

AN ACT

To amend sections 103.21, 124.15, 126.06, 126.32, 127.14, 166.03, 169.02, 329.07, 1547.72, 3109.401, 3313.483, 3313.487, 3313.489, 3314.08, 3317.02, 3317.022, 3317.0212, 3317.0216, 3317.11, 3317.16, 3318.01, 3318.011, 3318.36, 3332.05, 3332.06, 3333.29, 3734.281, 4506.01, 4766.05, 4911.18, 5101.325, 5101.35, 5107.05, 5107.161, 5107.162, 5111.23, 5117.071, 5528.30, 5705.34, 5727.84, and 5727.85 and to repeal section 5528.41 of the Revised Code and to amend Section 3 of Am. Sub. H.B. 440 of the 121st General Assembly, as most recently amended by Am. Sub. H.B. 283 of the 123rd General Assembly; to amend Section 18 of Am. Sub. H.B. 650 of the 122nd General Assembly, as subsequently amended; to amend Sections 5.05 and 7 of Am. Sub. H.B. 163 of the 123rd General Assembly; to amend Sections 4, 4.01, 4.07, 4.10, 4.13, 7.01, 11, and 17 of Am. Sub. H.B. 282 of the 123rd General Assembly; to contingently amend Section 10 of Am. Sub. S.B. 153 of the 123rd General Assembly; and to amend Sections 15, 21, 24, 28, 29, 37, 37.04, 37.12, 37.14, 55.07, 64, 69.02, 72, 90, 96, 96.03, 98, 98.02, and 101 of Am. Sub. H.B. 283 of the 123rd General Assembly to correct, clarify, supplement, and modify certain budget-related and other authorizations and conditions established for the operation and administration of state programs, to make supplemental appropriations for the biennium ending June 30, 2001, to make capital appropriations to the Public Works Commission for the biennium ending June

30, 2002, and to make capital reappropriations for the biennium ending June 30, 2002.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 103.21, 124.15, 126.06, 126.32, 127.14, 166.03, 169.02, 329.07, 1547.72, 3109.401, 3313.483, 3313.487, 3313.489, 3314.08, 3317.02, 3317.022, 3317.0212, 3317.0216, 3317.11, 3317.16, 3318.01, 3318.011, 3318.36, 3332.05, 3332.06, 3333.29, 3734.281, 4506.01, 4766.05, 4911.18, 5101.325, 5101.35, 5107.05, 5107.161, 5107.162, 5111.23, 5117.071, 5528.30, 5705.34, 5727.84, and 5727.85 of the Revised Code be amended to read as follows:

Sec. 103.21. (A) The compensation of the director and all officers and employees of the Ohio legislative service commission, the expenses of the commission, and the expenses of the director and the employees of the commission shall be paid out of appropriations made for that purpose upon vouchers approved by the director and the chairperson of the commission.

(B) The director of budget and management, upon the request of the director of the legislative service commission and with the approval of the chairperson and vice-chairperson of the commission, shall make transfers ~~between any appropriations made to~~ of all or part of an appropriation within the commission or from one fiscal year to another.

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:

Schedule B

Pay Ranges and Step Values				
Range	Step 1	Step 2	Step 3	Step 4
23 Hourly	5.72	5.91	6.10	6.31
Annually	11897.60	12292.80	12688.00	13124.80
	Step 5	Step 6		
Hourly	6.52	6.75		
Annually	13561.60	14040.00		
	Step 1	Step 2	Step 3	Step 4
24 Hourly	6.00	6.20	6.41	6.63
Annually	12480.00	12896.00	13332.80	13790.40
	Step 5	Step 6		
Hourly	6.67	7.10		
	<u>6.87</u>			

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Annually	14289.60	14768.00	
	Step 1	Step 2	Step 3
25 Hourly	6.31	6.52	6.75
Annually	13124.80	13561.60	14040.00
	Step 5	Step 6	
Hourly	7.23	7.41	
Annually	15038.40	15412.80	
	Step 1	Step 2	Step 3
26 Hourly	6.63	6.87	7.10
Annually	13790.40	14289.60	14768.00
	Step 5	Step 6	
Hourly	7.53	7.77	
Annually	15662.40	16161.60	
	Step 1	Step 2	Step 3
27 Hourly	6.99	7.23	7.41
Annually	14534.20	15038.40	15412.80
	Step 5	Step 6	Step 7
Hourly	7.88	8.15	8.46
Annually	16390.40	16952.00	17596.80
	Step 1	Step 2	Step 3
28 Hourly	7.41	7.64	7.88
Annually	15412.80	15891.20	16390.40
	Step 5	Step 6	Step 7
Hourly	8.46	8.79	9.15
Annually	17596.80	18283.20	19032.00
	Step 1	Step 2	Step 3
29 Hourly	7.88	8.15	8.46
Annually	16390.40	16952.00	17596.80
	Step 5	Step 6	Step 7
Hourly	9.15	9.58	10.01
Annually	19032.00	19926.40	20820.80
	Step 1	Step 2	Step 3
30 Hourly	8.46	8.79	9.15
Annually	17596.80	18283.20	19032.00
	Step 5	Step 6	Step 7
Hourly	10.01	10.46	10.99
Annually	20820.80	21756.80	22859.20
	Step 1	Step 2	Step 3
31 Hourly	9.15	9.58	10.01
Annually	19032.00	19962.40	20820.80
			Step 4
			21756.80

	Step 5	Step 6	Step 7	
Hourly	10.99	11.52	12.09	
Annually	22859.20	22961.60	25147.20	
		<u>23961.60</u>		
	Step 1	Step 2	Step 3	Step 4
32 Hourly	10.01	10.46	10.99	11.52
Annually	20820.80	21756.80	22859.20	23961.60
	Step 5	Step 6	Step 7	Step 8
Hourly	12.09	12.68	13.29	13.94
Annually	25147.20	26374.40	27643.20	28995.20
	Step 1	Step 2	Step 3	Step 4
33 Hourly	10.99	11.52	12.09	12.68
Annually	22859.20	23961.60	25147.20	26374.40
	Step 5	Step 6	Step 7	Step 8
Hourly	13.29	13.94	14.63	15.35
Annually	27643.20	28995.20	30430.40	31928.00
	Step 1	Step 2	Step 3	Step 4
34 Hourly	12.09	12.68	13.29	13.94
Annually	25147.20	26374.40	27643.20	28995.20
	Step 5	Step 6	Step 7	Step 8
Hourly	14.63	15.35	16.11	16.91
Annually	30430.40	31928.00	33508.80	35172.80
	Step 1	Step 2	Step 3	Step 4
35 Hourly	13.29	13.94	14.63	15.35
Annually	27643.20	28995.20	30430.40	31928.00
	Step 5	Step 6	Step 7	Step 8
Hourly	16.11	16.91	17.73	18.62
Annually	33508.80	35172.80	36878.40	38729.60
	Step 1	Step 2	Step 3	Step 4
36 Hourly	14.63	15.35	16.11	16.91
Annually	30430.40	31928.00	33508.80	35172.80
	Step 5	Step 6	Step 7	Step 8
Hourly	17.73	18.62	19.54	20.51
Annually	36878.40	38729.60	40643.20	42660.80

	Pay Range and Values	
Range	Minimum	Maximum
41 Hourly	10.44	15.72
Annually	21715.20	32697.60
42 Hourly	11.51	17.35

Annually	23940.80	36088.00
43 Hourly	12.68	19.12
Annually	26374.40	39769.60
44 Hourly	13.99	20.87
Annually	29099.20	43409.60
45 Hourly	15.44	22.80
Annually	32115.20	47424.00
46 Hourly	17.10	24.90
	<u>17.01</u>	
Annually	35380.80	51792.00
47 Hourly	18.75	27.18
Annually	39000.00	56534.40
48 Hourly	20.67	29.69
Annually	42993.60	61755.20
49 Hourly	22.80	32.06
Annually	47424.00	66684.80

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

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

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

The director of administrative services may review collective bargaining agreements entered into under Chapter 4117. of the Revised Code that cover state employees and determine whether certain benefits or payments provided to state employees covered by those agreements should also be provided to employees who are exempt from collective bargaining coverage and are paid in accordance with section 124.152 of the Revised Code or are

listed in division (B)(2) or (4) of section 124.14 of the Revised Code. On completing the review, the director of administrative services, with the approval of the director of budget and management, may provide to some or all of these employees any payment or benefit, except for salary, contained in such a collective bargaining agreement even if it is similar to a payment or benefit already provided by law to some or all of these employees. Any payment or benefit so provided shall not exceed the highest level for that payment or benefit specified in such a collective bargaining agreement. The director of administrative services shall not provide, and the director of budget and management shall not approve, any payment or benefit to such an employee under this division unless the payment or benefit is provided pursuant to a collective bargaining agreement to a state employee who is in a position with similar duties as, is supervised by, or is employed by the same appointing authority as, the employee to whom the benefit or payment is to be provided.

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

(E) New employees paid under schedule B of division (A) of this section or under schedule E-1 of section 124.152 of the Revised Code shall be employed at the minimum rate established for the range unless otherwise provided. Employees with qualifications that are beyond the minimum normally required for the position and that are determined by the director to be exceptional may be employed in, or may be transferred or promoted to, a position at an advanced step of the range. Further, in time of a serious labor market condition when it is relatively impossible to recruit employees at the minimum rate for a particular classification the entrance rate may be set at an advanced step in the range by the director of administrative services. This rate may be limited to geographical regions of the state. Appointments made to an advanced step under the provision regarding exceptional qualifications shall not affect the step assignment of employees already serving. However, anytime the hiring rate of an entire classification is advanced to a higher step all incumbents of that classification being paid at a step lower than that being used for hiring, shall be advanced beginning at the start of the first pay period thereafter to the new hiring rate and any time accrued at the lower step will be used to calculate advancement to a succeeding step. If the hiring rate of a classification is increased for only a geographical region of the state, then only incumbents who work in that geographical region shall be

advanced to a higher step. When an employee in the unclassified service changes from one state position to another, or is appointed to a position in the classified service, or if an employee in the classified service is appointed to a position in the unclassified service, the employee's salary or wage in the new position shall be determined in the same manner as if the employee were an employee in the classified service. When an employee in the unclassified service who is not eligible for step increases is appointed to a classification in the classified service under which step increases are provided, future step increases shall be based on the date on which the employee last received a pay increase. Future step increases shall be effective on the pay period that is twenty-six pay periods following the employee's last increase. If the employee has not received an increase during the previous year, the date of the appointment to the classified service shall be used to determine the employee's annual step advancement date. In reassigning any employee to a classification resulting in a pay range increase or to a new pay range as a result of a promotion, an increase pay range adjustment, or other classification change resulting in a pay range increase, the director shall assign such employee to the step in the new pay range that will provide an increase of approximately four per cent if the new pay range can accommodate the increase. When an employee is being assigned to a classification or new pay range as the result of a class plan change, if the employee has completed a probationary period, the employee shall be placed in a step no lower than step two of the new pay range. If the employee has not completed a probationary period, the employee may be placed in step one of the new pay range. Such new salary or wage shall become effective on such date as the director determines.

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

(G) Each state employee paid under schedule B of this section or under schedule E-1 of section 124.152 of the Revised Code shall be advanced to

succeeding steps in the range for the employee's class according to the schedule established in this division. Beginning on the first day of the pay period within which the employee completes the prescribed probationary period in the employee's classification with the state, each employee shall receive an automatic salary adjustment equivalent to the next higher step within the pay range for the employee's class or grade. The base rate of each employee paid under schedule B of this section or under schedule E-1 of section 124.152 of the Revised Code shall advance at annual intervals thereafter, if the employee has maintained satisfactory performance, to the next higher step until the maximum step is reached. When an employee is promoted or reassigned to a higher pay range, the employee's step indicator shall return to "0" or be adjusted to account for a probationary period, as appropriate. Step advancement shall not be affected by demotion. A promoted employee shall advance to the next higher step of the pay range on the first day of the pay period in which the required probationary period is completed. Step advancement shall become effective at the beginning of the pay period within which the employee attains the necessary length of service. Time spent on authorized leave of absence shall be counted for this purpose.

If determined to be in the best interest of the state service, the director of administrative services may, either statewide or in selected agencies, adjust the dates on which annual step increases are received by employees paid under schedule E-1 of section 124.152 of the Revised Code.

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

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

(J) Unless compensation for members of a board or commission is otherwise specifically provided by law, the director of administrative

vices shall establish the rate and method of payment for members of boards and commissions pursuant to the pay schedules listed in section 124.152 of the Revised Code.

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

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

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

(3) Length of service for the purpose of determining eligibility for step increases as provided by division (G) of this section and for the purpose of determining eligibility for longevity pay supplements as provided by division (F) of section 124.181 of the Revised Code shall be computed on the basis of one full year of service for the completion of each academic year.

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

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

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

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

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

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

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

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

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

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

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

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

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

As used in this division, "academic year" means the number of days in each school year that the schools are required to be open for instruction with pupils in attendance. Upon completing an academic year, an employee paid under this division shall be deemed to have completed one year of service. An employee paid under this division is eligible to receive a pay supplement under division (L)(1), (2), or (3) of section 124.181 of the Revised Code for which the employee qualifies, but is not eligible to receive a pay supplement under division (L)(4) or (5) of such section. An employee paid under this division is eligible to receive a pay supplement under division (L)(6) of section 124.181 of the Revised Code for which the employee qualifies, except that the supplement is not limited to a maximum of five per cent of the employee's regular base salary in a calendar year.

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

section.

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

Sec. 126.06. The total operating fund consists of all funds in the state treasury except the auto registration distribution fund, development bond retirement fund, facilities establishment fund, gasoline excise tax fund, higher education improvement fund, highway improvement bond retirement fund, highway obligations bond retirement fund, highway ~~obligations~~ ~~construction~~ capital improvement fund, improvements bond retirement fund, mental health facilities improvement fund, parks and recreation improvement fund, public improvements bond retirement fund, school district income tax fund, state agency facilities improvement fund, state and local government highway distribution fund, state highway safety fund, Vietnam conflict compensation fund, any other fund determined by the director of budget and management to be a bond fund or bond retirement fund, and such portion of the highway operating fund as is determined by the director of budget and management and the director of transportation to be restricted by Section 5a of Article XII, Ohio Constitution.

When determining the availability of money in the total operating fund to pay claims chargeable to a fund contained within the total operating fund, the director of budget and management shall use the same procedures and criteria ~~he~~ the director employs in determining the availability of money in a fund contained within the total operating fund. The director may establish limits on the negative cash balance of the general revenue fund within the total operating fund, but in no case shall the negative cash balance of the general revenue fund exceed ten per cent of the total revenue of the general revenue fund in the preceding fiscal year.

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

(B) If a person is appointed to a position listed in section 121.03 of the Revised Code, to the position of ~~administrator of workers' compensation~~ ~~after August 31, 2000~~, chairperson of the industrial commission, adjutant general, chancellor of the Ohio board of regents, superintendent of public instruction, chairperson of the public utilities commission of Ohio, or director of the state lottery commission, to a position holding a fiduciary

relationship to the governor, to a position of an appointing authority of the department of mental health, mental retardation and developmental disabilities, or rehabilitation and correction, to a position of superintendent in the department of youth services, or to a position under section 122.05 of the Revised Code, and if that appointment requires a permanent change of residence, the appropriate state agency may reimburse the person for the person's actual and necessary expenses, including the cost of in-transit storage of household goods and personal effects, of moving the person and members of the person's immediate family residing in the person's household, and of moving their household goods and personal effects, to the person's new location.

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

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

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

director of budget and management.

Sec. 127.14. The controlling board may, at the request of any state agency or the director of budget and management, authorize, with respect to the provisions of any appropriation act:

(A) Transfers of all or part of an appropriation within but not between state agencies, except such transfers as the director of budget and management is authorized by law to make, provided that no transfer shall be made by the director for the purpose of effecting new or changed levels of program service not authorized by the general assembly;

(B) Transfers of all or part of an appropriation from one fiscal year to another;

(C) Transfers of all or part of an appropriation within or between state agencies made necessary by administrative reorganization or by the abolition of an agency or part of an agency;

(D) Transfers of all or part of cash balances in excess of needs from any fund of the state to the general revenue fund or to such other fund of the state to which the money would have been credited in the absence of the fund from which the transfers are authorized to be made, except that the controlling board may not authorize such transfers from the accrued leave liability fund, auto registration distribution fund, budget stabilization fund, development bond retirement fund, facilities establishment fund, gasoline excise tax fund, general revenue fund, higher education improvement fund, highway improvement bond retirement fund, highway obligations bond retirement fund, ~~highways obligations construction~~ highway capital improvement fund, highway operating fund, horse racing tax fund, improvements bond retirement fund, library and local government support fund, liquor control fund, local government fund, local transportation improvement program fund, mental health facilities improvement fund, Ohio fairs fund, parks and recreation improvement fund, public improvements bond retirement fund, school district income tax fund, state agency facilities improvement fund, state and local government highway distribution fund, state highway safety fund, state lottery fund, undivided liquor permit fund, Vietnam conflict compensation bond retirement fund, volunteer fire fighters' dependents fund, waterways safety fund, wildlife fund, workers' compensation fund, or any fund not specified in this division that the director of budget and management determines to be a bond fund or bond retirement fund;

(E) Transfers of all or part of those appropriations included in the emergency purposes account of the controlling board;

(F) Temporary transfers of all or part of an appropriation or other

moneys into and between existing funds, or new funds, as may be established by law when needed for capital outlays for which notes or bonds will be issued;

(G) Transfer or release of all or part of an appropriation to a state agency requiring controlling board approval of such transfer or release as provided by law;

(H) Temporary transfer of funds included in the emergency purposes appropriation of the controlling board. Such temporary transfers may be made subject to conditions specified by the controlling board at the time temporary transfers are authorized. No transfers shall be made under this division for the purpose of effecting new or changed levels of program service not authorized by the general assembly.

As used in this section, "request" means an application by a state agency or the director of budget and management seeking some action by the controlling board.

When authorizing the transfer of all or part of an appropriation under this section, the controlling board may authorize the transfer to an existing appropriation item and the creation of and transfer to a new appropriation item.

Whenever there is a transfer of all or part of funds included in the emergency purposes appropriation by the controlling board, pursuant to division (E) of this section, the state agency or the director of budget and management receiving such transfer shall keep a detailed record of the use of the transferred funds. At the earliest scheduled meeting of the controlling board following the accomplishment of the purposes specified in the request originally seeking the transfer, or following the total expenditure of the transferred funds for the specified purposes, the state agency or the director of budget and management shall submit a report on the expenditure of such funds to the board. The portion of any appropriation so transferred which is not required to accomplish the purposes designated in the original request to the controlling board shall be returned to the proper appropriation of the controlling board at this time.

Notwithstanding any provisions of law providing for the deposit of revenues received by a state agency to the credit of a particular fund in the state treasury, whenever there is a temporary transfer of funds included in the emergency purposes appropriation of the controlling board pursuant to division (H) of this section, revenues received by any state agency receiving such a temporary transfer of funds shall, as directed by the controlling board, be transferred back to the emergency purposes appropriation.

The board may delegate to the director of budget and management

authority to approve transfers among items of appropriation under division (A) of this section.

Sec. 166.03. (A) There is hereby created the facilities establishment fund within the state treasury, consisting of proceeds from the issuance of obligations as specified under section 166.08 of the Revised Code; the moneys received by the state from the sources specified in section 166.09 of the Revised Code; service charges imposed under sections 166.06 and 166.07 of the Revised Code; any grants, gifts, or contributions of moneys received by the director of development to be used for loans made under section 166.07 of the Revised Code or for the payment of the allowable costs of project facilities; and all other moneys appropriated or transferred to the fund. Moneys in the loan guarantee fund in excess of four per cent of the unpaid principal amount of loan repayments guaranteed under section 166.06 of the Revised Code, but subject to the provisions and requirements of any guarantee contracts, may be transferred to the facilities establishment fund by the treasurer of state upon the order of the director of development. Moneys received by the state under Chapter 122. of the Revised Code, to the extent allocable to the utilization of moneys derived from proceeds of the sale of obligations pursuant to section 166.08 of the Revised Code, shall be credited to the facilities establishment fund.

(B) All moneys appropriated or transferred to the facilities establishment fund may be released at the request of the director of development for payment of allowable costs or the making of loans under this chapter, for transfer to the loan guarantee fund established in section 166.06 of the Revised Code, or for use for the purpose of or transfer to the funds established by sections 122.35, 122.42, 122.54, 122.55, 122.56, 122.561, 122.57, and 122.80; ~~until June 30, 1999, section 122.26;~~ of the Revised Code and, until July 1, 2001, section the funds established by sections 122.26 and 166.031 of the Revised Code, but only for such of those purposes as are within the authorization of Section 13 of Article VIII, Ohio Constitution, in all cases subject to the approval of the controlling board.

(C) The department of development, in the administration of the facilities establishment fund, is encouraged to utilize and promote the utilization of, to the maximum practicable extent, the other existing programs, business incentives, and tax incentives that department is required or authorized to administer or supervise.

Sec. 169.02. Subject to division (B) of section 169.01 of the Revised Code, the following constitute unclaimed funds:

(A) Except as provided in division (R) of this section, any demand, savings, or matured time deposit account, or matured certificate of deposit,

together with any interest or dividend on it, less any lawful claims, that is held or owed by a holder which is a financial organization, unclaimed for a period of five years;

(B) Any funds paid toward the purchase of withdrawable shares or other interest in a financial organization, and any interest or dividends on them, less any lawful claims, that is held or owed by a holder which is a financial organization, unclaimed for a period of five years;

(C) Except as provided in division (A) of section 3903.45 of the Revised Code, moneys held or owed by a holder, including a fraternal association, providing life insurance, including annuity or endowment coverage, unclaimed for three years after becoming payable as established from the records of such holder under any life or endowment insurance policy or annuity contract that has matured or terminated. An insurance policy, the proceeds of which are payable on the death of the insured, not matured by proof of death of the insured is deemed matured and the proceeds payable if such policy was in force when the insured attained the limiting age under the mortality table on which the reserve is based.

Moneys otherwise payable according to the records of such holder are deemed payable although the policy or contract has not been surrendered as required.

(D) Any deposit made to secure payment or any sum paid in advance for utility services of a public utility and any amount refundable from rates or charges collected by a public utility for utility services held or owed by a holder, less any lawful claims, that has remained unclaimed for one year after the termination of the services for which the deposit or advance payment was made or one year from the date the refund was payable, whichever is earlier;

(E) Except as provided in division (R) of this section, any certificates, securities as defined in section 1707.01 of the Revised Code, nonwithdrawable shares, other instruments evidencing ownership, or rights to them or funds paid toward the purchase of them, or any dividend, capital credit, profit, distribution, interest, or payment on principal or other sum, held or owed by a holder, including funds deposited with a fiscal agent or fiduciary for payment of them, and instruments representing an ownership interest, unclaimed for five years. Any underlying share or other intangible instrument representing an ownership interest in a business association, in which the issuer has recorded on its books the issuance of the share but has been unable to deliver the certificate to the shareholder, constitutes unclaimed funds if such underlying share is unclaimed for five years. In addition, an underlying share constitutes unclaimed funds if a dividend,

tribution, or other sum payable as a result of the underlying share has remained unclaimed by the owner for five years.

This division shall not prejudice the rights of fiscal agents or fiduciaries for payment to return the items described in this division to their principals, according to the terms of an agency or fiduciary agreement, but such a return shall constitute the principal as the holder of the items and shall not interrupt the period for computing the time for which the items have remained unclaimed.

In the case of any such funds accruing and held or owed by a corporation under division (E) of section 1701.24 of the Revised Code, such corporation shall comply with this chapter, subject to the limitation contained in section 1701.34 of the Revised Code. The period of time for which such funds have gone unclaimed specified in section 1701.34 of the Revised Code shall be computed, with respect to dividends or distributions, commencing as of the dates when such dividends or distributions would have been payable to the shareholder had such shareholder surrendered the certificates for cancellation and exchange by the date specified in the order relating to them.

Capital credits of a cooperative which after January 1, 1972, have been allocated to members and which by agreement are expressly required to be paid if claimed after death of the owner are deemed payable, for the purpose of this chapter, fifteen years after either the termination of service by the cooperative to the owner or upon the nonactivity as provided in division (B) of section 169.01 of the Revised Code, whichever occurs later, provided that this provision does not apply if the payment is not mandatory.

(F) Any sum payable on certified checks or other written instruments certified or issued and representing funds held or owed by a holder, less any lawful claims, that are unclaimed for five years, ~~and traveler's checks that are unclaimed for fifteen years~~ from the date payable; or from the date of issuance if payable on demand; except that the unclaimed period for money orders that are not third party bank checks is seven years, and the unclaimed period for traveler's checks is fifteen years, from the date payable or from the date of issuance if payable on demand.

As used in this division, "written instruments" include, but are not limited to, certified checks, cashier's checks, bills of exchange, letters of credit, drafts, money orders, and traveler's checks.

If there is no address of record for the owner or other person entitled to the funds, such address is presumed to be the address where the instrument was certified or issued.

(G) Except as provided in division (R) of this section, all moneys, rights

to moneys, or other intangible property, arising out of the business of engaging in the purchase or sale of securities, or otherwise dealing in intangibles, less any lawful claims, that are held or owed by a holder and are unclaimed for five years from the date of transaction.

(H) Except as provided in division (A) of section 3903.45 of the Revised Code, all moneys, rights to moneys, and other intangible property distributable in the course of dissolution or liquidation of a holder that are unclaimed for one year after the date set by the holder for distribution;

(I) All moneys, rights to moneys, or other intangible property removed from a safe-deposit box or other safekeeping repository located in this state or removed from a safe-deposit box or other safekeeping repository of a holder, on which the lease or rental period has expired, or any amount arising from the sale of such property, less any lawful claims, that are unclaimed for three years from the date on which the lease or rental period expired;

(J) Subject to division (M)(2) of this section, all moneys, rights to moneys, or other intangible property, and any income or increment on them, held or owed by a holder which is a fiduciary for the benefit of another, or a fiduciary or custodian of a qualified retirement plan or individual retirement arrangement under section 401 or 408 of the Internal Revenue Code, unclaimed for three years after the final date for distribution;

(K) All moneys, rights to moneys, or other intangible property held or owed in this state or held for or owed to an owner whose last known address is within this state, by the United States government or any state, as those terms are described in division (E) of section 169.01 of the Revised Code, unclaimed by the owner for three years, excluding any property in the control of any court in a proceeding in which a final adjudication has not been made;

(L) Amounts payable pursuant to the terms of any policy of insurance, other than life insurance, or any refund available under such a policy, held or owed by any holder, unclaimed for three years from the date payable or distributable;

(M)(1) Subject to division (M)(2) of this section, any funds constituting rents or lease payments due, any deposit made to secure payment of rents or leases, or any sum paid in advance for rents, leases, possible damage to property, unused services, performance requirements, or any other purpose, held or owed by a holder unclaimed for one year;

(2) Any escrow funds, security deposits, or other moneys that are received by a licensed broker in a fiduciary capacity and that, pursuant to division (A)(26) of section 4735.18 of the Revised Code, are required to be

deposited into and maintained in a special or trust, noninterest-bearing bank account separate and distinct from any personal or other account of the licensed broker, held or owed by the licensed broker unclaimed for two years.

(N) Any sum payable as wages, salaries, or commissions, any sum payable for services rendered, funds owed or held as royalties, oil and mineral proceeds, funds held for or owed to suppliers, and moneys owed under pension and profit-sharing plans, held or owed by any holder unclaimed for one year from date payable or distributable, and all other credits held or owed by any holder unclaimed for three years from date payable or distributable;

(O) Amounts held in respect of or represented by lay-aways sold after January 1, 1972, less any lawful claims, when such lay-aways are unclaimed for three years after the sale of them;

(P) All moneys, rights to moneys, and other intangible property not otherwise constituted as unclaimed funds by this section, including any income or increment on them, less any lawful claims, which are held or owed by any holder, other than a holder which holds a permit issued pursuant to Chapter 3769. of the Revised Code, and which have remained unclaimed for three years after becoming payable or distributable;

(Q) All moneys that arise out of a sale held pursuant to section 5322.03 of the Revised Code, that are held by a holder for delivery on demand to the appropriate person pursuant to division (I) of that section, and that are unclaimed for two years after the date of the sale.

(R)(1) Any funds that are subject to an agreement between the holder and owner providing for automatic reinvestment and that constitute dividends, distributions, or other sums held or owed by a holder in connection with a security as defined in section 1707.01 of the Revised Code. an ownership interest in an investment company registered under the "Investment Company Act of 1940," 54 Stat. 789, 15 U.S.C. 80a-1, as amended, or a certificate of deposit, unclaimed for a period of five years.

(2) The five-year period under division (R)(1) of this section commences from the date a second shareholder notification or communication mailing to the owner of the funds is returned to the holder as undeliverable by the United States postal service or other carrier. The notification or communication mailing by the holder shall be no less frequent than quarterly.

All moneys in a personal allowance account, as defined by rules adopted by the director of job and family services, up to and including the maximum resource limitation, of a medicaid patient who has died after

receiving care in a long-term care facility, and for whom there is no identifiable heir or sponsor, are not subject to this chapter.

Sec. 329.07. As used in this section, "Ohio works first" and, "Title IV-A" have the same meanings as in section 5107.02 of the Revised Code.

Each county department of job and family services shall have at least one Ohio works first ombudsperson. A county department may provide for an Ohio works first participant who resides in the county the county department serves and is qualified to perform the duties of an ombudsperson to be an ombudsperson. If no Ohio works first participant residing in the county the county department serves is qualified to perform the duties of an ombudsperson, the county department shall provide for one or more employees of the county department to be ombudspersons or contract with a person or government entity for the person or entity to perform the duties of an ombudsperson for the county department. To the extent permitted by federal law, the county department may use funds available under Title IV-A to provide for county department employees or a person or government entity under contract with the county department to perform the duties of an ombudsperson.

An Ohio works first ombudsperson shall help Ohio works first applicants and participants resolve complaints the applicants and participants have about the administration of Ohio works first ~~and help participants contact caseworkers for the purpose of scheduling meetings under section 5107.161 of the Revised Code.~~

The department of job and family services shall maintain a toll-free telephone number an Ohio works first assistance group may call to obtain the telephone number of an Ohio works first ombudsperson.

Sec. 1547.72. (A) The division of watercraft, whenever it considers it in the best interests of the state, and as an aid to lake commerce and navigation or recreational boating, may construct, maintain, repair, and operate refuge harbors and other projects for the harboring, mooring, docking, launching, and storing of light draft vessels, and marine recreational facilities. Subject to section 1547.77 of the Revised Code, those harbors, projects, and facilities may be constructed on waters in this state. If a refuge harbor lies between the shoreline and a harbor line established by the United States government so as to interfere with the wharfing out by a littoral owner to navigable waters, the littoral owner shall consent thereto in writing before the location and construction thereof.

The division may lease any space in those refuge harbors or other projects for the harboring, mooring, docking, launching, and storing of light draft vessels. The rental therefor shall be determined by the division.

(B) The division, with the approval of the director of natural resources, may expend for the acquisition of any rights in land; for the construction, maintenance, repair, and operation of refuge harbors and other projects for the harboring, mooring, docking, launching, and storing of light draft vessels, and marine recreational facilities on waters in this state; for planning, studies, surveys, and engineering therefor; or for the improvement of harbors, channels, and waterways to foster vessel safety, funds appropriated by the general assembly for those purposes and, in addition, moneys accruing to the waterways safety fund established in section 1547.75 of the Revised Code.

(C) The division, with the approval of the director, may distribute moneys for the purpose of administering federal assistance ~~under the Clean Vessel Act of 1992, 106 Stat. 5086, 33 U.S.C. 1322 note,~~ to public and private entities ~~for the construction, renovation, operation, and maintenance of pumpout stations and waste reception facilities and for any other purpose provided under that act~~ in accordance with guidelines established under each federal grant program. Public and private entities that receive moneys under this division may charge fees at the facilities in accordance with the applicable federal ~~guidelines established under the Clean Vessel Act of 1992.~~

Sec. 3109.401. (A) The general assembly finds the following:

(1) That the parent and child relationship is of fundamental importance to the welfare of a child, and that the relationship between a child and each parent should be fostered unless inconsistent with the child's best interests;

(2) That parents have the responsibility to make decisions and perform other parenting functions necessary for the care and growth of their children;

(3) That the courts, when allocating parenting functions and responsibilities with respect to the child in a divorce, dissolution, legal separation, annulment, or any other proceeding addressing the allocation of parental rights and responsibilities, must determine the child's best interests;

(4) That the courts and parents must take into consideration the following general principles when allocating parental rights and responsibilities and developing appropriate terms for parenting plans:

(a) Children are served by a parenting arrangement that best provides for a child's safety, emotional growth, health, stability, and physical care.

(b) Exposure of the child to harmful parental conflict should be minimized as much as possible.

(c) Whenever appropriate, parents should be encouraged to meet their responsibilities to their children through agreements rather than by relying on judicial intervention.

(d) When a parenting plan provides for mutual decision-making responsibility by the parents but they are unable to make decisions mutually, they should make a good faith effort to utilize the mediation process as required by the parenting plan.

(e) In apportioning between the parents the daily physical living arrangements of the child and the child's location during legal and school holidays, vacations, and days of special importance, a court should not impose any type of standard schedule unless a standard schedule meets the needs of the child better than any proposed alternative parenting plan.

(B) It is, therefore, the purpose of Chapter 3109. of the Revised Code, when it is in the child's best interest, to foster the relationship between the child and each parent when a court allocates parental rights and responsibilities with respect to the child in a divorce, dissolution, legal separation, annulment, or any other proceeding addressing the allocation of parental rights and responsibilities.

(C) There is hereby created the task force on family law and children consisting of twenty-four members. The Ohio state bar association shall appoint three members who shall be attorneys with extensive experience in the practice of family law. The Ohio association of domestic relations judges shall appoint three members who shall be domestic relations judges. The Ohio association of juvenile and family court judges shall appoint three members who shall be juvenile or family court judges. The chief justice of the supreme court shall appoint eight members, three of whom shall be persons who practice in the field of family law mediation, two of whom shall be persons who practice in the field of child psychology, one of whom shall be a person who represents parent and child advocacy organizations, one of whom shall be a person who provides parenting education services, and one of whom shall be a magistrate employed by a domestic relations or juvenile court. The speaker of the house of representatives shall appoint two members who shall be members of the house of representatives and who shall be from different political parties. The president of the senate shall appoint two members who shall be members of the senate and who shall be from different political parties. The governor shall appoint two members who shall represent child caring agencies. One member shall be the director of job and family services or the director's designee. The chief justice shall designate one member of the task force to chair the task force.

The appointing authorities and persons shall make appointments to the task force on family law and children within thirty days after ~~the effective date of this section~~ September 1, 1998 Section 101.84 of the Revised Code does not apply to the task force.

(D) The task force on family law and children shall do all of the following:

(1) Appoint and fix the compensation of any technical, professional, and clerical employees and perform any services that are necessary to carry out the powers and duties of the task force on family law and children. All employees of the task force shall serve at the pleasure of the task force.

(2) By ~~December 31, 1999~~ July 1, 2001, submit to the speaker and minority leader of the house of representatives and to the president and the minority leader of the senate a report of its findings and recommendations on how to create a more civilized and constructive process for the parenting of children whose parents do not reside together. The recommendations shall propose a system to do all of the following:

(a) Put children first;

(b) Provide families with choices before they make a decision to obtain or finalize a divorce, dissolution, legal separation, or annulment;

(c) Redirect human services to intervention and prevention, rather than supporting the casualties of the current process;

(d) Avoid needless conflict between the participants;

(e) Encourage problem solving among the participants;

(f) Force the participants to act responsibly;

(g) Shield both the participants and their children from lasting emotional damage.

(3) Gather information on and study the current state of family law in this state;

(4) Collaborate and consult with entities engaged in family and children's issues including, but not limited to, the Ohio association of child caring agencies, the Ohio family court feasibility study, and the Ohio courts futures commission;

(5) Utilize findings and outcomes from pilot projects conducted by the Ohio family court feasibility study to explore alternatives in creating a more civilized and constructive process for the parenting of children whose parents do not reside together with an emphasis on the areas of mediation and obtaining visitation compliance.

(E) Courts of common pleas shall cooperate with the task force on family law and children in the performance of the task force's duties described in division (D) of this section.

Sec. 3313.483. (A) A board of education, upon the adoption of a resolution stating that it may be financially unable to open on the day or to remain open for instruction on all days set forth in its adopted school calendar and pay all obligated expenses, or the superintendent of public

instruction upon the issuance of written notification under division ~~(C)~~(B) of section 3313.489 of the Revised Code, shall request the auditor of state to determine whether such situation exists. The auditor shall deliver a copy of each request from a board of education to the superintendent of public instruction. In the case of a school district not under a fiscal emergency pursuant to Chapter 3316. of the Revised Code the auditor shall not issue a finding under this section until written notification is received from the superintendent pursuant to section 3313.487 of the Revised Code.

(B) If the auditor of state finds that the board of education has attempted to avail itself to the fullest extent authorized by law of all lawful revenue sources available to it except those authorized by section 5705.21 of the Revised Code, the auditor shall certify that finding to the superintendent of public instruction and the state board of education and shall certify the operating deficit the district will have at the end of the fiscal year if it commences or continues operating its instructional program in accordance with its adopted school calendar and pays all obligated expenses.

(C) No board of education may delay the opening of its schools or close its schools for financial reasons. Upon the request of the superintendent of public instruction, the attorney general shall seek injunctive relief and any other relief required to enforce this prohibition in the court of common pleas of Franklin county. The court of common pleas of Franklin county has exclusive original jurisdiction over all such actions.

(D) Upon the receipt of any certification of an operating deficit from the auditor of state, a board of education shall make application to a commercial bank, underwriter, or other prospective lender or purchaser of its obligations for a loan in an amount sufficient to enable the district to open or remain open for instruction on all days set forth in its adopted school calendar but not to exceed the amount of the deficit certified.

(E)(1) Any board of education that has applied for and been denied a loan from a commercial bank, underwriter, or other prospective lender or purchaser of its obligations pursuant to division (D) of this section shall submit to the superintendent of public instruction a plan for implementing reductions in the school district's budget; apply for a loan from a commercial bank, underwriter, or other prospective lender or purchaser of its obligations in an amount not to exceed its certified deficit; and provide the superintendent such information as the superintendent requires concerning its application for such a loan. The board of education of a school district declared to be under a fiscal watch pursuant to division (A) of section 3316.03 of the Revised Code may, upon approval of the superintendent, utilize the financial plan required by section 3316.04 of the

Revised Code, or applicable parts thereof, as the plan required under this division. The board of education of a school district declared to be under a fiscal emergency pursuant to division (B) of section 3316.03 of the Revised Code may utilize the financial recovery plan for the district, or applicable parts thereof, as the plan required under this division. Except for the plan of a school district under a fiscal emergency, the superintendent shall evaluate, make recommendations concerning, and approve or disapprove each plan. When a plan is submitted, the superintendent shall immediately notify the members of the general assembly whose legislative districts include any or all of the territory of the school district submitting the plan.

(2) The superintendent shall submit to the controlling board a copy of each plan the superintendent approves, or each plan submitted by a district under a fiscal emergency pursuant to division (B) of section 3316.03 of the Revised Code, and the general terms of each proposed loan, and shall make recommendations regarding the plan and whether a proposed loan to the board of education should be approved for payment as provided in division (E)(3) of this section. The controlling board shall approve or disapprove the plan and the proposed loan presented to it by the superintendent. In the case of a district not under a fiscal emergency pursuant to division (B) of section 3316.03 of the Revised Code, the controlling board may require a board of education to implement the superintendent's recommendations for expenditure reductions or impose other requirements. Loan repayments shall be in accordance with a schedule approved by the superintendent, except that the principal amount of the loan shall be payable in monthly, semiannual, or annual installments of principal and interest that are substantially equal principal and interest installments. Except as otherwise provided in division (E)(2) of this section, repayment shall be made no later than the fifteenth day of June of the second fiscal year following the approval of the loan. A school district with a certified deficit in excess of either twenty-five million dollars or fifteen per cent of the general fund expenditures of the district during the fiscal year shall repay the loan no later than the fifteenth day of June of the tenth fiscal year following the approval of the loan. In deciding whether to approve or disapprove a proposed loan, the controlling board shall consider the deficit certified by the auditor of state pursuant to this section. A board of education that has an outstanding loan approved pursuant to this section with a repayment date of more than two fiscal years after the date of approval of such loan may not apply for another loan with such a repayment date until the outstanding loan has been repaid.

(3) If a board of education has submitted and received controlling board

approval of a plan and proposed loan in accordance with this section, the superintendent of public instruction shall report to the controlling board the actual amounts loaned to the board of education. Such board of education shall request the superintendent to pay any funds the board of education would otherwise receive pursuant to sections 3317.022 to 3317.025 of the Revised Code first directly to the holders of the board of education's notes, or an agent thereof, such amounts as are specified under the terms of the loan. Such payments shall be made only from and to the extent of money appropriated by the general assembly for purposes of such sections. No note or other obligation of the board of education under the loan constitutes an obligation nor a debt or a pledge of the faith, credit, or taxing power of the state, and the holder or owner of such note or obligation has no right to have taxes levied by the general assembly for the payment of such note or obligation, and such note or obligation shall contain a statement to that effect.

(4) Pursuant to the terms of such a loan, a board of education may issue its notes in anticipation of the collection of its voted levies for current expenses or its receipt of such state funds or both. Such notes shall be issued in accordance with division (E) of section 133.10 of the Revised Code and constitute Chapter 133. securities to the extent such division and the otherwise applicable provisions of Chapter 133. of the Revised Code are not inconsistent with this section, provided that in any event sections 133.24 and 5705.21 and divisions (A), (B), (C), and (E)(2) of section 133.10 of the Revised Code do not apply to such notes.

(5) Notwithstanding section 133.36 or 3313.17, any other section of the Revised Code, or any other provision of law, a board of education that has received a loan under this section may not declare bankruptcy, so long as any portion of such loan remains unpaid.

(F) Under this section and sections 3313.4810 and 3313.4811, "board of education" or "district board" includes the financial planning and supervision commission of a school district under a fiscal emergency pursuant to Chapter 3316. of the Revised Code where such commission chooses to exercise the powers and duties otherwise required of the district board of education under this section and sections 3313.4810 and 3313.4811 of the Revised Code.

Sec. 3313.487. (A) Upon receipt of a copy of a request for a determination under section 3313.483 of the Revised Code or upon the issuance of written notification under division ~~(C)~~(B) of section 3313.489 of the Revised Code, the superintendent of public instruction shall analyze the district's financial condition and ascertain what elements of the district's

educational program exceed or fail to meet the minimum standards of the state board of education and requirements set forth in the Revised Code, and what, if any, additional revenues or revenue sources may be available to the district that are not included in its official certificate or amended certificate of estimated resources. The superintendent shall make a written report of the superintendent's findings to the school district's board of education, the auditor of state, and the state board of education. The report shall include any recommendations, including reductions in programs which exceed minimum standards of the state board of education or requirements set forth in the Revised Code, that, if followed, would enable the district to reduce its expenses while operating an educational program that is responsive to the educational needs of the school district in accordance with its adopted school calendar. The superintendent may determine that a responsive educational program requires the inclusion of elements exceeding the minimum standards of the state board of education or requirements of the Revised Code. If, upon completion of the analysis and findings as provided in this division, the superintendent determines that the district will be financially unable to operate its educational program in accordance with its adopted school calendar and pay all obligated expenses, the superintendent shall notify the auditor of state in writing. Upon receipt of such notification, the auditor of state shall issue findings pursuant to section 3313.483 of the Revised Code.

(B) Upon the receipt of the superintendent of public instruction's report under division (A) of this section or a certification from the auditor of state under section 3313.483 of the Revised Code, the state board of education may, at any time during the next ninety days, issue an order making the school district subject to section 3313.488 of the Revised Code if it finds the school district is not able to operate an educational program from existing revenue sources during the current and the ensuing school year. Such order shall take immediate effect, and such section shall apply to the school district. Prior to the issuance of any order under this division, the state board of education may request from the superintendent of public instruction a recommendation regarding the matter of the issuance of an order making a school district subject to section 3313.488 of the Revised Code. A board of education may appeal the order on questions of fact to the court of common pleas of Franklin county.

(C) Notwithstanding division (B) of this section, the state board of education shall issue an order making a school district subject to section 3313.488 of the Revised Code if the district fails to enter into a loan agreement with a commercial lending institution within forty-five days of

the deficit certification pursuant to section 3313.483 of the Revised Code. If the state board issues an order under this division, the superintendent of public instruction shall apply for a loan from a commercial lending institution pursuant to section 3313.483 of the Revised Code on behalf of the district. The superintendent shall have full authority to act on behalf of the board of education of a school district with respect to the making of loan agreements, and any loan agreement made by the superintendent shall be fully binding on the school district.

(D) This section does not apply to a school district declared to be under a fiscal emergency pursuant to division (B) of section 3316.03 of the Revised Code.

Sec. 3313.489. (A) The superintendent of public instruction shall examine each spending plan and appropriations measure submitted under section 5705.391 of the Revised Code and shall determine whether the information contained therein, together with any other relevant information, indicates that the district may be financially unable to operate its instructional program on all days set forth in its adopted school calendars and pay all obligated expenses during the current fiscal year. If a board of education has not adopted a school calendar for the school year beginning on the first day of July of the current fiscal year at the time an examination is required under this division, the superintendent shall examine the spending plan and appropriations measure and determine whether the district may be financially unable to pay all obligated expenses and operate its instructional program for the number of days on which instruction was held in the preceding fiscal year.

~~(B) Upon the receipt of any written notification from a county auditor pursuant to section 5705.412 of the Revised Code, the superintendent of public instruction shall determine whether the situation described in the notification exists. If such situation exists, the superintendent shall examine the district's appropriation measure and spending plan submitted under section 5705.391 of the Revised Code and determine whether the information contained therein, together with any other relevant information, indicates that the district may be financially unable to operate its instructional program on all days set forth in its adopted school calendars and pay all obligated expenses during the current fiscal year. If a board of education has not adopted a school calendar for the school year beginning on the first day of July of the current fiscal year at the time an examination is required under this division, the superintendent shall examine the spending plan and appropriations measure and determine whether the district may be financially unable to pay all obligated expenses and operate~~

~~its instructional program for the number of days on which instruction was held in the preceding fiscal year.~~

~~(C)~~ If the superintendent of public instruction determines pursuant to division (A) ~~or (B)~~ of this section that a school district may be financially unable to operate its instructional program on all days required by such division and pay all obligated expenses during the current fiscal year, the superintendent shall provide written notification of such determination to the president of the district's board of education and the auditor of state.

~~(D)~~(C) This section does not apply to a school district declared to be under a fiscal emergency pursuant to division (B) of section 3316.03 of the Revised Code.

Sec. 3314.08. (A) As used in this section:

(1) "Base formula amount" means the amount specified as such in a community school's financial plan for a school year pursuant to division (A)(15) of section 3314.03 of the Revised Code.

(2) "Cost-of-doing-business factor" has the same meaning as in section 3317.02 of the Revised Code.

(3) "IEP" means an individualized education program as defined in section 3323.01 of the Revised Code.

(4) "Applicable weight" means:

(a) For a student receiving special education and related services pursuant to an IEP for a handicap described in division (A) of section 3317.013 of the Revised Code, the multiple specified in that division;

(b) For a student receiving special education and related services pursuant to an IEP for a handicap described in division (B) of section 3317.013 or division (F)(3) of section 3317.02 of the Revised Code, the multiple specified in division (B) of section 3317.013 of the Revised Code.

(5) "Total special education weight" means the sum of the following:

(a) The number of students reported under division (B)(2)(c) of this section who are entitled to attend school in the district, are enrolled in grades one through twelve in a community school, and are receiving from their community school special education and related services pursuant to an IEP for a handicap described in division (A) of section 3317.013 of the Revised Code, multiplied by the multiple specified in division (A) of section 3317.013 of the Revised Code;

(b) One-half the number of students reported under division (B)(2)(c) of this section who are entitled to attend school in the district, are enrolled in kindergarten in a community school, and are receiving from their community school special education and related services pursuant to an IEP for a handicap described in division (A) of section 3317.013 of the Revised

Code, multiplied by the multiple specified in division (A) of section 3317.013 of the Revised Code;

(c) The number of students reported under division (B)(2)(c) of this section who are entitled to attend school in the district, are enrolled in grades one through twelve in a community school, and are receiving from their community school special education and related services pursuant to an IEP for a handicap described in division (B) of section 3317.013 or division (F)(3) of section 3317.02 of the Revised Code, multiplied by the multiple specified in division (B) of section 3317.013 of the Revised Code;

(d) One-half the number of students reported under division (B)(2)(c) of this section who are entitled to attend school in the district, are enrolled in kindergarten in a community school, and are receiving from their community school special education and related services pursuant to an IEP for a handicap described in division (B) of section 3317.013 or division (F)(3) of section 3317.02 of the Revised Code, multiplied by the multiple specified in division (B) of section 3317.013 of the Revised Code.

(6) "Entitled to attend school" means entitled to attend school in a district under section 3313.64 or 3313.65 of the Revised Code.

(7) "DPIA reduction factor" means the percentage figure, if any, for reducing the per pupil amount of disadvantaged pupil impact aid a community school is entitled to receive pursuant to divisions (D)(4) and (5) of this section in any year, as specified in the school's financial plan for the year pursuant to division (A)(15) of section 3314.03 of the Revised Code.

(8) "All-day kindergarten" has the same meaning as in section 3317.029 of the Revised Code.

(B) The state board of education shall adopt rules requiring both of the following:

(1) The board of education of each city, exempted village, and local school district to annually report the number of students entitled to attend school in the district who are enrolled in grades one through twelve in a community school established under this chapter, the number of students entitled to attend school in the district who are enrolled in kindergarten in a community school, the number of those kindergartners who are enrolled in all-day kindergarten in their community school, and for each child, the community school in which the child is enrolled.

(2) The governing authority of each community school established under this chapter to annually report all of the following:

(a) The number of students enrolled in grades one through twelve and the number of students enrolled in kindergarten in the school who are not receiving special education and related services pursuant to an IEP;

(b) The number of enrolled students in grades one through twelve and the number of enrolled students in kindergarten, who are receiving special education and related services pursuant to an IEP;

(c) The number of students reported under division (B)(2)(b) of this section receiving special education and related services pursuant to an IEP for a handicap described in each of divisions (A) and (B) of section 3317.013 and division (F)(3) of section 3317.02 of the Revised Code;

(d) The number of enrolled preschool handicapped students receiving special education services in a state-funded unit;

(e) The community school's base formula amount;

(f) For each student, the city, exempted village, or local school district in which the student is entitled to attend school;

(g) Any DPIA reduction factor that applies to a school year.

(C) From the payments made to a city, exempted village, or local school district under Chapter 3317. of the Revised Code and, if necessary, sections 321.14 and 323.156 of the Revised Code, the department of education shall annually subtract all of the following:

(1) An amount equal to the sum of the amounts obtained when, for each community school where the district's students are enrolled, the number of the district's students reported under divisions (B)(2)(a) and (b) of this section who are enrolled in grades one through twelve, and one-half the number of students reported under those divisions who are enrolled in kindergarten, in that community school is multiplied by the base formula amount of that community school as adjusted by the school district's cost-of-doing-business factor.

(2) The product of the number of district students reported under division (B)(2)(c) of this section as enrolled in grades one through twelve, and one-half of the number of district students reported under that division as enrolled in kindergarten, who are receiving special education and related services pursuant to an IEP in their respective community schools for a handicap described in division (A) or (B) of section 3317.013 or division (F)(3) of section 3317.02 of the Revised Code, multiplied by the total special education weight times the community school's base formula amount;

(3) An amount equal to the sum of the amounts obtained when, for each community school where the district's students are enrolled, the number of the district's students enrolled in that community school and residing in the district in a family participating in Ohio works first under Chapter 5107. of the Revised Code is multiplied by the per pupil amount of disadvantaged pupil impact aid the school district receives that year pursuant to division

(B) or (C) of section 3317.029 of the Revised Code, as adjusted by any DPIA reduction factor of that community school. If the district receives disadvantaged pupil impact aid under division (B) of that section, the per pupil amount of that aid is the quotient of the amount the district received under that division divided by the number of children ages five through seventeen residing in the district and living in a family participating in Ohio works first, as most recently reported under section 3317.10 of the Revised Code. If the district receives disadvantaged pupil impact aid under division (C) of section 3317.029 of the Revised Code, the per pupil amount of that aid is the per pupil dollar amount prescribed for the district in division (C)(1) or (2) of that section.

(4) An amount equal to the sum of the amounts obtained when, for each community school where the district's students are enrolled, the district's per pupil amount of aid received under division (E) of section 3317.029 of the Revised Code, as adjusted by any DPIA reduction factor of the community school, is multiplied by the sum of the following:

(a) The number of the district's students reported under division (B)(2)(a) of this section who are enrolled in grades one to three in that community school and who are not receiving special education and related services pursuant to an IEP;

(b) One-half of the district's students who are enrolled in all-day or any other kindergarten class in that community school and who are not receiving special education and related services pursuant to an IEP;

(c) One-half of the district's students who are enrolled in all-day kindergarten in that community school and who are not receiving special education and related services pursuant to an IEP.

The district's per pupil amount of aid under division (E) of section 3317.029 of the Revised Code is the quotient of the amount the district received under that division divided by the district's kindergarten through third grade ADM, as defined in that section.

(D) The department shall annually pay to a community school established under this chapter all of the following:

(1) An amount equal to the sum of the amounts obtained when the number of students enrolled in grades one through twelve, plus one-half of the kindergarten students in the school, reported under divisions (B)(2)(a) and (b) of this section who are not receiving special education and related services pursuant to an IEP for a handicap described in division (A) or (B) of section 3317.013 or division (F)(3) of section 3317.02 of the Revised Code is multiplied by the community school's base formula amount, as adjusted by the cost-of-doing-business factor of the school district in which

the student is entitled to attend school;

(2) The greater of the following:

(a) The aggregate amount that the department paid to the community school in fiscal year 1999 for students receiving special education and related services pursuant to IEPs, excluding federal funds and state disadvantaged pupil impact aid funds;

(b) The sum of the amounts calculated under divisions (D)(2)(b)(i) and (ii) of this section:

(i) For each student reported under division (B)(2)(c) of this section as enrolled in the school in grades one through twelve and receiving special education and related services pursuant to an IEP for a handicap described in division (A) or (B) of section 3317.013 or division (F)(3) of section 3317.02 of the Revised Code, the following amount:

(the community school's base formula amount X the cost-of-doing-business factor of the district where the student is entitled to attend school) + (the applicable weight X the community school's base formula amount);

(ii) For each student reported under division (B)(2)(c) of this section as enrolled in kindergarten and receiving special education and related services pursuant to an IEP for a handicap described in division (A) or (B) of section 3317.013 or division (F)(3) of section 3317.02 of the Revised Code, one-half of the amount calculated under the formula prescribed in division (D)(2)(b)(i) of this section.

(3) An amount received from federal funds to provide special education and related services to students in the community school, as determined by the superintendent of public instruction.

(4) An amount equal to the sum of the amounts obtained when, for each school district where the community school's students are entitled to attend school, the number of that district's students enrolled in the community school and participating in Ohio works first is multiplied by the per pupil amount of disadvantaged pupil impact aid that school district receives that year pursuant to division (B) or (C) of section 3317.029 of the Revised Code, as adjusted by any DPIA reduction factor of the community school. The per pupil amount of aid shall be determined as described in division (C)(3) of this section.

(5) An amount equal to the sum of the amounts obtained when, for each school district where the community school's students are entitled to attend school, the district's per pupil amount of aid received under division (E) of section 3317.029 of the Revised Code, as adjusted by any DPIA reduction factor of the community school, is multiplied by the sum of the following:

(a) The number of the district's students reported under division (B)(2)(a) of this section who are enrolled in grades one to three in that community school and who are not receiving special education and related services pursuant to an IEP;

(b) One-half of the district's students who are enrolled in all-day or any other kindergarten class in that community school and who are not receiving special education and related services pursuant to an IEP;

(c) One-half of the district's students who are enrolled in all-day kindergarten in that community school and who are not receiving special education and related services pursuant to an IEP.

The district's per pupil amount of aid under division (E) of section 3317.029 of the Revised Code shall be determined as described in division (C)(4) of this section.

(E) If a community school's costs for a fiscal year for a student receiving special education and related services pursuant to an IEP for a handicap described in division (F)(3) of section 3317.02 of the Revised Code are twenty-five thousand dollars or more, the school may submit to the superintendent of public instruction documentation, as prescribed by the superintendent, of all its costs for that student. Upon submission of documentation for a student of the type and in the manner prescribed, the department shall pay to the ~~district~~ community school an amount equal to the school's costs for the student in excess of twenty-five thousand dollars.

The community school shall only report, and the department shall only pay for, the costs of educational expenses and the related services provided to the student in accordance with the student's individualized education program. Any legal fees, court costs, or other costs associated with any cause of action relating to the student may not be included in the amount.

(F) A community school may apply to the department of education for preschool handicapped or gifted unit funding the school would receive if it were a school district. Upon request of its governing authority, a community school that received unit funding as a school district-operated school before it became a community school shall retain any units awarded to it as a school district-operated school provided the school continues to meet eligibility standards for the unit.

A community school shall be considered a school district and its governing authority shall be considered a board of education for the purpose of applying to any state or federal agency for grants that a school district may receive under federal or state law or any appropriations act of the general assembly. The governing authority of a community school may apply to any private entity for additional funds.

(G) A board of education sponsoring a community school may utilize local funds to make enhancement grants to the school or may agree, either as part of the contract or separately, to provide any specific services to the community school at no cost to the school.

(H) A community school may not levy taxes or issue bonds secured by tax revenues.

(I) No community school shall charge tuition for the enrollment of any student.

(J) A community school may borrow money to pay any necessary and actual expenses of the school in anticipation of the receipt of any portion of the payments to be received by the school pursuant to division (D) of this section. The school may issue notes to evidence such borrowing to mature no later than the end of the fiscal year in which such money was borrowed. The proceeds of the notes shall be used only for the purposes for which the anticipated receipts may be lawfully expended by the school.

(K) For purposes of determining the number of students for which divisions (D)(4) and (5) of this section applies in any school year, a community school may submit to the department of job and family services, no later than the first day of March, a list of the students enrolled in the school. For each student on the list, the community school shall indicate the student's name, address, and date of birth and the school district where the student is entitled to attend school. Upon receipt of a list under this division, the department of job and family services shall determine, for each school district where one or more students on the list is entitled to attend school, the number of students residing in that school district who were included in the department's report under section 3317.10 of the Revised Code. The department shall make this determination on the basis of information readily available to it. Upon making this determination and no later than ninety days after submission of the list by the community school, the department shall report to the state department of education the number of students on the list who reside in each school district who were included in the department's report under section 3317.10 of the Revised Code. In complying with this division, the department of job and family services shall not report to the state department of education any personally identifiable information on any student.

(L) The department of education shall adjust the amounts subtracted and paid under divisions (C) and (D) of this section to reflect any enrollment of students in community schools for less than the equivalent of a full school year. For purposes of this section, a student shall be considered enrolled in the community school for any portion of the school year the student is

participating at a college under Chapter 3365. of the Revised Code.

(M) The department of education shall reduce the amounts paid under division (D) of this section to reflect payments made to colleges under division (B) of section 3365.07 of the Revised Code.

Sec. 3317.02. As used in this chapter:

(A) Unless otherwise specified, "school district" means city, local, and exempted village school districts.

(B) "Formula amount" means the base cost for the fiscal year specified in section 3317.012 of the Revised Code, except that to allow for the orderly phase-in of the increased funding specified in that section, the formula amount for fiscal year 1999 shall be \$3,851, and the formula amount for fiscal year 2000 shall be \$4,052. Thereafter, the formula amount shall be as specified in that section.

(C) "FTE basis" means a count of students based on full-time equivalency, in accordance with rules adopted by the department of education pursuant to section 3317.03 of the Revised Code. In adopting its rules under this division, the department shall provide for counting any student in category one, two, or three special education ADM or in category one or two vocational education ADM in the same proportion the student is counted in formula ADM.

(D)(1) "Formula ADM" means, for a city, local, or exempted village school district, the number reported pursuant to division (A) of section 3317.03 of the Revised Code, and for a joint vocational school district, the number reported pursuant to division (D) of that section.

(2) "Three-year average formula ADM" means the average of formula ADMs for the current and preceding two fiscal years. However, as applicable in fiscal years 1999 and 2000, the three-year average for city, local, and exempted village school districts shall be determined utilizing the FY 1997 ADM or FY 1998 ADM in lieu of formula ADM for fiscal year 1997 or 1998. In fiscal years 2000 and 2001, the three-year average for joint vocational school districts shall be determined utilizing the average daily membership reported in fiscal years 1998 and 1999 under division (D) of section 3317.03 of the Revised Code in lieu of formula ADM for fiscal years 1998 and 1999.

(E) "FY 1997 ADM" or "FY 1998 ADM" means the school district's average daily membership reported for the applicable fiscal year under the version of division (A) of section 3317.03 of the Revised Code in effect during that fiscal year, adjusted as follows:

(1) Minus the average daily membership of handicapped preschool children;

(2) Minus one-half of the average daily membership attending kindergarten;

(3) Minus three-fourths of the average daily membership attending a joint vocational school district;

(4) Plus the average daily membership entitled under section 3313.64 or 3313.65 of the Revised Code to attend school in the district but receiving educational services in approved units from an educational service center or another school district under a compact or a cooperative education agreement, as determined by the department;

(5) Minus the average daily membership receiving educational services from the district in approved units but entitled under section 3313.64 or 3313.65 of the Revised Code to attend school in another school district, as determined by the department.

