

**SECTION 209.18.09. WILDLIFE LICENSE REIMBURSEMENT**

Notwithstanding the limits of the transfer from the General Revenue Fund to the Wildlife Fund, as adopted in section 1533.15 of the Revised Code, up to the amount available in appropriation item 725-425, Wildlife License Reimbursement, may be transferred from the General Revenue Fund to the Wildlife Fund (Fund 015). Pursuant to the certification of the Director of Budget and Management of the amount of foregone revenue in accordance with section 1533.15 of the Revised Code, the foregoing appropriation item in the General Revenue Fund, appropriation item 725-425, Wildlife License Reimbursement, shall be used to reimburse the Wildlife Fund (Fund 015) for the cost of hunting and fishing licenses and permits issued after June 30, 1990, to individuals who are exempted under the Revised Code from license, permit, and stamp fees.

**CANAL LANDS**

The foregoing appropriation item 725-456, Canal Lands, shall be used to transfer funds to the Canal Lands Fund (Fund 430) to provide operating expenses for the State Canal Lands Program. The transfer shall be made using an intrastate transfer voucher and shall be subject to the approval of the Director of Budget and Management.

**SOIL AND WATER DISTRICTS**

In addition to state payments to soil and water conservation districts authorized by section 1515.10 of the Revised Code, the Department of Natural Resources may pay to any soil and water conservation district, from authority in appropriation item 725-502, Soil and Water Districts, an annual amount not to exceed \$30,000, upon receipt of a request and justification from the district and approval by the Ohio Soil and Water Conservation Commission. The county auditor shall credit the payments to the special fund established under section 1515.10 of the Revised Code for the local soil and water conservation district. Moneys received by each district shall be expended for the purposes of the district. The foregoing appropriation item 725-683, Soil and Water Districts, shall be expended for the purposes described above, except that the funding source for this appropriation shall be a fee applied on the disposal of construction and demolition debris as provided in section 1515.14 of the Revised Code, as amended by this act.

Of the foregoing appropriation item 725-502, Soil and Water Districts, \$25,000 in each fiscal year shall be used for the Conservation Action Project.

Of the foregoing appropriation item, 725-683, Soil and Water Districts, \$200,000 in each fiscal year shall be used to support the Heidelberg College

Water Quality Laboratory.

Of the foregoing appropriation item 725-683, Soil and Water Districts, \$100,000 in each fiscal year shall be used to support the Muskingum Watershed Conservancy District.

Of the foregoing appropriation item 725-683, Soil and Water Districts, \$100,000 in each fiscal year shall be used to support the Indian Lake Watershed in Logan County.

#### DIVISION OF WATER

Of the foregoing appropriation item 733-321, Division of Water, \$50,000 in fiscal year 2006 shall be used for the Fairport Harbor Port Authority boat launch in Lake County.

#### FUND CONSOLIDATION

The Director of Budget and Management shall transfer an amount certified by the Director of Natural Resources from the Central Support Indirect Fund (Fund 157) to the Law Enforcement Administration Fund (Fund 223) and the Information Services Fund (Fund 204) to implement a direct cost recovery plan.

#### STATE PARK DEPRECIATION RESERVE

The foregoing appropriation item 725-680, Parks Facilities Maintenance, shall be used by the Division of Parks and Recreation to maintain state park revenue producing facilities in the best economic operating condition and to repair and replace equipment used in the operation of state park revenue producing facilities.

Upon certification of the Director of Natural Resources, the Director of Budget and Management shall transfer the cash balance in the Depreciation Reserve Fund (Fund 161), which is abolished in section 1541.221 of the Revised Code, as amended by this act, to the State Park Fund (Fund 512), which is created in section 1541.22 of the Revised Code. All outstanding encumbrances shall be cancelled on October 1, 2005.

#### OIL AND GAS WELL PLUGGING

The foregoing appropriation item 725-677, Oil and Gas Well Plugging, shall be used exclusively for the purposes of plugging wells and to properly restore the land surface of idle and orphan oil and gas wells pursuant to section 1509.071 of the Revised Code. No funds from the appropriation item shall be used for salaries, maintenance, equipment, or other administrative purposes, except for those costs directly attributed to the plugging of an idle or orphan well. Appropriation authority from this appropriation item shall not be transferred to any other fund or line item.

#### LITTER CONTROL AND RECYCLING

Of the foregoing appropriation item, 725-644, Litter Control and

Recycling, not more than \$1,500,000 may be used in each fiscal year for the administration of the Recycling and Litter Prevention program.

**CLEAN OHIO OPERATING EXPENSES**

The foregoing appropriation item 725-405, Clean Ohio Operating, shall be used by the Department of Natural Resources in administering section 1519.05 of the Revised Code.

