP-639 | Inductively Coupled Plasma Etching | \$ | 139,661 | 7766 |
| CAP-641 | Accelerated Metals | \$ | 1,100,000 | 7767 |
| CAP-642 | Mathematical Biosciences Institute | \$ | 100,000 | 7768 |
| CAP-645 | Lincoln Morrill Tower Walkway | \$ | 611,100 | 7769 |
| CAP-646 | Mershon Auditorium HVAC System Improvements | \$ | 456,250 | 7770 |
| CAP-647 | Molecular Microdevices | \$ | 200,000 | 7771 |
| CAP-648 | Research Center HVAC System Improvements | \$ | 163,485 | 7772 |
| CAP-649 | Infrared Absorption Measurements | \$ | 187,500 | 7773 |
| CAP-650 | Dark Fiber | \$ | 5,000,000 | 7774 |
| CAP-651 | Shared Data Backup System | \$ | 252,560 | 7775 |
| CAP-652 | Mainframe Computing Alliance | \$ | 40,650 | 7776 |
| CAP-653 | Third Frontier Network Testbed | \$ | 1,029,988 | 7777 |
| CAP-654 | Distributed Learning Workshop | \$ | 750,000 | 7778 |
| CAP-655 | Nanoscale Patterning Consortium | \$ | 1,868,997 | 7779 |
| CAP-656 | Accelerated Maturation of Materials | \$ | 1,650,000 | 7780 |
| CAP-657 | Nanoscale Polymers Manufacturing | \$ | 1,762,500 | 7781 |
| CAP-658 | Hydrogen Production and Storage | \$ | 440,000 | 7782 |
| CAP-659 | Ohio Organic Semiconductor | \$ | 500,000 | 7783 |
| CAP-660 | Macromolecular Crystallography | \$ | 240,000 | 7784 |
| CAP-680 | Cleveland Botanical Gardens | \$ | 2,500,000 | 7785 |
| Total Ohio State University | | \$ | 163,205,353 | 7786 |
| ANIMAL AND PLANT BIOLOGY LEVEL 3 | | | | 7787 |
| The amount reappropriated for the foregoing appropriation | | | | 7788 |
| item CAP-531, Animal and Plant Biology Level 3, shall be | | | | 7789 |
| \$3,303,062. | | | | 7790 |

| Section 26.18. OHU OHIO UNIVERSITY | | | 7791 |
|------------------------------------|--|--------------|------|
| CAP-020 | Basic Renovations | \$ 5,116,698 | 7792 |
| CAP-021 | Conservancy District Assessment | \$ 8,807 | 7793 |
| CAP-086 | Memorial Auditorium Rehabilitation | \$ 10,013 | 7794 |
| CAP-094 | Bentley Hall Renovation | \$ 111,333 | 7795 |
| CAP-095 | Basic Renovations - Eastern | \$ 520,810 | 7796 |
| CAP-098 | Basic Renovations - Lancaster | \$ 267,010 | 7797 |
| CAP-099 | Basic Renovations - Zanesville | \$ 244,601 | 7798 |
| CAP-113 | Basic Renovations - Chillicothe | \$ 299,716 | 7799 |
| CAP-114 | Basic Renovations - Ironton | \$ 301,350 | 7800 |
| CAP-115 | Bennett Hall HVAC/Lab - Chillicothe | \$ 997,950 | 7801 |
| CAP-116 | Copeland Hall Rehabilitation | \$ 3,881 | 7802 |
| CAP-117 | Porter Hall Rehabilitation | \$ 26,531 | 7803 |
| CAP-119 | Biomedical Research Center | \$ 21,374 | 7804 |
| CAP-120 | Ridges Auditorium Rehabilitation | \$ 1,177 | 7805 |
| CAP-136 | Gymnasium Development - Eastern | \$ 97,734 | 7806 |
| CAP-137 | Classroom Building - Ironton | \$ 6,025 | 7807 |
| CAP-141 | College of Health and Human Services | \$ 74,963 | 7808 |
| CAP-142 | Health Professions Labs Phase I | \$ 33,308 | 7809 |
| CAP-145 | Asbestos Abatement | \$ 27,136 | 7810 |
| CAP-148 | RTVC Building Asbestos Abatement | \$ 1,037 | 7811 |
| CAP-149 | Electrical Distribution System | \$ 1,490 | 7812 |
| CAP-152 | Gordy Hall Addition and Rehabilitation | \$ 21,464 | 7813 |
| CAP-155 | Brasee Hall Rehabilitation - Lancaster | \$ 1,072,411 | 7814 |
| CAP-157 | ADA Modifications | \$ 67,665 | 7815 |
| CAP-160 | ADA Modifications - Ironton | \$ 9,113 | 7816 |
| CAP-161 | ADA Modifications - Lancaster | \$ 20,345 | 7817 |
| CAP-164 | Southeast Library Warehouse | \$ 251,254 | 7818 |
| CAP-169 | Elevator Improvements Phase III | \$ 95,345 | 7819 |
| CAP-172 | Elson Hall Rehabilitation - Zanesville | \$ 1,080,130 | 7820 |
| CAP-183 | Central Classroom Building | \$ 298,040 | 7821 |
| CAP-184 | Utilities to Scripps Hall | \$ 211 | 7822 |
| CAP-186 | Ellis Hall Partial Renovation | \$ 7,080 | 7823 |

| | | | | |
|-----------------------|---|----|------------|------|
| CAP-187 | Technology Center Planning - Ironton | \$ | 1,292 | 7824 |
| CAP-188 | Technology Center Construction - Ironton | \$ | 5,331 | 7825 |
| CAP-189 | Conference Center Planning - Lancaster | \$ | 500,358 | 7826 |
| CAP-190 | Center for Public Policy | \$ | 29,589 | 7827 |
| CAP-191 | District Water Cooling | \$ | 17,029 | 7828 |
| CAP-192 | Plant and Microbe Functional Genomics | \$ | 38,358 | 7829 |
| | Facilities | | | |
| CAP-199 | Bently Hall Phase I | \$ | 36,100 | 7830 |
| CAP-200 | Building Acquisition/Renovation - Eastern | \$ | 373,182 | 7831 |
| CAP-202 | Putnam Hall Rehabilitation | \$ | 258,523 | 7832 |
| CAP-203 | Supplemental Renovations | \$ | 309,937 | 7833 |
| CAP-205 | Noncredit Job Training | \$ | 731,000 | 7834 |
| CAP-206 | Human Resources Training Center | \$ | 1,116 | 7835 |
| CAP-208 | Student Services | \$ | 33,238 | 7836 |
| CAP-209 | Creativity Through Technology | \$ | 338,520 | 7837 |
| CAP-211 | Ohio NMR Consortium | \$ | 80,800 | 7838 |
| CAP-212 | Exterior Site Improvement | \$ | 248,065 | 7839 |
| CAP-213 | Daycare Center | \$ | 447,950 | 7840 |
| CAP-214 | Science/Fine Arts Renovation Phase 2 | \$ | 725,213 | 7841 |
| CAP-215 | Land-Use Plan/Future Development | \$ | 30,000 | 7842 |
| CAP-219 | Mainframe Computing Alliance | \$ | 10,000 | 7843 |
| CAP-220 | Nanoscale Patterning Consortium | \$ | 131,003 | 7844 |
| Total Ohio University | | \$ | 15,442,606 | 7845 |

BASIC RENOVATIONS 7846

The amount reappropriated for the foregoing appropriation 7847
item CAP-020, Basic Renovations, is the unencumbered and 7848
unallotted balance as of June 30, 2004, in appropriation item 7849
CAP-020, Basic Renovations, plus \$42,454. 7850

BASIC RENOVATIONS - LANCASTER 7851

The amount reappropriated for the foregoing appropriation 7852
item CAP-098, Basic Renovations - Lancaster, is the unencumbered 7853
and unallotted balance as of June 30, 2004, in appropriation item 7854

| | |
|--|------|
| CAP-098, Basic Renovations - Lancaster, plus \$441. | 7855 |
| BASIC RENOVATIONS - ZANESVILLE | 7856 |
| The amount reappropriated for the foregoing appropriation | 7857 |
| item CAP-099, Basic Renovations - Zanesville, is the unencumbered | 7858 |
| and unallotted balance as of June 30, 2004, in appropriation item | 7859 |
| CAP-099, Basic Renovations - Zanesville, plus \$1,333. | 7860 |
| BENNETT HALL HVAC/LAB - CHILLICOTHE | 7861 |
| The amount reappropriated for the foregoing appropriation | 7862 |
| item CAP-115, Bennett Hall HVAC/Lab - Chillicothe, is the | 7863 |
| unencumbered and unallotted balance as of June 30, 2004, in | 7864 |
| appropriation item CAP-115, Bennett Hall HVAC/Lab - Chillicothe, | 7865 |
| plus \$11,590. | 7866 |
| GYMNASIUM DEVELOPMENT - EASTERN | 7867 |
| The amount reappropriated for the foregoing appropriation | 7868 |
| item CAP-136, Gymnasium Development - Eastern, is the unencumbered | 7869 |
| and unallotted balance as of June 30, 2004, in appropriation item | 7870 |
| CAP-136, Gymnasium Development - Eastern, plus \$305. | 7871 |
| COLLEGE OF HEALTH AND HUMAN SERVICES | 7872 |
| The amount reappropriated for the foregoing appropriation | 7873 |
| item CAP-141, College of Health and Human Services, is the | 7874 |
| unencumbered and unallotted balance as of June 30, 2004, in | 7875 |
| appropriation item CAP-141, College of Health and Human Services, | 7876 |
| plus \$7,534. | 7877 |
| HEALTH PROFESSIONS LABS - PHASE I | 7878 |
| The amount reappropriated for the foregoing appropriation | 7879 |
| item CAP-142, Health Professions Labs Phase I, is the unencumbered | 7880 |
| and unallotted balance as of June 30, 2004, in appropriation item | 7881 |
| CAP-142, Health Professions Labs Phase I, plus \$33,308. | 7882 |
| GORDY HALL ADDITION AND REHABILITATION | 7883 |

The amount reappropriated for the foregoing appropriation 7884
item CAP-152, Gordy Hall Addition and Rehabilitation, is the 7885
unencumbered and unallotted balance as of June 30, 2004, in 7886
appropriation item CAP-152, Gordy Hall Addition and 7887
Rehabilitation, plus \$940. 7888

BRASEE HALL REHABILITATION - LANCASTER 7889

The amount reappropriated for the foregoing appropriation 7890
item CAP-155, Brasee Hall Rehabilitation - Lancaster, is the 7891
unencumbered and unallotted balance as of June 30, 2004, in 7892
appropriation item CAP-155, Brasee Hall Rehabilitation - 7893
Lancaster, plus \$13,216. 7894

ELSON HALL REHABILITATION - ZANESVILLE 7895

The amount reappropriated for the foregoing appropriation 7896
item CAP-172, Elson Hall Rehabilitation - Zanesville, is the 7897
unencumbered and unallotted balance as of June 30, 2004, in 7898
appropriation item CAP-172, Elson Hall Rehabilitation - 7899
Zanesville, plus \$4,404. 7900

TECHNOLOGY CENTER PLANNING - IRONTON 7901

The amount reappropriated for the foregoing appropriation 7902
item CAP-187, Technology Center Planning - Ironton, is the 7903
unencumbered and unallotted balance as of June 30, 2004, in 7904
appropriation item CAP-187, Technology Center Planning - Ironton, 7905
plus \$1,292. 7906

TECHNOLOGY CENTER CONSTRUCTION - IRONTON 7907

The amount reappropriated for the foregoing appropriation 7908
item CAP-188, Technology Center Construction - Ironton, is the 7909
unencumbered and unallotted balance as of June 30, 2004, in 7910
appropriation item CAP-188, Technology Center Construction - 7911
Ironton, plus \$5,331. 7912

CENTER FOR PUBLIC POLICY 7913

The amount reappropriated for the foregoing appropriation 7914
item CAP-190, Center for Public Policy, is the unencumbered and 7915
unallotted balance as of June 30, 2004, in appropriation item 7916
CAP-190, Center for Public Policy, plus \$23,891. 7917

DISTRICT WATER COOLING 7918

The amount reappropriated for the foregoing appropriation 7919
item CAP-191, District Water Cooling, is the unencumbered and 7920
unallotted balance as of June 30, 2004, in appropriation item 7921
CAP-191, District Water Cooling, plus \$17,029. 7922

SUPPLEMENTAL RENOVATIONS 7923

The amount reappropriated for the foregoing appropriation 7924
item CAP-203, Supplemental Renovations, is the unencumbered and 7925
unallotted balance as of June 30, 2004, in appropriation item 7926
CAP-203, Supplemental Renovations, plus \$6,621. 7927

HUMAN RESOURCES TRAINING CENTER 7928

The amount reappropriated for the foregoing appropriation 7929
item CAP-206, Human Resources Training Center, is the unencumbered 7930
and unallotted balance as of June 30, 2004, in appropriation item 7931
CAP-206, Human Resources Training Center, plus \$1,116. 7932

Reappropriations

Section 26.19. SSC SHAWNEE STATE UNIVERSITY 7933

| | | | | |
|---------|-----------------------------------|----|-----------|------|
| CAP-004 | Basic Renovations | \$ | 1,468,735 | 7934 |
| CAP-008 | Massie Hall Renovation | \$ | 54,541 | 7935 |
| CAP-010 | Land Acquisition | \$ | 116,917 | 7936 |
| CAP-016 | Library Building | \$ | 10,777 | 7937 |
| CAP-017 | Math/Science Building | \$ | 17,061 | 7938 |
| CAP-029 | Fine Arts Class and Lab Building | \$ | 108,704 | 7939 |
| CAP-030 | Utilities and Landscaping | \$ | 4,679 | 7940 |
| CAP-037 | ADA Modifications | \$ | 53,188 | 7941 |
| CAP-039 | Central Heating Plant Replacement | \$ | 5,215 | 7942 |

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|--------------------------------|---|----|-----------|------|
| CAP-040 | Chiller Replacement | \$ | 12,054 | 7943 |
| CAP-041 | Kricker Hall Renovation | \$ | 1,932 | 7944 |
| CAP-042 | Sidewalk/Plaza Replacement | \$ | 250,276 | 7945 |
| CAP-043 | Communication/Data Upgrade | \$ | 23,079 | 7946 |
| CAP-044 | Land Acquisition | \$ | 343,830 | 7947 |
| CAP-045 | Rehabilitation of Health Sciences Building Phase I | \$ | 1,681,974 | 7948 |
| CAP-046 | Digital Infrastructure | \$ | 81,153 | 7949 |
| CAP-047 | Natatorium Rehabilitation | \$ | 450,000 | 7950 |
| CAP-048 | Facilities Building Renovation | \$ | 242,120 | 7951 |
| Total Shawnee State University | | \$ | 4,926,235 | 7952 |

Reappropriations

| | | | | |
|--|---|----|-----------|------|
| Section 26.20. UTO UNIVERSITY OF TOLEDO | | | | 7954 |
| CAP-007 | University Hall Renovation | \$ | 12,966 | 7955 |
| CAP-010 | Basic Renovations | \$ | 4,724,946 | 7956 |
| CAP-025 | Roof Renovations | \$ | 25,655 | 7957 |
| CAP-062 | Pharmacy, Chemical and Life Sciences Facility | \$ | 3,318 | 7958 |
| CAP-071 | Southwest Academic Center Rehabilitation | \$ | 12,321 | 7959 |
| CAP-073 | ADA Modifications | \$ | 6,452 | 7960 |
| CAP-077 | Tribology | \$ | 231,196 | 7961 |
| CAP-083 | Bowman-Oddy Rehabilitation Phase 2 | \$ | 241,368 | 7962 |
| CAP-091 | Greenhouse Improvements | \$ | 11,675 | 7963 |
| CAP-092 | Plant and Microbe Functional Genomics Facilities | \$ | 42,587 | 7964 |
| CAP-093 | Distance Learning | \$ | 50,915 | 7965 |
| CAP-094 | Plant Operations Renovation | \$ | 450,000 | 7966 |
| CAP-096 | Health & Human Services Rehabilitation Phase I | \$ | 2,559,923 | 7967 |
| CAP-097 | Libbey Hall Rehabilitation | \$ | 275,000 | 7968 |
| CAP-100 | University Computer Center | \$ | 4,878 | 7969 |
| CAP-105 | Gillham Hall Rehabilitation | \$ | 9,522,871 | 7970 |

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|----------------------------|--|----|------------|------|
| CAP-108 | Roof Renovations/Scott Park | \$ | 12,508 | 7971 |
| CAP-109 | Student Services | \$ | 192,781 | 7972 |
| CAP-110 | Distributed Learning Courses | \$ | 94,996 | 7973 |
| CAP-111 | Scott Park Classroom Abatement | \$ | 418,139 | 7974 |
| CAP-112 | Campus Signage Improvements | \$ | 132,951 | 7975 |
| CAP-113 | Wind Tunnel Relocation | \$ | 16,370 | 7976 |
| CAP-115 | Palmer Hall - 3rd Floor Classroom Renovations | \$ | 2,200,000 | 7977 |
| CAP-116 | Bowman-Oddy-N Wing Renovations | \$ | 5,207,000 | 7978 |
| CAP-117 | Mainframe Computing Alliance | \$ | 61,277 | 7979 |
| CAP-118 | Macromolecular Crystallography | \$ | 941,600 | 7980 |
| Total University of Toledo | | \$ | 27,453,693 | 7981 |

Reappropriations

| | | | | |
|---|-------------------------------------|----|------------|------|
| Section 26.21. WSU WRIGHT STATE UNIVERSITY | | | | 7983 |
| CAP-015 | Basic Renovations | \$ | 2,291,904 | 7984 |
| CAP-064 | Basic Renovations - Lake | \$ | 7,350 | 7985 |
| CAP-071 | New Academic Building | \$ | 8,881 | 7986 |
| CAP-080 | Library Access Consolidation System | \$ | 6,160,731 | 7987 |
| CAP-084 | ADA Modifications | \$ | 2,751 | 7988 |
| CAP-093 | Information Technology Center | \$ | 23,860 | 7989 |
| CAP-102 | Specialized Communication | \$ | 12,894 | 7990 |
| CAP-103 | Millett Hall Rehabilitation | \$ | 21,479 | 7991 |
| CAP-113 | Advanced Internet Utilization | \$ | 167,583 | 7992 |
| CAP-114 | Environmental Technology Consortium | \$ | 575,245 | 7993 |
| CAP-115 | Russ Engineering Expansion | \$ | 2,631,000 | 7994 |
| CAP-116 | Rike Hall Renovation - Planning | \$ | 200,000 | 7995 |
| CAP-117 | Electrical Infrastructure Phase 1 | \$ | 1,956,600 | 7996 |
| CAP-118 | Campus Master Plan Phase V-A | \$ | 1,534,031 | 7997 |
| CAP-119 | Science Lab Renovations - Planning | \$ | 500,000 | 7998 |
| CAP-120 | Lake Campus University Center | \$ | 587,200 | 7999 |
| CAP-122 | Accelerated Maturation of Materials | \$ | 100,000 | 8000 |
| Total Wright State University | | \$ | 16,781,509 | 8001 |

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|---|--|----------|
| BASIC RENOVATIONS | | 8002 |
| The amount reappropriated for the foregoing appropriation | | 8003 |
| item CAP-015, Basic Renovations, is the unencumbered and | | 8004 |
| unallotted balance as of June 30, 2004, in appropriation items | | 8005 |
| CAP-015, Basic Renovations; CAP-094, Campus Services Building; and | | 8006 |
| CAP-098, Center/Hamilton/Physical Education Chiller, plus \$23,400. | | 8007 |
| BASIC RENOVATIONS - LAKE | | 8008 |
| The amount reappropriated for the foregoing appropriation | | 8009 |
| item CAP-064, Basic Renovations - Lake, is the sum of the | | 8010 |
| unencumbered and unallotted balance as of June 30, 2004, in | | 8011 |
| appropriation item CAP-064, Basic Renovations - Lake, plus \$7,350. | | 8012 |
| LIBRARY ACCESS CONSOLIDATION SYSTEM | | 8013 |
| The amount reappropriated for the foregoing appropriation | | 8014 |
| item CAP-080, Library Access Consolidation System, is the | | 8015 |
| unencumbered and unallotted balance as of June 30, 2004, in | | 8016 |
| appropriation item CAP-080, Library Access Consolidation System, | | 8017 |
| plus \$33,780. | | 8018 |
| CAMPUS MASTER PLAN PHASE V-A | | 8019 |
| The amount reappropriated for the foregoing appropriation | | 8020 |
| item CAP-118, Campus Master Plan Phase V-A, is the sum of the | | 8021 |
| unencumbered and unallotted balance as of June 30, 2004, in | | 8022 |
| appropriation items CAP-072, Access Circulation, CAP-104, Road and | | 8023 |
| Parking Lot Improvements, and CAP-118, Campus Master Plan Phase | | 8024 |
| V-A. | | 8025 |

Reappropriations

| | | |
|---|--------------|------|
| Section 26.22. YSU YOUNGSTOWN STATE UNIVERSITY | | 8026 |
| CAP-014 Basic Renovations | \$ 3,029,503 | 8027 |
| CAP-027 Property Acquisition/Street Closures | \$ 19,673 | 8028 |
| CAP-040 Bliss Hall Rehabilitation - Final Phase | \$ 49,029 | 8029 |
| CAP-066 Asbestos Abatement | \$ 48,279 | 8030 |

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|-----------------------------------|--|----|------------|------|
| CAP-086 | Instructional and Data Processing Equipment | \$ | 898,064 | 8031 |
| CAP-099 | Todd Hall Renovations | \$ | 151,979 | 8032 |
| CAP-108 | Electronic Campus Infrastructure/Technology | \$ | 1,553,708 | 8033 |
| CAP-111 | Fine Arts Distance Learning | \$ | 45,146 | 8034 |
| CAP-112 | Beeghly Center Rehabilitation | \$ | 229,765 | 8035 |
| CAP-113 | Campus Development | \$ | 929,396 | 8036 |
| CAP-114 | Chiller and Steamline Replacement Phase 3 | \$ | 777,900 | 8037 |
| CAP-117 | Ward Beecher/HVAC Ugrade | \$ | 174,982 | 8038 |
| CAP-120 | Student Services | \$ | 61,545 | 8039 |
| CAP-121 | Administrative Technology Computer Systems Improvements | \$ | 1,500,000 | 8040 |
| CAP-123 | Campus Wide Electrical Upgrades | \$ | 1,000,000 | 8041 |
| CAP-124 | Classroom Updates | \$ | 800,000 | 8042 |
| CAP-125 | Campus Wide Building System Upgrades | \$ | 400,000 | 8043 |
| CAP-127 | Recreation and Wellness Center | \$ | 1,000,000 | 8044 |
| Total Youngstown State University | | \$ | 12,668,969 | 8045 |

Reappropriations

| | | | | |
|---|--|----|-----------|------|
| Section 26.23. MCO MEDICAL COLLEGE OF OHIO | | | | 8047 |
| CAP-010 | Basic Renovations | \$ | 123,787 | 8048 |
| CAP-046 | Instructional and Data Processing Equipment | \$ | 490,676 | 8049 |
| CAP-048 | Medical Informatics Data Highway | \$ | 6,803 | 8050 |
| CAP-049 | Center for Classrooms of the Future | \$ | 5,460 | 8051 |
| CAP-053 | ADA Modifications | \$ | 8,258 | 8052 |
| CAP-062 | Waterproofing | \$ | 3,381 | 8053 |
| CAP-066 | Core Research Facility | \$ | 2,193,940 | 8054 |
| CAP-067 | Student Services | \$ | 553 | 8055 |
| CAP-072 | Campus Substation Repairs | \$ | 5,317 | 8056 |
| CAP-074 | Mulford Library Roof | \$ | 1,740 | 8057 |

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|-------------------------------|---------------------------------|----|-----------|------|
| CAP-076 | Supplemental Renovations | \$ | 16,306 | 8058 |
| CAP-077 | Academic Classroom Improvements | \$ | 400,000 | 8059 |
| CAP-078 | Clinical Academic Renovation | \$ | 700,000 | 8060 |
| CAP-079 | Campus Waterproofing | \$ | 41,500 | 8061 |
| Total Medical College of Ohio | | \$ | 3,997,721 | 8062 |

Reappropriations

Section 26.24. NEM NORTHEASTERN OHIO UNIVERSITIES COLLEGE OF MEDICINE 8064
8065

| | | | | |
|--|---|----|-----------|------|
| CAP-018 | Basic Renovations | \$ | 495,179 | 8066 |
| CAP-022 | Cooperating Regional Library Depository | \$ | 452,200 | 8067 |
| CAP-034 | ADA Modifications | \$ | 5,562 | 8068 |
| CAP-036 | Computer Services Networking | \$ | 398 | 8069 |
| CAP-040 | Campus Network Expansion | \$ | 1,223,974 | 8070 |
| CAP-042 | Outdoor Athletic Facilities | \$ | 6,158 | 8071 |
| CAP-045 | Renovation of Olson and Meshul Halls | \$ | 1,316,849 | 8072 |
| CAP-046 | HEI Data Reporting | \$ | 217,400 | 8073 |
| CAP-047 | Roof Renovations | \$ | 12,418 | 8074 |
| Total Northeastern Ohio Universities College of Medicine | | \$ | 3,730,138 | 8075 |

ROOF RENOVATIONS 8076

The amount reappropriated for the foregoing appropriation 8077
item CAP-047, Roof Renovations, shall be \$12,418. 8078

Section 26.25. CWR CASE WESTERN RESERVE UNIVERSITY 8079

| | | | | |
|---------|--|----|--------|------|
| CAP-005 | NE Ohio Biomedical Research Consortium | \$ | 33,750 | 8080 |
| CAP-013 | Ohio MEMSnet | \$ | 17,579 | 8081 |
| CAP-016 | Ohio Pharmacological Sciences Consortium | \$ | 9,892 | 8082 |
| CAP-022 | Developing and Improving Institutional Animal Resources | \$ | 64,144 | 8083 |
| CAP-028 | Ohio MicroMD: The Ohio BioMEMS Consortium on Medical Therapeutic | \$ | 11,002 | 8084 |

| | | | | |
|---------|--|----|-----------|------|
| | Microdevices | | | |
| CAP-029 | Consortium for Novel Microfabrication | \$ | 167,893 | 8085 |
| | Methods of Mesoscale Devices in Non-Silicon Materials | | | |
| CAP-031 | Research in Propulsion Systems for Future Vehicles | \$ | 180,161 | 8086 |
| CAP-032 | Center for Fire & Explosion Science & Technology | \$ | 31,978 | 8087 |
| CAP-033 | Acquisition of 900 MHz NMR Spectrometer | \$ | 1,400,000 | 8088 |
| CAP-035 | Construction of Near Field Optical Probe for Bioinspired Research & Education | \$ | 145,000 | 8089 |
| CAP-036 | Ohio Eminent Scholar for Fuel Cells | \$ | 500,000 | 8090 |
| CAP-037 | Mass Spectrometry Consortium for Materials and Medical Research | \$ | 155,000 | 8091 |
| CAP-038 | Ohio In-vivo Cellular and Molecular Imaging Consortium | \$ | 1,040,000 | 8092 |
| CAP-039 | Ohio Organic Semiconductor Consortium | \$ | 215,000 | 8093 |
| CAP-040 | Ohio NMR Consortium | \$ | 800,000 | 8094 |
| CAP-041 | Acquisition of a 600 MHz NMR Spectrometer Equipped with Cryoprobe | \$ | 250,000 | 8095 |
| CAP-042 | Nanoscale Hybrid Materials: Novel Synthesis, Characterization and Applications | \$ | 200,000 | 8096 |
| CAP-043 | Ohio Organic Semiconductor Consortium | \$ | 250,000 | 8097 |
| | Total Case Western Reserve University | \$ | 5,471,399 | 8098 |