(F)(1) "Category one special education ADM" means the average daily membership of handicapped children receiving special education services for those handicaps specified in division (A) of section 3317.013 of the Revised Code and reported under division (B)(5) or (D)(2)(b) of section 3317.03 of the Revised Code.

(2) "Category two special education ADM" means the average daily membership of handicapped children receiving special education services for those handicaps specified in division (B) of section 3317.013 of the Revised Code and reported under division (B)(6) or (D)(2)(c) of section 3317.03 of the Revised Code.

(3) "Category three special education ADM" means the average daily membership of students receiving special education services for students identified as autistic, having traumatic brain injuries, or as both visually and hearing disabled as these terms are defined pursuant to Chapter 3323. of the Revised Code, and reported under division (B)(7) or (D)(2)(d) of section 3317.03 of the Revised Code.

(4) "Category one vocational education ADM" means the average daily membership of students receiving vocational education services described in division (A) of section 3317.014 of the Revised Code and reported under division (B)(8) or (D)(2)(e) of section 3317.03 of the Revised Code.

(5) "Category two vocational education ADM" means the average daily membership of students receiving vocational education services described in division (B) of section 3317.014 of the Revised Code and reported under division (B)(9) or (D)(2)(f) of section 3317.03 of the Revised Code.

(G) "Handicapped preschool child" means a handicapped child, as defined in section 3323.01 of the Revised Code, who is at least age three but is not of compulsory school age, as defined in section 3321.01 of the

Revised Code, and who is not currently enrolled in kindergarten.

(H) "County MR/DD board" means a county board of mental retardation and developmental disabilities.

(I) "Recognized valuation" means the amount calculated for a school district pursuant to section 3317.015 of the Revised Code.

(J) "Transportation ADM" means the number of children reported under division (B)(10) of section 3317.03 of the Revised Code.

(K) "Average efficient transportation use cost per student" means a statistical representation of transportation costs as calculated under division (D)(2) of section 3317.022 of the Revised Code.

(L) "Taxes charged and payable" means the taxes charged and payable against real and public utility property after making the reduction required by section 319.301 of the Revised Code, plus the taxes levied against tangible personal property.

(M) "Total taxable value" means the sum of the amounts certified for a city, local, exempted village, or joint vocational school district under divisions (A)(1) and (2) of section 3317.021 of the Revised Code.

(N)(1) "Cost-of-doing-business factor" means the amount indicated in this division for the county in which a city, local, exempted village, or joint vocational school district is located, adjusted in accordance with division (N)(2) of this section. If a city, local, or exempted village school district is located in more than one county, the factor is the amount indicated for the county to which the district is assigned by the state department of education. If a joint vocational school district is located in more than one county, the factor is the amount indicated for the county in which the joint vocational school with the greatest formula ADM operated by the district is located.

COUNTY	COST-OF-DOING-BUSINESS FACTOR AMOUNT
Adams	1.0074
Allen	1.0217
Ashland	1.0322
Ashtabula	1.0480
Athens	1.0046
Auglaize	1.0255
Belmont	1.0078
Brown	1.0194
Butler	1.0650
Carroll	1.0166
Champaign	1.0292

Clark	1.0462
Clermont	1.0510
Clinton	1.0293
Columbiana	1.0300
Coshocton	1.0205
Crawford	1.0152
Cuyahoga	1.0697
Darke	1.0340
Defiance	1.0177
Delaware	1.0339
Erie	1.0391
Fairfield	1.0358
Fayette	1.0266
Franklin	1.0389
Fulton	1.0355
Gallia	1.0000
Geauga	1.0568
Greene	1.0406
Guernsey	1.0072
Hamilton	1.0750
Hancock	1.0224
Hardin	1.0219
Harrison	1.0098
Henry	1.0347
Highland	1.0139
Hocking	1.0149
Holmes	1.0237
Huron	1.0317
Jackson	1.0132
Jefferson	1.0084
Knox	1.0251
Lake	1.0596
Lawrence	1.0128
Licking	1.0381
Logan	1.0188
Lorain	1.0535
Lucas	1.0413
Madison	1.0342
Mahoning	1.0426
Marion	1.0121

Medina	1.0608
Meigs	1.0031
Mercer	1.0177
Miami	1.0425
Monroe	1.0118
Montgomery	1.0482
Morgan	1.0140
Morrow	1.0268
Muskingum	1.0167
Noble	1.0129
Ottawa	1.0510
Paulding	1.0156
Perry	1.0175
Pickaway	1.0338
Pike	1.0103
Portage	1.0556
Preble	1.0486
Putnam	1.0253
Richland	1.0205
Ross	1.0089
Sandusky	1.0336
Scioto	1.0044
Seneca	1.0240
Shelby	1.0257
Stark	1.0313
Summit	1.0616
Trumbull	1.0425
Tuscarawas	1.0099
Union	1.0330
Van Wert	1.0126
Vinton	1.0068
Warren	1.0651
Washington	1.0110
Wayne	1.0406
Williams	1.0268
Wood	1.0405
Wyandot	1.0191

(2) As used in this division, "multiplier" means the number for the corresponding fiscal year as follows:

FISCAL YEAR OF THE

COMPUTATION	MULTIPLIER
1998	9.6/7.5
1999	11.0/7.5
2000	12.4/7.5
2001	13.8/7.5
2002	15.2/7.5
2003	16.6/7.5
2004 and thereafter	18.0/7.5

Beginning in fiscal year 1998, the department shall annually adjust the cost-of-doing-business factor for each county in accordance with the following formula:

$$\frac{[(\text{The cost-of-doing-business factor specified under division (N)(1) of this section} - 1) \times (\text{the multiplier for the fiscal year of the calculation}) + 1]}{7} + 1$$

The result of such formula shall be the adjusted cost-of-doing-business factor for that fiscal year.

(O) "Tax exempt value" of a school district means the amount certified for a school district under division (A)(4) of section 3317.021 of the Revised Code.

(P) "Potential value" of a school district means the adjusted total taxable value of a school district plus the tax exempt value of the district.

(Q) "District median income" means the median Ohio adjusted gross income certified for a school district. On or before the first day of July of each year, the tax commissioner shall certify to the department of education for each city, exempted village, and local school district the median Ohio adjusted gross income of the residents of the school district determined on the basis of tax returns filed for the second preceding tax year by the residents of the district.

(R) "Statewide median income" means the median district median income of all city, exempted village, and local school districts in the state.

(S) "Income factor" for a city, exempted village, or local school district means the quotient obtained by dividing that district's median income by the statewide median income.

(T) Except as provided in division (B)(3) of section 3317.012 of the Revised Code, "valuation per pupil" for a city, exempted village, or local school district means the district's recognized valuation divided by the greater of the district's formula ADM or three-year average formula ADM.

(U) Except as provided in section 3317.0213 of the Revised Code, "adjusted valuation per pupil" means the amount calculated in accordance with the following formula:

District valuation per pupil - $\$60,000 \times$
 $(1 - \text{district income factor})$

If the result of such formula is negative, the adjusted valuation per pupil shall be zero.

(V) "Income adjusted valuation" means the product obtained by multiplying the school district's adjusted valuation per pupil by the greater of the district's formula ADM or three-year average formula ADM.

(W) Except as provided in division (A)(2) of section 3317.022 of the Revised Code, "adjusted total taxable value" means one of the following:

(1) In any fiscal year that a school district's income factor is less than or equal to one, the amount calculated under the following formula:

$(\text{Income adjusted valuation} \times \text{multiple}) +$
 $\text{recognized valuation} \times (1 - \text{multiple})$

Where "~~multiple~~ multiple" means the number for the corresponding fiscal year as follows:

FISCAL YEAR OF THE COMPUTATION	MULTIPLE
2000	1/5
2001 and thereafter	4/15

(2) In fiscal year 1999, if a school district's income factor is greater than one, the amount calculated under the following formula:

$(\text{Income adjusted valuation} \times 1/15)$
 $+ (\text{recognized valuation} \times 14/15)$

Thereafter, the adjusted total taxable value of a district with an income factor greater than one shall be its recognized valuation.

Sec. 3317.022. (A)(1) The department of education shall compute and distribute state base cost funding to each school district for the fiscal year in accordance with the following formula, using adjusted total taxable value as defined in section 3317.02 of the Revised Code or division (A)(2) of this section and the information obtained under section 3317.021 of the Revised Code in the calendar year in which the fiscal year begins.

Compute the following for each eligible district:

$\text{cost-of-doing-business factor} \times$
 $\text{the formula amount} \times (\text{the greater of formula ADM}$
 $\text{or three-year average formula ADM}) -$
 $(.023 \times \text{adjusted total taxable value})$

If the difference obtained is a negative number, the district's computation shall be zero.

(2)(a) For each school district for which the tax exempt value of the district equals or exceeds twenty-five per cent of the potential value of the

district, the department of education shall calculate the difference between the district's tax exempt value and twenty-five per cent of the district's potential value.

(b) For each school district to which division (A)(2)(a) of this section applies, the adjusted total taxable value used in the calculation under division (A)(1) of this section shall be the adjusted total taxable value modified by subtracting the amount calculated under division (A)(2)(a) of this section.

(B) As used in this section:

(1) The "total special education weight" for a district means the sum of the following amounts:

(a) The district's category one special education ADM multiplied by the multiple specified under division (A) of section 3317.013 of the Revised Code;

(b) The sum of the district's category two and category three special education ADMs multiplied by the multiple specified under division (B) of section 3317.013 of the Revised Code.

(2) "State share percentage" means the percentage calculated for a district as follows:

(a) Calculate the state base cost funding amount for the district for the fiscal year under division (A) of this section. If the district would not receive any state base cost funding for that year under that division, the district's state share percentage is zero.

(b) If the district would receive state base cost funding under that division, divide that amount by an amount equal to the following:

$$\frac{\text{Cost-of-doing-business factor X}}{\text{the formula amount X (the greater of formula ADM or three-year average formula ADM)}}$$

The resultant number is the district's state share percentage.

(3) "Related services" includes:

(a) Child study, special education supervisors and coordinators, speech and hearing services, adaptive physical development services, occupational or physical therapy, teacher assistants for handicapped children whose handicaps are described in division (B) of section 3317.013 or division (F)(3) of section 3317.02 of the Revised Code, behavioral intervention, interpreter services, work study, nursing services, and specialized integrative services as those terms are defined by the department;

(b) Speech and language services provided to any student with a handicap, including any student whose primary or only handicap is a speech and language handicap;

(c) Any related service not specifically covered by other state funds but specified in federal law, including but not limited to, audiology and school psychological services;

(d) Any service included in units funded under former division (O)(1) of section 3317.023 of the Revised Code;

(e) Any other related service needed by handicapped children in accordance with their individualized education plans.

(4) The "total vocational education weight" for a district means the sum of the following amounts:

(a) The district's category one vocational education ADM multiplied by the multiple specified in division (A) of section 3317.014 of the Revised Code;

(b) The district's category two vocational education ADM multiplied by the multiple specified in division (B) of section 3317.014 of the Revised Code.

(C)(1) The department shall compute and distribute state special education and related services additional weighted costs funds to each school district in accordance with the following formula:

$$\frac{\begin{array}{l} \text{The district's state share percentage} \\ \text{X the formula amount for the year} \\ \text{for which the aid is calculated} \end{array}}{\text{X the district's total special education weight}}$$

(2) In any fiscal year, a school district receiving funds under division (C)(1) of this section shall spend on related services the lesser of the following:

(a) The amount the district spent on related services in the preceding fiscal year;

(b) $\frac{1}{8} \times [\text{cost-of-doing-business factor} \times \text{the formula amount} \times (\text{the category one special education ADM} + \text{category two special education ADM} + \text{category three special education ADM})] + \text{the amount calculated for the fiscal year under division (C)(1) of this section} + \text{the local share of special education and related services additional weighted costs}$

(3) The local share of special education and related services additional weighted costs equals:

$$\begin{array}{l} (1 - \text{the district's state share percentage}) \times \\ \text{the district's total special education weight} \times \\ \text{the formula amount} \end{array}$$

(4) The department shall compute and pay in accordance with this division additional state aid to school districts for students in category three special education ADM. If a district's costs for the fiscal year for a student

in its category three special education ADM are twenty-five thousand dollars or more, the district may submit to the superintendent of public instruction documentation, as prescribed by the superintendent, of all its costs for that student. Upon submission of documentation for a student of the type and in the manner prescribed, the department shall pay to the district an amount equal to the district's costs for the student in excess of twenty-five thousand dollars multiplied by the district's state share percentage.

The district shall only report, and the department shall only pay for, the costs of educational expenses and the related services provided to the student in accordance with the student's individualized education program. Any legal fees, court costs, or other costs associated with any cause of action relating to the student may not be included in the amount.

(5)(a) As used in this division, the "personnel allowance" means twenty-five thousand dollars in fiscal year 2000 and thirty thousand dollars in fiscal year 2001.

(b) For the provision of speech services to students and for no other purpose, the department of education shall pay each school district an amount calculated under the following formula:

(formula ADM divided by 2000) X

the personnel allowance X the state share percentage

(6) In any fiscal year, a school district receiving funds under division (C)(1) of this section shall spend those funds only for the purposes that the department designates as approved for special education expenses.

(D)(1) As used in this division:

(a) "Daily bus miles per student" equals the number of bus miles traveled per day, divided by transportation base.

(b) "Transportation base" equals total student count as defined in section 3301.011 of the Revised Code, minus the number of students enrolled in preschool handicapped units, plus the number of nonpublic school students included in transportation ADM.

(c) "Transported student percentage" equals transportation ADM divided by transportation base.

(d) "Transportation cost per student" equals total operating costs for board-owned or contractor-operated school buses divided by transportation base.

(2) Analysis of student transportation cost data has resulted in a finding that an average efficient transportation use cost per student can be calculated by means of a regression formula that has as its two independent variables the number of daily bus miles per student and the transported student

percentage. For fiscal year 1998 transportation cost data, the average efficient transportation use cost per student is expressed as follows:

$$51.79027 + (139.62626 \times \text{daily bus miles per student}) + (116.25573 \times \text{transported student percentage})$$

The department of education shall annually determine the average efficient transportation use cost per student in accordance with the principles stated in division (D)(2) of this section, updating the intercept and regression coefficients of the regression formula modeled in this division, based on an annual statewide analysis of each school district's daily bus miles per student, transported student percentage, and transportation cost per student data. The department shall conduct the annual update using data, including daily bus miles per student, transported student percentage, and transportation cost per student data, from the prior fiscal year. The department shall notify the office of budget and management of such update by the fifteenth day of February of each year.

(3) In addition to funds paid under divisions (A), (C), and (E) of this section, each district with a transported student percentage greater than zero shall receive a payment equal to a percentage of the product of the district's transportation base from the prior fiscal year times the annually updated average efficient transportation use cost per student, times an inflation factor of two and eight tenths per cent to account for the one-year difference between the data used in updating the formula and calculating the payment and the year in which the payment is made. The percentage shall be the following percentage of that product specified for the corresponding fiscal year:

FISCAL YEAR	PERCENTAGE
2000	52.5%
2001	55%
2002	57.5%
2003 and thereafter	60%

The payments made under division (D)(3) of this section each year shall be calculated based on all of the same prior year's data used to update the formula.

~~(4) Notwithstanding divisions (D)(2) and (3) of this section, in fiscal year 2000, each school district shall receive the greater of the amount calculated for it under those divisions or the amount the district received in fiscal year 1999 under divisions (D)(2) to (4) of the version of this section in effect for that fiscal year and division (B) of Section 20 of Am. Sub. H.B. 650 of the 122nd general assembly.~~

~~(5) In addition to funds paid under divisions (D)(2) to (4) and (3) of this~~

section, a school district shall receive a rough road subsidy if both of the following apply:

(a) Its county rough road percentage is higher than the statewide rough road percentage, as those terms are defined in division (D)~~(6)(5)~~ of this section;

(b) Its district student density is lower than the statewide student density, as those terms are defined in that division.

~~(6)(5)~~ The rough road subsidy paid to each district meeting the qualifications of division (D)~~(5)(4)~~ of this section shall be calculated in accordance with the following formula:

$$\frac{(\text{per rough mile subsidy} \times \text{total rough road miles}) \times \text{density multiplier}}{\text{density multiplier}}$$

where:

(a) "Per rough mile subsidy" equals the amount calculated in accordance with the following formula:

$$0.75 - \frac{0.75 \times \left[(\text{maximum rough road percentage} - \text{county rough road percentage}) / (\text{maximum rough road percentage} - \text{statewide rough road percentage}) \right]}{7}$$

(i) "Maximum rough road percentage" means the highest county rough road percentage in the state.

(ii) "County rough road percentage" equals the percentage of the mileage of state, municipal, county, and township roads that is rated by the department of transportation as type A, B, C, E2, or F in the county in which the school district is located or, if the district is located in more than one county, the county to which it is assigned for purposes of determining its cost-of-doing-business factor.

(iii) "Statewide rough road percentage" means the percentage of the statewide total mileage of state, municipal, county, and township roads that is rated as type A, B, C, E2, or F by the department of transportation.

(b) "Total rough road miles" means a school district's total bus miles traveled in one year times its county rough road percentage.

(c) "Density multiplier" means a figure calculated in accordance with the following formula:

$$1 - \frac{(\text{minimum student density} - \text{district student density}) / (\text{minimum student density} - \text{statewide student density})}{7}$$

(i) "Minimum student density" means the lowest district student density in the state.

(ii) "District student density" means a school district's transportation base divided by the number of square miles in the district.

(iii) "Statewide student density" means the sum of the transportation bases for all school districts divided by the sum of the square miles in all school districts.

~~(7)(6)~~ In addition to funds paid under divisions (D)(2) to ~~(6)(5)~~ of this section, each district shall receive in accordance with rules adopted by the state board of education a payment for students transported by means other than board-owned or contractor-operated buses and whose transportation is not funded under division (J) of section 3317.024 of the Revised Code. The rules shall include provisions for school district reporting of such students.

(7) Notwithstanding divisions (D)(1) to (6) of this section, in fiscal year 2000 only, each school district shall receive the greater of the total amount calculated for it under those divisions and division (J) of section 3317.024 of the Revised Code or the total amount calculated for it for types one through six student transportation operating funds in fiscal year 1999. For purposes of division (D)(7) of this section, the fiscal year 1999 guaranteed total amount does not include subsidies for school bus purchases.

(E)(1) The department shall compute and distribute state vocational education additional weighted costs funds to each school district in accordance with the following formula:

$$\frac{\text{state share percentage X}}{\text{the formula amount X}} \times \text{total vocational education weight}$$

In any fiscal year, a school district receiving funds under division (E)(1) of this section shall spend those funds only for the purposes that the department designates as approved for vocational education expenses.

(2) The department shall compute for each school district state funds for vocational education associated services in accordance with the following formula:

$$\frac{\text{state share percentage X} \times .05 \times \text{the formula amount X}}{\text{the sum of categories one and two vocational education ADM}}$$

In any fiscal year, a school district receiving funds under division (E)(2) of this section, or through a transfer of funds pursuant to division (L) of section 3317.023 of the Revised Code, shall spend those funds only for the purposes that the department designates as approved for vocational education associated services expenses, which may include such purposes as apprenticeship coordinators, coordinators for other vocational education services, vocational evaluation, and other purposes designated by the department. The department may deny payment under division (E)(2) of this section to any district that the department determines is not operating those

services or is using funds paid under division (E)(2) of this section, or through a transfer of funds pursuant to division (L) of section 3317.023 of the Revised Code, for other purposes.

In fiscal years 2000 and 2001, each school district shall continue to offer the same number of the vocational education programs that the district offered in fiscal year 1999, unless the department of education expressly agrees that the district may offer fewer programs in either fiscal year 2000 or 2001 or both.

Sec. 3317.0212. Divisions (B) and (C) of this section do not apply to a school district with a formula ADM of one hundred fifty or less.

(A) As used in this section:

(1) "Fundamental FY 1997 state aid" or "fundamental FY 1998 state aid" for a district means the total amount of state money received by the district for the applicable fiscal year as reported on the department of education's form "SF-12," adjusted as follows:

(a) Minus the amount for transportation;

(b) Minus any amounts for approved preschool handicapped units;

(c) Minus any additional amount attributable to the reappraisal guarantee of division (C) of section 3317.04 of the Revised Code;

(d) Plus the amount deducted for payments to an educational service center;

(e) Plus an estimated portion of the state money distributed in the applicable fiscal year to other school districts or educational service centers for approved units, other than preschool handicapped or gifted education units, attributable to the costs of providing services in those units to students entitled to attend school in the district;

(f) Minus an estimated portion of the state money distributed to the school district in the applicable fiscal year for approved units, other than preschool handicapped units or gifted education units, attributable to the costs of providing services in those units to students entitled to attend school in another school district;

(g) Plus any additional amount paid in the applicable fiscal year pursuant to the vocational education recomputation required by Section 45.12 of Amended Substitute House Bill No. 117 of the 121st general assembly or former Section 50.22 of Amended Substitute House Bill No. 215 of the 122nd general assembly;

(h) Plus any additional amount paid in the applicable fiscal year pursuant to the special education recomputation required by former division (I) of section 3317.023 of the Revised Code;

(i) Plus any amount paid for equity aid in the applicable fiscal year

under section 3317.0213 of the Revised Code;

(j) Plus any amount received for the applicable fiscal year pursuant to section 3317.027 of the Revised Code;

(k) Plus any amount received for the applicable fiscal year resulting from a recomputation made under division (B) of section 3317.022 of the Revised Code, as that section existed in the applicable fiscal year.

~~(2) "Enhanced FY 1999 state aid" for a district means its state basic aid for fiscal year 1999, plus any amounts for which the district was eligible pursuant to division (D) of the version of section 3317.022 of the Revised Code in effect that fiscal year.~~

~~(3) "State basic aid" for a district for any fiscal year after fiscal year 1999 means the sum of the following:~~

~~(a) The amount computed for the district for base cost funding, special education funding, and vocational education funding under divisions (A), (C)(1) and (5), and (E) of section 3317.022 and sections 3317.025 and 3317.027 of the Revised Code and DPIA aid under section 3317.029 of the Revised Code in the current fiscal year before any deduction or credit required by division (B), (D), (E), (F), (G), (H), (I), (J), (K), or (L) of section 3317.023 or division (J) of section 3317.029 of the Revised Code;~~

~~(b) Any amounts for which the district is eligible pursuant to division (C) of section 3317.023, divisions (G), (P), and (R) of section 3317.024, and the supplemental unit allowance paid for gifted units under division (B) of section 3317.162 of the Revised Code;~~

~~(c) Any equity aid for which the district is eligible under section 3317.0213 of the Revised Code.~~

~~(4) "State basic aid for fiscal year 1999" means a district's "state basic aid" for that year, as defined in the version of this section in effect in fiscal year 1999, plus an appropriate proportion, as determined by the department of education, of the amount received by the school district in fiscal year 1999 from the vocational education set-aside and attributable to the district's students.~~

~~(5)(3) "Adjusted FY 1999 actual aid" has the same meaning as in Section 18 of Am. Sub. H.B. 650 of the 122nd general assembly, as amended.~~

~~(4) "Vocational education set-aside" means the up to \$24,193,118 earmarked for additional school district vocational education grants under appropriation item 200-545, vocational education enhancements, in Am. Sub. H.B. 770 of the 122nd general assembly.~~

(B) Upon request of the department of education, the treasurer of any school district or educational service center shall furnish data needed to

calculate the amounts specified in divisions (A)(1)(e) and (f) of this section. The department shall compute and pay the state basic aid guarantee for each school district for the fiscal year as follows:

(1) Subtract the amount of state basic aid from the amount of fundamental FY 1998 state aid. If a negative number, this computation shall be deemed to be zero.

(2) Pay the district any positive amount calculated under division (B)(1) of this section.

(C) In fiscal year 2000, the department shall calculate for each district the sum of the district's state basic aid for that fiscal year, plus any amount calculated under division (B)(1) of this section, plus the transportation portion of state aid computed for the district for that fiscal year under division (D) of the version of section 3317.022 of the Revised Code in effect that fiscal year. If a district's ~~enhanced adjusted~~ FY 1999 ~~state actual~~ aid is greater than that sum, then the department shall pay the district in that fiscal year one hundred per cent of the difference.

(D)(1) The state basic aid guarantee in any fiscal year for a school district with a formula ADM of one hundred fifty or less shall be the greatest of the following amounts:

- (a) The district's state basic aid for the fiscal year;
- (b) The district's fundamental FY 1998 state aid;
- (c) The district's fundamental FY 1997 state aid.

(2) If in any fiscal year the state basic aid for a school district with a formula ADM of one hundred fifty or less is less than the guarantee amount determined for the district under division (D)(1) of this section, the department of education shall pay the district the amount of the difference.

Sec. 3317.0216. (A) As used in this section:

(1) "Total taxes charged and payable for current expenses" means the sum of the taxes charged and payable as certified under division (A)(3)(a) of section 3317.021 of the Revised Code less any amounts reported under division (A)(3)(b) of that section, and the tax distribution for the preceding year under any school district income tax levied by the district pursuant to Chapter 5748. of the Revised Code to the extent the revenue from the income tax is allocated or apportioned to current expenses.

(2) "State equalization enhancement payments" means any payment made to a school district pursuant to section 3317.0215 of the Revised Code for the preceding fiscal year.

(3) "Charge-off amount" means the product obtained by multiplying two and three-tenths per cent by adjusted total taxable value.

(4) "Total receipts available for current expenses" of a school district

means the sum of total taxes charged and payable for current expenses and the district's state equalization enhancement payments.

(5) "Local share of special education and related services additional weighted costs" has the same meaning as in division (C)(3) of section 3317.022 of the Revised Code.

(6) "Local share of vocational education and associated services additional weighted costs" for each school district means the amount determined as follows:

(1 - state share percentage as defined in section 3317.022 of the Revised Code) X $\frac{1}{6}$ [(total vocational education weight as defined in that section X the formula amount) + the district's payment under division (E)(2) of section 3317.022 of the Revised Code]

(B) Upon receiving the certifications under section 3317.021 of the Revised Code, the department of education shall determine for each city, local, and exempted village school district whether the district's charge-off amount is greater than the district's total receipts available for current expenses, and if it is, shall pay the district the amount of the difference. A payment shall not be made to any school district for which the computation under division (A) of section 3317.022 of the Revised Code equals zero.

(C)(1) If a district's charge-off amount is equal to or greater than its total receipts available for current expenses, the department shall, in addition to the payment required under division (B) of this section, pay the district the amount of the local share of special education and related services additional weighted costs and the amount of the local share of vocational education and associated services additional weighted costs.

(2) If a district's charge-off amount is less than its total receipts available for current expenses, the department shall pay the district any amount by which the sum of its local share of special education and related services additional weighted costs plus its local share of vocational education and associated services additional weighted costs exceeds its total receipts available for current expenses minus its charge-off amount.

Sec. 3317.11. (A) Annually, on or before a date designated by the state board of education, each educational service center governing board shall prepare a budget of operating expenses for the ensuing year for the service center on forms prepared and furnished by the state board of education and shall certify the budget to the state board of education, together with such other information as the board may require. Such budget shall consist of two parts. Part (A) shall include the cost of the salaries, employers retirement contributions, and travel expenses of supervisory teachers approved by the

state board of education. The amount derived from the calculation for such units in part (A) of the governing board budget shall be the sum of:

(1) The sum of the minimum salaries calculated, pursuant to section 3317.13 of the Revised Code, for each approved licensed employee of the governing board;

(2) An additional salary allowance proportional to the length of the extended term of service not to exceed three months for each supervisory and child study teacher whose term of service in any year is extended beyond the terms of service of regular classroom teachers;

(3) An allowance equal to fifteen per cent of the amount computed under division (A)(1) of this section;

(4) An allowance for necessary travel expenses, for each of the personnel approved in part (A) of the budget, limited to two hundred twenty-three dollars and sixteen cents per month, or two thousand six hundred seventy-eight dollars per year per person employed, whichever is the lesser.

Part (B) shall include the cost of all other lawful expenditures of the governing board. The state board of education shall review such budget and may approve, increase, or decrease such budget.

The governing board shall be reimbursed by the state board of education from state funds for the cost of part (A) of the budget. The governing board shall be reimbursed by the state board of education, from state funds for the cost of part (B) of the approved budget that is in excess of six dollars and fifty cents times the service center ADM. If the governing board provides services to city or exempted village school districts pursuant to section 3313.843 of the Revised Code, the governing board shall be reimbursed from state funds for the cost of part (B) of the budget that is in excess of six dollars and fifty cents times the sum of the service center ADM and the client ADMs of the city or exempted village districts to which such services are provided. The cost of part (B) not in excess of six dollars and fifty cents times the number of such ADM shall be apportioned by the state board of education among the local school districts in the territory of the service center, or among all districts to which the governing board provides services, on the basis of the total number of pupils in each school district.

If part (B) of the budget is in excess of that approved by the state board of education, the excess cost shall be apportioned by the state board of education among the local school districts in the territory of the service center on the basis of the total number of such pupils in each such school district, provided that a majority of the boards of education of such local school districts approve such apportionment. The state board of education

shall initiate and supervise the procedure by which the local boards shall approve or disapprove such apportionment.

The amounts so apportioned shall be certified to the treasurers of the various school districts. In the case of each district such amount shall be deducted by the state board of education from funds allocated to the district pursuant to division (E) of section 3317.023 of the Revised Code.

The state board of education shall certify to the director of budget and management for payment the total of the deductions, whereupon the amount shall be paid to the governing board of each service center, to be deposited to the credit of a separate fund, hereby created, to be known as the educational service center governing board fund.

An educational service center may provide special education to students in its local districts or in client districts. A service center is eligible for funding under division (J) of section 3317.024 of the Revised Code and eligible for state subsidies for the purchase of school buses under section 3317.07 of the Revised Code. Special education units for gifted children may be operated by a governing board. Vocational education may be provided by a governing board. A governing board may conduct driver education for pupils enrolled in a high school for which the state board of education prescribes minimum standards.

Every local school district shall be provided supervisory services by its governing board as approved by the state board of education. A city or exempted village school district shall be considered to be provided supervisory services by a governing board if it has entered into an agreement for the governing board to provide any services under section 3313.843 of the Revised Code. Supervisory services shall not exceed one supervisory teacher for the first fifty classroom teachers employed in all districts that are provided supervisory services calculated under section 3317.023 of the Revised Code and one supervisory teacher for every additional one hundred such classroom teachers so calculated. Reimbursement for such supervisory services shall be a deduction by the state board of education from the payment to the school district pursuant to division (E) of section 3317.023 of the Revised Code. Deductions for all supervisory services and extended services for supervisory and child study shall be apportioned among local school districts within the territory of the service center and any city or exempted village districts that have entered into agreements with a service center pursuant to section 3313.843 of the Revised Code by the state board of education on the basis of the total number of pupils in each school district, except that where such services are provided to districts other than local school districts within the service

center territory and city or exempted village districts having agreements with the service center, such charges shall be apportioned among all participating districts on the basis of the total number of pupils in each school district. All deductions from state funding to school districts required for reimbursement of governing boards by division (E) of section 3317.023 of the Revised Code shall be made from the total of the payment computed for the district under this chapter, after making any other adjustments in that payment required by law.

(B)(1) In addition to the payments made under division (A) of this section, except as otherwise provided in division (C) of this section, the department of education shall pay each governing board the amount in the following schedule for the specified fiscal year, times the sum of the service center ADM and the sum of the client ADMs of all its client districts:

- (a) In fiscal year 2000, thirty-six dollars;
- (b) In fiscal year 2001, thirty-seven dollars.

(2) In addition to other payments under this section, the department shall pay each educational service center the amounts due to it from school districts pursuant to contracts, compacts, or agreements under which the service center furnishes services to the districts or their students. In order to receive payment under this division, an educational service center shall furnish either a copy of the applicable contract, compact, or agreement clearly indicating the amounts of the payments, or a written statement of the payments owed signed by the superintendent or treasurer of the responsible school district.

The amounts paid to service centers under division (B)(2) of this section shall be deducted from payments to school districts pursuant to division (K)(2) of section 3317.023 of the Revised Code.

(C) Each multicounty service center shall receive a payment each fiscal year equal to forty dollars and fifty-two cents ~~times the formula amount~~ times the sum of the service center ADM and the client ADMs of all its client districts.

(D) Each city, exempted village, local, joint vocational, or cooperative education school district shall pay to the governing board of an educational service center any amounts agreed to for each child enrolled in the district who receives special education and related services or vocational education from the educational service center.

(E) As used in this section:

(1) "Service center ADM" means the total of each of the following for all local school districts within the limits of an educational service center's territory:

(a) The formula ADM;
(b) The kindergarten average daily membership included in the formula ADM;

(c) Three-quarters of the number of students reported under division (B)(4) of section 3317.03 of the Revised Code;

(d) The average daily membership of handicapped preschool children reported under division (B)(2) of section 3317.03 of the Revised Code;

(e) The number of preschool students certified under division (B) of section 3317.032 of the Revised Code.

(2) "Client ADM" means the total of each number described under divisions (E)(1)(a) to (e) of this section for a client district.

(3) "Client district" means a city or exempted village school district that has entered into an agreement to receive services from a service center pursuant to section 3313.843 of the Revised Code.

(4) "Multicounty service center" means a service center that includes territory that formerly was included in the territory of at least three former service centers or county school districts, which former centers or districts engaged in one or more mergers pursuant to section 3311.053 of the Revised Code to form the present center.

Sec. 3317.16. (A) As used in this section:

(1) "State share percentage" means the percentage calculated for a joint vocational school district as follows:

(a) Calculate the state base cost funding amount for the district under division (B) of this section. If the district would not receive any base cost funding for that year under that division, the district's state share percentage is zero.

(b) If the district would receive base cost funding under that division, divide that base cost amount by an amount equal to the following:

$$\frac{\text{cost-of-doing-business factor X}}{\text{the formula amount X}} \\ \text{the greater of formula ADM or} \\ \text{three-year average formula ADM}$$

The resultant number is the district's state share percentage.

(2) The "total special education weight" for a joint vocational school district shall be calculated in the same manner as prescribed in division (B)(1) of section 3317.022 of the Revised Code.

(3) The "total vocational education weight" for a joint vocational school district shall be calculated in the same manner as prescribed in division (B)(4) of section 3317.022 of the Revised Code.

(4) The "adjusted total taxable value" of a joint vocational school

district shall be determined by adding the adjusted total taxable values of all its constituent school districts for the applicable fiscal year.

(B) The department of education shall compute and distribute state base cost funding to each joint vocational school district for the fiscal year in accordance with the following formula:

$$\begin{aligned} & (\text{cost-of-doing-business factor X} \\ & \text{formula amount X the greater of formula} \\ & \text{ADM or three-year average formula ADM) -} \\ & (.0005 \text{ X adjusted total taxable value}) \end{aligned}$$

If the difference obtained under this division is a negative number, the district's computation shall be zero.

(C)(1) The department shall compute and distribute state vocational education additional weighted costs funds to each joint vocational school district in accordance with the following formula:

$$\begin{aligned} & \text{state share percentage X formula amount X} \\ & \text{total vocational education weight} \end{aligned}$$

(2) The department shall compute for each joint vocational school district state funds for vocational education associated services costs in accordance with the following formula:

$$\begin{aligned} & \text{state share percentage X .05 X} \\ & \text{the formula amount X the sum of} \\ & \text{categories one and two vocational} \\ & \text{education ADM} \end{aligned}$$

In any fiscal year, a joint vocational school district receiving funds under division (C)(2) of this section, or through a transfer of funds pursuant to division (L) of section 3317.023 of the Revised Code, shall spend those funds only for the purposes that the department designates as approved for vocational education associated services expenses, which may include such purposes as apprenticeship coordinators, coordinators for other vocational education services, vocational evaluation, and other purposes designated by the department. The department may deny payment under division (C)(2) of this section to any district that the department determines is not operating those services or is using funds paid under division (C)(2) of this section, or through a transfer of funds pursuant to division (L) of section 3317.023 of the Revised Code, for other purposes.

(D)(1) The department shall compute and distribute state special education and related services additional weighted costs funds to each joint vocational school district in accordance with the following formula:

$$\begin{aligned} & \text{state share percentage X formula amount X} \\ & \text{total special education weight} \end{aligned}$$

(2)(a) As used in this division, the "personnel allowance" means twenty-five thousand dollars in fiscal year 2000 and thirty thousand dollars in fiscal year 2001.

(b) For the provision of speech services to students and for no other purpose, the department shall pay each joint vocational school district an amount calculated under the following formula:

(formula ADM divided by 2000) X the personnel
allowance X state share percentage

(E) If a joint vocational school district's costs for a fiscal year for a student in its category three special education ADM are twenty-five thousand dollars or more, the district may submit to the superintendent of public instruction documentation, as prescribed by the superintendent, of all of its costs for that student. Upon submission of documentation for a student of the type and in the manner prescribed, the department shall pay to the district an amount equal to the district's costs for the student in excess of twenty-five thousand dollars multiplied by the district's state share percentage.

The district shall only report, and the department shall only pay for, the costs of educational expenses and the related services provided to the student in accordance with the student's individualized education program. Any legal fees, court costs, or other costs associated with any cause of action relating to the student may not be included in the amount.

(F) Each fiscal year, the department shall pay each joint vocational school district an amount for adult technical and vocational education and specialized consultants.

(G)(1) In any fiscal year, a joint vocational school district receiving funds under division (D) of this section shall spend on the related services specified in division (B)(3) of section 3317.022 of the Revised Code at least the lesser of the following:

(a) The amount the district spent on those related services in the preceding fiscal year;

(b) $1/8 \times [\text{cost-of-doing-business factor} \times \text{the formula amount} \times (\text{the category one special education ADM} + \text{category two special education ADM} + \text{category three special education ADM})] + \text{the amount calculated for the fiscal year under division (D)(1) of this section} + \text{the local share of special education and related services additional weighted costs}$.

(2) A joint vocational school district's local share of special education and related services additional weighted costs equals:

$(1 - \text{state share percentage}) \times$
Total special education weight X

the formula amount

(H) In any fiscal year, if the total of all payments made to a joint vocational school district under divisions (B) to (D) of this section and division (R) of section 3317.024 of the Revised Code is less than the amount that district received in fiscal year 1999 under the version of this section in effect that year, plus the amount that district received under the version of section 3317.162 of the Revised Code in effect that year and minus the amounts received that year for driver education and adult education, the department shall pay the district an additional amount equal to the difference between those two amounts.

(I) In fiscal years 2000 and 2001, each joint vocational school district shall continue to offer the same number of the vocational education programs that the district offered in fiscal year 1999, unless the department of education expressly agrees that the district may offer fewer programs in either or both fiscal year 2000 or 2001.

Sec. 3318.01. As used in sections 3318.01 to 3318.20 of the Revised Code:

(A) "Ohio school facilities commission" means the commission created pursuant to section 3318.30 of the Revised Code.

(B) "Classroom facilities" means rooms in which pupils regularly assemble in public school buildings to receive instruction and education and such facilities and building improvements for the operation and use of such rooms as may be needed in order to provide a complete educational program, and may include space within which a child day-care facility or a community resource center is housed.

(C) "Project" means a project to construct or acquire classroom facilities, or to reconstruct or make additions to existing classroom facilities, to be used for housing the applicable school district and its functions.

(D) "School district" means a local, exempted village, or city school district as such districts are defined in Chapter 3311. of the Revised Code, acting as an agency of state government, performing essential governmental functions of state government pursuant to sections 3318.01 and 3318.20 of the Revised Code.

(E) "School district board" means the board of education of a school district.

(F) "Net bonded indebtedness" means the difference between the sum of the par value of all outstanding and unpaid bonds and notes which a school district board is obligated to pay, any amounts the school district is obligated to pay under lease-purchase agreements entered into under section 3313.375 of the Revised Code, and the par value of bonds authorized by the electors

but not yet issued, the proceeds of which can lawfully be used for the project, and the amount held in the sinking fund and other indebtedness retirement funds for their redemption. Notes issued for school buses in accordance with section 3327.08 of the Revised Code, notes issued in anticipation of the collection of current revenues, and bonds issued to pay final judgments shall not be considered in calculating the net bonded indebtedness.

"Net bonded indebtedness" does not include indebtedness arising from the acquisition of land to provide a site for classroom facilities constructed, acquired, or added to pursuant to sections 3318.01 to 3318.20 of the Revised Code.

(G) "Board of elections" means the board of elections of the county containing the most populous portion of the school district.

(H) "County auditor" means the auditor of the county in which the greatest value of taxable property of such school district is located.

(I) "Tax duplicates" means the general tax lists and duplicates prescribed by sections 319.28 and 319.29 of the Revised Code.

(J) "Required level of indebtedness" means:

(1) In the case of districts in the first percentile, five per cent of the district's valuation for the year preceding the year in which the controlling board approved the project under section 3318.04 of the Revised Code.

(2) In the case of districts ranked in a subsequent percentile, five per cent of the district's valuation for the year preceding the year in which the controlling board approved the project under section 3318.04 of the Revised Code, plus 6 [two one-hundredths of one per cent multiplied by (the percentile in which the district ranks minus one) 7].

(K) "Required percentage of the basic project costs" means one per cent of the basic project costs times the percentile in which the district ranks.

(L) "Basic project cost" means a cost amount determined in accordance with rules adopted under section 111.15 of the Revised Code by the Ohio school facilities commission. The basic project cost calculation shall take into consideration the square footage and cost per square foot necessary for the grade levels to be housed in the classroom facilities, the variation across the state in construction and related costs, the cost of the installation of site utilities and site preparation, the cost of insuring the project until it is completed, and the professional planning, administration, and design fees that a district may have to pay to undertake a classroom facilities project.

(M) A "school district's portion of the basic project cost" means the amount determined under section 3318.032 of the Revised Code.

(N) "Child day-care facility" means space within a classroom facility in

which the needs of infants, toddlers, preschool children, and school children are provided for by persons other than the parent or guardian of such children for any part of the day, including persons not employed by the school district operating such classroom facility.

(O) "Community resource center" means space within a classroom facility in which comprehensive services that support the needs of families and children are provided by community-based social service providers.

(P) "Valuation" means the total value of all property in the district as listed and assessed for taxation on the tax duplicates.

(Q) "Percentile" means the percentile in which the district is ranked pursuant to division (D) of section 3318.011 of the Revised Code.

(R) "Installation of site utilities" means the installation of a site domestic water system, site fire protection system, site gas distribution system, site sanitary system, site storm drainage system, and site telephone and data system.

(S) "Site preparation" means the earthwork necessary for preparation of the building foundation system, the paved pedestrian and vehicular circulation system, playgrounds on the project site, and lawn and planting on the project site.

Sec. 3318.011. For purposes of providing assistance under sections 3318.01 to 3318.20 of the Revised Code, the department of education shall annually do all of the following:

(A) Calculate the adjusted valuation per pupil of each city, local, and exempted village school district according to the following formula:

$$\frac{\text{The district's valuation per pupil} - \text{€}[\$30,000 \times (1 - \text{the district's income factor})\text{7}].$$

For purposes of this calculation:

(1) "Valuation per pupil" for a district means its average taxable value, divided by its formula ADM reported under section 3317.03 of the Revised Code for the previous fiscal year.

(2) "Average taxable value" means the average of the amounts certified for a district in the second, third, and fourth preceding fiscal years under divisions (A)(1) and (2) of section 3317.021 of the Revised Code.

(3) "Income factor" has the same meaning as in section 3317.02 of the Revised Code.

(B) Calculate the three-year average adjusted valuation per pupil of each city, local, and exempted village school district for the preceding three fiscal years;

(C) Rank all such districts in order of adjusted valuation per pupil from the district with the lowest three-year average adjusted valuation per pupil to

the district with the highest three-year average adjusted valuation per pupil;

(D) Divide such ranking into percentiles with the first percentile containing the one per cent of school districts having the lowest three-year average adjusted valuations per pupil and the one-hundredth percentile containing the one per cent of school districts having the highest three-year average adjusted valuations per pupil;

(E) Determine the school districts that have three-year average adjusted valuations per pupil that are greater than the median three-year average adjusted valuation per pupil for all school districts in the state;

(F) Certify the information described in divisions (A) to (E) of this section to the Ohio school facilities commission.

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

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

(2) "Required level of indebtedness" means five per cent of the school district's valuation for the year preceding the year in which the commission and school district enter into an agreement under division (B) of this section, plus $\frac{6}{100}$ [two one-hundredths of one per cent multiplied by (the percentile in which the district ranks in the fiscal year the commission and the school district enter into such agreement minus one)]⁷.

(B) There is hereby established the school building assistance expedited local partnership program. Under the program, the Ohio school facilities commission may enter into an agreement with the school district board of any school district ranked in the twentieth to fortieth percentiles, as determined under section 3318.011 of the Revised Code in the fiscal year that the commission and school district board enter into such agreement. Under the agreement, the school district board may proceed with the new construction or major repairs of a part of the school district's classroom facilities needs, as determined under sections 3318.01 to 3318.20 of the Revised Code, through the expenditure of local resources prior to the school district's eligibility for state assistance under sections 3318.01 to 3318.20 of the Revised Code and may apply that expenditure toward meeting the school district's portion of the basic project cost of the total of the school district's classroom facilities needs, as determined under sections 3318.01 to 3318.20 of the Revised Code and as recalculated under division (E) of this section, that are eligible for state assistance under sections 3318.01 to 3318.20 of the Revised Code when the school district becomes eligible for such state

assistance.

The commission may enter into an agreement under this section with no more than five school districts each year.

To participate in the program, a school district board shall first adopt a resolution certifying to the commission the board's intent to participate in the program.

The commission shall consider school districts for participation in the program under this section each year in the order in which they adopt the resolutions required under this section and submit them to the commission.

Any project under this section shall comply with section 3318.03 of the Revised Code and with any specifications for plans and materials for classroom facilities adopted by the commission under section 3318.04 of the Revised Code.

(C) If the commission and a school district board enter into an agreement authorized under division (B) of this section, the commission shall conduct on-site visits to the school district and shall conduct an assessment of the school district's classroom facilities needs as authorized in section 3318.021 of the Revised Code within six months of the execution of the agreement. Based on the results of the on-site visits and assessment, the commission shall determine the basic project cost of the school district's classroom facilities needs. The commission shall determine the school district's portion of such basic project cost, which shall be the greater of:

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

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

(D)(1) When the commission determines the basic project cost of the classroom facilities needs of a school district and the school district's portion of that basic project cost under division (C) of this section, the project shall be conditionally approved. Such conditional approval shall be submitted to the controlling board for approval thereof. The controlling board shall forthwith approve or reject the commission's determination, conditional approval, and the amount of the state's portion of the basic project cost; however, no state funds shall be encumbered under this section. Upon approval by the controlling board, the school district board may identify a discrete part of its classroom facilities needs, which shall include only new

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

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

(2) For a school district to qualify for participation in the program authorized under this section, the electors of the school district by a majority vote shall approve the levy of taxes outside the ten-mill limitation for a period not to exceed twenty-three years at the rate of one-half mill for each dollar of valuation to be used to pay the cost of maintaining the classroom facilities included in the basic project cost as determined by the commission. The form of the ballot to be used to submit the question whether to approve the tax required under this division to the electors of the school district shall be the form for an additional levy of taxes prescribed in division (C) of section 3318.06 of the Revised Code. Proceeds of this additional levy of taxes shall be deposited into a separate fund as specified in division (B) of section 3318.05 of the Revised Code.

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

as specified in section 3318.06 of the Revised Code to submit to the electors of the school district the question of approval of a bond issue in order to pay any additional amount of school district portion required for state assistance. The tax levy approved under division (D)(2) of this section shall satisfy the requirements to levy the one-half mill additional tax under section 3318.06 of the Revised Code.

If the amount of school district resources applied by the school district board to the school district's portion of the basic project cost under this section is more than the total amount of such portion as recalculated under this division, the commission may reimburse to the school district the difference between the two calculated portions, but at no time shall the commission expend any state funds on a project in an amount greater than the state's portion of the basic project cost as recalculated under this division.

Sec. 3332.05. (A) The state board of proprietary school registration shall issue a certificate of registration to an applicant of good reputation seeking to offer one or more programs upon receipt of the fee established in accordance with section 3332.07 of the Revised Code and upon determining the applicant has the facilities, resources, and faculty to provide students with the kind of instruction that it proposes to offer and meets the minimum standards of the board. A certificate of registration shall be granted or denied within one hundred twenty days of the receipt of the application therefor by the board. A person shall obtain a separate certificate for each location at which the person offers programs. The first certificate of registration issued on or after the effective date of this amendment for each new location is valid for one year, unless earlier revoked for cause by the board under section 3332.09 of the Revised Code. Any other certificate of registration is valid for two years, unless earlier revoked for cause by the board under that section.

(B) The board shall issue program authorization for an associate degree, certificate, or diploma program to an applicant holding a certificate of registration issued pursuant to division (A) of this section upon receipt of the fee established in accordance with section 3332.07 of the Revised Code and upon determining the applicant has the facilities, resources, and faculty to provide students the kind of program it proposes to offer and meets the minimum standards of the state board.

The state board shall promptly furnish the Ohio board of regents a copy of all applications for issuance or renewal of program authorization to offer any associate degree program. Prior to the issuance or renewal of such program authorization the state board shall conduct an on-site visit of the

school proposing the program. A representative of the board of regents shall participate in the visit. Within twenty-one days of the on-site visit the representative of the board of regents shall provide the state board with a written statement recommending approval or disapproval of the application.

Any program authorization issued by the board under this division is valid only for the specified program at the location for which it is issued and does not cover any other program offered at the school or at other schools operated by the owner. Program authorization is valid for the period of time specified by the board, unless earlier suspended or revoked for cause by the board under section 3332.09 of the Revised Code.

(C)(1) The state board shall accept and review ~~all~~ applications for program authorization for baccalaureate, master's, and doctoral degree programs only from ~~schools~~ the following:

(a) Any school holding certificates a certificate of registration issued by the board that ~~have~~ has held such ~~certificates~~ certificate for the ten previous consecutive years;

(b) Any school holding a certificate of registration issued by the board that also holds an equivalent certificate issued by another state and has held the equivalent certificate for the ten previous consecutive years ~~After~~

(2) After review the board shall refer any application it finds valid to the Ohio board of regents for approval. The board of regents shall review, and approve or disapprove, such degree programs and if so approved, issue certificates of authorization to such schools to offer such degree programs pursuant to Chapter 1713. of the Revised Code. The board of regents shall notify the state board of proprietary school registration of each school registered with the state board that receives a certificate of authorization and the approval to offer any degree program. Upon receipt of such notification and the fee established in accordance with section 3332.07 of the Revised Code, the state board shall review, and may issue program authorization to offer, such a degree program. Any program authorization issued by the board under this division is valid only for the specified program at the location for which it is issued and does not cover any other program offered at the school or at other schools operated by the owner. Program authorization is valid for the period of time specified by the board, unless earlier suspended or revoked for cause by the board under section 3332.09 of the Revised Code. The state board shall not issue such program authorization unless the degree program has been approved by the board of regents.

(D) The board may cause an investigation to be made into the correctness of the information submitted in any application received under

this section. If the board believes that false, misleading, or incomplete information has been submitted to it in connection with any application, the board shall conduct a hearing on the matter pursuant to Chapter 119. of the Revised Code, and may withhold a certificate of registration or program authorization upon finding that the applicant has failed to meet the standards for such certificate or program authorization or has submitted false, misleading, or incomplete information to the board. Application for a certificate of registration or program authorization shall be made in writing to the board on forms furnished by the board. A certificate of registration or program authorization is not transferable and shall be prominently displayed on the premises of an institution.

The board shall assign registration numbers to all schools registered with it. Schools shall display their registration numbers on all school publications and on all advertisements bearing the name of the school.

Notwithstanding the requirements of this section for issuance of certificates of registration and program authorization, the board may, in accordance with rules adopted by it, grant certificates of registration and program authorization to schools, colleges, institutes, or universities that have been approved by the state department of education pursuant to the "Act of March 3, 1966," 80 Stat. 20, 38 U.S.C.A. 1771.

Sec. 3332.06. (A)(1) No program shall be established, offered, or given for a charge, fee, or other contribution; no certificate, diploma, degree, or other written evidence of proficiency or achievement shall be offered whether in a specified place, by correspondence, or any other means of communication, or awarded; and no student enrollment in such program shall be solicited through advertising, agents, mail circulars, or other means, until the person planning to offer or offering such program, certificate, diploma, or degree has obtained a certificate of registration and appropriate program authorization in accordance with section 3332.05 of the Revised Code. No school shall offer a baccalaureate, master's, or doctoral degree program unless it has received a certificate of authorization from the Ohio board of regents and program authorization from the state board of proprietary school registration.

(2) No institution receiving a certificate of registration after the effective date of this amendment JULY 28, 1989, shall call itself a "university:" unless it meets all of the following conditions:

- (a) It also holds an equivalent certificate issued by another state;
- (b) It calls itself a "university" in that other state, as permitted under the terms of the other state's certificate;
- (c) It has been issued degree program authorization under division (C)

of section 3332.05 of the Revised Code.

(B) The board shall petition the court of common pleas of the county in which a person or agent, as defined in section 3332.01 of the Revised Code, offers one or more programs subject to this chapter or advertises for the offering of such programs without a certificate of registration and program authorization, for an order enjoining such offering or advertising. The court may grant such injunctive relief upon a showing that the respondent named in the petition is offering or advertising one or more programs without a certificate of registration and program authorization.

Sec. 3333.29. (A) As used in this section, "resident" has the meaning established for purposes of this section by rule of the Ohio board of regents.

(B) Beginning July 1, 2000, the Ohio board of regents shall establish and administer the student workforce development grant program and shall adopt rules for the administration of the program. Such rules shall be similar to the rules the Ohio board of regents adopts under section 3333.27 of the Revised Code.

(C) The Ohio board of regents may make a grant to any resident of this state who is enrolled as a full-time student in an authorized baccalaureate degree or associate degree program at a private career school registered in accordance with section 3332.05 of the Revised Code and who maintains an academic record that meets or exceeds a standard established by rule of the state board of proprietary school registration, except that no grant shall be made to any individual who was enrolled as a student in a registered private career school before July 1, 2000. ~~Each grant award shall be in an amount of approximately two hundred dollars.~~ The actual size of an annual grant award shall be determined by the Ohio board of regents based on the amount of funds available for the program. The grant shall be prorated and paid in equal installments per academic term in accordance with division (E) of this section.

(D) The Ohio board of regents shall prescribe the form and manner of application for grants and shall provide a method for registered private career schools to certify applicants who are enrolled in authorized baccalaureate degree or associate degree programs and have academic records meeting or exceeding the standard established by the state board of proprietary school registration.

(E) A grant awarded to an eligible student shall be paid to the registered private career school in which the student is enrolled, and the school shall reduce the student's instructional and general charges by the amount of the grant. Each grant awarded shall be paid in accordance with division (C) of this section within thirty days after the start of each term of the academic

year for which the grant is awarded. No student shall be eligible to receive grants for more than the equivalent of five academic years.

(F) The receipt of a workforce development grant shall not affect a student's eligibility for assistance or the amount of such assistance granted under any other provision of state law. If a student receives assistance under one or more other provisions of state law, the grant made to the student under this section shall not exceed the difference between the total instructional and general charges assessed to the student by the private career school and the amount of total assistance the student receives under other provisions of state law.

(G) The general assembly shall support the workforce development grant program with such appropriations as the general assembly sees fit. The Ohio board of regents may also receive funds from other sources to support the program.

(H) Private career schools that enroll students receiving grants under this section shall report to the Ohio board of regents the name of each student who has received such a grant but who is no longer eligible for such a grant. In the event that an eligible student who has been awarded a grant under this section withdraws from enrollment at a school during any term, the school shall refund a prorated amount of the student's grant for that term to the Ohio board of regents in accordance with the school's refund policy.

(I) Beginning July 1, 2000, the state board of proprietary school registration shall report to the Ohio board of regents each degree granting proprietary school's job placement rate for the immediately preceding academic year. No grant awarded to an eligible student under this section shall be paid to a registered private career school if the school's job placement rate for ~~that student's~~ baccalaureate degree ~~or~~ and associate degree ~~program programs~~ for the preceding academic year was less than seventy-five per cent.

Sec. 3734.281. Notwithstanding any provision of law to the contrary, any moneys set aside by the state for the cleanup and remediation of the Ashtabula river; any moneys collected from settlements made by the director of environmental protection, including those associated with bankruptcies, related to actions brought under section ~~3734.14~~ 3734.13, 3734.20, 3734.22, 6111.03, or 6111.04 of the Revised Code; and any moneys received under the "Comprehensive Environmental Response, Compensation, and Liability Act of 1980," 94 Stat. 2767, 42 U.S.C. 9602, as amended, may be paid into the state treasury to the credit of the environmental protection remediation fund, which is hereby created. The environmental protection agency shall use the moneys in the fund only for

the purpose of remediating conditions at a hazardous waste facility, solid waste facility, or other location at which the director has reason to believe there is a substantial threat to public health or safety or the environment. Remediation may include the direct and indirect costs associated with the overseeing, supervising, performing, verifying, or reviewing of remediation activities by agency employees. All investment earnings of the fund shall be credited to the fund.

Sec. 4506.01. As used in this chapter:

(A) "Alcohol concentration" means the concentration of alcohol in a person's blood, breath, or urine. When expressed as a percentage, it means grams of alcohol per the following:

- (1) One hundred milliliters of blood;
- (2) Two hundred ten liters of breath;
- (3) One hundred milliliters of urine.

(B) "School bus" has the same meaning as in section 4511.01 of the Revised Code.

(C) "Commercial driver's license" means a license issued in accordance with this chapter that authorizes an individual to drive a commercial motor vehicle.

(D) "Commercial driver license information system" means the information system established pursuant to the requirements of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 49 U.S.C.A. App. 2701.

(E) Except when used in section 4506.25 of the Revised Code, "commercial motor vehicle" means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications:

(1) Any combination of vehicles with a combined gross vehicle weight rating of twenty-six thousand one pounds or more, provided the gross vehicle weight rating of the vehicle or vehicles being towed is in excess of ten thousand pounds;

(2) Any single vehicle with a gross vehicle weight rating of twenty-six thousand one pounds or more, or any such vehicle towing a vehicle having a gross vehicle weight rating that is not in excess of ten thousand pounds;

(3) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but that either is designed to transport sixteen or more passengers including the driver, or is placarded for hazardous materials;

(4) Any school bus with a gross vehicle weight rating of less than twenty-six thousand one pounds that is designed to transport fewer than sixteen passengers including the driver;

(5) Is transporting hazardous materials for which placarding is required

by regulations adopted under the "Hazardous Materials Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as amended;

(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the federal highway administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

(F) "Controlled substance" means all of the following:

(1) Any substance classified as a controlled substance under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 U.S.C.A. 802(6), as amended;

(2) Any substance included in schedules I through V of 21 C.F.R. part 1308, as amended;

(3) Any drug of abuse.

(G) "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(H) "Disqualification" means withdrawal of the privilege to drive a commercial motor vehicle.

(I) "Drive" means to drive, operate, or be in physical control of a motor vehicle.

(J) "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle or is required to have a commercial driver's license.

(K) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.

(L) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

(M) "Employer" means any person, including the federal government, any state, and a political subdivision of any state, that owns or leases a commercial motor vehicle or assigns a person to drive such a motor vehicle.

(N) "Endorsement" means an authorization on a person's commercial driver's license that is required to permit the person to operate a specified type of commercial motor vehicle.

(O) "Felony" means any offense under federal or state law that is punishable by death or specifically classified as a felony under the law of this state, regardless of the penalty that may be imposed.

(P) "Foreign jurisdiction" means any jurisdiction other than a state.

(Q) "Gross vehicle weight rating" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination vehicle. The gross vehicle weight rating of a combination vehicle is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of each towed unit.

(R) "Hazardous materials" means materials identified as such under regulations adopted under the "Hazardous Materials Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as amended.

(S) "Motor vehicle" has the same meaning as in section 4511.01 of the Revised Code.

(T) Except when used in sections 4506.25 and 4506.26 of the Revised Code, "out-of-service order" means a temporary prohibition against driving a commercial motor vehicle issued under this chapter or a similar law of another state or of a foreign jurisdiction.

(U) "Residence" means any person's residence determined in accordance with standards prescribed in rules adopted by the registrar.

(V) "Temporary residence" means residence on a temporary basis as determined by the registrar in accordance with standards prescribed in rules adopted by the registrar.

(W) "Serious traffic violation" means a conviction arising from the operation of a commercial motor vehicle that involves any of the following:

(1) A single charge of any speed that is in excess of the posted speed limit by an amount specified by the United States secretary of transportation and that the director of public safety designates as such by rule;

(2) Violation of section 4511.20, 4511.201, or 4511.202 of the Revised Code or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state;

(3) Violation of a law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of another state, that results in a fatal accident;

(4) Violation of any other law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, that is determined to be a serious traffic violation by the United States secretary of transportation and the director designates as such by rule.

(X) "State" means a state of the United States and includes the District

of Columbia.

(Y) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or its chassis, but does not include any portable tank having a rated capacity of less than one thousand gallons.

(Z) "United States" means the fifty states and the District of Columbia.

(AA) "Vehicle" has the same meaning as in section 4511.01 of the Revised Code.