**WATERCRAFT MARINE PATROL**

Of the foregoing appropriation item 739-401, Division of Watercraft, not more than \$200,000 in each fiscal year shall be expended for the purchase of equipment for marine patrols qualifying for funding from the Department of Natural Resources pursuant to section 1547.67 of the Revised Code. Proposals for equipment shall accompany the submission of documentation for receipt of a marine patrol subsidy pursuant to section 1547.67 of the Revised Code and shall be loaned to eligible marine patrols pursuant to a cooperative agreement between the Department of Natural Resources and the eligible marine patrol.

**WATERCRAFT REVOLVING LOAN PROGRAM**

Upon certification by the Director of Natural Resources, the Director of Budget and Management shall transfer an amount not to exceed \$3,000,000 in fiscal year 2006 and not to exceed \$1,000,000 in fiscal year 2007 so certified from the Waterways Safety Fund (Fund 086) to the Watercraft Revolving Loans Fund (Fund 5AW). The moneys shall be used pursuant to section 1547.721 of the Revised Code.

**PARKS CAPITAL EXPENSES FUND**

There is hereby created in the state treasury the Parks Capital Expenses Fund (Fund 227). The fund shall be used to pay for design, engineering, and planning costs incurred by the Department of Natural Resources for capital parks projects.

The Director of Natural Resources shall submit to the Director of Budget and Management the estimated design, engineering, and planning costs of capital-related work to be done by Department of Natural Resources staff for parks projects. If the Director of Budget and Management approves the estimated costs, the Director may release appropriations from appropriation item 725-406, Parks Projects Personnel, for those purposes. Upon release of the appropriations, the Department of Natural Resources shall pay for these expenses from the Parks Capital Expenses Fund (Fund 227). Expenses paid from Fund 227 shall be reimbursed by the Parks and Recreation Improvement Fund (Fund 035) using an intrastate transfer voucher.

**SECTION 209.21. NUR STATE BOARD OF NURSING****General Services Fund Group**

4K9 884-609	Operating Expenses	\$	5,661,280	\$	5,661,280
5P8 884-601	Nursing Special Issues	\$	5,000	\$	5,000
<b>TOTAL GSF General Services</b>					
	Fund Group	\$	5,666,280	\$	5,666,280
<b>TOTAL ALL BUDGET FUND GROUPS</b>					

**NURSING SPECIAL ISSUES**

The foregoing appropriation item 884-601, Nursing Special Issues (Fund 5P8), shall be used to pay the costs the Board of Nursing incurs in implementing section 4723.062 of the Revised Code.

**SECTION 209.24. PYT OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD****General Services Fund Group**

4K9 890-609	Operating Expenses	\$	824,057	\$	0
<b>TOTAL GSF General Services Fund Group</b>					
<b>TOTAL ALL BUDGET FUND GROUPS</b>					

**SECTION 209.27. OLA OHIOANA LIBRARY ASSOCIATION****General Revenue Fund**

GRF 355-501	Library Subsidy	\$	200,000	\$	200,000
<b>TOTAL GRF General Revenue Fund</b>					
<b>TOTAL ALL BUDGET FUND GROUPS</b>					

**SECTION 209.30. ODB OHIO OPTICAL DISPENSERS BOARD****General Services Fund Group**

4K9 894-609	Operating Expenses	\$	316,517	\$	0
<b>TOTAL GSF General Services</b>					
	Fund Group	\$	316,517	\$	0
<b>TOTAL ALL BUDGET FUND GROUPS</b>					

**SECTION 209.33. OPT STATE BOARD OF OPTOMETRY****General Services Fund Group**

4K9 885-609	Operating Expenses	\$	336,771	\$	0
<b>TOTAL GSF General Services</b>					
	Fund Group	\$	336,771	\$	0
<b>TOTAL ALL BUDGET FUND GROUPS</b>					

**SECTION 209.36. OPP STATE BOARD OF ORTHOTICS,**

**PROSTHETICS, AND PEDORTHICS****General Services Fund Group**

4K9973-609 Operating Expenses	\$	99,571	\$	0
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TOTAL GSF General Services				
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Fund Group	\$	99,571	\$	0
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TOTAL ALL BUDGET FUND	\$	99,571	\$	0
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**GROUPS****SECTION 209.39. PBR STATE PERSONNEL BOARD OF REVIEW****General Revenue Fund**

GRF 124-321 Operating	\$	1,116,170	\$	1,148,000
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TOTAL GRF General Revenue Fund	\$	1,116,170	\$	1,148,000
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**General Services Fund Group**

636 124-601 Transcript and Other	\$	12,000	\$	15,000
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TOTAL GSF General Services				
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Fund Group	\$	12,000	\$	15,000
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TOTAL ALL BUDGET FUND GROUPS	\$	1,128,170	\$	1,163,000
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**TRANSCRIPT AND OTHER**

The foregoing appropriation item 124-601, Transcript and Other, may be used to defray the costs of producing an administrative record.