Reappropriations

| | | | | |
|---------|--|----|-----------|------|
| | Section 26.26. CTC CINCINNATI STATE TECHNICAL AND COMMUNITY | | | 8100 |
| | COLLEGE | | | 8101 |
| CAP-008 | Interior Renovations | \$ | 102,045 | 8102 |
| CAP-013 | Basic Renovations | \$ | 479,518 | 8103 |
| CAP-016 | Health Professions Building Planning | \$ | 1,468 | 8104 |
| CAP-030 | Student Life/Education Building | \$ | 3,707,269 | 8105 |

| | | | | |
|--|--------------------------|----|-----------|------|
| CAP-032 | Child Care Facility | \$ | 89,715 | 8106 |
| CAP-033 | One Stop Shop Renovation | \$ | 547,860 | 8107 |
| CAP-034 | Rekeying of Main Campus | \$ | 365,160 | 8108 |
| CAP-035 | Install Kiosks | \$ | 150,450 | 8109 |
| Total Cincinnati State Community College | | \$ | 5,443,485 | 8110 |

Reappropriations

| | | | | |
|---|---------------------------------------|----|---------|------|
| Section 26.27. CLT CLARK STATE COMMUNITY COLLEGE | | | | 8112 |
| CAP-006 | Basic Renovations | \$ | 703,692 | 8113 |
| CAP-034 | ADA Modifications | \$ | 28,451 | 8114 |
| CAP-038 | Future Health Professionals | \$ | 25,910 | 8115 |
| CAP-039 | Champaign Health and Education Center | \$ | 100,000 | 8116 |
| CAP-040 | Clark Health and Education Center | \$ | 50,000 | 8117 |
| Total Clark State Community College | | \$ | 908,053 | 8118 |

Reappropriations

| | | | | |
|--|-----------------------------------|----|------------|------|
| Section 26.28. CTI COLUMBUS STATE COMMUNITY COLLEGE | | | | 8120 |
| CAP-006 | Basic Renovations | \$ | 1,286,530 | 8121 |
| CAP-007 | Land Acquisition | \$ | 936,000 | 8122 |
| CAP-028 | Instructional and Data Processing | \$ | 858,973 | 8123 |
| | Equipment | | | |
| CAP-033 | Child Care Facility | \$ | 89,510 | 8124 |
| CAP-037 | Academic Center "C" | \$ | 132,684 | 8125 |
| CAP-040 | Building "D" Planning | \$ | 22,283,398 | 8126 |
| CAP-043 | Building "E" Planning | \$ | 1,022,862 | 8127 |
| Total Columbus State Community College | | \$ | 26,609,957 | 8128 |

ACADEMIC CENTER "C" 8129

The amount reappropriated for the foregoing appropriation 8130
item CAP-037, Academic Center "C", shall be the sum of the 8131
unencumbered and unallotted balance as of June 30, 2004, in 8132
appropriation item CAP-037, Academic Center "C", plus \$29,271. 8133

Reappropriations

| | | | |
|--|---------------------------------------|--------------|--------------------|
| Section 26.29. CCC CUYAHOGA COMMUNITY COLLEGE | | | 8134 |
| CAP-031 | Basic Renovations | \$ 4,226,339 | 8135 |
| CAP-064 | Technology Learning Center - Western | \$ 57,818 | 8136 |
| CAP-067 | Plans Ops/Vehicle | \$ 63,336 | 8137 |
| | Maintenance/Storage-Phase 1 | | |
| CAP-073 | Noncredit Job Training | \$ 1,994 | 8138 |
| CAP-076 | Distance Learning | \$ 139,287 | 8139 |
| CAP-079 | Cleveland Art Museum - Improvements | \$ 5,000,000 | 8140 |
| CAP-084 | Literacy Initiative | \$ 202,020 | 8141 |
| CAP-087 | Center for Nursing and Health Careers | \$ 222,164 | 8142 |
| CAP-088 | Corporate College | \$ 500,000 | 8143 |
| CAP-089 | East I Renovations Phase 2 - Eastern | \$ 4,339,089 | 8144 |
| CAP-090 | Building A Expansion Module - Western | \$ 6,194,517 | 8145 |
| Total Cuyahoga Community College | | | \$ 20,946,564 8146 |

BASIC RENOVATIONS 8147

The amount reappropriated for the foregoing appropriation 8148
item CAP-031, Basic Renovations, is the sum of the unencumbered 8149
and unallotted balance as of June 30, 2004, in appropriation items 8150
CAP-031, Basic Renovations, CAP-058, ADA Modifications, CAP-070, 8151
Interior/Exterior Signage Program, CAP-078, Humanities Building 8152
Renovations - Metro, CAP 080, UTC Curtainwall Modifications, 8153
CAP-081, Interior Courtyards Renovations, CAP-082, Carpet 8154
Replacement - Western, CAP-085, Expansion Joint Construction, 8155
CAP-086, Carpet Replacement - Western, plus \$15,884. 8156

TECHNOLOGY LEARNING CENTER 8157

The amount reappropriated for the foregoing appropriation 8158
item CAP-064, Technology Learning Center - Western, is the sum of 8159
the unencumbered and unallotted balance as of June 30, 2004, in 8160
appropriation item CAP-064, Technology Learning Center - Western, 8161
minus \$1,693,253. 8162

BUILDING A EXPANSION MODULE - WESTERN 8163

The amount reappropriated for the foregoing appropriation 8164
item CAP-090, Building A Expansion Module - Western, is the sum of 8165
the unencumbered and unallotted balance as of June 30, 2004, in 8166
appropriation items CAP-066, Renovate/Create New Classrooms - 8167
West, CAP-090, Building A Expansion Module - Western, plus 8168
\$1,677,369. 8169

Reappropriations

| | | | |
|--|-------------------------|------------|-----------------|
| Section 26.30. ESC EDISON STATE COMMUNITY COLLEGE | | | 8170 |
| CAP-006 | Basic Renovations | \$ 427,272 | 8171 |
| CAP-011 | Roadway Construction | \$ 16,696 | 8172 |
| CAP-014 | Student Activities Area | \$ 13,398 | 8173 |
| CAP-018 | Master Plan Update | \$ 1,220 | 8174 |
| CAP-021 | Student Services | \$ 12,358 | 8175 |
| Total Edison State Community College | | | \$ 470,944 8176 |

Reappropriations

| | | | |
|---|--|------------|-------------------|
| Section 26.31. JTC JEFFERSON COMMUNITY COLLEGE | | | 8178 |
| CAP-022 | Basic Renovations | \$ 630,584 | 8179 |
| CAP-031 | Law Enforcement/Engineering Lab Renovations | \$ 56,172 | 8180 |
| CAP-033 | ADA Modifications | \$ 19,598 | 8181 |
| CAP-037 | Electrical System Evaluation/Renovation | \$ 382,820 | 8182 |
| CAP-038 | Library Interior Renovation | \$ 259,020 | 8183 |
| CAP-039 | Lecture Hall Interior Renovation | \$ 175,325 | 8184 |
| CAP-041 | Campus Master Plan | \$ 189,442 | 8185 |
| Total Jefferson Community College | | | \$ 1,712,961 8186 |

Reappropriations

| | | | |
|--|------------------------|--------------|------|
| Section 26.32. LCC LAKELAND COMMUNITY COLLEGE | | | 8188 |
| CAP-006 | Basic Renovations | \$ 1,736,909 | 8189 |
| CAP-034 | Child Care Facility | \$ 1,197 | 8190 |
| CAP-036 | Noncredit Job Training | \$ 850,000 | 8191 |

| | | | | |
|----------------------------------|--|----|-----------|------|
| CAP-037 | Building East End Project | \$ | 985,000 | 8192 |
| CAP-038 | HVAC Upgrades/Rehabilitation | \$ | 1,000,000 | 8193 |
| CAP-039 | Main Gym Floor Renovation | \$ | 150,000 | 8194 |
| CAP-040 | Roadway and Drainage Improvements | \$ | 534,730 | 8195 |
| CAP-043 | Mooreland Educational Center Rehabilitation | \$ | 84,400 | 8196 |
| Total Lakeland Community College | | \$ | 5,342,236 | 8197 |

Reappropriations

Section 26.33. LOR LORAIN COMMUNITY COLLEGE 8199

| | | | | |
|--------------------------------|---------------------|----|-----------|------|
| CAP-005 | Basic Renovations | \$ | 858,437 | 8200 |
| CAP-041 | Student Services | \$ | 388,000 | 8201 |
| CAP-042 | Virtual Lab Courses | \$ | 224,730 | 8202 |
| Total Lorain Community College | | \$ | 1,471,167 | 8203 |

Reappropriations

Section 26.34. NTC NORTHWEST STATE COMMUNITY COLLEGE 8205

| | | | | |
|---|--|----|---------|------|
| CAP-003 | Basic Renovations | \$ | 269,232 | 8206 |
| CAP-010 | Instructional and Data Processing Equipment | \$ | 118,215 | 8207 |
| CAP-013 | Classroom & Engineering Build | \$ | 9,917 | 8208 |
| CAP-021 | Services Facility | \$ | 200,000 | 8209 |
| Total Northwest State Community College | | \$ | 597,364 | 8210 |

Reappropriations

Section 26.35. OTC OWENS COMMUNITY COLLEGE 8212

| | | | | |
|-------------------------------|---|----|------------|------|
| CAP-019 | Basic Renovations | \$ | 1,621,573 | 8213 |
| CAP-034 | Center for Fine and Performing Arts - Construction | \$ | 11,419 | 8214 |
| CAP-036 | Child Care Facility | \$ | 250,600 | 8215 |
| CAP-037 | Education Center | \$ | 9,546,360 | 8216 |
| CAP-038 | Fire and Police Training Center | \$ | 1,145,610 | 8217 |
| Total Owens Community College | | \$ | 12,575,562 | 8218 |

Reappropriations

| | | | |
|--|--|------------|-----------------|
| Section 26.36. RGC RIO GRANDE COMMUNITY COLLEGE | | | 8220 |
| CAP-005 | Basic Renovations | \$ 638,954 | 8221 |
| CAP-012 | Instructional and Data Processing Equipment | \$ 84,061 | 8222 |
| CAP-013 | College of Business | \$ 7,392 | 8223 |
| CAP-015 | ADA Modifications | \$ 75,446 | 8224 |
| CAP-022 | Child Care Facility | \$ 35,000 | 8225 |
| Total Rio Grande Community College | | | \$ 840,853 8226 |

Reappropriations

| | | | |
|--|---|--------------|-------------------|
| Section 26.37. SCC SINCLAIR COMMUNITY COLLEGE | | | 8228 |
| CAP-007 | Basic Renovations | \$ 2,295,992 | 8229 |
| CAP-034 | Advanced Educational Applications Center Phase I | \$ 40,000 | 8230 |
| CAP-036 | Advanced Integrated Manufacturing Center | \$ 188,286 | 8231 |
| CAP-042 | Autolab/Fire Science Facility | \$ 45,000 | 8232 |
| CAP-055 | Distance Learning | \$ 54,463 | 8233 |
| CAP-056 | Information Literacy | \$ 334,053 | 8234 |
| Total Sinclair Community College | | | \$ 2,957,794 8235 |

Reappropriations

| | | | |
|--|-------------------------|------------|-------------------|
| Section 26.38. SOC SOUTHERN STATE COMMUNITY COLLEGE | | | 8237 |
| CAP-010 | Basic Renovations | \$ 384,421 | 8238 |
| CAP-022 | Clinton County Facility | \$ 180 | 8239 |
| CAP-024 | Noncredit Job Training | \$ 228,055 | 8240 |
| CAP-025 | Multi-Purpose Facility | \$ 749,525 | 8241 |
| Total Southern State Community College | | | \$ 1,362,181 8242 |

Reappropriations

| | | | |
|---|-------------------|------------|------|
| Section 26.39. TTC TERRA STATE COMMUNITY COLLEGE | | | 8244 |
| CAP-009 | Basic Renovations | \$ 327,766 | 8245 |

| | | | | |
|-------------------------------------|---------------------|----|---------|------|
| CAP-015 | Child Care Facility | \$ | 166,148 | 8246 |
| CAP-018 | Nursing Online | \$ | 1,677 | 8247 |
| Total Terra State Community College | | \$ | 495,591 | 8248 |

Reappropriations

| | | | | |
|--|-----------------------------------|----|---------|------|
| Section 26.40. WTC WASHINGTON STATE COMMUNITY COLLEGE | | | | 8250 |
| CAP-009 | Instructional and Data Processing | \$ | 115,254 | 8251 |
| | Equipment | | | |
| CAP-012 | ADA Modifications | \$ | 14,575 | 8252 |
| CAP-013 | Child Care Facility | \$ | 5,860 | 8253 |
| CAP-016 | Noncredit Job Training | \$ | 14,859 | 8254 |
| Total Washington State Community College | | \$ | 150,548 | 8255 |

Reappropriations

| | | | | |
|---|------------------------------------|----|---------|------|
| Section 26.41. BTC BELMONT TECHNICAL COLLEGE | | | | 8257 |
| CAP-008 | Basic Renovations | \$ | 698,854 | 8258 |
| CAP-014 | Main Building Renovation - Phase 3 | \$ | 49,137 | 8259 |
| CAP-019 | ADA Modifications | \$ | 49,915 | 8260 |
| Total Belmont Technical College | | \$ | 797,906 | 8261 |

Reappropriations

| | | | | |
|--|-------------------|----|---------|------|
| Section 26.42. COT CENTRAL OHIO TECHNICAL COLLEGE | | | | 8263 |
| CAP-003 | Basic Renovations | \$ | 154,332 | 8264 |
| Total Central Ohio Technical College | | \$ | 154,332 | 8265 |

Reappropriations

| | | | | |
|---|-----------------------------------|----|---------|------|
| Section 26.43. HTC HOCKING TECHNICAL COLLEGE | | | | 8267 |
| CAP-019 | Basic Renovations | \$ | 572,765 | 8268 |
| CAP-024 | Building Addition | \$ | 5,270 | 8269 |
| CAP-027 | Instructional and Data Processing | \$ | 370,526 | 8270 |
| | Equipment | | | |
| CAP-028 | College Hall Rehabilitation | \$ | 3,769 | 8271 |
| CAP-032 | Public Safety Service | \$ | 57,060 | 8272 |

| | | | | |
|---------------------------------|------------------------|----|-----------|------|
| CAP-033 | Light and Oakley Halls | \$ | 40,855 | 8273 |
| CAP-035 | Child Care Facility | \$ | 9,406 | 8274 |
| Total Hocking Technical College | | \$ | 1,059,651 | 8275 |

Reappropriations

| | | | | |
|--|--|----|-----------|------|
| Section 26.44. LTC LIMA TECHNICAL COLLEGE | | | | 8277 |
| CAP-004 | Basic Renovations | \$ | 861,383 | 8278 |
| CAP-006 | Building Renovations | \$ | 5,000 | 8279 |
| CAP-007 | Training and Education Facility | \$ | 79,934 | 8280 |
| CAP-008 | Instructional and Data Processing Equipment | \$ | 156,394 | 8281 |
| CAP-009 | Life and Physical Sciences | \$ | 10,133 | 8282 |
| CAP-014 | Distance Education | \$ | 222,115 | 8283 |
| CAP-015 | Information Technology Building | \$ | 3,767,610 | 8284 |
| Total Lima Technical College | | \$ | 5,102,569 | 8285 |

Reappropriations

| | | | | |
|--|---------------------------|----|-----------|------|
| Section 26.45. MAT MUSKINGUM AREA TECHNICAL COLLEGE | | | | 8287 |
| CAP-007 | Basic Renovations | \$ | 244,465 | 8288 |
| CAP-017 | Basic Capacity Grant | \$ | 1,410 | 8289 |
| CAP-021 | Lighting/HVAC Replacement | \$ | 843,606 | 8290 |
| Total Muskingum Area Technical College | | \$ | 1,089,481 | 8291 |

Reappropriations

| | | | | |
|--|--|----|---------|------|
| Section 26.46. MTC MARION TECHNICAL COLLEGE | | | | 8293 |
| CAP-006 | Instructional and Data Processing Equipment | \$ | 84,323 | 8294 |
| CAP-012 | Technical Education Center | \$ | 205,044 | 8295 |
| Total Marion Technical College | | \$ | 289,367 | 8296 |

Reappropriations

| | | | | |
|---|-------------------|----|---------|------|
| Section 26.47. NCC NORTH CENTRAL TECHNICAL COLLEGE | | | | 8298 |
| CAP-003 | Basic Renovations | \$ | 360,533 | 8299 |

| | | | | |
|---------------------------------------|---------------------------------|----|---------|------|
| CAP-009 | ADA Modifications | \$ | 25,000 | 8300 |
| CAP-013 | Engineering Center Renovation | \$ | 2,372 | 8301 |
| CAP-018 | Fallerius Center Rehabilitation | \$ | 39,674 | 8302 |
| Total North Central Technical College | | \$ | 427,579 | 8303 |

Reappropriations

| | | | | |
|---|---|----|-------------|------|
| Section 26.48. STC STARK TECHNICAL COLLEGE | | | | 8305 |
| CAP-004 | Basic Renovations | \$ | 537,874 | 8306 |
| CAP-015 | Loop Road Property | \$ | 629 | 8307 |
| | Acquisition/Development | | | |
| CAP-024 | Phase 2 Renovations | \$ | 252 | 8308 |
| CAP-027 | Information Technology Learning Center | \$ | 10,000 | 8309 |
| CAP-030 | Northside Development Parking Lot - | \$ | 77,423 | 8310 |
| | Phase II | | | |
| CAP-031 | Student Services | \$ | 31,087 | 8311 |
| CAP-032 | Automotive Technology Building Addition | \$ | 1,719,554 | 8312 |
| Total Stark Technical College | | \$ | 2,376,819 | 8313 |
| TOTAL HIGHER EDUCATION IMPROVEMENT FUND | | \$ | 576,230,916 | 8314 |

Section 26.49. For all of the foregoing appropriation items 8316
from the Higher Education Improvement Fund (Fund 034) that require 8317
local funds to be contributed by any state-supported or 8318
state-assisted institution of higher education, the Board of 8319
Regents shall not recommend that any funds be released until the 8320
recipient institution demonstrates to the Board of Regents and the 8321
Office of Budget and Management that the local funds contribution 8322
requirement has been secured or satisfied. The local funds shall 8323
be in addition to the foregoing appropriations. 8324

Section 26.50. The Ohio Public Facilities Commission is 8325
hereby authorized to issue and sell, in accordance with Section 2n 8326
of Article VIII, Ohio Constitution, Chapter 151. and particularly 8327
sections 151.01 and 151.04 of the Revised Code, original 8328

obligations in an aggregate principal amount not to exceed 8329
\$1,000,000, in addition to the original issuance of obligations 8330
heretofore authorized by prior acts of the General Assembly. The 8331
authorized obligations shall be issued, subject to applicable 8332
constitutional and statutory limitations, to pay costs of capital 8333
facilities as defined in sections 151.01 and 151.04 of the Revised 8334
Code for state-supported and state-assisted institutions of higher 8335
education. 8336

Section 26.51. The Ohio Public Facilities Commission is 8337
hereby authorized to issue and sell, in accordance with Section 2n 8338
of Article VIII, Ohio Constitution, Chapter 151. and particularly 8339
sections 151.01 and 151.04 of the Revised Code, original 8340
obligations in an aggregate principal amount not to exceed 8341
\$2,000,000, in addition to the original issuance of obligations 8342
heretofore authorized by prior acts of the General Assembly. The 8343
authorized obligations shall be issued, subject to applicable 8344
constitutional and statutory limitations, to pay costs of capital 8345
facilities as defined in sections 151.01 and 151.04 of the Revised 8346
Code for state-supported and state-assisted institutions of higher 8347
education. 8348

Section 26.52. None of the foregoing capital improvements 8349
appropriations for state-supported or state-assisted institutions 8350
of higher education shall be expended until the particular 8351
appropriation has been recommended for release by the Board of 8352
Regents and released by the Director of Budget and Management or 8353
the Controlling Board. Either the institution concerned, or the 8354
Board of Regents with the concurrence of the institution 8355
concerned, may initiate the request to the Director of Budget and 8356
Management or the Controlling Board for the release of the 8357
particular appropriations. 8358

Section 26.53. (A) No capital improvement appropriations made 8359
in Sections 26.02 to 26.56, 34, 34.01, 34.02, and 34.03 of this 8360
act shall be released for planning or for improvement, renovation, 8361
construction, or acquisition of capital facilities if the 8362
institution of higher education or the state does not own the real 8363
property on which the capital facilities are or will be located. 8364
This restriction does not apply in any of the following 8365
circumstances: 8366

(1) The institution has a long-term (at least fifteen years) 8367
lease of, or other interest (such as an easement) in, the real 8368
property. 8369

(2) The Board of Regents certifies to the Controlling Board 8370
that undue delay will occur if planning does not proceed while the 8371
property or property interest acquisition process continues. In 8372
this case, funds may be released upon approval of the Controlling 8373
Board to pay for planning through the development of schematic 8374
drawings only. 8375

(3) In the case of an appropriation for capital facilities 8376
that, because of their unique nature or location, will be owned or 8377
will be part of facilities owned by a separate nonprofit 8378
organization or public body and made available to the institution 8379
of higher education for its use, the nonprofit organization or 8380
public body either owns or has a long-term (at least fifteen 8381
years) lease of the real property or other capital facility to be 8382
improved, renovated, constructed, or acquired and has entered into 8383
a joint or cooperative use agreement, approved by the Board of 8384
Regents, with the institution of higher education that meets the 8385
requirements of division (C) of this section. 8386

(B) Any foregoing appropriations which require cooperation 8387
between a technical college and a branch campus of a university 8388
may be released by the Controlling Board upon recommendation by 8389

| | |
|--|------|
| the Board of Regents that the facilities proposed by the | 8390 |
| institutions are: | 8391 |
| (1) The result of a joint planning effort by the university | 8392 |
| and the technical college, satisfactory to the Board of Regents; | 8393 |
| (2) Facilities that will meet the needs of the region in | 8394 |
| terms of technical and general education, taking into | 8395 |
| consideration the totality of facilities which will be available | 8396 |
| after the completion of these projects; | 8397 |
| (3) Planned to permit maximum joint use by the university and | 8398 |
| technical college of the totality of facilities which will be | 8399 |
| available upon their completion; | 8400 |
| (4) To be located on or adjacent to the branch campus of the | 8401 |
| university. | 8402 |
| (C) In the case of capital facilities referred to in division | 8403 |
| (A)(3) of this section, the joint or cooperative use agreements | 8404 |
| shall include, as a minimum, provisions that: | 8405 |
| (1) Specify the extent and nature of that joint or | 8406 |
| cooperative use, extending for not fewer than fifteen years, with | 8407 |
| the value of such use or right to use to be, as determined by the | 8408 |
| parties and approved by the Board of Regents, reasonably related | 8409 |
| to the amount of the appropriations; | 8410 |
| (2) Provide for pro rata reimbursement to the state should | 8411 |
| the arrangement for joint or cooperative use be terminated; | 8412 |
| (3) Provide that procedures to be followed during the capital | 8413 |
| improvement process will comply with appropriate applicable state | 8414 |
| laws and rules, including provisions of this act; | 8415 |
| (4) Provide for payment or reimbursement to the institution | 8416 |
| of its administrative costs incurred as a result of the facilities | 8417 |
| project, not to exceed 1.5 per cent of the appropriated amount. | 8418 |
| (D) Upon the recommendation of the Board of Regents, the | 8419 |

Controlling Board may approve the transfer of appropriations for 8420
projects requiring cooperation between institutions from one 8421
institution to another institution, with the approval of both 8422
institutions. 8423

(E) Notwithstanding section 127.14 of the Revised Code, the 8424
Controlling Board, upon the recommendation of the Board of 8425
Regents, may transfer amounts appropriated to the Board of Regents 8426
to accounts of state-supported or state-assisted institutions 8427
created for that same purpose. 8428

Section 26.54. The requirements of Chapters 123. and 153. of 8429
the Revised Code, with respect to the powers and duties of the 8430
Director of Administrative Services in the procedure for and award 8431
of contracts for capital improvement projects, and the 8432
requirements of section 127.16 of the Revised Code, with respect 8433
to the Controlling Board, do not apply to projects of community 8434
college districts and technical college districts. 8435

Section 26.55. Those institutions locally administering 8436
capital improvement projects pursuant to section 3345.50 of the 8437
Revised Code may: 8438

(A) Establish charges for recovering costs directly related 8439
to project administration as defined by the Director of 8440
Administrative Services. The Department of Administrative Services 8441
shall review and approve these administrative charges when such 8442
charges are in excess of 1.5 per cent of the total construction 8443
budget. 8444

(B) Seek reimbursement from state capital appropriations to 8445
the institution for the in-house design services performed by the 8446
institution for such capital projects. Acceptable charges shall be 8447
limited to design document preparation work that is done by the 8448
institution. These reimbursable design costs shall be shown as 8449

"A/E fees" within the project's budget that is submitted to the 8450
Controlling Board or the Director of Budget and Management as part 8451
of a request for release of funds. The reimbursement for in-house 8452
design may not exceed seven per cent of the estimated construction 8453
cost. 8454

Section 26.56. The Board of Regents shall adopt rules 8455
regarding the release of moneys from all the foregoing 8456
appropriations for capital facilities for all state-supported and 8457
state-assisted institutions of higher education. 8458

Section 27. All items set forth in this section are hereby 8459
appropriated out of any moneys in the state treasury to the credit 8460
of the Parks and Recreation Improvement Fund (Fund 035) that are 8461
not otherwise appropriated: 8462