(BB) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

Sec. 4766.05. (A) The Ohio ambulance licensing board shall establish by rule a license fee, a permit fee for each ambulance and nontransport vehicle owned or leased by the licensee that is or will be used as provided in section 4766.07 of the Revised Code, and fees for renewals of licenses and permits, taking into consideration the actual costs incurred by the board in carrying out its duties under this chapter. However, the fee for each license and each renewal of a license shall not exceed one hundred dollars, and the fee for each permit and each renewal of a permit shall not exceed ~~fifty one~~ hundred dollars for each ambulance and nontransport vehicle. For purposes of establishing fees, "actual costs" includes the costs of salaries, expenses, inspection equipment, supervision, and program administration.

(B) The board shall deposit all fees and other moneys collected pursuant to sections 4766.04, 4766.07, and 4766.08 of the Revised Code in the state treasury to the credit of the ambulance licensing trust fund, which is hereby created. All moneys from the fund shall be used solely for the salaries and expenses of the board incurred in implementing and enforcing this chapter.

(C) The board, subject to the approval of the controlling board, may establish fees in excess of the maximum amounts allowed under division (A) of this section, but such fees shall not exceed those maximum amounts by more than fifty per cent.

Sec. 4911.18. (A) For the sole purpose of maintaining and administering the office of the consumers' counsel and exercising the powers of the consumers' counsel under this chapter, an amount equal to the appropriation to the office of the consumers' counsel in each fiscal year shall be apportioned among and assessed against each public utility within the state, as defined in section 4911.01 of the Revised Code, by first computing an assessment as though it were to be made in proportion to the intrastate gross earnings or receipts of the public utility for the calendar year next preceding that in which the assessment is made, excluding earnings or receipts from

sales to other public utilities for resale. The office may include in that first computation any amount of a ~~railroad's~~ or public utility's intrastate gross earnings or receipts underreported in a prior year. In addition to whatever penalties apply under the Revised Code to such underreporting, the office shall assess the ~~railroad~~ or public utility interest at the rate stated in division (A) of section 1343.01 of the Revised Code. The office shall deposit any interest so collected into the consumers' counsel operating fund.

The final computation of the assessment shall consist of imposing upon each public utility whose assessment under the first computation would have been fifty dollars or less an assessment of fifty dollars and recomputing the assessment of the remaining companies by apportioning an amount equal to the appropriation to the office of consumers' counsel in each fiscal year less the total amount to be recovered from those paying the minimum assessment, in proportion to the intrastate gross earnings or receipts of the remaining companies for the calendar year next preceding that in which the assessments are made, excluding earnings or receipts from sales to other public utilities for resale.

In the case of an assessment based on intrastate gross receipts under this section against a public utility that is an electric utility as defined in section 4928.01 of the Revised Code, or an electric services company, electric cooperative, or governmental aggregator subject to certification under section 4928.08 of the Revised Code, such receipts shall be those specified in the utility's, company's, cooperative's, or aggregator's most recent report of intrastate gross receipts and sales of kilowatt hours of electricity, filed with the public utilities commission pursuant to division (F) of section 4928.06 of the Revised Code, and verified by the commission.

(B) On or before the first day of October in each year, the office of consumers' counsel shall notify each public utility of the sum assessed against it, whereupon payment shall be made to the counsel, who shall deposit it into the state treasury to the credit of the consumers' counsel operating fund, which is hereby created. Any such amounts paid into the fund but not expended by the office shall be credited ratably by the office to the public utilities that pay more than the minimum assessment, according to the respective portions of such sum assessable against them for the ensuing calendar year, after first deducting any deficits accumulated from prior years. The assessments for such calendar year shall be reduced correspondingly.

(C) Within five days after the beginning of each fiscal year, the director of budget and management shall transfer from the general revenue fund to the consumers' counsel operating fund an amount sufficient for maintaining

and administering the office of the consumers' counsel and exercising the powers of the consumers' counsel under this chapter during the first four months of the fiscal year. Not later than the thirty-first day of December of the fiscal year, the same amount shall be transferred back to the general revenue fund from the consumers' counsel operating fund.

(D) As used in this section, "public utility" includes, in addition to an electric utility as defined in section 4928.01 of the Revised Code, an electric services company, an electric cooperative, or a governmental aggregator subject to certification under section 4928.08 of the Revised Code, to the extent of the company's, cooperative's, or aggregator's engagement in the business of supplying or arranging for the supply in this state of any retail electric service for which it must be so certified.

Sec. 5101.325. (A)(1) Except as provided in division (H) of section 2301.35 of the Revised Code, the division of child support in the department of job and family services shall be the sole agency of the state responsible for the collection of all support payments due under support orders and the disbursement of the payments to obligees. The division shall make collections and disbursements in compliance with rules adopted pursuant to division (F) of this section.

(2) In order to comply with its collection and disbursement responsibilities, the division may require the director of each child support enforcement agency to authorize the division to use that director's facsimile signature if the division determines the signature's use is necessary. An agency director shall not be subject to civil or criminal liability for any damage or injury to persons or property that result from the use of the facsimile signature by the state.

(B)(1) The division shall collect the charge imposed on the obligor under the support order pursuant to division (G)(1) of section 2301.35 of the Revised Code. If an obligor fails to pay the required amount with each current support payment due in increments specified under the support order, the division shall maintain a separate arrearage account of that amount for that obligor. The division shall not deduct the unpaid amount from any support payment due to the obligee in increments specified under the support order. If an obligor pays the required amount, the division is not required to apply that payment toward any arrearages under the support payment.

(2) The division, on receipt of program income from a child support enforcement agency under section 3111.99 or 3113.99 of the Revised Code, shall place it in the program income fund established pursuant to division (E) of this section.

(3) All charge amounts collected pursuant to division (B)(1) of this section shall be placed in the program income fund established pursuant to division (E) of this section. On receipt of the charges, the division shall determine the charge amounts collected from obligors under support orders being administered by a child support enforcement agency in each county and shall distribute quarterly to each such agency an amount equal to the charges attributable to the agency. No charge amounts collected pursuant to this division shall be used by the division or an agency for any purpose other than the provision of funds for support enforcement activities.

(C) The division may enter into contracts with public entities or private vendors for the collection of amounts due under support orders or for the performance of other administrative duties of the division. The division may contract with a public or private entity for the collection of arrearages owed under any child support order for which a court or a child support enforcement agency has found the obligor in default pursuant to a final and enforceable order issued pursuant to division (B) of section 3113.21 of the Revised Code. Each contract shall comply with the rules adopted pursuant to division (F) of this section.

(D) There is hereby created the child support payments fund, which shall be in the custody of the treasurer of state but shall not be part of the state treasury. The division shall ~~maintain a separate account for the deposit of~~ into the fund all support payments it receives as trustee for remittance to the persons entitled to receive the support payments. The division shall disburse each support payment received by it to the appropriate persons pursuant to division (C) of section 3113.211 of the Revised Code. The division shall comply with rules adopted under division (F) of this section to assist in the implementation of this division. The division shall retain and use solely for support enforcement activities, all interest earned on moneys in ~~any account maintained pursuant to this division~~ the fund.

(E) The program income fund is hereby created in the state treasury. The fund shall consist of charge amounts collected under division (B)(1) of this section and program income collected under division (B)(2) of this section, division (E) of section 3111.99 of the Revised Code, and division (E) of section 3113.99 of the Revised Code, and any other program income. The funds shall be used by the division of child support and child support enforcement agencies for purposes of providing funds for child support enforcement activities.

(F) The director of job and family services, pursuant to Chapter 119. of the Revised Code shall adopt rules that do all of the following:

(1) Govern collection and disbursement of child support amounts in

compliance with sections 454, 454B, and 466 of the "Social Security Act," as amended by the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," 110 Stat. 2105, 42 U.S.C. 654, 654B, and 666, and any regulations adopted under the act;

(2) ~~Governing~~ Govern the method of sending processing charge amounts to child support enforcement agencies;

(3) Assist in the implementation of separate accounts for support payments received by the division;

(4) Govern the process of entering into and the provisions of contracts described in division (C) of this section.

Sec. 5101.35. (A) As used in this section:

(1) "Agency" means the following entities that administer a family services program:

(a) The department of job and family services;

(b) A county department of job and family services;

(c) A public children services agency;

(d) A private or government entity administering, in whole or in part, a family services program for or on behalf of the department of job and family services or a county department of job and family services or public children services agency.

(2) "Appellant" means an applicant, participant, former participant, recipient, or former recipient of a family services program who is entitled by federal or state law to a hearing regarding a decision or order of the agency that administers the program.

(3) "Family services program" means assistance provided under Chapter 5104., 5107., 5108., 5111., or 5115. or section 173.35, 5101.141, 5101.46, 5101.54, 5153.163, or 5153.165 of the Revised Code, other than assistance provided under section 5101.46 of the Revised Code by the department of mental health, the department of mental retardation and developmental disabilities, a board of alcohol, drug addiction, and mental health services, or a county board of mental retardation and developmental disabilities.

(B) An appellant who appeals under federal or state law a decision or order of an agency administering a family services program shall, at the appellant's request, be granted a state hearing by the department of job and family services. This state hearing shall be conducted in accordance with rules adopted under this section. The state hearing shall be tape-recorded, but neither the recording nor a transcript of the recording shall be part of the official record of the proceeding. A state hearing decision is binding upon the agency and department, unless it is reversed or modified on appeal to the director of job and family services or a court of common pleas.

(C) An appellant who disagrees with a state hearing decision may make an administrative appeal to the director of job and family services in accordance with rules adopted under this section. This administrative appeal does not require a hearing, but the director or the director's designee shall review the state hearing decision and previous administrative action and may affirm, modify, remand, or reverse the state hearing decision. Any person designated to make an administrative appeal decision on behalf of the director shall have been admitted to the practice of law in this state. An administrative appeal decision is the final decision of the department and is binding upon the department and agency, unless it is reversed or modified on appeal to the court of common pleas.

(D) An agency shall comply with a decision issued pursuant to division (B) or (C) of this section within the time limits established by rules adopted under this section. If a county department of job and family services or a public children services agency fails to comply within these time limits, the department may take action pursuant to section 5101.24 of the Revised Code. If another agency fails to comply within the time limits, the department may force compliance by withholding funds due the agency or imposing another sanction established by rules adopted under this section.

(E) An appellant who disagrees with an administrative appeal decision of the director of job and family services or the director's designee issued under division (C) of this section may appeal from the decision to the court of common pleas pursuant to section 119.12 of the Revised Code. The appeal shall be governed by section 119.12 of the Revised Code except that:

(1) The person may appeal to the court of common pleas of the county in which the person resides, or to the court of common pleas of Franklin county if the person does not reside in this state.

(2) The person may apply to the court for designation as an indigent and, if the court grants this application, the appellant shall not be required to furnish the costs of the appeal.

(3) The appellant shall mail the notice of appeal to the department of job and family services and file notice of appeal with the court within thirty days after the department mails the administrative appeal decision to the appellant. For good cause shown, the court may extend the time for mailing and filing notice of appeal, but such time shall not exceed six months from the date the department mails the administrative appeal decision. Filing notice of appeal with the court shall be the only act necessary to vest jurisdiction in the court.

(4) The department shall be required to file a transcript of the testimony of the state hearing with the court only if the court orders the department to

file the transcript. The court shall make such an order only if it finds that the department and the appellant are unable to stipulate to the facts of the case and that the transcript is essential to a determination of the appeal. The department shall file the transcript not later than thirty days after the day such an order is issued.

(F) The department of job and family services shall adopt rules in accordance with Chapter 119. of the Revised Code to implement this section, including rules governing the following:

(1) State hearings under division (B) of this section; The rules shall include provisions regarding notice of eligibility termination and the opportunity of an appellant appealing a decision or order of a county department of job and family services to request a county conference with the county department before the state hearing is held.

(2) Administrative appeals under division (C) of this section;

(3) Time limits for complying with a decision issued under division (B) or (C) of this section;

(4) Sanctions that may be applied against an agency under division (D) of this section.

(G) The requirements of Chapter 119. of the Revised Code apply to a state hearing or administrative appeal under this section only to the extent, if any, specifically provided by rules adopted under this section.

Sec. 5107.05. The director of job and family services shall adopt rules to implement this chapter. The rules shall be consistent with Title IV-A, Title IV-D, federal regulations, state law, the Title IV-A state plan submitted to the United States secretary of health and human services under section 5101.80 of the Revised Code, amendments to the plan, and waivers granted by the United States secretary. Rules governing eligibility, program participation, and other applicant and participant requirements shall be adopted in accordance with Chapter 119. of the Revised Code. Rules governing financial and other administrative requirements applicable to the department of job and family services and county departments of job and family services shall be adopted in accordance with section 111.15 of the Revised Code.

(A) The rules shall specify, establish, or govern all of the following:

(1) A payment standard for Ohio works first based on federal and state appropriations;

(2) The method of determining the amount of cash assistance an assistance group receives under Ohio works first;

(3) Requirements for initial and continued eligibility for Ohio works first, including requirements regarding income, citizenship, age, residence,

and assistance group composition. The rules regarding income shall specify what is countable income, gross earned income, and gross unearned income for the purpose of section 5107.10 of the Revised Code.

(4) For the purpose of section 5107.12 of the Revised Code, application and verification procedures, including the minimum information an application must contain;

(5) The extent to which a participant of Ohio works first must notify, pursuant to section 5107.12 of the Revised Code, a county department of job and family services of additional income not previously reported to the county department;

(6) The department of job and family services providing written notice of a sanction under section 5107.161 of the Revised Code;

(7) Requirements for the collection and distribution of support payments owed participants of Ohio works first pursuant to section 5107.20 of the Revised Code;

~~(7)~~(8) For the purpose of section 5107.22 of the Revised Code, what constitutes cooperating in establishing a minor child's paternity or establishing, modifying, or enforcing a child support order and good cause for failure or refusal to cooperate. The rule shall be consistent with 42 U.S.C.A. 654(29).

~~(8)~~(9) The administration of the LEAP program provided for under section 5107.30 of the Revised Code;

~~(9)~~(10) Circumstances under which a county department of job and family services may exempt a minor head of household or adult from participating in a work activity or developmental activity for all or some of the weekly hours otherwise required by section 5107.43 of the Revised Code. Circumstances shall include that a school or place of work is closed due to a holiday or weather or other emergency and that an employer grants the minor head of household or adult leave for illness or earned vacation.

~~(10)~~(11) The maximum amount of time the department will subsidize positions created by state agencies and political subdivisions under division (C) of section 5107.52 of the Revised Code.

(B) The rules may provide that a county department of job and family services is not required to take action under section 5107.76 of the Revised Code to recover an erroneous payment that is below an amount the department specifies.

Sec. 5107.161. Before a county department of job and family services sanctions an assistance group under section 5107.16 of the Revised Code, the ~~county~~ state department of job and family services shall provide the assistance group written notice of the sanction in accordance with rules

adopted under section 5107.05 of the Revised Code. The written notice shall include a provision printed in bold type face that informs the assistance group that ~~it~~, not later than fifteen calendar days after the state department mailed the written notice to the assistance group, the assistance group may request, for the purpose of explaining why the assistance group believes it should not be sanctioned, a state hearing under division (B) of section 5101.35 of the Revised Code which, at the assistance group's request, may be preceded by a face-to-face ~~meeting~~ county conference with the county department not later than ten days after receiving the written notice to explain why the assistance group believes it should not be sanctioned. The written notice shall include either the telephone numbers of the assistance group's caseworker and number of an Ohio works first ombudsperson provided for under section 329.07 of the Revised Code who the assistance group may call if unable to contact the caseworker and or the toll-free telephone number of the state department of job and family services that the assistance group may call to obtain the telephone number of an Ohio works first ombudsperson.

Sec. 5107.162. If an assistance group requests a ~~meeting with a county department of job and family services~~ state hearing under division (B) of section 5101.35 of the Revised Code not later than ~~ten~~ fifteen calendar days after ~~receiving under section 5107.161 of the Revised Code~~ the department of job and family services mails the assistance group a written notice of a sanction under section 5107.161 of the Revised Code, the a county department of job and family services shall ~~schedule the meeting and postpone imposition of the sanction until the date the meeting is scheduled to be held~~ A final decision is rendered in the state hearing, unless the assistance group withdraws the request for the state hearing because the assistance group is satisfied with the results of a county conference.

Sec. 5111.23. (A) The department of job and family services shall pay each eligible nursing facility and intermediate care facility for the mentally retarded a per resident per day rate for direct care costs established prospectively for each facility. ~~Except as provided in division (C)(2) of this section, the~~ The department shall establish each facility's rate for direct care costs quarterly.

(B) Each facility's rate for direct care costs shall be based on the facility's cost per case-mix unit, subject to the maximum costs per case-mix unit established under division (B)(2) of this section, from the calendar year preceding the fiscal year in which the rate is paid. To determine the rate, the department shall do all of the following:

- (1) Determine each facility's cost per case-mix unit for the calendar year

preceding the fiscal year in which the rate will be paid by dividing the facility's desk-reviewed, actual, allowable, per diem direct care costs for that year by its average case-mix score determined under section 5111.231 of the Revised Code for the same calendar year.

(2)(a) Set the maximum cost per case-mix unit for each peer group of nursing facilities specified in rules adopted under division (E) of this section at a percentage above the cost per case-mix unit of the facility in the group that has the group's median medicaid inpatient day for the calendar year preceding the fiscal year in which the rate will be paid, as calculated under division (B)(1) of this section, that is no less than the percentage calculated under division (D)(1) of this section.

(b) Set the maximum cost per case-mix unit for each peer group of intermediate care facilities for the mentally retarded with more than eight beds specified in rules adopted under division (E) of this section at a percentage above the cost per case-mix unit of the facility in the group that has the group's median medicaid inpatient day for the calendar year preceding the fiscal year in which the rate will be paid, as calculated under division (B)(1) of this section, that is no less than the percentage calculated under division (D)(2) of this section.

(c) Set the maximum cost per case-mix unit for each peer group of intermediate care facilities for the mentally retarded with eight or fewer beds specified in rules adopted under division (E) of this section at a percentage above the cost per case-mix unit of the facility in the group that has the group's median medicaid inpatient day for the calendar year preceding the fiscal year in which the rate will be paid, as calculated under division (B)(1) of this section, that is no less than the percentage calculated under division (D)(3) of this section.

(d) In calculating the maximum cost per case-mix unit under divisions (B)(2)(a) to (c) of this section for each peer group, the department shall exclude from its calculations the cost per case-mix unit of any facility in the group that participated in the medical assistance program under the same operator for less than twelve months during the calendar year preceding the fiscal year in which the rate will be paid.

(3) Estimate the rate of inflation for the eighteen-month period beginning on the first day of July of the calendar year preceding the fiscal year in which the rate will be paid and ending on the thirty-first day of December of the fiscal year in which the rate will be paid, using the employment cost index for total compensation, health services component, published by the United States bureau of labor statistics. If the estimated inflation rate for the eighteen-month period is different from the actual

inflation rate for that period, as measured using the same index, the difference shall be added to or subtracted from the inflation rate estimated under division (B)(3) of this section for the following fiscal year.

(4) The department shall not recalculate a maximum cost per case-mix unit under division (B)(2) of this section or a percentage under division (D) of this section based on additional information that it receives after the maximum costs per case-mix unit or percentages are set. The department shall recalculate a maximum cost per case-mix units or percentage only if it made an error in computing the maximum cost per case-mix unit or percentage based on information available at the time of the original calculation.

(C) Each facility's rate for direct care costs shall be determined as follows for each calendar quarter within a fiscal year:

(1) Multiply the lesser of the following by the facility's average case-mix score determined under section 5111.231 of the Revised Code for the calendar quarter that preceded the immediately preceding calendar quarter:

(a) The facility's cost per case-mix unit for the calendar year preceding the fiscal year in which the rate will be paid, as determined under division (B)(1) of this section;

(b) The maximum cost per case-mix unit established for the fiscal year in which the rate will be paid for the facility's peer group under division (B)(2) of this section;

(2) Adjust the product determined under division (C)(1) of this section by the inflation rate estimated under division (B)(3) of this section.

(D)(1) The department shall calculate the percentage above the median cost per case-mix unit determined under division (B)(1) of this section for the facility that has the median medicaid inpatient day for calendar year 1992 for all nursing facilities that would result in payment of all desk-reviewed, actual, allowable direct care costs for eighty-five per cent of the medicaid inpatient days for nursing facilities for calendar year 1992.

(2) The department shall calculate the percentage above the median cost per case-mix unit determined under division (B)(1) of this section for the facility that has the median medicaid inpatient day for calendar year 1992 for all intermediate care facilities for the mentally retarded with more than eight beds that would result in payment of all desk-reviewed, actual, allowable direct care costs for eighty and one-half per cent of the medicaid inpatient days for such facilities for calendar year 1992.

(3) The department shall calculate the percentage above the median cost per case-mix unit determined under division (B)(1) of this section for the

facility that has the median medicaid inpatient day for calendar year 1992 for all intermediate care facilities for the mentally retarded with eight or fewer beds that would result in payment of all desk-reviewed, actual, allowable direct care costs for eighty and one-half per cent of the medicaid inpatient days for such facilities for calendar year 1992.

(E) The director of job and family services shall adopt rules in accordance with Chapter 119. of the Revised Code that specify peer groups of nursing facilities, intermediate care facilities for the mentally retarded with more than eight beds, and intermediate care facilities for the mentally retarded with eight or fewer beds, based on findings of significant per diem direct care cost differences due to geography and facility bed-size. The rules also may specify peer groups based on findings of significant per diem direct care cost differences due to other factors which may include, in the case of intermediate care facilities for the mentally retarded, case-mix.

(F) The department, in accordance with division (C) of section 5111.231 of the Revised Code and rules adopted under division (D) of that section, may assign case-mix scores or costs per case-mix unit if a facility fails to submit assessment information necessary to calculate its case-mix score in accordance with that section.

Sec. 5117.071. (A) Each year, the tax commissioner shall adjust the total income amounts set forth in sections 5117.07 and 5117.09 of the Revised Code by completing the following steps:

(1) Determine the percentage increase in the gross domestic product deflator determined by the bureau of economic analysis of the United States department of commerce for the preceding year;

(2) Multiply that percentage increase by each of the total income amounts for the preceding year;

(3) Add the resulting products to each of the total income amounts for the preceding year;

(4) Round the resulting sums upward to the nearest multiple of ten dollars.

The commissioner shall not make the adjustment in any year in which the amounts resulting from the adjustment would be less than the total income amounts for the preceding year.

(B) Each year, the tax commissioner also shall adjust the current total income amounts set forth in sections 5117.07 and 5117.09 of the Revised Code. For any year, the current total income amounts shall equal one-half of the respective total income amounts set forth in those sections and adjusted under division (A) of this section for that year.

(C) Each year, the tax commissioner shall provide both the adjusted

total income amounts referred to in division (A) of this section and the current total income amounts referred to in division (B) of this section to the director of development.

(D) The ~~tax commissioner~~ director of development and each energy company and energy dealer shall use the adjusted total income amounts and the current total income amounts determined under divisions (A) and (B) of this section in performing their duties under sections 5117.01 to 5117.12 of the Revised Code.

Sec. 5528.30. The commissioners of the sinking fund designated by Section 8 of Article VIII, Ohio Constitution, and section 129.01 of the Revised Code are hereby authorized in accordance with Section 2i of Article VIII, Ohio Constitution and sections 5528.30 to ~~5528.41~~ 5528.40 of the Revised Code, to issue and sell, in amounts authorized by the general assembly, tax supported obligations, herein called "highway obligations," including bonds and notes of the state for the purpose of the construction, reconstruction, or other improvement of highways, including those on the state highway system and urban extensions thereof, those within or leading to public parks or recreational areas, and those within or leading to municipal corporations, the acquisition, construction, reconstruction, or other improvement of, and the provision of equipment for, buildings, structures, or other improvements for research and development with respect to highways and highway transportation, the acquisition and improvement of real estate and interests therein and necessary planning and engineering, required for such improvements, including participation in such improvements with the federal government, municipal corporations, counties or other governmental entities or any one or more of them which participation may be by grants, loans or contributions to them for any of such improvements. As used in sections 5528.30 to 5528.41 of the Revised Code, any reference to obligations authorized or issued pursuant to or in accordance with Section 2i of Article VIII, Ohio Constitution, and sections 5528.30 and 5528.31 of the Revised Code, includes only those tax supported obligations so identified in such Section 2i for the purpose stated in this section.

Not more than one hundred million dollars principal amount of highway obligations may be issued in any calendar year and not more than five hundred million dollars principal amount thereof may be outstanding at any one time.

The principal of all highway obligations and the interest thereon shall be exempt from all taxes levied by the state or any taxing subdivision or district thereof.

Highway obligations shall pass as negotiable instruments and shall possess all of the attributes thereof, shall bear interest at such rates as may be fixed in the resolution of the commissioners of the sinking fund awarding them to the successful bidder or bidders, may, at the option of the commissioners of the sinking fund, be issued subject to call, in whole or in part, at such price or prices and accrued interest, and at such times, all as may be determined by the commissioners, and shall mature at such times as may be fixed by the commissioners of the sinking fund in the resolution authorizing the issuance of such obligations, provided that highway obligations shall mature in not more than thirty years from the date of issuance thereof, or, if issued to retire highway obligations previously issued hereunder, within thirty years from the date the debt was originally contracted.

Highway obligations shall be signed by such members of the commissioners of the sinking fund as are designated in the resolution authorizing such obligations provided that all but one of such signatures may be by facsimile signatures. Any coupons attached to such obligations shall bear the facsimile signature of the treasurer of state. In case any officer or member of the commissioners of the sinking fund whose signature or a facsimile of whose signature appears on any such obligations or on any coupons attached thereto ceases to be such officer or such commissioner before the delivery thereof, such signature or such facsimile is nevertheless valid and sufficient for all purposes the same as if ~~he~~ the officer or commissioner had remained in office until such delivery.

All bonds shall be sold at public sale to the highest bidder or bidders therefor based on the lowest interest cost to absolute maturity. All notes shall be sold at public sale either, as determined in the resolution of the commissioners of the sinking fund authorizing such notes, to the highest bidder or bidders therefor based on the lowest interest cost to absolute maturity or the bidder or combination of bidders bidding the lowest interest rate or combination of rates. Notice of the sale of obligations to be sold at public sale shall be published once, at least ten full days before the date of such sale in one or more newspapers published in and of general circulation in Franklin county and in one or more financial journals.

Each of such published notices shall state the day, hour, and place of the sale, the total principal amount, the price or prices, and date of highway obligations to be sold, the dates of payment of principal and interest, whether or not they are callable, information as to their denominations, amounts of principal maturities and rates of interest which they shall bear, and such other information as the commissioners of the sinking fund may

determine or authorize including, without limitation thereto, the method of determining the lowest interest cost, limitations on interest rate, and any other conditions and terms of sale. The commissioners of the sinking fund may reject all bids and readvertise and reoffer such obligations or other obligations for sale.

Each issue of highway obligations shall be authorized by a resolution adopted by a majority of the full membership of the commissioners of the sinking fund. Such resolution shall set forth the date of the obligations, the principal amount thereof, the permitted discount, if any, the estimated interest rate or rates, which may be a variable rate or rates; the date or dates of payment of principal and interest, the places of payment of principal and interest, the amounts and dates of maturity of principal, whether or not they shall have interest coupons attached, whether or not they shall be callable, any privileges of registration of the principal or of the principal and interest and for exchange between bonds or notes in registered and coupon form and notes of different denomination, the title of the obligations, information as to their denominations, the manner of sale for purposes of this section, and shall provide the method of executing the obligations and for affixing thereto the great seal of this state or a facsimile thereof. The resolution may provide for municipal bond insurance, letters of credit, and other related agreements, the cost of which may be included in the costs of issuance of the obligations, and the pledge, holding, and disposition of the proceeds thereof.

~~All of the proceeds of the sale of highway obligations issued and sold under this section, except accrued interest which shall be paid into the highway obligations bond retirement fund created by section 5528.32 of the Revised Code, shall be paid into the highway obligations construction fund created by section 5528.41 of the Revised Code, except that the principal amount of highway obligations which are issued to fund or renew any other highway obligations shall be paid into the highway obligations bond retirement fund.~~

Sec. 5705.34. When the budget commission has completed its work with respect to a tax budget, it shall certify its action to the taxing authority, together with an estimate by the county auditor of the rate of each tax necessary to be levied by the taxing authority within its subdivision or taxing unit, and what part thereof is in excess of, and what part within, the ten-mill tax limitation. The certification shall also indicate the date on which each tax levied by the taxing authority will expire.

If a taxing authority levies a tax for a fixed sum of money or to pay debt charges for the tax year for which the tax budget is prepared, and ~~the a~~

payment on account of that tax was levied in is payable to the taxing authority for the tax year 1998 under section 5727.85 or 5727.86 of the Revised Code, the county auditor, when estimating the rate at which the tax shall be levied in the current year, shall estimate the rate necessary to raise the required sum less the estimated amount of any payments made for the tax year to a taxing unit for fixed-sum levies under sections 5727.85 and 5727.86 of the Revised Code. The estimated rate shall be the rate of the levy that the budget commission certifies with its action under this section.

Each taxing authority, by ordinance or resolution, shall authorize the necessary tax levies and certify them to the county auditor before the first day of October in each year, or at such later date as is approved by the tax commissioner, except that the certification by a board of education shall be made by the first day of April or at such later date as is approved by the commissioner, and except that a township board of park commissioners that is appointed by the board of township trustees and oversees a township park district that contains only unincorporated territory shall authorize only those taxes approved by, and only at the rate approved by, the board of township trustees as required by division (C) of section 511.27 of the Revised Code. If the levying of a tax to be placed on the duplicate of the current year is approved by the electors of the subdivision under sections 5705.01 to 5705.47 of the Revised Code; if the rate of a school district tax is increased due to the repeal of a school district income tax and property tax rate reduction at an election held pursuant to section 5748.04 of the Revised Code; or if refunding bonds to refund all or a part of the principal of bonds payable from a tax levy for the ensuing fiscal year are issued or sold and in the process of delivery, the budget commission shall reconsider and revise its action on the budget of the subdivision or school library district for whose benefit the tax is to be levied after the returns of such election are fully canvassed, or after the issuance or sale of such refunding bonds is certified to it.

Sec. 5727.84. (A) As used in this section and sections 5727.85, 5727.86, and 5727.87 of the Revised Code:

(1) "School district" means a city, local, or exempted village school district.

(2) "Joint vocational school district" means a joint vocational school district created under section 3311.16 of the Revised Code, and includes a cooperative education school district created under section 3311.52 or 3311.521 of the Revised Code and a county school financing district created under section 3311.50 of the Revised Code.

(3) "Local taxing unit" means a subdivision or taxing unit, as defined in

section 5705.01 of the Revised Code, a park district created under Chapter 1545. of the Revised Code, or a township park district established under section 511.23 of the Revised Code, but excludes school districts and joint vocational school districts.

(4) "State education aid" means the sum of the state basic aid and state special education aid amounts computed for a school district under divisions (A) and ~~(B)~~(C) of section 3317.022 of the Revised Code.

(5) "State education aid offset" means the amount certified for each school district under division (A)(1) of section 5727.85 of the Revised Code.

(6) "Adjusted total taxable value" has the same meaning as in section 3317.02 of the Revised Code.

(7) "Tax value loss" means the amount determined under division (C) of this section.

(8) "Fixed-rate levy" means any tax levied on property other than a fixed-sum levy.

(9) "Fixed-rate levy loss" means the amount determined under division (D) of this section.

(10) "Fixed-sum levy" means a tax levied on property at whatever rate is required to produce a specified amount of tax money or to pay debt charges, and includes school district emergency levies imposed pursuant to section 5705.194 of the Revised Code.

(11) "Fixed-sum levy loss" means the amount determined under division (E) of this section.

(12) "Consumer price index" means the consumer price index (all items, all urban consumers) prepared by the bureau of labor statistics of the United States department of labor.

(B) All money arising from the tax imposed by section 5727.81 of the Revised Code shall be credited as follows:

(1) Fifty-nine and nine hundred seventy-six one-thousandths per cent, plus an amount equal to the state education aid offset, shall be credited to the general revenue fund.

(2) Two and six hundred forty-six one-thousandths per cent shall be credited to the local government fund, for distribution in accordance with section 5747.50 of the Revised Code.

(3) Three hundred seventy-eight one-thousandths per cent shall be credited to the local government revenue assistance fund, for distribution in accordance with section 5747.61 of the Revised Code.

(4) Twenty-five and nine-tenths per cent, less an amount equal to the state education aid offset, shall be credited to the school district property tax replacement fund, which is hereby created in the state treasury for the

purpose of making the payments described in section 5727.85 of the Revised Code.

(5) Eleven and one-tenth per cent shall be credited to the local government property tax replacement fund, which is hereby created in the state treasury for the purpose of making the payments described in section 5727.86 of the Revised Code.

(6) Beginning in the fiscal year in which payments are required to be made under sections 5727.85 and 5727.86 of the Revised Code, if the revenue arising from the tax levied by section 5727.81 of the Revised Code is less than five hundred fifty-two million dollars, the amount credited to the general revenue fund under division (B)(1) of this section shall be reduced by the amount necessary to credit to each of the funds in divisions (B)(2), (3), (4), and (5) of this section the amount it would have received if the tax did raise five hundred fifty-two million dollars for that fiscal year. The tax commissioner shall certify to the director of budget and management the amounts that shall be credited under this division.

(C) Not later than January 1, 2002, the tax commissioner shall determine for each taxing district its tax value loss, which is the sum of the amounts described in divisions (C)(1) and (2) of this section:

(1) The difference obtained by subtracting the amount described in division (C)(1)(b) from the amount described in division (C)(1)(a) of this section.

(a) The value of electric company and rural electric company tangible personal property as assessed by the tax commissioner for tax year 1998 on a preliminary assessment, or an amended preliminary assessment if issued prior to March 1, 1999, and as apportioned to the taxing district for tax year 1998;

(b) The value of electric company and rural electric company tangible personal property as assessed by the tax commissioner for tax year 1998 had the property been apportioned to the taxing district for tax year 2001, and assessed at the rates in effect for tax year 2001.

(2) The difference obtained by subtracting the amount described in division (C)(2)(b) from the amount described in division (C)(2)(a) of this section.

(a) The three-year average for tax years 1996, 1997, and 1998 of the assessed value from nuclear fuel materials and assemblies assessed against a person under Chapter 5711. of the Revised Code from the leasing of them to an electric company for those respective tax years, as reflected in the preliminary assessments;

(b) The three-year average assessed value from nuclear fuel materials

and assemblies assessed under division (C)(2)(a) of this section for tax years 1996, 1997, and 1998, as reflected in the preliminary assessments, using an assessment rate of twenty-five per cent.

The tax commissioner may request that electric companies and rural electric companies file a report to help determine the tax value loss under division (C) of this section. The report shall be filed within thirty days of the commissioner's request. A company that fails to file the report or does not timely file the report is subject to the penalty in section 5727.60 of the Revised Code.

The tax commissioner shall certify to the department of education the tax value loss determined under this division for each school district and joint vocational school district.

(D) Not later than January 1, 2002, the tax commissioner shall determine for each school district, joint vocational school district, and local taxing unit its fixed-rate levy loss, which is its tax value loss multiplied by the tax rate in effect in tax year 1998 for fixed-rate levies.

(E) Not later than January 1, 2002, the tax commissioner shall determine for each school district, joint vocational school district, and local taxing unit its fixed-sum levy loss, which is the amount obtained by subtracting the amount described in division (E)(2) of this section from the amount described in division (E)(1) of this section:

(1) The tax value loss multiplied by the tax rate in effect in tax year 1998 for fixed-sum levies for all taxing districts within each school district, joint vocational school district, and local taxing unit. For the years 2002 through 2006, this computation shall include school district emergency levies that existed in 1998, and all other fixed-sum levies that existed in 1998 and continue to be charged in the tax year preceding the distribution year. For the years 2007 through 2016 in the case of school district emergency levies, and for all years after 2006 in the case of all other fixed-sum levies, this computation shall exclude all ~~school district emergency levies and all other~~ fixed-sum levies that existed in 1998 but are no longer in effect in the tax year preceding the distribution year. For the purposes of this section, an emergency levy that existed in 1998 continues to exist in a year beginning on or after January 1, 2007, but before January 1, 2017, if, in that year, the board of education levies a school district emergency levy for an annual sum at least equal to the annual sum levied by the board in tax year 1998 less the amount of the payment certified under this division for 2002.

(2) The total taxable value in tax year 1998 in each school district, joint vocational school district, and local taxing unit multiplied by one-fourth of

one mill.

If the computation under division (E) of this section for any school district, joint vocational school district, or local taxing unit is greater than zero, the one-fourth of one mill that is subtracted pursuant to division (E) of section 5727.85 of the Revised Code or division (A)(2) of section 5727.86 of the Revised Code shall be apportioned among all contributing fixed-sum levies in the proportion of each levy to the sum of all fixed-sum levies within each school district, joint vocational school district, or local taxing unit.

(F) Notwithstanding divisions (C), (D), and (E) of this section, in computing the tax value loss, fixed-rate levy loss, and fixed-sum levy loss, the tax commissioner shall use the greater of the 1998 tax rate or the 1999 tax rate, but the 1999 tax rate shall not include for this purpose any tax levy approved by the voters after June 30, 1999.

Sec. 5727.85. (A) By the thirty-first day of July of each year, beginning in 2002 and ending in 2016, the department of education shall determine the following for each school district eligible for payment under division (C) of this section:

(1) The state education aid offset, which is the difference obtained by subtracting the amount described in division (A)(1)(b) of this section from the amount described in division (A)(1)(a) of this section:

(a) The state education aid computed for the school district for the current fiscal year on the basis of the adjusted total taxable value;

(b) The state education aid that would be computed for the school district for the current fiscal year if the district's adjusted total taxable value included the tax value loss for all taxing districts in the school district.

(2) The difference obtained by subtracting the state education aid offset determined under division (A)(1) of this section from the fixed-rate levy loss determined under division (D) of section 5727.84 of the Revised Code for all taxing districts in each school district. The department of education shall certify the amount so determined to the director of budget and management.

(B) Not later than the thirty-first day of October of the years 2006 through 2016, the department of education shall determine all of the following for each school district:

(1) The amount obtained by subtracting the district's state education aid computed for fiscal year 2002 from the district's state education aid computed for the current fiscal year;

(2) The inflation-adjusted property tax loss. The inflation-adjusted property tax loss equals the fixed-rate levy loss determined under division (D) of section 5727.84 of the Revised Code for all taxing districts in each

school district plus the product obtained by multiplying that loss by the cumulative percentage increase in the consumer price index from January 1, 2002, to the thirtieth day of June of the current year.

(3) The difference obtained by subtracting the amount computed under division (B)(1) from the amount of the inflation-adjusted property tax loss. If this difference is zero or a negative number, no further payments shall be made under division (C) of this section to the school district from the school district property tax replacement fund. If the difference is greater than zero, the department of education shall certify the amount calculated in division (A)(2) of this section to the director of budget and management not later than the thirty-first day of December of each year, beginning in 2006 and ending in 2016.

(C) For all taxing districts in each school district, the director of budget and management shall pay from the school district property tax replacement fund to the county undivided income tax fund in the proper county treasury all of the following:

(1) In February 2002, one-half of the fixed-rate levy loss certified under division (D) of section 5727.84 of the Revised Code on or before the day prescribed for the settlement under division (A) of section 321.24 of the Revised Code.

(2) From August 2002 through August 2006, one-half of the amount certified for that fiscal year under division (A)(2) of this section on or before each of the days prescribed for the settlements under divisions (A) and (C) of section 321.24 of the Revised Code.

(3) From February 2007 through August 2016, one-half of the amount certified for that calendar year under division (B)(3) of this section on or before each of the days prescribed for the settlements under divisions (A) and (C) of section 321.24 of the Revised Code.

The county treasurer shall distribute amounts paid under divisions (C)(1), (2), and (3) of this section to the proper school district as if they had been levied and collected as taxes, and the school district shall apportion the amounts so received among its funds in the same proportions as if those amounts had been levied and collected as taxes.

(D) Not later than January 1, 2002, for all taxing districts in each joint vocational school district, the tax commissioner shall certify to the director of budget and management the fixed-rate levy loss determined under division (D) of section 5727.84 of the Revised Code. From February 2002 to August 2016, the director shall pay from the school district property tax replacement fund to the county undivided income tax fund in the proper county treasury, one-half of the fixed-rate levy loss so certified for each year

on or before each of the days prescribed for the settlements under divisions (A) and (C) of section 321.24 of the Revised Code. The county treasurer shall distribute such amounts to the proper joint vocational school district as if they had been levied and collected as taxes, and the joint vocational school district shall apportion the amounts so received among its funds in the same proportions as if those amounts had been levied and collected as taxes.

(E)(1) Not later than January 1, 2002, for each fixed-sum levy levied by each school district ~~and~~ or joint vocational school district and for each year for which a certification is made under division (E) of section 5727.84 of the Revised Code, the tax commissioner shall certify to the director of budget and management the fixed-sum levy loss determined under that ~~that~~ division (E) of section 5727.84 of the Revised Code. The certification shall cover a time period sufficient to include all fixed-sum levies in effect in 1998 to June 30, 1999, ~~until they are no longer in effect~~ for which the tax commissioner made such a determination. The director shall pay from the school district property tax replacement fund to the county undivided income tax fund in the proper county treasury one-half of the fixed-sum levy loss so certified for each year on or before each of the days prescribed for the settlements under divisions (A) and (C) of section 321.24 of the Revised Code. The county treasurer shall distribute the amounts to the proper school district or joint vocational school district as if they had been levied and collected as taxes, and the district shall apportion the amounts so received among its funds in the same proportions as if those amounts had been levied and collected as taxes. No payments shall be made under this division once all fixed-sum levies in effect in 1998 to June 30, 1999, are no longer in effect.

(2) Beginning in 2003 ~~and ending in 2016~~, by the thirty-first day of January of each year, the tax commissioner shall review the certification originally made under division (E)(1) of this section. If the commissioner determines that a fixed-sum levy that had been scheduled to be reimbursed in the current year has expired, a revised certification for that and all subsequent years shall be made to the director of budget and management.

(F) By August 5, 2002, the tax commissioner shall estimate the amount of money in the school district property tax replacement fund in excess of the amount necessary to make payments in that month under divisions (C), (D), and (E) of this section. Notwithstanding division (C) of this section, the department of education, in consultation with the tax commissioner and from those excess funds, may pay any school district four and one-half times the amount certified under division (A)(2) of this section. Payments shall be made in order from the smallest annual loss to the largest annual loss. A

payment made under this division shall be in lieu of the payment to be made in August 2002 under division (C)(2) of this section. No payments shall be made in the manner established in this division to any school district with annual losses from permanent improvement fixed-rate levies in excess of twenty thousand dollars, or annual losses from any other fixed-rate levies in excess of twenty thousand dollars. A school district receiving a payment under this division is no longer entitled to any further payments under division (C) of this section.

(G) On the thirty-first day of July of 2003, 2004, 2005, and 2006, and on the thirty-first day of January and July of 2007 and each year thereafter, if the amount credited to the school district property tax replacement fund exceeds the amount needed to make payments from the fund under divisions (C), (D), and (E) of this section in the following month, the director of budget and management shall distribute the excess among school districts and joint vocational school districts. The amount distributed to each district shall bear the same proportion to the excess remaining in the fund as the ADM of the district bears to the ADM of all of the districts. For the purpose of this division, "ADM" means the formula ADM in the case of a school district, and the average daily membership reported under section 3317.03 of the Revised Code in the case of a joint vocational school district.

If, in the opinion of the director of budget and management, the excess remaining in the school district property tax replacement fund in any year is not sufficient to warrant distribution under this division, the excess shall remain to the credit of the fund.

Amounts received by a school district or joint vocational school district under this division shall be used exclusively for capital improvements.

(H) If the total amount in the school district property tax replacement fund is insufficient to make all payments under divisions (C), (D), and (E) of this section, the payments required under division (E) of this section shall be made first in their entirety. After all payments are made under division (E) of this section, payments under divisions (C) and (D) of this section shall be made from the balance of money available in the proportion of each school district's or joint vocational school district's payment amount to the total amount of payments under divisions (C) and (D) of this section.

(I) If all or a part of the territory of a school district or joint vocational school district is merged with or transferred to another district, the tax commissioner shall adjust the payments made under this section to each of the districts in proportion to the tax value loss apportioned to the merged or transferred territory.

(J) There is hereby created the electric property tax study committee,

effective January 1, 2011. The committee shall consist of the following seven members: the tax commissioner, three members of the senate appointed by the president of the senate, and three members of the house of representatives appointed by the speaker of the house of representatives. The appointments shall be made not later than January 31, 2011. The tax commissioner shall be the chairperson of the committee.

The committee shall study the extent to which each school district or joint vocational school district has been compensated, under sections 5727.84 and 5727.85 of the Revised Code as enacted by Substitute Senate Bill No. 3 of the 123rd general assembly and any subsequent acts, for the property tax loss caused by the reduction in the assessment rates for electric and rural electric company tangible personal property. Not later than June 30, 2011, the committee shall issue a report of its findings, including any recommendations for providing additional compensation for the property tax loss or regarding remedial legislation, to the president of the senate and the speaker of the house of representatives, at which time the committee shall cease to exist.

The department of taxation and department of education shall provide such information and assistance as is required for the committee to carry out its duties.

SECTION 2. That existing sections 103.21, 124.15, 126.06, 126.32, 127.14, 166.03, 169.02, 329.07, 1547.72, 3109.401, 3313.483, 3313.487, 3313.489, 3314.08, 3317.02, 3317.022, 3317.0212, 3317.0216, 3317.11, 3317.16, 3318.01, 3318.011, 3318.36, 3332.05, 3332.06, 3333.29, 3734.281, 4506.01, 4766.05, 4911.18, 5101.325, 5101.35, 5107.05, 5107.161, 5107.162, 5111.23, 5117.071, 5528.30, 5705.34, 5727.84, and 5727.85 and section 5528.41 of the Revised Code are hereby repealed.

SECTION 3. All items set forth in Sections 4 to 9 of this act are hereby appropriated out of any moneys in the General Revenue Fund (GRF) that are not otherwise appropriated.

**SECTION 4. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES
Reappropriations**

CAP-773	Governor's Residence Restoration	\$	4,705
CAP-785	Rural Areas Historical Projects	\$	50,000
CAP-786	Rural Areas Community Improvements	\$	1,652,000
CAP-804	Day Care Centers	\$	6,473
CAP-817	Urban Areas Community Improvements	\$	1,425,000

Total Department of Administrative Services \$ 3,138,178

Rural Areas Historical Projects

From the foregoing appropriation item CAP-785, Rural Areas Historical Projects, a \$50,000 grant shall be made for the Osnaburg Historical Society-Werner Inn renovations.

Rural Areas Community Improvements

From the foregoing appropriation item CAP-786, Rural Areas Community Improvements, grants shall be made for the following projects: \$10,000 for Shadyside Municipal Building roof repairs; \$20,000 for the Smith Field Memorial Foundation; \$100,000 for the Zanesville Bicentennial Celebration; \$20,000 for Warsaw community improvements; \$80,000 for Gallia County Industrial Park improvements; \$150,000 for Desmond Hall Industrial Park; \$90,000 for Marion County Park District improvements; \$300,000 for Medina County Arts Center improvements; \$50,000 for Waverly Community improvements; \$25,000 for Crawford County Council on Aging; \$125,000 for the Summit Township Community Building in Monroe County; \$100,000 for the Muskingum County Emergency Shelter Addition; \$100,000 for Marietta City Schools Athletic Facilities improvements; \$15,000 for the Guernsey County Senior Center; \$7,000 for Camp Tuscazoar; \$50,000 for New Boston infrastructure improvements; \$10,000 for Gallipolis Main Street improvements; \$100,000 for the John and Annie Glenn Museum; and \$300,000 for Zahn's Corner Industrial Park.

Urban Areas Community Improvements

From the foregoing appropriation item CAP-817, Urban Areas Community Improvements, grants shall be made for the following projects: \$100,000 for Maumee Youth Center; \$150,000 for the Freedom House in Cleveland; \$125,000 for Cleveland Playhouse Square; \$25,000 for Columbus Civic Arena development planning; \$50,000 for the Columbus Symphony band shell; \$125,000 for East Cleveland City Hall renovations; \$50,000 for Brown Senior Center renovations; \$100,000 for Hanna Fountain renovations - Cleveland; \$100,000 for Webco industrial area development - Cleveland; \$100,000 for Martin Luther King Civic Center - East Cleveland; \$25,000 for Friendly Center renovations; \$400,000 for Solon Community Arts Center; \$100,000 for Project AHEAD facility improvements; \$75,000 for the J. Frank-Troy Senior Citizens Center; \$50,000 for the City of Euclid Henn Mansion renovation; \$50,000 for League Park Tourist Museum; \$150,000 for the Amvets Career Center; \$500,000 for the Cleveland-Massillon Economic Development Project; \$40,000 for the Lucas County Friendly Center; \$40,000 for the Lucas County Collingwood Arts Program; \$50,000 for the Eliza Bryant Senior Center; and \$540,000 for Central Community House.

Urban Areas Community Improvements

The amount reappropriated for the foregoing appropriation item CAP-817, Urban Areas Community Improvements, shall be \$1,300,000 plus the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-817, Urban Areas Community Improvements.

Reappropriations

SECTION 5. AGR DEPARTMENT OF AGRICULTURE

CAP-040	County Fairgrounds Capital Improvements	\$	4,959,131
Total Department of Agriculture		\$	4,959,131

County Fairgrounds Capital Improvements

The foregoing appropriation item CAP-040, County Fairgrounds Capital Improvements, shall be used to provide matching grants to agricultural societies for fairgrounds capital improvements pursuant to rules adopted by the Ohio Department of Agriculture. The rules shall include, but not be limited to, specifications of eligibility and award criteria, specifications for grant agreements, and procedures for administration of the program. Each society receiving a grant from this appropriation shall contribute an equal amount of non-state funds toward the capital improvements for which state funds are provided. No society shall receive more than \$100,000.

Reappropriations

SECTION 6. AFC ARTS AND SPORTS FACILITIES COMMISSION

CAP-047	Cincinnati Classical Music Hall of Fame	\$	75,000
CAP-050	Columbus Art Museum Facility Planning	\$	2,000
CAP-799	Capitol City Exhibit Feasibility	\$	50,000
Total Arts and Sports Facilities Commission		\$	127,000

Reappropriations

SECTION 7. OHS OHIO HISTORICAL SOCIETY

CAP-745	Historic Sites/Museums - Emergency Repair	\$	382,100
Total Ohio Historical Society		\$	382,100

Reappropriations

SECTION 8. DNR DEPARTMENT OF NATURAL RESOURCES

CAP-012	Land Acquisition	\$	1,000,000
CAP-162	Roosevelt-Shawnee State Park	\$	18,930
CAP-702	Upgrade Underground Fuel Tanks	\$	296,963
CAP-703	Cap Abandoned Water Wells	\$	357,481
CAP-704	Replace Transformers	\$	77,738
CAP-823	Cost Sharing-Pollution Abatement	\$	51,229

CAP-847	Assistance to Local Governments for Conservation Works of Improvement	\$	67,462
CAP-848	Hazardous Dam Repair	\$	91,521
CAP-875	Ohio River Access	\$	100,000
CAP-876	Statewide Trails Programs	\$	450,000
CAP-929	Hazardous Waste/Asbestos Abatement	\$	916,875
CAP-931	Wastewater/Water Systems Upgrades	\$	32,205
CAP-932	Wetlands/Waterfront Development and Acquisition	\$	342,875
CAP-942	Local Parks Projects	\$	30,225
CAP-969	Frost-Parker Wetlands Reserve	\$	122,925
CAP-999	Geographic Information Management System	\$	1,085
Total Department of Natural Resources		\$	3,957,514

Statewide Trails Programs

Of the foregoing appropriation item CAP-876, Statewide Trails Programs, \$100,000 shall be used for Bike Path - Coshocton City, \$250,000 shall be used for Bike Trail - Ohio to Erie, and \$100,000 shall be used by the Department of Natural Resources in consultation with the Department of Transportation for recreational trail feasibility study.

Local Parks Projects

Of the foregoing appropriation item CAP-942, Local Parks Projects, grants shall be made for the following projects: \$15,000 for Urbancrest Martin Luther King Park improvements, and \$10,000 for Woodsfield Monroe Park improvements.

Reappropriations

SECTION 9. DOT DEPARTMENT OF TRANSPORTATION

CAP-007	Muskingum County Intermodal Facility	\$	100,000
Total Department of Transportation		\$	100,000

Reappropriations

SECTION _____. DYS DEPARTMENT OF YOUTH SERVICES

CAP-830	Muskingum County Juvenile Justice Center	\$	600,000
Total Department of Youth Services		\$	600,000
Total General Revenue Fund		\$	13,263,923

SECTION 10. No expenditures shall be made from any of the items appropriated from the General Revenue Fund in Sections 4 to 9 of this act until the funds are released by the Controlling Board. Each request for release of funds by the Controlling Board shall have attached the certification of the Director of Budget and Management that sufficient General Revenue Fund moneys will be available to fund the anticipated expenditures associated with the request.

SECTION 11. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Wildlife Fund (Fund 015), which are not otherwise appropriated.

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES

CAP-012	Land Acquisition	\$	3,265,675
CAP-032	West Branch State Park	\$	75,000
CAP-117	Cooper Hollow Wildlife Area	\$	4,815
CAP-387	Access Development	\$	3,643,382
CAP-702	Upgrade Underground Fuel Tanks	\$	298,099
CAP-703	Cap Abandoned Water Wells	\$	64,057
CAP-758	Muskingum River Parkway #7	\$	80,190
CAP-764	Fire Lookout and Radio Tower Inspections	\$	7,216
CAP-804	Lake La Su An Wildlife Area	\$	400
CAP-814	North of Rush Run Wildlife Area	\$	845,550
CAP-834	Appraisal Fees - Statewide	\$	37,380
CAP-852	Wildlife Operation/Maintenance Building Development	\$	5,062,170
CAP-881	Dam Rehabilitation	\$	2,337,149
CAP-959	Sandusky Wildlife Office	\$	45,000
CAP-968	Pickrel Creek Wildlife Area	\$	11,900
	Total Department of Natural Resources	\$	15,777,983
	Total Wildlife Fund	\$	15,777,983

Land Acquisition

The amount reappropriated for the foregoing appropriation item CAP-012, Land Acquisition, shall be the sum of the unencumbered and available balances as of June 30, 2000, in the following appropriation items: CAP-012, Land Acquisition; CAP-386, Building Construction/Hatchery Development; CAP-928, Handicapped Accessibility; CAP-929, Hazardous Waste/Asbestos Abatement; and CAP-931, Wastewater/Water Systems Upgrade.

SECTION 12. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Public School Building Fund (Fund 021), which are not otherwise appropriated.

Reappropriations

SFC SCHOOL FACILITIES COMMISSION

CAP-622	Public School Buildings	\$	9,151,423
CAP-774	Emergency School Building Repair Program	\$	15,766,625
CAP-777	Disability Access Projects	\$	5,000,000
CAP-778	Exceptional Needs	\$	6,560,701
CAP-781	Big Eight Renovation Program	\$	20,000,000
	Total School Facilities Commission	\$	56,478,749
	Total Public School Building Fund	\$	56,478,749

Disability Access Projects

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

(A) As used in this section:

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

(2) "School district" means a city, local, or exempted village school district, but excludes a school district that is one of the state's 21 urban school districts as defined in division (O) of section 3317.02 of the Revised Code as that section existed prior to July 1, 1998.

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

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

Exceptional Needs Program

The amount reappropriated for appropriation item CAP-778, Exceptional Needs, shall be used by the School Facilities Commission to administer the pilot program for low wealth school districts with exceptional needs for immediate classroom facility assistance.

(A) As used in this section:

(1) "Low wealth school district" means a school district in the lowest 50 per cent of adjusted valuation per pupil on the fiscal year 1999 ranking of school districts, established pursuant to section 3317.0213 of the Revised Code.

(2) A "school district with an exceptional need for immediate classroom facility assistance" means a school district with an exceptional need for new facilities in order to protect the health and safety of all or a portion of its students. School districts reasonably expected to be served by the Classroom Facilities Assistance Program prior to June 30, 2002, in the order provided

under divisions (C)(1) and (2) of section 3318.02 of the Revised Code, are excluded from participating in this exceptional needs pilot program.

(B) The School Facilities Commission shall evaluate the classroom facilities, and the need for replacement classroom facilities, from the applications received under this section. The School Facilities Commission, utilizing the guidelines adopted pursuant to division (B)(3) of Section 26 of Am. Sub. H.B. 850 of the 122nd General Assembly, as amended by Am. Sub. H.B. 282 of the 123rd General Assembly, shall prioritize the school districts to be assessed.

Notwithstanding section 3318.02 of the Revised Code, the School Facilities Commission may conduct on-site evaluation of the school districts prioritized under this section and approve and award funds until such time as all funds set aside pursuant to division (B)(2) of Section 26 of Am. Sub. H.B. 850 of the 122nd General Assembly, as amended by Am. Sub. H.B. 282 of the 123rd General Assembly, have been encumbered pursuant to section 3318.04 of the Revised Code.

(C) Notwithstanding division (A) of section 3318.05 of the Revised Code, the portion of the basic project costs that shall be paid by a district receiving state funds under the pilot program shall be the "required percentage of the basic project costs," as defined in division (K) of section 3318.01 of the Revised Code.

Big Eight School Districts

The amounts reappropriated for appropriation item CAP-781, Big Eight Renovation Program, shall be used by the School Facilities Commission to provide funds to the big eight school districts as defined in section 3314.02 of the Revised Code to be used for major renovations and repairs of school facilities. Big eight school districts that levy at least 2.5 voted mills for permanent improvements shall also be eligible to expend funds for additions to existing facilities. Any big eight school district that expends these funds for an addition to an existing facility shall receive no assistance from the School Facilities Commission for the purpose of replacing that facility for a period of at least twenty years. These moneys shall be allocated to the big eight school districts on a per-pupil basis, based on fiscal year 1999 average daily membership as defined in section 3317.03 of the Revised Code. In the event a school district is no longer eligible to receive these funds as a result of becoming eligible to receive conditional approval for participation in the Classroom Facilities Assistance Program, the School Facilities Commission shall reallocate the funds to the remaining eligible districts on a per-pupil basis. To be eligible to receive these funds, each school district shall:

(A) Provide a 100 per cent match from funds that are approved by the

School Facilities Commission;

(B) Develop and submit a capital renovations plan for the use of state and local funds subject to approval by the School Facilities Commission;

(C) Not be eligible to receive conditional approval of the School Facilities Commission for participation in the Classroom Facilities Assistance Program pursuant to section 3318.04 of the Revised Code.

SECTION 13. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Highway Safety Fund (Fund 036), which are not otherwise appropriated.

Reappropriations

DHS DEPARTMENT OF PUBLIC SAFETY

CAP-045	Platform Scales Improvements	\$	308,350
CAP-050	Construct New Patrol Post in Elyria	\$	14,321
CAP-057	Construct Athens Control Post	\$	1,352,443
CAP-058	Construct District 3 Complex	\$	2,242,888
CAP-059	Patrol Post ADA Compliance	\$	587,652
CAP-060	Ashtabula WIM Scales Improvements	\$	131,556
CAP-061	Alum Creek Warehouse Roof Replace	\$	1,000,000
CAP-062	Construct Dayton/Eaton Post Complex	\$	2,000,000
CAP-063	HVAC Improvements at the Academy	\$	500,000
CAP-064	Cambridge Radio Shop Renovations	\$	500,000
CAP-065	Replace Windows at the Academy	\$	400,000
CAP-066	District 1/Findlay Post Renovations	\$	850,000
	Total Department of Public Safety	\$	9,887,210
	Total Highway Safety Fund	\$	9,887,210

SECTION 14. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Waterways Safety Fund (Fund 086), which are not otherwise appropriated.

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES

CAP-324	Cooperative Funding for Boating Facilities	\$	3,722,499
CAP-844	Put-in-Bay Township Port Authority	\$	6,466
CAP-855	Franklin Township Ramp Improvements	\$	41,148
CAP-856	Village of Put-In-Bay Ramp Improvements	\$	50,875
CAP-858	Clendening Lake Ramp	\$	158,100
CAP-865	Village of Grand Rapids Docks	\$	56,250
CAP-871	Village of Montezuma Ramp	\$	44,031
CAP-934	Operations Facilities Development	\$	250,000
	Total Department of Natural Resources	\$	4,329,369
	Total Waterways Safety Fund	\$	4,329,369

SECTION 15. All items set forth in this section are hereby appropriated

out of any moneys in the state treasury to the credit of the Underground Parking Garage Operating Fund (Fund 208), which are not otherwise appropriated.

Reappropriations

CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD

CAP-003	Renovate Garage Offices	\$	500,000
CAP-004	Emergency Generator and Lighting System	\$	200,000
CAP-007	Garage Elevator Upgrades	\$	250,000
CAP-008	Install Garage Oil Interceptor System	\$	60,000
	Total Capitol Square Review and Advisory Board	\$	1,010,000
	Total Underground Parking Garage Operating Fund	\$	1,010,000

SECTION 16. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Special Administrative Fund (Fund 4A9), which are not otherwise appropriated.

