

As Passed by the Senate

127th General Assembly

Regular Session

2007-2008

Am. Sub. H. B. No. 266

Representative Huffman

**Cosponsors: Representatives Zehringer, Stebelton, Evans, McGregor, J.,
Goodwin, Setzer, Seitz, Aslanides, Combs, Domenick, Fessler, Newcomb,
Otterman, J., Reinhard, Ujvagi, Widowfield, Daniels, Hughes, Koziura, Patton,
Schlichter, Schneider, Yuko**

**Senators Faber, Fedor, Harris, Niehaus, Padgett, Seitz, Wagoner, Wilson,
Schaffer**

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A B I L L

To amend section 345.08 of the Revised Code and to 1
amend Section 201.50 of H.B. 496 of the 127th 2
General Assembly, as subsequently amended, to 3
enable more flexible composition of veterans 4
memorial boards of trustees, to establish 5
corrective action grants for school facilities 6
projects, and to make a capital appropriation. 7

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

Section 1. That section 345.08 of the Revised Code be amended 8
to read as follows: 9

Sec. 345.08. Within five days after the certification to the 10
taxing authority of the result of an election held under sections 11
345.02 to 345.05 of the Revised Code, provided a majority of the 12
votes cast on the proposal submitted are in favor of such 13
proposal, or within five days after adoption by the taxing 14

authority of an ordinance or resolution to authorize the issuance 15
of any such bonds without a vote of the electors, the taxing 16
authority of the township or county, or the mayor of the municipal 17
corporation shall appoint a board of trustees, consisting of at 18
least five but not more than eleven members, which shall, at all 19
times, be so constituted that at least ~~seven~~ a majority of its 20
members are honorably discharged veterans of the armed forces of 21
the United States, ~~having served in one or more wars in which the~~ 22
~~United States was a belligerent. Not more than six members of the~~ 23
~~board shall be from the same political party. Five~~ A majority of 24
such trustees shall be appointed for three years and ~~six~~ the 25
remaining trustees shall be appointed for five years, and 26
thereafter, on the expiration of the original term, appointments 27
shall be made for terms of five years. Appointments to fill 28
vacancies shall be for the unexpired term. 29

Section 2. That existing section 345.08 of the Revised Code 30
is hereby repealed. 31

Section 3. That Section 201.50 of H.B. 496 of the 127th 32
General Assembly, as amended by Am. Sub. H.B. 562 of the 127th 33
General Assembly, be amended to read as follows: 34

Sec. 201.50. All items set forth in this section are hereby 35
appropriated out of any moneys in the state treasury to the credit 36
of the School Building Program Assistance Fund (Fund 7032) that 37
are not otherwise appropriated: 38

		Reappropriations	
SFC SCHOOL FACILITIES COMMISSION			39
C23002	School Building Program Assistance	\$ 3,572,253,121	40
		<u>3,547,253,121</u>	
C23005	Exceptional Needs	\$ 28,504,951	41
C23010	Vocation Facilities Assistance Program	\$ 11,115,616	42

<u>C23011</u>	<u>Corrective Action Grants</u>	\$	<u>25,000,000</u>	43
	Total School Facilities Commission	\$	3,611,873,688	44
	TOTAL School Building Program Assistance Fund	\$	3,611,873,688	45

CONSTRUCTION OF NEW BLIND AND DEAF SCHOOLS 46

Of the foregoing appropriation item C23002, School Building 47
Program Assistance, \$37,080,000 shall be used for constructing new 48
facilities, or renovating existing facilities, or both, on the 49
current campuses of the Ohio State School for the Blind and the 50
Ohio School for the Deaf. Notwithstanding sections 123.01 and 51
123.15 of the Revised Code and in addition to its powers under 52
Chapter 3318. of the Revised Code, the Ohio School Facilities 53
Commission shall administer the project pursuant to the memorandum 54
of understanding that the Ohio State School for the Blind, the 55
Ohio School for the Deaf, and the Ohio School Facilities 56
Commission signed on October 31, 2007. The project shall comply to 57
the fullest extent possible with the specifications and policies 58
set forth in the Ohio School Facilities Design Manual and shall 59
not be considered a part of any program created under Chapter 60
3318. of the Revised Code. As agreed to by the parties in the 61
memorandum of understanding, \$37,080,000 is sufficient to complete 62
the construction or renovation of the facilities needed for the 63
education of both the deaf and blind student communities and 64
additional appropriations will not be required. Upon issuance by 65
the Commission of a certificate of completion of the project, the 66
Commission's participation in the project shall end. 67

The Executive Director of the Ohio School Facilities 68
Commission shall comply with the procedures and guidelines 69
established in Chapter 153. of the Revised Code. Upon the release 70
of funds for the project by the Controlling Board or the Director 71
of Budget and Management, the Commission may administer the 72
project without the supervision, control, or approval of the 73
Director of Administrative Services. Any references to the 74

Director of Administrative Services in the Revised Code, with 75
respect to the administration of the project, shall be read as if 76
they referred to the Director of the Ohio School Facilities 77
Commission. 78

CORRECTIVE ACTION GRANTS 79

The foregoing appropriation item C23011, Corrective Action 80
Grants, may be used to provide funding to bring facilities up to 81
Ohio School Design Manual standards for a project funded pursuant 82
to sections 3318.01 to 3318.20 or 3318.40 to 3318.45 of the 83
Revised Code for the correction of work found during or after 84
project close-out to be defective, or for the remediation of work 85
found during or after project close-out to be omitted. Funding 86
shall only be provided for work if the impacted school district 87
notifies the Executive Director of the Ohio School Facilities 88
Commission within five years of project close-out. The Commission 89
may provide funding assistance necessary to take corrective 90
measures after evaluating defective or omitted work. If the work 91
to be corrected or remediated is part of a project not yet 92
completed, the Commission may amend the project agreement to 93
increase the project budget and use corrective action funding to 94
provide the local share of the amendment. If the work to be 95
corrected or remediated was part of a completed project and funds 96
were retained or transferred pursuant to division (C) of section 97
3318.12 of the Revised Code, the Commission may enter into a new 98
agreement to address the necessary corrective action. The 99
Commission shall assess responsibility for the defective or 100
omitted work and seek cost recovery from responsible parties, if 101
applicable. Any funds recovered shall be deposited into the School 102
Building Program Assistance Fund (Fund 7032). 103

Section 4. That existing Section 201.50 of H.B. 496 of the 104
127th General Assembly, as amended by Am. Sub. H.B. 562 of the 105
127th General Assembly, is hereby repealed. 106