Reappropriations

| DNR DEPARTMENT OF NATURAL RESOURCES | | | 8463 |
|-------------------------------------|---|--------------|------|
| CAP-005 | Cowan Lake State Park | \$ 23,445 | 8464 |
| CAP-008 | Delaware State Park | \$ 56,223 | 8465 |
| CAP-011 | Findley State Park | \$ 22,856 | 8466 |
| CAP-012 | Land Acquisition | \$ 6,800,000 | 8467 |
| CAP-016 | Hueston Woods State Park | \$ 23,258 | 8468 |
| CAP-017 | Indian Lake State Park | \$ 130,288 | 8469 |
| CAP-019 | Lake Hope State Park | \$ 6,776 | 8470 |
| CAP-025 | Punderson State Park | \$ 1,163 | 8471 |
| CAP-029 | Salt Fork State Park | \$ 127,555 | 8472 |
| CAP-032 | West Branch State Park | \$ 200,895 | 8473 |
| CAP-045 | Mary J. Thurston State Park Marina/Dock | \$ 300,000 | 8474 |
| CAP-051 | Buck Creek State Park | \$ 250 | 8475 |
| CAP-064 | Geneva State Park | \$ 4,182 | 8476 |
| CAP-069 | Hocking Hills State Park | \$ 87,756 | 8477 |
| CAP-070 | Lake Logan State Park | \$ 600 | 8478 |
| CAP-093 | Portage Lakes State Park | \$ 13,373 | 8479 |

| | | | | |
|---------|---|----|------------|------|
| CAP-113 | East Harbor State Park Shoreline Stabilization | \$ | 850,000 | 8480 |
| CAP-119 | Forked Run State Park | \$ | 27,747 | 8481 |
| CAP-162 | Shawnee State Park | \$ | 760 | 8482 |
| CAP-205 | Deer Creek State Park | \$ | 19,051 | 8483 |
| CAP-234 | State Parks Campgrounds, Lodges, and Cabins | \$ | 5,494,293 | 8484 |
| CAP-331 | Park Boating Facilities | \$ | 2,688,216 | 8485 |
| CAP-390 | State Park Maintenance Facility Development | \$ | 1,656,339 | 8486 |
| CAP-701 | Buckeye Lake Dam Rehabilitation | \$ | 427,756 | 8487 |
| CAP-702 | Upgrade Underground Storage Tanks | \$ | 234,134 | 8488 |
| CAP-703 | Cap Abandoned Water Wells | \$ | 78,000 | 8489 |
| CAP-718 | Grand Lake St. Mary's State Park | \$ | 251,882 | 8490 |
| CAP-719 | Indian Lake State Park | \$ | 1,000 | 8491 |
| CAP-727 | Riverfront Improvements | \$ | 1,275,000 | 8492 |
| CAP-744 | Multi-Agency Radio Communication Equipment | \$ | 425,000 | 8493 |
| CAP-748 | Local Parks Projects | \$ | 3,269,000 | 8494 |
| CAP-821 | State Park Dredging and Shoreline Protection | \$ | 14,000 | 8495 |
| CAP-827 | Cuyahoga Valley Scenic Railroad | \$ | 1,000,000 | 8496 |
| CAP-836 | State Parks Renovation/Upgrading | \$ | 350 | 8497 |
| CAP-876 | Statewide Trails Program | \$ | 1,168,398 | 8498 |
| CAP-927 | Mohican State Park | \$ | 96,816 | 8499 |
| CAP-928 | Handicapped Accessibility | \$ | 472,555 | 8500 |
| CAP-929 | Hazardous Waste/Asbestos Abatement | \$ | 49,383 | 8501 |
| CAP-931 | Wastewater/Water Systems Upgrade | \$ | 2,804,375 | 8502 |
| | Total Department of Natural Resources | \$ | 30,102,675 | 8503 |
| | TOTAL Parks and Recreation Improvement Fund | \$ | 30,102,675 | 8504 |
| | Section 27.01. RIVERFRONT IMPROVEMENTS | | | 8505 |
| | Of the foregoing reappropriation item CAP-727, Riverfront | | | 8506 |

Improvements, \$100,000 shall be used for the Spencerville Canal 8507
Improvements and \$350,000 shall be used for the Rush Creek and 8508
Upper Hocking Project. 8509

LOCAL PARKS PROJECTS 8510

The following projects shall be funded from the foregoing 8511
reappropriation item CAP-748, Local Parks Projects: \$12,500 for 8512
Big Prairie/Lakeville Park Improvements; \$6,500 for Crossroads 8513
Park Improvements; \$1,500,000 for the Cleveland Lakefront Park 8514
Improvements; \$500,000 for Colerain Township Park Improvements; 8515
\$50,000 for Smith Field Park Improvements; \$50,000 for St. 8516
Clairsville Park Improvements; \$50,000 for Mt. Orab Park 8517
Improvements; \$50,000 for Liberty Township Playground; \$100,000 8518
for Gallipolis City Park; \$20,000 for Junction City Park 8519
Improvements; \$200,000 for the Goll Woods Nature Preserve; \$15,000 8520
for Ryan Park Improvements; and \$15,000 for Circleville Park 8521
Improvements. 8522

STATEWIDE TRAILS PROGRAM 8523

Of the foregoing reappropriation item CAP-876, Statewide 8524
Trails Program, \$30,000 shall be used for Fairfield Heritage 8525
Trails and \$100,000 shall be used for the Upper Sandusky Bike 8526
Path. 8527

FEDERAL REIMBURSEMENT 8528

All reimbursements received from the federal government for 8529
any expenditures made pursuant to Sections 28 and 28.01 shall be 8530
deposited in the state treasury to the credit of the Parks and 8531
Recreation Improvement Fund. 8532

Section 27.02. (A) No capital improvement appropriations made 8533
in Section 25 of this act shall be released for planning or for 8534
improvement, renovation, construction, or acquisition of capital 8535
facilities if a governmental agency, as defined in section 154.01 8536

of the Revised Code, does not own the real property that 8537
constitutes the capital facilities or on which the capital 8538
facilities are or will be located. This restriction does not apply 8539
in any of the following circumstances: 8540

(1) The governmental agency has a long-term (at least fifteen 8541
years) lease of, or other interest (such as an easement) in, the 8542
real property. 8543

(2) In the case of an appropriation for capital facilities 8544
for parks and recreation that, because of their unique nature or 8545
location, will be owned or will be part of facilities owned by a 8546
separate nonprofit organization and made available to the 8547
governmental agency for its use, the nonprofit organization either 8548
owns or has a long-term (at least fifteen years) lease of the real 8549
property or other capital facility to be improved, renovated, 8550
constructed, or acquired and has entered into a joint or 8551
cooperative use agreement, approved by the Department of Natural 8552
Resources, with the governmental agency for that agency's use of 8553
and right to use the capital facilities to be financed and, if 8554
applicable, improved, the value of such use or right to use being, 8555
as determined by the parties, reasonably related to the amount of 8556
the appropriation. 8557

(B) In the case of capital facilities referred to in division 8558
(A)(2) of this section, the joint or cooperative use agreement 8559
shall include, as a minimum, provisions that: 8560

(1) Specify the extent and nature of that joint or 8561
cooperative use, extending for not fewer than fifteen years, with 8562
the value of such use or right to use to be, as determined by the 8563
parties and approved by the applicable department, reasonably 8564
related to the amount of the appropriation; 8565

(2) Provide for pro rata reimbursement to the state should 8566
the arrangement for joint or cooperative use by a governmental 8567

agency be terminated; and 8568

(3) Provide that procedures to be followed during the capital 8569
 improvement process will comply with appropriate applicable state 8570
 laws and rules, including provisions of this act. 8571

Section 28. All items set forth in this section are hereby 8572
 appropriated out of any moneys in the state treasury to the credit 8573
 of the State Capital Improvements Fund (Fund 038) that are not 8574
 otherwise appropriated: 8575

Reappropriations

PWC PUBLIC WORKS COMMISSION 8576

Ohio Small Government Capital Improvement Commission 8577

| | | | | |
|---------|--|----|------------|------|
| CAP-150 | Local Public Infrastructure | \$ | 6,012,256 | 8578 |
| CIF-000 | Ohio Small Government Capital Improvement | \$ | 28,663,238 | 8579 |
| CIF-001 | Infrastructure - District 1 | \$ | 38,838,365 | 8580 |
| CIF-002 | Infrastructure - District 2 | \$ | 15,959,512 | 8581 |
| CIF-003 | Infrastructure - District 3 | \$ | 25,971,425 | 8582 |
| CIF-004 | Infrastructure - District 4 | \$ | 10,770,680 | 8583 |
| CIF-005 | Infrastructure - District 5 | \$ | 9,844,776 | 8584 |
| CIF-006 | Infrastructure - District 6 | \$ | 10,014,525 | 8585 |
| CIF-007 | Infrastructure - District 7 | \$ | 11,202,068 | 8586 |
| CIF-008 | Infrastructure - District 8 | \$ | 16,715,668 | 8587 |
| CIF-009 | Infrastructure - District 9 | \$ | 7,843,466 | 8588 |
| CIF-010 | Infrastructure - District 10 | \$ | 17,810,902 | 8589 |
| CIF-011 | Infrastructure - District 11 | \$ | 13,088,231 | 8590 |
| CIF-012 | Infrastructure - District 12 | \$ | 11,302,331 | 8591 |
| CIF-013 | Infrastructure - District 13 | \$ | 7,319,679 | 8592 |
| CIF-014 | Infrastructure - District 14 | \$ | 7,650,077 | 8593 |
| CIF-015 | Infrastructure - District 15 | \$ | 8,599,690 | 8594 |
| CIF-016 | Infrastructure - District 16 | \$ | 12,055,292 | 8595 |
| CIF-017 | Infrastructure - District 17 | \$ | 7,821,687 | 8596 |
| CIF-018 | Infrastructure - District 18 | \$ | 7,187,679 | 8597 |

| | | | | |
|--------------------------------------|------------------------------|----|-------------|------|
| CIF-019 | Infrastructure - District 19 | \$ | 10,134,118 | 8598 |
| CIF-020 | Infrastructure - District 20 | \$ | 5,332,876 | 8599 |
| CIF-021 | Infrastructure - District 21 | \$ | 388,034 | 8600 |
| Total Public Works Commission | | \$ | 290,546,575 | 8601 |
| TOTAL State Capital Improvement Fund | | \$ | 290,546,575 | 8602 |

The appropriations in this section shall be used in 8603
accordance with sections 164.01 to 164.12 of the Revised Code. All 8604
expenditures made from these appropriations shall be approved by 8605
the Director of the Public Works Commission. The Director of the 8606
Public Works Commission shall not allocate funds in amounts 8607
greater than those amounts appropriated by the General Assembly. 8608

Section 29. All items set forth in this section are hereby 8609
appropriated out of any moneys in the state treasury to the credit 8610
of the State Capital Improvements Revolving Loan Fund (Fund 040) 8611
and derived from repayments of loans made to local subdivisions 8612
for capital improvements, investment earnings on moneys in the 8613
fund, and moneys obtained from federal or private grants or from 8614
other sources for the purpose of making loans for the purpose of 8615
financing or assisting in the financing of the cost of capital 8616
improvement projects of local subdivisions: 8617

Reappropriations

| | | | | |
|-----------------------------|--------------------------------|----|-----------|------|
| PWC PUBLIC WORKS COMMISSION | | | | 8618 |
| CAP-151 | Revolving Loan | \$ | 7,995,595 | 8619 |
| RLF-001 | Revolving Loan Fund-District 1 | \$ | 6,925,816 | 8620 |
| RLF-002 | Revolving Loan Fund-District 2 | \$ | 5,365,318 | 8621 |
| RLF-003 | Revolving Loan Fund-District 3 | \$ | 5,352,452 | 8622 |
| RLF-004 | Revolving Loan Fund-District 4 | \$ | 3,032,167 | 8623 |
| RLF-005 | Revolving Loan Fund-District 5 | \$ | 1,973,026 | 8624 |
| RLF-006 | Revolving Loan Fund-District 6 | \$ | 1,743,529 | 8625 |
| RLF-007 | Revolving Loan Fund-District 7 | \$ | 3,277,638 | 8626 |
| RLF-008 | Revolving Loan Fund-District 8 | \$ | 1,971,732 | 8627 |
| RLF-009 | Revolving Loan Fund-District 9 | \$ | 1,868,591 | 8628 |

| | | | | |
|---------|--|----|------------|------|
| RLF-010 | Revolving Loan Fund-District 10 | \$ | 3,875,201 | 8629 |
| RLF-011 | Revolving Loan Fund-District 11 | \$ | 1,908,555 | 8630 |
| RLF-012 | Revolving Loan Fund-District 12 | \$ | 5,337,940 | 8631 |
| RLF-013 | Revolving Loan Fund-District 13 | \$ | 1,169,315 | 8632 |
| RLF-014 | Revolving Loan Fund-District 14 | \$ | 1,380,861 | 8633 |
| RLF-015 | Revolving Loan Fund-District 15 | \$ | 948,611 | 8634 |
| RLF-016 | Revolving Loan Fund-District 16 | \$ | 1,753,105 | 8635 |
| RLF-017 | Revolving Loan Fund-District 17 | \$ | 1,834,153 | 8636 |
| RLF-018 | Revolving Loan Fund-District 18 | \$ | 2,071,737 | 8637 |
| RLF-019 | Revolving Loan Fund-District 19 | \$ | 1,158,219 | 8638 |
| RLF-020 | Revolving Loan Fund-District 20 | \$ | 1,402,306 | 8639 |
| RLF-021 | Revolving Loan Fund-District 21 | \$ | 307,232 | 8640 |
| | Total Public Works Commission | \$ | 62,653,099 | 8641 |
| | TOTAL State Capital Improvements Revolving Loan Fund | | 62,653,099 | 8642 |

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 Clean Ohio Conservation Fund (Fund 056) that are not otherwise appropriated:

| | | | | |
|---------|-----------------------------|----|------------------|------|
| | | | Reappropriations | |
| | PWC PUBLIC WORKS COMMISSION | | | 8653 |
| COF-001 | Clean Ohio-District 1 | \$ | 6,763,703 | 8654 |
| COF-002 | Clean Ohio-District 2 | \$ | 2,936,190 | 8655 |
| COF-003 | Clean Ohio-District 3 | \$ | 3,668,434 | 8656 |
| COF-004 | Clean Ohio-District 4 | \$ | 2,011,171 | 8657 |
| COF-005 | Clean Ohio-District 5 | \$ | 1,383,772 | 8658 |

| | | | | |
|------------------------------------|------------------------|----|------------|------|
| COF-006 | Clean Ohio-District 6 | \$ | 1,171,944 | 8659 |
| COF-007 | Clean Ohio-District 7 | \$ | 1,377,683 | 8660 |
| COF-008 | Clean Ohio-District 8 | \$ | 2,508,162 | 8661 |
| COF-009 | Clean Ohio-District 9 | \$ | 381,213 | 8662 |
| COF-010 | Clean Ohio-District 10 | \$ | 3,009,510 | 8663 |
| COF-011 | Clean Ohio-District 11 | \$ | 3,493,667 | 8664 |
| COF-012 | Clean Ohio-District 12 | \$ | 1,561,788 | 8665 |
| COF-013 | Clean Ohio-District 13 | \$ | 2,399,270 | 8666 |
| COF-014 | Clean Ohio-District 14 | \$ | 3,179,867 | 8667 |
| COF-015 | Clean Ohio-District 15 | \$ | 942,242 | 8668 |
| COF-016 | Clean Ohio-District 16 | \$ | 3,545,729 | 8669 |
| COF-017 | Clean Ohio-District 17 | \$ | 2,631,843 | 8670 |
| COF-018 | Clean Ohio-District 18 | \$ | 2,403,861 | 8671 |
| COF-019 | Clean Ohio-District 19 | \$ | 1,161,016 | 8672 |
| Total Public Works Commission | | \$ | 46,531,065 | 8673 |
| TOTAL Clean Ohio Conservation Fund | | \$ | 46,531,065 | 8674 |

Section 31. All items set forth in this section are hereby 8676
appropriated out of any moneys in the state treasury to the credit 8677
of the Clean Ohio Agricultural Easement Fund (Fund 057) that are 8678
not otherwise appropriated: 8679

Reappropriations

| | | | | |
|---|----------------------------------|----|-----------|------|
| AGR DEPARTMENT OF AGRICULTURE | | | 8680 | |
| CAP-047 | Clean Ohio Agricultural Easement | \$ | 6,256,886 | 8681 |
| Total Department of Agriculture | | \$ | 6,256,886 | 8682 |
| TOTAL Clean Ohio Agricultural Easement Fund | | \$ | 6,256,886 | 8683 |

AGRICULTURAL EASEMENT PURCHASE 8684

The foregoing appropriation item CAP-047, Clean Ohio 8685
Agricultural Easement Fund, shall be used in accordance with 8686
sections 901.21, 901.22, and 5301.67 to 5301.70 of the Revised 8687
Code. 8688

Section 32. All items set forth in this section are hereby 8689
appropriated out of any moneys in the state treasury to the credit 8690
of the Clean Ohio Trail Fund (Fund 061) that are not otherwise 8691
appropriated: 8692

DNR DEPARTMENT OF NATURAL RESOURCES 8693

| | Reappropriations | |
|---------------------------------------|------------------|------|
| CAP-014 Clean Trail Ohio | \$ 6,250,000 | 8694 |
| Total Department of Natural Resources | \$ 6,250,000 | 8695 |
| TOTAL Clean Ohio Trail Fund | \$ 6,250,000 | 8696 |

Section 33. All items set forth in this section are hereby 8698
appropriated out of any moneys in the state treasury to the credit 8699
of the School Building Program Assistance Fund (Fund 032) that are 8700
not otherwise appropriated: 8701

| | Appropriations | |
|---|----------------|------|
| SFC SCHOOL FACILITIES COMMISSION | | 8702 |
| CAP-770 School Facilities Program Assistance | \$ 522,600,000 | 8703 |
| Total School Facilities Commission | \$ 522,600,000 | 8704 |
| TOTAL School Building Program Assistance Fund | \$ 522,600,000 | 8705 |

Section 33.01. The Ohio Public Facilities Commission is 8707
hereby authorized to issue and sell, in accordance with Section 2n 8708
of Article VIII, Ohio Constitution, and Chapter 151. of the 8709
Revised Code and particularly sections 151.01 and 151.03 of the 8710
Revised Code, original obligations in an aggregate principal 8711
amount not to exceed \$522,000,000, in addition to the original 8712
issuance of obligations heretofore authorized by prior acts of the 8713
General Assembly. The authorized obligations shall be issued, 8714
subject to applicable constitutional and statutory limitations, to 8715
pay the costs to the state of constructing classroom facilities 8716
pursuant to sections 3318.01 to 3318.35 of the Revised Code. 8717

Section 34. All items set forth in this section are hereby 8718
appropriated out of any moneys in the state treasury to the credit 8719
of the Higher Education Improvement Fund (Fund 034) that are not 8720
otherwise appropriated. The appropriations made in this act are in 8721
addition to any other capital appropriations made for the 8722
2005-2006 biennium. 8723

Appropriations

BOR BOARD OF REGENTS 8724

Higher Education Improvement Fund 8725

CAP 068 Third Frontier Project \$ 50,000,000 8726

Total Board of Regents \$ 50,000,000 8727

TOTAL Higher Education Improvement \$ 50,000,000 8728
Fund

Section 34.01. THIRD FRONTIER PROJECT 8730

The foregoing appropriation item CAP-068, Third Frontier 8731
Project, shall be used to acquire, renovate, or construct 8732
facilities and purchase equipment for research programs, 8733
technology development, product development, and commercialization 8734
programs at or involving state-supported and state-assisted 8735
institutions of higher education. The funds shall be used to make 8736
grants awarded on a competitive basis, and shall be administered 8737
by the Third Frontier Commission. Expenditure of the funds shall 8738
comply with Section 2n of Article VIII, Ohio Constitution, and 8739
sections 151.01 and 151.04 of the Revised Code for the period 8740
beginning July 1, 2004, and ending June 30, 2006. 8741

The Third Frontier Commission shall develop guidelines 8742
relative to the application for and selection of projects funded 8743
from appropriation item CAP-068, Third Frontier Project. The 8744
commission may develop the guidelines in consultation with other 8745
interested parties. The Board of Regents and all state-assisted 8746

and state-supported institutions of higher education shall take 8747
all actions necessary to implement grants awarded by the Third 8748
Frontier Commission. 8749

The foregoing appropriation item CAP-068, Third Frontier 8750
Project, for which an appropriation is made from the Higher 8751
Education Improvement Fund (Fund 034), is determined to consist of 8752
capital improvements and capital facilities for state-supported 8753
and state-assisted institutions of higher education, and is 8754
designated for the capital facilities to which proceeds of 8755
obligations in the Higher Education Improvement Fund (Fund 034) 8756
are to be applied. 8757

Section 34.02. The Ohio Public Facilities Commission is 8758
hereby authorized to issue and sell, in accordance with Section 2n 8759
of Article VIII, Ohio Constitution, and Chapter 151. and 8760
particularly sections 151.01 and 151.04 of the Revised Code, 8761
original obligations in an aggregate principal amount not to 8762
exceed \$50,000,000, in addition to the original issuance of 8763
obligations heretofore authorized by prior acts of the General 8764
Assembly. The authorized obligations shall be issued, subject to 8765
applicable constitutional and statutory limitations, to pay costs 8766
of capital facilities as defined in sections 151.01 and 151.04 of 8767
the Revised Code for state-supported and state-assisted 8768
institutions of higher education. 8769

Section 34.03. The foregoing appropriation item CAP-068, 8770
Third Frontier Project, is subject to Sections 27.48, 27.49, 8771
27.50, 27.51, 27.52, and 27.53 of this act. 8772

Section 35. All items set forth in this section are hereby 8773
appropriated out of any moneys in the state treasury to the credit 8774
of the State Capital Improvements Fund (Fund 038) that are not 8775
otherwise appropriated: 8776

| | Appropriations | |
|---------------------------------------|----------------|------|
| PWC PUBLIC WORKS COMMISSION | | 8777 |
| CAP-150 Local Public Infrastructure | \$ 120,000,000 | 8778 |
| Total Public Works Commission | \$ 120,000,000 | 8779 |
| TOTAL State Capital Improvements Fund | \$ 120,000,000 | 8780 |

The foregoing appropriation item CAP-150, Local Public Infrastructure, shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. The Director of the Public Works Commission may certify to the Director of Budget and Management that a need exists to appropriate investment earnings to be used in accordance with sections 164.01 to 164.12 of the Revised Code. If the Director of Budget and Management determines pursuant to division (D) of section 164.08 and section 164.12 of the Revised Code that investment earnings are available to support additional appropriations, such amounts are hereby appropriated.

Section 36. The Treasurer of State is hereby authorized pursuant to section 164.09 of the Revised Code to issue and sell, in accordance with Section 2m of Article VIII, Ohio Constitution, and sections 164.01 to 164.12 of the Revised Code, original obligations of the state, in an aggregate principal amount not to exceed \$120,000,000, in addition to the original obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued and sold from time to time and in amounts necessary to ensure sufficient moneys to the credit of the State Capital Improvements Fund (Fund 038) to pay costs charged to that fund, as estimated by the Director of Budget and Management.

Section 37. 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). Revenues to the State Capital Improvements Revolving Loan Fund

shall consist of all repayments of loans made to local 8807
subdivisions for capital improvements, investment earnings on 8808
moneys in the fund, and moneys obtained from federal or private 8809
grants or from other sources for the purpose of making loans for 8810
the purpose of financing or assisting in the financing of the cost 8811
of capital improvement projects of local subdivisions. 8812

PWC PUBLIC WORKS COMMISSION 8813

| | Appropriations | |
|--|----------------|------|
| CAP-151 Revolving Loan | \$ 16,750,000 | 8814 |
| Total Public Works Commission | \$ 16,750,000 | 8815 |
| TOTAL State Capital Improvements Revolving | | 8816 |
| Loan Fund | \$ 16,750,000 | 8817 |

The foregoing appropriation item CAP-151, Revolving Loan, 8818
shall be used in accordance with sections 164.01 to 164.12 of the 8819
Revised Code. 8820

Section 38. CERTIFICATION OF AVAILABILITY OF MONEYS 8821

No moneys that require release shall be expended from any 8822
appropriation contained in this act without certification of the 8823
Director of Budget and Management that there are sufficient moneys 8824
in the state treasury in the fund from which the appropriation is 8825
made. Such certification made by the Office of Budget and 8826
Management shall be based on estimates of revenue, receipts, and 8827
expenses. Nothing herein shall be construed as a limitation on the 8828
authority of the Director of Budget and Management as granted in 8829
section 126.07 of the Revised Code. 8830

Section 39. LIMITATION ON USE OF CAPITAL APPROPRIATIONS 8831

The appropriations made in this act, excluding those made to 8832
the State Capital Improvement Fund (Fund 038) and the State 8833
Capital Improvements Revolving Loan Fund (Fund 040) for buildings 8834
or structures, including remodeling and renovations, are limited 8835

| | |
|---|--------------------------------------|
| to: | 8836 |
| (A) Acquisition of real property or interest in real property; | 8837 8838 |
| (B) Buildings and structures, which includes construction, demolition, complete heating, lighting, and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, and sewer systems, when such systems are authorized or necessary; | 8839 8840 8841 8842 |
| (C) Architectural, engineering, and professional services expenses directly related to the projects; | 8843 8844 |
| (D) Machinery that is a part of structures at the time of initial acquisition or construction; | 8845 8846 |
| (E) Acquisition, development, and deployment of new computer systems, including the redevelopment or integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements; | 8847 8848 8849 8850 |
| (F) Equipment that meets all the following criteria: | 8851 |
| (1) The equipment is essential in bringing the facility up to its intended use. | 8852 8853 |
| (2) The unit cost of the equipment, and not the individual parts of a unit, is about \$100 or more. | 8854 8855 |
| (3) The equipment has a useful life of five years or more. | 8856 |
| (4) The equipment is necessary for the functioning of the particular facility or project. | 8857 8858 |
| No equipment shall be paid for from these appropriations that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated. This paragraph does not apply to appropriation items for equipment. | 8859 8860 8861 8862 8863 |
| Section 40. CONTINGENCY RESERVE REQUIREMENT | 8864 |

Any request for release of capital appropriations by the 8865
Director of Budget and Management or the Controlling Board of 8866
capital appropriations for projects, the contracts for which are 8867
awarded by the Department of Administrative Services, shall 8868
contain a contingency reserve, the amount of which shall be 8869
determined by the Department of Administrative Services, for 8870
payment of unanticipated project expenses. Any amount deducted 8871
from the encumbrance for a contractor's contract as an assessment 8872
for liquidated damages shall be added to the encumbrance for the 8873
contingency reserve. Contingency reserve funds shall be used to 8874
pay costs resulting from unanticipated job conditions, to comply 8875
with rulings regarding building and other codes, to pay costs 8876
related to errors or omissions in contract documents, to pay costs 8877
associated with changes in the scope of work, and to pay the cost 8878
of settlements and judgments related to the project. 8879

Any funds remaining upon completion of a project, may, upon 8880
approval of the Controlling Board, be released for the use of the 8881
institution to which the appropriation was made for another 8882
capital facilities project or projects. 8883

Section 41. AGENCY ADMINISTRATION OF CAPITAL FACILITIES 8884
PROJECTS 8885

Notwithstanding sections 123.01 and 123.15 of the Revised 8886
Code, the Director of Administrative Services may authorize the 8887
Departments of Mental Health, Mental Retardation and Developmental 8888
Disabilities, Alcohol and Drug Addiction Services, Agriculture, 8889
Jobs and Family Services, Rehabilitation and Correction, Youth 8890
Services, Public Safety, and Transportation, the Ohio Veterans' 8891
Home, and the Rehabilitation Services Commission to administer any 8892
capital facilities projects when the estimated cost, including 8893
design fees, construction, equipment, and contingency amounts, is 8894
less than \$1,500,000. Requests for authorization to administer 8895

capital facilities projects shall be made in writing to the 8896
Director of Administrative Services by the respective state agency 8897
within sixty days after the effective date of the act in which the 8898
General Assembly initially makes an appropriation for the project. 8899
Upon the release of funds for such projects by the Controlling 8900
Board or the Director of Budget and Management, the agency may 8901
administer the capital project or projects for which agency 8902
administration has been authorized without the supervision, 8903
control, or approval of the Director of Administrative Services. 8904