Reappropriations

JFS DEPARTMENT OF JOB AND FAMILY SERVICES

CAP-026	Various Renovations - Central Office	\$	157,705
CAP-027	Various Renovations - Local Offices	\$	883,886
CAP-028	Handicapped Access Modifications	\$	97,488
CAP-031	One Stop Employment Training Centers	\$	400,000
	Total Department of Job and Family Services	\$	1,539,079
	Total Special Administrative Fund	\$	1,539,079

Various Renovations-Central Office

The amount reappropriated for the foregoing appropriation item CAP-026, Various Renovations-Central Office, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-026, Various Renovation-Central Office, in Fund 4A9 in the Bureau of Employment Services.

Various Renovations-Local Offices

The amount reappropriated for the foregoing appropriation item CAP-027, Various Renovations-Local Offices, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-027, Various Renovations-Local Offices, in Fund 4A9 in the Bureau of Employment Services.

Handicapped Access Modifications

The amount appropriated for the foregoing appropriation item CAP-028, Handicapped Access Modifications, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-028, Handicapped Access Modifications, in Fund 4A9 in the Bureau of Employment Services.

One Stop Employment Training Centers

The amount reappropriated for the foregoing appropriation item

CAP-031, One Stop Employment Training Centers, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-031, One Stop Employment Training Centers, in Fund 4A9 in the Bureau of Employment Services.

SECTION 17. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Capital Donations Fund (Fund 5A1), which are not otherwise appropriated.

Reappropriations

AFC ARTS AND SPORTS FACILITIES COMMISSION

CAP-702	Capital Donations	\$	1,322,720
Total Arts and Sports Facilities Commission		\$	1,322,720

Capital Donations Fund Certifications and Appropriations

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

SECTION 18. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Veterans' Home Improvement Fund (Fund 604), which are not otherwise appropriated.

Reappropriations

OVH OHIO VETERANS' HOME

CAP-737	Elevator Renovations	\$	322,350
CAP-750	Griffin Bathroom Renovations	\$	62,000
CAP-751	Replace Nursing Home Furniture	\$	235,000
CAP-752	Secrest Window Coverings	\$	150,000
CAP-753	Seal Roads and New Parking Lots	\$	205,559
CAP-754	Replace Domiciliary Carpeting	\$	1,135
CAP-755	Secrest Security System Improvements	\$	65,000
CAP-756	Renovate Commandants House	\$	199,400
Total Ohio Veterans' Home		\$	1,240,444
Total Veterans' Home Improvement Fund		\$	1,240,444

SECTION 19. All items set forth in this section are hereby appropriated

out of any moneys in the state treasury to the credit of the Highway Safety Building Fund (Fund 025). Revenues to the Highway Safety Building Fund shall consist of proceeds and obligations authorized to pay the costs of the following capital improvements:

Reappropriations

DHS DEPARTMENT OF PUBLIC SAFETY

CAP-047	Public Safety Office Building	\$	5,000,000
CAP-048	Statewide Communications System	\$	15,156,939
CAP-068	Alum Creek Warehouse Renovations	\$	3,100,000
CAP-069	Centre School Renovations	\$	952,000
CAP-070	Canton One-Stop Shop	\$	800,000
	Total Department of Public Safety	\$	25,008,939
	Total Highway Safety Building Fund	\$	25,008,939

Public Safety Office Building

The amount reappropriated for the foregoing appropriation item CAP-047, Public Safety Office Building, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-047, Public Safety Office Building, minus \$10,694,447.

Statewide Communications System

The amount reappropriated for the foregoing appropriation item CAP-048, Statewide Communications System, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-048, Statewide Communications System, plus \$5,842,447.

Alum Creek Warehouse Renovations

The amount reappropriated for the foregoing appropriation item CAP-068, Alum Creek Warehouse Renovations, shall be \$3,100,000.

Centre School Renovations

The amount reappropriated for the foregoing appropriation item CAP-069, Centre School Renovations, shall be \$952,000.

Canton One-Stop Shop

The amount reappropriated for the foregoing appropriation item CAP-070, Canton One-Stop Shop, shall be \$800,000.

For purposes of this section, a "One-Stop Shop" means an arrangement in which a deputy registrar site is located in the same facility as a state highway patrol driver's license examination station, and a clerk of common pleas title office.

SECTION 20. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Administrative Building Fund (Fund 026). Revenues to the Administrative Building Fund shall consist of proceeds of obligations authorized to pay the costs of capital

facilities, as defined in section 152.09 of the Revised Code, for the following capital improvements:

Reappropriations

SECTION 20.01. ADJ ADJUTANT GENERAL

CAP-032	Upgrade Underground Storage Tanks	\$	42,854
CAP-034	Asbestos Abatement - Various Facilities	\$	227,439
CAP-036	Roof Replacement - Various Facilities	\$	250,000
CAP-038	Electrical System - Various Facilities	\$	261,382
CAP-039	Camp Perry Facility Improvements	\$	2,179,911
CAP-043	Renovate/Expand Existing Eaton Facility	\$	800,498
CAP-044	Replace Windows/Doors - Various Facilities	\$	350,000
CAP-045	Plumbing Renovations - Various Facilities	\$	528,000
CAP-046	Paving Renovations - Various Facilities	\$	50,000
CAP-050	HVAC Systems - Various Facilities	\$	9,351
CAP-052	Cincinnati Shadybrook Armory	\$	2,149,705
CAP-054	Construct Camp Perry Administration Building	\$	6,540
CAP-055	Hillsboro Armory Renovations	\$	478,974
	Total Adjutant General	\$	7,334,654

Renovate/Expand Existing Eaton Facility

The amount reappropriated for the foregoing appropriation item CAP-043, Renovate/Expand Existing Eaton Facility, shall be the sum of the unencumbered and unallotted balances as of June 30, 2000, in appropriation items CAP-043, Renovate/Expand Existing Eaton Facility, and CAP-037, Kenton Armory Renovations.

SECTION 20.02. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES

CAP-807	Capital Square Renovations	\$	8,425
CAP-809	Hazardous Substance Abatement	\$	2,081,497
CAP-811	Health/EPA Laboratory Facilities	\$	6,183,097
CAP-812	Old School for the Blind Renovation	\$	155,733
CAP-814	Old Ohio School for the Blind Planning	\$	11,599
CAP-815	Ohio Departments Building Renovations	\$	629,662
CAP-821	Central Heating System Renovations	\$	7,763
CAP-822	Americans with Disabilities Act	\$	2,086,255
CAP-824	State Real Estate Inventory System	\$	1,450,060
CAP-826	Office Services Building Renovation	\$	587,271
CAP-827	Statewide Communications System	\$	65,112,521
CAP-830	Canton Office Building Planning	\$	5,000
CAP-834	Capital Improvements Tracking System	\$	407,600
CAP-835	Energy Conservation Projects	\$	1,436,415
CAP-837	Major Computer Purchases	\$	1,460,896
CAP-838	SOCC Renovations	\$	2,826,425
CAP-841	State/Local Government/Public Safety Parking Facility - Lima	\$	1,000,000
CAP-843	New Veterans Home Planning	\$	100,000
CAP-844	Hamilton State/Local Government Center - Planning	\$	57,500

CAP-848	ODOT Building Boiler Replacement	\$	670,979
CAP-849	Facility Planning and Development	\$	5,575,281
CAP-850	Renovation of Old ODOT Building	\$	220,040
CAP-853	EPA Facilities Improvements	\$	293,043
CAP-860	Structured Cabling	\$	3,310,065
Total Department of Administrative Services		\$	95,677,127

SOCC Renovations

The amount reappropriated for the foregoing appropriation item CAP-838, SOCC Renovations, shall be \$2,826,425.

Hazardous Substance Abatement in State Facilities

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

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

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

Implementation of Americans with Disabilities Act

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

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

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

MARCS Steering Committee and Statewide Communications System

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

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

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

Energy Conservation Projects

The foregoing appropriation item CAP-835, Energy Conservation Projects, shall be used to perform energy conservation renovations, including the United States Environmental Protection Agency's Greenlights Program, in state-owned facilities. Prior to the release of funds for renovation, state agencies shall have performed a comprehensive energy audit for each project. The Department of Administrative Services shall review and approve proposals from state agencies to use these funds for energy conservation.

Public school districts and state-supported and state-assisted institutions of higher education are not eligible for funding from this item.

Reappropriations

CAP-001	Renovate Martin Janis Center	\$	125,000
Total Department of Aging		\$	125,000

Reappropriations

SECTION 20.04. AGR DEPARTMENT OF AGRICULTURE

CAP-023	Construct Laboratory Facility	\$	39,497
CAP-025	Building Renovations	\$	233,008
CAP-029	Administration Building Renovation	\$	2,947,244
CAP-031	Animal Industry Building Addition	\$	390,369
CAP-033	Site Electrical/Utility Improvement	\$	155,990
CAP-037	Consumer Lab/Weights/Measures Equip.	\$	205,164
CAP-038	Reynoldsburg Complex Basic Renovation	\$	50,000
CAP-039	Renovate Weights and Measures Bldg.	\$	1,412,756
CAP-041	Drainage and Erosion Control	\$	252,344
CAP-042	Reynoldsburg Complex Security	\$	125,000
Total Department of Agriculture		\$	5,811,372

Reappropriations

SECTION 20.05. AGO ATTORNEY GENERAL

CAP-710	Automated Fingerprint ID System	\$	1,412,802
CAP-714	Construct/Renovate BCI & I	\$	752,824
CAP-715	Expand/Renovate Richfield Lab	\$	160,601
Total Attorney General		\$	2,326,227

Automated Fingerprint Identification System

The foregoing appropriation item CAP-710, Automated Fingerprint ID System, shall be used by the Attorney General to purchase hardware and software, to prepare documentation, for training, and for site preparation for an automated fingerprint identification system.

The amount reappropriated for the foregoing appropriation item CAP-714, Construct/Renovate BCI & I, shall be the sum of the unencumbered and unallotted balances as of June 30, 2000, in appropriation item CAP-714, Construct/Renovate BCI & I, plus \$41,222.

Reappropriations

SECTION 20.06. CSR CAPITOL SQUARE REVIEW AND
ADVISORY BOARD

CAP-001	Statehouse Grounds Retaining Wall	\$	759,000
Total Capitol Square Review and Advisory Board		\$	759,000

Reappropriations

SECTION 20.07. COM DEPARTMENT OF COMMERCE

CAP-007	Construct and Renovate Fireground Training Areas	\$	151,493
CAP-008	Fire Academy Building Renovations	\$	636,629

CAP-011	Roadway/Training Area Resurfacing	\$	260,000
Total Department of Commerce		\$	1,048,122

Fire Academy Building Renovations

The amount reappropriated for the foregoing appropriation item CAP-008, Fire Academy Building Renovations, shall be the sum of the unencumbered and unallotted balances as of June 30, 2000, in appropriation items CAP-008, Fire Academy Building Renovations, and CAP-010, Fire Apparatus Equipment.

Reappropriations

SECTION 20.08. EXP EXPOSITIONS COMMISSION

CAP-037	Electric and Lighting Upgrade	\$	2,203,490
CAP-046	Land Acquisition	\$	2,486,024
CAP-051	Roof Renovations	\$	2,602
CAP-052	Sewer Separation	\$	1,926,397
CAP-053	Multipurpose Agricultural Center	\$	2,671
CAP-056	Building Renovations-2	\$	9,813
CAP-057	HVAC Planning	\$	2,000
CAP-059	Replace Coliseum Compressor	\$	500,520
CAP-062	Door Replacement	\$	123,874
CAP-064	Replacement of Water Lines	\$	80,098
CAP-065	Replace Coliseum Seating	\$	686,565
CAP-066	Stairtower Replacement	\$	184,939
Total Expositions Commission		\$	8,208,993

Reappropriations

SECTION 20.09. JSC JUDICIARY/SUPREME COURT

CAP-001	Ohio Courts Building Renovations	\$	32,600,000
Total Judiciary/Supreme Court		\$	32,600,000

Exempt from Per Cent for Arts Program

The foregoing appropriation item CAP-001, Ohio Courts Building Renovations, shall be exempt from the provisions of section 3379.10 of the Revised Code, the Per Cent for Arts Program.

Reappropriations

SECTION 20.10. DNR DEPARTMENT OF NATURAL RESOURCES

CAP-741	DNR Communications System	\$	3,245,352
CAP-742	Fountain Square Building and Telephone System Improvements	\$	4,231,792
CAP-747	DNR Fairgrounds Area - General Upgrading	\$	75,000
CAP-867	Reclamation Facility Renovation and Development	\$	225,000
CAP-928	Handicapped Accessibility	\$	39,654
Total Department of Natural Resources		\$	7,816,798

Reappropriations

SECTION 20.11. DHS DEPARTMENT OF PUBLIC SAFETY

CAP-054	Multi-Agency Radio Communications	\$	500,000
CAP-056	Emergency Operations Center Equipment	\$	50,000
CAP-067	VHS Radio System Improvements	\$	356,000
	Total Department of Public Safety	\$	906,000

Reappropriations

SECTION 20.12. OSB SCHOOL FOR THE BLIND

CAP-733	Dormitory Wardrobe Replacement	\$	97,600
CAP-743	Natorium Boiler	\$	24,327
CAP-753	Walk-In Refrigerator/Freezer	\$	39,008
CAP-754	Construct Evacuation Assembly Area	\$	7,925
CAP-756	Install Security Lighting	\$	26,968
CAP-757	Bathroom Handicapped Accessibility	\$	122,194
CAP-778	Air Conditioning in Dining Rooms	\$	75,000
CAP-779	Doorways/Handicapped Accessibility	\$	87,000
CAP-780	Residential Renovations	\$	344,900
CAP-783	Natorium Improvements	\$	59,300
	Total School for the Blind	\$	884,222

Reappropriations

SECTION 20.13. OSD SCHOOL FOR THE DEAF

CAP-730	Roof Rehabilitation	\$	1,231,050
CAP-781	Heating System/Boiler/Administration Building	\$	2,310,740
CAP-784	Heating and Bedroom Renovations	\$	423,543
CAP-785	Site Improvements	\$	25,000
	Total School for the Deaf	\$	3,990,333

Reappropriations

SECTION 20.14. OVH OHIO VETERANS' HOME

CAP-759	Veterans' Home Construction	\$	4,200,000
	Total Ohio Veterans' Home	\$	4,200,000
	Total Administrative Building Fund	\$	171,687,848

Veterans' Home Construction

Upon notification of the availability of a federal Department of Veterans Affairs state home construction grant, the Ohio Veterans' Home may seek authority from the Controlling Board for release of funds in the foregoing appropriation item, CAP-759, Veterans' Home Construction, to assist with the cost of construction of an additional state-operated, 168-bed veterans' home.

Notwithstanding any other provisions of this act and the Revised Code, the construction of the new veterans' home shall not fall under the

provisions for agency administration. Any new veterans' home construction project shall be administered by the Department of Administrative Services.

SECTION 21. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Adult Correctional Building Fund (Fund 027). Revenues to the Adult Correctional Building Fund shall consist of proceeds of obligations authorized to pay costs of capital facilities as defined in section 152.09 of the Revised Code for the Department of Rehabilitation and Correction.

Reappropriations
DRC DEPARTMENT OF REHABILITATION AND CORRECTION
STATEWIDE AND CENTRAL OFFICE PROJECTS

CAP-002	Local Jails	\$	24,696,594
CAP-003	Community-Based Correctional Facilities	\$	15,108,698
CAP-004	Site Renovations	\$	4,107,550
CAP-007	Asbestos Removal	\$	1,796,649
CAP-008	Powerhouse/Utility Improvements	\$	5,716,870
CAP-009	Water System/Plant Improvements	\$	4,847,789
CAP-010	Industrial Equipment - Statewide	\$	2,489,000
CAP-011	Roof/Window Renovations - Statewide	\$	2,039,628
CAP-012	Shower/Restroom Improvements	\$	1,528,125
CAP-015	Underground Storage Tanks Improvements	\$	6,189
CAP-017	Security Improvements - Statewide	\$	6,214,463
CAP-018	Emergency and Security Lighting	\$	62,927
CAP-024	Minimum Security Misdemeanant Jails	\$	1,184,820
CAP-026	Waste Water Treatment Facilities	\$	1,760,400
CAP-041	Community Residential Program	\$	8,330,000
CAP-042	Hazardous Waste Removal - Statewide	\$	916,900
CAP-043	Design/Construct/Parole Detention Centers	\$	743,231
CAP-044	Lightning Protection Plan	\$	4,985
CAP-055	Institution Roof Replacement	\$	39,500
CAP-109	Statewide Fire Alarm Systems	\$	380,735
CAP-110	Construct Maximum Security Facility	\$	1,091
CAP-129	Water Treatment Plants - Statewide	\$	901,500
CAP-140	Boot Camp/Substance Abuse Offenders	\$	1,423,950
CAP-141	Multi-Agency Radio System Equipment	\$	2,781,883
CAP-142	Various Facility Medical Services	\$	1,043,008
CAP-143	Perimeter Security, Lighting, Alarms, Sallyports	\$	4,295,104
CAP-144	Medium/Minimum Security Privatized Prison	\$	220,173
CAP-161	1,000-Bed Close Custody Prison	\$	5,060,428
CAP-186	Close Custody Prison and Camp	\$	5,000,000
CAP-187	Mandown Alert Communication System - Statewide	\$	9,436,233
CAP-188	Manufacturing/Storage Building Additions - Statewide	\$	159,300
CAP-189	Tuck-pointing - Statewide	\$	1,783,000
CAP-238	Electrical Systems Upgrades	\$	961,700
CAP-239	Emergency Projects	\$	2,834,750
CAP-240	State Match for Federal Prison Construction Funds	\$	2,410,000
Total Statewide and Central Office Projects		\$	120,287,173

BELMONT CORRECTIONAL INSTITUTION

CAP-241	Inmate Health Services Renovations - BECI	\$	2,465,000
Total Belmont Correctional Institution		\$	2,465,000

CHILLICOTHE CORRECTIONAL INSTITUTION

CAP-048	Control Room Security Improvements	\$	3,396
CAP-113	Fire Alarm, Egress System Improvements	\$	1,870,634
CAP-114	Emergency Lighting Renovations	\$	1,240,000
CAP-115	Roof Renovations	\$	1,108,615
CAP-146	Renovate Food Service Area - CCI	\$	4,103,164
CAP-147	Wastewater Treatment Plant	\$	575,308
CAP-149	New Classroom Building	\$	827,936
CAP-190	Utility Improvements	\$	200,000
CAP-191	Life & Fire Safety Improvements - CCI	\$	7,000,000
CAP-192	Hot Water System Improvements - CCI	\$	242,175
Total Chillicothe Correctional Institution		\$	17,171,228

CORRECTIONAL RECEPTION CENTER

CAP-173	CRC E-Dorm Renovation	\$	472,278
Total Correctional Reception Center		\$	472,278

CORRECTIONS TRAINING ACADEMY

CAP-050	Firing Range Improvements	\$	15,783
CAP-193	AT Building Roof Replacement	\$	450,000
CAP-194	Construct Conference Center	\$	1,796,511
Total Corrections Training Academy		\$	2,262,294

DAYTON CORRECTIONAL INSTITUTION

CAP-195	Hot Water System Improvements - DCI	\$	400,000
CAP-242	Shower Renovations - DCI	\$	244,500
Total Dayton Correctional Institution		\$	644,500

FRANKLIN PRE-RELEASE CENTER

CAP-117	Foundation Improvements	\$	85,313
Total Franklin Pre-Release Center		\$	85,313

GRAFTON CORRECTIONAL INSTITUTION

CAP-196	Camp Egress System Improvements - GCI	\$	450,000
Total Grafton Correctional Institution		\$	450,000

HOCKING CORRECTIONAL INSTITUTION

CAP-053	General Building Renovations	\$	275,805
CAP-054	Water Tower Improvements	\$	3,000
Total Hocking Correctional Institution		\$	278,805

LEBANON CORRECTIONAL INSTITUTION

CAP-056	Kitchen Renovations	\$	6,641
CAP-057	Shower Pan/Drain Renovations	\$	616,306
CAP-118	Water Tower Renovations	\$	123,307
CAP-119	Masonry Improvements - LECI	\$	3,155,418
CAP-197	Cell Door and Lock Replacement - LECI	\$	5,259,500
CAP-198	Water Treatment Plant - LE CI	\$	1,150,000
Total Lebanon Correctional Institution		\$	10,311,572

LIMA CORRECTIONAL INSTITUTION

CAP-058	Water System Renovations	\$	114,910
CAP-121	Shower and Lavatory Renovations	\$	1,781,854
CAP-153	Convert ODOT Building to Minimum Security Camp	\$	39,302
CAP-155	Heating System Renovations	\$	1,735,806
CAP-156	Water and Sewer Line Renovations	\$	1,000,000
CAP-185	Lima Segregation Unit	\$	31,527

CAP-199	Windows/Security Bar Improvements	\$	1,000,000
CAP-200	Utility Renovations	\$	350,000
CAP-243	HVAC Renovations - LCI	\$	4,317,100
CAP-244	Heating System Piping Replacement - LCI	\$	2,465,000
Total Lima Correctional Institution		\$	12,835,499

LONDON CORRECTIONAL INSTITUTION

CAP-059	Convert Brush Factory to Dormitory	\$	809
CAP-062	Meat Processing Operation	\$	15,283
CAP-063	Fire Alarm System Improvements	\$	53,421
CAP-122	London Restoration	\$	143,721
CAP-157	London Camp Renovation Project	\$	9,080
CAP-201	Water Treatment Plant Addition	\$	3,000,000
CAP-245	Bridge Replacement - LOCI	\$	116,150
Total London Correctional Institution		\$	3,338,464

MANSFIELD CORRECTIONAL INSTITUTION

CAP-123	Smoke Removal/Sprinkler System Improvements	\$	232,734
CAP-158	Enclose Fire Escapes	\$	167,200
CAP-159	Power Pole Replacement	\$	38,200
CAP-202	Death Unit Renovations	\$	750,000
CAP-203	Hot Water System Improvements - MAN CI	\$	750,000
Total Mansfield Correctional Institution		\$	1,938,134

MARION CORRECTIONAL INSTITUTION

CAP-028	Power House Improvements	\$	191,893
CAP-065	Sewage Lift Station Renovations	\$	8,889
CAP-067	Roof Replacement	\$	384,635
CAP-124	Fire Sprinkler System Improvements	\$	78,283
CAP-160	Renovate Heating/Ventilation System	\$	79,000
CAP-204	Freezer Replacement	\$	168,800
CAP-205	Cooler Replacement	\$	343,800
CAP-206	Central Food Service Renovation - MCI	\$	343,800
CAP-207	HVAC Improvements - Administrative Building	\$	750,000
CAP-208	Hot Water Tank Replacement	\$	275,000
CAP-246	Exterior Window Replacement - MCI	\$	171,150
CAP-247	Plumbing Upgrades - MCI	\$	1,500,000
Total Marion Correctional Institution		\$	4,295,250

NORTHEAST PRE-RELEASE CENTER

CAP-209	Security Improvements - NEPRC	\$	425,000
Total Northeast Pre-Release Center		\$	425,000

OAKWOOD CORRECTIONAL FACILITY

CAP-162	Renovate East Wing Plumbing	\$	17,300
CAP-164	Renovate East Wing Electrical System	\$	1,500
Total Oakwood Correctional Facility		\$	18,800

OHIO REFORMATORY FOR WOMEN

CAP-072	Shower Renovations	\$	5,353
CAP-125	Replacement Dormitory	\$	1,544
CAP-165	Master Plan Building/Renovations - ORW	\$	1,102,399
CAP-210	Replacement Dormitory - ORW	\$	3,650,000
CAP-211	Renovate J.G. Cottage	\$	1,300,000
CAP-212	Powerhouse Renovation & Replumbing	\$	1,250,000
CAP-213	Sanitary Sewer Renovations - ORW	\$	250,000
CAP-214	Storm Sewer Renovations	\$	200,000
CAP-215	Central Food Service Renovation - ORW	\$	300,000

CAP-216	Elevator Renovation	\$	121,500
CAP-217	Perimeter Lighting Improvements	\$	800,000
CAP-218	Rewire Harmon Building	\$	376,289
CAP-219	Fire Alarm System Improvements	\$	128,971
Total Ohio Reformatory for Women		\$	9,486,056

OHIO STATE PENITENTIARY

CAP-171	Camp at Maximum Security Facility	\$	23,385
Total Ohio State Penitentiary		\$	23,385

ORIENT CORRECTIONAL INSTITUTION

CAP-068	Plumbing Replacement	\$	55,786
CAP-126	Fire Protection System Upgrading	\$	483,725
CAP-127	TB/Infectious Disease Units Improvements	\$	4,000
CAP-128	7E Dorm Demolition and Construction	\$	995,338
CAP-184	Orient Dorm Renovations	\$	1,039,643
CAP-220	Mechanical/Limited Duty Dorm	\$	1,500,000
CAP-221	Replacement 2 Story Dorm for 6E Dorm	\$	3,958,000
Total Orient Correctional Institution		\$	8,036,492

PICKAWAY CORRECTIONAL INSTITUTION

CAP-074	Fire Alarm System Improvements	\$	5,798
CAP-076	Laundry/Maintenance Shop/Farms Roof Renovations	\$	726
CAP-077	Shower Renovations	\$	3,500
CAP-222	Sludge Removal System Improvements	\$	1,500,000
CAP-223	Replacement of Unit A Dorm	\$	4,339,900
CAP-224	Replacement of Generator - Dairy Farm	\$	108,100
CAP-225	Water System Improvements	\$	493,970
CAP-226	Milk Processing Plant	\$	1,905,800
CAP-227	Roof Improvements	\$	430,495
CAP-228	Power House Improvements	\$	212,889
CAP-248	Replacement of Perimeter Fence - PCI	\$	2,218,500
Total Pickaway Correctional Institution		\$	11,219,678

RICHLAND CORRECTIONAL INSTITUTION

CAP-251	Construct Retaining Wall - RIC	\$	207,825
Total Richland Correctional Institution		\$	207,825

ROSS CORRECTIONAL INSTITUTION

CAP-229	Waste Water Treatment Plant - RCI	\$	7,393,702
Total Ross Correctional Institution		\$	7,393,702

SOUTHEASTERN CORRECTIONAL INSTITUTION

CAP-133	Construct New Dining Hall	\$	8,822
CAP-134	Wastewater Treatment Storage Addition	\$	777,151
CAP-167	Master Plan Building/Renovations - SCI	\$	376,584
CAP-233	Replacement 2 Story Dorm/J, K, L Dorm	\$	3,870,000
CAP-234	High Voltage Electrical System	\$	1,500,000
CAP-235	Warehouse & Utility Buildings	\$	225,000
CAP-236	Construct Dining Hall - SCI	\$	7,919,025
CAP-237	Power Plant Improvements	\$	479,697
CAP-249	I Dorm Air Handling Improvements - SCI	\$	580,700
CAP-250	Wastewater Treatment Plant Improvements - SCI	\$	863,600
Total Southeastern Correctional Institution		\$	16,600,579

SOUTHERN OHIO CORRECTIONAL FACILITY

CAP-135	SOCF Renovation and Improvements	\$	138,844
CAP-136	Waste Water Treatment Plant Improvements	\$	1,595,694
CAP-230	Waste Water Treatment Plant	\$	1,000,000

CAP-231	Gas Boiler Installation	\$	978,005
CAP-232	Power House Chiller	\$	457,800
Total Southern Ohio Correctional Facility		\$	4,170,343
Total Department of Rehabilitation and Correction		\$	234,417,370
Total Adult Correctional Building Fund		\$	234,417,370

Site Renovations

The amount reappropriated for the foregoing appropriation item CAP-004, Site Renovations, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-004, Site Renovations, plus \$4,067,250.

Powerhouse/Utility Improvements

The amount reappropriated for the foregoing appropriation item CAP-008, Powerhouse/Utility Improvements, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-008, Powerhouse/Utility Improvements, plus \$2,834,750.

Water System/Plant Improvements

The amount reappropriated for the foregoing appropriation item CAP-009, Water System/Plant Improvements, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-009, Water System/Plant Improvements, plus \$4,753,320.

Roof/Window Renovations - Statewide

The amount reappropriated for the foregoing appropriation item CAP-011, Roof/Window Renovations - Statewide, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-011, Roof/Window Renovations - Statewide, plus \$914,430.

Shower/Restroom Improvements

The amount reappropriated for the foregoing appropriation item CAP-012, Shower/Restroom Improvements, shall be \$1,528,125.

Security Improvements - Statewide

The amount reappropriated for the foregoing appropriation item CAP-017, Security Improvements - Statewide, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-017, Security Improvements - Statewide, plus \$3,004,835.

Hazardous Waste Removal - Statewide

The amount reappropriated for the foregoing appropriation item CAP-042, Hazardous Waste Removal - Statewide, shall be \$916,900.

Statewide Fire Alarm Systems

The amount reappropriated for the foregoing appropriation item CAP-109, Statewide Fire Alarm Systems, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-109, Statewide Fire Alarm Systems, plus \$366,750.

Perimeter Security, Lighting, Alarms, Sallyports

The amount reappropriated for the foregoing appropriation item CAP-143, Perimeter Security, Lighting, Alarms, Sallyports, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-143, Perimeter Security, Lighting, Alarms, Sallyports, plus \$4,291,565.

Close Custody Prison and Camp

The amount reappropriated for the foregoing appropriation item CAP-186, Close Custody Prison and Camp, shall be \$5,000,000.

Mandown Alert Communications System - Statewide

The amount reappropriated for the foregoing appropriation item CAP-187, Mandown Alert Communications System - Statewide, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-187, Mandown Alert Communications System - Statewide, plus \$7,200,000.

Tuck-pointing - Statewide

The amount reappropriated for the foregoing appropriation item CAP-189, Tuck-pointing - Statewide, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-189, Tuck-pointing - Statewide, plus \$1,033,000.

Electrical Systems Upgrades

The amount reappropriated for the foregoing appropriation item CAP-238, Electrical Systems Upgrades, shall be \$961,700.

Emergency Projects

The amount reappropriated for the foregoing appropriation item CAP-239, Emergency Projects, shall be \$2,834,750.

State Match for Federal Prison Construction Funds

The amount reappropriated for the foregoing appropriation item CAP-240, State Match for Federal Prison Construction Funds, shall be \$2,410,000.

Inmate Health Services Renovations - BECI

The amount reappropriated for the foregoing appropriation item CAP-241, Inmate Health Services Renovations - BECI, shall be \$2,465,000.

Life & Fire Safety Improvements - CCI

The amount reappropriated for the foregoing appropriation item CAP-191, Life & Fire Safety Improvements - CCI, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-191, Life & Fire Safety Improvements - CCI, plus \$3,500,000.

Shower Renovations - DCI

The amount reappropriated for the foregoing appropriation item

P-242, Shower Renovations - DCI, shall be \$244,500.

Masonry Improvements - LECI

The amount reappropriated for the foregoing appropriation item CAP-119, Masonry Improvements - LECI, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-119, Masonry Improvements - LECI, plus \$1,797,100.

Cell Door and Lock Replacement - LECI

The amount reappropriated for the foregoing appropriation item CAP-197, Cell Door and Lock Replacement - LECI, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-197, Cell Door and Lock Replacement - LECI, plus \$5,000,000.

HVAC Renovations - LCI

The amount reappropriated for the foregoing appropriation item CAP-243, HVAC Renovations - LCI, shall be \$4,317,100.

Heating System Piping Replacement - LCI

The amount reappropriated for the foregoing appropriation item CAP-244, Heating System Piping Replacement - LCI, shall be \$2,465,000.

Bridge Replacement - LOCI

The amount reappropriated for the foregoing appropriation item CAP-245, Bridge Replacement - LOCI, shall be \$116,150.

Exterior Window Replacement - MCI

The amount reappropriated for the foregoing appropriation item CAP-246, Exterior Window Replacement - MCI, shall be \$171,150.

Plumbing Upgrades - MCI

The amount reappropriated for the foregoing appropriation item CAP-247, Plumbing Upgrades - MCI, shall be \$1,500,000.

Replacement of Perimeter Fence - PCI

The amount reappropriated for the foregoing appropriation item CAP-248, Replacement of Perimeter Fence - PCI, shall be \$2,218,500.

Construct Retaining Wall - RICCI

The amount reappropriated for the foregoing appropriation item CAP-251, Construct Retaining Wall - RICCI, shall be \$207,825.

Wastewater Treatment Plant - RCI

The amount reappropriated for the foregoing appropriation item CAP-229, Wastewater Treatment Plant - RCI, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-229, Wastewater Treatment Plant - RCI, plus \$4,893,702.

Construct Dining Hall - SCI

The amount reappropriated for the foregoing appropriation item CAP-236, Construct Dining Hall - SCI, shall be the unencumbered and

unallotted balance as of June 30, 2000, in appropriation item CAP-236, Construct Dining Hall - SCI, plus \$4,537,900.

I Dorm Air Handling Equipment - SCI

The amount reappropriated for the foregoing appropriation item CAP-249, I Dorm Air Handling Equipment - SCI, shall be \$580,700.

Wastewater Treatment Improvements - SCI

The amount reappropriated for the foregoing appropriation item CAP-250, Wastewater Treatment Plant Improvements - SCI, shall be \$863,600.

SECTION 21.01.

Local Jails

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

The funding authorized under this section shall not be applied to any such facilities that are not designated by the Department of Rehabilitation and Correction. The amount of funding authorized under this section that may be applied to a project designated for initial funding after July 1, 2000, involving the construction or renovation of a county, multi-county, municipal-county, or multicounty-municipal jail facility or workhouse, including a correctional center authorized under sections 307.93 and 153.61 of the Revised Code, shall not exceed \$25,000 per bed of the total allowable cost of the project in the case of construction of county and municipal-county jail facilities, workhouses, and correctional centers; shall not exceed \$42,000 per bed of the total allowable cost of the project in the case of construction of multi-county or multicounty-municipal jail facilities, workhouses, and correctional centers; and shall not exceed 30 per cent of the total allowable cost of the project in the case of renovation of county, multi-county, municipal-county, and multicounty-municipal jail facilities, workhouses, and correctional centers.

The cost-per-bed funding authorized under this section that may be

applied to a construction project shall not exceed the actual cost-per-bed of the project. The 30 per cent funding authorized under this section that may be applied to a renovation project shall not exceed \$25,000 per bed of the total allowable cost of the project.

The funding authorized under this section shall not be applied to any project involving the construction of a county, multi-county, municipal-county, or multicounty-municipal jail facility or workhouse, including a correctional center established under sections 307.93 and 153.61 of the Revised Code, unless the facility, workhouse, or correctional center will be built in compliance with "The Minimum Standards for Jails in Ohio" and the plans have been approved in accordance with section 5103.18 of the Revised Code. In addition, the funding authorized under this section shall not be applied to any project involving the renovation of a county, multi-county, municipal county, or multicounty-municipal jail facility or workhouse, including a correctional center established under sections 307.93 and 153.61 of the Revised Code, unless the renovation is for the purpose of bringing the facility, workhouse, or correctional center into compliance with "The Minimum Standards for Jails in Ohio" and the plans have been approved in accordance with section 5103.18 of the Revised Code.

SECTION 21.02.

Community-Based Correctional Facilities

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

SECTION 21.03.

Community Residential Program Renovations

The foregoing appropriation item CAP-041, Community Residential Program, may be used by the Department of Rehabilitation and Correction, in accordance with sections 5120.103, 5120.104, and 5120.105 of the Revised Code, to provide for the construction or renovation of halfway house facilities for offenders eligible for community supervision by the Department of Rehabilitation and Correction.

SECTION 22. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Juvenile Correctional Building Fund (Fund 028). Revenues to the Juvenile Correctional Building Fund shall consist of proceeds of obligations authorized to pay costs of capital facilities as defined in section 152.09 of the Revised Code for the Department of Youth Services.

Reappropriations

DYS DEPARTMENT OF YOUTH SERVICES

CAP-021	Contingency/New Facility Development/Construction	\$	36,465
CAP-801	Fire Suppression/Safety/Security	\$	1,755,604
CAP-803	General Institutional Renovations	\$	2,475,792
CAP-812	Community Rehabilitation Centers	\$	22,840,992
CAP-814	Capital Equipment	\$	57,444
CAP-820	Ohio River Valley Youth Center	\$	8,281
CAP-821	Construct Maximum Security Facility	\$	3,243,243
CAP-823	Cuyahoga Boys School Renovation/Expansion	\$	3,494,587
CAP-825	Food Service, Storeroom, Laundry, Fence	\$	2,890,300
CAP-827	Facility Space Study/Plan	\$	80,000
CAP-828	Multi-Agency Radio System Equipment	\$	430,000
CAP-829	Local Juvenile Detention Centers	\$	19,006,873
CAP-833	Security Renovations - Indian River	\$	4,793,125
CAP-834	Health & Safety Unit - Riverview	\$	3,780,000
	Total Department of Youth Services	\$	64,892,706
	Total Juvenile Correctional Building Fund	\$	64,892,706

SECTION 22.01.

Community Rehabilitation Centers

From the foregoing appropriation item CAP-812, Community Rehabilitation Centers, the Department of Youth Services shall designate the projects involving the construction and renovation of single county and multi-county community corrections facilities for which the Ohio Building Authority is authorized to issue obligations.

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

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

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

SECTION 22.02.

Local Juvenile Detention Centers

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

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

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

(A) The Department of Youth Services shall develop a weighted numerical formula to determine the amount, if any, of state match that may be provided to a single or multi-county detention center project. The formula shall include the factors specified below in division (A)(1) of this section and may include the factors specified below in division (A)(2) of this section. The weight assigned to the factors specified in division (A)(1) of this section shall be no less than twice the weight assigned to factors specified in division (A)(2) of this section.

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

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

(c) The Department of Youth Services projects that the county or group

of counties have a need for a sufficient number of detention beds to make the project economically viable.

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

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

(B) The formula developed by the Department of Youth Services shall yield a percentage of state match ranging from 0 per cent to 60 per cent based on the above factors. Notwithstanding the foregoing provisions, if a single county or multi-county 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 shall be multiplied by \$105,000 per bed for detention centers with a designated capacity of 99 beds or less, and by \$130,000 per bed for detention centers with a design capacity of 100 beds or more. To determine the dollar amount of the state match for renovation projects the percentage match shall be multiplied by the actual cost of the renovation, provided that the cost of the renovation does not exceed \$80,000 per bed. The funding authorized under this section that may be applied to a construction or renovation project shall not exceed the actual cost of the project.

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

SECTION 22.03. The Ohio Building Authority is hereby authorized to issue and sell, in accordance with the provisions of Section 2i of Article VIII, Ohio Constitution, and Chapter 152. and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$5,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued to pay the costs associated with capital facilities in Sections 22 and 22.02 of this act for the Department of Youth

Services, the owners or holders of which shall have no right to excises or taxes levied by the General Assembly for the payment of principal or interest thereon.

SECTION 23. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Arts Facilities Building Fund (Fund 030). Revenues to the Arts Facilities Building Fund shall consist of proceeds of obligations authorized to pay costs of the following capital improvements:

Reappropriations

AFC ARTS AND SPORTS FACILITIES COMMISSION

CAP-001	National Aviation Hall of Fame	\$	1,100,000
CAP-002	Great Southern Opera House	\$	7,000
CAP-003	Center of Science and Industry - Toledo	\$	6,193
CAP-004	Valentine Theatre	\$	466,671
CAP-005	Center of Science and Industry - Columbus	\$	1,233,293
CAP-010	Sandusky State Theater Improvements	\$	245,425
CAP-013	Stambaugh Hall Improvements	\$	520,041
CAP-017	Zion Center of the National Afro-American Museum	\$	750,000
CAP-029	Cincinnati Riverfront Development	\$	333,332
CAP-033	Woodward Opera House Renovation	\$	550,000
CAP-037	Canton Palace - Theatre Renovations	\$	724,244
CAP-044	National Underground Railroad Freedom Center	\$	500,000
CAP-045	Cincinnati Contemporary Arts Center	\$	3,500,000
CAP-048	John and Annie Glenn Museum	\$	500,000
CAP-051	Akron Civic Theatre Improvements	\$	350,000
CAP-052	Akron Art Museum	\$	1,000,000
CAP-055	Waco Museum & Aviation Learning Center	\$	500,000
CAP-058	Cedar Bog Nature Preserve Education Center	\$	856,200
CAP-061	Statewide Arts Facilities Planning	\$	412,831
CAP-702	Campus Martius Museum	\$	91,000
CAP-734	Hayes Presidential Center	\$	252,000
CAP-735	Paul Lawrence Dunbar House	\$	100,000
CAP-742	Ft. Meigs Museum	\$	3,432,000
CAP-744	Zoar Village Visitor Center	\$	706,500
CAP-753	Buffington Island State Memorial	\$	100,000
CAP-757	Schoenbrunn Village Restoration and Renovation	\$	211,000
CAP-758	Ft. Laurens Reconstruction and Building/Site Improvements	\$	134,493
CAP-760	Goodwin-Baggott Pottery Building	\$	34,688
CAP-770	Serpent Mount State Memorial	\$	295,000
CAP-778	Ft. Ancient Museum, Site, Exhibit Improvements	\$	8,926
CAP-780	Harding Home State Memorial	\$	292,200
CAP-784	Ohio Historical Center Rehabilitation	\$	200,000
CAP-785	Ohio Village Building Renovations and Improvements	\$	300,000
CAP-787	Quaker Meeting House Building and Exhibit Improvements	\$	3,202
CAP-788	Tallmadge Church Building Restoration	\$	250,000
CAP-789	Neil Armstrong Air/Space Museum Improvements	\$	1,117

CAP-790	Reese-Peters Site Improvements	\$	10,000
CAP-791	Harrison Tomb and Site Renovations	\$	16,000
CAP-795	Local & Wide-Area Networks	\$	113,100
CAP-796	Moundbuilders State Memorial	\$	530,000
CAP-797	National Afro-American Museum	\$	223,000
CAP-798	Multi-Site Fire/Security System	\$	100,000
CAP-800	Indian Mill State Memorial	\$	112,000
Total Arts and Sports Facilities Commission		\$	21,071,456
Total Arts Facilities Building Fund		\$	21,071,456

Center of Science and Industry - Columbus

Of the foregoing appropriation item CAP-005, Center of Science and Industry - Columbus, up to \$500,000 shall be used for AgScience Experience Exhibits, and the remainder shall be used for other improvements, including the John Glenn Theatre.

COSI Columbus - Local Administration of Capital Project Contracts

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

Schoenbrunn Village Restoration and Renovations

Of the foregoing appropriation item CAP-757, Schoenbrunn Village Restoration and Renovations, up to \$30,000 shall be used for safety improvements related to the New Philadelphia airport.

Ft. Laurens Reconstruction and Building and Site Improvements

The amount reappropriated for the foregoing appropriation item CAP-758, Ft. Laurens Reconstruction and Building and Site Improvements, shall be the sum of the unencumbered and unallotted balances as of June 30, 2000, in appropriation items CAP-758, Ft. Laurens Reconstruction and Building and Site Improvements, and CAP-779, Ft. Laurens Reconstruction and Exhibit Improvements. Of the foregoing appropriation item CAP-758, Ft. Laurens Reconstruction and Building and Site Improvements, up to \$100,000 shall be used for the full reconstruction of the site as formulated by the Friends of Ft. Laurens Foundation.

Reese-Peters Site Improvements

The amount reappropriated for the foregoing appropriation item CAP-790, Reese-Peters Site Improvements, shall be \$10,000.

SECTION 24. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Ohio Parks and Natural Resources Fund (Fund 031). Revenues to the Ohio Parks and Natural Resources Fund shall consist of proceeds of obligations authorized to pay costs of capital projects as defined in section 1557.01 of the Revised Code for the Department of Natural Resources.

Reappropriations

**DNR DEPARTMENT OF NATURAL RESOURCES
STATEWIDE AND LOCAL PROJECTS**

CAP-012	Land Acquisition	\$	5,554,906
CAP-702	Upgrade Underground Fuel Storage Tanks	\$	1,331,359
CAP-703	Cap Abandoned Water Wells	\$	245,140
CAP-742	Fountain Square Building Improvements	\$	348,900
CAP-746	Athens District Office-Land Acquisition, Design, and Construction	\$	2,705,500
CAP-747	DNR Fairground Areas-General Upgrading	\$	96,231
CAP-748	Local Parks Projects - Statewide	\$	5,484,621
CAP-751	City of Portsmouth Launch Ramp	\$	112,386
CAP-753	Project Planning	\$	244,914
CAP-784	Inland Access	\$	250,000
CAP-788	Community Recreation Projects	\$	682,000
CAP-814	North of Rush Run Wildlife Area	\$	264,650
CAP-834	Appraisal Fees-Statewide	\$	11,760
CAP-844	Put-In-Bay Township Port Authority	\$	79,784
CAP-847	Local Government Conservation Works/Improvement	\$	252,581
CAP-851	Cleveland Lakefront	\$	747,623
CAP-868	New Philadelphia District Office Complex Relocation	\$	1,500,000
CAP-869	City of Lorain Beach	\$	36,949
CAP-874	Lake Erie Access	\$	1,321,016
CAP-875	Ohio River Access	\$	480,476
CAP-876	Statewide Trails Program	\$	433,136
CAP-881	Dam Rehabilitation	\$	19,305,157
CAP-891	Freedom Landing Boat Ramp	\$	91,500
CAP-928	Handicapped Accessibility	\$	937,800
CAP-929	Hazardous Waste/Asbestos Abatement	\$	485,067
CAP-931	Wastewater/Water Systems Upgrades	\$	12,270,988
CAP-932	Wetlands/Waterfront Acquisition	\$	313,846
CAP-934	Operations Facilities Development	\$	500,000
CAP-995	Boundary Protection	\$	330,226
CAP-999	Geographic Information Management System	\$	2,877,757
Total Statewide and Local Projects		\$	59,296,273

DIVISION OF CIVILIAN CONSERVATION

CAP-750	Quilter CCC Camp	\$	54,348
CAP-817	Riffe CCC Camp	\$	52,980
CAP-835	Civilian Conservation Facilities	\$	1,416,730
CAP-961	Zaleski CCC Camp	\$	343,260
Total Division of Civilian Conservation		\$	1,867,318

DIVISION OF FORESTRY

CAP-021	Mohican State Forest	\$	1,200
CAP-030	Shawnee State Forest	\$	105,150
CAP-073	Brush Creek State Forest	\$	227,550
CAP-129	Zanesville Nursery	\$	3,100
CAP-147	Marietta State Nursery	\$	6,208
CAP-793	Perry State Forest	\$	3,100
CAP-841	Operations and Maintenance Facility Development and Renovation	\$	1,130,133
Total Division of Forestry		\$	1,476,441

DIVISION OF MINES AND RECLAMATION

CAP-867	Reclamation Facilities Renovation and Development	\$	250,000
Total Division of Mines and Reclamation		\$	250,000

DIVISION OF NATURAL AREAS

CAP-765	Clifton Gorge Natural Area	\$	11,385
CAP-768	Grand River Wildlife Area	\$	11,385
CAP-769	Stages Pond Nature Preserve	\$	11,385
CAP-826	Natural Areas and Preserves Maintenance/Facility Development	\$	2,759,740
Total Division of Natural Areas		\$	2,793,895

DIVISION OF PARKS AND RECREATION

CAP-003	Barkcamp State Park	\$	325
CAP-010	East Harbor State Park	\$	38,129
CAP-016	Hueston Woods State Park	\$	244,925
CAP-017	Indian Lake State Park	\$	3,494
CAP-018	Kellys Island State Park	\$	200
CAP-019	Lake Hope State Park	\$	12,368
CAP-025	Punderson State Park	\$	11,497
CAP-029	Salt Fork State Park	\$	17,856
CAP-032	West Branch State Park	\$	1,775,886
CAP-037	Kiser Lake State Park	\$	10,616
CAP-064	Geneva State Park	\$	21,412
CAP-067	Guilford Lake State Park	\$	39,811
CAP-089	Mosquito Lake State Park	\$	5,500
CAP-093	Portage Lakes State Park	\$	130,605
CAP-120	Harrison Lake State Park	\$	1,072,088
CAP-162	Shawnee State Park	\$	32,889
CAP-166	Adams Lake State Park	\$	11,385
CAP-234	State Parks Campgrounds, Lodges, and Cabins	\$	5,073,902
CAP-298	Malabar Farm State Park	\$	83,852
CAP-305	Maumee Bay State Park	\$	103,150
CAP-331	Park Boating Facilities	\$	5,489,499
CAP-342	Alum Creek State Park	\$	22,019
CAP-390	State Park Maintenance/Facility Development	\$	591,780
CAP-815	Mary Jane Thurston State Park	\$	7,700
CAP-821	State Park Dredging and Shoreline Protection	\$	126,850
CAP-825	Marblehead Lighthouse State Park	\$	109,325
CAP-836	State Park Renovations/Upgrading	\$	8,202,753
Total Division of Parks and Recreation		\$	23,239,816

DIVISION OF SOIL AND WATER CONSERVATION

CAP-706	Statewide Nonpoint Source Implementation Program	\$	60,000
CAP-809	State Parks Lakes Restoration	\$	41,670
CAP-810	New Facilities at Farm Science Review	\$	500
Total Division of Soil and Water Conservation		\$	102,170

DIVISION OF WATER

CAP-705	Rehabilitate Canals, Hydraulic Works, and Support Facilities	\$	3,989,233
CAP-730	Miami and Erie Canal	\$	27,733
CAP-819	Rehabilitate/Automate - Ohio Ground Water Observation Well Network	\$	343,756
CAP-820	Automated Stream, Lake, and Ground Water Data Collection	\$	514,766
CAP-822	Flood Hazard Information Studies	\$	5,518
CAP-848	Hazardous Dam Repair-Statewide	\$	500,000
	Total Division of Water	\$	5,381,006
	Total Department of Natural Resources	\$	94,406,919
	Total Ohio Parks and Natural Resources Fund	\$	94,406,919

SECTION 24.01.

Land Acquisition

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

Chippewa Marina

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

Miami and Erie Canal Improvements

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

Local Parks Projects - Statewide

The amount reappropriated for the foregoing appropriation item CAP-748, Local Parks Projects - Statewide, shall be \$1,026,524 plus the unencumbered and unallotted balance as of June 30, 2000, in item CAP-748, Local Parks Projects - Statewide. The \$1,026,524 represents amounts that were previously appropriated, allocated to counties pursuant to division (D) of section 1557.06 of the Revised Code, and encumbered for local project grants. The encumbrances for these local projects in the various counties shall be canceled by the Director of Natural Resources or the Director of Budget and Management. The Director of Natural Resources shall allocate the \$1,026,524 to the same counties the moneys were originally allocated to, in the amount of the canceled encumbrances.

Community Recreation Projects

Of the foregoing appropriation item CAP-788, Community Recreation Projects, grants shall be made for the following projects: \$10,000 for

Goodale Park Improvements, \$20,000 for Grove City Park Improvements, \$100,000 for Chagrin Falls Park, \$10,000 for Holmes County Park District, \$60,000 for the Leighty Lake Restoration Project, \$300,000 for Firestone Park Improvements, \$50,000 for Dover City Parks, \$50,000 for New Philadelphia City Park, and \$82,000 for Hamilton Township Park at Foster.

State Park Dredging and Shoreline Protection

Of the foregoing appropriation item CAP-821, State Park Dredging and Shoreline Protection, \$126,850 shall be used for Beaver Creek Erosion Control Project.

Local Government Conservation Works/Improvement

Of the foregoing appropriation item CAP-847, Local Government Conservation Works/Improvement, grants shall be made for the following project: \$252,581 for Blanchard River Flood Control.

Dam Rehabilitation

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

SECTION 25. For the projects appropriated in Section 24 of this act, the Ohio Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by the Department of Natural Resources for each project. Based on the estimates, the Director of Budget and Management may release appropriations from the foregoing appropriation item CAP-753, Project Planning, to pay for design, planning, and engineering costs incurred by the Department of Natural Resources for such projects. Upon release of the appropriations by the Director of Budget and Management, the Department of Natural Resources shall pay for these expenses from Fund 4S9, Capital Expenses, and be reimbursed by Fund 031 using an intrastate voucher.

SECTION 26. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the School Building Program Assistance Fund (Fund 032) created under section 3318.25 of the Revised Code, derived from the proceeds of obligations heretofore and herein authorized to pay the cost to the state of constructing classroom facilities pursuant to sections 3318.01 to 3318.35 of the Revised Code.

Reappropriations

SFC SCHOOL FACILITIES COMMISSION

CAP-770	School Building Program Assistance	\$	24,956,890
CAP-775	Big Eight Capital Improvement Program	\$	11,706,523
CAP-776	Emergency School Building Repair Program	\$	6,248,995
CAP-779	Exceptional Needs	\$	100,000
Total School Facilities Commission		\$	43,012,408
Total School Building Program Assistance Fund		\$	43,012,408

School Building Program Assistance

The foregoing appropriation item CAP-770, School Building Program Assistance, shall be used by the School Facilities Commission to provide funding to school districts that receive conditional approval from the Commission pursuant to Chapter 3318. of the Revised Code.

Big Eight Capital Improvement Program

The foregoing appropriation item CAP-775, Big Eight Capital Improvement Program, shall be used by the School Facilities Commission to provide funds to the big eight school districts to be used for major renovations and repairs of school facilities. Big eight school districts which levy at least 2.5 voted mills for permanent improvements shall also be eligible to expend funds for additions to existing facilities. Any big eight school district that expends these funds for an addition to an existing facility shall receive no assistance from the School Facilities Commission for the purpose of replacing that facility for a period of at least twenty years. Funds shall be allocated to the school districts on a per-pupil basis, based on fiscal year 1997 total average daily membership as defined in section 3317.03 of the Revised Code. In the event a school district is no longer eligible to receive these funds as a result of becoming eligible to receive conditional approval for participation in the Classroom Facilities Assistance Program, the School Facilities Commission shall reallocate the funds to the remaining eligible districts on a per-pupil basis. To be eligible to receive these funds, each school district shall:

(A) Provide a 100 per cent match from funds that are approved by the Ohio School Facilities Commission;

(B) Develop and submit a capital renovations plan for the use of state and local funds subject to approval by the Ohio School Facilities Commission;

(C) Not be eligible to receive conditional approval for participation in the Classroom Facilities Assistance Program pursuant to section 3318.04 of the Revised Code.

As used in this section, "big eight school district" means a school district that for fiscal year 1997 had a percentage of children residing in the district and receiving Aid to Dependent Children greater than thirty per cent, as reported pursuant to section 3317.10 of the Revised Code, and had an average daily membership greater than twelve thousand, as reported

pursuant to division (A) of section 3317.03 of the Revised Code.

Exceptional Needs Program

The amount reappropriated for appropriation item CAP-779, Exceptional Needs, shall be used by the School Facilities Commission to administer the pilot program for low wealth school districts with exceptional needs for immediate classroom facility assistance.

(A) As used in this division:

(1) "Low wealth school district" means a school district in the lowest fifty per cent of adjusted valuation per pupil on the fiscal year 1999 ranking of school districts, established pursuant to section 3317.0213 of the Revised Code.

(2) A "school district with an exceptional need for immediate classroom facility assistance" means a school district with an exceptional need for new facilities in order to protect the health and safety of all or a portion of its students. School districts reasonably expected to be served by the Classroom Facilities Assistance Program prior to June 30, 2002, in the order provided under divisions (C)(1) and (2) of section 3318.02 of the Revised Code, are excluded from participating in this exceptional needs pilot program.

(B) The School Facilities Commission shall evaluate the classroom facilities, and the need for replacement classroom facilities, from the applications received under this section. The School Facilities Commission, utilizing the guidelines adopted pursuant to division (B)(3) of Section 26 of Am. Sub. H.B. 850 of the 122nd General Assembly, as amended by Am. Sub. H.B. 282 of the 123rd General Assembly, shall prioritize the school districts to be assessed.

Notwithstanding section 3318.02 of the Revised Code, the School Facilities Commission may conduct on-site evaluation of the school districts prioritized under this section and approve and award funds until such time as all funds set aside pursuant to division (B)(2) of Section 26 of Am. Sub. H.B. 850 of the 122nd General Assembly, as amended by Am. Sub. H.B. 282 of the 123rd General Assembly, have been encumbered pursuant to section 3318.04 of the Revised Code.

(C) Notwithstanding division (A) of section 3318.05 of the Revised Code, the portion of the basic project costs that shall be paid by a district receiving state funds under the pilot program shall be the "required percentage of the basic project costs," as defined in division (K) of section 3318.01 of the Revised Code.

SECTION 27. All items set forth in Sections 27.01 to 27.03 of this act are hereby appropriated out of any moneys in the state treasury to the credit of

the Mental Health Facilities Improvement Fund (Fund 033) created by division (F) of section 154.20 of the Revised Code, derived from the proceeds of obligations heretofore authorized, to pay costs of capital facilities as defined in section 154.01 of the Revised Code, for mental hygiene and retardation.

Reappropriations

SECTION 27.01. ADA DEPARTMENT OF ALCOHOL AND DRUG ADDICTION SERVICES

CAP-001	Renovate Rollman Center	\$	58,475
CAP-002	Community Assistance Projects	\$	2,368,951
CAP-003	Alcohol and Drug Addiction Center Renovation	\$	108,763
Total Department of Alcohol and Drug Addiction Services		\$	2,536,189

SECTION 27.02. DMH DEPARTMENT OF MENTAL HEALTH STATEWIDE AND CENTRAL OFFICE PROJECTS

CAP-092	Hazardous Materials Abatement	\$	33,793
CAP-479	Community Assistance Projects	\$	2,214,661
CAP-701	Energy Conservation Projects	\$	50,000
CAP-906	Campus Consolidation Planning	\$	164,700
CAP-943	Dietary Delivery Systems	\$	11,576
CAP-946	Demolition	\$	51,106
CAP-947	Telephone System Renovations	\$	16,409
CAP-973	Abatement of Hazardous Airborne Materials	\$	7,663
CAP-976	Life Safety/Critical Plant Renovations	\$	1,147,422
CAP-977	Patient Care/Environment Improvements	\$	2,006,471
CAP-978	Infrastructure Renovations	\$	201,223
CAP-981	Emergency Improvements	\$	542,684
CAP-982	Infrastructure Renovations	\$	30,480
Total Statewide and Central Office Projects		\$	6,478,187

APPALACHIAN PSYCHIATRIC HEALTH CARE SYSTEM

CAP-822	New Facility Development - Athens	\$	9,448
CAP-825	Dietary Facility Development	\$	3,692
CAP-949	Building/Residential Unit Rehabilitation - CMHC	\$	3,959
Total Appalachian Psychiatric Health Care System		\$	17,099

MASSILLON PSYCHIATRIC CENTER

CAP-958	Building/Residential Unit Rehabilitation - MPC	\$	23,511
CAP-987	Telecommunication Renovations	\$	2,458
Total Massillon Psychiatric Center		\$	25,969

NORTHCOAST BEHAVIORIAL HEALTH CARE SYSTEM

CAP-790	Main Building Addition - Phase I - Toledo	\$	1,000
CAP-833	Dietary Renovations - North Campus	\$	5,434
CAP-953	Building/Residential Unit Rehabilitation - North Campus	\$	12,116
CAP-963	Building Reconfiguration/Consolidation - Toledo	\$	507,666

Total Northcoast Behavioral Health Care System		\$	526,216
PAULINE WARFIELD LEWIS CENTER			
CAP-930	Boiler/HVAC Renovations - Phase 2	\$	6,361
CAP-986	Campus Consolidation	\$	27,655
Total Pauline Warfield Lewis Center		\$	34,016
SOUTHEAST AND CENTRAL REGIONS			
CAP-979	Life Safety/Critical Plant Renovations	\$	20,705
CAP-980	Patient Environment Improvements/Consolidation	\$	23,745
Total Southeast and Central Regions		\$	44,450
SOUTHWEST REGION			
CAP-983	Life Safety/Critical Plant Renovations	\$	22,855
CAP-984	Patient Environment Improvements/Consolidation	\$	101,319
CAP-985	Infrastructure Renovations	\$	1,881
Total Southwest Region		\$	126,055
TWIN VALLEY PSYCHIATRIC SYSTEM			
CAP-303	Center School Replacement	\$	8,909
CAP-950	Residential Unit Reconfiguration - Columbus	\$	9,000
CAP-951	Utility Consolidation/Site Improvements - Columbus	\$	7,056
CAP-954	Fire Suppression Improvements - Dayton	\$	7,833
CAP-956	Building/Residential Unit Rehabilitation - Dayton	\$	1,264
Total Twin Valley Psychiatric System		\$	34,062
Total Department of Mental Health		\$	7,286,054

Patient Care/Environment Improvements

The amount reappropriated for the foregoing appropriation item CAP-977, Patient Care/Environment Improvements, shall be the sum of the unencumbered and unallotted balances as of June 30, 2000, in appropriation items CAP-977, Patient Care/Environment Improvements, and CAP-957, Residential Unit Reconfiguration-FPH.

Reappropriations

SECTION 27.03. DMR DEPARTMENT OF MENTAL RETARDATION AND

**DEVELOPMENTAL DISABILITIES
STATEWIDE PROJECTS**

CAP-001	Asbestos Abatement	\$	1,023,594
CAP-479	Community Residential Projects	\$	89,127
CAP-480	Community Assistance Projects	\$	16,308,009
CAP-886	Replacement of Underground Tanks	\$	89,964
CAP-901	Razing of Buildings	\$	37,857
CAP-912	Telecommunications Systems Improvements	\$	62,305
CAP-955	Statewide Developmental Centers	\$	1,682,396
CAP-961	Energy Conservation	\$	52,809
CAP-981	Emergency Improvements	\$	144,173
Total Statewide Projects		\$	19,490,234

Community Assistance Projects

The foregoing appropriation item CAP-480, Community Assistance Projects, may be used to provide community assistance funds for the

construction or renovation of facilities for day programs or residential programs that provide services to persons eligible for services from the Department of Mental Retardation and Developmental Disabilities or county boards of mental retardation and developmental disabilities. Any funds provided to nonprofit agencies for the construction or renovation of facilities for persons eligible for services from the Department of Mental Retardation and Developmental Disabilities and county boards of mental retardation and developmental disabilities shall be governed by the prevailing wage provisions in section 176.05 of the Revised Code.

Community Residential Projects

The foregoing appropriation item CAP-479, Community Residential Projects, may be used, notwithstanding section 5123.36 of the Revised Code, to provide funds to governmental entities or nonprofit agencies for the development of community residential housing for persons eligible for services from the Department of Mental Retardation and Developmental Disabilities and county boards of mental retardation and developmental disabilities.

Reappropriations

APPLE CREEK DEVELOPMENTAL CENTER

CAP-790	Cortland Hall Renovation	\$	48,774
CAP-791	Jonathan Hall Renovation	\$	373,537
CAP-795	Ruby Hall Renovation	\$	3,855
CAP-939	Tunnel and Site Improvements	\$	23,241
CAP-940	Sewage Treatment Plant Renovation	\$	66,524
CAP-956	Apple Creek Developmental Center	\$	600,000
Total Apple Creek Developmental Center		\$	1,115,931

CAMBRIDGE DEVELOPMENTAL CENTER

CAP-711	Residential Renovations - CAMDC	\$	157,079
CAP-712	Administration/Education/Workshop	\$	79,336
CAP-910	HVAC Renovations - Residential Buildings	\$	54,550
CAP-942	Fire Alarm/Sprinkler System Improvements	\$	9,824
CAP-957	Cambridge Developmental Center	\$	600,000
Total Cambridge Developmental Center		\$	900,789

COLUMBUS DEVELOPMENTAL CENTER

CAP-849	Exterior Renovations	\$	5,731
CAP-852	Fire Alarm System Improvements	\$	4,563
CAP-888	New Dietary/Support Service Building - CDC	\$	5,159
CAP-916	Electrical System Renovation	\$	4,724
CAP-958	Columbus Developmental Center	\$	1,130,000
Total Columbus Developmental Center		\$	1,150,177

GALLIPOLIS DEVELOPMENTAL CENTER

CAP-853	Residential Renovations - GDC	\$	61,259
CAP-890	Roof Renovations - GDC	\$	3,485
CAP-944	Emergency Generator/Electrical Systems	\$	3,993
CAP-959	Gallipolis Developmental Center	\$	767,900
Total Gallipolis Developmental Center		\$	836,637

MONTGOMERY DEVELOPMENTAL CENTER

CAP-854	Renovate Residential Buildings	\$	8,410
CAP-945	Roof and Exterior Renovations	\$	64,656
CAP-960	Montgomery Developmental Center	\$	790,000
	Total Montgomery Developmental Center	\$	863,066

MT. VERNON DEVELOPMENTAL CENTER

CAP-014	Electrical System Renovations	\$	1,733
CAP-080	Renovate Main Kitchen - Rian Hall	\$	70,026
CAP-735	Administration Building Renovation	\$	17,076
CAP-808	Roof Replacement	\$	79,600
CAP-891	Window Replacement - MVDC	\$	2,151
CAP-892	Residential Renovations - MVDC	\$	549
CAP-918	Renovation of Water Wells/Tower	\$	15,799
CAP-962	Mt. Vernon Developmental Center	\$	950,000
	Total Mt. Vernon Developmental Center	\$	1,136,934

NORTHWEST OHIO DEVELOPMENTAL CENTER

CAP-921	Window Replacements	\$	2,880
CAP-947	Replace Chiller	\$	147,082
CAP-963	Northwest Ohio Developmental Center	\$	1,225,000
	Total Northwest Ohio Developmental Center	\$	1,374,962

SOUTHWEST OHIO DEVELOPMENTAL CENTER

CAP-863	Residential Building Renovations	\$	109,326
CAP-929	Program Building Renovation	\$	38,944
CAP-964	Southwest Ohio Developmental Center	\$	728,800
	Total Southwest Ohio Developmental Center	\$	877,070

SPRINGVIEW DEVELOPMENTAL CENTER

CAP-864	Renovation of Clark Hall	\$	37,000
CAP-954	Site Improvements Springview	\$	3,000
CAP-965	Springview Developmental Center	\$	852,572
	Total Springview Developmental Center	\$	892,572

TIFFIN DEVELOPMENTAL CENTER

CAP-086	Replace Boiler Feedwater Heating and Storage Unit	\$	88,738
CAP-897	ADA Compliance Improvements - TDC	\$	20,730
CAP-930	Garza Building Renovation	\$	11,064
CAP-931	Roof and Exterior Renovations	\$	36,774
CAP-933	Sprinkler System Installation	\$	36,382
CAP-966	Tiffin Developmental Center	\$	529,875
	Total Tiffin Developmental Center	\$	723,563

WARRENSVILLE DEVELOPMENTAL CENTER

CAP-867	Residential Renovations - WDC	\$	84,104
CAP-900	Water Line Replacement - WDC	\$	203,869
CAP-936	HVAC Renovations	\$	53,486
CAP-950	ADA Compliance Improvements - WDC	\$	11,126
CAP-951	Central Kitchen Improvements	\$	50,756
CAP-967	Warrensville Developmental Center	\$	510,000
	Total Warrensville Developmental Center	\$	913,341

YOUNGSTOWN DEVELOPMENTAL CENTER

CAP-871	Residential Renovations	\$	209,185
CAP-904	Roof Renovations - YDC	\$	82,152
CAP-952	Catchbasin and Gutter Replacement	\$	55,895
CAP-968	Youngstown Developmental Center	\$	777,000

Total Youngstown Developmental Center	\$	1,124,232
Total Department of Mental Retardation and Developmental Disabilities	\$	31,399,508
Total Mental Health Facilities Improvement Fund	\$	41,221,751

SECTION 27.04. The foregoing capital improvements for which appropriations are made in Sections 27.01 to 27.03 of this act are determined to be capital improvements and capital facilities for mental hygiene and retardation, and shall be designated as the capital facilities to which proceeds of obligations in the Mental Health Facilities Improvement Fund, created by section 154.20 of the Revised Code, are to be applied. The foregoing appropriations for the Department of Alcohol and Drug Addiction Services, CAP-002, Community Assistance Projects; Department of Mental Health, CAP-479, Community Assistance Projects; and Department of Mental Retardation and Developmental Disabilities, CAP-479, Community Residential Projects, and CAP-480, Community Assistance Projects, may be used on facilities constructed or to be constructed pursuant to Chapter 340., 3793., 5119., 5123., or 5126. of the Revised Code or the authority granted by section 154.20 of the Revised Code and the rules issued pursuant to those chapters and that section and shall be distributed by the Department of Alcohol and Drug Addiction Services, the Department of Mental Health, and the Department of Mental Retardation and Developmental Disabilities, subject to Controlling Board approval. All other appropriations provided in Sections 27.01 to 27.03 of this act are made to the Ohio Public Facilities Commission for application to the purpose for which appropriated through the exercise of its powers under Chapter 154. of the Revised Code, including, where appropriate, provisions thereunder for the production of revenues and receipts for bond service charges on such obligations.

SECTION 27.05. (A) No capital improvement appropriations made in Sections 27.01 to 27.03 of this act shall be released for planning or for improvement, renovation, or construction or acquisition of capital facilities if a governmental agency, as defined in section 154.01 of the Revised Code, does not own the real property that constitutes the capital facilities or on which the capital facilities are or will be located. This restriction shall not apply in any of the following circumstances:

(1) The governmental agency has a long-term (at least fifteen years) lease of, or other interest (such as an easement) in, the real property.

(2) In the case of an appropriation for capital facilities for mental hygiene and retardation which, because of their unique nature or location, will be owned or be part of facilities owned by a separate nonprofit organization and made available to the governmental agency for its use or operated by the nonprofit organization under contract with the governmental agency, the nonprofit organization either owns or has a long-term (at least fifteen years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement, approved by the Department of Mental Health, Department of Mental Retardation and Developmental Disabilities, or Department of Alcohol and Drug Addiction Services, whichever is applicable, with the governmental agency for that agency's use of and right to use the capital facilities to be financed and, if applicable, improved, the value of such use or right to use being, as determined by the parties, reasonably related to the amount of the appropriation.

(B) In the case of capital facilities referred to in division (A)(2) of this section, the joint or cooperative use agreement shall include, as a minimum, provisions which:

(1) Specify the extent and nature of that joint or cooperative use, extending for no fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the approving department, reasonably related to the amount of the appropriation;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use by a governmental agency be terminated;

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state laws and rules, including provisions of this act.

SECTION 28. All items set forth in this section of this act are hereby appropriated out of any moneys in the state treasury to the credit of the Higher Education Improvement Fund (Fund 034) created by division (F) of section 154.21 of the Revised Code, derived from the proceeds of obligations heretofore authorized to pay the costs of capital facilities as defined in section 154.01 of the Revised Code, for state-supported and state-assisted institutions of higher education.

Reappropriations

SECTION 28.01. OEB OHIO EDUCATIONAL

TELECOMMUNICATIONS NETWORK COMMISSION

CAP-001	Educational Television and Radio Equipment	\$	4,173,498
CAP-002	Educational Broadcasting Fiber Optic Network	\$	51,748
Total Ohio Educational Telecommunications Network Commission		\$	4,225,246

Educational Television and Radio Equipment

The foregoing appropriation item CAP-001, Educational Television and Radio Equipment, shall be used to provide broadcasting, transmission, and production equipment to Ohio public radio and television stations, radio reading services, and the Ohio Educational Telecommunications Network Commission.

The amount reappropriated for the foregoing appropriation item CAP-001, Educational TV and Radio Equipment, shall be the sum of the unencumbered and unallotted balances as of June 30, 2000, in appropriation items CAP-001, Educational TV and Radio Equipment, and CAP-021, Educational Television and Radio Equipment, which is in Fund 034 in the Board of Regents.

Educational Broadcasting Fiber Optic Network

The foregoing appropriation item CAP-002, Educational Broadcasting Fiber Optic Network, shall be used to link the Ohio public radio and television stations, radio reading services, and the Ohio Educational Broadcasting Network for the reception and transmission of digital communications through fiber optic cable or other technology.

The amount reappropriated for the foregoing appropriation item CAP-002, Educational Broadcasting Fiber Optic Network, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-051, Educational Broadcasting Fiber Optic Network, in Fund 034 in the Board of Regents. Reappropriations

SECTION 28.02. BOR BOARD OF REGENTS

CAP-023	Asbestos Abatement	\$	510,262
CAP-030	Supercomputer Center Expansion	\$	9,255,480
CAP-031	Ohio Aerospace Institute - Building Improvements	\$	300,692
CAP-032	Research Facility Action and Investment Funds	\$	9,954,308
CAP-033	Child Care Facilities - Matching Grants	\$	1,649,052
CAP-043	WSU Engineering	\$	11,377
CAP-055	Book Depository - OSU	\$	1,800,000
CAP-060	Technology Initiatives	\$	10,000,000
CAP-061	Central State Rehabilitation	\$	3,051,690
CAP-062	Non-Credit Job Training Facilities	\$	6,300,000
Total Board of Regents		\$	42,832,861

SECTION 28.03.

Research Facility Action and Investment Funds

The foregoing appropriation item CAP-032, Research Facility Action and Investment Funds, shall be used for a program of grants to be administered by the Board of Regents to provide timely availability of capital facilities for research programs and research-oriented instructional programs at or involving state-supported and state-assisted institutions of higher education.

The Board of Regents shall adopt rules under Chapter 119. of the Revised Code relative to the application for and approval of projects funded from appropriation item CAP-032, Research Facility Action and Investment Funds. Such rules shall be reviewed and approved by the Legislative Committee on Education Oversight. The Board of Regents shall inform the President of the Senate and the Speaker of the House of Representatives of each project application for funding received. Each project receiving a commitment for funding by the Board of Regents under the rules shall be reported to the President of the Senate and the Speaker of the House of Representatives.

Notwithstanding the limits imposed in section 3345.50 of the Revised Code on the size of capital projects funded by state appropriations that the Department of Administrative Services may delegate to institutions for local administration, the Director of Administrative Services may delegate responsibility for administration of larger projects if the state appropriations consist only of loans from a prior Research Facility and Investment Loans and Grants appropriation. Loans for such projects shall be released by the Controlling Board in a lump sum after the Director of Administrative Services authorizes local administration and shall be disbursed as reimbursements for local expenditures from time to time as the institution provides documentation of such expenditures.

SECTION 28.04.

Child Care Facilities - Matching Grants

The foregoing appropriation item CAP-033, Child Care Facilities - Matching Grants, shall be used by the Board of Regents to make grants to state-supported or state-assisted institutions of higher education for projects to expand, construct, renovate space, or equip child care centers. All grants shall be awarded on a 50 per cent match basis. In making grant awards, the Board of Regents shall give priority to:

- (A) Projects located at state-supported or state-assisted institutions without child care facilities;
- (B) Projects for which the principal clients are children of students

enrolled at the institution; and

(C) Projects where the facility will be used as a classroom/training lab for child care/preschool certification programs.

SECTION 28.05.

Repayment of Research Facility Action and Investment Fund Moneys

Notwithstanding any provision of law to the contrary, all repayments of Research Facility Action and Investment Fund loans shall be made to the Bond Service Account in the Higher Education Bond Service Trust Fund.

Institutions of higher education shall make timely repayments of Research Facility Action and Investment Fund loans, according to the schedule established by the Board of Regents. In the case of late payments, the Board of Regents may deduct from an institution's periodic subsidy distribution an amount equal to the amount of the overdue payment for that institution, transfer such amount to the Bond Service Trust Fund, and credit the appropriate institution for the repayment.

SECTION 28.06.

Technology Initiatives

In order to determine a method of awarding grants from the foregoing appropriation item CAP-060, Technology Initiatives, the Board of Regents shall form a consultation group including, but not limited to, representatives of state-supported and state-affiliated colleges and universities, the Office of Budget and Management, the Legislative Budget Office of the Legislative Service Commission, and the Legislative Office of Education Oversight.
Reappropriations

SECTION 28.07. UAK UNIVERSITY OF AKRON

CAP-008	Basic Renovations	\$	5,218,004
CAP-047	Polsky Building Renovation	\$	3,480,720
CAP-049	Basic Renovations - Wayne	\$	166,343
CAP-054	Auburn Science/Whitby Rehabilitation	\$	230,629
CAP-058	Performing Arts Theatre Renovations	\$	1,863
CAP-061	Asbestos Abatement	\$	874,068
CAP-062	Kolbe Hall Addition/Rehabilitation	\$	7,407
CAP-066	International School of Business - Planning	\$	300,000
CAP-067	ADA Modifications	\$	368,114
CAP-068	ADA Modifications - Wayne	\$	21,221
CAP-072	High Temperature Water	\$	19,788
CAP-075	Infrastructure Materials/Rehabilitation	\$	102,932
CAP-076	Supercritical Fluid Technology	\$	681,990
CAP-077	Leigh Hall Rehabilitation	\$	6,000,000

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CAP-078	HVAC Replacement, Phase II - Wayne	\$	149,340
CAP-079	Science/Technology Library Addition Phase II	\$	3,685,000
CAP-080	UAK/Medina Technology Link	\$	3,200,000
CAP-081	Classroom/Office Building-Arts/Sciences	\$	14,757,483
CAP-082	Polymer Engineering Building Annex	\$	2,675,000
CAP-083	Facilities Enhancements-Wayne	\$	325,000
CAP-086	Ohio Biomedical Consortium on Medical Therapeutic Microdevices	\$	46,000
CAP-087	Global PVC Research Consortium	\$	506,000
	Total University of Akron	\$	42,816,902

SECTION 28.08. BGU BOWLING GREEN STATE UNIVERSITY

CAP-009	Basic Renovations	\$	2,861,925
CAP-054	University Hall Rehabilitation	\$	7,684,454
CAP-055	Fine Arts Addition	\$	7,106
CAP-056	Modify Continuing Education Offices	\$	55,747
CAP-057	Roof Renovations	\$	6,000
CAP-060	Basic Renovations - Firelands	\$	217,313
CAP-061	Renovations - Bursar/Bio Labs/Library/Sewer	\$	21,115
CAP-062	Classroom Building	\$	1,834
CAP-063	Eppler Rehabilitation	\$	27,566
CAP-066	South Hall Replacement	\$	10,415
CAP-067	Energy Conservation Project - Firelands	\$	8,802
CAP-078	Asbestos Abatement	\$	391,690
CAP-081	Large Lecture Hall Renovations	\$	23,538
CAP-082	Hanna Hall Rehabilitation	\$	3,655,080
CAP-083	Central Heating Plant Replacement	\$	1,318,347
CAP-084	Physical Sciences Chiller	\$	6,111
CAP-086	Health Center - 2nd Floor Renovations	\$	144,922
CAP-088	ADA Modifications	\$	220,466
CAP-089	ADA Modifications - Firelands	\$	3,428
CAP-091	Child Care Facility	\$	49,411
CAP-093	Pedestrian Mall Project	\$	98,496
CAP-094	Materials Network	\$	303,281
CAP-096	Campuswide Paving, Phase II	\$	18,808
CAP-097	Education Building HVAC Upgrades	\$	22,327
CAP-098	Sciences Complex Cooling Tower	\$	49,082
CAP-099	Technology Building Chiller	\$	78,091
CAP-100	Mosely Hall Rehabilitation	\$	1,760,390
CAP-102	Network Infrastructure Phase I	\$	4,500,000
CAP-103	University Community Center-Firelands	\$	2,056,440
CAP-104	Jerome Library Renovations	\$	380,000
CAP-105	Administration Building Elevators	\$	298,400
CAP-106	LSC Stairwell/MSO Exterior Steps	\$	229,750
CAP-107	Campus Lighting Project Phase II	\$	236,300
	Total Bowling Green State University	\$	26,746,635

SECTION 28.09. CSU CENTRAL STATE UNIVERSITY

CAP-022	Basic Renovations	\$	933,387
CAP-036	National Afro-American Cultural Center/Museum Improvements	\$	9,475

CAP-043	Paul Dunbar Museum	\$	1,547
CAP-053	Roof Replacement	\$	4,101
CAP-068	Instructional and Data Processing Equipment	\$	101,632
CAP-075	ADA Modifications	\$	51,644
CAP-078	Brown Library Roof Replacement	\$	21,479
CAP-081	Campus Rehabilitation	\$	12,081
CAP-083	Master Plan/Supplemental Renovations	\$	2,449,400
CAP-084	College of Education Facility - Planning	\$	1,000,000
CAP-085	Green Hall Rehabilitation	\$	57,806
Total Central State University		\$	4,642,552

Basic Renovations

The amount reappropriated for appropriation item CAP-022, Basic Renovations, shall be \$176,457, plus the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-022, Basic Renovations.

Instructional and Data Processing Equipment

The amount reappropriated for appropriation item CAP-068, Instructional and Data Processing Equipment, shall be \$16,002, plus the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-068, Instructional and Data Processing Equipment.

ADA Modifications

The amount reappropriated for appropriation item CAP-075, ADA Modifications, shall be \$692, plus the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-075, ADA Modifications.

SECTION 28.10.

College of Education Facility - Planning

The foregoing appropriation item CAP-084, College of Education Facility - Planning, shall not be released by the Controlling Board or the Director of Budget and Management until Central State University has made progress satisfactory to the Board of Regents and the Office of Budget and Management in completing the correction of its outstanding adjudication orders as issued by the Department of Commerce. Such progress shall include, among other things, the development of a plan to comply with all remaining adjudication orders by the end of fiscal year 2002. This appropriation shall not be included in the calculation of Central State University's debt service obligation until fiscal year 2002.

SECTION 28.11. UCN UNIVERSITY OF CINCINNATI

CAP-009	Basic Renovations	\$	7,664,877
CAP-101	Cardiovascular Research/Education Center	\$	1,250
CAP-102	Science/Engineering Research Center	\$	335,960
CAP-111	Center for Molecular Studies	\$	26,910

CAP-115	Hazardous Waste	\$	2,406,775
CAP-116	Aerospace Engineering	\$	147,347
CAP-120	Asbestos Abatement	\$	60,919
CAP-122	Infrastructure Assessment	\$	2,518
CAP-125	Supplemental Renovations - Interior Spaces	\$	63,785
CAP-127	New Classroom/Laboratory Building - Clermont	\$	131,140
CAP-128	Science and Allied Health Building - Walters	\$	5,125,910
CAP-131	Convention Center	\$	2,282,708
CAP-137	MSB Otolaryngology	\$	1,228
CAP-141	ADA Modifications	\$	242,798
CAP-142	ADA Modifications - Clermont	\$	6,039
CAP-143	ADA Modifications - Walters	\$	19,190
CAP-145	Kettering Remed Asbestos Abatement	\$	27,814
CAP-156	CFC Unit Replacement	\$	1,723
CAP-158	Molecular Components/Simulation Network	\$	38,021
CAP-167	West Campus Tuckpointing & Caulking	\$	17,879
CAP-170	Steam/Chilled Water Piping - SW Quad	\$	52,284
CAP-171	Asbestos Rieveschl Hall	\$	575,049
CAP-173	Surface Engineering	\$	102,526
CAP-174	Classroom/Teaching Laboratory Renovations	\$	3,400,000
CAP-176	Network Expansion	\$	1,943,000
CAP-177	Critical Building Component Renovations	\$	4,430,000
CAP-179	Rieveschl Rehabilitation	\$	35,627
CAP-180	Rapid Prototype Process	\$	79,976
CAP-182	Elevator - Critical Building Components	\$	40,850
CAP-185	Roof Replacement - Phase V	\$	148,759
CAP-186	Rieveschl Hall Roof Replacement	\$	6,000
CAP-187	MSB Small Group Learning Spaces	\$	337,385
CAP-188	HPB/Wherry Service Entrances	\$	68,082
CAP-193	Nano Particles	\$	84,817
CAP-194	Transgenic Core Capacity	\$	1,633
CAP-196	Electronic Reconstruction	\$	185,793
CAP-198	TC/Dyer Rehabilitation - Phase IA	\$	470,319
CAP-199	TC/Dyer Rehabilitation - Phase IB	\$	900
CAP-200	Braunstein Rehabilitation - Phase I	\$	6,275,498
CAP-201	WC Faculty Media Center	\$	120,170
CAP-202	Baldwin Hall Rehabilitation-Phase I	\$	901,021
CAP-203	Zimmer Plaza & Auditorium Rehabilitation	\$	7,976
CAP-205	Medical Science Building Rehabilitation	\$	6,000,000
CAP-206	One Stop Services Center	\$	9,886,650
CAP-207	Central Campus Infrastructure	\$	300,000
CAP-208	Security System Upgrade	\$	300,000
CAP-209	Library Renovations	\$	300,000
CAP-210	Cincinnati Observatory Center	\$	98,500
CAP-211	Cincinnati Symphony Facility	\$	600,000
CAP-212	Roof Replacement-MSB Complex	\$	31,004
CAP-215	Ohio Biomedical Consortium on Medical Therapeutic Microdevices	\$	108,000
CAP-216	Consortium for Novem Microfabrication of Medical Devices in Non-Silicon Materials	\$	511,000
CAP-217	Center for Fire and Explosion Science and Technology	\$	670,000
CAP-218	Creation of P3 Facility	\$	750,000
	Total University of Cincinnati	\$	57,427,610

SECTION 28.12. CLS CLEVELAND STATE UNIVERSITY

CAP-007	Stilwell Hall	\$	27,827
CAP-017	Land Acquisition	\$	1,794,955
CAP-023	Basic Renovations	\$	2,118,186
CAP-044	Chester Building Rehabilitation	\$	110,210
CAP-066	17th-18th Street Block - Parking	\$	35,640
CAP-067	17th-18th Street Block	\$	909,190
CAP-073	Cleveland Playhouse	\$	500,000
CAP-088	Asbestos Abatement	\$	2,648,512
CAP-092	Handicapped Requirements	\$	271,010
CAP-099	Main Classroom Plaza Conversion	\$	2,071,000
CAP-100	Special Studies Space Conversion	\$	178,747
CAP-101	Classroom Building Renovations	\$	50,000
CAP-104	ADA Modifications	\$	409
CAP-109	Classroom Upgrade	\$	3,845,445
CAP-112	Land Acquisitions	\$	1,382,932
CAP-114	Geographic Information Systems	\$	90,511
CAP-115	Plant Services Building	\$	14,081
CAP-117	Landscaping/Sidewalks/Stairs	\$	7,815
CAP-118	Structural Concrete Rehabilitation	\$	2,000,000
CAP-120	Physical Education Building Enhancements	\$	83,300
CAP-121	Cleveland Clinic Research Support	\$	6,300,000
	Total Cleveland State University	\$	24,439,770

SECTION 28.13. KSU KENT STATE UNIVERSITY

CAP-008	Severance Hall Improvements	\$	6,551,914
CAP-022	Basic Renovations	\$	1,988,325
CAP-098	Trumbull Branch Addition	\$	13,972
CAP-105	Basic Renovations - East Liverpool	\$	96,642
CAP-106	Basic Renovations - Geauga	\$	66,860
CAP-107	Basic Renovations - Salem	\$	153,379
CAP-108	Basic Renovations - Stark	\$	33,440
CAP-110	Basic Renovations - Ashtabula	\$	175,814
CAP-111	Basic Renovations - Trumbull	\$	309,351
CAP-112	Basic Renovations - Tuscarawas	\$	240,520
CAP-115	Child Development Center	\$	4,000
CAP-121	Supplemental Renovations - Tuscarawas	\$	9,756
CAP-122	Faculty Office Addition - Salem	\$	12,072
CAP-126	HVAC Renovations - Ashtabula	\$	5,545
CAP-128	Roof Renovations - Ashtabula	\$	1,435
CAP-129	Lowry Hall Rehabilitation	\$	1,635
CAP-134	Roof Replacements	\$	7,000
CAP-137	LCI/Materials Science Building	\$	133,360
CAP-139	Science Building - Stark	\$	54,890
CAP-140	Road Improvements - Trumbull	\$	12,282
CAP-142	Music Center Improvements	\$	149,406
CAP-143	Liquid Crystals	\$	1,674,204
CAP-144	Instructional and Data Processing Equipment	\$	17,947
CAP-145	Heating Plant Electrical Cable	\$	125,968
CAP-146	Williams Hall Medium Voltage	\$	17,377

CAP-151	Bowman Hall Remodeling Phase II	\$	1,086
CAP-154	Separation Science	\$	1,497
CAP-156	Boiler Plant Controls and Building Alterations	\$	31,476
CAP-157	Moulton Hall Rehabilitation	\$	30,772
CAP-158	Auditorium Building Rehabilitation	\$	5,459,894
CAP-159	Electrical Substation/Fiber Optic Network	\$	605,403
CAP-160	Patterson Building Renovation - East Liverpool	\$	361
CAP-161	Addition to Cunningham Hall	\$	726,257
CAP-162	Science and Technology Building - Trumbull	\$	2,122,568
CAP-163	ADA Modifications	\$	3,407
CAP-164	ADA Modifications - Ashtabula	\$	6,772
CAP-165	ADA Modifications - East Liverpool	\$	1,825
CAP-166	ADA Modifications - Geauga	\$	440
CAP-167	ADA Modifications - Salem	\$	5,312
CAP-168	ADA Modifications - Stark	\$	85,353
CAP-170	ADA Modifications - Tuscarawas	\$	3,276
CAP-171	Bowman Hall HVAC	\$	1,225
CAP-173	Child Care Facility	\$	18,650
CAP-175	Satterfield Hall Renovations	\$	9,652
CAP-176	Midway Drive Utilities Tunnel - II	\$	318,501
CAP-177	Corporate Education and Conference Center, Phase II - Stark	\$	2,500
CAP-179	New Power Plant	\$	1,441,686
CAP-184	Distributed Computation/Visualization	\$	33,833
CAP-185	Nixson Hall/Music & Speech Tunnel	\$	94
CAP-186	Prentice Hall/Taylor Hall Tunnel	\$	34,080
CAP-187	Fiber Optic Installation - Phase II	\$	2,643
CAP-188	Child Care Funds - East Liverpool	\$	90,000
CAP-189	Child Care Funds - Tuscarawas	\$	70,000
CAP-190	Child Care Funds - Ashtabula	\$	12,500
CAP-194	Child Care - Salem	\$	100,000
CAP-195	Child Care - Geauga	\$	100,000
CAP-196	Technology Improvements - Ashtabula	\$	575,000
CAP-197	Technology Improvements - Geauga	\$	60,000
CAP-198	Technology Improvements - Salem	\$	288,310
CAP-199	Technology Improvements - Trumbull	\$	175,000
CAP-200	Technology Improvements - Tuscarawas	\$	75,000
CAP-202	Utility Tunnel Upgrade	\$	1,232,853
Total Kent State University		\$	25,584,320

Moulton Hall Rehabilitation

The amount reappropriated for appropriation item CAP-157, Moulton Hall Rehabilitation, shall be \$20,073 plus the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-157, Moulton Hall Rehabilitation.

SECTION 28.14. MUN MIAMI UNIVERSITY

CAP-018	Basic Renovations	\$	3,381,701
CAP-064	Land Restoration - Hamilton	\$	34,178
CAP-066	Basic Renovations - Hamilton	\$	205,039
CAP-069	Basic Renovations - Middletown	\$	594,100
CAP-070	Chilled Water System - Phase II	\$	1,155,471

CAP-072	Hiestand Hall Renovations	\$	4,315
CAP-073	Supplemental Renovation Projects	\$	65,165
CAP-081	Cooperative Regional Library Depository SW	\$	3,505
CAP-083	Campus Avenue Building Renovation	\$	66,294
CAP-084	Central Steam Plant Addition	\$	2,893
CAP-085	Alumni Hall Rehabilitation - Phase I	\$	38,988
CAP-086	Classroom/Conference Facility - Hamilton	\$	5,639
CAP-088	Hoyt Hall Rehabilitation	\$	61,650
CAP-089	High-Voltage Electric	\$	1,978,820
CAP-092	Science Building - Middletown	\$	1,374,746
CAP-094	Instructional and Data Processing Equipment	\$	1,594,140
CAP-096	McGuffey Hall Rehabilitation	\$	593,265
CAP-098	Computer Network Installation	\$	1,000,000
CAP-099	King Library Rehabilitation	\$	1,600,097
CAP-101	ADA Modifications	\$	154,363
CAP-102	ADA Modifications - Hamilton	\$	10,427
CAP-103	ADA Modifications - Middletown	\$	2,798
CAP-105	Plant Response/Environmental Stress	\$	72,641
CAP-107	Gas Phase Chemistry of Ions	\$	65,647
CAP-109	Molecular Microbial Biology	\$	67,500
CAP-110	Micromachining Technology	\$	624,344
CAP-111	Roudebush Hall Rehabilitation	\$	4,446,500
CAP-112	Chilled Water Loop Phase I - Hamilton	\$	556,177
CAP-113	Special Academic/Administrative Projects - Hamilton	\$	516,460
CAP-114	Chilled Water Loop Phase I - Middletown	\$	750,000
CAP-115	Special Academic/Administrative Projects - Middletown	\$	1,132,638
CAP-116	Hughes Hall Rehabilitation - Phase II	\$	6,379,674
CAP-117	North Campus Refrigeration/Chilled Water	\$	2,654,248
CAP-118	Hughes Hall Chemistry Renovation	\$	25,794
CAP-120	Cole Service Building Addition	\$	156,683
CAP-121	Southwestern Book Depository	\$	2,244,244
CAP-122	Child Care	\$	70,000
CAP-123	Phillips Hall Rehabilitation	\$	3,500,000
CAP-124	Bonham House Rehabilitation/Multi-Cultural Center Planning	\$	1,200,000
Total Miami University		\$	38,390,144

SECTION 28.15. OSU OHIO STATE UNIVERSITY

CAP-074	Basic Renovations	\$	12,224,818
CAP-149	Basic Renovations - Regional Campuses	\$	849,251
CAP-198	Brown Hall Annex Replacement	\$	6,213
CAP-200	Northwood School	\$	1,034
CAP-216	Evans Addition	\$	160,929
CAP-217	Library Book Warehouse	\$	14,721
CAP-219	Supplemental Renovations	\$	304,136
CAP-254	Basic Renovations - ATI	\$	651,745
CAP-255	Supplemental Renovations - OARDC	\$	813,503
CAP-256	Supplemental Renovations - Regional	\$	191,955
CAP-258	Dreese Lab Addition	\$	309,102
CAP-259	Mendenhall Laboratory Rehabilitation	\$	21,409
CAP-261	Bioscience/Parks Hall Addition	\$	12,584

CAP-263	Renovation of Cranston Facility	\$	650
CAP-268	Horse/Farm Management Facility - ATI	\$	88,587
CAP-269	Greenhouse Modernization	\$	40,982
CAP-271	Horticulture/Entomology Greenhouse - OARDC	\$	79,223
CAP-273	Retrovirus Research Center	\$	3,554
CAP-274	OARDC Entomology Greenhouse	\$	74,180
CAP-292	Life Sciences Research Building	\$	21,053,574
CAP-293	College of Business Facilities	\$	134,074
CAP-294	Stillman Hall Addition	\$	110,225
CAP-295	Poultry Science Facility	\$	389,487
CAP-296	Composting Research Facility - OARDC	\$	74,579
CAP-297	Library/Classroom Building - Marion	\$	572
CAP-302	Food Science & Technology Building	\$	165,047
CAP-304	Conference Center - OARDC/ATI	\$	2,725,000
CAP-306	Heart & Lung Institute	\$	32,437
CAP-308	Lab/Experimental Science Building	\$	3,375
CAP-310	Rightmire Biotechnology	\$	554,103
CAP-311	Superconducting Radiation	\$	65,094
CAP-313	Brain Tumor Research Center	\$	6,001
CAP-314	Engineering Center Net Shape Manufacturing	\$	20,730
CAP-315	Membrane Protein Typology	\$	8,835
CAP-321	Fine Particle Technologies	\$	708,193
CAP-323	Advanced Plasma Engineering	\$	710,000
CAP-324	Plasma Ramparts	\$	159,000
CAP-326	IN-SITU AL-BE Composites	\$	100,000
CAP-331	Cunz Hall - Partial 2nd Floor Renovation	\$	7,389
CAP-333	Larkins Hall - Roof Replacement Phase III	\$	87,155
CAP-334	Center for Automotive Research	\$	1,105
CAP-335	Jay Cooke Residence - Roof and Windows	\$	86,668
CAP-336	Parks Hall Renovations	\$	71
CAP-339	Poultry Science Lab Remodeling	\$	87,363
CAP-342	Success Center	\$	97,449
CAP-347	Asbestos Abatement	\$	463,618
CAP-349	Materials Network	\$	56,025
CAP-350	Bio-Technology Consortium	\$	42,378
CAP-352	Analytical Electron Microscope	\$	375,000
CAP-353	High Temp Alloys & Alluminoids	\$	220,000
CAP-356	Pesticide Storage/Disposal Buildings	\$	15,950
CAP-357	Supplemental Renovations - ATI	\$	159,565
CAP-361	Maintenance, Receiving, and Storage Facility - Marion	\$	10,621
CAP-362	McPherson Lab Rehabilitation	\$	176,926
CAP-363	School of Architecture Facility	\$	8,700,556
CAP-368	Heart and Lung Institute	\$	105,092
CAP-372	Veterinary Hospital - Animal Isolation	\$	200
CAP-374	ADA Modifications	\$	394,606
CAP-375	ADA Modifications - ATI	\$	81,353
CAP-376	ADA Modifications - Lima	\$	50,745
CAP-377	ADA Modifications - Mansfield	\$	29,253
CAP-379	ADA Modifications - Newark	\$	16,183
CAP-387	Titanium Alloys	\$	54,912
CAP-390	OARDC Gourley Hall, ADA	\$	2,728
CAP-391	Haskett/Hopkins Halls Renovations	\$	7,312
CAP-394	ATI/OARDC Roof Replacements	\$	13,913
CAP-395	High-Temperature Monolithic Ceramics	\$	34,361

CAP-398	Advanced Manufacturing	\$	38,579
CAP-399	Manufacturing Processes & Materials	\$	62,574
CAP-401	Terhertz Studies	\$	74,200
CAP-402	Caldwell Laboratory Remodeling	\$	1,179,445
CAP-406	Marion Park/Road/Sidewalk/Lights	\$	2,750
CAP-407	Dulles Chilled Water	\$	2,095
CAP-411	Campus Grounds/Lights - Phase 4	\$	15,471
CAP-412	Hitchcock Hall HVAC Upgrades	\$	12,565
CAP-413	Pomerene Lighting/Wiring	\$	249,584
CAP-414	Postle Hall Roof Replacement	\$	2,332
CAP-419	NMR Consortium	\$	91,846
CAP-420	Versatile Film Facility	\$	667,507
CAP-421	Ocarnet	\$	359,768
CAP-422	Bioprocessing Research	\$	596,959
CAP-423	Localized Corrosion Research	\$	48,842
CAP-424	ATM Testbed	\$	19,464
CAP-425	Physical Sciences Building	\$	19,790,933
CAP-426	Utilities Upgrade/Extension - Mansfield	\$	53,300
CAP-427	Morrill Hall Remodeling - Vacated Library Space - Marion	\$	980,747
CAP-429	1314 Kinnear Road Center	\$	597,525
CAP-430	Hagerty Hall Rehabilitation	\$	19,500,000
CAP-431	Sisson Hall Replacement	\$	17,690,584
CAP-433	Central Chilled Water Plant - OARDC	\$	5,685,708
CAP-434	Ramseyer Hall Roof Renovations	\$	19,700
CAP-436	Machinery Acoustics	\$	933,633
CAP-439	Sensors and Measurements	\$	15,115
CAP-440	Polymer Magnets	\$	64,798
CAP-443	ADA Modifications - Elevator/Handrails	\$	93,461
CAP-444	Larkins Hall HVAC System Upgrade	\$	321,975
CAP-445	Starling Loving Hall A Wing - HVAC	\$	322,515
CAP-446	ADA - Lecture Halls/Restrooms/Larkins	\$	520,273
CAP-447	Elevator Upgrades - ADA	\$	141,896
CAP-449	Bolz Hall Roof Replacement	\$	263,340
CAP-450	Campus Grounds Exterior Lighting - Phase V	\$	26,719
CAP-451	Carmack Road Widening	\$	102,233
CAP-452	Derby Hall Plaza	\$	152,729
CAP-453	Evans Lab Chiller Replacement	\$	5,647
CAP-454	Utilities Upgrade Lighting Retrofit	\$	261,678
CAP-455	OARDC Road Improvements	\$	152,625
CAP-458	A1 Alloy Corrosion	\$	14,292
CAP-459	Semiconductor Heterostructures	\$	127,500
CAP-461	Veterinary Hospital Radiology Facility	\$	34,984
CAP-463	OARDC Krauss Dairy Barn	\$	366,668
CAP-464	Main Library HVAC Renovations	\$	6,711
CAP-465	Veterinary Hospital Chiller Replacement	\$	35,668
CAP-466	ARPS Hall Chiller Replacement	\$	6,323
CAP-468	Larkins Hall Window Replacements	\$	281,715
CAP-469	OARDC-FAHRP Animal Building	\$	145
CAP-471	Newton Hall Renovations	\$	2,134
CAP-472	OSHA Safety Devices	\$	456,498
CAP-473	Bevis Trans Zebrafish	\$	60,539
CAP-474	Biological Sciences Lab Renovation	\$	534,137
CAP-475	Orton Hall - Maps	\$	34,342

CAP-476	Mount Hall Lecture Hall	\$	8,368
CAP-477	Active Polymer Coatings	\$	150,000
CAP-478	Wiseman Hall Animal Facility	\$	192,723
CAP-479	ADA Compliant Restrooms 1997	\$	505,825
CAP-480	Campbell Hall Public Space	\$	918,700
CAP-481	OSHA Ventilation - Bio Science	\$	41,319
CAP-483	ADV Polymer/Composite Eng.	\$	30,779
CAP-484	Page Hall Planning	\$	700,000
CAP-485	Botany & Zoology Building Planning	\$	1,700,000
CAP-486	Larkins Hall Addition/Renovation Planning	\$	3,000,000
CAP-487	Robinson Laboratory Planning	\$	1,000,000
CAP-488	Don Scott Field Replacement Barns	\$	860,310
CAP-489	Galvin Hall 3rd Floor Renovation - Lima	\$	1,118,330
CAP-490	Founders Addition/Renovation - Mansfield	\$	850,000
CAP-491	Horticultural Operations Center - ATI	\$	1,560,000
CAP-492	OARDC Feed Mill	\$	5,500,000
CAP-493	Science and Technology Project	\$	4,000,000
CAP-494	Nicklaus Center	\$	1,500,000
CAP-497	Book Depository	\$	67,541
CAP-498	Curl Drive Mill & Overlay	\$	234,168
CAP-499	Biological Sciences Cooling Tower	\$	468,338
CAP-500	Campus Buildings - Emergency Lighting	\$	278,918
CAP-501	Campus Grounds Exterior Lighting, Phase V	\$	468,337
CAP-502	Drinko Hall Air Conditioning Upgrade	\$	468,338
CAP-503	Evans Lab Roof Replacement	\$	304,513
CAP-504	Fontana Lab - Chiller Replacement	\$	123,209
CAP-505	Main Library HVAC Upgrade	\$	769,073
CAP-506	Mirror Lake Hollow Renovation	\$	468,338
CAP-507	Utilities High Voltage Electric	\$	374,670
CAP-508	Utilities Steam Line Upgrade	\$	659,025
CAP-509	Mount Hall HVAC Modifications	\$	505,323
CAP-510	Derby Hall Roof Replacement	\$	458,186
CAP-511	Arps Hall Lab Renovation	\$	273,731
CAP-512	Main Library Roof Replacement	\$	600,000
CAP-514	Postle Hall Research Labs Renovation	\$	1,000,000
CAP-516	Orton Hall Roof Replacement	\$	540,000
CAP-517	Vet Hospital Roof Replacement	\$	500,000
CAP-518	French Field House Glass Replacement	\$	400,000
CAP-519	Ohio Biomedical Consortium on Medical Therapeutic Microdevices	\$	1,085,000
CAP-520	Plant and Microbe Functional Genomics Facilities	\$	816,000
CAP-521	Ohio Center for Wetland & River Restoration	\$	1,000,000
CAP-522	State of the Art Mass Spectrometry Consortium	\$	1,860,000
CAP-523	Consortium for Novem Microfabrications Methods of Medical Devices in Non-Silicon Materials	\$	6,890,000
CAP-524	Bone & Mineral Metabolism Research Lab	\$	265,000
CAP-525	1315 Kinnear Road Roof Replacement	\$	680,000
CAP-526	Koffolt/Fontana Roof Replacement	\$	415,000
	Total Ohio State University	\$	172,939,232

SECTION 28.16.

McPherson Lab Rehabilitation

The amount reappropriated for appropriation item CAP-362, McPherson Lab Rehabilitation, shall be \$11,379 plus the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-362, McPherson Lab Rehabilitation.

SECTION 28.17.

Life Sciences Research Building - Planning

For the foregoing appropriation item CAP-292, Life Sciences Research Building, the Ohio State University shall contribute one-half of the the planning funds for the total project, which contemplates a structure or structures that combine parking and life sciences research facilities.

SECTION 28.18.

Conference Center - OARDC/ATI

For the foregoing appropriation item CAP-304, Conference Center - OARDC/ATI, the Ohio State University shall contribute one-half of the planning funds for the total project.

SECTION 28.19.

School of Architecture Facility - Planning

The foregoing appropriation item CAP-363, School of Architecture Facility, shall be used to plan and design a facility with a projected cost of \$20,000,000. The state share of all design and construction costs for this project shall not exceed 50 per cent. Release and expenditure of state appropriations are conditioned upon the Ohio State University certifying that it has received cash and irrevocable cash pledges of \$10,000,000 before the planning funds can be released.

SECTION 28.20. OHU OHIO UNIVERSITY

CAP-020	Basic Renovations	\$	3,193,767
CAP-021	Conservancy District Assessment	\$	1,212,529
CAP-086	Memorial Auditorium Rehabilitation	\$	6,366
CAP-094	Bentley Hall Renovation	\$	4,505,500
CAP-095	Basic Renovations - Eastern	\$	193,237
CAP-098	Basic Renovations - Lancaster	\$	220,520
CAP-100	Bennett Hall Renovations	\$	6,577
CAP-113	Basic Renovations - Chillicothe	\$	31,722
CAP-114	Basic Renovations - Ironton	\$	137,329
CAP-115	Bennett Hall HVAC/Lab - Chillicothe	\$	971,678
CAP-116	Copeland Hall Rehabilitation	\$	3,881
CAP-117	Porter Hall Rehabilitation	\$	114,006

CAP-119	Biomedical Research Center	\$	116,508
CAP-120	Ridges Auditorium Rehabilitation	\$	703
CAP-122	Museum	\$	39,200
CAP-136	Gymnasium - Belmont	\$	127,980
CAP-137	Classroom Building - Ironton	\$	118,862
CAP-141	College of Health & Human Services	\$	82,429
CAP-142	Health Professions Labs Phase I	\$	9,067,109
CAP-144	Shannon Hall Lab Rehabilitation - Eastern	\$	398,040
CAP-145	Asbestos Abatement	\$	27,136
CAP-148	RTVC Building Asbestos Abatement	\$	1,037
CAP-149	Electrical Distribution System	\$	1,490
CAP-152	Gordy Hall Addition & Rehabilitation	\$	20,524
CAP-153	Land Acquisition/Academic Space Renovation/Parking	\$	20,087
CAP-155	Brasee Hall Rehabilitation - Lancaster	\$	199,564
CAP-156	Herrold Hall Renovation - Lancaster	\$	15,340
CAP-157	ADA Modifications	\$	79,940
CAP-158	ADA Modifications - Belmont	\$	40,506
CAP-160	ADA Modifications - Ironton	\$	9,113
CAP-161	ADA Modifications - Lancaster	\$	20,345
CAP-164	Southeast Library Warehouse	\$	15,369
CAP-165	Parking Facility Renovation/Addition	\$	11,254
CAP-167	Scott Quadrangle Plumbing	\$	44,518
CAP-169	Elevator Improvements Phase III	\$	145,345
CAP-172	Elson Hall Rehabilitation - Zanesville	\$	342,910
CAP-177	Child Care Funds - Ironton	\$	314,000
CAP-180	Connection To VBNS	\$	175,000
CAP-181	Convocation Center Fire Alarm	\$	4,383
CAP-183	Central Classroom Building	\$	277,964
CAP-186	Ellis Hall Partial Renovation	\$	45,495
CAP-187	Technology Center Planning - Ironton	\$	33,448
CAP-188	Technology Center Construction - Ironton	\$	2,745,120
CAP-189	Conference Center Planning - Lancaster	\$	600,000
CAP-190	Center for Public Policy	\$	5,000,000
CAP-191	District Water Cooling	\$	6,000,000
CAP-192	Plant and Microbe Functional Genomics Facilities	\$	207,000
Total Ohio University		\$	36,944,831

Reappropriations

SECTION 28.21. SSC SHAWNEE STATE UNIVERSITY

CAP-004	Basic Renovations	\$	923,777
CAP-008	Massie Hall Renovation	\$	90,325
CAP-010	Land Acquisition	\$	671,265
CAP-017	Math/Science Building	\$	7,324
CAP-029	Fine Arts Class and Lab Building	\$	144,892
CAP-030	Utilities and Landscaping	\$	4,679
CAP-035	Plaza/Road/Landscaping	\$	243,200
CAP-037	ADA Modifications	\$	109,413
CAP-039	Central Heating Plant Replacement	\$	5,215
CAP-040	Chiller Replacement	\$	836,500
CAP-041	Kricker Hall Renovations	\$	765,000
CAP-042	Sidewalk/Plaza Replacement	\$	150,000
Total Shawnee State University		\$	3,951,590

Reappropriations

SECTION 28.22. UTO UNIVERSITY OF TOLEDO

CAP-010	Basic Renovations	\$	2,497,144
CAP-024	Gillham Hall Rehabilitation	\$	3,200,000
CAP-025	Roof Renovations	\$	276,885
CAP-041	Bowman-Oddy Labs Renovation	\$	227,604
CAP-050	PCB Abatement	\$	15,007
CAP-062	Pharmacy, Chemistry, and Life Sciences Facility	\$	4,340
CAP-067	Asbestos Abatement	\$	27,429
CAP-071	Southwest Academic Center Rehabilitation	\$	529,840
CAP-072	Classroom Renovations General	\$	51,271
CAP-073	ADA Modifications	\$	273,385
CAP-076	Education & Allied Professions	\$	3,966,960
CAP-077	Tribology	\$	592,573
CAP-078	Classroom Renovations - 1997	\$	8,991
CAP-079	Savage Hall Seating Replacement	\$	455
CAP-082	University Services Building	\$	151,702
CAP-083	Bowman - Oddy Rehabilitation Phase II	\$	603,237
CAP-085	Engineering - Biomedical Lab Rehabilitation	\$	1,230,826
CAP-086	Supplemental Academic Departments Renovations	\$	1,200,000
CAP-087	Arrowhead Park Facility	\$	2,500,000
CAP-088	Stranahan Arboretum Addition	\$	1,000,000
CAP-089	Chilled Water Plant	\$	4,000,000
CAP-090	Wolfe Hall Addition	\$	2,500,000
CAP-091	Greenhouse Improvements	\$	45,076
CAP-092	Plant and Microbe Functional Genomics Facilities	\$	206,000
Total University of Toledo		\$	25,108,725

SECTION 28.23.

Local Administration of Projects

Notwithstanding any provision to the contrary in sections 9.33, 123.01, and 3345.50 and Chapter 153. of the Revised Code, the University of Toledo may negotiate, enter into, and locally administer a contract that combines the design and construction elements of the project into a single contract for the Arrowhead Park Facility, funded herein with the foregoing appropriation item CAP-087, Arrowhead Park Facility, and the Scott Park Athletic Facility to be built with local funds.

Reappropriations

SECTION 28.24. WSU WRIGHT STATE UNIVERSITY

CAP-015	Basic Renovations	\$	3,065,812
CAP-055	Fawcett Hall Rehabilitation	\$	1,275,018
CAP-064	Basic Renovations - Lake	\$	179,027
CAP-070	Oelman Hall Rehabilitation	\$	30,019
CAP-071	New Academic Building	\$	75,743

CAP-072	Access Circulation	\$	1,557
CAP-074	US Air & Trade Show	\$	1,000,000
CAP-075	Aviation Heritage National Historical Park	\$	5,050,000
CAP-076	Engineering Building Basement	\$	25,564
CAP-080	Library Access Consolidation System	\$	5,762,528
CAP-081	Asbestos Abatement	\$	35,032
CAP-084	ADA Modifications	\$	387,430
CAP-085	Creative Arts Center Rehabilitation	\$	70,271
CAP-088	Biological Sciences Chiller	\$	7,672
CAP-090	Creative Arts Center Acoustical Rehabilitation	\$	196,517
CAP-092	Allyn Hall Rehabilitation	\$	4,117,535
CAP-093	Information Technology Center	\$	182,467
CAP-094	Campus Services Building	\$	2,456
CAP-095	Technology Infrastructure	\$	5,211
CAP-098	University Center/Hamilton/Physical Education Chiller	\$	13,493
CAP-102	Specialized Communication	\$	78,693
CAP-103	Millett Hall Rehabilitation	\$	1,000,000
CAP-104	Road and Parking Lot Improvements	\$	2,000,000
Total Wright State University		\$	24,562,045

SECTION 28.25.

Basic Renovations

The amount reappropriated for appropriation item CAP-015, Basic Renovations, shall be \$270,330, plus the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-015, Basic Renovations.

SECTION 28.26. YSU YOUNGSTOWN STATE UNIVERSITY

CAP-014	Basic Renovations	\$	1,924,428
CAP-027	Property Acquisition/Street Closures	\$	2,260,840
CAP-038	Roof Renovations	\$	560
CAP-040	Bliss Hall Rehabilitation - Final Phase	\$	2,754,598
CAP-062	Central Utility Plant Improvement	\$	255,404
CAP-066	Asbestos Abatement	\$	66,936
CAP-085	College of Education - Auditorium	\$	6,352
CAP-096	ADA Modifications	\$	51,472
CAP-097	Child Care Facility	\$	250,000
CAP-099	Todd Hall Renovations	\$	233,225
CAP-104	Central Utility Plant	\$	5,179
CAP-109	Welcome Center - Dana Hall Addition	\$	441,205
Total Youngstown State University		\$	8,250,199

Reappropriations

SECTION 28.27. NEM NORTHEASTERN OHIO UNIVERSITIES

COLLEGE OF MEDICINE

CAP-018	Basic Renovations	\$	387,010
CAP-034	ADA Modifications	\$	41,319

CAP-035	Primary Care Medicine/Health Sciences	\$	1,178
CAP-036	Computer Services Networking	\$	363
CAP-037	Conference Center/Rehabilitation/Expansion	\$	2,049,813
Total Northeastern Ohio Universities College of Medicine		\$	2,479,683

Reappropriations

SECTION 28.28. MCO MEDICAL COLLEGE OF OHIO

CAP-010	Basic Renovations	\$	1,130,777
CAP-048	Medical Informatics Data Highway	\$	1,442,202
CAP-049	Center for Classrooms of the Future	\$	7,281,390
CAP-053	ADA Modifications	\$	7,977
CAP-062	Waterproofing	\$	545,463
CAP-063	Road Repairs to Library Circle/Ravine Drive	\$	316,625
Total Medical College of Ohio		\$	10,724,434

Reappropriations

SECTION 28.29. CWR UNIVERSITY HOSPITALS, CASE WESTERN RESERVE UNIVERSITY

CAP-005	NE Ohio Biomedical Research Consortium	\$	33,750
CAP-013	MEMSNET	\$	449,836
CAP-016	Pharmacological Sciences	\$	592,000
CAP-021	Biomedical Engineering Research Facility	\$	450,000
CAP-022	Institutional Animal Resources	\$	210,297
CAP-023	Connections to the Internet	\$	85,721
CAP-024	600 MHZ Spectrometer	\$	161,000
CAP-025	Chemical Studies of Biomimetics	\$	80,000
CAP-026	Cardiovascular/Neural Engineering	\$	144,000
CAP-027	Environmental Scanning Electron	\$	100,000
CAP-028	Ohio Biomedical Consortium on Medical Therapeutic Microdevices	\$	161,000
CAP-029	Consortium for Novel Microfabrication Methods of Medical Devices in Non-Silicon Materials	\$	200,000
CAP-030	Global PVC Research Consortium	\$	419,000
Total University Hospitals, Case Western Reserve University		\$	3,086,604

SECTION 28.30.

Biomedical Research Consortium

The foregoing appropriation item CAP-005, NE Ohio Biomedical Research Consortium, is subject to the per cent for arts requirements of section 3379.10 of the Revised Code. For the purpose of implementing the per cent for arts requirements, Case Western Reserve University shall carry out all the responsibilities that a state agency is required to carry out under section 3379.10 of the Revised Code.

Reappropriations

**SECTION 28.31. CTC CINCINNATI STATE TECHNICAL
AND COMMUNITY COLLEGE**

CAP-008	Interior Renovations	\$	547,434
CAP-009	Exterior Rehabilitation	\$	160,000
CAP-013	Basic Renovations	\$	690,797
CAP-016	Health Professions Building Planning	\$	1,468
CAP-017	Instructional and Data Processing Equipment	\$	437,078
CAP-020	Aviation Facility	\$	22,660
CAP-022	270 Complex Renovation/ADA Upgrades	\$	4,372
CAP-023	Supplemental Renovations - Firm Alarm	\$	224,932
CAP-025	New Telephone Switch Systems	\$	330,000
Total Cincinnati State Technical and Community College		\$	2,418,741
Reappropriations			

SECTION 28.32. CLT CLARK STATE COMMUNITY COLLEGE

CAP-006	Basic Renovations	\$	293,011
CAP-029	Shull Hall Rehabilitation	\$	63,850
CAP-034	ADA Modifications	\$	55,503
Total Clark State Community College		\$	412,364
Reappropriations			

SECTION 28.33. CTI COLUMBUS STATE COMMUNITY COLLEGE

CAP-006	Basic Renovations	\$	797,017
CAP-007	Land Acquisition	\$	3,520,000
CAP-027	Academic Center "B" Planning	\$	898,642
CAP-033	Child Care Facility	\$	89,510
CAP-037	Academic Center "C"	\$	10,684,563
CAP-040	Building "D" Planning	\$	1,475,000
CAP-041	Columbus College of Art and Design	\$	100,000
CAP-049	Ohio Theatre Improvements	\$	3,000,000
Total Columbus State Community College		\$	20,564,732
Reappropriations			

SECTION 28.34. CCC CUYAHOGA COMMUNITY COLLEGE

CAP-028	Adult Technical Education Facility	\$	3,588
CAP-031	Basic Renovations	\$	2,716,917
CAP-033	Ohio College/Podiatric Medicine	\$	100,000
CAP-049	Exterior Building Renovations - Metro/East	\$	1,901
CAP-052	Science & Technology Building Asbestos, Metro Campus	\$	273
CAP-054	Ceiling Renovations/Damper Replacement Western	\$	2,840
CAP-058	ADA Modifications	\$	169,191
CAP-059	Electric Switchgear/Transformer - Metro	\$	3,358
CAP-064	Technology Learning Center - Western	\$	4,755,500

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CAP-065	Exterior Lighting/Site Improvements - Eastern	\$	83,137
CAP-066	Renovate to Create New Classrooms - Western	\$	360,000
CAP-067	Renovations of Plant Operations/Vehicle Maintenance Storage - Phase I	\$	1,335,170
CAP-070	Interior/Exterior Signage Program	\$	540,000
CAP-071	Renovations to East One Building	\$	892,500
CAP-072	Exterior Lighting Enhancements	\$	38,990
Total Cuyahoga Community College		\$	11,003,365

Reappropriations

SECTION 28.35. ESC EDISON STATE COMMUNITY COLLEGE

CAP-006	Basic Renovations	\$	310,684
CAP-011	Roadway Construction	\$	16,696
CAP-014	Student Activities Area	\$	13,398
CAP-018	Master Plan Update	\$	50,000
Total Edison State Community College		\$	390,778

Reappropriations

SECTION 28.36. JTC JEFFERSON COMMUNITY COLLEGE

CAP-022	Basic Renovations	\$	200,238
CAP-031	Law Enforcement/Engineering Lab Renovations	\$	56,172
CAP-033	ADA Modifications	\$	19,598
CAP-035	Exterior Improvements and Preschool Expansion	\$	24,120
CAP-037	Electrical System Evaluation/Renovation	\$	382,820
CAP-038	Library Interior Renovation	\$	259,020
CAP-039	Lecture Hall Interior Renovation	\$	175,325
Total Jefferson Community College		\$	1,117,293

Reappropriations

SECTION 28.37. LCC LAKELAND COMMUNITY COLLEGE

CAP-006	Basic Renovations	\$	758,543
CAP-019	Health Technologies Building Planning	\$	2,030
CAP-021	Performing Arts Center Renovations	\$	1,062
CAP-022	Library Expansion	\$	7,895
CAP-026	Auditorium Renovation	\$	1,805
CAP-030	Business/Community Education Center	\$	593
CAP-032	Roadway and Drainage Improvements	\$	21,269
Total Lakeland Community College		\$	793,197

Reappropriations

SECTION 28.38. LOR LORAIN COMMUNITY COLLEGE

CAP-005	Basic Renovations	\$	1,224,674
CAP-030	Child Care Facilities	\$	225,000
CAP-034	ADA Modifications	\$	44,915
CAP-037	Center For Leadership in Education	\$	100,000
Total Lorain Community College		\$	1,594,589

Reappropriations

SECTION 28.39. NTC NORTHWEST STATE COMMUNITY COLLEGE

CAP-003	Basic Renovations	\$	202,308
CAP-013	Classroom & Engineering Building	\$	78,273
CAP-014	ADA Modifications	\$	48,080
CAP-015	A-Wing Supplemental/Distance Learning	\$	3,390
CAP-016	Imaginet	\$	39,374
Total Northwest State Community College		\$	371,425

Reappropriations

SECTION 28.40. OTC OWENS COMMUNITY COLLEGE

CAP-019	Basic Renovations	\$	861,164
CAP-022	Findlay Campus Instructional Building	\$	2,000,000
CAP-032	Student Health and Activities Center	\$	74,945
Total Owens Community College		\$	2,936,109

Reappropriations

SECTION 28.41. RGC RIO GRANDE COMMUNITY COLLEGE

CAP-005	Basic Renovations	\$	17,674
CAP-013	College of Business	\$	197,655
CAP-015	ADA Modifications	\$	75,446
CAP-018	Pomeroy Building Renovation	\$	50,000
CAP-019	Woodworking Facility	\$	412,500
Total Rio Grande Community College		\$	753,275

Reappropriations

SECTION 28.42. SCC SINCLAIR COMMUNITY COLLEGE

CAP-007	Basic Renovations	\$	1,296,021
CAP-033	Telecommunication Infrastructure	\$	2,525,000
CAP-034	Advanced Educational Applications Center Phase I	\$	40,000
CAP-036	Advanced Integrated Manufacturing Center	\$	887,264
CAP-042	Autolab/Fire Science Facility	\$	45,000
CAP-043	Technology Extension System	\$	2,127,800
CAP-044	Demolish Building 18	\$	555,000
CAP-049	Tooling and Machining Equipment	\$	500,000
Total Sinclair Community College		\$	7,976,085

Basic Renovations

The amount reappropriated for appropriation item CAP-007, Basic Renovations, shall be \$128,278 plus the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-007, Basic Renovations.