The state agency authorized by the Director of Administrative 8905
Services to administer capital facilities projects pursuant to 8906
this section shall comply with the applicable procedures and 8907
guidelines established in Chapter 153. of the Revised Code. 8908

Section 42. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST 8909
THE STATE 8910

Except as otherwise provided in this section, an 8911
appropriation contained in this act or any other act may be used 8912
for the purpose of satisfying judgments, settlements, or 8913
administrative awards ordered or approved by the Court of Claims 8914
or by any other court of competent jurisdiction in connection with 8915
civil actions against the state. This authorization shall not 8916
apply to appropriations to be applied to or used for payment of 8917
guarantees by or on behalf of the state or for payments under 8918
lease agreements relating to or debt service on bonds, notes, or 8919
other obligations of the state. Notwithstanding any other section 8920
of law to the contrary, this authorization includes appropriations 8921
from funds into which proceeds or direct obligations of the state 8922
are deposited only to the extent that the judgment, settlement, or 8923
administrative award is for or represents capital costs for which 8924
the appropriation may otherwise be used and is consistent with the 8925
purpose for which any related bonds were issued. Nothing contained 8926

in this section is intended to subject the state to suit in any 8927
forum in which it is not otherwise subject to suit, or is it 8928
intended to waive or compromise any defense or right available to 8929
the state in any suit against it. 8930

Section 43. Notwithstanding section 126.14 of the Revised 8931
Code, appropriations for appropriation items CAP-002, Local Jails, 8932
and CAP-003, Community-Based Correctional Facilities, appropriated 8933
from the Adult Correctional Building Fund (Fund 027) to the 8934
Department of Rehabilitation and Correction shall be released upon 8935
the written approval of the Director of Budget and Management. The 8936
appropriations from the Public School Building Fund (Fund 021), 8937
the Education Facilities Trust Fund (Fund N87), and the School 8938
Building Program Assistance Fund (Fund 032) to the School 8939
Facilities Commission, from the Transportation Building Fund (Fund 8940
029) to the Department of Transportation, from the Clean Ohio 8941
Conservation Fund (Fund 056) to the Public Works Commission, and 8942
appropriations from the State Capital Improvement Fund (Fund 038) 8943
and the State Capital Improvements Revolving Loan Fund (Fund 040) 8944
to the Public Works Commission shall be released upon presentation 8945
of a request to release the funds, by the agency to which the 8946
appropriation has been made, to the Director of Budget and 8947
Management. 8948

Section 44. Except as provided in section 4115.04 of the 8949
Revised Code, no moneys appropriated or reappropriated by the 8950
125th General Assembly shall be used for the construction of 8951
public improvements, as defined in section 4115.03 of the Revised 8952
Code, unless the mechanics, laborers, or workers engaged therein 8953
are paid the prevailing rate of wages as prescribed in section 8954
4115.04 of the Revised Code. Nothing in this section shall affect 8955
the wages and salaries established for state employees under the 8956
provisions of Chapter 124. of the Revised Code, or collective 8957

bargaining agreements entered into by the state pursuant to 8958
Chapter 4117. of the Revised Code, while engaged on force account 8959
work, nor shall this section interfere with the use of inmate and 8960
patient labor by the state. 8961

Section 45. CAPITAL FACILITIES LEASES 8962

Capital facilities for which appropriations are made from the 8963
Administrative Building Fund (Fund 026), the Adult Correctional 8964
Building Fund (Fund 027), the Juvenile Correctional Building Fund 8965
(Fund 028), and the Arts Facilities Building Fund (Fund 030) may 8966
be leased by the Ohio Building Authority to the Department of 8967
Youth Services, the Arts and Sports Facilities Commission, the 8968
Department of Administrative Services, and the Department of 8969
Rehabilitation and Correction, and other agreements may be made by 8970
the Ohio Building Authority and the departments with respect to 8971
the use or purchase of such capital facilities, or subject to the 8972
approval of the director of the department or the commission, the 8973
Ohio Building Authority may lease such capital facilities to, and 8974
make other agreements with respect to the use or purchase thereof 8975
with, any governmental agency or nonprofit corporation having 8976
authority under law to own, lease, or operate such capital 8977
facilities. The director of the department or the commission may 8978
sublease such capital facilities to, and make other agreements 8979
with respect to the use or purchase thereof with, any such 8980
governmental agency or nonprofit corporation, which may include 8981
provisions for transmittal of receipts of that agency or nonprofit 8982
corporation of any charges for the use of such facilities, all 8983
upon such terms and conditions as the parties may agree upon and 8984
any other provision of law affecting the leasing, acquisition, or 8985
disposition of capital facilities by such parties. 8986

Section 46. AUTHORIZATION OF THE DIRECTOR OF BUDGET AND 8987
MANAGEMENT 8988

The Director of Budget and Management shall authorize both of 8989
the following: 8990

(A) The initial release of moneys for projects from the funds 8991
into which proceeds of direct obligations of the state are 8992
deposited. 8993

(B) The expenditure or encumbrance of moneys from funds into 8994
which proceeds of direct obligations are deposited, only after 8995
determining to the director's satisfaction that either of the 8996
following apply: 8997

(1) The application of such moneys to the particular project 8998
will not negatively affect any exemption or exclusion from federal 8999
income tax of the interest or interest equivalent on obligations, 9000
issued to provide moneys to the particular fund. 9001

(2) Moneys for the project will come from the proceeds of 9002
obligations, the interest on which is not so excluded or exempt 9003
and which have been authorized as "taxable obligations" by the 9004
issuing authority. 9005

The director shall report any nonrelease of moneys pursuant 9006
to this section to the Governor, the presiding officer of each 9007
house of the General Assembly, and the agency for the use of which 9008
the project is intended. 9009

Section 47. OHIO ADMINISTRATIVE KNOWLEDGE SYSTEM PROJECT 9010

The Ohio Administrative Knowledge System (OAKS) shall be an 9011
enterprise resource planning system that replaces the state's 9012
central services infrastructure systems, including, but not 9013
limited to, the central accounting system, the human 9014
resources/payroll system, the capital improvements projects 9015
tracking system, the fixed assets management system, and the 9016
procurement system. The Department of Administrative Services, in 9017
conjunction with the Office of Budget and Management, may acquire 9018

the system, including, but not limited to, the enterprise resource 9019
planning software and installation and implementation thereof 9020
pursuant to Chapter 125. of the Revised Code. Any lease-purchase 9021
arrangement utilized under Chapter 125. of the Revised Code, 9022
including any fractionalized interest therein as defined in 9023
division (N) of section 133.01 of the Revised Code, shall provide 9024
at the end of the lease periods that OAKS becomes the property of 9025
the state. 9026

Section 48. SCHOOL FACILITIES ENCUMBRANCES AND 9027
REAPPROPRIATION 9028

At the request of the Executive Director of the Ohio School 9029
Facilities Commission, the Director of Budget and Management may 9030
cancel encumbrances for school district projects from a previous 9031
biennium if the district has not raised its local share of project 9032
costs within one year of receiving Controlling Board approval in 9033
accordance with section 3318.05 of the Revised Code. The Executive 9034
Director of the Ohio School Facilities Commission shall certify 9035
the amounts of these canceled encumbrances to the Director of 9036
Budget and Management on a quarterly basis. The amounts of the 9037
canceled encumbrances are hereby appropriated. 9038

Section 49. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES 9039
OF CAPITAL APPROPRIATIONS 9040

(A) An unexpended balance of a capital appropriation or 9041
reappropriation that a state agency has lawfully encumbered prior 9042
to the close of a capital biennium is hereby reappropriated for 9043
the following capital biennium from the fund from which it was 9044
originally appropriated or was reappropriated and shall be used 9045
only for the purpose of discharging the encumbrance in the 9046
following capital biennium. For those encumbered appropriations or 9047
reappropriations, any Controlling Board approval previously 9048

granted and referenced by the encumbering document remains in 9049
effect until the encumbrance is discharged in the following 9050
capital biennium or until the encumbrance expires at the end of 9051
the following capital biennium. 9052

(B) At the end of the reappropriation period provided for by 9053
division (A) of this section, an unexpended balance of a capital 9054
appropriation or reappropriation that remains encumbered at the 9055
end of that period is hereby reappropriated for the next capital 9056
biennium from the fund from which it was originally appropriated 9057
or was reappropriated and shall be used only for the purpose of 9058
discharging the encumbrance in the next capital biennium. For 9059
those encumbered appropriations or reappropriations, any 9060
Controlling Board approval previously granted and referenced by 9061
the encumbering document remains in effect until the encumbrance 9062
is discharged in the next capital biennium or until the 9063
encumbrance expires at the end of the next capital biennium. 9064

(C) At the end of the reappropriation period provided for by 9065
division (B) of this section, a reappropriation made pursuant to 9066
division (B) of this section shall lapse, and the encumbrance 9067
shall expire. 9068

(D) If an encumbrance expired pursuant to division (C) of 9069
this section, the Director of Budget and Management may 9070
re-establish the encumbrance as provided in this division. If a 9071
reappropriation for a project is made by the General Assembly for 9072
the biennium immediately following the biennium in which an 9073
encumbrance for that project expired, the Director of Budget and 9074
Management may re-establish the encumbrance in an amount not to 9075
exceed the amount of the expired encumbrance, in the name of the 9076
contractor named in the expired encumbrance, and for the same 9077
purpose specified in the expired encumbrance. The encumbrance 9078
shall be charged against the reappropriation for the project. The 9079
amount re-encumbered shall be used only for the purpose of 9080

discharging the encumbrance in the capital biennium for which the 9081
reappropriation was made. For those re-encumbered 9082
reappropriations, any Controlling Board approval previously 9083
granted and referenced by the expired encumbering document remains 9084
in effect until the encumbrance is discharged or expires at the 9085
end of the capital biennium for which the reappropriation was 9086
made. If any portion of the amount re-encumbered by the Director 9087
of Budget and Management under this division is not expended prior 9088
to the close of the capital biennium for which the reappropriation 9089
was made, that amount is hereby reappropriated for the following 9090
capital biennium as provided for in division (A) of this section 9091
and subject to the provisions of division (A) of this section. 9092

Section 50. Capital reappropriations in this act that have 9093
been released by the Controlling Board or the Director of Budget 9094
and Management between June 30, 2002, and July 1, 2004, do not 9095
require further approval or release prior to being encumbered. 9096
Funds reappropriated in excess of such prior releases shall be 9097
released in accordance with applicable provisions of this act. 9098

Section 51. Unless otherwise specified, the reappropriations 9099
made in this act represent the unencumbered and unallotted 9100
balances of prior years' capital improvements appropriations 9101
estimated to be available on June 30, 2004. The actual balances on 9102
June 30, 2004, for the appropriation items in this act are hereby 9103
reappropriated. Additionally, there is hereby reappropriated the 9104
unencumbered and unallotted balances on June 30, 2004, of any 9105
appropriation items either reappropriated in Am. Sub. H.B. 524 of 9106
the 124th General Assembly or appropriated in H.B. 675 of the 9107
124th General Assembly, or created by the Controlling Board 9108
pursuant to section 127.15 of the Revised Code from appropriation 9109
items in Am. Sub. H.B. 524 and H.B. 675, both of the 124th General 9110
Assembly, and this act, if the Director of Budget and Management 9111

determines that such balances are needed to complete the projects 9112
for which they were reappropriated or appropriated. The 9113
appropriation items and amounts that are reappropriated by this 9114
act shall be reported to the Controlling Board within 30 days 9115
after the effective date of this section. 9116

Section 52. No appropriation for a health care facility 9117
authorized under this act may be released until the requirements 9118
of sections 3702.51 to 3702.68 of the Revised Code have been met. 9119

Section 53. All proceeds received by the state as a result of 9120
litigation, judgments, settlements, or claims, filed by or on 9121
behalf of any state agency as defined by section 1.60 of the 9122
Revised Code or any state-supported or state-assisted institution 9123
of higher education, for damages or costs resulting from the use, 9124
removal, or hazard abatement of asbestos materials shall be 9125
deposited in the Asbestos Abatement Distribution Fund (Fund 674). 9126
All funds deposited into the Asbestos Abatement Distribution Fund 9127
are hereby appropriated to the Attorney General. To the extent 9128
practicable, the proceeds placed in the Asbestos Abatement 9129
Distribution Fund shall be divided among the state agencies and 9130
state-supported or state-assisted institutions of higher education 9131
in accordance with the general provisions of the litigation 9132
regarding the percentage of recovery. Distribution of the proceeds 9133
to each state agency or state-supported or state-assisted 9134
institution of higher education shall be made in accordance with 9135
the Asbestos Abatement Distribution Plan to be developed by the 9136
Attorney General, the Division of Public Works within the 9137
Department of Administrative Services, and the Office of Budget 9138
and Management. 9139

In those circumstances where asbestos litigation proceeds are 9140
for reimbursement of expenditures made with funds outside the 9141
state treasury or damages to buildings not constructed with state 9142

appropriations, direct payments shall be made to the affected 9143
institutions of higher education. Any proceeds received for 9144
reimbursement of expenditures made with funds within the state 9145
treasury or damages to buildings occupied by state agencies shall 9146
be distributed to the affected agencies with an intrastate 9147
transfer voucher to the funds identified in the Asbestos Abatement 9148
Distribution Plan. 9149

Such proceeds shall be used for additional asbestos abatement 9150
or encapsulation projects, or for other capital improvements, 9151
except that proceeds distributed to the General Revenue Fund and 9152
other funds that are not bond improvement funds may be used for 9153
any purpose. The Controlling Board may, for bond improvement 9154
funds, create appropriation items or increase appropriation 9155
authority in existing appropriation items equaling the amount of 9156
such proceeds. Such amounts approved by the Controlling Board are 9157
hereby appropriated. Such proceeds deposited in bond improvement 9158
funds shall not be expended until released by the Controlling 9159
Board, which shall require certification by the Director of Budget 9160
and Management that such proceeds are sufficient and available to 9161
fund the additional anticipated expenditures. 9162

Section 54. OBLIGATIONS ISSUED UNDER CHAPTER 151. OF THE 9163
REVISED CODE 9164

The capital improvements for which appropriations are made in 9165
this act from the Ohio Parks and Natural Resources Fund (Fund 9166
031), the School Building Program Assistance Fund (Fund 032), the 9167
Higher Education Improvement Fund (Fund 034), the Clean Ohio 9168
Conservation Fund (Fund 056), the Clean Ohio Agricultural Easement 9169
Fund (Fund 057), and the Clean Ohio Trail Fund (Fund 061) are 9170
determined to be capital improvements and capital facilities for 9171
natural resources, a statewide system of common schools, 9172
state-supported and state-assisted institutions of higher 9173

education, and conservation purposes (under the Clean Ohio 9174
Program) and are designated as capital facilities to which 9175
proceeds of obligations issued under Chapter 151. of the Revised 9176
Code are to be applied. 9177

Section 55. OBLIGATIONS ISSUED UNDER CHAPTER 152. OF THE 9178
REVISED CODE 9179

The capital improvements for which appropriations are made in 9180
this act from the Sports Facilities Building Fund (Fund 024), the 9181
Highway Safety Building Fund (Fund 025), the Administrative 9182
Building Fund (Fund 026), the Adult Correctional Building Fund 9183
(Fund 027), the Juvenile Correctional Building Fund (Fund 028), 9184
the Transportation Building Fund (Fund 029), and the Arts 9185
Facilities Building Fund (Fund 030) are determined to be capital 9186
improvements and capital facilities for housing state agencies and 9187
branches of state government and are designated as capital 9188
facilities to which proceeds of obligations issued under Chapter 9189
152. of the Revised Code are to be applied. 9190

Section 56. OBLIGATIONS ISSUED UNDER CHAPTER 154. OF THE 9191
REVISED CODE 9192

The capital improvements for which appropriations are made in 9193
this act from the Mental Health Facilities Improvement Fund (Fund 9194
033) and the Parks and Recreation Improvement Fund (Fund 035) are 9195
determined to be capital improvements and capital facilities for 9196
mental hygiene and retardation and parks and recreation and are 9197
designated as capital facilities to which proceeds of obligations 9198
issued under Chapter 154. of the Revised Code are to be applied. 9199

Section 57. Upon the request of the agency to which a capital 9200
project appropriation item is appropriated, the Director of Budget 9201
and Management may transfer open encumbrance amounts between 9202
separate encumbrances for the project appropriation item to the 9203

extent that any reductions in encumbrances are agreed to by the 9204
contracting vendor and the agency. 9205

Section 58. Any proceeds received by the state as the result 9206
of litigation or a settlement agreement related to any liability 9207
for the planning, design, engineering, construction, or 9208
constructed management of such facilities operated by the 9209
Department of Administrative Services shall be deposited into the 9210
Administrative Building Fund (Fund 026). 9211

Section 59. Sections 3 to 58 of this act shall remain in full 9212
force and effect commencing on July 1, 2004, and terminating on 9213
June 30, 2006, for the purpose of drawing money from the state 9214
treasury in payment of liabilities lawfully incurred hereunder, 9215
and on June 30, 2006, and not before, the moneys hereby 9216
appropriated shall lapse into the funds from which they are 9217
severally appropriated. If, under Section 1c of Article II, Ohio 9218
Constitution, Section 1c, Sections 3 to 58 of this act do not take 9219
effect until after July 1, 2004, Sections 3 to 58 of this act 9220
shall be and remain in full force and effect commencing on that 9221
later effective date. 9222

Section 60. (A) As used in this section, "design-build 9223
construction method" means a construction method that has both of 9224
the following characteristics: 9225

(1) An architecture firm and a contractor form a single 9226
entity that files a bid to construct a project and that, if 9227
awarded the contract to construct the project, agrees to a project 9228
price and completion date. 9229

(2) The entity described in division (A)(1) of this section 9230
assumes all of the financial risk if the project is delayed or 9231
exceeds the project price, and receives bonuses if the cost it 9232
incurs is less than the project price and it meets the 9233

construction target dates. 9234

(B) The Board of County Commissioners of Ashtabula County may 9235
construct, as a pilot project, a lodge and conference center at 9236
Geneva State Park on land leased from the Department of Natural 9237
Resources. 9238

Section 61. That Section 11.04 of Am. Sub. H.B. 87 of the 9239
125th General Assembly, as amended by Am. Sub. H.B. 95 of the 9240
125th General Assembly, be amended to read as follows: 9241

Sec. 11.04. PUBLIC ACCESS ROADS FOR STATE FACILITIES 9242

Of the foregoing appropriation item 772-421, Highway 9243
Construction - State, \$3,145,500 is to be used each fiscal year 9244
during the 2003-2005 biennium by the Department of Transportation 9245
for the construction, reconstruction, or maintenance of public 9246
access roads, including support features, to and within state 9247
facilities owned or operated by the Department of Natural 9248
Resources, as requested by the Director of Natural Resources. 9249

Notwithstanding section 5511.06 of the Revised Code, of the 9250
foregoing appropriation item 772-421, Highway Construction - 9251
State, \$2,228,000 in each fiscal year of the 2003-2005 biennium 9252
shall be used by the Department of Transportation for the 9253
construction, reconstruction, or maintenance of park drives or 9254
park roads within the boundaries of metropolitan parks. 9255

Included in the foregoing appropriation item 772-421, Highway 9256
Construction - State, the department may perform related road work 9257
on behalf of the Ohio Expositions Commission at the state 9258
fairgrounds, including reconstruction or maintenance of public 9259
access roads, including support features, to and within the 9260
facilities as requested by the commission and approved by the 9261
Director of Transportation. 9262

LIQUIDATION OF UNFORESEEN LIABILITIES 9263

Any appropriation made to the Department of Transportation, 9264
Highway Operating Fund, not otherwise restricted by law, is 9265
available to liquidate unforeseen liabilities arising from 9266
contractual agreements of prior years when the prior year 9267
encumbrance is insufficient. 9268

GRADE CROSSING PROFILE AND SAFETY IMPROVEMENT PROGRAM 9269

Of the foregoing appropriation item, 776-665, Railroad 9270
Crossing Safety Devices, any unencumbered and unallotted fiscal 9271
year 2004 appropriation shall be transferred by the Director of 9272
Budget and Management to appropriation item 870-614, Grade 9273
Crossing Protection Devices-State, to be used by the Public 9274
Utilities Commission of Ohio (PUCO) for the Grade Crossing Profile 9275
and Safety Improvement Program, which is hereby created. A local 9276
matching grant of \$25,000 or less may be awarded to political 9277
subdivisions to pay for profile improvements at crossings that 9278
meet all the following criteria: have a daily train count of at 9279
least ten trains, have a daily traffic count of at least 100 motor 9280
vehicles, are currently not equipped with automatic gates or 9281
lights, and are currently ranked in the bottom third of the hazard 9282
index as determined by the PUCO Accident Prevention Formula. In 9283
addition, grants up to \$5,000 may be awarded to political 9284
subdivisions to fund non-profile improvement safety devices such 9285
as rumble strips, vegetation removal, and lighting, at crossings 9286
that meet all the criteria foregoing. 9287

The PUCO and the Ohio Department of Transportation shall 9288
notify each political subdivision with jurisdiction over a 9289
crossing of the requirements of this section and that funding is 9290
available for rail crossing safety improvements through the Grade 9291
Crossing Profile and Safety Improvement Program. 9292

The PUCO shall issue a report on or before June 30, 2005, 9293
describing the activities carried out by the PUCO to comply with 9294

this section. The report shall include the number and location of 9295
crossings that received safety improvements and the cost of each 9296
improvement to date. 9297

All appropriations in Fund 4A3 remaining unencumbered on June 9298
30, 2005, are hereby reappropriated for the same purpose in fiscal 9299
year 2006. 9300

Section 62. That existing Section 11.04 of Am. Sub. H.B. 87 9301
of the 125th General Assembly, as amended by Am. Sub. H.B. 95 of 9302
the 125th General Assembly, is hereby repealed. 9303

Section 63. The amendment by this act of Section 11.04 of Am. 9304
Sub. H.B. 87 of the 125th General Assembly, and the items of which 9305
the amendment is composed, are not subject to the referendum. 9306
Therefore, under Ohio Constitution, Article II, Section 1d and 9307
section 1.471 of the Revised Code, the amendment, and the items of 9308
which it is composed, go into immediate effect when this act 9309
becomes law. 9310

Section 64. That Sections 8.04, 12, 41.06, 41.13, 55, 59, 9311
59.29, 66, 89, 89.04, 89.05, 89.08, 89.11, and 145 of Am. Sub. 9312
H.B. 95 of the 125th General Assembly be amended to read as 9313
follows: 9314

Sec. 8.04. CENTRAL SERVICE AGENCY FUND 9315

The Director of Budget and Management may transfer up to 9316
\$423,200 in fiscal year 2004 and up to \$427,700 in fiscal year 9317
2005 from the Occupational Licensing and Regulatory Fund (Fund 9318
4K9) to the Central Service Agency Fund (Fund 115). The Director 9319
of Budget and Management may transfer up to \$40,700 in fiscal year 9320
2004 and up to \$41,200 in fiscal year 2005 from the State Medical 9321
Board Operating Fund (Fund 5C6) to the Central Service Agency Fund 9322
(Fund 115). The Director of Budget and Management may transfer up 9323

to \$1,210 in fiscal year 2004 and up to \$1,340 in fiscal year 2005 9324
from the Motor Vehicle Collision Repair Registration Fund (Fund 9325
5H9) to the Central Service Agency Fund (Fund 115). The 9326
 appropriation item 100-632, Central Service Agency, shall be used 9327
 to purchase the necessary equipment, products, and services to 9328
 maintain a local area network for the professional licensing 9329
 boards, and to support their licensing applications in fiscal 9330
 years 2004 and 2005. The amount of the cash transfer is 9331
 appropriated to appropriation item 100-632, Central Service 9332
 Agency. 9333