Reappropriations

SECTION 28.43. SOC SOUTHERN STATE COMMUNITY COLLEGE

CAP-010	Basic Renovations	\$	132,297
CAP-019	New North Campus Facility	\$	249,553
CAP-022	Clinton County Facility	\$	405,381
	Total Southern State Community College	\$	787,231

Reappropriations

SECTION 28.44. TTC TERRA STATE COMMUNITY COLLEGE

CAP-009	Basic Renovations	\$	335,437
CAP-015	Child Care Facility	\$	272
	Total Terra State Community College	\$	335,709

Reappropriations

SECTION 28.45. WTC WASHINGTON STATE COMMUNITY COLLEGE

CAP-005	Classroom Building/Land Acquisition	\$	19,515
CAP-008	Arts and Science Center	\$	19,987
CAP-012	ADA Modifications	\$	19,736
CAP-013	Child Care Facility	\$	351,500
CAP-014	Library Construction	\$	29,108
	Total Washington State Community College	\$	439,846

Reappropriations

SECTION 28.46. BTC BELMONT TECHNICAL COLLEGE

CAP-008	Basic Renovations	\$	505,197
CAP-010	Science/Engineering Building	\$	9,119
CAP-011	Historical Restoration/Program Facility	\$	21,208
CAP-014	Main Building Renovation - Phase 3	\$	49,137
CAP-019	ADA Modifications	\$	45,915
	Total Belmont Technical College	\$	630,576

Reappropriations

SECTION 28.47. COT CENTRAL OHIO TECHNICAL COLLEGE

CAP-003	Basic Renovations	\$	153,222
CAP-005	Founders/Adena/Hopewell Rehabilitation	\$	9,640
CAP-006	Instructional and Data Processing Equipment	\$	101,600
CAP-007	Laboratory/Experimental Science Building	\$	578
	Total Central Ohio Technical College	\$	265,040

Reappropriations

SECTION 28.48. HTC HOCKING TECHNICAL COLLEGE

CAP-019	Basic Renovations	\$	465,793
CAP-024	Building Addition	\$	6,099
CAP-028	College Hall Rehabilitation	\$	3,769
CAP-032	Public Safety Service	\$	616,307
CAP-033	Light and Oakley Halls	\$	270,566
CAP-034	Student Center	\$	2,924,325
Total Hocking Technical College		\$	4,286,859

Reappropriations

SECTION 28.49. LTC LIMA TECHNICAL COLLEGE

CAP-004	Basic Renovations	\$	630,815
CAP-006	Building Renovations	\$	5,000
CAP-007	Training and Education Facility	\$	79,934
CAP-009	Life and Physical Sciences	\$	1,030,147
CAP-010	ADA Modifications	\$	53,143
CAP-013	Child Care Facility	\$	1,025,000
Total Lima Technical College		\$	2,824,039

Reappropriations

SECTION 28.50. MAT MUSKINGUM AREA TECHNICAL COLLEGE

CAP-007	Basic Renovations	\$	77,072
CAP-011	Instructional and Data Processing Equipment	\$	12,521
CAP-012	Engineering/Health Technology Center	\$	360,000
CAP-013	ADA Modifications	\$	20,932
CAP-014	Regional Technology Training Center	\$	2,021,290
Total Muskingum Area Technical College		\$	2,491,815

Reappropriations

SECTION 28.51. MTC MARION TECHNICAL COLLEGE

CAP-004	Basic Renovations	\$	113,316
CAP-006	Instructional and Data Processing Equipment	\$	95,730
CAP-009	Technical Education Center	\$	229,199
Total Marion Technical College		\$	438,245

Reappropriations

SECTION 28.52. NCC NORTH CENTRAL TECHNICAL COLLEGE

CAP-003	Basic Renovations	\$	377,331
CAP-004	Health Science Building	\$	210,652
CAP-007	Bromfield Hall Rehabilitation	\$	8,040
CAP-008	Ovalwood Hall Rehabilitation	\$	66,776
CAP-009	ADA Modifications	\$	63,346
CAP-018	Fallerius Center Rehabilitation	\$	750,000
Total North Central Technical College		\$	1,476,145

Reappropriations

SECTION 28.53. STC STARK TECHNICAL COLLEGE

CAP-004	Basic Renovations	\$	291,006
CAP-015	Loop Road Property Acquisition/Development	\$	259,447
CAP-018	Fire Training Center	\$	500,000
CAP-019	ADA Modifications	\$	23,108
CAP-020	Child Care Facility	\$	6,854
CAP-022	Technical Health Science Addition	\$	8,614
CAP-024	Phase II Renovations	\$	1,253,252
CAP-025	Timken Regional Campus Technology Project	\$	2,500,000
	Total Stark Technical College	\$	4,842,281
	Total Board of Regents and State Institutions of Higher Education	\$	620,077,876
	Total Higher Education Improvement Fund	\$	624,303,122

SECTION 29. For all of the foregoing appropriation items from the Higher Education Improvement Fund (Fund 034) that require local funds to be contributed by any state-supported or state-assisted institution of higher education, the Ohio Board of Regents shall not recommend that any funds be released until the recipient institution demonstrates to the Board of Regents and the Office of Budget and Management that the local funds contribution requirement has been secured or satisfied. The local funds shall be in addition to the foregoing appropriations.

SECTION 30. The foregoing capital improvements for which appropriations are made from the Higher Education Improvement Fund (Fund 034) are determined to be capital improvements and capital facilities for state-supported or state-assisted institutions of higher education, and are designated as the capital facilities to which proceeds of obligations in the Higher Education Improvement Fund, created by section 154.21 of the Revised Code, are to be applied. All such appropriations are made to the Ohio Public Facilities Commission for application to the purposes for which appropriated through the exercise of its powers under Chapter 154. of the Revised Code, including, when appropriate, provisions thereunder for production of revenues and receipts for bond service charges on such obligations.

SECTION 31. None of the foregoing capital improvements appropriations for state-supported or state-assisted institutions of higher education shall be expended until the particular appropriation has been recommended for release by the Ohio Board of Regents and released by the Director of Budget

and Management or the Controlling Board. Either the institution concerned, or the Ohio Board of Regents with the concurrence of the institution concerned, may initiate the request to the Director of Budget and Management or the Controlling Board for the release of the particular appropriations.

(A) None of the foregoing capital improvement appropriations shall be released for planning or for renovation or construction or acquisition of capital facilities if the institution of higher education or the state does not own the real property on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

(1) The institution has a long-term (at least fifteen years) lease of, or other interest (such as an easement) in, the real property.

(2) The Ohio Board of Regents certifies to the Controlling Board that undue delay will occur if planning does not proceed while the property or property interest acquisition process continues. In this case, funds may be released upon approval of the Controlling Board to pay for planning through the development of schematic drawings only.

(3) In the case of an appropriation for capital facilities for a state-supported or state-assisted institution of higher education that, because of their unique nature or location, will be owned or will be part of facilities owned by a separate nonprofit organization or public body and made available to the institution of higher education for its use, the nonprofit organization or public body either owns or has a long-term (at least fifteen years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement with the institution of higher education that meets the requirements of division (C) of this section.

(B) Any foregoing appropriations that require cooperation between a technical college and a branch campus of a university may be released by the Controlling Board upon recommendation by the Ohio Board of Regents that the facilities proposed by the institutions are:

(1) The result of a joint planning effort by the university and the technical college, satisfactory to the Ohio Board of Regents;

(2) Facilities that will meet the needs of the region in terms of technical and general education, taking into consideration the totality of facilities that will be available after the completion of these projects;

(3) Planned to permit maximum joint use by the university and technical college of the totality of facilities that will be available after completion of these projects;

(4) To be located on or adjacent to the branch campus of the university.

(C) The Ohio Board of Regents shall adopt rules regarding the release of moneys from all the foregoing appropriations for capital facilities for all state-supported or state-assisted institutions of higher education. Such rules for the release of moneys for capital facilities that, because of their unique nature or location, will be owned or will be part of facilities owned by a separate nonprofit organization or public body and made available to the institution of higher education for its use shall include, as a minimum, provisions that:

(1) Provide for a joint or cooperative use agreement, specifying the extent and nature of that use, extending for no fewer than fifteen years, to be approved by the Ohio Board of Regents; the value of such use or right to use shall be, as determined by the parties, reasonably related to the amount of the appropriation;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use be terminated;

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state laws and rules, including provisions of this act;

(4) Provide for payment or reimbursement to the institution of its administrative costs incurred as a result of the facilities project, not to exceed 1.5 per cent of the appropriated amount.

(D) Upon the recommendation of the Ohio Board of Regents, the Controlling Board may approve the transfer of appropriations for projects requiring cooperation between institutions from one institution to another institution with the approval of both institutions.

(E) Notwithstanding section 127.14 of the Revised Code, the Controlling Board, upon the recommendation of the Ohio Board of Regents, may transfer amounts appropriated to the Ohio Board of Regents to accounts of state-supported or state-assisted institutions created for that same purpose.

SECTION 32. The requirements of Chapters 123. and 153. of the Revised Code, with respect to the powers and duties of the Director of Administrative Services, and the requirements of section 127.16 of the Revised Code, with respect to the Controlling Board, do not apply to projects of community college districts and technical college districts.

SECTION 33. Those institutions locally administering capital improvement projects pursuant to section 3345.50 of the Revised Code may

establish charges for recovering costs directly related to project administration as defined by the Director of Administrative Services. The Department of Administrative Services shall review and approve these administrative charges when such charges are in excess of 1.5 per cent of the total construction budget.

SECTION 34. For those institutions that locally administer capital improvement projects pursuant to section 3345.50 of the Revised Code, reimbursement may be made from state capital appropriations to the institution for the in-house design services performed by the institution for locally administered capital projects. Acceptable charges shall be limited to design document preparation work that is done by the institution. These reimbursable design costs shall be shown as "A/E fees" within the project's budget that is submitted to the Controlling Board or the Director of Budget and Management as part of a request for release of funds. The reimbursement for in-house design shall not exceed seven per cent of the estimated construction cost.

SECTION 35. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Parks and Recreation Improvement Fund (Fund 035) created by division (F) of section 154.22 of the Revised Code, derived from the proceeds of obligations heretofore authorized, to pay costs of capital facilities, as defined in section 154.01 of the Revised Code, for parks and recreation.

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES

CAP-005	Cowan Lake State Park	\$	16,000
CAP-009	Dillon State Park	\$	2,351
CAP-011	Findley State Park	\$	22,856
CAP-012	Land Acquisition	\$	856,325
CAP-016	Hueston Woods State Park	\$	203,001
CAP-017	Indian Lake State Park	\$	47,358
CAP-018	Kellys Island State Park	\$	47,671
CAP-019	Lake Hope State Park	\$	332,174
CAP-025	Punderson State Park	\$	4,500
CAP-026	Pymatuning State Park	\$	60,105
CAP-029	Salt Fork State Park	\$	2,752
CAP-032	West Branch State Park	\$	372,601
CAP-051	Buck Creek State Park	\$	750
CAP-064	Geneva State Park	\$	151,339
CAP-069	Hocking Hills State Park	\$	31,005
CAP-099	South Bass Island	\$	6,275
CAP-120	Harrison Lake State Park	\$	30,844
CAP-162	Shawnee State Park	\$	217,160

CAP-205	Deer Creek State Park	\$	44,185
CAP-234	State Parks Campgrounds, Lodges, and Cabins	\$	7,673,638
CAP-298	Malabar Farm State Park	\$	141,000
CAP-331	Park Boating Facilities	\$	1,067,300
CAP-390	State Park Maintenance Facility Development	\$	488,801
CAP-701	Buckeye Lake Dam Rehabilitation	\$	1,033,254
CAP-702	Upgrade Underground Storage Tanks	\$	2,967,640
CAP-703	Cap Abandoned Water Wells	\$	250,000
CAP-718	Grand Lake St. Mary's State Park	\$	37,771
CAP-727	Riverfront Improvements	\$	1,000,000
CAP-744	Multi-Agency Radio Communication Equipment	\$	425,000
CAP-748	Local Parks Projects	\$	2,075,000
CAP-758	Muskingum River Parkway Lock No. 7	\$	47,000
CAP-787	Scioto Riverfront Improvements	\$	12,000,000
CAP-789	Great Miami Riverfront Improvements	\$	2,650,000
CAP-821	State Park Dredging and Shoreline Protection	\$	291,273
CAP-827	Cuyahoga Valley Scenic Railroad	\$	3,716,666
CAP-836	State Parks Renovation/Upgrading	\$	125,000
CAP-842	Appalachian Parks and Recreational Facilities	\$	207,686
CAP-851	Cleveland Lakefront	\$	956,657
CAP-876	Statewide Trails Program	\$	3,440,000
CAP-881	Dam Rehabilitation	\$	250,000
CAP-927	Mohican State Park	\$	62,423
CAP-928	Handicapped Accessibility	\$	498,089
CAP-929	Hazardous Waste/Asbestos Abatement	\$	1,420,882
CAP-931	Wastewater/Water Systems Upgrade	\$	2,748,540
	Total Department of Natural Resources	\$	48,022,872
	Total Parks and Recreation Improvement Fund	\$	48,022,872

Indian Lake State Park

The amount reappropriated for the foregoing appropriation item CAP-017, Indian Lake State Park, shall be the sum of the unencumbered and unallotted balances as of June 30, 2000, in appropriation items CAP-017, Indian Lake State Park, and CAP-719, Indian Lake State Park.

State Parks Campgrounds, Lodges, and Cabins

The amount reappropriated for the foregoing appropriation item CAP-234, State Parks Campgrounds, Lodges, and Cabins, shall be \$1,800,000 plus the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-234, State Parks Campgrounds, Lodges, and Cabins.

Hazardous Waste/Asbestos Abatement

The amount reappropriated for the foregoing appropriation item CAP-929, Hazardous Waste/Asbestos Abatement, shall be the unencumbered and unallotted balance as of June 30, 2000, in appropriation item CAP-929, Hazardous Waste/Asbestos Abatement, minus \$1,800,000.

Local Parks Projects

Of the foregoing appropriation item CAP-748, Local Parks Projects, \$75,000 shall be used for Dover Recreational Facilities Improvements, and

\$2,000,000 shall be used for Fallen Timbers Battlefield Improvements.

Cleveland Lakefront

Of the foregoing appropriation item CAP-851, Cleveland Lakefront, \$30,000 shall be used for a pedestrian walkway at Edgewater Park.

Indian Lake Improvements

Of the foregoing appropriation item CAP-881, Dam Rehabilitation, \$225,000 shall be used for Indian Lake improvements, located in Logan County.

Statewide Trails

Of the foregoing appropriation item CAP-876, Statewide Trails Program, up to \$2,500,000 shall be used for trail renovations at Hocking Hills State Park.

Federal Reimbursement

All reimbursements received from the federal government for any expenditures made pursuant to this section shall be deposited in the state treasury to the credit of the Parks and Recreation Improvement Fund.

SECTION 36. The foregoing capital improvements for which appropriations are made from the Parks and Recreation Improvement Fund (Fund 035) are determined to be capital improvements and capital facilities for parks and recreation and shall be designated as the capital facilities to which proceeds of obligations in the Parks and Recreation Improvement Fund, created by section 154.22 of the Revised Code, are to be applied. All such appropriations provided in this section are made to the Ohio Public Facilities Commission for application to the purposes for which appropriated through the exercise of its powers under Chapter 154. of the Revised Code including, when appropriate, provision thereunder for the production of revenues and receipts for bond service charges on such obligations and, in addition thereto, participation in such capital facilities by grants or contributions to 501(c)(3) corporations for such facilities.

SECTION 37. (A) No capital improvement appropriations made in Section 35 of this act shall be released for planning or for improvement, renovation, or construction or acquisition of capital facilities if a governmental agency, as defined in section 154.01 of the Revised Code, does not own the real property that constitutes the capital facilities or on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

- (1) The governmental agency has a long-term (at least fifteen years)

lease of, or other interest (such as an easement) in, the real property.

(2) In the case of an appropriation for capital facilities for parks and recreation that, because of their unique nature or location, will be owned or be part of facilities owned by a separate nonprofit organization and made available to the governmental agency for its use or operated by the nonprofit organization under contract with the governmental agency, the nonprofit organization either owns or has a long-term (at least fifteen years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement, approved by the Department of Natural Resources, with the governmental agency for that agency's use of and right to use the capital facilities to be financed and, if applicable, improved, the value of such use or right to use being, as determined by the parties, reasonably related to the amount of the appropriation.

(B) In the case of capital facilities referred to in division (A)(2) of this section, the joint or cooperative use agreement shall include, as a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for no fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the approving department, reasonably related to the amount of the appropriation;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use by a governmental agency be terminated; and

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state laws and rules, including provisions of this act.

SECTION 38. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the State Capital Improvements Fund (Fund 038).

Reappropriations

PWC PUBLIC WORKS COMMISSION

Ohio Small Government Capital Improvement Commission

CIF-000	Small Government Set-Aside	\$	24,908,098
CIF-001	Infrastructure - District 1	\$	32,676,858
CIF-002	Infrastructure - District 2	\$	18,637,968
CIF-003	Infrastructure - District 3	\$	23,445,097
CIF-004	Infrastructure - District 4	\$	12,864,088
CIF-005	Infrastructure - District 5	\$	8,988,265
CIF-006	Infrastructure - District 6	\$	9,649,995
CIF-007	Infrastructure - District 7	\$	11,003,154

CIF-008	Infrastructure - District 8	\$	15,045,007
CIF-009	Infrastructure - District 9	\$	8,279,787
CIF-010	Infrastructure - District 10	\$	15,556,582
CIF-011	Infrastructure - District 11	\$	11,371,194
CIF-012	Infrastructure - District 12	\$	9,327,325
CIF-013	Infrastructure - District 13	\$	6,407,789
CIF-014	Infrastructure - District 14	\$	7,140,347
CIF-015	Infrastructure - District 15	\$	8,361,859
CIF-016	Infrastructure - District 16	\$	9,925,970
CIF-017	Infrastructure - District 17	\$	8,128,478
CIF-018	Infrastructure - District 18	\$	7,747,999
CIF-019	Infrastructure - District 19	\$	7,314,281
CIF-020	Emergency Set-Aside	\$	6,325,824
CIF-021	Small Counties Program	\$	1,187,644
CAP-150	Local Public Infrastructure	\$	6,630,256
Total Public Works Commission		\$	270,923,865
Total State Capital Improvement Fund		\$	270,923,865

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 39. 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 subdivisions for capital improvements, investment earnings on moneys in the fund, and moneys obtained from federal or private grants or from other sources for the purpose of making loans for the purpose of financing or assisting in the financing of the cost of capital improvement projects of local subdivisions.

Reappropriations

PWC PUBLIC WORKS COMMISSION

CAP-151	Revolving Loan	\$	2,997,000
RLF-001	Revolving Loan-District 1	\$	1,868,172
RLF-002	Revolving Loan-District 2	\$	2,490,235
RLF-003	Revolving Loan-District 3	\$	4,714,993
RLF-004	Revolving Loan-District 4	\$	1,598,783
RLF-005	Revolving Loan-District 5	\$	1,007,003
RLF-006	Revolving Loan-District 6	\$	1,333,261
RLF-007	Revolving Loan-District 7	\$	1,896,883
RLF-008	Revolving Loan-District 8	\$	1,165,646
RLF-009	Revolving Loan-District 9	\$	860,262
RLF-010	Revolving Loan-District 10	\$	1,577,000
RLF-011	Revolving Loan-District 11	\$	1,656,000

RLF-012	Revolving Loan-District 12	\$	2,365,799
RLF-013	Revolving Loan-District 13	\$	907,896
RLF-014	Revolving Loan-District 14	\$	1,082,198
RLF-015	Revolving Loan-District 15	\$	1,112,000
RLF-016	Revolving Loan-District 16	\$	1,420,000
RLF-017	Revolving Loan-District 17	\$	728,032
RLF-018	Revolving Loan-District 18	\$	941,822
RLF-019	Revolving Loan-District 19	\$	801,104
RLF-020	Small Government Program	\$	1,208,730
RLF-021	Emergency Program	\$	170,840
Total Public Works Commission		\$	33,903,659
Total State Capital Improvements			
Revolving Loan Fund		\$	33,903,659

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 40. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the State Capital Improvements Fund (Fund 038).

PWC PUBLIC WORKS COMMISSION

Appropriations

CAP-150	Local Public Infrastructure	\$	245,000,000
Total Public Works Commission		\$	245,000,000
Total State Capital Improvements Fund		\$	245,000,000

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 41. 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 of Ohio, in an aggregate principal amount not to exceed \$240,000,000, 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.

In determining "aggregate principal amount" for purposes of this section, the principal amount of a "capital appreciation bond," as defined in division (C) of section 3334.01 of the Revised Code, means its face amount, and of a "zero coupon bond," as defined in division (K) of section 3334.01 of the Revised Code, means the discounted offering price at which the bond is initially sold to the public, disregarding any purchase price discount to the original purchaser if provided for pursuant to section 152.09 of the Revised Code.

SECTION 42. 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 subdivisions for capital improvements, investment earnings on moneys in the fund, and moneys obtained from federal or private grants or from other sources for the purpose of making loans for the purpose of financing or assisting in the financing of the cost of capital improvement projects of local subdivisions.

PWC PUBLIC WORKS COMMISSION

Appropriations

CAP-151	Revolving Loan	\$	34,500,000
Total Public Works Commission		\$	34,500,000
Total State Capital Improvements Revolving Loan Fund		\$	34,500,000

The foregoing appropriation item CAP-151, Revolving Loan, shall be used in accordance with sections 164.01 to 164.12 of the Revised Code.

SECTION 43. Each request for release of appropriations for any and all capital improvements and capital facilities for which appropriations are made in this act from the proceeds of obligations in the Administrative Building Fund (Fund 026), the Adult Correctional Building Fund (Fund 027), the Juvenile Correctional Building Fund (Fund 028), the Arts Facilities Building Fund (Fund 030), the Natural Resources Projects Fund (Fund 031), the School Building Program Assistance Fund (Fund 032), the Mental Health Facilities Improvement Fund (Fund 033), the Higher

Education Improvement Fund (Fund 034), and the Parks and Recreation Improvement Fund (Fund 035) shall have the certification of the Director of Budget and Management that sufficient General Revenue Fund moneys are appropriated for and will be available for rental payments to the Ohio Public Facilities Commission, the Treasurer of State, and the Ohio Building Authority in the then-current fiscal biennium relating to obligations or portions of obligations issued or to be issued in that fiscal biennium to fund, in the then-current fiscal biennium, anticipated expenditures from these funds associated with the request. This requirement is in addition to other requirements under this act and the Revised Code.

SECTION 44. No money shall be encumbered for any capital improvements and capital facilities for which appropriations are made in excess of the cash balances from the proceeds of obligations in the State Capital Improvements Fund (Fund 038) and the Highway Safety Building Fund (Fund 025) unless the Director of Budget and Management certifies that sufficient General Revenue Fund or Highway Safety Fund moneys are appropriated for and will be available for rental payments to the Ohio Building Authority or the Treasurer of State for debt service payments by the state in the then-current fiscal biennium relating to obligations or portions of obligations issued or to be issued in that fiscal biennium to fund, in the then-current fiscal biennium, anticipated expenditures from these funds associated with related encumbrances. This requirement is in addition to other requirements under this act and the Revised Code.

SECTION 45.

Certification of Availability of Moneys

No moneys that require release shall be expended from any appropriation contained in this act without certification of the Director of Budget and Management that there are sufficient moneys in the state treasury in the fund from which the appropriation is made. Such certification made by the Office of Budget and Management shall be based on estimates of revenue, receipts, and expenses. Nothing herein shall be construed as a limitation on the authority of the Director of Budget and Management as granted in section 126.07 of the Revised Code.

SECTION 46. The appropriations made in this act, excluding those made to the State Capital Improvement Fund (Fund 038) and the State Capital

Improvements Revolving Loan Fund (Fund 040) for buildings or structures, including remodeling and renovations, are limited to:

- (A) Acquisition of real property;
- (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;
- (C) Architectural, engineering, and professional services expenses directly related to the projects;
- (D) Machinery that is a part of structures at the time of initial acquisition or construction;
- (E) Equipment that meets all the following criteria:
 - (1) The equipment is essential in bringing the facility up to its intended use.
 - (2) The unit cost of the equipment, and not the individual parts of a unit, is about \$100 or more.
 - (3) The equipment has a useful life of five years or more.
 - (4) The equipment is necessary for the functioning of a particular facility.
 - (5) The equipment will be used primarily in the rooms or areas covered in the project.

No equipment shall be purchased that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated, including, but not limited to, motor vehicles, adding machines, calculators, dictating machines, computers and computer peripherals, typewriters, word processors, or other items that are used for normal supplies and maintenance.

SECTION 47. Any request for release of capital appropriations by the Director of Budget and Management or the Controlling Board of capital appropriations for projects, the contracts for which are awarded by the Department of Administrative Services, as authorized by law, shall contain a contingency reserve, the amount of which is to be determined by the Department of Administrative Services, for payment of unanticipated project expenses. Any amount deducted from the encumbrance for a contractor's contract as an assessment for liquidated damages shall be added to the encumbrance for the contingency reserve. Contingency reserve funds shall be used to pay costs resulting from unanticipated job conditions, to comply with rulings regarding building and other codes, to pay costs related to errors or omissions in contract documents, and to pay the cost of

nts and judgments related to the project.

Upon completion of a project, should any funds remain, such remaining funds may, upon approval of the Controlling Board, be released for the use of the institution to which the appropriation was made for another capital facilities project or projects.

SECTION 48.

Agency Administration of Capital Facilities Projects

Notwithstanding sections 123.01 and 123.15 of the Revised Code, the Director of Administrative Services may authorize the Departments of Mental Health, Mental Retardation and Developmental Disabilities, Alcohol and Drug Addiction Services, Agriculture, Rehabilitation and Correction, Youth Services, Public Safety, and Transportation, the Bureau of Employment Services, the Ohio Veterans' Home, the Arts and Sports Facilities Commission, and the Rehabilitation Services Commission to administer any capital facilities projects when the estimated cost, including design fees, construction, equipment, and contingency amounts, is less than \$1,500,000. Requests for authorization to administer capital facilities projects shall be made in writing to the Director of Administrative Services by the respective state agency within sixty days after the effective date of the act in which the General Assembly initially makes an appropriation for the project.

The director of a state agency authorized by the Director of Administrative Services to administer capital facilities projects pursuant to this section shall comply with the procedures and guidelines established in Chapter 153. of the Revised Code. Upon the release of funds for such projects by the Controlling Board or the Director of Budget and Management, the agency may administer the capital project or projects for which agency administration has been authorized without the supervision, control, or approval of the Director of Administrative Services as specified in that chapter.

SECTION 49.

Satisfaction of Judgments and Settlements Against the State

Except as otherwise provided in this section, an appropriation contained in this act or any other act may be used for the purpose of satisfying judgments, settlements, or administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state. This authorization shall not

apply to appropriations to be applied to or used for payment of guarantees by or on behalf of the state, for or relating to lease payments of debt service on bonds, notes, or similar obligations. Notwithstanding any other section of law to the contrary, this authorization applies to appropriations from the following funds only to the extent that the judgment, settlement, or administrative award is for or represents capital costs for which the appropriation may otherwise be used and is consistent with the purpose for which any related bonds were issued: the Sports Facilities Building Fund (Fund 024), the Highway Safety Building Fund (Fund 025), the Administrative Building Fund (Fund 026), the Adult Correctional Building Fund (Fund 027), the Juvenile Correctional Building Fund (Fund 028), the Transportation Building Fund (Fund 029), the Arts Facilities Building Fund (Fund 030), the Natural Resources Projects Fund (Fund 031), the School Building Program Assistance Fund (Fund 032), the Mental Health Facilities Improvement Fund (Fund 033), the Higher Education Improvement Fund (Fund 034), the Parks and Recreation Improvement Fund (Fund 035), the State Capital Improvements Fund (Fund 038), the Highway Capital Improvement Fund (Fund 042), the Coal Research/Development Fund (Fund 046), and any other fund into which proceeds of obligations are deposited. Nothing contained in this section is intended to subject the state to suit in any forum in which it is not otherwise subject to suit, nor is it intended to waive or compromise any defense or right available to the state in any suit against it.

SECTION 50. Notwithstanding section 126.14 of the Revised Code, appropriations for appropriation items CAP-002, Local Jails, and CAP-003, Community-Based Correctional Facilities, appropriated from the Adult Correctional Building Fund (Fund 027) to the Department of Rehabilitation and Correction shall be released upon the written approval of the Director of Budget and Management. The appropriations from the Public School Building Fund (Fund 021) and the School Building Program Assistance Fund (Fund 032) to the School Facilities Commission and appropriations from the State Capital Improvement Fund (Fund 038) and the State Capital Improvements Revolving Loan Fund (Fund 040) to the Public Works Commission shall be released upon presentation of a request to release the funds, by the agency to which the appropriation has been made, to the Director of Budget and Management.

SECTION 51. Except as provided in section 4115.04 of the Revised Code,

no moneys appropriated or reappropriated by the 123rd General Assembly shall be used for the construction of public improvements, as defined in section 4115.03 of the Revised Code, unless the mechanics, laborers, or workers engaged therein are paid the prevailing rate of wages as prescribed in section 4115.04 of the Revised Code. Nothing in this section shall affect the wages and salaries established for state employees under the provisions of Chapter 124. of the Revised Code, or collective bargaining agreements entered into by the state pursuant to Chapter 4117. of the Revised Code, while engaged on force account work, nor shall this section interfere with the use of inmate and patient labor by the state.

SECTION 52.

Capital Facilities Leases

Capital facilities for which appropriations are made from the Administrative Building Fund (Fund 026), the Adult Correctional Building Fund (Fund 027), the Juvenile Correctional Building Fund (Fund 028), and the Arts Facilities Building Fund (Fund 030) may be leased by the Ohio Building Authority to the Department of Youth Services, the Arts and Sports Facilities Commission, the Department of Administrative Services, and the Department of Rehabilitation and Correction, and other agreements may be made by the Ohio Building Authority and the departments with respect to the use or purchase of such capital facilities, or subject to the approval of the director of the department or the commission, the Ohio Building Authority may lease such capital facilities to, and make other agreements with respect to the use or purchase thereof with, any governmental agency or nonprofit corporation having authority under law to own, lease, or operate such capital facilities. The director of the department or the commission may sublease such capital facilities to, and make other agreements with respect to the use or purchase thereof with, any such governmental agency or nonprofit corporation, which may include provisions for transmittal of receipts of that agency or nonprofit corporation of any charges for the use of such facilities, all upon such terms and conditions as the parties may agree upon and any other provision of law affecting the leasing, acquisition, or disposition of capital facilities by such parties.

SECTION 53. The Director of Budget and Management shall authorize both of the following:

(A) The initial release of moneys for projects from the Highway Safety

Building Fund (Fund 025), the Administrative Building Fund (Fund 026), the Adult Correctional Building Fund (Fund 027), the Juvenile Correctional Building Fund (Fund 028), the Arts Facilities Building Fund (Fund 030), the Natural Resources Projects Fund (Fund 031), the School Building Program Assistance Fund (Fund 032), the Mental Health Facilities Improvement Fund (Fund 033), the Higher Education Improvement Fund (Fund 034), and the Parks and Recreation Improvement Fund (Fund 035);

(B) The expenditure or encumbrance of moneys from any other fund into which proceeds of obligations are deposited, only after determining to the director's satisfaction that either of the following has occurred:

(1) The application of such moneys to the particular project will not negatively affect any exemption or exclusion of the interest on obligations, issued to provide moneys to the particular fund, from federal income tax under federal law and regulations at the time in effect or pending with retroactive effect.

(2) Moneys for the project will come from the proceeds of obligations, the interest on which is not so excluded or exempt and which have been authorized as "taxable obligations" by the issuing authority. The director shall report any nonrelease of moneys pursuant to this section to the Governor, the presiding officer of each house of the General Assembly, and the agency for the use of which the project is intended.

SECTION 54. Notwithstanding any provision of law to the contrary, for capital reappropriations in this act that were originally released by the Controlling Board or the Director of Budget and Management and encumbered prior to July 1, 1996, and for which such encumbrances were canceled by the director prior to June 30, 2000, the amounts of the canceled encumbrances shall be re-released by the director and re-encumbered for the same purpose and to the same contractor or vendor as originally released and encumbered, if the director determines that the amounts are needed to complete the projects for which they were originally intended.

SECTION 55. Capital reappropriations in this act that have been released by the Controlling Board or the Director of Budget and Management between June 30, 1998, and July 1, 2000, do not require further approval or release prior to being encumbered. Funds reappropriated in excess of such prior releases shall be released in accordance with applicable provisions of this act.

SECTION 56. Unless otherwise specified, the reappropriations made in this act represent the unencumbered and unallotted balances of prior years' capital improvements appropriations estimated to be available on June 30, 2000. The balances that actually exist on June 30, 2000, for the appropriation items in this act are hereby reappropriated. Additionally, there is hereby reappropriated the unencumbered and unallotted balances on June 30, 2000, of any appropriation items reappropriated in Am. Sub. S.B. 230 of the 122nd General Assembly or appropriated in Am. Sub. H.B. 850 of the 122nd General Assembly if the Director of Budget and Management determines that such balances are needed to complete the projects for which they were reappropriated or appropriated. The appropriation items and amounts that are reappropriated by this act shall be reported to the Controlling Board within 30 days after the effective date of this section.

SECTION 57. There is hereby reappropriated the unencumbered and unallotted balances on June 30, 2000, of appropriation items created by the Controlling Board pursuant to section 127.15 of the Revised Code after December 6, 1999, from the appropriation items reappropriated in this act. The Director of Budget and Management may determine that such balances are not reappropriated if they are not needed to complete the projects for which they were appropriated. The director shall report on the status of such items to the Controlling Board within 30 days after the effective date of this section.

SECTION 58. No appropriation for a health care facility authorized under this act may be released until the requirements of sections 3702.51 to 3702.68 of the Revised Code have been met.

SECTION 59. All proceeds received by the state as a result of litigation, judgments, settlements, or claims, filed by or on behalf of any state agency as defined by section 1.60 of the Revised Code or state-supported or state-assisted institution of higher education, for damages or costs resulting from the use, removal, or hazard abatement of asbestos materials shall be deposited in the Asbestos Abatement Distribution Fund. All funds deposited into the Asbestos Abatement Distribution Fund (Fund 674) are hereby appropriated to the Attorney General. To the extent practicable, the proceeds placed in the Asbestos Abatement Distribution Fund shall be divided among

the state agencies and state-supported or state-assisted institutions of higher education in accordance with the general provisions of the bankruptcy orders, settlement agreements, or judgments in the litigation regarding the percentage of recovery. Distribution of the proceeds to each state agency or state-supported or state-assisted institution of higher education shall be made in accordance with the Asbestos Abatement Distribution Plan to be developed by the Attorney General, the Division of Public Works within the Department of Administrative Services, and the Office of Budget and Management.

In those circumstances where asbestos litigation proceeds are for reimbursement of expenditures made with funds outside the state treasury or damages to buildings not constructed with state appropriations, direct payments shall be made to the affected institutions of higher education. Any proceeds received for reimbursement of expenditures made with funds within the state treasury or damages to buildings occupied by state agencies shall be distributed to the affected agencies with an intrastate transfer voucher to the funds identified in the Asbestos Abatement Distribution Plan.

Such proceeds shall be used for additional asbestos abatement or encapsulation projects, or for other capital improvements, except that proceeds distributed to the General Revenue Fund and other funds that are not bond improvement funds may be used for any purpose. The Controlling Board may, for bond improvement funds, create appropriation items or increase appropriation authority in existing appropriation items equaling the amount of such proceeds. Such amounts approved by the Controlling Board are hereby appropriated. Such proceeds deposited in bond improvement funds shall not be expended until released by the Controlling Board, which shall require certification by the Director of Budget and Management that such proceeds are sufficient and available to fund the additional anticipated expenditures.

SECTION 60. No investment income earned on the Sports Facilities Building Fund (Fund 024), the Highway Safety Building Fund (Fund 025), the Administrative Building Fund (Fund 026), the Adult Correctional Building Fund (Fund 027), the Juvenile Correctional Building Fund (Fund 028), the Transportation Building Fund (Fund 029), the Arts Facilities Building Fund (Fund 030), the Natural Resources Projects Fund (Fund 031), the School Building Program Assistance Fund (Fund 032), the Mental Health Improvement Fund (Fund 033), the Higher Education Improvement Fund (Fund 034), the Parks and Recreation Fund (Fund 035), the State Capital Improvement Fund (Fund 038), the Coal Research/Development

Fund (Fund 046), the Highway Obligation Fund (Fund 041), and any other state fund into which proceeds of obligations are deposited shall be encumbered or spent from those funds until a certificate is provided by the issuer of the obligations that certifies to the Director of Budget and Management that there are sufficient moneys available from the investment income or from other sources to make any required payments to the federal government contemplated by the applicable bond proceedings. The Director of Budget and Management may authorize the investment income in excess of those requirements to be encumbered or spent from those funds. This requirement is in addition to any other requirement under this act, the Revised Code, or the applicable bond or note proceedings.

SECTION 61. The capital improvements for which appropriations are made in this act from the Highway Safety Building Fund (Fund 025), the Administrative Building Fund (Fund 026), the Adult Correctional Building Fund (Fund 027), the Juvenile Correctional Building Fund (Fund 028), the Arts Facilities Building Fund (Fund 030), and the School Building Program Assistance Fund (Fund 032) are determined to be capital improvements and capital facilities for housing state agencies and branches of state government and are designated as capital facilities to which proceeds of obligations issued under Chapter 152. of the Revised Code are to be applied.

SECTION 62. Upon the request of the agency to which a capital project appropriation item is appropriated, the Director of Budget and Management may transfer open encumbrance amounts between separate encumbrances for the project appropriation item to the extent that any reductions in encumbrances are agreed to by the contracting vendor and the agency.

SECTION 63.

Coit Road Litigation

Any proceeds received by the State of Ohio as a result of litigation, a settlement agreement, or a contribution related to hazardous waste clean-up of the Coit Road site in Cuyahoga County, from a potentially responsible prior owner or operator of the site, shall be deposited into the Adult Correctional Building Fund (Fund 027).

Solely for the purpose of continuing to make rental payments under bond proceedings pursuant to Chapter 152. of the Revised Code, the Coit Road site shall be considered to be under the jurisdiction of the Department

of Rehabilitation and Correction. After the term of the lease agreement between the Department of Rehabilitation and Correction and the Ohio Building Authority for the facility, jurisdiction shall be transferred to the Department of Administrative Services.

SECTION 64. Any proceeds received by the State of Ohio as the result of litigation or a settlement agreement related to any liability for the planning, design, engineering, construction, or constructed management of such facilities operated by the Department of Administrative Services, except for the Coit Road site, shall be deposited into the Administrative Building Fund (Fund 026).

SECTION 65. The balance in the Vocational School Building Assistance Fund (Fund 020), and all receipts and interest accruing to the fund from any source during the period of this act, are hereby appropriated to the Department of Education. The appropriation shall be used pursuant to section 3317.21 of the Revised Code.

SECTION 66.

Dayton Performing Arts Center

Notwithstanding any provisions to the contrary contained in section 3383.07 of the Revised Code, construction services and general building services for the Dayton Performing Arts Center project funded in appropriation item CAP-054, Dayton Performing Arts Center - Planning and Phase I, in Section 3.03 of Am. Sub. H.B. 850 and from any additional appropriations made to the Arts and Sports Facilities Commission for that project, may be provided by a governmental agency or an arts organization that occupies, will occupy, or is responsible for that project, as determined by the Arts and Sports Facilities Commission. The construction services and general building services to be provided by the governmental agency or the arts organization shall be specified in an agreement between the Commission and the governmental agency or arts organization. The agreement, or any actions taken under it, with the exception of sections 123.151, as applicable, and 153.011, are not subject to Chapters 123. or 153. of the Revised Code, but shall be subject to Chapter 4115. of the Revised Code.

This section of this act is not subject to the referendum and therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the

Revised Code, shall go into immediate effect when this act becomes law.

SECTION 67. Within thirty days after the effective date of this section, the Director of Administrative Services shall certify to the Executive Director of the Ohio Building Authority that all costs and expenses incurred in connection with the State of Ohio Computer Center that are payable out of the existing account maintained by the Ohio Building Authority for that project have been paid and discharged, except for such project costs and expenses that are certified as not yet due and payable. The Executive Director of the Ohio Building Authority shall provide any information requested by the Director of Administrative Services to perform this certification.

Upon receipt of the certification from the Director of Administrative Services, the Executive Director of the Ohio Building Authority shall certify to the Director of Budget and Management that the account used by the Ohio Building Authority for the State of Ohio Computer Center project will be closed in accordance with the trust agreement securing the state facilities bonds issued in connection with the project.

SECTION 68. Sections 3 to 67 of this act shall remain in full force and effect commencing on July 1, 2000, and terminating on June 30, 2002, for the purpose of drawing money from the state treasury in payment of liabilities lawfully incurred hereunder, and on June 30, 2002, and not before, the moneys hereby appropriated shall lapse into the funds from which they are severally appropriated. If, under Ohio Constitution, Article II, Section 1c, Sections 3 to 66 of this act do not take effect until after July 1, 2000, Sections 3 to 67 of this act shall be and remain in full force and effect commencing on such later effective date.

SECTION 69. That Section 18 of Am. Sub. H.B. 650 of the 122nd General Assembly, as amended by Am. Sub. H.B. 770 and Am. Sub. H.B. 850, both of the 122nd General Assembly, and by Am. Sub. H.B. 282 of the 123rd General Assembly, be amended to read as follows:

" Sec. 18. (A) As used in this section:

(1) "FY 1998 state aid" means the total amount of state money received by a school district for fiscal year 1998 as reported on the Department of Education's form "SF-12," adjusted as follows:

(a) Minus any amounts for approved preschool handicapped units;

(b) Minus any additional amount attributable to the reappraisal guarantee of division (C) of section 3317.04 of the Revised Code;

(c) Plus the amount deducted for payments to an educational service center;

(d) Plus an estimated portion of the state money distributed in fiscal year 1998 to other school districts or educational service centers for approved units, other than preschool handicapped or gifted education units, attributable to the costs of providing services in those units to students entitled to attend school in the district;

(e) Minus an estimated portion of the state money distributed to the school district in fiscal year 1998 for approved units, other than preschool handicapped units or gifted education units, attributable to the costs of providing services in those units to students entitled to attend school in another school district;

(f) Plus any additional amount paid pursuant to the vocational education recomputation required by former Section 50.22 of Am. Sub. H.B. No. 215 of the 122nd General Assembly;

(g) Plus any additional amount paid pursuant to the special education recomputation required by former division (I) of section 3317.023 of the Revised Code;

(h) Plus any amount paid for equity aid under section 3317.0213 of the Revised Code;

(i) Plus any amount received for that year pursuant to section 3317.027 of the Revised Code;

(j) Plus any amount received for that year pursuant to a recomputation made under division (B) of section 3317.022 of the Revised Code, as that section existed in that year.

(2) "FY 1999 state aid" means "FY 1999 state aid" as defined in the version of this section in effect for fiscal year 1999.

(3) "FY 2000 state aid," "FY 2001 state aid," and "FY 2002 state aid" mean the total amount of state money a school district is eligible to receive for the applicable fiscal year under divisions (A), (C)(1) and (5), (D), and (E) of section 3317.022 and sections 3317.025, 3317.027, 3317.029, 3317.0212, and 3317.0213 of the Revised Code, plus any amount for which the district is eligible pursuant to division (C) of section 3317.023, divisions (G), (P), and (R) of section 3317.024, and the supplemental unit allowance paid for gifted units under division (B) of section 3317.162 of the Revised Code, and prior to any deductions or credits required by division (B), (D), (E), (F), (G), (H), (I), (J), (K), or (L) of section 3317.023 or division (J) of section 3317.029 of the Revised Code.

(4) "Adjusted FY 1999 actual aid" means FY 1999 state aid that was actually paid to a school district after the application of division (B) of this section, plus an appropriate proportion, as determined by the department of education, of the amount received by the school district in fiscal year 1999 from the vocational education set-aside, as defined in section 3317.0212 of the Revised Code and attributable to the district's students.

(5) "FY 2000 actual aid," and "FY 2001 actual aid" mean the amount of the state aid described in division (A)(3) of this section that was actually paid to a school district in the applicable fiscal year after the application of divisions (C) to (E) of this section.

(6) "FY 1998 ADM," "formula ADM," and "three-year average formula ADM" have the meanings prescribed in section 3317.02 of the Revised Code.

(7) "All-day kindergarten" has the meaning prescribed in section 3317.029 of the Revised Code.

(8) "School district" means a city, local, or exempted village school district.

(B) In fiscal year 1999, notwithstanding any provision of law to the contrary, no school district shall receive FY 1999 state aid that is more than the greater of the following:

(1) 110 per cent of FY 1998 state aid;

(2) ~~61.06~~ $[1.06 \times (\text{FY 1998 state aid}/\text{FY 1998 ADM})]$ X the greater of fiscal year 1999 formula ADM or three-year average formula ADM.

If a district's projected FY 1999 state aid is more than the greater of division (B)(1) or (2) of this section, such district shall receive only the greater of division (B)(1) or (2) of this section in fiscal year 1999.

(C) In fiscal year 2000, notwithstanding any provision of law to the contrary, no school district shall receive FY 2000 state aid that is more than the greater of the following:

(1) 111.5 per cent of adjusted FY 1999 actual aid;

(2) ~~6~~ $[1.095 \times (\text{adjusted FY 1999 actual aid}/\text{fiscal year 1999 formula ADM})]$ X the greater of fiscal year 2000 formula ADM or three-year average formula ADM.

If a district's projected FY 2000 state aid is more than the greater of division (C)(1) or (2) of this section, such district shall receive only the greater of division (C)(1) or (2) of this section in fiscal year 2000.

(D) In fiscal year 2001, notwithstanding any provision of law to the contrary, no school district shall receive FY 2001 state aid that is more than the greater of the following:

(1) 112 per cent of FY 2000 actual aid;

(2) ~~6~~ [1.10 X (FY 2000 actual aid/fiscal year 2000 formula ADM)~~7~~] X the greater of fiscal year 2001 formula ADM or three-year average formula ADM.

If a district's projected FY 2001 state aid is more than the greater of division (D)(1) or (2) of this section, such district shall receive only the greater of division (D)(1) or (2) of this section in fiscal year 2001.

(E) In fiscal year 2002, notwithstanding any provision of law to the contrary, no school district shall receive FY 2002 state aid that is more than the greater of the following:

(1) 112 per cent of FY 2001 actual aid;

(2) ~~6~~ [1.10 X (FY 2001 actual aid/fiscal year 2001 formula ADM)~~7~~] X the greater of fiscal year 2002 formula ADM or three-year average formula ADM.

If a district's projected FY 2002 state aid is more than the greater of division (E)(1) or (2) of this section, such district shall receive only the greater of division (E)(1) or (2) of this section in fiscal year 2002.

(F) This division and division (G) of this section apply only to districts subject to division (F) of section 3317.029 of the Revised Code and only until July 1, 2002. As used in this division and division (G) of this section:

(1) "Capped district" means a district that pursuant to division (B), (C), (D), or (E) of this section will not receive the full amount of FY 1999, FY 2000, FY 2001, or FY 2002 state aid.

(2) "DPIA funds" means:

(a) In FY 1998, the amount calculated for the district pursuant to division (B) of section 3317.023 of the Revised Code as it existed in that fiscal year;

(b) In any fiscal year after FY 1998, the total amount calculated for the district for that fiscal year pursuant to section 3317.029 of the Revised Code.

(3) "Exempt DPIA portion" means:

(a) In the case of any district other than a capped district, an amount equal to zero;

(b) In the case of a capped district, the amount resulting from the application of the following formula:

(The district's DPIA funds for the year of the calculation minus the district's DPIA funds for FY 1998) minus (the district's actual aid for the year of the calculation minus the district's FY 1998 state aid)

However, if this formula produces a negative number, the district's exempt DPIA portion is zero.

(4) "Required all-day kindergarten" for a district means the provision of all-day kindergarten to the number of students in the district's kindergarten percentage specified pursuant to division (H)(1) of section 3317.029 of the Revised Code.

(G) Notwithstanding any provision of law to the contrary:

(1)(a) In the case of any district, the district's DPIA funds are hereby deemed to first consist of any disadvantaged pupil impact aid calculated for the district for all-day kindergarten under division (D) of section 3317.029 of the Revised Code, and to next consist of any disadvantaged pupil impact aid calculated for the district under divisions (C) and (E) of section 3317.029 of the Revised Code. Except as provided in division (G)(1)(b) of this section, each district shall expend whatever funds necessary to ensure provision of its required all-day kindergarten.

(b) Notwithstanding divisions (F)(1), (H), and (J) of section 3317.029 of the Revised Code, a district may serve a lesser percentage of students than the number initially certified in its all-day kindergarten percentage as of the first day of August of the fiscal year and may retain and spend the DPIA funds it would have used to serve the difference between the initial certified percentage and such lesser percentage solely for the purpose of modifying or purchasing additional classroom space necessary to provide all-day kindergarten. A district may only reduce its certified all-day kindergarten percentage and spend the resultant funds on modification and purchase of space with the approval of the department of education. The department shall only approve such use of all-day kindergarten funds and the corresponding reduction of the district's certified all-day kindergarten percentage if it determines that the district cannot reasonably provide all-day kindergarten to its initially certified percentage without additional space.

(2) In FY 1999, a district shall expend for the purposes of section 3317.029 of the Revised Code an amount equal to at least twenty-five per cent of the resultant derived from subtracting the district's exempt DPIA portion from the amount calculated for the district under divisions (C) and (E) of section 3317.029 of the Revised Code.

(3) In FY 2000, a district shall expend for the purposes of section 3317.029 of the Revised Code an amount equal to at least fifty per cent of the resultant derived from subtracting the district's exempt DPIA portion from the amount calculated for the district under divisions (C) and (E) of section 3317.029 of the Revised Code. Of that amount:

(a) The percentage that the district spends for the purposes of division (F)(2) of section 3317.029 of the Revised Code shall equal the percentage that its original calculation under division (C) of that section, before the

application of this section, is of the total of the amounts originally calculated under divisions (C) and (E) of section 3317.029 of the Revised Code.

(b) The percentage that the district spends for the purposes of division (F)(3) of section 3317.029 of the Revised Code shall equal the percentage that its original calculation under division (E) of that section, before the application of this section, is of the total of the amounts originally calculated under divisions (C) and (E) of section 3317.029 of the Revised Code.

(4) In FY 2001, a district shall expend for the purposes of section 3317.029 of the Revised Code an amount equal to at least seventy-five per cent of the resultant derived from subtracting the district's exempt DPIA portion from the amount calculated for the district under divisions (C) and (E) of section 3317.029 of the Revised Code. Of that amount:

(a) The percentage that the district spends for the purposes of division (F)(2) of section 3317.029 of the Revised Code shall equal the percentage that its original calculation under division (C) of that section, before the application of this section, is of the total of the amounts originally calculated under divisions (C) and (E) of section 3317.029 of the Revised Code.

(b) The percentage that the district spends for the purposes of division (F)(3) of section 3317.029 of the Revised Code shall equal the percentage that its original calculation under division (E) of that section, before the application of this section, is of the total of the amounts originally calculated under divisions (C) and (E) of section 3317.029 of the Revised Code.

(5) In FY 2002, a district shall expend one hundred per cent of its DPIA funds for the purposes of section 3317.029 of the Revised Code.

(6) Districts shall comply with the requirements of division (G) of section 3317.029 of the Revised Code."

SECTION 70. That existing Section 18 of Am. Sub. H.B. 650 of the 122nd General Assembly, as amended by Am. Sub. H.B. 770 and Am. Sub. H.B. 850, both of the 122nd General Assembly, and by Am. Sub. H.B. 282 of the 123rd General Assembly, is hereby repealed.

SECTION 71. That Sections 5.05 and 7 of Am. Sub. H.B. 163 of the 123rd General Assembly be amended to read as follows:

" Sec. 5.05. Emergency Management

Federal Special Revenue Fund Group

3N5	763-644	U.S. DOE Agreement	\$	199,875	\$	195,961
329	763-645	Individual/Family Grant - Fed	\$	750,000	\$	749,674
337	763-609	Federal Disaster Relief	\$	10,600,000	\$	5,597,556
339	763-647	Emergency Management	\$	4,500,000	\$	4,490,434

Assistance and Training			
TOTAL FED Federal Special			
Revenue Fund Group	\$	16,049,875	\$ 11,033,625
General Services Fund Group			
4V3 763-662 Storms/NOAA Maintenance	\$	169,900	\$ 167,943
4W6 763-663 MARCS Operations	\$	436,000	\$ 432,447
533 763-601 State Disaster Relief	\$	8,370,843	\$ 4,372,348
TOTAL GSF General Services			
Fund Group	\$	8,976,743	\$ 4,972,738
State Special Revenue Fund Group			
4Y0 763-654 EMA Utility Payment	\$	143,220	\$ 146,657
4Y1 763-655 Salvage & Exchange-EMA	\$	27,028	\$ 27,676
657 763-652 Utility Radiological Safety	\$	822,079	\$ 806,339
681 763-653 SARA Title III HAZMAT	\$	190,000	\$ 188,452
Planning			
TOTAL SSR State Special Revenue			
Fund Group	\$	1,182,327	\$ 1,169,124
TOTAL ALL BUDGET FUND GROUPS -			
Emergency Management	\$	26,208,945	\$ 17,175,487

MARCS Fund Transfer

In the event that the Emergency Management Agency is not designated by the Director of Administrative Services as the agency to operate the Multi-Agency Radio Communications System (MARCS), the Director of Budget and Management, with the concurrence of the Director of Public Safety and the approval of the Controlling Board, shall transfer the MARCS System Operations Fund (Fund 4W6) and appropriation item 763-663, MARCS Operations, from the Emergency Management Agency to the state agency that is designated by the Director of Administrative Services as the caretaker of the operation of the Multi-Agency Radio Communications System.

SARA Title III HAZMAT Planning

The SARA Title III HAZMAT Planning Fund (Fund 681) shall receive grant funds from the Emergency Response Commission to implement the Emergency Management Agency's responsibilities under Sub. S.B. 367 of the 117th General Assembly.

State Disaster Relief

The foregoing appropriation item 763-601, State Disaster Relief, may accept transfers of cash and appropriations from Controlling Board appropriation items to reimburse eligible local governments and private nonprofit organizations for costs related to disasters that have been declared by local governments or the Governor. The Ohio Emergency Management Agency shall publish and make available an application packet outlining eligible items and application procedures for entities requesting state disaster relief.

Sec. 7. PWC PUBLIC WORKS COMMISSION

Local Transportation Improvements Fund Group

052	150-402	LTIP - Operating	\$	397,133	\$	402,980
052	150-701	Local Transportation Improvement Program	\$	62,000,000	\$	62,000,000
				<u>67,000,000</u>		<u>67,000,000</u>
TOTAL 052 Local Transportation Improvements Fund Group			\$	62,397,133	\$	62,402,980
				<u>67,397,133</u>		<u>67,402,980</u>

Local Infrastructure Improvements Fund Group

038	150-321	Operating Expenses	\$	928,677	\$	941,989
TOTAL LIF Local Infrastructure Improvements Fund Group			\$	928,677	\$	941,989
TOTAL ALL BUDGET FUND GROUPS			\$	63,325,810	\$	63,344,969
				<u>68,325,810</u>		<u>68,344,969</u>

District Administration Costs

The Director of the Public Works Commission is authorized to create a District Administration Costs Program from interest earnings of the Capital Improvements Fund and Local Transportation Improvement Program Fund proceeds. This program shall be used to provide for administration costs of the nineteen public works districts for the direct costs of district administration. Districts choosing to participate in this program shall only expend Capital Improvements Fund moneys for Capital Improvements Fund costs and Local Transportation Improvement Program Fund moneys for Local Transportation Improvement Program Fund costs. The account shall not exceed \$760,000 per fiscal year. Each public works district may be eligible for up to \$40,000 per fiscal year from its district allocation as provided in sections 164.08 and 164.14 of the Revised Code.

The director, by rule, shall define allowable and nonallowable costs for the purpose of the District Administration Costs Program. Nonallowable costs include indirect costs, elected official salaries and benefits, and project-specific costs. No district public works committee may participate in the District Administration Costs Program without the approval of those costs by the district public works committee pursuant to section 164.04 of the Revised Code.

Reappropriations and Transfers

All appropriations to the Local Transportation Improvement Program Fund (Fund 052) in Am. Sub. H.B. 210 of the 122nd General Assembly remaining unencumbered as of June 30, 1999, are reappropriated for use during the period July 1, 1999, through June 30, 2001, for the same purpose.

Notwithstanding division (B) of section 127.14 of the Revised Code, all appropriations and reappropriations to the Local Transportation Improvement Program Fund (Fund 052) in this act remaining unencumbered at June 30, 2000, may be transferred to fiscal year 2001 for the same

purpose, subject to the availability of revenue as determined by the Director of the Public Works Commission."

SECTION 72. That existing Sections 5.05 and 7 of Am. Sub. H.B. 163 of the 123rd General Assembly are hereby repealed.

SECTION 73. That Sections 4, 4.01, 4.07, 4.10, 4.13, 7.01, 11, and 17 of Am. Sub. H.B. 282 of the 123rd General Assembly be amended to read as follows:

" Sec. 4. EDU DEPARTMENT OF EDUCATION

General Revenue Fund

GRF 200-100	Personal Services	\$	12,190,600	\$	12,265,000
			<u>12,102,350</u>		<u>12,145,000</u>
GRF 200-320	Maintenance and Equipment	\$	8,961,654	\$	5,293,979
			<u>8,939,904</u>		<u>5,263,979</u>
GRF 200-406	Head Start	\$	96,992,016	\$	100,843,825
GRF 200-408	Public Preschool	\$	19,066,606	\$	19,506,205
GRF 200-410	Professional Development	\$	27,293,834	\$	28,568,834
GRF 200-411	Family and Children First	\$	10,642,188	\$	10,642,188
GRF 200-416	Vocational Education Match	\$	2,325,916	\$	2,381,738
GRF 200-420	Technical Systems	\$	4,950,000	\$	3,850,000
	Development				
GRF 200-422	School Management	\$	1,387,186	\$	1,440,836
	Assistance				
GRF 200-424	Policy Analysis	\$	505,354	\$	637,655
GRF 200-426	Ohio Educational Computer	\$	25,089,772	\$	37,004,086
	Network				
GRF 200-431	School Improvement Models	\$	26,900,000	\$	26,775,000
			<u>27,010,000</u>		<u>26,925,000</u>
GRF 200-432	School Conflict Management	\$	611,645	\$	621,524
GRF 200-437	Student Proficiency	\$	16,097,983	\$	15,692,045
GRF 200-441	American Sign Language	\$	231,449	\$	237,003
GRF 200-442	Child Care Licensing	\$	1,477,003	\$	1,518,359
GRF 200-445	OhioReads Admin/Volunteer	\$	5,000,000	\$	5,000,000
	Support				
GRF 200-446	Education Management	\$	13,799,674	\$	12,649,674
	Information System				
GRF 200-447	GED Testing/Adult High	\$	2,033,187	\$	2,081,983
	School				
GRF 200-455	Community Schools	\$	3,500,000	\$	3,500,000
GRF 200-500	School Finance Equity	\$	47,608,196	\$	33,756,194
GRF 200-501	Base Cost Funding	\$	3,469,673,294	\$	3,794,843,963
GRF 200-502	Pupil Transportation	\$	266,080,719	\$	291,182,101
GRF 200-503	Bus Purchase Allowance	\$	38,132,291	\$	39,047,466
GRF 200-505	School Lunch Match	\$	9,450,000	\$	9,450,000
GRF 200-509	Adult Literacy Education	\$	9,361,964	\$	9,586,651
GRF 200-511	Auxiliary Services	\$	110,255,190	\$	118,083,309
GRF 200-513	Summer Intervention	\$	15,500,000	\$	15,500,000
GRF 200-514	Post-Secondary/Adult	\$	21,254,866	\$	23,230,243

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	Vocational Education				
GRF 200-520	Disadvantaged Pupil Impact Aid	\$	390,708,953	\$	390,708,953
GRF 200-521	Gifted Pupil Program	\$	41,923,505	\$	44,060,601
GRF 200-524	Educational Excellence and Competency	\$	13,548,666	\$	11,934,667
GRF 200-532	Nonpublic Administrative Cost Reimbursement	\$	48,062,292	\$	51,474,714
GRF 200-533	School-Age Child Care	\$	1,070,720	\$	1,096,417
GRF 200-534	Desegregation Costs	\$	12,000,000	\$	11,700,000
GRF 200-540	Special Education Enhancements	\$	127,842,848	\$	139,220,164
GRF 200-545	Vocational Education Enhancements	\$	30,793,259	\$	32,662,107
GRF 200-546	Charge-Off Supplement	\$	10,000,000	\$	14,000,000
GRF 200-547	Power Equalization	\$	21,900,000	\$	34,700,000
GRF 200-551	Reading Improvement	\$	1,704,454	\$	1,745,361
GRF 200-552	County MR/DD Boards Vehicle Purchases	\$	1,627,152	\$	1,666,204
GRF 200-553	County MR/DD Boards Transportation Operating	\$	8,326,400	\$	9,575,910
GRF 200-558	Emergency Loan Interest Subsidy	\$	6,940,447	\$	5,470,150
GRF 200-566	OhioReads Grants	\$	25,000,000	\$	25,000,000
GRF 200-570	School Improvement Incentive Grants	\$	10,000,000	\$	10,000,000
GRF 200-572	Teacher Incentive Grants	\$	5,000,000	\$	0
GRF 200-573	Character Education	\$	1,050,000	\$	1,050,000
GRF 200-574	Substance Abuse Prevention	\$	2,300,000	\$	2,420,000
GRF 200-575	12th Grade Proficiency Stipend	\$	17,500,000	\$	17,500,000
GRF 200-580	River Valley School Environmental Issues	\$	350,000	\$	0
GRF 200-901	Property Tax Allocation - Education	\$	636,200,000	\$	673,960,000
GRF 200-906	Tangible Tax Exemption - Education	\$	69,000,000	\$	71,000,000
	TOTAL GRF General Revenue Fund	\$	5,749,221,283	\$	6,176,135,110
	General Services Fund Group				
138	200-606 Computer Services	\$	4,255,067	\$	4,374,209
4D1	200-602 Ohio Prevention/Education Resource Center	\$	310,000	\$	325,000
4L2	200-681 Teacher Certification and Licensure	\$	3,774,544	\$	3,880,232
452	200-638 Miscellaneous Revenue	\$	1,045,000	\$	1,045,000
5H3	200-687 School District Solvency Assistance	\$	30,000,000	\$	30,000,000
596	200-656 Ohio Career Information System	\$	699,399	\$	718,084
	TOTAL GSF General Services Fund Group	\$	40,084,010	\$	40,342,525
	Federal Special Revenue Fund Group				
309	200-601 Educationally Disadvantaged	\$	14,444,213	\$	14,872,241

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366	200-604	Adult Basic Education	\$	14,901,137	\$	14,901,137
3H9	200-605	Head Start Collaboration Project	\$	250,000	\$	250,000
367	200-607	School Food Services	\$	9,492,000	\$	9,783,000
3T4	200-613	Public Charter Schools	\$	3,157,895	\$	4,725,000
368	200-614	Veterans' Training	\$	609,517	\$	626,584
369	200-616	Vocational Education	\$	7,500,000	\$	8,000,000
3L6	200-617	Federal School Lunch	\$	163,500,000	\$	170,500,000
3L7	200-618	Federal School Breakfast	\$	40,500,000	\$	44,500,000
3L8	200-619	Child and Adult Care Programs	\$	58,600,000	\$	58,600,000
3L9	200-621	Vocational Education Basic Grant	\$	55,583,418	\$	57,139,754
3M0	200-623	ESEA Chapter One	\$	375,633,666	\$	394,415,350
370	200-624	Education of All Handicapped Children	\$	1,594,949	\$	1,320,000
3T5	200-625	Coordinated School Health	\$	536,437	\$	536,437
3N7	200-627	School-to-Work	\$	13,864,500	\$	14,252,706
371	200-631	EEO Title IV	\$	488,052	\$	508,917
374	200-647	E.S.E.A. Consolidated Grants	\$	107,096	\$	110,094
376	200-653	J.T.P.A.	\$	5,123,365	\$	5,266,819
3R3	200-654	Goals 2000	\$	19,453,001	\$	20,425,651
378	200-660	Math/Science Technology Investments	\$	11,686,926	\$	12,271,272
3C5	200-661	Federal Dependent Care Programs	\$	17,996,709	\$	17,996,709
3D1	200-664	Drug Free Schools	\$	20,026,500	\$	20,587,242
3D2	200-667	Honors Scholarship Program	\$	1,976,400	\$	2,371,680
3E2	200-668	AIDS Education Project	\$	620,774	\$	620,774
3S7	200-673	Child Care School Age	\$	5,135,000	\$	5,278,000
3M1	200-678	ESEA Chapter Two	\$	61,901,429	\$	16,591,501
3M2	200-680	Ind W/Disab Education Act	\$	143,000,000	\$	162,000,000
3P9	200-686	SRRC/FRC Evaluation Project	\$	51,350	\$	52,788
TOTAL FED Federal Special Revenue Fund Group			\$	1,047,734,334	\$	1,058,503,656
State Special Revenue Fund Group						
4M4	200-637	Emergency Service Telecommunication Training	\$	762,548	\$	783,899
4R7	200-695	Indirect Cost Recovery	\$	2,868,561	\$	2,948,881
4V7	200-633	Interagency Vocational Support	\$	645,359	\$	663,429
454	200-610	Guidance and Testing	\$	503,912	\$	516,484
455	200-608	Commodity Foods	\$	8,000,000	\$	8,000,000
5B1	200-651	Child Nutrition Services	\$	2,500,000	\$	2,500,000
598	200-659	Auxiliary Services Mobile Units	\$	1,292,714	\$	1,328,910
620	200-615	Educational Grants	\$	1,500,000	\$	1,500,000
TOTAL SSR State Special Revenue Fund Group			\$	18,073,094	\$	18,241,603
Lottery Profits Education Fund Group						
017	200-612	Base Cost Funding	\$	656,247,000	\$	660,467,000
017	200-682	Lease Rental Payment	\$	29,753,000	\$	29,733,000

	Reimbursement	
TOTAL LPE Lottery Profits		
Education Fund Group	\$ 686,000,000	\$ 690,200,000
TOTAL ALL BUDGET FUND GROUPS	\$ 7,541,112,721	\$ 7,983,422,894

Sec. 4.01. Personal Services

Of the foregoing appropriation item 200-100, Personal Services, ~~\$120,000~~ \$31,750 in ~~each~~ fiscal year ~~shall~~ 2000 may be used to support the salary and fringe benefits of a teacher in residence and support staff at the Governor's Office.

Of the foregoing appropriation item 200-100, Personal Services, up to \$250,000 in fiscal year 2000 shall be used by the Department of Education to contract with an independent researcher to conduct a study of the educational and fiscal benefits of sharing services, programs, and facilities in school districts that are declared to be in a state of academic emergency under division (B) of section 3302.03 of the Revised Code or declared to be in a state of fiscal emergency under section 3316.03 of the Revised Code. The study shall pay particular attention to the academic benefits of school district sharing services and shall examine the feasibility of joint use of facilities and joint provision of programs by school districts. The department shall submit the completed study to the General Assembly and the Governor by December 31, 1999.

Maintenance and Equipment

Of the foregoing appropriation item 200-320, Maintenance and Equipment, up to \$25,000 may be expended in each year of the biennium for State Board of Education out-of-state travel.

Of the foregoing appropriation item 200-320, Maintenance and Equipment, \$4,000,000 in fiscal year 2000 shall be reserved to fund expenses associated with the Department of Education's move from the Ohio Departments Building. The unencumbered balance of the appropriation at the end of fiscal year 2000 is hereby transferred to fiscal year 2001 to pay the cost of the move of the Department of Education from the Ohio Departments Building.

Of the foregoing appropriation item 200-320, Maintenance and Equipment, ~~\$30,000~~ \$8,250 in ~~each~~ fiscal year 2000 shall be used to fund the travel expenses and administrative overhead of the Teacher in Residence and support staff at the Governor's Office.

Of the foregoing appropriation item 200-320, Maintenance and Equipment, up to \$17,675 in fiscal year 2000 shall be used to fund the acquisition and shipping costs associated with providing one copy of the book "Letters Home: The Letters of the Ohio Veterans Plaza," and a videotape of the dedication of the Ohio Veterans Plaza to each public high

school library in the state.

Of the foregoing appropriation item 200-320, Maintenance and Equipment, up to \$350,000 in fiscal year 2001 shall be reserved for the expenses of the Auditor of State, if necessary, subject to approval of the Controlling Board.

Sec. 4.07. School Improvement Models

The foregoing appropriation item 200-431, School Improvement Models, shall be used by the Department of Education to continue to support the creation of a statewide network of school improvement sites by providing competitive venture capital grants to schools that demonstrate the capacity to invent or adapt school improvement models. The department shall showcase projects of exceptional merit and shall promote the networking of venture schools with both venture and nonventure schools so that administrators and teachers outside the district can benefit from the knowledge gained at these sites. Up to \$8,850,000 in fiscal year 2000 shall be used to provide grants of \$25,000 to 354 schools and up to \$6,225,000 in fiscal year 2001 shall be used to provide grants of \$25,000 to 249 schools.

The Superintendent of Public Instruction shall assess individual school district responses to the performance audits conducted by the Auditor of State as required by Am. Sub. H.B. No. 215 of the 122nd General Assembly. These assessments shall be compiled into a report to the Speaker of the House of Representatives, the President of the Senate, and the chairs and ranking minority members of the House and Senate committees on education and finance.

Of the foregoing appropriation item 200-431, School Improvement Models, \$5,000,000 shall be used in each fiscal year for the development and distribution of school report cards pursuant to section 3302.03 of the Revised Code and the development of core competencies for the proficiency tests.

Of the foregoing appropriation item 200-431, School Improvement Models, \$250,000 in each fiscal year shall be used for the development and operation of a Safe Schools Center. The Department of Education shall oversee the creation of a center to serve as a coordinating entity to assist school district personnel, parents, juvenile justice representatives, and law enforcement in identifying effective strategies and services for improving school safety and reducing threats to the security of students and school personnel.

Of the foregoing appropriation item 200-431, School Improvement Models, up to \$1,800,000 in each fiscal year shall be used for a safe-school help line program for students, parents, and the community to report threats

to the safety of students or school personnel. The Department of Education shall distribute funds, in accordance with criteria established by it, to school districts whose superintendents indicate the program will be a meaningful aid to school security.

Of the foregoing appropriation item 200-431, School Improvement Models, \$5,850,000 in fiscal year 2000 and \$5,300,000 in fiscal year 2001 shall be used to provide technical assistance to school districts that are declared to be in a state of academic watch or academic emergency under section 3302.03 of the Revised Code to develop their continuous improvement plans as required in section 3302.04 of the Revised Code.

Of the foregoing appropriation item 200-431, School Improvement Models, \$5,150,000 in fiscal year 2000 and \$8,200,000 in fiscal year 2001 shall be used for professional development in literacy for classroom teachers, administrators, and literacy specialists.

Of the foregoing appropriation item 200-431, School Improvement Models, up to \$110,000 in fiscal year 2000 and up to \$150,000 in fiscal year 2001 shall be used to support a teacher in residence at the Governor's office and related support staff, travel expenses, and administrative overhead.

School Conflict Management

Of the foregoing appropriation item 200-432, School Conflict Management, amounts shall be used by the Department of Education for the purpose of providing dispute resolution and conflict management training, consultation, and materials for school districts, and for the purpose of providing competitive school conflict management grants to school districts.

The Department of Education shall assist the Commission on Dispute Resolution and Conflict Management in the development and dissemination of the school conflict management program. The assistance provided by the Department of Education shall include the assignment of a full-time employee of the department to the Commission on Dispute Resolution and Conflict Management to provide technical and administrative support to maximize the quality of dispute resolution and conflict management programs and services provided to school districts.

Student Proficiency

The foregoing appropriation item 200-437, Student Proficiency, shall be used to develop, field test, print, distribute, score, and report results from the tests required under sections 3301.0710 and 3301.0711 of the Revised Code and for similar purposes as required by section 3301.27 of the Revised Code.

American Sign Language

Of the foregoing appropriation item 200-441, American Sign Language,

up to \$150,000 in each fiscal year shall be used to implement pilot projects for the integration of American Sign Language deaf language into the kindergarten through twelfth-grade curriculum.

The remainder of the appropriation shall be used by the Department of Education to provide supervision and consultation to school districts in dealing with parents of handicapped children who are deaf or hard of hearing, in integrating American Sign Language as a foreign language, and in obtaining interpreters and improving their skills.

Child Care Licensing

The foregoing appropriation item 200-442, Child Care Licensing, shall be used by the Department of Education to license and to inspect preschool and school-age child care programs in accordance with sections 3301.52 to 3301.59 of the Revised Code.

OhioReads Admin/Volunteer Support

The foregoing appropriation item 200-445, OhioReads Admin/Volunteer Support, may be allocated by the OhioReads Council for volunteer coordinators in public school buildings, to educational service centers for costs associated with volunteer coordination, for background checks for volunteers, to evaluate the OhioReads Program, and for operating expenses associated with administering the program.

Sec. 4.10. Base Cost Funding

Of the foregoing appropriation item 200-501, Base Cost Funding, up to \$3,000,000 in fiscal year 2000 shall be expended by the State Board of Education for the extended service allowance which shall be the teachers' salaries pursuant to the schedule contained in section 3317.13 of the Revised Code, plus fifteen per cent for retirement and sick leave; up to \$425,000 shall be expended in each year of the biennium for court payments pursuant to section 2151.357 of the Revised Code; an amount shall be available each year of the biennium for the cost of the reappraisal guarantee pursuant to section 3317.04 of the Revised Code; an amount shall be available in each year of the biennium to fund up to 225 full-time equivalent approved GRADS teacher grants pursuant to division (R) of section 3317.024 of the Revised Code; an amount shall be available in each year of the biennium to make payments to school districts pursuant to division (A)(2) of section 3317.022 of the Revised Code; up to \$15,000,000 in each year of the biennium shall be reserved for payments pursuant to sections 3317.026, 3317.027, and 3317.028 of the Revised Code except that the Controlling Board may increase the \$15,000,000 amount if presented with such a request from the Department of Education. Of the foregoing appropriation item 200-501, Base Cost Funding, up to \$14,000,000 shall be used in each

fiscal year to provide additional state aid to school districts for students in category three special education ADM pursuant to division (C)(4) of section 3317.022 of the Revised Code; up to \$2,000,000 in each year of the biennium shall be reserved for Youth Services tuition payments pursuant to section 3317.024 of the Revised Code; up to ~~\$50,000,000~~51,000,000 in fiscal year 2000 and up to ~~\$52,000,000~~52,500,000 in fiscal year 2001 shall be reserved to fund the state reimbursement of educational service centers pursuant to section 3317.11 of the Revised Code.

Of the foregoing appropriation item 200-501, Base Cost Funding, up to \$1,000,000 in each fiscal year shall be used by the Department of Education for a pilot program to pay for educational services for youth who have been assigned by a juvenile court or other authorized agency to any of the facilities described in division (A) of the section titled "Private Treatment Facility Pilot Project."

The remaining portion of this appropriation item shall be expended for the public schools of city, local, exempted village, and joint vocational school districts, including base cost funding, special education weight funding, special education speech service enhancement funding, vocational education weight funding, vocational education associated service funding, guarantee funding, and teacher training and experience funding pursuant to sections 3317.022, 3317.023, 3317.0212, and 3317.16 of the Revised Code.

Sec. 4.13. Gifted Pupil Program

The foregoing appropriation item 200-521, Gifted Pupil Program, shall be used for gifted education units not to exceed 975 in fiscal year 2000 and 1,000 in fiscal year 2001 pursuant to division (P) of section 3317.024 and division (F) of section ~~3317.025~~ 3317.05 of the Revised Code.

Of the foregoing appropriation item 200-521, Gifted Pupil Program, up to \$5,000,000 in each fiscal year of the biennium may be used as an additional supplement for identifying gifted students pursuant to Chapter 3324. of the Revised Code.

Of the foregoing appropriation item 200-521, Gifted Pupil Program, the Department of Education may expend up to \$1,000,000 each year for the Summer Honors Institute for gifted freshmen and sophomore high school students. Up to \$600,000 in each fiscal year shall be used for research and demonstration projects. Of this amount, \$70,000 in each year shall be used for the Ohio Summer School for the Gifted (Martin Essex Program).

Sec. 7.01. Instructional Subsidy Formula

As soon as practicable during each fiscal year of the 1999-2001 biennium in accordance with instructions of the Ohio Board of Regents, each state-assisted institution of higher education shall report its actual

enrollment to the Ohio Board of Regents.

The Ohio Board of Regents shall establish procedures required by the system of formulas set out below and for the assignment of individual institutions to categories described in the formulas. The system of formulas establishes the manner in which aggregate expenditure requirements shall be determined for each of the three components of institutional operations. In addition to other adjustments and calculations described below, the subsidy entitlement of an institution shall be determined by subtracting from the institution's aggregate expenditure requirements income to be derived from the local contributions assumed in calculating the subsidy entitlements. The local contributions for purposes of determining subsidy support shall not limit the authority of the individual boards of trustees to establish fee levels.

The General Studies and Technical models shall be adjusted by the Board of Regents so that the share of state subsidy earned by those models is not altered by changes in the overall local share. A lower-division fee differential shall be used to maintain the relationship that would have occurred between these models and the Baccalaureate models had an assumed share of thirty-seven per cent been funded.

In defining the number of full-time equivalent students for state subsidy purposes, the Ohio Board of Regents shall exclude all undergraduate students who are not residents of Ohio, except those charged in-state fees in accordance with reciprocity agreements made pursuant to section 3333.17 of the Revised Code.

(A) Aggregate Expenditure Per Full-Time Equivalent Student

(1) Instruction and Support Services

<u>Model</u>	<u>FY 2000</u>	<u>FY 2001</u>
General Studies I	\$ 3,680	\$ 3,762
General Studies II	\$ 4,060	\$ 4,305
General Studies III	\$ 5,141	\$ 5,259
Technical I	\$ 4,702	\$ 5,012
Technical III	\$ 8,088	\$ 8,477
Baccalaureate I	\$ 6,301	\$ 6,611
Baccalaureate II	\$ 7,287	\$ 7,582
Baccalaureate III	\$ 10,417	\$ 10,574
Masters and Professional I	\$ 11,788	\$ 12,300
Masters and Professional II	\$ 17,020	\$ 17,558
Masters and Professional III	\$ 22,976	\$ 23,214
Doctoral I	\$ 19,495	\$ 19,647
Doctoral II	\$ 25,066	\$ 25,840
Medical I	\$ 27,250	\$ 27,709

Medical II \$ 38,309 \$ 39,323

(2) Student Services

For this purpose full-time equivalent counts shall be weighted to reflect differences among institutions in the numbers of students enrolled on a part-time basis.

	<u>FY 2000</u>	<u>FY 2001</u>
All Expenditure Models	\$ 556	\$ 594

(B) Plant Operation and Maintenance (POM)

(1) Determination of the Square-Foot Based POM Subsidy

Space undergoing renovation shall be funded at the rate allowed for storage space.

In the calculation of square footage for each campus, square footage shall be weighted to reflect differences in space utilization.

The space inventories for each campus shall be those determined in the fiscal year 1997 instructional subsidy, adjusted for changes attributable to the construction or renovation of facilities for which state appropriations were made or local commitments were made prior to January 1, 1995.

Only fifty per cent of the space permanently taken out of operation in fiscal year 2000 or fiscal year 2001 that is not otherwise replaced by a campus shall be deleted from the fiscal year 1997 inventory.

The square-foot based plant operation and maintenance subsidy for each campus shall be determined as follows:

(a) For each standard room type category shown below, the subsidy-eligible net assignable square feet (NASF) for each campus shall be multiplied by the following rates, and the amounts summed for each campus to determine the total gross square-foot based POM expenditure requirement:

	<u>FY 2000</u>	<u>FY 2001</u>
Classrooms	\$5.18	\$5.33
Laboratories	\$6.45	\$6.64
Offices	\$5.18	\$5.33
Audio Visual Data Processing	\$6.45	\$6.64
Storage	\$2.30	\$2.36
Circulation	\$6.53	\$6.72
Other	\$5.18	\$5.33

(b) The total gross square-foot POM expenditure requirement shall be allocated to models in proportion to full-time equivalent (FTE) enrollments as reported in enrollment data for all models except Doctoral I and Doctoral II.

(c) The amounts allocated to models in division (B)(1)(b) above 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 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.

	<u>FY 2000</u>	<u>FY 2001</u>
General Studies I	\$ 488	\$ 488
General Studies II	\$ 563	\$ 584
General Studies III	\$1,237	\$1,217
Technical I	\$ 555	\$ 553
Technical II	\$1,128	\$1,175
Baccalaureate I	\$ 641	\$ 655
Baccalaureate II	\$1,067	\$1,109
<u>Baccalaureate III</u>	\$1,578	\$1,598
<u>Masters and Professional I</u>	\$ 995	\$1,022
<u>Masters and Professional II</u>	\$1,742	\$1,895
<u>Masters and Professional III</u>	\$2,620	\$2,614
<u>Doctoral I</u>	\$1,433	\$1,382
<u>Doctoral II</u>	\$2,502	\$2,613
<u>Medical I</u>	\$2,389	\$2,485
<u>Medical II</u>	\$3,458	\$3,362

(b) The sum of the products for each campus determined in division (B)(2)(a) for all models except Doctoral I and Doctoral II for each fiscal year shall be weighted by a factor to reflect sponsored research activity and job-training related public services expenditures to determine the total activity-based POM subsidy.

(C) Calculation of Core Subsidy Entitlements and Adjustments

(1) Calculation of Core Subsidy Entitlements

The calculation of the core subsidy entitlement shall consist of the following components:

(a) For each campus and for each fiscal year, the core subsidy entitlement shall be determined by multiplying the amounts listed above in divisions (A)(1) and (2) and (B)(2) less assumed local contributions, by (i) average subsidy-eligible full-time equivalents for the two-year period ending in the prior year for all models except Doctoral I and Doctoral II; and (ii) average subsidy-eligible full-time equivalents for the five-year period ending in the prior year for all models except Doctoral I and Doctoral II.

(b) In calculating the core subsidy entitlements for Medical II models

only, the board shall use the following count of full-time equivalent students in place of the two-year average and five-year average of subsidy-eligible students.

(i) For those medical schools whose current year enrollment is below the base enrollment, the Medical II full-time equivalent enrollment shall equal: 65 per cent of the base enrollment plus 35 per cent of the current year enrollment, where the base enrollment is:

The Ohio State University	1010
University of Cincinnati	833
Medical College of Ohio at Toledo	650
Wright State University	433
Ohio University	433
Northeastern Ohio Universities College of Medicine	433

(ii) For those medical schools whose current year enrollment is equal to or greater than the base enrollment, the Medical II full-time equivalent enrollment shall equal the current enrollment.

(c) For all FTE-based subsidy calculations involving all-terms FTE data, FTE-based allowances shall be converted from annualized to annual rates to ensure equity and consistency of subsidy determination.

(d) The Board of Regents shall compute the sum of the two calculations listed in division (C)(1)(a) above and use the greater sum as the core subsidy entitlement.

The POM subsidy for each campus shall equal the greater of the square-foot-based subsidy or the activity-based POM subsidy component of the core subsidy entitlement, except that the total activity-based POM subsidy shall not exceed 161 per cent of the square-foot based POM subsidy in fiscal year 2000 and shall not exceed 177 per cent of the square-foot-based subsidy in fiscal year 2001.

(e) In fiscal year 2000, no more than 10.94 per cent of the total instructional subsidy shall be reserved to implement the recommendations of the Graduate Funding Commission. In fiscal year 2001, no more than 10.75 per cent of the total instructional subsidy shall be reserved for this same purpose. It is the intent of the General Assembly that the doctoral reserve be reduced 0.25 percentage points each year thereafter until no more than 10.0 per cent of the total instructional subsidy is reserved to implement the recommendations of the Graduate Funding Commission. In fiscal year 2001, the Board of Regents shall reallocate 2 per cent of the reserve among the state-assisted universities on the basis of a quality review as specified in the recommendations of the Graduate Funding Commission.

The amount so reserved shall be allocated to universities in proportion to their share of the total number of Doctoral I equivalent FTEs as calculated on an institutional basis using the greater of the two-year or five-year FTEs for the period fiscal year 1994 through fiscal year 1998 with annualized FTEs for fiscal years 1994 through 1997 and all-term FTEs for fiscal year 1998 as adjusted to reflect the effects of doctoral review. For the purposes of this calculation, Doctoral I equivalent FTEs shall equal the sum of Doctoral I FTEs plus 1.5 times the sum of Doctoral II FTEs. No university shall receive less for doctoral subsidy in fiscal year 2000 than it received for doctoral subsidy in fiscal year 1999.

(2) Annual Guaranteed Funding Increase

For the purposes of this section, for each year and for each campus "Challenge subsidies" shall equal the sum of the following allocations:

- (a) Access Challenge, less amounts attributed to tuition restraint;
- (b) Research Challenge;
- (c) Priorities in Graduate Education;
- (d) Success Challenge;
- (e) Jobs Challenge, less amounts earmarked for "strategically related industries."

In addition to and after the other adjustments noted above, in fiscal year 2000 each campus shall have its subsidy adjusted to the extent necessary to provide an amount from the instructional subsidy and Challenge subsidies that is not less than 103 per cent of the sum of the instructional subsidy and the Challenge subsidies received by the campus in fiscal year 1999. In fiscal year 2001 each campus shall have its subsidy adjusted to the extent necessary to provide an amount from the instructional subsidy and Challenge subsidies that is not less than 101 per cent of the sum of the instructional subsidy and the Challenge subsidies received by the campus in fiscal year 2000.

(3) Capital Component Deduction

After all other adjustments have been made, instructional subsidy earnings shall be reduced for each campus by the amount, if any, by which debt service charged in Am. H.B. No. 748 of the 121st General Assembly and Am. Sub. H.B. No. 850 of the 122nd General Assembly for that campus exceeds that campus' capital component earnings.

(D) Reductions in Earnings

If total systemwide instructional subsidy earnings in any fiscal year exceed total appropriations available for such purposes, the Board of Regents shall proportionately reduce the instructional subsidy earnings for all campuses by a uniform percentage so that the systemwide sum equals

available appropriations.

(E) Exceptional Circumstances

Adjustments may be made to instructional subsidy payments and other subsidies distributed by the Ohio Board of Regents to state-assisted colleges and universities for exceptional circumstances. No adjustments for exceptional circumstances may be made without the recommendation of the chancellor and the approval of the Controlling Board.

Distribution of Instructional Subsidy

The instructional subsidy payments to the institutions shall be in substantially equal monthly amounts during the fiscal year, unless otherwise determined by the Director of Budget and Management pursuant to the provisions of section 126.09 of the Revised Code. Payments during the first six months of the fiscal year shall be based upon the instructional subsidy appropriation estimates made for the various institutions of higher education according to the Ohio Board of Regents enrollment estimates. Payments during the last six months of the fiscal year shall be distributed after approval of the Controlling Board upon the request of the Ohio Board of Regents.

Law School Subsidy

The instructional subsidy to state supported universities for students enrolled in law schools in fiscal year 2000 and fiscal year 2001 shall be calculated by using the number of subsidy eligible full-time equivalent law school students funded by state subsidy in fiscal year 1995 or the actual number of subsidy eligible full-time equivalent law school students at the institution in the fiscal year, whichever is less.

Sec. 11. NET OHIO SCHOOLNET COMMISSION

General Revenue Fund

GRF 228-404	Operating Expenses	\$	5,703,175	\$	5,483,910
GRF 228-406	Technical & Instructional Professional Development	\$	12,408,453	\$	12,706,256
GRF 228-539	Education Technology	\$	6,707,421	\$	6,733,475
GRF 228-559	RISE - Interactive Parenting Program	\$	1,200,000	\$	1,200,000
Total GRF General Revenue Fund		\$	26,019,049	\$	26,123,641

General Services Fund Group

5D4 228-640	Conference/Special Purpose Expenses	\$	500,000	\$	500,000
5G0 228-650	Interactive Distance Learning	\$	4,600,000	\$	10,000,000
TOTAL GSF General Services Fund Group		\$	5,100,000	\$	10,500,000

State Special Revenue Fund Group

4W9 228-630	Ohio SchoolNet Telecommunity Fund	\$	3,389,447	\$	52,813
4X1 228-634	Distance Learning	\$	3,174,718	\$	3,263,413

4Y4 228-698 SchoolNet Plus	\$	85,400,000	\$	0
TOTAL SSR State Special Revenue				
Fund Group	\$	91,964,165	\$	3,316,226
Federal Special Revenue Fund Group				
3S3 228-655 Technology Literacy Challenge	\$	16,650,418	\$	16,650,418
TOTAL FED Federal Special Revenue				
Fund Group	\$	16,650,418	\$	16,650,418
TOTAL ALL BUDGET FUND GROUPS	\$	139,733,632	\$	56,590,285

Interactive Video Distance Learning Program

The foregoing appropriation item 222-650, Interactive Distance Learning shall be used to extend the Interactive Video Distance Learning Program in accordance with the statewide educational technology strategic plan. The commission shall adopt procedures for the administration and implementation of the Interactive Video Distance Learning Program, which shall include application procedures, specifications for distance learning technology, and terms and conditions for participation in the program. The commission shall not approve any application for participation unless it determines that the applicant can effectively and efficiently integrate the proposed distance learning technology into schools or the selected schools or classrooms for the phase of the program. The commission shall consider the Interactive Video Distance Learning Pilot established in Am. Sub. H.B. 215 of the 122nd General Assembly, and the Ohio SchoolNet Telecommunity program in Am. Sub. H. B. 627 of the 121st General Assembly, in developing application procedures and criteria for the Interactive Video Distance Learning Program. The commission shall give preference to lower wealth districts or consortia of such districts that do not have existing video conferencing technology.

SchoolNet Plus Program

(A) The foregoing appropriation item 228-698, SchoolNet Plus, shall be used as follows:

(1) Up to \$28,600,000 to purchase network telecommunications equipment for each public school building in this state to provide classroom and building access to existing and potential statewide voice, video, and data telecommunication services. As used in this section, "public school building" means a school building of any city, local, exempted village, or joint vocational school district or any community school established under Chapter 3314. of the Revised Code. The Ohio SchoolNet Commission, in consultation with the Department of Education, Department of Administrative Services, and Ohio Education Computer Network, shall define the standards and equipment configurations necessary to maximize the efficient use of the existing and potential statewide voice, video, and

data telecommunication services.

(2) Up to \$53,300,000 to establish and equip at least one interactive computer workstation for each five children enrolled in the fifth grade based on the number of children each qualifying school district has enrolled in the fifth grade as reported in October 1999 pursuant to division (A) of section 3317.03 of the Revised Code.

To the extent the Ohio SchoolNet Commission can reduce the purchase cost of an interactive computer workstation through efficient purchasing methods, the commission may utilize any cost savings to begin a subsequent round of funding to provide interactive computer workstations to qualifying school districts. The commission may select qualifying school districts to receive the proceeds of any savings based on district readiness to utilize interactive computer workstations. The commission may determine readiness on either a district-wide or individual classroom or grade-level basis or by such other criteria deemed appropriate by the commission.

(3) Up to \$1,000,000 to pay for the cost of an independent review of all the agencies in this state that deliver education technology, as called for in Recommendation One of the Report of the Ohio School Technology Implementation Task Force;

(4) Up to \$1,500,000 to pay for the cost of a statewide educational technology strategic planning process as called for in Recommendation Two of the Report of the Ohio Schools Technology Implementation Task Force;

(5) Up to \$1,000,000 in fiscal year 2000 shall be provided by the Ohio SchoolNet Commission to the INFOhio Network of library resources to support the provision of electronic resources to all public schools with preference given to elementary schools. Consideration shall be given to coordinating the allocation of these moneys with the efforts of OhioLINK and the Ohio Public Information Network.

(B)(1) Not later than November 30, 1999, the Executive Director of the Ohio SchoolNet Commission shall allocate to school districts pursuant to division (B)(2) of this section the amount authorized under division (A)(2) of this section. A school district's allocation shall remain available until the district is ready to use it, and the school district may use its allocation in phases. A school district may use a portion of its allocation for training and staff development related to the project if approved by the Ohio SchoolNet Commission under division (C) of this section.

(2) The commission shall allocate total subsidy amounts to qualifying school districts as follows:

(a) In the case of qualifying school districts with taxable value per pupil equal to or less than the statewide median district taxable value per pupil or

qualifying school districts with a formula ADM of less than 150, the per pupil subsidy shall be \$500.

(b) In the case of qualifying school districts with taxable value per pupil greater than the statewide median district taxable value per pupil, but less than \$200,000 per pupil, the per pupil subsidy shall be \$500 minus the amount yielded by the following formula:

\$500 multiplied by $\frac{\text{district's taxable value per pupil minus statewide median district taxable value per pupil}}{(200,000 \text{ minus statewide median district taxable value per pupil})}$

(3) As used in division (B)(2) of this section:

(a) "District's taxable value per pupil" and "state taxable value per pupil" have the same meanings as in section 3317.0215 of the Revised Code.

(b) "Total subsidy" means per pupil subsidy as determined under division (B)(2)(a) or (b) of this section multiplied by the number of fifth grade students reported by the qualifying school district under division (A) of section 3317.03 of the Revised Code.

(c) "Formula ADM" has the same meaning as in section 3317.02 of the Revised Code.

(C) The Ohio SchoolNet Commission shall adopt procedures for the administration and implementation of the SchoolNet Plus Program. The procedures shall include application procedures, specifications for education technology, and terms and conditions for participation in the program. The commission shall not approve any application for participation in the program unless it has determined that the applicant can effectively and efficiently integrate the requested education technology into schools or the selected schools or classrooms for the phase of the program.

(D) Educational technology made available to school districts under division (B) of this section shall be used as an integrated part of the curriculum in fifth grade classrooms. However, if the commission determines that a school district already has at least one interactive computer workstation for each five children enrolled in the fifth grade, and the district meets other minimum requirements that may be established by the commission concerning staff training and other education technology for such grades, the commission may permit the school district to use educational technology made available to it through the SchoolNet Plus Program for children in grades six through twelve. Any funds not allocated by the commission in division (B) of this section shall be allocated as a first priority to community schools as established under Chapter 3314. of the Revised Code. The commission shall develop community schools

ication procedures, specifications for education technology, and terms and conditions for participation in the program. The commission shall not approve any application for participation in the program unless it has determined that the applicant can effectively and efficiently integrate the requested education technology into schools or the selected schools or classrooms for the phase of the program.

(E) As used in this section:

(1) "Qualifying school district" means any city, local, or exempted village school district.

(2) "Educational technology" includes, but is not limited to, project-related computer hardware, equipment, training, and services; equipment used for two-way audio or video; software; and textbooks.

(F) Within thirty days of the effective date of this section, the Director of Budget and Management shall transfer any unencumbered and unallotted balance in appropriation item 228-698, SchoolNet Plus, for fiscal year 1999 to appropriation item 228-698, SchoolNet Plus, for fiscal year 2000. The amount so transferred is hereby appropriated. The foregoing transfer item shall be used to establish and equip at least one interactive computer workstation for each five children as directed in division (A)(2) of this section. Any moneys appropriated under this division shall be distributed in accordance with division (B)(2) of this section. All appropriations that are unencumbered and unallotted in appropriation item 228-698, SchoolNet Plus, as of June 30, 2000, are hereby appropriated for the same purpose in fiscal year 2001 upon the request of the Executive Director of the Ohio SchoolNet Commission and the approval of the Director of Budget and Management.

Sec. 17. (A) As used in this section:

(1) "FY 1999 state aid" means the total amount of state money received by a joint vocational school district under the version of sections 3317.16 and 3317.162 of the Revised Code in effect for that fiscal year, minus the amounts paid for driver education and adult education.

(2) "FY 2000 state aid," "FY 2001 state aid," and "FY 2002 state aid" mean the total amount of state money received by a joint vocational school district in the applicable fiscal year under divisions (B) to (D) of the version of section 3317.16 of the Revised Code in effect for the applicable fiscal year and division (R) of the version of section 3317.024 of the Revised Code in effect for the applicable fiscal year.

(3) "FY 2000 actual aid" and "FY 2001 actual aid" mean the amount of state aid described in division (A)(2) of this section that was actually paid to a joint vocational school district in the applicable fiscal year after the

ication of division (B) or (C) of this section.

(4) "Formula ADM" has the same meaning as in section 3317.02 of the Revised Code.

(5) "FY 1999 ADM" means the average daily membership certified by the joint vocational school district for fiscal year 1999 under division (D) of the version of section 3317.03 of the Revised Code in effect for that year.

(B) In fiscal year 2000, notwithstanding any provision of law to the contrary, no joint vocational school district shall receive FY 2000 state aid that is more than the greater of the following:

(1) 111.5% of its FY 1999 state aid;

(2) $6[1.095 \times (\text{FY 1999 state aid}/\text{FY 1999 ADM})]$ X fiscal year 2000 formula ADM.

If a joint vocational school district's projected FY 2000 state aid is more than the greater of division (B)(1) or (2) of this section, the district shall receive only the greater of division (B)(1) or (2) of this section in fiscal year 2000.

(C) In fiscal year 2001, notwithstanding any provision of law to the contrary, no joint vocational school district shall receive FY 2001 state aid that is more than the greater of the following:

(1) 112% of its FY 2000 actual aid;

(2) $6[1.10 \times (\text{FY 2000 actual aid}/\text{fiscal year 2000 formula ADM})]$ X fiscal year 2001 formula ADM.

If a joint vocational school district's projected FY 2001 state aid is more than the greater of division (C)(1) or (2) of this section, the district shall receive only the greater of division (C)(1) or (2) of this section in fiscal year 2001.

(D) In fiscal year 2002, notwithstanding any provision of law to the contrary, no joint vocational school district shall receive FY 2002 state aid that is more than the greater of the following:

(1) 112% of its FY 2001 state aid;

(2) $6[1.10 \times (\text{FY 2001 actual aid}/\text{fiscal year 2001 formula ADM})]$ X fiscal year 2002 formula ADM.

If a joint vocational school district's projected FY 2002 state aid is more than the greater of division (D)(1) or (2) of this section, the district shall receive only the greater of division (D)(1) or (2) of this section in fiscal year 2002."

SECTION 74. That existing Sections 4, 4.01, 4.07, 4.10, 4.13, 7.01, 11, and 17 of Am. Sub. H.B. 282 of the 123rd General Assembly are hereby repealed.

SECTION 75. Expenditures from appropriations made in Section 73 of this act shall be accounted for as though made in Am. Sub. H.B. 282 of the 123rd General Assembly. The appropriations made in Section 73 of this act are subject to all provisions of Am. Sub. H.B. 282 of the 123rd General Assembly that are generally applicable to such appropriations.

SECTION 76. That Sections 15, 21, 24, 28, 29, 37, 37.04, 37.12, 37.14, 55.07, 64, 69.02, 72, 90, 96, 96.03, 98, 98.02, and 101 of Am. Sub. H.B. 283 of the 123rd General Assembly be amended to read as follows:

" Sec. 15. ADA DEPARTMENT OF ALCOHOL AND
DRUG ADDICTION SERVICES

General Revenue Fund

GRF 038-321	Operating Expenses	\$	1,549,614	\$	2,532,505
GRF 038-401	Alcohol and Drug Addiction Services	\$	32,481,379	\$	32,818,617
GRF 038-404	Prevention Services	\$	1,589,136	\$	1,455,436
TOTAL GRF General Revenue Fund		\$	35,620,129	\$	36,806,558

Federal Special Revenue Fund Group

3G3 038-603	Drug Free Schools	\$	4,352,565	\$	4,352,565
3G4 038-614	Substance Abuse Block Grant	\$	61,964,608	\$	61,964,607
3H8 038-609	Demonstration Grants	\$	2,999,879	\$	2,355,089
3J8 038-610	Medicaid	\$	21,500,000	\$	21,500,000
3N8 038-611	Administrative Reimbursement	\$	932,509	\$	335,703
TOTAL FED Federal Special Revenue Fund Group		\$	91,749,561	\$	90,507,964

State Special Revenue Fund Group

4C5 038-606	Revolving Loans/Recovery Homes	\$	20,460	\$	20,972
475 038-621	Statewide Treatment and Prevention	\$	15,897,330	\$	16,338,475
5B7 038-629	TANF Transfer - Treatment	\$	1,500,000	\$	2,000,000
5E8 038-630	TANF Transfer - Mentoring	\$	123,864	\$	271,424
689 038-604	Education and Conferences	\$	255,516	\$	260,624
TOTAL SSR State Special Revenue Fund Group		\$	17,797,170	\$	18,891,495
TOTAL ALL BUDGET FUND GROUPS		\$	145,166,860	\$	146,206,017

Am. Sub. H.B. 484 of the 122nd General Assembly

Of the foregoing appropriation item 038-401, Alcohol and Drug Addiction Services, \$4 million in each fiscal year shall be allocated on a per capita basis to local ADAS/ADAMHS boards for services to families, adults, and adolescents pursuant to the requirements of Am. Sub. H.B. 484 of the 122nd General Assembly.

Vocational Rehabilitation Services Agreement

The Department of Alcohol and Drug Addiction Services and the Rehabilitation Services Commission shall enter into an interagency agreement for the provision of vocational rehabilitation services and staff to mutually eligible clients. Of the foregoing appropriation item 038-401, Alcohol and Drug Addiction Services, an amount up to \$171,395 in fiscal year 2000 and \$171,395 in fiscal year 2001 may be transferred to the Rehabilitation Services Commission appropriation item 415-618, Third Party Funding, to provide vocational rehabilitation services and staff in accordance with the interagency agreement.

Treatment Services Expansion

Of the foregoing appropriation item 038-401, Alcohol and Drug Addiction Services, \$5,000,000 in fiscal year 2000 and \$5,000,000 in fiscal year 2001 shall be used by the Department of Alcohol and Drug Addiction Services to expand community-based treatment of nonviolent offenders, rural treatment services, and treatment services to persons under 100 per cent of the federal poverty guidelines.

Funding for the Client Engagement and Treatment Outcomes Study

Of the foregoing appropriation item 038-401, Alcohol and Drug Addiction Services, \$150,000 in fiscal year 2000 and \$150,000 in fiscal year 2001 shall be used to fund the study required in this section under the heading "Client Engagement and Treatment Outcomes Study." The funds shall be allocated to the Department for the cost of data collection and analysis. The Department shall use no more than five per cent of these funds for administration.

Alcohol and Drug Addiction Services Transfer

The foregoing appropriation item 038-629, TANF Transfer-Treatment, shall be used to provide substance abuse prevention and treatment services to children, or their families, whose income is at or below 200 per cent of the official income poverty guideline.

The foregoing appropriation item 038-630, TANF Transfer-Mentoring, shall be used to fund adolescent youth mentoring programs for children, or their families, whose income is at or below 200 per cent of the official income poverty guideline. The Director of Alcohol and Drug Addiction Services and the Directors of Human Services and Job and Family Services shall develop operating and reporting guidelines for these programs.

Community Treatment Services

Of the foregoing appropriation item 038-401, Alcohol and Drug Addiction Services, \$100,000 in each fiscal year shall go to the Stark County Alcohol and Drug Addiction Services Center to provide treatment services.

Of the foregoing appropriation item 038-401, Alcohol and Drug Addiction Services, \$400,000 in each fiscal year shall go to the Bellfaire/Jewish Children's Bureau to provide substance abuse treatment and prevention services.

Of the foregoing appropriation item 038-401, Alcohol and Drug Addiction Services, \$75,000 in each fiscal year shall be for the Talbert House.

Parent Awareness Task Force

The Parent Awareness Task Force shall study ways to engage more parents in activities, coalitions, and educational programs in Ohio relating to alcohol and other drug abuse prevention. Of the foregoing appropriation item 038-404, Prevention Services, \$30,000 in each fiscal year may be used to support the functions of the Parent Awareness Task Force.

Prevention Services

Of the foregoing appropriation item 038-404, Prevention Services, \$160,000 in fiscal year 2000 shall be distributed in equal shares to all Urban Minority Alcohol and Drug Abuse Outreach Programs in the state.

Fund Adjustments

Effective July 1, 1999, or as soon thereafter as possible, the Director of Budget and Management shall transfer the cash balance in the Driver's Treatment and Intervention Fund (Fund 474), which is abolished in division (L)(2)(a) of section 4511.191 of the Revised Code, as amended by ~~this act~~ Am. Sub. H.B. 283 of the 123rd General Assembly, to the Statewide Treatment and Prevention Fund (Fund 475), which is created in section 4301.30 of the Revised Code and was formerly named the Alcoholism Detoxification Centers Fund. The director shall cancel any existing encumbrances against appropriation item 038-628, DWI Treatment (Fund 474), and reestablish them against appropriation item 038-621, Statewide Treatment and Prevention, Fund 475. The amounts of the reestablished encumbrances are hereby appropriated.

Client Treatment Outcomes Study

(A) Not later than ninety days after the effective date of this section, the Department of Alcohol and Drug Addiction Services shall contract with an entity with demonstrated scientific expertise in performing outcome research to study client treatment outcomes. The Department shall establish requirements for conducting the study, including the methodology for data collection and analysis, and shall require that the study be conducted in accordance with a scientifically valid methodology for measuring treatment outcomes.

(B) In addition to the requirements established by the Department, the

study shall do all of the following:

- (1) Be conducted over a period of two years;
- (2) Utilize a data collection methodology that includes direct contact of former clients who have agreed to be subjects of the study on the fifteenth, ~~thirtieth, sixtieth~~ forty-fifth, ninetieth, one hundred eightieth, and three hundred sixtieth day after discharge. The study may include analysis of secondary data sources, survey current efforts of boards of alcohol, drug addiction, and mental health services and alcohol and drug addiction programs regarding their efforts to measure client outcomes, or both;
- (3) Collect data with which to measure outcome variables, including relapse, criminal recidivism, health status, and employment status of the subjects of the study;
- (4) Determine the most successful means of, and time frames for, intervening with the subjects of the study after discharge from alcohol and drug addiction treatment to prevent relapse, maximize life stability, and, in the case of subjects who relapse, intervene as early as possible to assist them in participating in appropriate services and activities;
- (5) Recommend changes to existing statewide clinical protocols and quality standards for publicly funded alcohol and drug addiction treatment services with the goal of reducing rates of relapse after treatment discharge;
- (6) Be conducted in accordance with section 3793.13 of the Revised Code and federal regulations governing the confidentiality of client treatment records.

(C) The Department shall pursue funding available to support the work of the study.

(D) Not later than ninety days after the conclusion of the study, the Department shall issue a report to the Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate. The report shall contain a summary of the results and conclusions of the study, including recommendations for changes to state law and rules with the goal of improving clinical quality and reducing rates of relapse following treatment discharge.

Sec. 21. AGO ATTORNEY GENERAL

General Revenue Fund

GRF 055-321	Operating Expenses	\$	56,367,407	\$	60,440,184
					<u>60,102,251</u>
GRF 055-405	Law-Related Education	\$	190,164	\$	195,489
GRF 055-411	County Sheriffs	\$	590,612	\$	607,149
GRF 055-415	County Prosecutors	\$	495,027	\$	508,888
TOTAL GRF	General Revenue Fund	\$	57,643,210	\$	61,751,710
					<u>61,413,777</u>

General Services Fund Group

Sub. S. B. No. 245

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106	055-612	General Reimbursement	\$	12,452,999	\$	12,810,180
107	055-624	Employment Services	\$	1,064,659	\$	1,116,469
195	055-660	Workers' Compensation Section	\$	6,646,301	\$	6,794,833
4Y7	055-608	Title Defect Rescission	\$	785,800	\$	807,141
4Z2	055-609	BCI Asset Forfeiture and Cost Reimbursement	\$	308,400	\$	317,035
418	055-615	Charitable Foundations	\$	1,460,757	\$	1,498,158
420	055-603	Attorney General Antitrust	\$	420,108	\$	426,184
421	055-617	Police Officers' Training Academy Fee	\$	1,035,353	\$	1,062,272
5A9	055-618	Telemarketing Fraud Enforcement	\$	50,000	\$	50,000
590	055-633	Peace Officer Private Security Fund	\$	85,962	\$	90,790
629	055-636	Corrupt Activity Investigation and Prosecution	\$	100,503	\$	103,317
631	055-637	Consumer Protection Enforcement	\$	1,090,936	\$	1,103,555
TOTAL GSF General Services Fund Group			\$	25,501,778	\$	26,179,934
Federal Special Revenue Fund Group						
3E5	055-638	Anti-Drug Abuse	\$	2,650,000	\$	2,650,000
3R6	055-613	Attorney General Federal Funds	\$	1,000,000	\$	1,000,000
306	055-620	Medicaid Fraud Control	\$	2,515,772	\$	2,515,772
381	055-611	Civil Rights Legal Service	\$	315,329	\$	315,329
383	055-634	Crime Victims Assistance	\$	8,000,000	\$	6,500,000
TOTAL FED Federal Special Revenue Fund Group			\$	14,481,101	\$	12,981,101
State Special Revenue Fund Group						
108	055-622	Crime Victims Compensation	\$	4,039,318	\$	4,142,419
176	055-625	Victims Assistance Office	\$	374,768	\$	384,353
177	055-626	Victims Assistance Programs	\$	1,745,612	\$	1,794,489
4L6	055-606	DARE	\$	3,738,067	\$	3,744,361
417	055-621	Domestic Violence Shelter	\$	13,458	\$	13,835
419	055-623	Claims Section	\$	16,740,686	\$	17,177,546
659	055-641	Solid and Hazardous Waste Background Investigations	\$	756,162	\$	775,535
TOTAL SSR State Special Revenue Fund Group			\$	27,408,071	\$	28,032,538
Holding Account Redistribution Fund Group						
R03	055-629	Bingo License Refunds	\$	5,200	\$	5,200
R04	055-631	General Holding Account	\$	75,000	\$	75,000
R05	055-632	Antitrust Settlements	\$	10,400	\$	10,400
R18	055-630	Consumer Frauds	\$	750,000	\$	750,000
R42	055-601	Organized Crime Commission Account	\$	200,000	\$	200,000
TOTAL 090 Holding Account Redistribution Fund Group			\$	1,040,600	\$	1,040,600
TOTAL ALL BUDGET FUND GROUPS			\$	126,074,760	\$	129,985,883 <u>129,647,950</u>

Law-Related Education

The foregoing appropriation item 055-405, Law-Related Education, shall be distributed directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students and accessing additional public and private money for new programs.

Workers' Compensation Section

The Workers' Compensation Section Fund (Fund 195) shall receive payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission at the beginning of each quarter of each fiscal year to fund legal services to be provided to the Bureau of Workers' Compensation and the Ohio Industrial Commission during the ensuing quarter. Such advance payment shall be subject to adjustment.

In addition, the Bureau of Workers' Compensation shall transfer payments at the beginning of each quarter for the support of the Workers' Compensation Fraud Unit.

All amounts shall be mutually agreed upon by the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission.

Corrupt Activity Investigation and Prosecution

The foregoing appropriation item 055-636, Corrupt Activity Investigation and Prosecution, shall be used as provided by division (D)(2) of section 2923.35 of the Revised Code to dispose of the proceeds, fines, and penalties credited to the Corrupt Activity Investigation and Prosecution Fund, which is created in division (D)(1)(b) of section 2923.35 of the Revised Code. If it is determined that additional amounts are necessary, the amounts are hereby appropriated.

Community Police Match and Law Enforcement Assistance

In fiscal years 2000 and 2001, the Attorney General's Office may request the Director of Budget and Management to, and the Director of Budget and Management shall, establish GRF appropriation item 055-406, Community Police Match and Law Enforcement Assistance. The Director of Budget and Management shall then transfer appropriation authority from appropriation item 055-321, Operating Expenses, to appropriation item 055-406, Community Police Match and Law Enforcement Assistance. Moneys transferred to appropriation item 055-406 shall be used to pay operating expenses and to provide grants to local law enforcement agencies and communities for the purpose of supporting law enforcement-related activities.

Sec. 24. OBM OFFICE OF BUDGET AND MANAGEMENT

General Revenue Fund

GRF 042-321	Budget Development and Implementation	\$	2,250,596	\$	2,249,452
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Sub. S. B. No. 245

214

GRF 042-401	Office of Quality Services	\$	597,326	\$	581,355
GRF 042-410	National Association Dues	\$	24,360	\$	25,578
GRF 042-412	Biennial <u>Audit of Auditor of State</u>	\$	45,000	\$	45,000
GRF 042-434	Financial Planning Commissions	\$	381,493	\$	333,795
TOTAL GRF General Revenue Fund		\$	3,298,775	\$	3,235,180
General Services Fund Group					
105 042-603	State Accounting	\$	8,078,632	\$	8,067,780
4C1 042-601	Quality Services Academy	\$	120,000	\$	125,000
TOTAL GSF General Services Fund Group		\$	8,198,632	\$	8,192,780
TOTAL ALL BUDGET FUND GROUPS		\$	11,497,407	\$	11,427,960

Transfer of Appropriations

The Director of Budget and Management may transfer appropriations within the same fiscal year between the foregoing appropriation items 042-321, Budget Development and Implementation, and 042-434, Financial Planning Commissions.

Office of Quality Services

A portion of the foregoing appropriation item 042-401, Office of Quality Services, may be used to provide financial sponsorship support for conferences and showcases that promote quality improvement efforts. Such expenditures are not subject to Chapter 125. of the Revised Code.

Ohio's Quality Showcase

The Office of Quality Services may cosponsor Ohio's Quality Showcase. The office may grant funds to other sponsoring entities for the purpose of conducting this event, provided that such grants are used exclusively for the direct expenses of the event.

Any state agency, at the discretion and with the approval of the director or other executive authority of the agency, may provide financial or in-kind support for Ohio's Quality Showcase cosponsored by the Office of Quality Services. Any financial contribution made by an agency shall not exceed \$3,000 annually.

Audit Costs

Of the foregoing appropriation item 042-603, State Accounting, no more than \$310,000 in fiscal year 2000 and \$325,000 in fiscal year 2001 shall be used to pay for centralized audit costs associated with either Single Audit Schedules or the General Purpose Financial Statements for the state.

Sec. 28. COM DEPARTMENT OF COMMERCE

General Revenue Fund

GRF 800-402	Grants - Volunteer Fire Departments	\$	782,478	\$	819,807
Total GRF General Revenue Fund		\$	782,478	\$	819,807

General Services Fund Group

Sub. S. B. No. 245

215

163	800-620	Division of Administration	\$	4,771,766	\$	4,787,925
TOTAL GSF General Services Fund						
Group			\$	4,771,766	\$	4,787,925
Federal Special Revenue Fund Group						
348	800-622	Underground Storage Tanks	\$	200,580	\$	195,008
348	800-624	Leaking Underground Storage Tanks	\$	1,314,605	\$	1,295,920
TOTAL FED Federal Special Revenue						
Fund Group			\$	1,515,185	\$	1,490,928
State Special Revenue Fund Group						
4B2	800-631	Real Estate Appraisal Recovery	\$	68,500	\$	68,500
4D2	800-605	Auction Education	\$	30,230	\$	30,476
4H9	800-608	Cemeteries	\$	237,344	\$	243,434
4L5	800-609	Fireworks Training and Education	\$	5,000	\$	5,000
4X2	800-619	Financial Institutions	\$	1,920,385	\$	1,873,615
5B8	800-628	Auctioneers	\$	347,591	\$	323,316
5B9	800-632	PI & Security Guard Provider	\$	935,159	\$	940,874
543	800-602	Unclaimed Funds-Operating	\$	4,611,007	\$	4,663,857
543	800-625	Unclaimed Funds-Claims	\$	23,783,981	\$	24,354,796
544	800-612	Banks	\$	5,979,092	\$	5,956,369
545	800-613	Savings Institutions	\$	2,612,665	\$	2,616,829
546	800-610	Fire Marshal	\$	9,454,594	\$	9,427,122
547	800-603	Real Estate Education/Research	\$	248,237	\$	254,194
548	800-611	Real Estate Recovery	\$	271,972	\$	271,972
549	800-614	Real Estate	\$	2,761,635	\$	2,692,093
550	800-617	Securities	\$	4,675,239	\$	4,639,787
552	800-604	Credit Union	\$	2,280,531	\$	2,266,517
553	800-607	Consumer Finance	\$	2,364,776	\$	2,258,617
556	800-615	Industrial Compliance	\$	19,321,973	\$	19,160,662
6A4	800-630	Real Estate Appraiser-Operating	\$	496,596	\$	489,207
653	800-629	UST Registration/Permit Fee	\$	1,019,988	\$	1,014,332
TOTAL SSR State Special Revenue						
Fund Group			\$	83,426,495	\$	83,551,569
Liquor Control Fund Group						
043	800-321	Liquor Control Operating	\$	15,694,491	\$	14,245,821
043	800-601	Merchandising	\$	290,319,584	\$	298,454,701
861	800-634	Salvage and Exchange	\$	105,000	\$	105,000
TOTAL LCF Liquor Control						
Fund Group			\$	306,119,075	\$	312,805,522
TOTAL ALL BUDGET FUND GROUPS			\$	396,614,999	\$	403,455,751

Grants - Volunteer Fire Departments

The foregoing appropriation item 800-402, Grants - Volunteer Fire Departments, shall be used to make annual grants to volunteer fire departments of up to \$10,000, or up to \$25,000 in cases when the volunteer fire department provides service for an area affected by a natural disaster. The program shall be administered by the Fire Marshal under the Department of Commerce. The Fire Marshal shall issue necessary rules for

the administration and operation of this program.

Unclaimed Funds Payments

The foregoing appropriation item 800-625, Unclaimed Funds-Claims, shall be used to pay claims pursuant to section 169.08 of the Revised Code. If it is determined that additional amounts are necessary, the amounts are hereby appropriated.

Increased Appropriation Authority - Merchandising

The Director of Commerce may, upon concurrence by the Director of Budget and Management, submit to the Controlling Board for approval a request for increased appropriation authority for appropriation item 800-601, Merchandising.

Administrative Assessments

Notwithstanding any other provision of law to the contrary, Fund 163, Administration, shall receive assessments from all operating funds of the department in accordance with procedures prescribed by the Director of Commerce and approved by the Director of Budget and Management.

Cash Balance Transfer

On July 1, 1999, or as soon thereafter as possible, the Director of Budget and Management shall transfer the cash balance in the Savings Bank Fund (Fund 4G8), which was abolished in ~~this act~~ Am. Sub. H.B. 283 of the 123rd General Assembly by the repeal of section 1163.17 of the Revised Code, to the Savings Institutions Fund (Fund 545), which is created in ~~this act~~ Am. Sub. H.B. 283 of the 123rd General Assembly by the enactment of section 1181.18 of the Revised Code. The Director shall cancel any existing encumbrances against appropriation item 800-606, Savings Banks, and reestablish them against appropriation item, 800-613, Savings Institutions (Fund 545). The amounts of the reestablished encumbrances are hereby appropriated.

Sec. 29. OCC OFFICE OF CONSUMERS' COUNSEL

General Services Fund Group

5F5 053-601 Operating Expenses	\$	<u>8,131,725</u>	\$	<u>7,647,619</u>
		<u>8,672,725</u>		<u>7,784,119</u>
TOTAL GSF General Services Fund Group	\$	<u>8,131,725</u>	\$	<u>7,647,619</u>
		<u>8,672,725</u>		<u>7,784,119</u>
TOTAL ALL BUDGET FUND GROUPS	\$	<u>8,131,725</u>	\$	<u>7,647,619</u>
		<u>8,672,725</u>		<u>7,784,119</u>

Consumers' Counsel Transfers

At the request of the Consumers' Counsel, the Director of Budget and Management shall transfer up to \$541,000 in cash from the General Revenue Fund to the Consumers' Counsel Operating Fund (Fund 5F5). The transfer includes \$350,000 for costs associated with the Consumers'

Counsel's moving expenses and tenant improvements and \$191,000 to offset canceled fiscal year 1997 encumbrances.