Sec. 12. AGR DEPARTMENT OF AGRICULTURE 9334

General Revenue Fund 9335

| | | | | | | |
|-------------|------------------------|----|-----------|----|-----------|------|
| GRF 700-321 | Operating Expenses | \$ | 2,737,665 | \$ | 2,771,628 | 9336 |
| GRF 700-401 | Animal Disease Control | \$ | 4,121,815 | \$ | 4,121,815 | 9337 |
| GRF 700-402 | Amusement Ride Safety | \$ | 278,767 | \$ | 275,943 | 9338 |
| GRF 700-403 | Dairy Division | \$ | 1,494,597 | \$ | 1,494,153 | 9339 |
| GRF 700-404 | Ohio Proud | \$ | 197,727 | \$ | 197,229 | 9340 |
| GRF 700-405 | Animal Damage Control | \$ | 94,954 | \$ | 94,954 | 9341 |
| GRF 700-406 | Consumer Analytical | \$ | 819,281 | \$ | 872,241 | 9342 |
| | Lab | | | | | |
| GRF 700-407 | Food Safety | \$ | 999,042 | \$ | 999,042 | 9343 |
| GRF 700-409 | Farmland Preservation | \$ | 256,993 | \$ | 256,993 | 9344 |
| GRF 700-410 | Plant Industry | \$ | 1,109,867 | \$ | 1,107,677 | 9345 |
| GRF 700-411 | International Trade | \$ | 621,049 | \$ | 517,524 | 9346 |
| | and Market Development | | | | | |
| GRF 700-412 | Weights and Measures | \$ | 914,137 | \$ | 909,120 | 9347 |
| GRF 700-413 | Gypsy Moth Prevention | \$ | 546,118 | \$ | 576,299 | 9348 |
| GRF 700-414 | Concentrated Animal | \$ | 16,521 | \$ | 16,086 | 9349 |
| | Feeding Facilities | | | | | |
| | Advisory Committee | | | | | |
| GRF 700-415 | Poultry Inspection | \$ | 270,645 | \$ | 267,743 | 9350 |
| GRF 700-418 | Livestock Regulation | \$ | 1,306,911 | \$ | 1,306,911 | 9351 |

| | | | | | |
|-------------|---|----|----------------------|----|-----------------------|
| | Program | | | | |
| GRF 700-424 | Livestock Testing and Inspections | \$ | 123,347 | \$ | 123,347 |
| | | | | | 9352 |
| GRF 700-499 | Meat Inspection Program - State Share | \$ | 4,651,611 | \$ | 4,696,889 |
| | | | | | 9353 |
| GRF 700-501 | County Agricultural Societies | \$ | 381,091 | \$ | 381,091 |
| | | | | | 9354 |
| TOTAL GRF | General Revenue Fund | \$ | 20,942,138 | \$ | 20,986,685 |
| | | | | | 9355 |
| | Federal Special Revenue Fund Group | | | | 9356 |
| 3J4 700-607 | Indirect Cost | \$ | 938,785 | \$ | 949,877 |
| | | | | | 9357 |
| 3R2 700-614 | Federal Plant Industry | \$ | 1,400,000 | \$ | 1,425,000 |
| | | | | | 9358 |
| 326 700-618 | Meat Inspection Service - Federal Share | \$ | 4,876,904 | \$ | 4,951,291 |
| | | | | | 9359 |
| 336 700-617 | Ohio Farm Loan Revolving Fund | \$ | 181,774 | \$ | 181,774 |
| | | | | | 9360 |
| 382 700-601 | Cooperative Contracts | \$ | 2,400,000 | \$ | 2,500,000 |
| | | | <u>2,460,000</u> | | <u>2,560,000</u> |
| | | | | | 9361 |
| | | | | | 9362 |
| TOTAL FED | Federal Special Revenue Fund Group | \$ | 9,797,463 | \$ | 10,007,942 |
| | | | <u>9,857,463</u> | | <u>10,067,942</u> |
| | | | | | 9363 |
| | | | | | 9364 |
| | | | | | 9365 |
| | State Special Revenue Fund Group | | | | 9366 |
| 4C9 700-605 | Feed, Fertilizer, and Lime Inspection | \$ | 986,765 | \$ | 1,008,541 |
| | | | | | 9367 |
| 4D2 700-609 | Auction Education | \$ | 30,476 | \$ | 30,476 |
| | | | | | 9368 |
| 4E4 700-606 | Utility Radiological Safety | \$ | 73,059 | \$ | 73,059 |
| | | | | | 9369 |
| 4P7 700-610 | Food Safety Inspection | \$ | 575,797 | \$ | 582,711 |
| | | | | | 9370 |
| 4R0 700-636 | Ohio Proud Marketing | \$ | 40,300 | \$ | 38,300 |
| | | | | | 9371 |
| 4R2 700-637 | Dairy Inspection Fund | \$ | 1,157,603 | \$ | 1,184,183 |
| | | | | | 9372 |
| 4T6 700-611 | Poultry and Meat Inspection | \$ | 46,162 | \$ | 47,294 |
| | | | | | 9373 |

| | | | | | | | |
|--|--------------------|---|---------------|-------------------|---------------|-------------------|------|
| 4T7 | 700-613 | International Trade and Market Development Rotary | \$ | 41,238 | \$ | 42,000 | 9374 |
| 4V5 | 700-615 | Animal Industry Lab Fees | \$ | 711,944 | \$ | 711,944 | 9375 |
| 494 | 700-612 | Agricultural Commodity Marketing Program | \$ | 170,077 | \$ | 170,220 | 9376 |
| 496 | 700-626 | Ohio Grape Industries | \$ | 1,071,099 | \$ | 1,071,099 | 9377 |
| 497 | 700-627 | Commodity Handlers Regulatory Program | \$ | 664,118 | \$ | 664,118 | 9378 |
| 498 | 700-628 | Commodity Indemnity Fund | \$ | 250,000 | \$ | 250,000 | 9379 |
| 5B8 | 700-629 | Auctioneers | \$ | 291,672 | \$ | 365,390 | 9380 |
| 5H2 | 700-608 | Metrology Lab | \$ | 105,879 | \$ | 108,849 | 9381 |
| 5L8 | 700-604 | Livestock Management Program | \$ | 250,000 | \$ | 250,000 | 9382 |
| 578 | 700-620 | Ride Inspection Fees | \$ | 497,000 | \$ | 497,000 | 9383 |
| 579 | 700-630 | Scale Certification | \$ | 168,785 | \$ | 171,677 | 9384 |
| 652 | 700-634 | Laboratory Services | \$ | 1,043,444 | \$ | 1,074,447 | 9385 |
| 669 | 700-635 | Pesticide Program | \$ | 2,243,232 | \$ | 2,243,232 | 9386 |
| TOTAL SSR State Special Revenue | | | | | | | 9387 |
| Fund Group | | | \$ | 10,418,650 | \$ | 10,584,540 | 9388 |
| Clean Ohio Fund Group | | | | | | | 9389 |
| 057 | 700-632 | Clean Ohio Agricultural Easement | \$ | 149,000 | \$ | 149,000 | 9390 |
| TOTAL CLR Clean Ohio Fund Group | | | \$ | 149,000 | \$ | 149,000 | 9391 |
| Holding Account Redistribution Fund Group | | | | | | | 9392 |
| XXX | 700-XXX | Farm Service Electronic Filing | \$ | 60,000 | \$ | 60,000 | 9393 |
| TOTAL 090 Holding Account Redistribution Fund Group | | | \$ | 60,000 | \$ | 60,000 | 9394 |
| TOTAL ALL BUDGET FUND GROUPS | | | \$ | 41,367,251 | \$ | 41,788,167 | 9395 |

| | |
|---|--|
| ANIMAL DAMAGE CONTROL | 9396 |
| Of the foregoing appropriation item 700-405, Animal Damage Control, \$50,000 shall be used in each fiscal year for coyote and black vulture indemnification. | 9397 9398 9399 |
| INTERNATIONAL TRADE AND MARKET DEVELOPMENT | 9400 |
| Of the foregoing appropriation item 700-411, International Trade and Market Development, \$100,000 shall be used in fiscal year 2004 for the Ohio-Israel Agricultural Initiative. | 9401 9402 9403 |
| FAMILY FARM LOAN PROGRAM | 9404 |
| Notwithstanding Chapter 166. of the Revised Code, up to \$1,500,000 in each fiscal year shall be transferred from moneys in the Facilities Establishment Fund (Fund 037) to the Family Farm Loan Fund (Fund 5H1) in the Department of Development. These moneys shall be used for loan guarantees. The transfer is subject to Controlling Board approval. | 9405 9406 9407 9408 9409 9410 |
| Financial assistance from the Family Farm Loan Fund (Fund 5H1) shall be repaid to Fund 5H1. This fund is established in accordance with sections 166.031, 901.80, 901.81, 901.82, and 901.83 of the Revised Code. | 9411 9412 9413 9414 |
| When the Family Farm Loan Fund (Fund 5H1) ceases to exist, all outstanding balances, all loan repayments, and any other outstanding obligations shall revert to the Facilities Establishment Fund (Fund 037). | 9415 9416 9417 9418 |
| CLEAN OHIO AGRICULTURAL EASEMENT | 9419 |
| The foregoing appropriation item 700-632, Clean Ohio Agricultural Easement, shall be used by the Department of Agriculture in administering sections 901.21, 901.22, and 5301.67 to 5301.70 of the Revised Code. | 9420 9421 9422 9423 |
| FARM SERVICE ELECTRONIC FILING | 9424 |

~~As soon as possible on or after July 1, 2003, the Director of Budget and Management shall make a one time cash transfer of \$60,000 from Fund 382, Cooperative Contracts, to Fund XXX, Farm Service Electronic Filing Fund, in fiscal year 2004. The Farm Service Electronic Filing Fund shall be administered by the Department of Agriculture.~~

COOPERATIVE CONTRACTS

The Director of Budget and Management shall transfer the cash balance as of the effective date of this amendment from Fund 5Y7, Farm Service Agency Electronic Filing Fund, to Fund 382, Cooperative Contracts. Encumbrances from appropriation item 700-XXX, Farm Service Electronic Filing, shall be canceled and re-established in appropriation item 700-601, Cooperative Contracts. Those amounts are hereby appropriated. Fund 5Y7, Farm Service Agency Electronic Filing Fund, is hereby closed. The definition of Fund 382 is hereby expanded to include revenue from the United States Farm Service Agency. The use of the money is hereby expanded to include fees charged in advance by the Secretary of State for electronic filing related to Farm Service Agency agricultural loans.

Sec. 41.06. EDUCATION MANAGEMENT INFORMATION SYSTEM

The foregoing appropriation item 200-446, Education Management Information System, shall be used by the Department of Education to improve the Education Management Information System (EMIS).

Of the foregoing appropriation item 200-446, Education Management Information System, up to \$1,295,857 in each fiscal year shall be distributed to designated data acquisition sites for costs relating to processing, storing, and transferring data for the effective operation of the EMIS. These costs may include, but

are not limited to, personnel, hardware, software development, 9455
communications connectivity, professional development, and support 9456
services, and to provide services to participate in the State 9457
Education Technology Plan pursuant to section 3301.07 of the 9458
Revised Code. 9459

Of the foregoing appropriation item 200-446, Education 9460
Management Information System, up to \$8,055,189 in each fiscal 9461
year shall be distributed on a per-pupil basis to school 9462
districts, community schools established under Chapter 3314. of 9463
the Revised Code, education service centers, joint vocational 9464
school districts, and any other education entity that reports data 9465
through EMIS. From this funding, each school district or community 9466
school established under Chapter 3314. of the Revised Code with 9467
enrollment greater than 100 students and each vocational school 9468
district shall receive a minimum of \$5,000 in each fiscal year. 9469
Each school district or community school established under Chapter 9470
3314. of the Revised Code with enrollment between one and one 9471
hundred and each education service center and each county board of 9472
MR/DD that submits data through EMIS shall receive \$3,000 in each 9473
fiscal year. This subsidy shall be used for costs relating to 9474
reporting, processing, storing, transferring, and exchanging data 9475
necessary to meet requirements of the Department of Education's 9476
data system. 9477

Of the foregoing appropriation item 200-446, Education 9478
Management Information System, \$782,500 in each fiscal year shall 9479
be used by the Department of Education, in consultation with an 9480
advisory group of school districts, community schools, and other 9481
education-related entities, for the development and implementation 9482
of a common core of Education Management Information System data 9483
definitions and data format standards. Once these definitions and 9484
standards have been developed, they shall be approved by the 9485
Education Data Advisory Council. Once the standards are approved 9486

by the Education Data Advisory Council, any software meeting the 9487
standards shall be designated as an approved vendor and may enter 9488
into contracts with local school districts, community schools, 9489
data acquisition centers, or other educational entities for the 9490
purpose of collecting and managing data required under Ohio's 9491
education management information system (EMIS) laws. On an annual 9492
basis, the Department of Education shall convene an advisory group 9493
of school districts, community schools, and other 9494
education-related entities to review the Education Management 9495
Information System data definitions and data format standards. The 9496
advisory group shall recommend changes and enhancements based upon 9497
surveys of its members, education agencies in other states, and 9498
current industry practices, to reflect best practices, align with 9499
federal initiatives, and meet the needs of school districts. 9500

School districts and community schools shall implement a 9501
common and uniform set of data definitions and data format 9502
standards for Education Management Information System purposes by 9503
July 1, 2004. The Department of Education shall work with data 9504
acquisition sites and their member school districts and community 9505
schools to implement those uniform standards. School districts and 9506
community schools that do not adopt and implement the uniform data 9507
definitions and standards by July 1, 2004, as jointly determined 9508
by the Department of Education software development team and the 9509
advisory group shall have all EMIS funding withheld until they are 9510
in compliance. 9511

GED TESTING/ADULT HIGH SCHOOL 9512

The foregoing appropriation item 200-447, GED Testing/Adult 9513
High School, shall be used to provide General Educational 9514
Development (GED) testing at no cost to applicants, pursuant to 9515
rules adopted by the State Board of Education. The Department of 9516
Education shall reimburse school districts and community schools, 9517
created in accordance with Chapter 3314. of the Revised Code, for 9518

a portion of the costs incurred in providing summer instructional 9519
or intervention services to students who have not graduated due to 9520
their inability to pass one or more parts of the state's ninth 9521
grade proficiency test. School districts shall also provide such 9522
services to students who are residents of the district pursuant to 9523
section 3313.64 of the Revised Code, but who are enrolled in 9524
chartered, nonpublic schools. The services shall be provided in 9525
the public school, in nonpublic schools, in public centers, or in 9526
mobile units located on or off the nonpublic school premises. No 9527
school district shall provide summer instructional or intervention 9528
services to nonpublic school students as authorized by this 9529
section unless such services are available to students attending 9530
the public schools within the district. No school district shall 9531
provide services for use in religious courses, devotional 9532
exercises, religious training, or any other religious activity. 9533
Chartered, nonpublic schools shall pay for any unreimbursed costs 9534
incurred by school districts for providing summer instruction or 9535
intervention services to students enrolled in chartered, nonpublic 9536
schools. School districts may provide these services to students 9537
directly or contract with postsecondary or nonprofit 9538
community-based institutions in providing instruction. The 9539
appropriation also shall be used for state reimbursement to school 9540
districts for adult high school continuing education programs 9541
pursuant to section 3313.531 of the Revised Code or for costs 9542
associated with awarding adult high school diplomas under section 9543
3313.611 of the Revised Code. 9544

EDUCATOR PREPARATION 9545

The foregoing appropriation item 200-448, Educator 9546
Preparation, shall be used by the Ohio Teacher Education and 9547
Licensure Advisory Commission to carry out the responsibilities of 9548
the 21-member Ohio Teacher Education and Licensure Advisory 9549
Commission. The advisory commission is charged by the State Board 9550

of Education with considering all matters related to educator 9551
preparation and licensure, including standards for educator 9552
preparation and licensure, approval of institutions and programs, 9553
and recommending decisions to the State Board of Education. 9554

TITLE IV-A HEAD START AND TITLE IV-A HEAD START PLUS START UP 9555

The foregoing appropriation item 200-449, Head Start/Head 9556
Start Plus Start Up, shall be used to provide start up grants for 9557
Title IV-A reimbursable funding for the provision of services to 9558
children eligible for Title IV-A services. In fiscal year 2004, 9559
these grants shall be provided to Title IV-A Head Start agencies. 9560
In fiscal year 2005, these grants shall be provided to Title IV-A 9561
Head Start agencies and Title IV-A Head Start Plus agencies. The 9562
amount of each grant shall be determined by the Department of 9563
Education. In fiscal year 2005, up to \$100,000 may be used by the 9564
Department of Education to provide associated program support and 9565
technical assistance. Funds appropriated for this purpose shall be 9566
reimbursed to the General Revenue Fund when the Title IV-A Head 9567
Start or Title IV-A Head Start Plus programs cease or are no 9568
longer funded from Title IV-A. If one program ceases or is no 9569
longer funded with Title IV-A funds, the General Revenue Fund will 9570
be reimbursed for that program. 9571

If a Title IV-A Head Start agency or Title IV-A Head Start 9572
Plus agency chooses not to participate in the program or if the 9573
Department ~~of~~ of Education suspends or terminates part or all of 9574
its funding, reimbursement owed to the grantee shall be held by 9575
the Department of Education up to the amount of the grant owed by 9576
the grantee. If insufficient reimbursement is available to recover 9577
the amount owed by the grantee, the grantee shall return the 9578
remaining balance within 60 days of the date of the decision not 9579
to participate, the suspension, or the termination. Funding 9580
recovered from such grantees shall be used by the Department of 9581
Education for supplying grants to new grantees for Title IV-A 9582

reimbursable funding for provision of services to children 9583
eligible for Title IV-A services. Any funding remaining when the 9584
Title IV-A Head Start and the Title IV-A Head Start Plus programs 9585
cease or are no longer funded with Title IV-A funds shall be 9586
returned to the General Revenue Fund. 9587

The Title IV-A Head Start Plus agency that is receiving funds 9588
to operate a Head Start program in accordance with section 3301.35 9589
of the Revised Code shall provide the program through contracts 9590
with child care providers licensed or certified in accordance with 9591
Chapter 5104. of the Revised Code. If a licensed or certified 9592
child care provider is not in operation or willing to participate 9593
and if eligible families are in need of full-day and full-year 9594
Head Start and child care services, the Title IV-A Head Start Plus 9595
agency may be the sole source provider. 9596

TEACHING SUCCESS COMMISSION INITIATIVES 9597

The foregoing appropriation item 200-452, Teaching Success 9598
Commission Initiatives, shall be used by the Department of 9599
Education to support initiatives recommended by the Governor's 9600
Commission on Teaching Success. 9601

COMMUNITY SCHOOLS 9602

Of the foregoing appropriation item 200-455, Community 9603
Schools, up to \$1,308,661 in each fiscal year may be used by the 9604
Department of Education for additional services and 9605
responsibilities under section 3314.11 of the Revised Code. 9606

Of the foregoing appropriation item 200-455, Community 9607
Schools, up to \$250,000 in each fiscal year may be used by the 9608
Department of Education for developing and conducting training 9609
sessions for sponsors and prospective sponsors of community 9610
schools as prescribed in division (A)(1) of section 3314.015 of 9611
the Revised Code. In developing such training sessions, the 9612
Department shall collect and disseminate examples of best 9613

practices used by sponsors of independent charter schools in Ohio 9614
and other states. 9615

The remaining appropriation may be used by the Department of 9616
Education to make grants of up to \$50,000 to each proposing group 9617
with a preliminary agreement obtained under division (C)(2) of 9618
section 3314.02 of the Revised Code in order to defray planning 9619
and initial start-up costs. In the first year of operation of a 9620
community school, the Department of Education may make a grant of 9621
not more than \$100,000 to the governing authority of the school to 9622
partially defray additional start-up costs. The amount of the 9623
grant shall be based on a thorough examination of the needs of the 9624
community school. The Department of Education shall not utilize 9625
moneys received under this section for any other purpose other 9626
than those specified under this section. 9627

A community school awarded start-up grants from appropriation 9628
item 200-613, Public Charter Schools (Fund 3T4), shall not be 9629
eligible for grants under this section. 9630

Sec. 41.13. SPECIAL EDUCATION ENHANCEMENTS 9631

Of the foregoing appropriation item 200-540, Special 9632
Education Enhancements, up to \$44,204,000 in fiscal year 2004 and 9633
up to \$45,441,712 in fiscal year 2005 shall be used to fund 9634
special education and related services at county boards of mental 9635
retardation and developmental disabilities for eligible students 9636
under section 3317.20 of the Revised Code. Up to \$2,452,125 shall 9637
be used in each fiscal year to fund special education classroom 9638
and related services units at institutions. 9639

Of the foregoing appropriation item 200-540, Special 9640
Education Enhancements, up to \$2,906,875 in each fiscal year shall 9641
be used for home instruction for children with disabilities; up to 9642
\$1,462,500 in each fiscal year shall be used for parent mentoring 9643
programs; and up to \$2,783,396 in each fiscal year may be used for 9644

school psychology interns. 9645

Of the foregoing appropriation item 200-540, Special 9646
Education Enhancements, \$3,406,090 in each fiscal year shall be 9647
used by the Department of Education to assist school districts in 9648
funding aides pursuant to paragraph (A)(3)(c)(i)(b) of rule 9649
3301-51-04 of the Administrative Code. 9650

Of the foregoing appropriation item 200-540, Special 9651
Education Enhancements, \$78,384,498 in each fiscal year shall be 9652
distributed by the Department of Education to county boards of 9653
mental retardation and developmental disabilities, educational 9654
service centers, and school districts for preschool special 9655
education units and preschool supervisory units in accordance with 9656
section 3317.161 of the Revised Code. The ~~department~~ Department 9657
may reimburse county boards of mental retardation and 9658
developmental disabilities, educational service centers, and 9659
school districts for related services as defined in rule 9660
~~3301-31-05~~ 3301-51-11 of the Administrative Code, for preschool 9661
occupational and physical therapy services provided by a physical 9662
therapy assistant and certified occupational therapy assistant, 9663
and for an instructional assistant. To the greatest extent 9664
possible, the Department of Education shall allocate these units 9665
to school districts and educational service centers. The 9666
Controlling Board may approve the transfer of unallocated funds 9667
from appropriation item 200-501, Base Cost Funding, to 9668
appropriation item 200-540, Special Education Enhancements, to 9669
fully fund existing units as necessary or to fully fund additional 9670
units. The Controlling Board may approve the transfer of 9671
unallocated funds from appropriation item 200-540, Special 9672
Education Enhancements, to appropriation item 200-501, Base Cost 9673
Funding, to fully fund the special education weight cost funding. 9674

The Department of Education shall require school districts, 9675
educational service centers, and county MR/DD boards serving 9676

preschool children with disabilities to document child progress 9677
using research-based indicators prescribed by the Department and 9678
report results annually. The reporting dates and methodology shall 9679
be determined by the Department. 9680

Of the foregoing appropriation item 200-540, Special 9681
Education Enhancements, \$315,000 in each fiscal year shall be 9682
expended to conduct a demonstration project involving language and 9683
literacy intervention teams supporting student acquisition of 9684
language and literacy skills. The demonstration project shall 9685
demonstrate improvement of language and literacy skills of at-risk 9686
learners under the instruction of certified speech pathologists 9687
and educators. Baseline data shall be collected and comparison 9688
data for fiscal year 2004 and fiscal year 2005 shall be collected 9689
and reported to the Governor, ~~Ohio Reads~~ OhioReads Council, 9690
Department of Education, and the General Assembly. 9691

Of the foregoing appropriation item 200-540, Special 9692
Education Enhancements, up to \$500,000 in each fiscal year shall 9693
be used for the Research-Based Reading Mentoring Program. 9694

Of the foregoing appropriation item 200-540, Special 9695
Education Enhancements, \$600,000 in each fiscal year shall be used 9696
to support the Bellefaire Jewish Children's Bureau. 9697

Sec. 55. OHS OHIO HISTORICAL SOCIETY 9698

General Revenue Fund 9699

GRF 360-403 Adena - Worthington \$ 200,000 \$ 150,000 9700

Home

GRF 360-501 Operating Subsidy \$ 3,389,973 \$ 3,389,973 9701

GRF 360-502 Site Operations \$ 8,240,438 \$ 8,240,438 9702

GRF 360-503 Ohio Bicentennial \$ 1,847,239 \$ 58,164 9703

Commission

GRF 360-504 Ohio Preservation \$ 289,733 \$ 289,733 9704

Office

| | | | | | | |
|------------------------------|------------------------------|----|-----------------------|----|-----------------------|------|
| GRF 360-505 | Afro-American Museum | \$ | 778,231 | \$ | 778,231 | 9705 |
| GRF 360-506 | Hayes Presidential Center | \$ | 524,981 | \$ | 524,981 | 9706 |
| GRF 360-508 | Historical Grants | \$ | 2,200,000 | \$ | 1,550,000 | 9707 |
| | | | <u>2,400,000</u> | | <u>1,750,000</u> | |
| TOTAL GRF | General Revenue Fund | \$ | 17,470,595 | \$ | 14,981,520 | 9708 |
| | | | <u>17,670,595</u> | | <u>15,181,520</u> | |
| TOTAL ALL BUDGET FUND GROUPS | | \$ | 17,470,595 | \$ | 14,981,520 | 9709 |
| | | | <u>17,670,595</u> | | <u>15,181,520</u> | |

SUBSIDY APPROPRIATION 9710

Upon approval by the Director of Budget and Management, the 9711
foregoing appropriation items shall be released to the Ohio 9712
Historical Society in quarterly amounts that in total do not 9713
exceed the annual appropriations. The funds and fiscal records of 9714
the society for fiscal years 2004 and 2005 shall be examined by 9715
independent certified public accountants approved by the Auditor 9716
of State, and a copy of the audited financial statements shall be 9717
filed with the Office of Budget and Management. The society shall 9718
prepare and submit to the Office of Budget and Management the 9719
following: 9720

(A) An estimated operating budget for each fiscal year of the 9721
biennium. The operating budget shall be submitted at or near the 9722
beginning of each year. 9723

(B) Financial reports, indicating actual receipts and 9724
expenditures for the fiscal year to date. These reports shall be 9725
filed at least semiannually during the fiscal biennium. 9726

The foregoing appropriations shall be considered to be the 9727
contractual consideration provided by the state to support the 9728
state's offer to contract with the Ohio Historical Society under 9729
section 149.30 of the Revised Code. If the Ohio Historical Society 9730
accepts this contractual offer, the society may not, during fiscal 9731

year 2004 or 2005, close any of the sites operated by the society 9732
as of the effective date of this section. 9733

Not later than May 15, 2004, the Ohio Historical Society 9734
shall submit to the Controlling Board a plan for the 9735
implementation of the recommendations of the Select Committee to 9736
Study the Effectiveness of Ohio's Historical Programs and 9737
Partnerships. No appropriations to the society for fiscal year 9738
2005 may be expended without prior approval of the implementation 9739
plan by the Controlling Board. 9740

HAYES PRESIDENTIAL CENTER 9741

If a United States government agency, including, but not 9742
limited to, the National Park Service, chooses to take over the 9743
operations or maintenance of the Hayes Presidential Center, in 9744
whole or in part, the Ohio Historical Society shall make 9745
arrangements with the National Park Service or other United States 9746
government agency for the efficient transfer of operations or 9747
maintenance. 9748

HISTORICAL GRANTS 9749

Of the foregoing appropriation item 360-508, Historical 9750
Grants, ~~\$91,667~~ \$100,000 in each fiscal year ~~2004~~ and ~~\$88,571~~ in 9751
~~fiscal year 2005~~ shall be distributed to the Hebrew Union College 9752
in Cincinnati for the Center for Holocaust and Humanity Education, 9753
~~\$137,500~~ \$150,000 in fiscal year 2004 shall be distributed to the 9754
National Underground Railroad Freedom Center in Cincinnati, 9755
~~\$229,167~~ \$250,000 in each fiscal year ~~2004~~ and ~~\$221,430~~ in ~~fiscal~~ 9756
~~year 2005~~ shall be distributed to the Great Lakes Historical 9757
Society in Vermilion, ~~\$733,333~~ \$800,000 in each fiscal year 2004 9758
and ~~\$708,571~~ in ~~fiscal year 2005~~ shall be distributed to the 9759
Western Reserve Historical Society in Cleveland, ~~\$458,333~~ \$500,000 9760
in fiscal year 2004 shall be distributed to the Village of 9761
Dennison for the Historical Center Street District, ~~\$91,667~~ 9762

~~\$100,000~~ in each fiscal year 2004 and ~~\$88,571~~ in fiscal year 2005 9763
shall be distributed to the Harbor Heritage Society Steamship 9764
Mather in Cleveland, and ~~\$458,333~~ \$500,000 in each fiscal year 9765
2004 and ~~\$442,857~~ in fiscal year 2005 shall be distributed to the 9766
Cincinnati Museum Center. 9767

OHIO BICENTENNIAL COMMISSION ROYALTIES 9768

Notwithstanding any previous arrangement to the contrary, the 9769
Ohio Bicentennial Commission shall keep the first \$100,000 in 9770
earned royalties associated with the Ohio Bicentennial logo during 9771
the 2004-2005 biennium. This \$100,000 shall be used to cover the 9772
operating expenses of the Ohio Bicentennial Commission in fiscal 9773
year 2005. The remaining moneys collected from royalties 9774
associated with the Ohio Bicentennial logo shall be deposited into 9775
the General Revenue Fund, of which \$350,000 shall be distributed 9776
to the Ohio Historical Society for use in appropriation item 9777
360-403, Adena - Worthington Home. 9778

Sec. 59. JFS DEPARTMENT OF JOB AND FAMILY SERVICES 9779

| | | | | | |
|-------------------------------|----|-------------|----|-------------|------|
| General Revenue Fund | | | | 9780 | |
| GRF 600-321 Support Services | | | | 9781 | |
| State | \$ | 62,361,047 | \$ | 58,611,047 | 9782 |
| Federal | \$ | 7,176,249 | \$ | 7,125,883 | 9783 |
| Support Services Total | \$ | 69,537,296 | \$ | 65,736,930 | 9784 |
| GRF 600-410 TANF State | \$ | 272,619,061 | \$ | 272,619,061 | 9785 |
| GRF 600-413 Child Care | \$ | 84,120,596 | \$ | 84,120,596 | 9786 |
| Match/Maintenance of | | | | | |
| Effort | | | | | |
| GRF 600-416 Computer Projects | | | | 9787 | |
| State | \$ | 120,000,000 | \$ | 120,000,000 | 9788 |
| Federal | \$ | 31,095,442 | \$ | 31,400,454 | 9789 |
| Computer Projects | \$ | 151,095,442 | \$ | 151,400,454 | 9790 |
| Total | | | | | |

| | | | | | | |
|-------------|---|----|--------------------------|----|--------------------------|------|
| GRF 600-420 | Child Support Administration | \$ | 5,091,446 | \$ | 5,091,446 | 9791 |
| GRF 600-421 | Office of Family Stability | \$ | 4,864,932 | \$ | 4,864,932 | 9792 |
| GRF 600-422 | Local Operations | \$ | 2,305,232 | \$ | 2,305,232 | 9793 |
| GRF 600-423 | Office of Children and Families | \$ | 5,000,000 | \$ | 5,000,000 | 9794 |
| GRF 600-424 | Office of Workforce Development | \$ | 877,971 | \$ | 877,971 | 9795 |
| GRF 600-425 | Office of Ohio Health Plans | | | | | 9796 |
| | State | \$ | 21,944,901 | \$ | 22,603,740 | 9797 |
| | Federal | \$ | 21,848,555 | \$ | 22,495,502 | 9798 |
| | Office of Ohio Health Plans Total | \$ | 43,793,456 | \$ | 45,099,242 | 9799 |
| GRF 600-435 | Unemployment Compensation Review Commission | \$ | 3,188,473 | \$ | 3,188,473 | 9800 |
| GRF 600-439 | Commission to Reform Medicaid | \$ | 125,000 | \$ | 125,000 | 9801 |
| GRF 600-502 | Child Support Match | \$ | 16,814,103 | \$ | 16,814,103 | 9802 |
| GRF 600-511 | Disability Financial Assistance | \$ | 22,839,371 | \$ | 22,839,371 | 9803 |
| GRF 600-521 | Family Stability Subsidy | \$ | 55,206,401 | \$ | 55,206,401 | 9804 |
| GRF 600-523 | Children and Families Subsidy | \$ | 69,846,563 | \$ | 69,846,563 | 9805 |
| GRF 600-525 | Health Care/Medicaid | | | | | 9806 |
| | State | \$ | 3,651,294,321 | \$ | 3,842,465,911 | 9807 |
| | Federal | \$ | 5,188,691,539 | \$ | 5,463,149,039 | 9808 |
| | | | <u>5,189,580,735</u> | | <u>5,493,159,762</u> | |
| | Health Care Total | \$ | 8,839,985,860 | \$ | 9,305,614,950 | 9809 |
| | | | <u>8,840,875,056</u> | | <u>9,335,625,673</u> | |

| | | | | | |
|------------------------------------|-----------------------|-----------------------------|------------------------------|--|------|
| GRF 600-528 | Adoption Services | | | | 9810 |
| | State | \$ 33,395,955 | \$ 36,017,981 | | 9811 |
| | Federal | \$ 37,368,248 | \$ 41,115,000 | | 9812 |
| | Adoption Services | \$ 70,764,203 | \$ 77,132,981 | | 9813 |
| | Total | | | | |
| TOTAL GRF | General Revenue Fund | | | | 9814 |
| | State | \$ 4,428,706,900 | \$ 4,619,409,355 | | 9815 |
| | Federal | \$ 5,286,180,033 | \$ 5,565,285,878 | | 9816 |
| | | <u>5,287,069,229</u> | <u>5,595,387,601</u> | | |
| | GRF Total | \$ 9,718,075,406 | \$ 10,187,883,706 | | 9817 |
| | | <u>9,718,964,602</u> | <u>10,217,894,429</u> | | |
| General Services Fund Group | | | | | 9818 |
| 4A8 600-658 | Child Support | \$ 27,255,646 | \$ 26,680,794 | | 9819 |
| | Collections | | | | |
| 4R4 600-665 | BCII Services/Fees | \$ 136,974 | \$ 136,974 | | 9820 |
| 5C9 600-671 | Medicaid Program | \$ 54,686,270 | \$ 55,137,078 | | 9821 |
| | Support | | | | |
| 5N1 600-677 | County Technologies | \$ 5,000,000 | \$ 5,000,000 | | 9822 |
| 613 600-645 | Training Activities | \$ 135,000 | \$ 135,000 | | 9823 |
| TOTAL GSF | General Services | | | | 9824 |
| Fund Group | | \$ 87,213,890 | \$ 87,089,846 | | 9825 |
| Federal Special Revenue Fund Group | | | | | 9826 |
| 3A2 600-641 | Emergency Food | \$ 2,083,500 | \$ 2,187,675 | | 9827 |
| | Distribution | | | | |
| 3D3 600-648 | Children's Trust Fund | \$ 2,040,524 | \$ 2,040,524 | | 9828 |
| | Federal | | | | |
| 3F0 600-623 | Health Care Federal | \$ 391,658,105 | \$ 394,221,409 | | 9829 |
| 3F0 600-650 | Hospital Care | \$ 298,128,308 | \$ 305,879,644 | | 9830 |
| | Assurance Match | | | | |
| 3G5 600-655 | Interagency | \$ 1,180,523,642 | \$ 1,245,244,536 | | 9831 |
| | Reimbursement | | | | |
| 3H7 600-617 | Child Care Federal | \$ 224,539,425 | \$ 235,045,596 | | 9832 |

| | | | | | | | |
|-----------------------------------|---------|---|----|---------------|----|---------------|------|
| 3N0 | 600-628 | IV-E Foster Care Maintenance | \$ | 173,963,142 | \$ | 173,963,142 | 9833 |
| 3S5 | 600-622 | Child Support Projects | \$ | 534,050 | \$ | 534,050 | 9834 |
| 3V0 | 600-662 | WIA Ohio Option #7 | \$ | 87,407,014 | \$ | 89,352,850 | 9835 |
| 3V0 | 600-688 | Workforce Investment Act | \$ | 93,636,390 | \$ | 94,932,750 | 9836 |
| 3V4 | 600-678 | Federal Unemployment Programs | \$ | 153,690,682 | \$ | 154,111,608 | 9837 |
| 3V4 | 600-679 | Unemployment Compensation Review Commission - Federal | \$ | 3,097,320 | \$ | 2,860,297 | 9838 |
| 3V6 | 600-689 | TANF Block Grant | \$ | 786,095,609 | \$ | 845,909,688 | 9839 |
| 3W3 | 600-659 | TANF/Title XX | \$ | 88,994,049 | \$ | 93,498,158 | 9840 |
| 316 | 600-602 | State and Local Training | \$ | 11,212,594 | \$ | 11,249,282 | 9841 |
| 327 | 600-606 | Child Welfare | \$ | 29,119,408 | \$ | 28,665,728 | 9842 |
| 331 | 600-686 | Federal Operating | \$ | 48,237,185 | \$ | 47,340,081 | 9843 |
| 365 | 600-681 | JOB Training Program | \$ | 5,000,000 | \$ | 0 | 9844 |
| 384 | 600-610 | Food Stamps and State Administration | \$ | 134,560,572 | \$ | 135,141,694 | 9845 |
| 385 | 600-614 | Refugee Services | \$ | 5,793,656 | \$ | 5,841,407 | 9846 |
| 395 | 600-616 | Special Activities/Child and Family Services | \$ | 3,975,821 | \$ | 3,975,821 | 9847 |
| 396 | 600-620 | Social Services Block Grant | \$ | 74,969,767 | \$ | 74,986,134 | 9848 |
| 397 | 600-626 | Child Support | \$ | 304,157,939 | \$ | 307,468,576 | 9849 |
| 398 | 600-627 | Adoption Maintenance/ Administration | \$ | 339,957,978 | \$ | 340,104,370 | 9850 |
| TOTAL FED Federal Special Revenue | | | | | | | 9851 |
| Fund Group | | | \$ | 4,443,376,680 | \$ | 4,594,555,020 | 9852 |
| State Special Revenue Fund Group | | | | | | | 9853 |
| 198 | 600-647 | Children's Trust Fund | \$ | 4,336,109 | \$ | 4,336,109 | 9854 |

| | | | | | | | |
|-----|---------|---|----|-------------|----|-------------|------|
| 4A9 | 600-607 | Unemployment Compensation Admin Fund | \$ | 8,001,000 | \$ | 8,001,000 | 9855 |
| 4E3 | 600-605 | Nursing Home Assessments | \$ | 4,759,913 | \$ | 4,759,914 | 9856 |
| 4E7 | 600-604 | Child and Family Services Collections | \$ | 300,000 | \$ | 300,000 | 9857 |
| 4F1 | 600-609 | Foundation Grants/Child and Family Services | \$ | 119,310 | \$ | 119,310 | 9858 |
| 4J5 | 600-613 | Nursing Facility Bed Assessments | \$ | 35,060,013 | \$ | 35,064,238 | 9859 |
| 4J5 | 600-618 | Residential State Supplement Payments | \$ | 15,700,000 | \$ | 15,700,000 | 9860 |
| 4K1 | 600-621 | ICF/MR Bed Assessments | \$ | 20,467,050 | \$ | 20,428,726 | 9861 |
| 4R3 | 600-687 | Banking Fees | \$ | 892,000 | \$ | 892,000 | 9862 |
| 4Z1 | 600-625 | HealthCare Compliance | \$ | 10,000,000 | \$ | 10,000,000 | 9863 |
| 5A5 | 600-685 | Unemployment Benefit Automation | \$ | 14,000,000 | \$ | 0 | 9864 |
| 5P5 | 600-692 | Health Care Services | \$ | 492,932,514 | \$ | 515,947,439 | 9865 |
| 5Q9 | 600-619 | Supplemental Inpatient Hospital Payments | \$ | 30,797,539 | \$ | 30,797,539 | 9866 |
| 5R2 | 600-608 | Medicaid-Nursing Facilities | \$ | 113,754,184 | \$ | 113,754,184 | 9867 |
| 5S3 | 600-629 | MR/DD Medicaid Administration and Oversight | \$ | 1,620,960 | \$ | 1,620,960 | 9868 |
| 5T2 | 600-652 | Child Support Special Payment | \$ | 1,500,000 | \$ | 750,000 | 9869 |
| 5U3 | 600-654 | Health Care Services Administration | \$ | 7,576,322 | \$ | 6,119,127 | 9870 |
| 5U6 | 600-663 | Children and Family Support | \$ | 4,929,718 | \$ | 4,929,718 | 9871 |

| | | | |
|---|-----------------------------|-----------------------------|------|
| 651 600-649 Hospital Care | \$ 208,634,072 | \$ 214,058,558 | 9872 |
| Assurance Program Fund | | | |
| TOTAL SSR State Special Revenue | | | 9873 |
| Fund Group | \$ 975,380,704 | \$ 987,578,822 | 9874 |
| Agency Fund Group | | | |
| 192 600-646 Support Intercept - | \$ 136,500,000 | \$ 136,500,000 | 9876 |
| Federal | | | |
| 5B6 600-601 Food Stamp Intercept | \$ 5,000,000 | \$ 5,000,000 | 9877 |
| 583 600-642 Support Intercept - | \$ 20,565,582 | \$ 20,565,582 | 9878 |
| State | | | |
| TOTAL AGY Agency Fund Group | \$ 162,065,582 | \$ 162,065,582 | 9879 |
| Holding Account Redistribution Fund Group | | | |
| R12 600-643 Refunds and Audit | \$ 5,343,906 | \$ 5,343,906 | 9881 |
| Settlements | | | |
| R13 600-644 Forgery Collections | \$ 700,000 | \$ 700,000 | 9882 |
| TOTAL 090 Holding Account | \$ 6,043,906 | \$ 6,043,906 | 9883 |
| Redistribution Fund Group | | | |
| TOTAL ALL BUDGET FUND GROUPS | \$15,392,156,168 | \$16,025,216,882 | 9884 |
| | <u>15,393,045,364</u> | <u>16,055,227,605</u> | |

Sec. 59.29. OHIO COMMISSION TO REFORM MEDICAID 9886

There is hereby established the Ohio Commission to Reform 9887
Medicaid, which shall consist of nine members: three appointed by 9888
the Governor, three appointed by the Speaker of the House of 9889
Representatives, and three appointed by the President of the 9890
Senate. Appointments shall be made not later than ninety days 9891
after ~~the effective date of this section~~ June 26, 2003. All 9892
members shall serve at the pleasure of the appointing authority. 9893
~~Members shall serve without compensation.~~ Vacancies shall be 9894
filled in the manner of original appointments. 9895

The members of the Commission shall serve without 9896
compensation but shall be reimbursed in accordance with rules 9897

adopted under section 126.31 of the Revised Code for all actual 9898
and necessary expenses incurred on or after the effective date of 9899
this amendment in the performance of their official duties on the 9900
Commission. 9901

The Commission shall conduct a complete review of the state 9902
 Medicaid program and shall make recommendations for comprehensive 9903
 reform and cost containment. The Commission shall submit a report 9904
 of its findings and recommendations to the Governor, Speaker, and 9905
 Senate President not later than January 1, 2005. 9906

The Commission may hire a staff director and additional 9907
 employees to provide technical support. 9908

The Director of Job and Family Services shall, on behalf of 9909
 the Commission, seek federal financial participation for the 9910
 administrative costs of the Commission. 9911

Sec. 66. LIB STATE LIBRARY BOARD 9912

General Revenue Fund 9913

| | | | | | | |
|-------------|--------------------|----|-----------|----|-----------|------|
| GRF 350-321 | Operating Expenses | \$ | 6,700,721 | \$ | 6,700,721 | 9914 |
|-------------|--------------------|----|-----------|----|-----------|------|

| | | | | | | |
|-------------|---------------------|----|---|----|-----------|------|
| GRF 350-400 | Ohio Public Library | \$ | 0 | \$ | 5,000,000 | 9915 |
|-------------|---------------------|----|---|----|-----------|------|

Information Network

| | | | | | | |
|-------------|----------------|----|---------|----|---------|------|
| GRF 350-401 | Ohioana Rental | \$ | 124,816 | \$ | 124,816 | 9916 |
|-------------|----------------|----|---------|----|---------|------|

Payments

| | | | | | | |
|-------------|-------------------|----|---------|----|---------|------|
| GRF 350-501 | Cincinnati Public | \$ | 584,414 | \$ | 569,803 | 9917 |
|-------------|-------------------|----|---------|----|---------|------|

Library

| | | | | | | |
|-------------|------------------|----|-----------|----|-----------|------|
| GRF 350-502 | Regional Library | \$ | 1,194,374 | \$ | 1,194,374 | 9918 |
|-------------|------------------|----|-----------|----|-----------|------|

Systems

| | | | | | | |
|-------------|------------------|----|---------|----|---------|------|
| GRF 350-503 | Cleveland Public | \$ | 879,042 | \$ | 857,066 | 9919 |
|-------------|------------------|----|---------|----|---------|------|

Library

| | | | | | | |
|-----------|----------------------|----|-----------|----|------------|------|
| TOTAL GRF | General Revenue Fund | \$ | 9,483,367 | \$ | 14,446,780 | 9920 |
|-----------|----------------------|----|-----------|----|------------|------|

General Services Fund Group 9921

| | | | | | | |
|-------------|----------------------|----|-------|----|-------|------|
| 139 350-602 | Intra-Agency Service | \$ | 9,000 | \$ | 9,000 | 9922 |
|-------------|----------------------|----|-------|----|-------|------|

| | | | | | | |
|--|---------|----------------------|---------------|---------------|--|------|
| Charges | | | | | | |
| 4S4 | 350-604 | OPLIN Technology | \$ 6,450,000 | \$ 1,000,000 | | 9923 |
| 459 | 350-602 | Interlibrary Service | \$ 2,759,661 | \$ 2,809,661 | | 9924 |
| Charges | | | | | | |
| TOTAL GSF General Services | | | | | | 9925 |
| Fund Group | | | \$ 9,218,661 | \$ 3,818,661 | | 9926 |
| Federal Special Revenue Fund Group | | | | | | 9927 |
| 313 | 350-601 | LSTA Federal | \$ 5,541,647 | \$ 5,541,647 | | 9928 |
| TOTAL FED Federal Special Revenue | | | | | | 9929 |
| Fund Group | | | \$ 5,541,647 | \$ 5,541,647 | | 9930 |
| TOTAL ALL BUDGET FUND GROUPS | | | \$ 24,243,675 | \$ 23,807,088 | | 9931 |
| OHIOANA RENTAL PAYMENTS | | | | | | 9932 |
| The foregoing appropriation item 350-401, Ohioana Rental | | | | | | 9933 |
| Payments, shall be used to pay the rental expenses of the Martha | | | | | | 9934 |
| Kinney Cooper Ohioana Library Association pursuant to section | | | | | | 9935 |
| 3375.61 of the Revised Code. | | | | | | 9936 |
| CINCINNATI PUBLIC LIBRARY | | | | | | 9937 |
| The foregoing appropriation item 350-501, Cincinnati Public | | | | | | 9938 |
| Library, shall be used for the Talking Book program, which assists | | | | | | 9939 |
| the blind and disabled. | | | | | | 9940 |
| REGIONAL LIBRARY SYSTEMS | | | | | | 9941 |
| The foregoing appropriation item 350-502, Regional Library | | | | | | 9942 |
| Systems, shall be used to support regional library systems | | | | | | 9943 |
| eligible for funding under section <u>sections 3375.83 and</u> 3375.90 of | | | | | | 9944 |
| the Revised Code. | | | | | | 9945 |
| CLEVELAND PUBLIC LIBRARY | | | | | | 9946 |
| The foregoing appropriation item 350-503, Cleveland Public | | | | | | 9947 |
| Library, shall be used for the Talking Book program, which assists | | | | | | 9948 |
| the blind and disabled. | | | | | | 9949 |
| OHIO PUBLIC LIBRARY INFORMATION NETWORK | | | | | | 9950 |

The foregoing appropriation items 350-604, OPLIN Technology, 9951
and, in fiscal year 2005, 350-400, Ohio Public Library Information 9952
Network, shall be used for an information telecommunications 9953
network linking public libraries in the state and such others as 9954
may be certified as participants by the Ohio Public Library 9955
Information Network Board. 9956

The Ohio Public Library Information Network Board shall 9957
consist of eleven members appointed by the State Library Board 9958
from among the staff of public libraries and past and present 9959
members of boards of trustees of public libraries, based on the 9960
recommendations of the Ohio library community. The Ohio Public 9961
Library Information Network Board, in consultation with the State 9962
Library, shall develop a plan of operations for the network. The 9963
board may make decisions regarding use of the foregoing OPLIN 9964
appropriation items 350-400 and 350-604 and may receive and expend 9965
grants to carry out the operations of the network in accordance 9966
with state law and the authority to appoint and fix the 9967
compensation of a director and necessary staff. The State Library 9968
shall be the fiscal agent for the network and shall have fiscal 9969
accountability for the expenditure of funds. The Ohio Public 9970
Library Information Network Board members shall be reimbursed for 9971
actual travel and necessary expenses incurred in carrying out 9972
their responsibilities. 9973

In order to limit access to obscene and illegal materials 9974
through internet use at Ohio Public Library Information Network 9975
(OPLIN) terminals, local libraries with OPLIN computer terminals 9976
shall adopt policies that control access to obscene and illegal 9977
materials. These policies may include use of technological systems 9978
to select or block certain internet access. The OPLIN shall 9979
condition provision of its funds, goods, and services on 9980
compliance with these policies. The OPLIN Board shall also adopt 9981
and communicate specific recommendations to local libraries on 9982

methods to control such improper usage. These methods may include 9983
each library implementing a written policy controlling such 9984
improper use of library terminals and requirements for parental 9985
involvement or written authorization for juvenile internet usage. 9986

The OPLIN Board shall research and assist or advise local 9987
libraries with regard to emerging technologies and methods that 9988
may be effective means to control access to obscene and illegal 9989
materials. The OPLIN Executive Director shall biannually provide 9990
written reports to the Governor, the Speaker and Minority Leader 9991
of the House of Representatives, and the President and Minority 9992
Leader of the Senate on any steps being taken by OPLIN and public 9993
libraries in the state to limit and control such improper usage as 9994
well as information on technological, legal, and law enforcement 9995
trends nationally and internationally affecting this area of 9996
public access and service. 9997

The Ohio Public Library Information Network, InfoOhio, and 9998
OhioLink shall, to the extent feasible, coordinate and cooperate 9999
in their purchase or other acquisition of the use of electronic 10000
databases for their respective users and shall contribute funds in 10001
an equitable manner to such effort. 10002

TRANSFER TO OPLIN TECHNOLOGY FUND 10003

Notwithstanding sections 5747.03 and 5747.47 of the Revised 10004
Code and any other provision of law to the contrary, in accordance 10005
with a schedule established by the Director of Budget and 10006
Management, the Director of Budget and Management shall transfer 10007
up to \$5,000,000 in fiscal year 2004 from the Library and Local 10008
Government Support Fund (Fund 065) to the OPLIN Technology Fund 10009
(Fund 4S4). 10010

Sec. 89. BOR BOARD OF REGENTS 10011

General Revenue Fund 10012

| | | | | | | |
|-------------|---|----|---------------|----|---------------|-------|
| GRF 235-321 | Operating Expenses | \$ | 3,336,284 | \$ | 2,767,219 | 10013 |
| GRF 235-401 | Lease Rental Payments | \$ | 246,500,700 | \$ | 216,836,400 | 10014 |
| GRF 235-402 | Sea Grants | \$ | 274,895 | \$ | 274,895 | 10015 |
| GRF 235-403 | Math/Science Teaching Improvement | \$ | 1,757,614 | \$ | 1,757,614 | 10016 |
| GRF 235-404 | College Readiness Initiatives | \$ | 3,152,603 | \$ | 3,401,759 | 10017 |
| GRF 235-406 | Articulation and Transfer | \$ | 733,200 | \$ | 733,200 | 10018 |
| GRF 235-408 | Midwest Higher Education Compact | \$ | 82,500 | \$ | 82,500 | 10019 |
| GRF 235-409 | Information System | \$ | 1,185,879 | \$ | 1,154,671 | 10020 |
| GRF 235-414 | State Grants and Scholarship Administration | \$ | 1,219,719 | \$ | 1,211,373 | 10021 |
| GRF 235-415 | Jobs Challenge | \$ | 9,348,300 | \$ | 9,348,300 | 10022 |
| GRF 235-417 | Ohio Learning Network | \$ | 3,413,046 | \$ | 3,327,720 | 10023 |
| GRF 235-418 | Access Challenge | \$ | 67,568,622 | \$ | 67,568,622 | 10024 |
| GRF 235-420 | Success Challenge | \$ | 51,113,077 | \$ | 56,113,077 | 10025 |
| GRF 235-428 | Appalachian New Economy Partnership | \$ | 1,179,893 | \$ | 1,147,895 | 10026 |
| GRF 235-451 | Eminent Scholars | \$ | 0 | \$ | 1,462,500 | 10027 |
| GRF 235-454 | Research Challenge | \$ | 18,330,000 | \$ | 18,330,000 | 10028 |
| GRF 235-455 | EnterpriseOhio Network | \$ | 1,505,262 | \$ | 1,465,650 | 10029 |
| GRF 235-474 | Area Health Education Centers Program Support | \$ | 1,722,226 | \$ | 1,676,670 | 10030 |
| GRF 235-477 | Access Improvement Projects | \$ | 1,048,664 | \$ | 1,080,124 | 10031 |
| GRF 235-501 | State Share of Instruction | \$ | 1,534,189,277 | \$ | 1,559,096,031 | 10032 |
| GRF 235-502 | Student Support Services | \$ | 870,675 | \$ | 848,908 | 10033 |

| | | | | | | |
|-------------|--|----|-------------|----|-------------|-------|
| GRF 235-503 | Ohio Instructional Grants | \$ | 111,966,343 | \$ | 115,325,333 | 10034 |
| GRF 235-504 | War Orphans Scholarships | \$ | 4,672,321 | \$ | 4,672,321 | 10035 |
| GRF 235-507 | OhioLINK | \$ | 7,028,392 | \$ | 7,028,392 | 10036 |
| GRF 235-508 | Air Force Institute of Technology | \$ | 2,096,523 | \$ | 2,053,860 | 10037 |
| GRF 235-509 | Displaced Homemakers | \$ | 204,865 | \$ | 199,743 | 10038 |
| GRF 235-510 | Ohio Supercomputer Center | \$ | 4,208,472 | \$ | 4,103,260 | 10039 |
| GRF 235-511 | Cooperative Extension Service | \$ | 25,644,863 | \$ | 25,644,863 | 10040 |
| GRF 235-513 | Ohio University Voinovich Center | \$ | 311,977 | \$ | 305,178 | 10041 |
| GRF 235-514 | Central State Supplement | \$ | 11,039,203 | \$ | 11,039,203 | 10042 |
| GRF 235-515 | Case Western Reserve University School of Medicine | \$ | 3,303,612 | \$ | 3,212,271 | 10043 |
| GRF 235-518 | Capitol Scholarship Programs | \$ | 245,000 | \$ | 245,000 | 10044 |
| GRF 235-519 | Family Practice | \$ | 5,529,432 | \$ | 5,391,196 | 10045 |
| GRF 235-520 | Shawnee State Supplement | \$ | 2,082,289 | \$ | 2,082,289 | 10046 |
| GRF 235-521 | The Ohio State University Glenn Institute | \$ | 311,977 | \$ | 305,178 | 10047 |
| GRF 235-524 | Police and Fire Protection | \$ | 209,046 | \$ | 203,819 | 10048 |
| GRF 235-525 | Geriatric Medicine | \$ | 820,696 | \$ | 800,179 | 10049 |
| GRF 235-526 | Primary Care Residencies | \$ | 2,730,013 | \$ | 2,661,762 | 10050 |
| GRF 235-527 | Ohio Aerospace | \$ | 1,933,607 | \$ | 1,882,767 | 10051 |

| | | | | | | |
|-------------|------------------------|----|------------|----|------------|-------|
| | Institute | | | | | |
| GRF 235-530 | Academic Scholarships | \$ | 7,800,000 | \$ | 7,800,000 | 10052 |
| GRF 235-531 | Student Choice Grants | \$ | 52,139,646 | \$ | 52,139,646 | 10053 |
| GRF 235-534 | Student Workforce | \$ | 2,437,500 | \$ | 2,437,500 | 10054 |
| | Development Grants | | | | | |
| GRF 235-535 | Ohio Agricultural | \$ | 35,830,188 | \$ | 35,830,188 | 10055 |
| | Research and | | | | | |
| | Development Center | | | | | |
| GRF 235-536 | The Ohio State | \$ | 13,565,885 | \$ | 13,565,885 | 10056 |
| | University Clinical | | | | | |
| | Teaching | | | | | |
| GRF 235-537 | University of | \$ | 11,157,756 | \$ | 11,157,756 | 10057 |
| | Cincinnati Clinical | | | | | |
| | Teaching | | | | | |
| GRF 235-538 | Medical College of | \$ | 8,696,866 | \$ | 8,696,866 | 10058 |
| | Ohio at Toledo | | | | | |
| | Clinical Teaching | | | | | |
| GRF 235-539 | Wright State | \$ | 4,225,107 | \$ | 4,225,107 | 10059 |
| | University Clinical | | | | | |
| | Teaching | | | | | |
| GRF 235-540 | Ohio University | \$ | 4,084,540 | \$ | 4,084,540 | 10060 |
| | Clinical Teaching | | | | | |
| GRF 235-541 | Northeastern Ohio | \$ | 4,200,945 | \$ | 4,200,945 | 10061 |
| | Universities College | | | | | |
| | of Medicine Clinical | | | | | |
| | Teaching | | | | | |
| GRF 235-543 | Ohio College of | \$ | 424,033 | \$ | 424,033 | 10062 |
| | Podiatric Medicine | | | | | |
| | Clinical Subsidy | | | | | |
| GRF 235-547 | School of | \$ | 1,264,611 | \$ | 1,232,996 | 10063 |
| | International Business | | | | | |
| GRF 235-549 | Part-time Student | \$ | 14,036,622 | \$ | 14,457,721 | 10064 |
| | Instructional Grants | | | | | |