Sec. 37. DEV DEPARTMENT OF DEVELOPMENT

General Revenue Fund

GRF 195-100	Personal Services	\$	2,578,880	\$	2,583,300
GRF 195-200	Maintenance	\$	608,000	\$	608,000
GRF 195-300	Equipment	\$	111,550	\$	111,550
GRF 195-401	Thomas Edison Program	\$	25,553,540	\$	25,528,749
GRF 195-404	Small Business Development	\$	2,445,388	\$	2,465,504
GRF 195-405	Minority Business Development Division	\$	2,323,570	\$	2,324,418
GRF 195-406	Transitional and Permanent Housing	\$	2,760,270	\$	2,826,679
GRF 195-407	Travel and Tourism	\$	6,300,000	\$	6,327,600
GRF 195-408	Coal Research Development	\$	588,465	\$	587,907
<u>GRF 195-409</u>	<u>Energy Credit Administration</u>	\$	0	\$	<u>694,814</u>
GRF 195-410	Defense Conversion Assistance Program	\$	740,000	\$	500,000
GRF 195-412	Business Development Grants	\$	10,005,000	\$	10,005,000
			<u>15,005,000</u>		
GRF 195-414	First Frontier Match	\$	485,000	\$	496,628
GRF 195-415	Regional Offices and Economic Development	\$	6,414,854	\$	6,338,038
GRF 195-416	Governor's Office of Appalachia	\$	1,628,800	\$	641,376
GRF 195-417	Urban/Rural Initiative	\$	1,000,000	\$	1,000,000
GRF 195-422	Technology Action	\$	15,100,000	\$	15,100,000
GRF 195-428	Project 100	\$	2,000,000	\$	2,000,000
GRF 195-429	Y2K Compliance	\$	10,000,000	\$	0
GRF 195-431	Community Development Corporation Grants	\$	2,520,386	\$	2,582,510
GRF 195-432	International Trade	\$	5,291,540	\$	5,416,621
GRF 195-434	Industrial Training Grants	\$	18,000,000	\$	20,000,000
GRF 195-436	Labor/Management Cooperation	\$	1,164,000	\$	1,164,000
GRF 195-440	Emergency Shelter Housing Grants	\$	2,930,029	\$	2,999,139
GRF 195-441	Low and Moderate Income Housing	\$	7,760,000	\$	7,760,000
GRF 195-497	CDBG Operating Match	\$	1,147,067	\$	1,176,608
GRF 195-498	State Energy Match	\$	147,221	\$	151,299
GRF 195-501	Appalachian Local Development Districts	\$	452,370	\$	463,227
GRF 195-502	Appalachian Regional Commission Dues	\$	190,000	\$	194,400
<u>GRF 195-505</u>	<u>Utility Bill Credits</u>	\$	0	\$	<u>7,500,000</u>
GRF 195-507	Travel & Tourism Grants	\$	1,795,000	\$	1,640,000
GRF 195-513	Empowerment Zones/Enterprise Communities	\$	2,000,000	\$	0
TOTAL GRF General Revenue Fund		\$	134,040,930	\$	122,992,553
			<u>139,040,930</u>		<u>131,187,367</u>

General Services Fund Group

135	195-605	Supportive Services	\$	7,463,030	\$	7,472,165
136	195-621	International Trade	\$	75,000	\$	0
685	195-636	General Reimbursements	\$	1,199,500	\$	1,222,233
TOTAL GSF General Services Fund Group			\$	8,737,530	\$	8,694,398

Federal Special Revenue Fund Group

3K8	195-613	Community Development Block Grant	\$	65,000,000	\$	65,000,000
3K9	195-611	Home Energy Assistance Block Grant	\$	55,000,000	\$	55,000,000
3K9	195-614	HEAP Weatherization	\$	10,421,000	\$	10,412,041
3L0	195-612	Community Services Block Grant	\$	20,090,000	\$	20,090,000
308	195-602	Appalachian Regional Commission	\$	650,000	\$	650,000
308	195-603	Housing and Urban Development	\$	34,895,700	\$	34,895,700
308	195-605	Federal Projects	\$	7,871,000	\$	7,855,501
308	195-609	Small Business Administration	\$	3,701,900	\$	3,701,900
308	195-616	Technology Programs	\$	117,700	\$	0
308	195-618	Energy Federal Grants	\$	2,832,325	\$	2,803,560
335	195-610	Oil Overcharge	\$	8,500,000	\$	8,500,000
380	195-622	Housing Development Operating	\$	3,711,800	\$	3,938,200
TOTAL FED Federal Special Revenue Fund Group			\$	212,791,425	\$	212,846,902

State Special Revenue Fund Group

4F2	195-639	State Special Projects	\$	1,530,000	\$	1,030,100
4H4	195-641	First Frontier	\$	1,000,000	\$	1,000,000
4S0	195-630	Enterprise Zone Operating	\$	323,079	\$	323,355
4S1	195-634	Job Creation Tax Credit Operating	\$	251,856	\$	258,422
4W1	195-646	Minority Business Enterprise Loan	\$	3,898,213	\$	3,972,954
444	195-607	Water and Sewer Commission Loans	\$	500,000	\$	500,000
445	195-617	Housing Finance Agency	\$	3,669,522	\$	3,532,181
450	195-624	Minority Business Bonding Program Administration	\$	12,644	\$	12,947
451	195-625	Economic Development Financing Operating	\$	1,906,075	\$	1,970,014
586	195-653	Scrap Tire Loans and Grants	\$	1,000,000	\$	1,000,000
5F7	195-658	Local Government Y2K Loan Program	\$	10,000,000	\$	0
611	195-631	Water and Sewer Administration	\$	15,000	\$	15,000
617	195-654	Volume Cap Administration	\$	200,000	\$	196,640
646	195-638	Low and Moderate Income Housing Trust Fund	\$	20,445,200	\$	21,034,500
TOTAL SSR State Special Revenue Fund Group			\$	44,751,589	\$	34,846,113

Facilities Establishment Fund

037	195-615	Facilities Establishment	\$	53,970,000	\$	55,481,100
4Z6	195-647	Rural Industrial Park Loan	\$	1,000,000	\$	1,000,000
5D1	195-649	Port Authority Bond Reserves	\$	2,500,000	\$	2,500,000
5D2	195-650	Urban Redevelopment Loans	\$	10,000,000	\$	10,000,000
5H1	195-652	Family Farm Loan	\$	2,246,375	\$	2,246,375
TOTAL 037 Facilities Establishment Fund			\$	69,716,375	\$	71,227,475

Coal Research/Development Fund

046	195-632	Coal Research and Development Fund	\$	12,276,000	\$	12,570,624
TOTAL 046 Coal Research/Development Fund			\$	12,276,000	\$	12,570,624
TOTAL ALL BUDGET FUND GROUPS			\$	<u>482,313,849</u>	\$	<u>463,178,065</u>
				<u>487,313,849</u>		<u>471,372,879</u>

Sec. 37.04. Business Development

The foregoing appropriation item 195-412, Business Development Grants, shall be used as an incentive for attracting and retaining business opportunities for the state. Any such business opportunity, whether new, expanding, or relocating in Ohio, is eligible for funding. The project must create or retain a significant number of jobs for Ohioans. Grant awards may be considered only when (1) the project's viability hinges on an award of 195-412, Business Development Grants, funds; (2) all other public or private sources of financing have been considered; or (3) the funds must act as a catalyst for the infusion into the project of other financing sources.

The department's primary goal shall be to award funds to political subdivisions of the state for off-site infrastructure improvements. In order to meet the particular needs of economic development in a region, the department may elect to award funds directly to a business for on-site infrastructure improvements. Infrastructure improvements are defined as improvements to water system facilities, sewer and sewage treatment facilities, electric or gas service facilities, fiber optic facilities, rail facilities, site preparation, and parking facilities. The Director of Development may recommend the funds be used in an alternative manner when deemed appropriate to meet an extraordinary economic development opportunity or need.

The foregoing appropriation item 195-412, Business Development Grants, may be expended only after the submission of a request to the Controlling Board by the Department of Development outlining the planned use of the funds, and the subsequent approval of the request by the Controlling Board.

The foregoing appropriation item 195-412, Business Development Grants, may be used for, but is not limited to, construction, rehabilitation, and acquisition projects for rail freight assistance as requested by the

Department of Transportation. The Director of Transportation shall submit the proposed projects to the Director of Development for an evaluation of potential economic benefit.

Sec. 37.12. Minority Business Enterprise Loan

All loan repayments from the Minority Development Financing Advisory Board loan program and the Ohio Mini-Loan Guarantee Program shall be deposited in the State Treasury, to the credit of the Minority Business Enterprise Loan Fund (Fund 4W1).

All operating costs of administering the Minority Business Enterprise Loan Fund shall be paid from the Minority Business Enterprise Loan Fund (Fund 4W1).

Minority Business Bonding Fund

Notwithstanding Chapters 122., 169., and 175. of the Revised Code and other provisions of ~~this act~~ Am. Sub. H.B. 283 of the 123rd General Assembly, the Director of Development may, upon the recommendation of the Minority Development Financing Advisory Board, pledge up to \$10,000,000 in the 1999-2001 biennium of unclaimed funds administered by the Director of Commerce and allocated to the Minority Business Bonding Program pursuant to section 169.05 of the Revised Code. The transfer of any cash by the Director of Commerce from the Department of ~~Development's Minority Business Bonding Fund~~ Commerce's Unclaimed Funds Fund (Fund 543) to the Department of Development's Minority Business Bonding Fund (Fund 449) shall occur, if requested by the Director of Development, only if such funds are needed for payment of losses arising from the Minority Business Bonding Program, and only after the \$2,700,000 transferred to the Minority Business Bonding Program by the Controlling Board in 1983 has been used for that purpose. Moneys transferred by the Director of Commerce for this purpose may be moneys in custodial funds held by the Treasurer of State. If expenditures are required for payment of losses arising from the Minority Business Bonding Program, such expenditures shall be made from appropriation item 195-623, Minority Business Bonding Contingency in the Minority Business Bonding Fund, and such amounts are hereby appropriated.

Minority Business Bonding Program Administration

Investment earnings of the Minority Business Bonding Fund (Fund 449) shall be credited to the Minority Business Bonding Program Administration Fund (Fund 450).

Sec. 37.14. Facilities Establishment Fund

The foregoing appropriation item 195-615, Facilities Establishment Fund (Fund 037), shall be used for the purposes of the Facilities

shment Fund under Chapter 166. of the Revised Code.

Notwithstanding Chapter 166. of the Revised Code, up to \$1,600,000 may be transferred each fiscal year from the Facilities Establishment Fund (Fund 037) to the Economic Development Financing Operating Fund (Fund 451). The transfer is subject to Controlling Board approval pursuant to division (B) of section 166.03 of the Revised Code.

Notwithstanding Chapter 166. of the Revised Code, up to \$3,800,000 may be transferred in each fiscal year of the biennium from the Facilities Establishment Fund (Fund 037) to the Minority Business Enterprise Loan Fund (Fund 4W1). The transfer is subject to Controlling Board approval pursuant to division (B) of section 166.03 of the Revised Code.

Notwithstanding Chapter 166. of the Revised Code, up to \$5,000,000 cash may be transferred during the biennium from the Facilities Establishment Fund (Fund 037) to the Port Authority Bond Reserves Fund (Fund 5D1) for use by any port authority in establishing or supplementing bond reserve funds for any bond issuance permitted under Chapter 4582. of the Revised Code. The Director of Development shall develop program guidelines for the transfer and release of funds, including, but not limited to, a provision that no port authority shall receive more than \$2,000,000. The transfer and release of funds are subject to Controlling Board approval.

Notwithstanding Chapter 166. of the Revised Code, up to \$20,000,000 cash may be transferred during the biennium from the Facilities Establishment Fund (Fund 037) to the Urban Redevelopment Loans Fund (Fund 5D2) for the purpose of removing barriers to urban core redevelopment. The Director of Development shall develop program guidelines for the transfer and release of funds, including, but not limited to, the completion of all appropriate environmental assessments before state assistance is committed to a project.

Notwithstanding Chapter 166. of the Revised Code, up to \$1,000,000 cash may be transferred in each fiscal year of the biennium from the Facilities Establishment Fund (Fund 037) to the Rural Industrial Park Loan Fund (Fund 4Z6). The transfer is subject to Controlling Board approval pursuant to section 166.03 of the Revised Code.

Family Farm Loan Program

Notwithstanding Chapter 166. of the Revised Code, up to \$2,500,000 shall be transferred during the biennium 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.

Financial assistance from the Family Farm Loan Fund 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.

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).

Scrap Tire Loans and Grants

On July 1, 1999, or as soon thereafter as possible, the Director of Development shall certify to the Director of Budget and Management the balance in Fund 037, Facilities Establishment, for the Scrap Tire Loan and Grant Program. The Director of Budget and Management shall transfer the certified amount to Fund 586, Scrap Tire Loans and Grants. Any existing encumbrances in appropriation item 195-615, Facilities Establishment, for the Scrap Tire Loan and Grant Program shall be cancelled and reestablished against appropriation item 195-653, Scrap Tire Loans and Grants (Fund 586). These amounts are hereby appropriated.

Sec. 55.07. Transfer of Funds

The Department of Human Services shall transfer, through intrastate transfer vouchers, cash from State Special Revenue Fund 4K1, ICF/MR Bed Assessments, to Fund 4K8, Home and Community-Based Services, in the Department of Mental Retardation and Developmental Disabilities. The sum of the transfers shall be equal to the amounts appropriated in fiscal year 2000 in appropriation item 322-604, Waiver - Match. The transfer may occur on a quarterly basis or on a schedule developed and agreed to by both departments.

The Department of Human Services shall transfer, through intrastate transfer vouchers, cash from the State Special Revenue Fund 4J5, Home and Community-Based Services for the Aged, to Fund 4J4, PASSPORT, in the Department of Aging. The sum of the transfers shall be equal to the amount appropriated in fiscal year 2000 in appropriation item 490-610, PASSPORT/Residential State Supplement. The transfer may occur on a quarterly basis or on a schedule developed and agreed to by both departments.

Transfers of IMD/DSH Cash

The Department of Human Services shall transfer, through intrastate transfer vouchers, cash from Fund 5C9, Medicaid Program Support, to the Department of Mental Health's Fund 4X5, OhioCare, in accordance with an interagency agreement that delegates authority from the Department of Human Services to the Department of Mental Health to administer specified Medicaid services.

The Director of Budget and Management shall transfer cash from the

Department of Human Services Fund 5C9, Medicaid Program Support, in the amount of \$2,450,000 in fiscal year 2000 to the Department of Health's Health Services Fund, Fund 5E1.

MACSIS Funding

The Director of Budget and Management shall transfer cash up to \$499,962 from Fund 4X3, OhioCare, and up to \$4,315 from Fund 3P7, Medicaid Program Support, to Fund 4X5, Behavioral Health Medicaid Services, to fund MACSIS implementation costs incurred by the Department of Mental Health.

The Director of Budget and Management shall transfer cash up to \$500,000 from Fund 5C9, Medicaid Program Support, to Fund 4X5, Behavioral Health Medicaid Services, to fund MACSIS implementation costs incurred by the Department of Mental Health. This transfer shall be contingent on an available cash balance in Fund 5C9 after other statutory obligations have been met.

Transfer from the Children's Trust Fund to the Wellness Block Grant Fund

Within 90 days after the effective date of this section, the Director of Budget and Management shall transfer \$1,000,000 in fiscal year 2000 from Fund 198, Children's Trust Fund, to Fund 4N7, Wellness Block Grant, within the Department of Human Services' budget.

Foster Care Liability Coverage

On behalf of public children services agencies, private childplacing agencies, private noncustodial agencies and in consultation with the Department of Insurance and the Office of State Purchasing, the Department of Human Services may seek and accept proposals for a uniform and statewide insurance policy to indemnify foster parents for personal injury and property damage suffered by them due to the care of a foster child. Premiums for such a policy shall be the sole responsibility of each public children services agency, private childplacing agency and private noncustodial agency that agrees to purchase the insurance policy.

Protective Services Incentive Funding

Notwithstanding the formula in section 5101.14 of the Revised Code, from the foregoing appropriation item 400-527, Child Protective Services, the Department of Human Services may use no more than \$2,400,000 in fiscal year 2000 as incentive funding for public children services agencies to promote innovative practice standards and efficiencies in service delivery to and assist public children service agencies in complying with federal reporting requirements. Of this amount, public children services agencies may use \$125,000 to pursue accreditation by the Child Welfare League of

America. The Department of Human Services shall develop a process for the release of these funds and may adopt rules in accordance with section 111.15 of the Revised Code governing the distribution, release, and use of these funds.

Day Care/Head Start Collaborations

The Department of Human Services and the county departments of human services shall work to develop collaborative efforts between Head Start and child care providers. The Department of Human Services may use the foregoing appropriation items 400-413, Day Care Match/Maintenance of Effort, and 400-617, Day Care Federal, to support collaborative efforts between Head Start and child day care centers.

Four C's Comprehensive Community Child Care Program

From the foregoing appropriation item 400-617, Day Care Federal, in fiscal year 2000, the Director of Human Services shall provide \$25,000 from child care funds to the Hamilton County Department of Human Services to contract with the Four C's Comprehensive Community Child Care for quality activities allowable under the Child Care Development Block Grant. The Hamilton County Department of Human Services and Four C's shall agree on reporting requirements to be incorporated into the contract.

Adoption Assistance

Of the foregoing appropriation item 400-528, Adoption Services State, at least \$3,700,000 in fiscal year 2000 shall be used in support of post finalization adoption services offered pursuant to section 5153.163 of the Revised Code. The Department of Human Services shall adopt rules and procedures pursuant to section 111.15 of the Revised Code to set payment levels and limit eligibility for post finalization adoption services as necessary to limit program expenditures to the amounts set forth in this section, based on factors including, but not limited to, any or all of the following: type, or extent, of the adopted child's disability or special need; and resources available to the adoptive family to meet the child's service needs.

Adoption Connection of Cincinnati

Of the foregoing appropriation item 400-528, Adoption Services, \$42,000 is earmarked in FY 2000 to support the Adoption Connection of Cincinnati.

Child Support Collections/TANF MOE

The foregoing appropriation item 400-658, Child Support Collections, shall be used by the Department of Human Services to meet the TANF Maintenance of Effort requirements of Pub. L. No. 104-193. After the state has met the maintenance of effort requirement, the Department of Human

Services may use funds from appropriation item 400-658, Child Support Collections, to support public assistance activities.

Private Child Care Agencies Training

The foregoing appropriation item 400-615, Private Child Care Agencies Training, shall be used by the Department of Human Services to provide the state match for federal Title IV-E training dollars for private child placing agencies and private noncustodial agencies. Revenues shall consist of moneys derived from fees established under section 5101.143 of the Revised Code and paid by private child placing agencies and private noncustodial agencies.

Child Care Quality Improvement

The Department of Human Services shall make available to county departments of human services an amount to fund the improvement of the quality of publicly funded child care and access to publicly funded child care, including, but not limited to, recruitment, training, mentoring, and oversight of child care providers or in-home providers.

Transfer for Lead Assessments

Of the foregoing appropriation item 400-525, Health Care/Medicaid, the Department of Human Services may transfer funds from the General Revenue Fund to the General Operations Fund (Fund 142) of the Department of Health. Transfer of the funds shall be made through intrastate transfer voucher pursuant to an interagency agreement for the purpose of performing environmental lead assessments in the homes of Medicaid Healthcheck recipients.

Childhood Lead Poisoning Working Group

There is hereby created the Childhood Lead Poisoning Working Group to study and propose a state plan to address lead poisoning treatment and control issues. The Working Group shall consist of fourteen members, one of whom must be a senator appointed by the President of the Senate, and one member shall be a representative appointed by the Speaker of the House of Representatives. The Working Group shall also consist of two designees of the Director of each of the following departments: Department of Human Services, Department of Health, Department of Development, Ohio Environmental Protection Agency, and the Department of Education. The Help End Lead Poisoning Coalition shall appoint two members. The members of the Working Group shall be appointed within thirty days of the effective date of this section.

Not later than June 30, 2000, the Working Group shall submit a report of its findings and recommendations to the Speaker and Minority Leader of the House of Representatives and the President and the Minority Leader of

the Senate. The above-mentioned departments shall make staff available to the Working Group.

Medicaid Program Support Fund - State

The foregoing appropriation item 400-671, Medicaid Program Support, shall be used by the Department of Human Services to pay for Medicaid services and contracts.

Holding Account Redistribution Group

The foregoing appropriation items 400-643 and 400-644, Holding Account Redistribution Fund Group, shall be used to hold revenues until they are directed to the appropriate accounts or until they are refunded. If it is determined that additional appropriation authority is necessary, such amounts are hereby appropriated.

Agency Fund Group

The Agency Fund Group shall be used to hold revenues until the appropriate fund is determined or until they are directed to the appropriate governmental agency other than the Department of Human Services. If it is determined that additional appropriation authority is necessary, such amounts are hereby appropriated.

Federal Special Revenue Fund Group

The foregoing appropriation items that appear in the Department of Human Services' Federal Special Revenue Fund Group shall be used to collect revenue from various sources and use the revenue to support programs administered by the Department of Human Services. If it is determined that additional appropriation authority is necessary, the department shall notify the Director of Budget and Management on forms prescribed by the Controlling Board. If the Director agrees that the additional appropriation authority is necessary in order to perform the functions allowable in the appropriation item, then such amounts are hereby appropriated. The Director shall notify the Controlling Board at their next regularly scheduled meeting as to the action taken.

Children's Trust Reimbursement Fund Cash Transfer

The Director of Budget and Management shall transfer the cash balance in the Children's Trust Reimbursement Fund to the Children's Trust Fund. The Children's Trust Reimbursement Fund is hereby abolished.

Sec. 64. LSC LEGISLATIVE SERVICE COMMISSION

General Revenue Fund

GRF 035-321	Operating Expenses	\$	8,776,725	\$	9,060,000
			<u>8,426,725</u>		
GRF 035-402	Legislative Interns	\$	840,000	\$	890,000
GRF 035-403	Legislative Budget Office	\$	2,841,000	\$	2,987,000
GRF 035-404	Legislative Office of Education Oversight	\$	1,191,995	\$	1,157,423

GRF 035-405	Correctional Institution Inspection Committee	\$	505,000	\$	525,000
GRF 035-406	ATMS Replacement Project	\$	90,000	\$	90,000
GRF 035-407	Legislative Task Force on Redistricting	\$	2,400,000	\$	2,100,000
GRF 035-409	National Associations	\$	392,674	\$	405,717
GRF 035-410	Legislative Information Systems	\$	5,260,000	\$	4,265,000
TOTAL GRF General Revenue Fund		\$	<u>22,297,394</u>	\$	21,480,140
			<u>21,947,394</u>		
General Services Fund Group					
4F6 035-603	Legislative Budget Services	\$	140,000	\$	144,000
410 035-601	Sale of Publications	\$	25,000	\$	25,000
TOTAL GSF General Services Fund Group		\$	165,000	\$	169,000
TOTAL ALL BUDGET FUND GROUPS		\$	<u>22,462,394</u>	\$	21,649,140
			<u>22,112,394</u>		

Operating Expenses

Of the foregoing appropriation item 035-321, Operating Expenses, \$350,000 in fiscal year 2000 and \$175,000 in fiscal year 2001 shall be used to pay for equipment for the electronic filing of rules and related documents.

Of the foregoing appropriation item 035-321, Operating Expenses, up to \$10,000 in each fiscal year may be used to contract with a non-profit assistive technology organization for the purpose of providing public documents produced by or for the General Assembly in alternative formats when feasible.

On or before July 15, 1999, the Director of Budget and Management shall determine and certify to the Director of the Legislative Service Commission the total amount of unexpended, unobligated appropriations made to the commission for fiscal year 1999 in appropriation items 035-321, 035-402, 035-403, 035-404, 035-405, 035-406, 035-407, 035-409, 035-410, and 035-412. Additional appropriation authority equal to the amount certified is hereby appropriated to appropriation item 035-321, Operating Expenses, for fiscal year 2000.

ATMS Replacement Project

Of the foregoing appropriation item 035-406, ATMS Replacement Project, any amounts not used for the ATMS project may be used to pay the operating expenses of the Legislative Service Commission.

Legislative Task Force on Redistricting

Of the foregoing appropriation item 035-407, Legislative Task Force on Redistricting, \$400,000 in fiscal year 2000 and \$100,000 in fiscal year 2001 shall be used to assist county boards of elections to comply with the requirement of using census bureau geography to determine precinct boundaries. Upon written request from the Secretary of State, the Director of

the Legislative Service Commission shall transfer \$400,000 in fiscal year 2000 and \$100,000 in fiscal year 2001 to the Secretary of State. Transfer shall be made through intrastate voucher. The Secretary of State shall expend the transferred funds in accordance with the requirements of this section.

National Associations

Of the foregoing appropriation item 035-409, National Associations, \$8,000 in each fiscal year shall be used for the State and Local Legal Center.

Legislative Office of Education Oversight

The foregoing appropriation item 035-404, Legislative Office of Education Oversight, shall be used to support the legislative oversight activities of the Legislative Committee on Education Oversight established in section 3301.68 of the Revised Code.

Section 103.141 Report

Notwithstanding section 103.141 of the Revised Code, the Legislative Budget Office of the Legislative Service Commission may submit the estimates required by that section for calendar years 1996 and 1997 in October 2000.

LBO Child Care Study

The Legislative Budget Office of the Legislative Service Commission (LBO) shall undertake a study of publicly funded child care payment procedures and make recommendations regarding the feasibility and the potential for development of a cost-based prospective payment system. Any prospective payment system should provide for predictability and stability of payment and should take into consideration facility costs and training costs. LBO shall report its findings to the Speaker and Minority Leader of the House of Representatives, President and Minority Leader of the Senate, and the Governor no later than July 1, 2000.

Sec. 69.02. Community Services

General Revenue Fund

GRF 322-405	State Use Program	\$	268,364	\$	264,685
GRF 322-413	Residential and Support Services	\$	133,882,337	\$	137,095,513
GRF 322-451	Family Support Services	\$	7,705,342	\$	7,975,870
GRF 322-452	Case Management	\$	6,235,022	\$	6,384,663
GRF 322-501	County Boards Subsidies	\$	45,720,356	\$	46,817,644
TOTAL GRF General Revenue Fund		\$	193,811,421	\$	198,538,375

General Services Fund Group

4J6 322-645	Intersystem Services for Children	\$	3,798,005	\$	3,907,448
4U4 322-606	Community MR and DD Trust	\$	116,242	\$	119,201
4V1 322-611	Program Support	\$	110,560	\$	113,374
4V1 322-615	Ohio's Self-Determination	\$	131,666	\$	131,666

		ject			
488	322-603	Residential Services Refund	\$	3,297,786	\$ 3,650,224
TOTAL GSF General Services					
		Fund Group	\$	7,454,259	\$ 7,921,913
Federal Special Revenue Fund Group					
3A4	322-605	Community Program Support	\$	2,569,284	\$ 2,749,134
3A4	322-610	Community Residential Support	\$	5,537,250	\$ 5,924,858
3A5	322-613	DD Council Grants	\$	3,358,290	\$ 3,358,290
3G6	322-639	Medicaid Waiver	\$	135,921,846	\$ 136,602,770
3M7	322-650	CAFS Medicaid	\$	141,058,250	\$ 141,890,490
325	322-608	Federal Grants - Operating Expenses	\$	1,197,586	\$ 1,225,523
325	322-612	Social Service Block Grant	\$	15,100,000	\$ 15,100,000
325	322-614	Health and Human Services	\$	214,245	\$ 214,245
325	322-617	Education Grants - Operating	\$	277,650	\$ 277,650
TOTAL FED Federal Special Revenue					
		Fund Group	\$	305,234,401	\$ 307,342,960
State Special Revenue Fund Group					
4K8	322-604	Waiver - Match	\$	12,868,321	\$ 12,532,806
5H0	322-619	Medicaid Repayment	\$	534,560	\$ 549,980
TOTAL SSR State Special Revenue					
		Fund Group	\$	13,402,881	\$ 13,082,786
TOTAL ALL COMMUNITY SERVICES					
BUDGET FUND GROUPS					
			\$	519,902,962	\$ 526,886,034

Residential and Support Services

The foregoing appropriation item 322-413, Residential and Support Services, shall be used for any of the following:

(A) Home and community-based waiver services pursuant to Title XVIII of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended;

(B) Services contracted by county boards of mental retardation and developmental disabilities;

(C) Supported living services contracted by county boards of mental retardation and developmental disabilities in accordance with sections 5126.40 to 5126.47 of the Revised Code;

(D) County board of mental retardation and developmental disabilities contracted purchase of service;

(E) Sermak Class Services used to implement the requirements of the consent decree in the case of Sermak v. Manuel, Case No. c-2-80-220, United States District Court for the Southern District of Ohio, Eastern Division.

Notwithstanding Chapters 5123. and 5126. of the Revised Code, the Department of Mental Retardation and Developmental Disabilities may develop residential and support service programs that enable persons with mental retardation and developmental disabilities to live in the community.

Notwithstanding Chapter 5121. and section 5123.122 of the Revised Code, the department may waive the support collection requirements of those statutes for persons in community programs developed by the department under this section. The department shall adopt rules under Chapter 119. of the Revised Code or may use existing rules for the implementation of these programs.

The Department of Mental Retardation and Developmental Disabilities may designate a portion of appropriation item 332-413, Residential and Support Services, to county boards of mental retardation and developmental disabilities that have greater need for various residential and support services due to a low percentage of residential and support services development in comparison to the number of individuals with mental retardation or developmental disabilities in the county.

Family Support Services

Notwithstanding sections 5123.171, 5123.19, 5123.20, and 5126.11 of the Revised Code, the Department of Mental Retardation and Developmental Disabilities may implement programs funded by appropriation item 322-451, Family Support Services, to provide assistance to persons with mental retardation or developmental disabilities and their families who are living in the community. The department shall adopt rules to implement these programs.

Case Management

The foregoing appropriation item 322-452, Case Management, shall be allocated to county boards of mental retardation and developmental disabilities for the purpose of providing case management services and to assist in bringing state funding for all department-approved case managers within county boards of mental retardation and developmental disabilities to the level authorized in division (D) of section 5126.15 of the Revised Code. The department may request approval from the Controlling Board to transfer any unobligated appropriation authority from other state General Revenue Fund appropriation items within the department's budget to appropriation item 322-452, Case Management, to be used to meet the statutory funding level in division (D) of section 5126.15 of the Revised Code.

Notwithstanding division (D) of section 5126.15 of the Revised Code and subject to funding in appropriation item 322-452, Case Management, no county may receive less than its allocation in fiscal year 1995.

State Subsidies to MR/DD boards

Of the foregoing appropriation item 322-501, County Boards Subsidies, \$1,500,000 in each fiscal year shall be used to fund the tax equity program in accordance with sections 5126.16, 5126.17, and 5126.18 of the Revised

Code.

Of the foregoing appropriation item 322-501, County Boards Subsidies, up to \$550,000 in fiscal year 2000 may be used to contract with The MR/DD Services Group, LLC for the technical assistance to county boards of mental retardation and developmental disabilities and other agencies under contract with the county boards of mental retardation and developmental disabilities for the implementation of Medicaid services. The Department of Mental Retardation and Developmental Disabilities shall monitor the contract and provide guidance and assistance, as needed, to accomplish the functions associated with the contract.

Of the foregoing appropriation item 322-501, County Boards Subsidies, up to \$550,000 in fiscal year 2001 may be used to solicit requests for proposal for technical assistance to county boards of mental retardation and developmental disabilities and other agencies under contract with the county boards of mental retardation and developmental disabilities for the implementation of Medicaid services. The Department of Mental Retardation and Developmental Disabilities shall monitor the contract and provide guidance and assistance, as needed, to accomplish the functions associated with the contract.

Waiver - Match

The foregoing appropriation item 322-604, Waiver-Match (Fund 4K8), shall be used as state matching funds for the home and community-based waivers.

The Department of Human Services may enter into an interagency agreement with the Department of Mental Retardation and Developmental Disabilities providing for the Department of Mental Retardation and Developmental Disabilities to operate the program.

Developmental Center Program to Develop a Model Billing for Services Rendered

Developmental centers of the Department of Mental Retardation and Developmental Disabilities may provide services to persons with mental retardation or developmental disabilities living in the community or to providers of services to these persons. The department may develop a methodology for recovery of all costs associated with the provisions of these services.

Sec. 72. DNR DEPARTMENT OF NATURAL RESOURCES

General Revenue Fund

GRF 725-401	Wildlife - GRF Central Support	\$	1,221,229	\$	1,268,315
GRF 725-404	Fountain Square Rental Payments - OBA	\$	1,087,000	\$	1,093,000
GRF 725-408	Reclamation and Mining	\$	2,406,020	\$	2,408,999

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GRF 725-412	Reclamation Commission	\$	66,475	\$	68,165	
GRF 725-413	OPFC Rental Payments	\$	15,660,000	\$	12,750,000	
GRF 725-415	Mine Examining Board	\$	121,083	\$	123,963	
GRF 725-423	Stream and Ground Water Gauging	\$	422,863	\$	459,387	
GRF 725-425	Wildlife License Reimbursement	\$	1,000,000	\$	1,000,000	
GRF 725-456	Canal Lands	\$	414,783	\$	423,203	
GRF 725-502	Soil and Water Districts	\$	11,414,494	\$	12,140,831	
GRF 725-507	Conservation Reserve Enhancement Program	\$	2,000,000	\$	2,000,000	
			<u>1,900,400</u>		<u>1,920,400</u>	
GRF 727-321	Division of Forestry	\$	10,203,524	\$	10,081,427	
GRF 728-321	Division of Geological Survey	\$	2,164,135	\$	2,270,778	
GRF 729-321	Computer Information Services & Communications	\$	1,172,567	\$	1,214,464	
GRF 730-321	Division of Parks and Recreation	\$	35,255,224	\$	34,951,655	
GRF 733-321	Division of Water	\$	3,944,652	\$	3,998,080	
GRF 734-321	Division of Oil and Gas	\$	725,366	\$	1,614,957	
GRF 736-321	Division of Chief Engineer	\$	4,371,204	\$	3,773,672	
GRF 737-321	Division of Soil and Water	\$	4,092,866	\$	4,382,166	
			<u>4,192,466</u>		<u>4,461,766</u>	
GRF 738-321	Office of Real Estate and Land Management	\$	3,099,898	\$	2,650,457	
GRF 741-321	Division of Natural Areas	\$	3,415,305	\$	3,396,390	
GRF 743-321	Division of Civilian Conservation	\$	5,100,636	\$	5,225,382	
TOTAL GRF General Revenue Fund		\$	109,359,324	\$	107,295,291	
General Services Fund Group						
155	725-601	Departmental Projects	\$	1,491,770	\$	1,468,051
157	725-651	Central Support Indirect	\$	7,302,432	\$	7,273,923
158	725-604	Natural Resources Publication Center Intrastate	\$	79,170	\$	80,154
161	725-635	Parks Facilities Maintenance	\$	2,666,395	\$	2,737,935
162	725-625	CCC Operations	\$	2,261,993	\$	2,156,861
204	725-687	Information Services	\$	2,217,392	\$	2,145,631
206	725-689	REALM Support Services	\$	447,811	\$	473,152
207	725-690	Real Estate	\$	53,924	\$	55,320
4D5	725-618	Recycled Materials	\$	103,429	\$	106,272
4S9	725-622	NatureWorks Personnel	\$	687,136	\$	690,700
4X8	725-662	Water Planning Council	\$	262,900	\$	269,700
430	725-671	Canal Lands	\$	1,029,302	\$	998,044
5F9	725-663	Flood Reimbursement	\$	99,109	\$	0
508	725-684	Natural Resources Publication Center Interstate	\$	393,166	\$	361,877
510	725-631	Maintenance - state-owned residences	\$	230,669	\$	220,771
516	725-620	Water Management	\$	2,407,372	\$	2,404,055
519	725-623	Burr Oak Water Plant	\$	1,149,523	\$	1,750,680
635	725-664	Fountain Square Facilities Management	\$	2,595,957	\$	2,699,355
697	725-670	Submerged Lands	\$	547,762	\$	567,920
TOTAL GSF General Services						

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Fund Group		\$	26,027,212	\$	26,460,401
Federal Special Revenue Fund Group					
3B3	725-640	Federal Forest Pass-Thru	\$	55,000	\$ 55,000
3B4	725-641	Federal Flood Pass-Thru	\$	185,000	\$ 190,000
3B5	725-645	Federal Abandoned Mine Lands	\$	7,418,833	\$ 7,630,403
3B6	725-653	Federal Land and Water Conservation	\$	130,000	\$ 120,000
3B7	725-654	Reclamation-Regulatory	\$	2,214,846	\$ 2,265,932
3P0	725-630	Natural Areas and Preserves-Federal	\$	262,400	\$ 185,000
3P1	725-632	Geological Survey-Federal	\$	350,000	\$ 350,000
3P2	725-642	Oil and Gas-Federal	\$	223,700	\$ 111,850
3P3	725-650	Real Estate and Land Management-Federal	\$	2,857,755	\$ 3,185,120
3P4	725-660	Water-Federal	\$	180,000	\$ 180,000
3R5	725-673	Acid Mine Drainage Abatement/Treatment	\$	600,000	\$ 600,000
328	725-603	Forestry Federal	\$	1,017,600	\$ 1,017,600
332	725-669	Federal Mine Safety Grant	\$	133,095	\$ 137,056
TOTAL FED Federal Special Revenue Fund Group					
			\$	15,628,229	\$ 16,027,961
State Special Revenue Fund Group					
4B8	725-617	Forestry Development	\$	25,000	\$ 25,000
4J2	725-628	Injection Well Review	\$	68,428	\$ 54,440
4M7	725-631	Wildfire Suppression	\$	100,000	\$ 100,000
4U6	725-668	Scenic Rivers Protection	\$	261,307	\$ 268,431
5B3	725-674	Mining Regulation	\$	49,757	\$ 49,805
509	725-602	State Forest	\$	1,520,379	\$ 1,440,326
511	725-646	Ohio Geologic Mapping	\$	839,340	\$ 763,717
512	725-605	State Parks Operations	\$	27,150,223	\$ 27,048,732
514	725-606	Lake Erie Shoreline	\$	828,311	\$ 729,492
518	725-643	Oil and Gas Permit Fees	\$	3,118,829	\$ 2,378,496
518	725-677	Oil and Gas Well Plugging	\$	800,000	\$ 800,000
521	725-627	Off-Road Vehicle Trails	\$	62,036	\$ 63,790
522	725-656	Natural Areas Checkoff Funds	\$	745,301	\$ 766,169
525	725-608	Reclamation Forfeiture	\$	597,082	\$ 597,664
526	725-610	Strip Mining Administration Fees	\$	1,956,599	\$ 2,006,000
527	725-637	Surface Mining Administration	\$	1,964,078	\$ 2,016,050
529	725-639	Unreclaimed Land Fund	\$	1,335,879	\$ 1,349,327
530	725-647	Surface Mining Reclamation	\$	76,725	\$ 78,951
531	725-648	Reclamation Supplemental Forfeiture	\$	1,352,208	\$ 1,389,401
532	725-644	Litter Control and Recycling	\$	10,965,210	\$ 11,264,587
615	725-661	Dam Safety	\$	136,633	\$ 139,237
TOTAL SSR State Special Revenue Fund Group					
			\$	53,953,325	\$ 53,329,615
Wildlife Fund Group					
015	725-509	Fish/Wildlife Subsidy	\$	154,199	\$ 158,517
015	740-321	Division of Wildlife Conservation	\$	40,345,888	\$ 41,400,117

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81A	725-612	Wildlife Education	\$	1,496,360	\$	1,537,063
815	725-636	Cooperative Management Projects	\$	148,850	\$	153,166
816	725-649	Wetlands Habitat	\$	897,663	\$	922,997
817	725-655	Wildlife Conservation Checkoff Fund	\$	1,301,143	\$	1,327,577
818	725-629	Cooperative Fisheries Research	\$	918,004	\$	943,708
819	725-685	Ohio River Management	\$	119,302	\$	122,748
TOTAL WLF Wildlife Fund Group			\$	45,381,409	\$	46,565,893

Waterways Safety Fund Group

086	725-414	Waterways Improvement	\$	3,091,402	\$	3,091,035
086	725-416	Natural Areas Marine Patrol	\$	25,000	\$	25,000
086	725-417	Parks Marine Patrol	\$	25,000	\$	25,000
086	725-418	Buoy Placement	\$	39,298	\$	40,267
086	725-501	Waterway Safety Grants	\$	128,024	\$	131,609
086	725-506	Watercraft Marine Patrol	\$	359,800	\$	369,875
086	725-513	Watercraft Educational Grants	\$	128,500	\$	132,098
086	739-321	Division of Watercraft	\$	14,865,111	\$	15,142,223
880	725-614	Cooperative Boat Harbor Projects	\$	108,637	\$	111,679
TOTAL WSF Waterways Safety Fund Group			\$	18,770,772	\$	19,068,786

Holding Account Redistribution Fund Group

R17	725-659	Performance Cash Bond Refunds	\$	265,000	\$	265,500
R29	725-607	Reclamation Fee Refund	\$	350,000	\$	350,000
R30	725-638	Surface Mining Reclamation Fees	\$	12,000	\$	12,000
R43	725-624	Forestry	\$	1,750,000	\$	1,750,000
TOTAL 090 Holding Account Redistribution Fund Group			\$	2,377,000	\$	2,377,500

Accrued Leave Liability Fund Group

4M8	725-675	FOP Contract	\$	17,551	\$	17,990
TOTAL ALF Accrued Leave Liability Fund Group			\$	17,551	\$	17,990
TOTAL ALL BUDGET FUND GROUPS			\$	271,514,822	\$	271,143,437

Sec. 90. SOS SECRETARY OF STATE

General Revenue Fund

GRF 050-321	Operating Expenses	\$	7,594,550	\$	<u>7,724,452</u>	
GRF 050-403	Election Statistics	\$	133,000	\$	150,000	
GRF 050-407	Pollworkers Training	\$	175,000	\$	290,000	
GRF 050-409	Litigation Expenditures	\$	26,750	\$	26,750	
TOTAL GRF General Revenue Fund			\$	7,929,300	\$	<u>8,491,202</u>
					\$	<u>8,529,135</u>

General Services Fund Group

4B9	050-608	Campaign Finance Disk Sales	\$	1,000	\$	1,000
4S8	050-610	Board of Voting Machine Examiners	\$	7,200	\$	7,200
413	050-601	Information Systems	\$	181,900	\$	150,000
414	050-602	Citizen Education Fund	\$	30,000	\$	30,000

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TOTAL General Services Fund Group	\$	220,100	\$	188,200
State Special Revenue Fund Group				
599 050-603 Business Services Operating Expenses	\$	5,200,000	\$	5,200,000
TOTAL SSR State Special Revenue Fund Group	\$	5,200,000	\$	5,200,000
Holding Account Redistribution Fund Group				
R01 050-605 Uniform Commercial Code Refunds	\$	65,000	\$	65,000
R02 050-606 Corporate/Business Filing Refunds	\$	185,000	\$	185,000
TOTAL 090 Holding Account Redistribution Fund Group	\$	250,000	\$	250,000
TOTAL ALL BUDGET FUND GROUPS	\$	13,599,400	\$	13,829,402 14,167,335

Board of Voting Machine Examiners

The foregoing appropriation item 050-610, Board of Voting Machine Examiners, shall be used to pay for the services and expenses of the members of the Board of Voting Machine Examiners, and for other expenses which are authorized to be paid from the Board of Voting Machine Examiners Fund which is created in section 3506.05 of the Revised Code. Moneys not used shall be returned to the person or entity submitting the equipment for examination. If it is determined that additional appropriations are necessary, such amounts are hereby appropriated.

Holding Account Redistribution Group

The foregoing appropriation items 050-605 and 050-606, Holding Account Redistribution Fund Group, shall be used to hold revenues until they are directed to the appropriate accounts or until they are refunded. If it is determined that additional appropriations are necessary, such amounts are hereby appropriated.

Filing Fees Study

The Secretary of State shall conduct a study of fees charged under section 111.16 of the Revised Code to compare the fee amounts with the actual cost of providing the services for which the fees are charged. The purpose of the study is to determine whether the amounts of the fees being charged are valid and appropriate with respect to the services being provided. The Secretary of State shall complete a report summarizing the results of the study and, not later than December 31, 2000, shall submit the report to the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives.

Sec. 96. TAX DEPARTMENT OF TAXATION

General Revenue Fund

GRF 110-321 Operating Expenses	\$	90,709,806	\$	89,657,969
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GRF 110-410	Energy Credit Administration	\$	697,653	\$	694,814
					<u>0</u>
GRF 110-412	Child Support Administration	\$	58,872	\$	60,285
GRF 110-506	Utility Bill Credits	\$	7,500,000	\$	7,500,000
					<u>0</u>
GRF 110-901	Property Tax	\$	342,000,000	\$	362,140,000
	Allocation-Taxation				
GRF 110-906	Tangible Tax Exemption -	\$	28,000,000	\$	29,000,000
	Taxation				
TOTAL GRF General Revenue Fund		\$	468,966,331	\$	489,053,068
					<u>480,858,254</u>
Agency Fund Group					
425 110-635	Tax Refunds	\$	1,041,325,000	\$	1,024,575,000
			<u>550,000,000</u>		<u>550,000,000</u>
TOTAL AGY Agency Fund Group		\$	1,041,325,000	\$	1,024,575,000
			<u>550,000,000</u>		<u>550,000,000</u>
General Services Fund Group					
433 110-602	Tape File Account	\$	85,172	\$	87,557
TOTAL GSF General Services		\$	85,172	\$	87,557
Fund Group					
State Special Revenue Fund Group					
4C6 110-616	International Registration Plan	\$	588,652	\$	622,127
4R6 110-610	Tire Tax Administration	\$	146,661	\$	150,768
435 110-607	Local Tax Administration	\$	10,846,962	\$	11,108,705
436 110-608	Motor Vehicle Audit	\$	1,525,384	\$	1,569,645
437 110-606	Litter Tax and Natural	\$	1,340,059	\$	1,374,701
	Resource Tax Administration				
438 110-609	School District Income Tax	\$	2,657,080	\$	2,711,122
639 110-614	Cigarette Tax Enforcement	\$	147,891	\$	151,711
642 110-613	Ohio Political Party	\$	800,000	\$	800,000
	Distributions				
688 110-615	Local Excise Tax	\$	335,218	\$	343,721
	Administration				
TOTAL SSR State Special Revenue		\$	18,387,907	\$	18,832,500
Fund Group					
Federal Special Revenue Fund Group					
3J6 110-601	Motor Fuel Compliance	\$	78,817	\$	50,000
3J7 110-603	International Fuel Tax	\$	92,471	\$	80,000
	Agreement				
TOTAL FED Federal Special Revenue		\$	171,288	\$	130,000
Fund Group					
Holding Account Redistribution Fund Group					
R10 110-611	Tax Distributions	\$	200,000	\$	200,000
R11 110-612	Miscellaneous Income Tax	\$	500,000	\$	500,000
	Receipts				
TOTAL 090 Holding Account		\$	700,000	\$	700,000
Redistribution Fund Group					
TOTAL ALL BUDGET FUND GROUPS		\$	1,529,635,698	\$	1,533,378,125
			<u>1,038,310,698</u>		<u>1,050,608,311</u>

Sec. 96.03. Homestead Exemption, Property Tax Rollback, and Tangible Tax Exemption

The appropriation item 110-901, Property Tax Allocation - Taxation, made to the Department of Taxation, is appropriated to pay for the state's costs incurred due to the Homestead Exemption and the Property Tax Rollback. The Tax Commissioner shall distribute these funds directly to the appropriate local taxing districts of the state, except for school districts, notwithstanding the provisions in sections 321.24 and 323.156 of the Revised Code, which provide for payment of the Homestead Exemption and Property Tax Rollback by the Tax Commissioner to the appropriate county treasurer and the subsequent redistribution of these funds to the appropriate local taxing districts by the county auditor.

The appropriation item 110-906, Tangible Tax Exemption - Taxation, made to the Department of Taxation, is appropriated to pay for the state's costs incurred due to the tangible personal property tax exemption required by division (C)(3) of section 5709.01 of the Revised Code. The Tax Commissioner shall distribute to each county treasurer the total amount certified by the county treasurer pursuant to section 319.311 of the Revised Code for all local taxing districts located in the county except for school districts, notwithstanding the provision in section 319.311 of the Revised Code which provides for payment of the \$10,000 tangible personal property tax exemption by the Tax Commissioner to the appropriate county treasurer for all local taxing districts located in the county including school districts. Pursuant to division (G) of section 321.24 of the Revised Code, the county auditor shall distribute the amount paid by the Tax Commissioner among the appropriate local taxing districts except for school districts.

Upon receipt of these amounts, each local taxing district shall distribute the amount among the proper funds as if it had been paid as real or tangible personal property taxes. Payments for the costs of administration shall continue to be paid to the county treasurer and county auditor as provided for in sections 319.54, 321.26, and 323.156 of the Revised Code.

Any sums, in addition to the amounts specifically appropriated in appropriation items 110-901, Property Tax Allocation - Taxation, for the Homestead Exemption and the Property Tax Rollback payments, and 110-906, Tangible Tax Exemption, for the \$10,000 tangible personal property tax exemption payments, which are determined to be necessary for these purposes, are hereby appropriated.

Tax Refunds

The foregoing appropriation item 110-635, Tax Refunds, shall be used to pay refunds as provided in section 5703.052 of the Revised Code. If it is determined that additional appropriations are necessary, such amounts are hereby appropriated.

Sec. 98. TOS TREASURER OF STATE

General Revenue Fund

GRF 090-321	Operating Expenses	\$	7,776,686	\$	7,307,833
GRF 090-401	Commissioners of the Sinking Fund	\$	370,530	\$	381,400
GRF 090-402	Continuing Education	\$	413,278	\$	442,207
GRF 090-510	PERS Cost of Living	\$	136 598	\$	100 451
GRF 090-511	STRS Cost of Living	\$	1,400	\$	1,200
GRF 090-512	SERS Cost of Living	\$	600	\$	600
GRF 090-520	PERS Pension Benefits	\$	77,470 146,088	\$	25,850 120,628
GRF 090-521	STRS Pension Benefits	\$	320,000	\$	300,000
GRF 090-522	SERS Pension Benefits	\$	80,000	\$	67,000
GRF 090-523	Highway Patrol Retirement System	\$	4,156	\$	4,050
GRF 090-524	Police and Fire Disability Pension	\$	50,000	\$	45,000
GRF 090-530	PERS Ad Hoc Cost of Living	\$	616,410 754,281	\$	472,897 667,687
GRF 090-531	STRS Ad Hoc Cost of Living	\$	1,600,000	\$	1,500,000
GRF 090-532	SERS Ad Hoc Cost of Living	\$	236,000	\$	213,000
GRF 090-533	Hwy Patrol Ad Hoc Cost of Living	\$	24,990	\$	24,800
GRF 090-534	Police & Fire Ad Hoc Cost of Living	\$	325,000	\$	300,000
GRF 090-544	Police and Fire State Contribution	\$	1,200,000	\$	1,200,000
GRF 090-554	Police and Fire Survivor Benefits	\$	1,740,000	\$	1,670,000
GRF 090-575	Police and Fire Death Benefits	\$	19,980,000	\$	21,280,000
GRF 090-900	Debt Service	\$	122,500,000	\$	132,365,000
TOTAL GRF General Revenue Fund		\$	157,316,656 157,523,607	\$	167,600,937 167,890,856

Agency Fund Group

425 090-635	Tax Refunds	\$	550,000,000	\$	550,000,000
TOTAL Agency Fund Group		\$	550,000,000	\$	550,000,000

General Services Fund Group

182 090-608	Financial Planning Commissions	\$	12,000	\$	12,000
4E9 090-603	Securities Lending Income Fund	\$	5,185,804	\$	6,169,140
4NO 090-611	Treasury Education Fund	\$	27,500	\$	27,500
577 090-605	Investment Pool Reimbursement	\$	1,000,000	\$	750,000
605 090-609	Treasurer of State Administrative Fund	\$	850,000	\$	600,000
TOTAL GSF General Services Fund Group		\$	7,075,304	\$	7,558,640

Debt Service Fund Group

077 090-900	Capital Improvements Bond Service	\$	122,500,000	\$	132,365,000
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TOTAL DSF Debt Service Fund Group	\$	122,500,000	\$	132,365,000
State Special Revenue Fund Group				
5C5 090-602 County Treasurer Education	\$	110,000	\$	110,000
TOTAL SSR State Special Revenue				
Fund Group	\$	110,000	\$	110,000
TOTAL ALL BUDGET FUND GROUPS	\$	287,001,960	\$	307,634,577
		<u>837,208,911</u>		<u>857,924,496</u>

Sec. 98.02. Police and Firemen's Death Benefit Fund

The foregoing appropriation item 090-575, Police and Fire Death Benefits, shall be disbursed by the Treasurer of State in quarterly payments at the beginning of each quarter to the Board of Trustees of the Police and Firemen's Disability and Pension Fund. By the twentieth day of June of each year, the Board of Trustees of the Police and Firemen's Disability and Pension Fund shall certify to the Treasurer of State the amount disbursed in each quarter of the current fiscal year to make the payments required by section 742.63 of the Revised Code and shall return to the Treasurer of State moneys received from this item but not disbursed.

Tax Refunds

The foregoing appropriation item 090-635, Tax Refunds, shall be used to pay refunds as provided in section 5703.052 of the Revised Code. If it is determined that additional appropriations are necessary, such amounts are hereby appropriated.

Sec. 101. VET VETERANS' ORGANIZATIONS

General Revenue Fund

VAP AMERICAN EX-PRISONERS OF WAR				
GRF 743-501	State Support	\$	24,444	\$ 25,030
VAN ARMY AND NAVY UNION, USA, INC.				
GRF 746-501	State Support	\$	53,723	\$ 55,012
VKW KOREAN WAR VETERANS				
GRF 747-501	State Support	\$	48,294	\$ 49,453
VJW JEWISH WAR VETERANS				
GRF 748-501	State Support	\$	29,018	\$ 29,715
VCW CATHOLIC WAR VETERANS				
GRF 749-501	State Support	\$	56,631	\$ 57,990
VPH MILITARY ORDER OF THE PURPLE HEART				
GRF 750-501	State Support	\$	55,056	\$ 56,377
VVV VIETNAM VETERANS OF AMERICA				
GRF 751-501	State Support	\$	177,947	\$ 185,954
VAL AMERICAN LEGION OF OHIO				
GRF 752-501	State Support	\$	241,462	\$ 252,328
VII VETERANS OF WORLD WAR II-KOREA-VIETNAM				
GRF 753-501	State Support	\$	728,535	\$ 237,919
VAV DISABLED AMERICAN VETERANS				
GRF 754-501	State Support	\$	159,146	\$ 166,308

VOH RAINBOW DIVISION VETERANS' ASSOCIATION, OHIO					
GRF 755-501	State Support	\$	4,127	\$	4,226
VMC MARINE CORPS LEAGUE					
GRF 756-501	State Support	\$	82,270	\$	85,972
V37 37TH DIVISION AEF VETERANS' ASSOCIATION					
GRF 757-501	State Support	\$	5,807	\$	5,946
VFW VETERANS OF FOREIGN WARS					
GRF 758-501	State Support	\$	163,846	\$	196,615
VWI VETERANS OF WORLD WAR I					
GRF 759-501	State Support	\$	24,444	\$	25,031
TOTAL GRF General Revenue Fund		\$	1,854,750	\$	1,433,876
TOTAL ALL BUDGET FUND GROUPS		\$	1,854,750	\$	1,433,876

Release of Funds

The foregoing appropriation items 743-501, 746-501, 747-501, 748-501, 749-501, 750-501, 751-501, 752-501, 753-501, 754-501, 755-501, 756-501, 757-501, 758-501, and 759-501, State Support, shall be released upon approval by the Director of Budget and Management.

American Ex-Prisoners of War

The American Ex-Prisoners of War shall be permitted to share an office with the Veterans of World War I.

Central Ohio United Services Organization

Of the foregoing appropriation item 751-501, State Support, Vietnam Veterans of America, \$50,000 in each fiscal year shall be used to support the activities of the Central Ohio USO.

National World War II Memorial Fund

Of the foregoing appropriation item 753-501, State Support, Veterans of World War II-Korea-Vietnam, \$500,000 in fiscal year 2000 shall be used for the contribution to the National World War II Memorial Fund. The Director of Budget and Management shall not release any funds for the National World War II Memorial until the ~~project has commenced construction and the~~ national capital campaign has received ninety per cent of its goal through cash received or commitments.

Veterans Service Commission Education

Of the foregoing appropriation item 753-501, State Support, up to \$20,000 in each fiscal year may be used to provide moneys to the Association of County Veterans Service Commissioners to reimburse its member county veterans service commissions for costs incurred in carrying out educational and outreach duties required under divisions (E) and (F) of section 5901.03 of the Revised Code. Upon the presentation of an itemized statement to the Office of Veterans Affairs, the office shall direct the Auditor of State to issue a warrant upon the state treasury to the association to reimburse member commissions for reasonable and appropriate expenses

incurred performing these duties. The association shall establish uniform procedures for reimbursing member commissions."

SECTION 77. That existing Sections 15, 21, 24, 28, 29, 37, 37.04, 37.12, 37.14, 55.07, 64, 69.02, 72, 90, 96, 96.03, 98, 98.02, and 101 of Am. Sub. H.B. 283 of the 123rd General Assembly are hereby repealed.

SECTION 78. Expenditures from appropriations made in Section 76 of this act shall be accounted for as though made in Am. Sub. H.B. 283 of the 123rd General Assembly. The appropriations made in Section 76 of this act are subject to all provisions of Am. Sub. H.B. 283 of the 123rd General Assembly that are generally applicable to such appropriations.

SECTION 79. That Section 3 of Am. Sub. H.B. 440 of the 121st General Assembly, as most recently amended by Am. Sub. H.B. 283 of the 123rd General Assembly, be amended to read as follows:

" Sec. 3. Sections 122.23, 122.24, 122.25, 122.26, and 122.27 of the Revised Code are hereby repealed, effective ~~June 30~~ July 1, 2001."

SECTION 80. That existing Section 3 of Am. Sub. H.B. 440 of the 121st General Assembly, as most recently amended by Am. Sub. H.B. 283 of the 123rd General Assembly, is hereby repealed.

SECTION 81. That Section 10 of Am. Sub. S.B. 153 of the 123rd General Assembly contingently be amended to read as follows:

" Sec. 10. (A) During the period beginning on the effective date of this section and ending one year thereafter, the Attorney General shall accept applications for reparations under sections 2743.51 to 2743.72 of the Revised Code for ~~either of the following~~:

(1) ~~Economic~~ economic loss arising from criminally injurious conduct that occurred before January 3, 1976 and ~~was that would be~~ at least a felony of the first degree;

(2) ~~Economic loss arising from criminally injurious conduct that occurred on or after January 3, 1976 and was at least a felony of the first degree, where the economic loss was not compensable under sections 2743.51 to 2743.72 of the Revised Code at the time it arose but is compensable under those sections~~ if committed on and after the effective

date of this section.

(B) The Attorney General, a Court of Claims Panel of Commissioners, or a Judge of the Court of Claims may make an award of reparations with respect to an application filed under this section, provided that the total amount of awards made under this section shall not exceed five hundred thousand dollars. ~~Applications for such awards shall be considered in the order they are received.~~ The amount of any such award shall be determined under sections 2743.51 to 2743.72 of the Revised Code as those sections exist on the effective date of this section.

(C) An individual who received compensation under former sections 2743.31 to 2743.35 of the Revised Code is not eligible for an award under this section with respect to the criminally injurious conduct for which that compensation was received.

(D) If the total amount of all ~~qualified~~ eligible claims under this section exceeds \$500,000, then the award made to each claimant shall be reduced proportionately by multiplying the claim by the ratio of \$500,000 divided by the total of all ~~qualified~~ eligible claims."

SECTION 82. That existing Section 10 of Am. Sub. S.B. 153 of the 123rd General Assembly contingently is hereby repealed.

SECTION 83. The amendment by this act of Section 10 of Am. Sub. S.B. 153 of the 123rd General Assembly is contingent on that section becoming law, and takes effect at the same time as does the section in Am. Sub. S.B. 153.

SECTION 84. Except as otherwise specifically provided in this act, the codified and uncodified sections of law contained in this act, and the items of law of which the codified and uncodified sections of law contained in this act are composed, are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the codified and uncodified sections of law contained in this act, and the items of law of which the codified and uncodified sections of law contained in this act are composed, take effect on the ninety-first day after this act is filed with the Secretary of State. If, however, a referendum petition is filed against any such codified or uncodified section of law contained in this act, or against any item of law of which any such codified or uncodified section of law contained in this act is composed, the codified or uncodified section

of law, or item of law, unless rejected at the referendum, takes effect at the earliest time permitted by law.

SECTION 85. The amendments of this act to sections 1547.72, 3109.401, 3317.022, 3317.0212, 3332.05, 3332.06, 3333.29, and 3734.281 of the Revised Code are not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, such sections as amended go into immediate effect when this act becomes law.

SECTION 86. Section 5117.071 of the Revised Code, as amended by this act, takes effect July 1, 2000.

SECTION 87. The amendments of this act to Section 18 of Am. Sub. H.B. 650 of the 122nd General Assembly (as subsequently amended); to Section 5.05 of Am. Sub. H.B. 163 of the 123rd General Assembly; to Sections 4, 4.01, 4.07, 4.10, 4.13, 7.01, 11, and 17 of Am. Sub. H.B. 282 of the 123rd General Assembly; and to Sections 15, 21, 24, 28, 29, 37, 37.12, 37.14, 55.07, 64, 69.02, 72, 90, 96, 96.03, 98, 98.02, and 101 of Am. Sub. H.B. 283 of the 123rd General Assembly are not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, such sections as amended go into immediate effect when this act becomes law.

SECTION 88. If amendment of a section of law is subject to the referendum, corresponding indications in the amending and existing repeal clauses commanding the amendment also are subject to the referendum, along with the amendment. If amendment of a section of law is not subject to the referendum, corresponding indications in the amending and existing repeal clauses commanding the amendment also are not subject to the referendum, the same as the amendment.

SECTION 89. Sections 169.02, 329.07, 3109.401, 3314.08, 5101.325, 5107.05, 5107.161, 5107.162, and 5111.23 of the Revised Code are amended by this act and also by H.B. 471 of the 123rd General Assembly effective July 1, 2000. The amendments of H.B. 471 are included in this act to confirm the intention to retain them, but they are not intended to be

effective until July 1, 2000.

Section 5101.35 of the Revised Code is amended by this act and also by Am. Sub. H.B. 470 of the 123rd General Assembly effective July 1, 2000. The amendments of H.B. 470 are included in this act to confirm the intention to retain them, but they are not intended to be effective until July 1, 2000.

SECTION 90. Section 3317.02 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 281 and Am. Sub. H.B. 282 of the 123rd General Assembly, with the new language of neither of the acts shown in capital letters. Section 4506.01 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. S.B. 66 and Am. Sub. S.B. 213 of the 122nd General Assembly, with the new language of neither of the acts shown in capital letters. This is in recognition of the principle stated in division (B) of section 1.52 of the Revised Code that such amendments are to be harmonized where not substantively irreconcilable and constitutes a legislative finding that such is the resulting version in effect prior to the effective date of this act.

SECTION 91. If any item of law that constitutes the whole or part of a codified or uncodified section of law contained in this act, or if any application of any item of law that constitutes the whole or part of a codified or uncodified section of law contained in this act, is held invalid, the invalidity does not affect other items of law or applications of items of law that can be given effect without the invalid item of law or applications. To this end, the items of law of which the codified and uncodified sections contained in this act are composed, and their applications, are independent and severable.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Sub. S. B. No. 245

246

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ___ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____