As Reported by the Senate Finance and Financial Institutions Committee

| | | | | | | |
|-------------|--|----|--|----|--|-------|
| GRF 235-552 | Capital Component | \$ | 18,711,936 | \$ | 18,711,936 | 10065 |
| GRF 235-553 | Dayton Area Graduate Studies Institute | \$ | 3,074,550 | \$ | 2,993,937 | 10066 |
| GRF 235-554 | Computer Science Graduate Education | \$ | 2,577,209 | \$ | 2,512,779 | 10067 |
| GRF 235-555 | Library Depositories | \$ | 1,775,467 | \$ | 1,731,080 | 10068 |
| GRF 235-556 | Ohio Academic Resources Network | \$ | 3,657,009 | \$ | 3,803,289 | 10069 |
| GRF 235-558 | Long-term Care Research | \$ | 230,906 | \$ | 225,134 | 10070 |
| GRF 235-561 | Bowling Green State University Canadian Studies Center | \$ | 121,586 | \$ | 118,546 | 10071 |
| GRF 235-572 | The Ohio State University Clinic Support | \$ | 1,400,394 | \$ | 1,362,259 | 10072 |
| GRF 235-583 | Urban University Programs | \$ | 5,692,236 | \$ | 5,553,506 | 10073 |
| GRF 235-585 | Ohio University Innovation Center | \$ | 41,596 | \$ | 40,556 | 10074 |
| GRF 235-587 | Rural University Projects | \$ | 1,224,510 | \$ | 1,224,510 | 10075 |
| GRF 235-588 | Ohio Resource Center for Mathematics, Science, and Reading | \$ | 853,262 | \$ | 853,262 | 10076 |
| GRF 235-595 | International Center for Water Resources Development | \$ | 137,352 | \$ | 133,918 | 10077 |
| GRF 235-596 | Hazardous Materials Program | \$ | 339,647 | \$ | 331,156 | 10078 |
| GRF 235-599 | National Guard Scholarship Program | \$ | 13,252,916 <u>14,752,916</u> | \$ | 14,578,208 <u>16,078,208</u> | 10079 |
| GRF 235-909 | Higher Education | \$ | 97,668,000 | \$ | 130,967,600 | 10080 |

| | | | | | |
|------------------------------------|----|--------------------------|----|--------------------------|-------|
| General Obligation | | | | | |
| Debt Service | | | | | |
| TOTAL GRF General Revenue Fund | \$ | 2,443,493,342 | \$ | 2,482,236,601 | 10081 |
| | | <u>2,444,993,342</u> | | <u>2,483,736,601</u> | |
| General Services Fund Group | | | | 10082 | |
| 220 235-614 Program Approval and | \$ | 400,000 | \$ | 400,000 | 10083 |
| Reauthorization | | | | | |
| 456 235-603 Sales and Services | \$ | 500,002 | \$ | 500,003 | 10084 |
| TOTAL GSF General Services | | | | | 10085 |
| Fund Group | \$ | 900,002 | \$ | 900,003 | 10086 |
| Federal Special Revenue Fund Group | | | | 10087 | |
| 3H2 235-608 Human Services Project | \$ | 1,500,000 | \$ | 1,500,000 | 10088 |
| 3N6 235-605 State Student | \$ | 2,196,680 | \$ | 2,196,680 | 10089 |
| Incentive Grants | | | | | |
| 3T0 235-610 National Health | \$ | 150,001 | \$ | 150,001 | 10090 |
| Service Corps - Ohio | | | | | |
| Loan Repayment | | | | | |
| 312 235-609 Tech Prep | \$ | 183,850 | \$ | 183,850 | 10091 |
| 312 235-611 Gear-up Grant | \$ | 1,478,245 | \$ | 1,370,691 | 10092 |
| 312 235-612 Carl D. Perkins | \$ | 112,960 | \$ | 112,960 | 10093 |
| Grant/Plan | | | | | |
| Administration | | | | | |
| 312 235-615 Professional | \$ | 523,129 | \$ | 523,129 | 10094 |
| Development | | | | | |
| 312 235-616 Workforce Investment | \$ | 850,000 | \$ | 850,000 | 10095 |
| Act Administration | | | | | |
| 312 235-631 Federal Grants | \$ | 3,444,949 | \$ | 3,150,590 | 10096 |
| TOTAL FED Federal Special Revenue | | | | | 10097 |
| Fund Group | \$ | 10,439,814 | \$ | 10,037,901 | 10098 |
| State Special Revenue Fund Group | | | | 10099 | |
| 4E8 235-602 Higher Educational | \$ | 20,000 | \$ | 20,000 | 10100 |
| Facility Commission | | | | | |

| | | | | | |
|---------------------------------|----------------|------------------------|----|--------------------------|-----------------------------------|
| | Administration | | | | |
| 4P4 | 235-604 | Physician Loan | \$ | 476,870 | \$ 476,870 10101 |
| | | Repayment | | | |
| 649 | 235-607 | The Ohio State | \$ | 760,000 | \$ 760,000 10102 |
| | | University | | | |
| | | Highway/Transportation | | | |
| | | Research | | | |
| 682 | 235-606 | Nursing Loan Program | \$ | 893,000 | \$ 893,000 10103 |
| TOTAL SSR State Special Revenue | | | | | 10104 |
| Fund Group | | | \$ | 2,149,870 | \$ 2,149,870 10105 |
| TOTAL ALL BUDGET FUND GROUPS | | | \$ | 2,456,983,028 | \$ 2,495,324,375 10106 |
| | | | | <u>2,458,483,028</u> | <u>2,496,824,375</u> |

Sec. 89.04. STATE SHARE OF INSTRUCTION 10108

As soon as practicable during each fiscal year of the 10109
 2003-2005 biennium in accordance with instructions of the Board of 10110
 Regents, each state-assisted institution of higher education shall 10111
 report its actual enrollment to the Board of Regents. 10112

The Board of Regents shall establish procedures required by 10113
 the system of formulas set out below and for the assignment of 10114
 individual institutions to categories described in the formulas. 10115
 The system of formulas establishes the manner in which aggregate 10116
 expenditure requirements shall be determined for each of the three 10117
 components of institutional operations. In addition to other 10118
 adjustments and calculations described below, the subsidy 10119
 entitlement of an institution shall be determined by subtracting 10120
 from the institution's aggregate expenditure requirements income 10121
 to be derived from the local contributions assumed in calculating 10122
 the subsidy entitlements. The local contributions for purposes of 10123
 determining subsidy support shall not limit the authority of the 10124
 individual boards of trustees to establish fee levels. 10125

The General Studies and Technical models shall be adjusted by 10126

the Board of Regents so that the share of state subsidy earned by 10127
those models is not altered by changes in the overall local share. 10128
A lower-division fee differential shall be used to maintain the 10129
relationship that would have occurred between these models and the 10130
baccalaureate models had an assumed share of 37 per cent been 10131
funded. 10132

In defining the number of full-time equivalent (FTE) students 10133
for state subsidy purposes, the Board of Regents shall exclude all 10134
undergraduate students who are not residents of Ohio, except those 10135
charged in-state fees in accordance with reciprocity agreements 10136
made pursuant to section 3333.17 of the Revised Code or employer 10137
contracts entered into pursuant to section 3333.32 of the Revised 10138
Code. 10139

(A) AGGREGATE EXPENDITURE PER FULL-TIME EQUIVALENT STUDENT 10140

(1) INSTRUCTION AND SUPPORT SERVICES 10141

| MODEL | FY 2004 | FY 2005 | |
|------------------------------|-----------|-----------|-------|
| General Studies I | \$ 4,947 | \$ 4,983 | 10143 |
| General Studies II | \$ 5,323 | \$ 5,336 | 10144 |
| General Studies III | \$ 6,883 | \$ 7,120 | 10145 |
| Technical I | \$ 5,913 | \$ 6,137 | 10146 |
| Technical III | \$ 9,522 | \$ 10,026 | 10147 |
| Baccalaureate I | \$ 7,623 | \$ 7,721 | 10148 |
| Baccalaureate II | \$ 8,584 | \$ 8,864 | 10149 |
| Baccalaureate III | \$ 12,559 | \$ 12,932 | 10150 |
| Masters and Professional I | \$ 15,867 | \$ 18,000 | 10151 |
| Masters and Professional II | \$ 20,861 | \$ 22,141 | 10152 |
| Masters and Professional III | \$ 27,376 | \$ 28,190 | 10153 |
| Medical I | \$ 30,867 | \$ 31,819 | 10154 |
| Medical II | \$ 41,495 | \$ 41,960 | 10155 |
| MPD I | \$ 14,938 | \$ 14,966 | 10156 |

(2) STUDENT SERVICES 10157

For this purpose, FTE counts shall be weighted to reflect 10158
differences among institutions in the numbers of students enrolled 10159
on a part-time basis. The student services subsidy per FTE shall 10160
be \$822 in fiscal year 2004 and \$903 in fiscal year 2005 for all 10161
models. 10162

(B) PLANT OPERATION AND MAINTENANCE (POM) 10163

(1) DETERMINATION OF THE SQUARE-FOOT-BASED POM SUBSIDY 10164

Space undergoing renovation shall be funded at the rate 10165
allowed for storage space. 10166

In the calculation of square footage for each campus, square 10167
footage shall be weighted to reflect differences in space 10168
utilization. 10169

The space inventories for each campus shall be those 10170
determined in the fiscal year 2003 state share of instruction 10171
calculation, adjusted for changes attributable to the construction 10172
or renovation of facilities for which state appropriations were 10173
made or local commitments were made prior to January 1, 1995. 10174

Only 50 per cent of the space permanently taken out of 10175
operation in fiscal year 2004 or fiscal year 2005 that is not 10176
otherwise replaced by a campus shall be deleted from the plant 10177
operation and maintenance space inventory. 10178

The square-foot-based plant operation and maintenance subsidy 10179
for each campus shall be determined as follows: 10180

(a) For each standard room type category shown below, the 10181
subsidy-eligible net assignable square feet (NASF) for each campus 10182
shall be multiplied by the following rates, and the amounts summed 10183
for each campus to determine the total gross square-foot-based POM 10184
expenditure requirement: 10185

| | FY 2004 | FY 2005 | |
|------------|---------|---------|-------|
| Classrooms | \$5.80 | \$6.04 | 10187 |

| | | | |
|------------------------------|--------|--------|-------|
| Laboratories | \$7.22 | \$7.53 | 10188 |
| Offices | \$5.80 | \$6.04 | 10189 |
| Audio Visual Data Processing | \$7.22 | \$7.53 | 10190 |
| Storage | \$2.57 | \$2.68 | 10191 |
| Circulation | \$7.31 | \$7.62 | 10192 |
| Other | \$5.80 | \$6.04 | 10193 |

(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 | 10213 |
| General Studies II | \$ 696 | \$ 705 | 10214 |
| General Studies III | \$1,608 | \$1,651 | 10215 |
| Technical I | \$ 777 | \$ 806 | 10216 |
| Technical III | \$1,501 | \$1,570 | 10217 |
| Baccalaureate I | \$ 700 | \$ 706 | 10218 |

| | | | |
|------------------------------|---------|---------|-------|
| Baccalaureate II | \$1,250 | \$1,232 | 10220 |
| Baccalaureate III | \$1,520 | \$1,458 | 10221 |
| Masters and Professional I | \$1,258 | \$1,301 | 10222 |
| Masters and Professional II | \$2,817 | \$2,688 | 10223 |
| Masters and Professional III | \$3,832 | \$3,712 | 10224 |
| Medical I | \$2,663 | \$2,669 | 10225 |
| Medical II | \$3,837 | \$4,110 | 10226 |
| MPD I | \$1,213 | \$1,233 | 10227 |

(b) The sum of the products for each campus determined in 10228
division (B)(2)(a) of this section for all models except Doctoral 10229
I and Doctoral II for each fiscal year shall be weighted by a 10230
factor to reflect sponsored research activity and job 10231
training-related public services expenditures to determine the 10232
total activity-based POM subsidy. 10233

(C) CALCULATION OF CORE SUBSIDY ENTITLEMENTS AND ADJUSTMENTS 10234

(1) CALCULATION OF CORE SUBSIDY ENTITLEMENTS 10235

The calculation of the core subsidy entitlement shall consist 10236
of the following components: 10237

(a) For each campus and for each fiscal year, the core 10238
subsidy entitlement shall be determined by multiplying the amounts 10239
listed above in divisions (A)(1) and (2) and (B)(2) of this 10240
section less assumed local contributions, by (i) average 10241
subsidy-eligible FTEs for the two-year period ending in the prior 10242
year for all models except Doctoral I and Doctoral II; and (ii) 10243
average subsidy-eligible FTEs for the five-year period ending in 10244
the prior year for all models except Doctoral I and Doctoral II. 10245

(b) In calculating the core subsidy entitlements for Medical 10246
II models only, the Board of Regents shall use the following count 10247
of FTE students: 10248

(i) For those medical schools whose current year enrollment, 10249
including students repeating terms, is below the base enrollment, 10250

the Medical II FTE enrollment shall equal: 65 per cent of the base 10251
enrollment plus 35 per cent of the current year enrollment 10252
including students repeating terms, where the base enrollment is: 10253

| | | |
|---|------|-------|
| The Ohio State University | 1010 | 10254 |
| University of Cincinnati | 833 | 10255 |
| Medical College of Ohio at Toledo | 650 | 10256 |
| Wright State University | 433 | 10257 |
| Ohio University | 433 | 10258 |
| Northeastern Ohio Universities College of Medicine | 433 | 10259 |

(ii) For those medical schools whose current year enrollment, 10260
excluding students repeating terms, is equal to or greater than 10261
the base enrollment, the Medical II FTE enrollment shall equal the 10262
base enrollment plus the FTE for repeating students. 10263

(iii) Students repeating terms may be no more than five per 10264
cent of current year enrollment. 10265

(c) The Board of Regents shall compute the sum of the two 10266
calculations listed in division (C)(1)(a) of this section and use 10267
the greater sum as the core subsidy entitlement. 10268

The POM subsidy for each campus shall equal the greater of 10269
the square-foot-based subsidy or the activity-based POM subsidy 10270
component of the core subsidy entitlement. 10271

(d) The state share of instruction provided for doctoral 10272
students shall be based on a fixed percentage of the total 10273
appropriation. In each fiscal year of the biennium not more than 10274
10.34 per cent of the total state share of instruction shall be 10275
reserved to implement the recommendations of the Graduate Funding 10276
Commission. It is the intent of the General Assembly that the 10277
doctoral reserve not exceed 10.34 per cent of the total state 10278
share of instruction to implement the recommendations of the 10279
Graduate Funding Commission. The Board of Regents may reallocate 10280

up to two per cent in each fiscal year of the reserve among the 10281
state-assisted universities on the basis of a quality review as 10282
specified in the recommendations of the Graduate Funding 10283
Commission. No such reallocation shall occur unless the Board of 10284
Regents, in consultation with representatives of state-assisted 10285
universities, determines that sufficient funds are available for 10286
this purpose. 10287

The amount so reserved shall be allocated to universities in 10288
proportion to their share of the total number of Doctoral I 10289
equivalent FTEs as calculated on an institutional basis using the 10290
greater of the two-year or five-year FTEs for the period fiscal 10291
year 1994 through fiscal year 1998 with annualized FTEs for fiscal 10292
years 1994 through 1997 and all-term FTEs for fiscal year 1998 as 10293
adjusted to reflect the effects of doctoral review and subsequent 10294
changes in Doctoral I equivalent enrollments. For the purposes of 10295
this calculation, Doctoral I equivalent FTEs shall equal the sum 10296
of Doctoral I FTEs plus 1.5 times the sum of Doctoral II FTEs. 10297

(2) ANNUAL STATE SHARE OF INSTRUCTION FUNDING GUARANTEE 10298

In addition to and after the other adjustment noted above, in 10299
fiscal year 2004, no campus shall receive a state share of 10300
instruction allocation that is less than 100 per cent of the prior 10301
year's state share of instruction amount. In fiscal year 2005, no 10302
campus shall receive a state share of instruction allocation that 10303
is less than 99 per cent of what that campus' state share of 10304
instruction would have been had the allocation in fiscal year 2004 10305
been not less than 99 per cent, rather than 100 per cent, of the 10306
prior year's state share of instruction amount. 10307

(3) CAPITAL COMPONENT DEDUCTION 10308

After all other adjustments have been made, state share of 10309
instruction earnings shall be reduced for each campus by the 10310
amount, if any, by which debt service charged in Am. H.B. No. 748 10311

of the 121st General Assembly, Am. Sub. H.B. No. 850 of the 122nd 10312
General Assembly, Am. H.B. No. 640 of the 123rd General Assembly, 10313
and H.B. No. 675 of the 124th General Assembly for that campus 10314
exceeds that campus's capital component earnings. The sum of the 10315
amounts deducted shall be transferred to appropriation item 10316
235-552, Capital Component, in each fiscal year. 10317

(D) REDUCTIONS IN EARNINGS 10318

If the total state share of instruction earnings in any 10319
fiscal year exceed the total appropriations available for such 10320
purposes, the Board of Regents shall proportionately reduce the 10321
state share of instruction earnings for all campuses by a uniform 10322
percentage so that the system wide sum equals available 10323
appropriations. 10324

(E) EXCEPTIONAL CIRCUMSTANCES 10325

Adjustments may be made to the state share of instruction 10326
payments and other subsidies distributed by the Board of Regents 10327
to state-assisted colleges and universities for exceptional 10328
circumstances. No adjustments for exceptional circumstances may be 10329
made without the recommendation of the Chancellor and the approval 10330
of the Controlling Board. 10331

(F) MID-YEAR APPROPRIATION REDUCTIONS TO THE STATE SHARE OF 10332
INSTRUCTION 10333

The standard provisions of the state share of instruction 10334
calculation as described in the preceding sections of temporary 10335
law shall apply to any reductions made to appropriation line item 10336
235-501, State Share of Instruction, before the Board of Regents 10337
has formally approved the final allocation of the state share of 10338
instruction funds for any fiscal year. 10339

Any reductions made to appropriation line item 235-501, State 10340
Share of Instruction, after the Board of Regents has formally 10341
approved the final allocation of the state share of instruction 10342

funds for any fiscal year, shall be uniformly applied to each 10343
campus in proportion to its share of the final allocation. 10344

(G) DISTRIBUTION OF STATE SHARE OF INSTRUCTION 10345

The state share of instruction payments to the institutions 10346
shall be in substantially equal monthly amounts during the fiscal 10347
year, unless otherwise determined by the Director of Budget and 10348
Management pursuant to section 126.09 of the Revised Code. 10349
Payments during the first six months of the fiscal year shall be 10350
based upon the state share of instruction appropriation estimates 10351
made for the various institutions of higher education according to 10352
Board of Regents enrollment estimates. Payments during the last 10353
six months of the fiscal year shall be distributed after approval 10354
of the Controlling Board upon the request of the Board of Regents. 10355

(H) LAW SCHOOL SUBSIDY 10356

The state share of instruction to state-supported 10357
universities for students enrolled in law schools in fiscal year 10358
2004 and fiscal year 2005 shall be calculated by using the number 10359
of subsidy-eligible FTE law school students funded by state 10360
subsidy in fiscal year 1995 or the actual number of 10361
subsidy-eligible FTE law school students at the institution in the 10362
fiscal year, whichever is less. 10363

Sec. 89.05. HIGHER EDUCATION - BOARD OF TRUSTEES 10364

Funds appropriated for instructional subsidies at colleges 10365
and universities may be used to provide such branch or other 10366
off-campus undergraduate courses of study and such master's degree 10367
courses of study as may be approved by the Board of Regents. 10368

In providing instructional and other services to students, 10369
boards of trustees of state-assisted institutions of higher 10370
education shall supplement state subsidies by income from charges 10371
to students. Each board shall establish the fees to be charged to 10372

all students, including an instructional fee for educational and 10373
associated operational support of the institution and a general 10374
fee for noninstructional services, including locally financed 10375
student services facilities used for the benefit of enrolled 10376
students. The instructional fee and the general fee shall 10377
encompass all charges for services assessed uniformly to all 10378
enrolled students. Each board may also establish special purpose 10379
fees, service charges, and fines as required; such special purpose 10380
fees and service charges shall be for services or benefits 10381
furnished individual students or specific categories of students 10382
and shall not be applied uniformly to all enrolled students. 10383
Except for the board of trustees of Miami University, in 10384
implementing the pilot tuition restructuring plan recognized by 10385
this act, a tuition surcharge shall be paid by all students who 10386
are not residents of Ohio. 10387

The boards of trustees of individual state-assisted 10388
universities, university branch campuses, community colleges, 10389
state community colleges, and technical colleges shall limit 10390
in-state undergraduate instructional and general fee increases for 10391
an academic year over the amounts charged in the prior academic 10392
year to no more than six per cent. In addition to the six per cent 10393
main campus in-state undergraduate instructional and general fee 10394
increase limit established in this section, the Board of Trustees 10395
of The Ohio State University may authorize an additional 10396
university main campus in-state undergraduate instructional and 10397
general fee increase of three per cent for academic years 10398
2003-2004 and 2004-2005. Except for the board of trustees of ~~the~~ 10399
The Ohio State University, the boards of trustees of individual 10400
state-assisted universities, university branch campuses, community 10401
colleges, state community colleges, and technical colleges shall 10402
not authorize combined instructional and general fee increases of 10403
more than six per cent in a single vote. The board of trustees of 10404
The Ohio State University shall not authorize combined 10405

instructional and general fee increases of more than nine per cent 10406
in a single vote. The boards of trustees of individual 10407
state-assisted universities, university branch campuses, community 10408
colleges, state community colleges, and technical colleges may 10409
authorize an additional 3.9 per cent increase in in-state 10410
undergraduate instructional and general fees in a separate vote. 10411
The additional increase shall only be used for providing 10412
scholarships to low-income students, to be known as Access 10413
Scholarship Grants, or to provide additional or improved 10414
technology services to students. These fee increase limitations 10415
apply even if an institutional board of trustees has, prior to the 10416
effective date of this section, voted to assess a higher fee for 10417
the 2003-2004 academic year. These limitations shall not apply to 10418
increases required to comply with institutional covenants related 10419
to their obligations or to meet unfunded legal mandates or legally 10420
binding obligations incurred or commitments made prior to the 10421
effective date of ~~this act~~ Am. Sub. H.B. 95 of the 125th General 10422
Assembly with respect to which the institution had identified such 10423
fee increases as the source of funds. Any increase required by 10424
such covenants and any such mandates, obligations, or commitments 10425
shall be reported by the Board of Regents to the Controlling 10426
Board. These limitations may also be modified by the Board of 10427
Regents, with the approval of the Controlling Board, to respond to 10428
exceptional circumstances as identified by the Board of Regents. 10429

The board of trustees of a state-assisted institution of 10430
higher education shall not authorize a waiver or nonpayment of 10431
instructional fees or general fees for any particular student or 10432
any class of students other than waivers specifically authorized 10433
by law or approved by the Chancellor. This prohibition is not 10434
intended to limit the authority of boards of trustees to provide 10435
for payments to students for services rendered the institution, 10436
nor to prohibit the budgeting of income for staff benefits or for 10437
student assistance in the form of payment of such instructional 10438

and general fees. This prohibition is not intended to limit the 10439
authority of the board of trustees of Miami University in 10440
providing financial assistance to students in implementing the 10441
pilot tuition restructuring plan recognized by this act. 10442

Except for Miami University, in implementing the pilot 10443
tuition restructuring plan recognized by this act, each 10444
state-assisted institution of higher education in its statement of 10445
charges to students shall separately identify the instructional 10446
fee, the general fee, the tuition charge, and the tuition 10447
surcharge. Fee charges to students for instruction shall not be 10448
considered to be a price of service but shall be considered to be 10449
an integral part of the state government financing program in 10450
support of higher educational opportunity for students. 10451

In providing the appropriations in support of instructional 10452
services at state-assisted institutions of higher education and 10453
the appropriations for other instruction it is the intent of the 10454
General Assembly that faculty members shall devote a proper and 10455
judicious part of their work week to the actual instruction of 10456
students. Total class credit hours of production per quarter per 10457
full-time faculty member is expected to meet the standards set 10458
forth in the budget data submitted by the Board of Regents. 10459

The authority of government vested by law in the boards of 10460
trustees of state-assisted institutions of higher education shall 10461
in fact be exercised by those boards. Boards of trustees may 10462
consult extensively with appropriate student and faculty groups. 10463
Administrative decisions about the utilization of available 10464
resources, about organizational structure, about disciplinary 10465
procedure, about the operation and staffing of all auxiliary 10466
facilities, and about administrative personnel shall be the 10467
exclusive prerogative of boards of trustees. Any delegation of 10468
authority by a board of trustees in other areas of responsibility 10469
shall be accompanied by appropriate standards of guidance 10470

concerning expected objectives in the exercise of such delegated 10471
authority and shall be accompanied by periodic review of the 10472
exercise of this delegated authority to the end that the public 10473
interest, in contrast to any institutional or special interest, 10474
shall be served. 10475

The General Assembly recognizes the pilot tuition 10476
restructuring plan of the board of trustees of Miami University 10477
for undergraduate students enrolled at the Oxford campus. The 10478
purpose of this plan is to make higher education more affordable 10479
for moderate income Ohioans, encourage high-achieving Ohio 10480
students to stay in Ohio rather than attending colleges in other 10481
states, and provide incentives for Ohio students to major in areas 10482
crucial to Ohio's priorities and future economic development. 10483

Notwithstanding any limit on in-state undergraduate 10484
instructional and general fees imposed by this act, the General 10485
Assembly recognizes that the plan will provide that all 10486
undergraduate students enrolled at the Oxford campus will be 10487
charged combined instructional and general fees in an amount equal 10488
to the nonresident instructional and general fees and tuition 10489
surcharge. For both resident student first enrolling on or after 10490
the summer term of 2003 and resident students who enrolled prior 10491
to this date, any increases in fees approved thereafter by the 10492
board of trustees are subject to any instructional and general fee 10493
caps imposed by the General Assembly. 10494

The General Assembly recognizes that the plan provides that 10495
all students who are residents of Ohio will receive student 10496
financial assistance in an amount to be determined by the 10497
University. 10498

The General Assembly recognizes that the plan provides that, 10499
for any resident student who enrolls at the Miami University 10500
Oxford campus prior to August 2004, the plan will have no direct 10501
financial impact except for paper changes on invoices so that such 10502

a student would only pay instructional and general fees in an amount equivalent to what the student was charged in the preceding year in addition to any increases in fees approved by the board of trustees.

Sec. 89.08. CASE WESTERN RESERVE UNIVERSITY SCHOOL OF MEDICINE

The foregoing appropriation item 235-515, Case Western Reserve University School of Medicine, shall be disbursed to Case Western Reserve University through the Board of Regents in accordance with agreements entered into as provided for by section 3333.10 of the Revised Code, provided that the state support per full-time medical student shall not exceed that provided to full-time medical students at state universities.

CAPITAL SCHOLARSHIP PROGRAM

The foregoing appropriation item 235-518, Capital Scholarship Program, shall be used by the Board of Regents to provide scholarships to undergraduates of Ohio's four-year public and private institutions of higher education participating in the Washington Center Internship Program. A scholarship of \$1,800 shall be awarded to students enrolled in an institution operating on a quarter system, and a scholarship of \$2,300 shall be awarded to students enrolled in an institution operating on a semester system. The number of scholarships awarded shall be limited by the amounts appropriated in fiscal years 2004 and 2005. The Washington Center shall match the scholarships awarded to students as follows: \$1,200 for students enrolled in an institution operating on a quarter system, and \$1,700 for students enrolled in an institution operating on a semester system.

FAMILY PRACTICE, GERIATRIC MEDICINE, AND PRIMARY CARE RESIDENCIES

The Board of Regents shall develop plans consistent with 10533
existing criteria and guidelines as may be required for the 10534
distribution of appropriation items 235-519, Family Practice, 10535
235-525, Geriatric Medicine, and 235-526, Primary Care 10536
Residencies. 10537

SHAWNEE STATE SUPPLEMENT 10538

The foregoing appropriation item 235-520, Shawnee State 10539
Supplement, shall be used by Shawnee State University as detailed 10540
by both of the following: 10541

(A) To allow Shawnee State University to keep its 10542
undergraduate fees below the statewide average, consistent with 10543
its mission of service to an economically depressed Appalachian 10544
region; 10545

(B) To allow Shawnee State University to employ new faculty 10546
to develop and teach in new degree programs that meet the needs of 10547
Appalachians. 10548

POLICE AND FIRE PROTECTION 10549

The foregoing appropriation item 235-524, Police and Fire 10550
Protection, shall be used for police and fire services in the 10551
municipalities of Kent, Athens, Oxford, Fairborn, Bowling Green, 10552
Portsmouth, Xenia Township (Greene County), Rootstown Township, 10553
and the City of Nelsonville that may be used to assist these local 10554
governments in providing police and fire protection for the 10555
central campus of the state-affiliated university located therein. 10556
Each participating municipality and township shall receive at 10557
least \$5,000 each year. Funds shall be distributed according to 10558
the methodology employed by the Board of Regents in the previous 10559
biennium. 10560

PRIMARY CARE RESIDENCIES 10561

The foregoing appropriation item 235-526, Primary Care 10562

Residencies, shall be distributed in each fiscal year of the 10563
biennium, based on whether or not the institution has submitted 10564
and gained approval for a plan. If the institution does not have 10565
an approved plan, it shall receive five per cent less funding per 10566
student than it would have received from its annual allocation. 10567
The remaining funding shall be distributed among those 10568
institutions that meet or exceed their targets. 10569

OHIO AEROSPACE INSTITUTE 10570

The foregoing appropriation item 235-527, Ohio Aerospace 10571
Institute, shall be distributed by the Board of Regents under 10572
section 3333.042 of the Revised Code. 10573

ACADEMIC SCHOLARSHIPS 10574

The foregoing appropriation item 235-530, Academic 10575
Scholarships, shall be used to provide academic scholarships to 10576
students under section 3333.22 of the Revised Code. 10577

STUDENT CHOICE GRANTS 10578

The foregoing appropriation item 235-531, Student Choice 10579
Grants, shall be used to support the Student Choice Grant Program 10580
created by section 3333.27 of the Revised Code. The unencumbered 10581
balance of appropriation item 235-531, Student Choice Grants, at 10582
the end of fiscal year 2004 shall be transferred to fiscal year 10583
2005 for use under the same appropriation item to maintain grant 10584
award amounts in fiscal year 2005 equal to the awards provided in 10585
fiscal year 2004. The amounts transferred are hereby appropriated. 10586

STUDENT WORKFORCE DEVELOPMENT GRANTS 10587

The foregoing appropriation item 235-534, Student Workforce 10588
Development Grants, shall be used to support the Student Workforce 10589
Development Grant Program. Of the appropriated funds available, 10590
the Board of Regents shall distribute grants to each eligible 10591
student in an academic year. The size of each grant award shall be 10592

determined by the Board of Regents based on the amount of funds 10593
available for the program. 10594

OHIO AGRICULTURAL RESEARCH AND DEVELOPMENT CENTER 10595

The foregoing appropriation item 235-535, Ohio Agricultural 10596
Research and Development Center, shall be disbursed through the 10597
Board of Regents to The Ohio State University in monthly payments, 10598
unless otherwise determined by the Director of Budget and 10599
Management pursuant to section 126.09 of the Revised Code. The 10600
Ohio Agricultural Research and Development Center shall not be 10601
required to remit payment to The Ohio State University during the 10602
2003-2005 biennium for cost reallocation assessments. The cost 10603
reallocation assessments include, but are not limited to, any 10604
assessment on state appropriations to the center. The Ohio 10605
Agricultural Research and Development Center, in conjunction with 10606
the Third Frontier Commission, shall provide for an independently 10607
evaluated self-study of research excellence and commercial 10608
relevance in a manner to be prescribed by the Third Frontier 10609
Commission. 10610

Of the foregoing appropriation item 235-535, Ohio 10611
Agricultural Research and Development Center, \$470,164 in fiscal 10612
year 2004 and \$458,410 in fiscal year 2005 shall be used to 10613
purchase equipment. 10614

Of the foregoing appropriation item 235-535, Ohio 10615
Agricultural Research and Development Center, \$827,141 in fiscal 10616
year 2004 and \$806,463 in fiscal year 2005 shall be distributed to 10617
the Piketon Agricultural Research and Extension Center. 10618

Of the foregoing appropriation item 235-535, Ohio 10619
Agricultural Research and Development Center, \$217,669 in fiscal 10620
year 2004 and \$212,227 in fiscal year 2005 shall be distributed to 10621
the Raspberry/Strawberry-Ellagic Acid Research program at ~~the~~ The 10622
Ohio State University Medical College in cooperation with ~~the~~ The 10623

Ohio State University College of Agriculture. 10624

Of the foregoing appropriation item 235-535, Ohio 10625
Agricultural Research and Development Center, \$43,534 in fiscal 10626
year 2004 and \$42,445 in fiscal year 2005 shall be used to support 10627
the Ohio Berry Administrator. 10628

Of the foregoing appropriation item 235-535, Ohio 10629
Agricultural Research and Development Center, \$87,067 in fiscal 10630
year 2004 and \$84,890 in fiscal year 2005 shall be used for the 10631
development of agricultural crops and products not currently in 10632
widespread production in Ohio, in order to increase the income and 10633
viability of family farmers. 10634

STATE UNIVERSITY CLINICAL TEACHING 10635

The foregoing appropriation items 235-536, The Ohio State 10636
University Clinical Teaching; 235-537, University of Cincinnati 10637
Clinical Teaching; 235-538, Medical College of Ohio at Toledo 10638
Clinical Teaching; 235-539, Wright State University Clinical 10639
Teaching; 235-540, Ohio University Clinical Teaching; and 235-541, 10640
Northeastern Ohio Universities College of Medicine Clinical 10641
Teaching, shall be distributed through the Board of Regents. 10642

Of the foregoing appropriation item 235-539, Wright State 10643
University Clinical Teaching, \$124,644 in each fiscal year of the 10644
biennium shall be for the use of Wright State University's Ellis 10645
Institute for Clinical Teaching Studies to operate the clinical 10646
facility to serve the Greater Dayton area. 10647

SCHOOL OF INTERNATIONAL BUSINESS 10648

Of the foregoing appropriation item 235-547, School of 10649
International Business, \$901,975 in fiscal year 2004 and \$879,426 10650
in fiscal year 2005 shall be used for the continued development 10651
and support of the School of International Business of the state 10652
universities of northeast Ohio. The money shall go to the 10653
University of Akron. These funds shall be used by the university 10654

to establish a School of International Business located at the 10655
University of Akron. It may confer with Kent State University, 10656
Youngstown State University, and Cleveland State University as to 10657
the curriculum and other matters regarding the school. 10658

Of the foregoing appropriation item 235-547, School of 10659
International Business, \$181,318 in fiscal year 2004 and \$176,785 10660
in fiscal year 2005 shall be used by the University of Toledo 10661
College of Business for expansion of its international business 10662
programs. 10663

Of the foregoing appropriation item 235-547, School of 10664
International Business, \$181,318 in fiscal year 2004 and \$176,785 10665
in fiscal year 2005 shall be used to support ~~the~~ The Ohio State 10666
University BioMEMS program. 10667

PART-TIME STUDENT INSTRUCTIONAL GRANTS 10668

The foregoing appropriation item 235-549, Part-time Student 10669
Instructional Grants, shall be used to support a grant program for 10670
part-time undergraduate students who are Ohio residents and who 10671
are enrolled in degree granting programs. 10672

Eligibility for participation in the program shall include 10673
degree granting educational institutions that hold a certificate 10674
of registration from the State Board of Career Colleges and 10675
Schools, and nonprofit institutions that have a certificate of 10676
authorization issued pursuant to Chapter 1713. of the Revised 10677
Code, as well as state-assisted colleges and universities. Grants 10678
shall be given to students on the basis of need, as determined by 10679
the college, which, in making these determinations, shall give 10680
special consideration to single-parent heads-of-household and 10681
displaced homemakers who enroll in an educational degree program 10682
that prepares the individual for a career. In determining need, 10683
the college also shall consider the availability of educational 10684
assistance from a student's employer. It is the intent of the 10685

General Assembly that these grants not supplant such assistance. 10686

Sec. 89.11. OHIO RESOURCE CENTER FOR MATHEMATICS, SCIENCE, 10687
AND READING 10688

The foregoing appropriation item 235-588, Ohio Resource 10689
Center for Mathematics, Science, and Reading, shall be used to 10690
support a resource center for mathematics, science, and reading to 10691
be located at a state-assisted university for the purpose of 10692
identifying best educational practices in primary and secondary 10693
schools and establishing methods for communicating them to 10694
colleges of education and school districts. The Ohio Resource 10695
Center for Mathematics, Science, and Reading shall not make 10696
available resources that are inconsistent with the K-12 science 10697
standards and policies as adopted by the State Board of Education. 10698

INTERNATIONAL CENTER FOR WATER RESOURCES DEVELOPMENT 10699

The foregoing appropriation item 235-595, International 10700
Center for Water Resources Development, shall be used to support 10701
the International Center for Water Resources Development at 10702
Central State University. The center shall develop methods to 10703
improve the management of water resources for Ohio and for 10704
emerging nations. 10705

HAZARDOUS MATERIALS PROGRAM 10706

The foregoing appropriation item 235-596, Hazardous Materials 10707
Program, shall be disbursed to Cleveland State University for the 10708
operation of a program to certify firefighters for the handling of 10709
hazardous materials. Training shall be available to all Ohio 10710
firefighters. 10711

Of the foregoing appropriation item 235-596, Hazardous 10712
Materials Program, \$130,601 in fiscal year 2004 and \$127,337 in 10713
fiscal year 2005 shall be used to support the Center for the 10714
Interdisciplinary Study of Education and Leadership in Public 10715

Service at Cleveland State University. These funds shall be 10716
distributed by the Board of Regents and shall be used by the 10717
center targeted toward increasing the role of special populations 10718
in public service and not-for-profit organizations. The primary 10719
purpose of the center is to study issues in public service and to 10720
guide strategies for attracting new communities into public 10721
service occupations by bringing together a cadre of researchers, 10722
scholars, and professionals representing the public 10723
administration, social behavioral, and education disciplines. 10724

NATIONAL GUARD SCHOLARSHIP PROGRAM 10725

The foregoing appropriation item 235-599, National Guard 10726
Scholarship Program, shall be used to fund program costs, 10727
including summer session, under division (D)(1) of section 5919.34 10728
of the Revised Code. The Board of Regents shall disburse funds 10729
from appropriation item 235-599, National Guard Scholarship 10730
Program, at the direction of the Adjutant General. The 10731
unencumbered and unused balance of appropriation item 235-599, 10732
National Guard Scholarship Program, at the end of fiscal year 2004 10733
is transferred to fiscal year 2005 for use under the same 10734
appropriation item. 10735

* PLEDGE OF FEES 10736

Any new pledge of fees, or new agreement for adjustment of 10737
fees, made in the 2003-2005 biennium to secure bonds or notes of a 10738
state-assisted institution of higher education for a project for 10739
which bonds or notes were not outstanding on ~~the effective date of~~ 10740
~~this section~~ September 26, 2003, shall be effective only after 10741
approval by the Board of Regents, unless approved in a previous 10742
biennium. 10743

HIGHER EDUCATION GENERAL OBLIGATION DEBT SERVICE 10744

The foregoing appropriation item 235-909, Higher Education 10745
General Obligation Debt Service, shall be used to pay all debt 10746

service and related financing costs at the times they are required 10747
to be made pursuant to sections 151.01 and 151.04 of the Revised 10748
Code during the period from July 1, 2003, to June 30, 2005. The 10749
Office of the Sinking Fund or the Director of Budget and 10750
Management shall effectuate the required payments by an intrastate 10751
transfer voucher. 10752

Sec. 145. FEDERAL JOBS AND GROWTH TAX RELIEF RECONCILIATION 10753
ACT OF 2003 10754

(A) The enhanced federal medical assistance percentage (FMAP) 10755
rate is authorized pursuant to the Federal Jobs and Growth Relief 10756
Reconciliation Act of 2003 for the third and fourth calendar 10757
quarters of federal fiscal year 2003 and the first, second, and 10758
third calendar quarters of federal fiscal year 2004. During this 10759
period, the reimbursement rate for all Medicaid service 10760
expenditures paid by state or local entities shall be the 10761
non-enhanced rate. 10762

(B) During the quarters that the enhanced FMAP rate is 10763
authorized pursuant to the Federal Jobs and Growth Relief 10764
Reconciliation Act of 2003, when drawing FMAP to the state 10765
treasury for Medicaid services paid by the Department of Job and 10766
Family Services or other state or local entities, the Department 10767
of Job and Family Services shall deposit the amount of federal 10768
revenue attributable to the enhanced FMAP that is being made 10769
available to the Federal Fiscal Relief Fund, which is hereby 10770
created in the state treasury. The disposition of cash from this 10771
fund shall occur as follows: 10772

(1) On a schedule to be determined by the Office of Budget 10773
and Management, the Director of Budget and Management shall make 10774
cash transfers to the Medicaid Reserve Fund, which is hereby 10775
created in the state treasury. The total amount transferred shall 10776
be up to \$18,611,156 in state fiscal year 2004 and up to 10777

\$90,851,972 in state fiscal year 2005. The Director of Job and 10778
Family Services shall make requests to the Director of Budget and 10779
Management as necessary to increase the appropriation in 10780
appropriation item 600-525, Health Care/Medicaid. The Director of 10781
Budget and Management shall transfer the state share of such 10782
amounts from the Medicaid Reserve Fund to the General Revenue 10783
Fund. The transferred amount plus the federal share associated 10784
with this amount is hereby appropriated. The Department of Job and 10785
Family Services shall use this appropriation authority to pay 10786
claims for Medicaid services. 10787

(2) ~~After the amounts in division (B)(1) of this section have~~ 10788
~~been transferred,~~ The Director of Budget and Management shall 10789
determine the amount of enhanced reimbursement that is 10790
attributable to Medicaid expenditures for which the state share 10791
was paid by one of the following entities: county boards of mental 10792
retardation and developmental disabilities; boards of mental 10793
health; boards of alcohol, drug addiction, and mental health 10794
services; boards of alcohol and drug addiction services; and any 10795
other entity that qualifies under the Federal Jobs and Growth Tax 10796
Relief Reconciliation Act of 2003. On a schedule to be determined 10797
by the Office of Budget and Management, the Director of Budget and 10798
Management shall make cash transfers of these amounts from the 10799
Federal Fiscal Relief Fund to the Interagency Reimbursement Fund. 10800
The appropriation in appropriation item 600-655, Interagency 10801
Reimbursement, is hereby increased by these amounts in order to 10802
transfer the enhanced reimbursement to other agencies. If 10803
necessary, the Office of Budget and Management shall seek 10804
Controlling Board approval to increase appropriations in federal 10805
appropriation items used by the Department of Mental Retardation 10806
and Developmental Disabilities, the Department of Mental Health, 10807
and the Department of Alcohol and Drug Addiction Services in order 10808
for these departments to pass the enhanced federal share to the 10809
aforementioned local entities. The Department of Mental 10810

Retardation and Developmental Disabilities, the Department of 10811
Mental Health, and the Department of Alcohol and Drug Addiction 10812
Services shall distribute such amounts to the boards or entities 10813
as listed in this section based on the direction of the Office of 10814
Budget and Management. 10815

(3) On a schedule to be determined by the Office of Budget 10816
and Management, the Director of Budget and Management shall may 10817
transfer the remainder of cash not required by division (B)(1) or 10818
(B)(2) of this section in the Federal Fiscal Relief Fund to the 10819
General Revenue Fund on a schedule to be determined by the Office 10820
of Budget and Management. 10821

Section 65. That existing Sections 8.04, 12, 41.06, 41.13, 10822
55, 59, 59.29, 66, 89, 89.04, 89.05, 89.08, 89.11, and 145 of Am. 10823
Sub. H.B. 95 of the 125th General Assembly are hereby repealed. 10824

Section 66. (A) Except as otherwise provided in division (B) 10825
of this section, the amendment by this act of sections of Am. Sub. 10826
H.B. 95 of the 125th General Assembly, and the items of which the 10827
amendments are composed, are not subject to the referendum. 10828
Therefore, under Ohio Constitution, Article II, Section 1d and 10829
section 1.471 of the Revised Code, the amendments of those 10830
sections, and the items of which the amendments are composed, go 10831
into immediate effect when this act becomes law. 10832

(B) The amendment by this act of Section 12 of Am. Sub. H.B. 10833
95 of the 125th General Assembly, and the items of which the 10834
amendment is composed, are subject to the referendum. Therefore, 10835
under Ohio Constitution, Article II, Section 1c and section 1.471 10836
of the Revised Code, the amendment, and the items of which the 10837
amendment is composed, take effect on the ninety-first day after 10838
this act is filed with the Secretary of State. However, if a 10839
referendum petition is filed against the amendment, or an item of 10840

which it is composed, the amendment, or item, unless rejected at 10841
the referendum, takes effect at the earliest time permitted by 10842
law. 10843

Section 67. Notwithstanding section 3302.03 of the Revised 10844
Code, no school district shall receive a performance rating, as 10845
designated pursuant to division (B) of that section, for the 10846
2003-2004 school year that is lower than the performance rating 10847
the district received for the 2002-2003 school year if both of the 10848
following apply to the district: 10849

(A) The district's performance index score for the 2003-2004 10850
school year is higher than its performance index score for the 10851
2002-2003 school year; 10852

(B) The district achieves at least the same number of 10853
performance indicators created by the State Board of Education 10854
under section 3302.02 of the Revised Code for the 2003-2004 school 10855
year that it achieved for the 2002-2003 school year from among 10856
those indicators based on student performance on the fourth and 10857
sixth grade proficiency tests and on the ninth grade proficiency 10858
tests administered to students enrolled in tenth grade. 10859

Section 68. (A) This section shall apply only to a local 10860
school district that ceded part of its territory to one or more 10861
new local school districts created by resolution of an educational 10862
service center pursuant to either former section 3311.26 of the 10863
Revised Code, as it existed prior to September 26, 2003, or the 10864
second to last paragraph of the version of that section in effect 10865
on and after that date. 10866

(B) Notwithstanding division (B) of section 3311.059 of the 10867
Revised Code, as amended by this act, if the board of education of 10868
a local school district to which this section applies adopts a 10869
resolution pursuant to division (A) of that section within two 10870

years after the latest date that a new local school district is created from the district's territory, both of the following apply:

(1) The resolution is not subject to approval by the State Board of Education;

(2) The school district's annexation to the educational service center named in the resolution shall take effect the first day of July following the latest of:

(a) Sixty days after the board of education adopts the resolution;

(b) The date the board of elections certifies the insufficiency of signatures on a referendum petition as provided in division (C) of that section;

(c) The date the board of elections certifies that a majority of the electors voting on the referendum election as provided in division (C) of that section approves the resolution.

(C) This section is not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, this section goes into immediate effect when this act becomes law.

Section 69. 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 and credited to the Arts and Sports Facilities Building Fund (Fund 030) created by section 3383.09 of the Revised Code, as amended by this act, and segregated within the Arts and Sports Facilities Building Fund and used, with any investment earnings on such amounts, to pay costs of Ohio sports facilities.

Any unencumbered and unallotted appropriations set forth in Section 9.01 of H.B. 675 and Section 14 of Am. Sub. H.B. 524 of

the 124th General Assembly that were appropriated out of any money 10901
in the state treasury to the credit of the Sports Facilities 10902
Building Fund are hereby transferred to the Arts and Sports 10903
Facilities Building Fund, subject to the conditions specified in 10904
those sections. Any encumbrances on the Sports Facilities Building 10905
Fund are hereby cancelled and re-established in the Arts and 10906
Sports Facilities Building Fund. 10907

Any heretofore unutilized amounts of separate authorizations 10908
to issue and sell obligations granted to the Ohio Building 10909
Authority by prior acts of the General Assembly pursuant to 10910
Section 2i of Article VIII, Ohio Constitution, and Chapter 152. 10911
and any other applicable provisions of the Revised Code, to pay 10912
costs of capital facilities or improvements for Ohio arts 10913
facilities and for Ohio sports facilities are hereby combined into 10914
a common authorization. The Ohio Building Authority is hereby 10915
authorized to issue and sell those obligations, in accordance with 10916
and subject to the applicable limitations in Section 2i of Article 10917
VIII, Ohio Constitution, and Chapter 152. and other applicable 10918
provisions of the Revised Code, to pay the costs of capital 10919
facilities consisting of Ohio arts facilities and Ohio sports 10920
facilities, as defined in section 3383.01 of the Revised Code. 10921

Section 70. Not later than June 30, 2005, the Director of 10922
Mental Health shall revise rule 5122-29-06 of the Administrative 10923
Code regarding the certification standards for the 10924
partial-hospitalization community mental health service. As part 10925
of the revision, the Director shall address client eligibility 10926
criteria. 10927

Section 71. JOB AND FAMILY SERVICES - CHILDREN AND FAMILY 10928
SUBSIDY 10929

In fiscal year 2004, appropriation item 600-523, Children and 10930

Family Subsidy, shall be increased by \$4,524,074 to pay for foster 10931
care training that occurred in a prior fiscal year. This amount is 10932
hereby appropriated. 10933

This section is not subject to the referendum. Therefore, 10934
under Ohio Constitution, Article II, Section 1d and section 1.471 10935
of the Revised Code, this section goes into immediate effect when 10936
this act becomes law. 10937

Section 72. ADJ ADJUTANT GENERAL - OUTER TACTICAL VESTS WITH 10938
CERAMIC INSERTS 10939

In fiscal years 2004 and 2005, if the Adjutant General 10940
determines that state funding is needed to purchase outer tactical 10941
vests with ceramic inserts for any member of the Ohio National 10942
Guard who is sent into "Operation Iraqi Freedom," "Operation 10943
Enduring Freedom," or any other combat zone, the Adjutant General, 10944
in consultation with the Director of Budget and Management, may 10945
seek approval of the Controlling Board for such funding from funds 10946
appropriated to General Revenue Fund appropriation item 911-401, 10947
Emergency Purposes/Contingencies, of the Controlling Board. 10948

As used in this section, "Operation Iraqi Freedom" means the 10949
period of conflict that began March 20, 2003, and ends on a date 10950
declared by the President of the United States or the Congress. 10951

As used in this section, "Operation Enduring Freedom" means 10952
the period of conflict that began October 7, 2001, and ends on a 10953
date declared by the President of the United States or the 10954
Congress. 10955

As used in this section, "combat zone" means an area that the 10956
President of the United States by executive order designates, for 10957
purposes of 26 U.S.C. 112, as an area in which armed forces of the 10958
United States are or have engaged in combat. 10959

Section 73. The amendment by this act of section 6301.03 of 10960

the Revised Code applies on and after July 1, 2004. Local areas 10961
and sub-recipients of a local area may continue to use the public 10962
assistance fund to facilitate close out of workforce development 10963
activities conducted pursuant to the "Workforce Investment Act of 10964
1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended, or Chapter 10965
6301. of the Revised Code that occurred prior to July 1, 2004. 10966

Section 74. Except as otherwise specifically provided in this 10967
act, the codified and uncodified sections of law amended or 10968
enacted by this act, and the items of law of which the codified 10969
and uncodified sections of law amended or enacted by this act are 10970
composed, are subject to the referendum. Therefore, under section 10971
1c of Article II, Ohio Constitution and section 1.471 of the 10972
Revised Code, the codified and uncodified sections of law amended 10973
or enacted by this act, and the items of law of which the codified 10974
and uncodified sections amended or enacted by this act are 10975
composed, take effect on the ninety-first day after this act is 10976
filed with the Secretary of State. If, however, a referendum 10977
petition is filed against any such codified or uncodified section 10978
of law as amended or enacted by this act, or against any item of 10979
law of which any such codified or uncodified section of law as 10980
amended or enacted by this act is composed, the codified or 10981
uncodified section of law as amended or enacted, or item of law, 10982
unless rejected at the referendum, takes effect at the earliest 10983
time permitted by law. 10984

Section 75. The repeal by this act of sections 152.101 and 10985
901.85 of the Revised Code is subject to the referendum. 10986
Therefore, under Ohio Constitution, Article II, Section 1c and 10987
section 1.471 of the Revised Code, the repeals take effect on the 10988
ninety-first day after this act is filed with the Secretary of 10989
State. However, if a referendum petition is filed against either 10990
of the repeals, the repeal, unless rejected at the referendum, 10991

takes effect at the earliest time permitted by law. 10992

Section 76. The amendment by this act of sections 124.15, 10993
124.152, 124.181, 124.183, 124.382, 126.32, 175.21, 3311.059, 10994
4701.03, and 5111.022 of the Revised Code, and the items of which 10995
the amendments are composed, are not subject to the referendum. 10996
Therefore, under Ohio Constitution, Article II, Section 1d and 10997
section 1.471 of the Revised Code, the amendment by this act of 10998
those sections, and the items of which the amendments are 10999
composed, go into immediate effect when this act becomes law. 11000

Section 77. If any item of law that constitutes the whole or 11001
part of a codified or uncodified section of law contained in this 11002
act, or if any application of any item of law that constitutes the 11003
whole or part of a codified or uncodified section of law contained 11004
in this act, is held invalid, the invalidity does not affect other 11005
items of law or applications of items of law that can be given 11006
effect without the invalid item of law or application. To this 11007
end, the items of law of which the codified and uncodified 11008
sections of law contained in this act are composed, and their 11009
applications, are independent and severable. 11010