**SECTION 209.42. PRX STATE BOARD OF PHARMACY****General Services Fund Group**

4A5 887-605 Drug Law Enforcement	\$	75,550	\$	75,550
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4K9 887-609 Operating Expenses	\$	5,650,537	\$	5,400,537
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TOTAL GSF General Services				
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Fund Group	\$	5,726,087	\$	5,476,087
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TOTAL ALL BUDGET FUND GROUPS	\$	5,726,087	\$	5,476,087
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**SECTION 209.45. PSY STATE BOARD OF PSYCHOLOGY****General Services Fund Group**

4K9 882-609 Operating Expenses	\$	566,112	\$	0
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TOTAL GSF General Services				
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Fund Group	\$	566,112	\$	0
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TOTAL ALL BUDGET FUND GROUPS	\$	566,112	\$	0
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**SECTION 209.48. PUB OHIO PUBLIC DEFENDER COMMISSION****General Revenue Fund**

GRF 019-321 Public Defender Administration	\$	1,295,570	\$	1,262,439
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GRF 019-401 State Legal Defense Services	\$	5,744,601	\$	5,704,117
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GRF 019-403	Multi-County: State Share	\$	823,620	\$	823,620
GRF 019-404	Trumbull County - State Share	\$	256,380	\$	256,380
GRF 019-405	Training Account	\$	31,324	\$	31,324
GRF 019-501	County Reimbursement	\$	30,000,000	\$	30,000,000
TOTAL GRF General Revenue Fund		\$	38,151,495	\$	38,077,880
<b>General Services Fund Group</b>					
101 019-602	Inmate Legal Assistance	\$	53,086	\$	32,338
406 019-603	Training and Publications	\$	16,000	\$	16,000
407 019-604	County Representation	\$	186,146	\$	188,810
408 019-605	Client Payments	\$	614,027	\$	762,106
TOTAL GSF General Services Fund Group		\$	869,259	\$	999,254
<b>Federal Special Revenue Fund Group</b>					
3S8 019-608	Federal Representation	\$	380,484	\$	315,287
TOTAL FED Federal Special Revenue Fund Group		\$	380,484	\$	315,287
<b>State Special Revenue Fund Group</b>					
4C7 019-601	Multi-County: County Share	\$	2,028,309	\$	2,104,367
4X7 019-610	Trumbull County - County Share	\$	642,106	\$	665,860
574 019-606	Legal Services Corporation	\$	16,575,000	\$	21,300,000
5CX 019-617	Civil Case Filing Fee	\$	417,600	\$	556,800
TOTAL SSR State Special Revenue Fund Group		\$	19,663,015	\$	24,627,027
TOTAL ALL BUDGET FUND GROUPS		\$	59,064,253	\$	64,019,448

**INDIGENT DEFENSE OFFICE**

The foregoing appropriation items 019-404, Trumbull County - State Share, and 019-610, Trumbull County - County Share, shall be used to support an indigent defense office for Trumbull County.

**MULTI-COUNTY OFFICE**

The foregoing appropriation items 019-403, Multi-County: State Share, and 019-601, Multi-County: County Share, shall be used to support the Office of the Ohio Public Defender's Multi-County Branch Office Program.

**TRAINING ACCOUNT**

The foregoing appropriation item 019-405, Training Account, shall be used by the Ohio Public Defender to provide legal training programs at no cost for private appointed counsel who represent at least one indigent defendant at no cost and for state and county public defenders and attorneys who contract with the Ohio Public Defender to provide indigent defense services.

**FEDERAL REPRESENTATION**

The foregoing appropriation item 019-608, Federal Representation, shall be used to receive reimbursements from the federal courts when the Ohio Public Defender provides representation in federal court cases and to support representation in such cases.

## SECTION 209.51. DHS DEPARTMENT OF PUBLIC SAFETY

## General Revenue Fund

GRF 763-403	Operating Expenses - EMA	\$	4,164,697	\$	4,164,697
GRF 763-507	Individual and Households Program - State	\$	650,000	\$	650,000
GRF 768-424	Operating Expenses - CJS	\$	965,899	\$	1,276,192
GRF 769-321	Food Stamp Trafficking Enforcement Operations	\$	752,000	\$	752,000
TOTAL GRF General Revenue Fund		\$	6,532,596	\$	6,842,889

## General Services Fund Group

4P6 768-601	Justice Program Services	\$	100,000	\$	100,000
TOTAL GSF General Services Fund Group		\$	100,000	\$	100,000

## Federal Special Revenue Fund Group

3AY 768-606	Federal Justice Grants	\$	11,200,000	\$	11,500,000
3L5 768-604	Justice Program	\$	31,019,750	\$	25,214,623
3V8 768-605	Federal Program Purposes FFY01	\$	50,000	\$	0
TOTAL FED Federal Special Revenue Fund Group		\$	42,269,750	\$	36,714,623

## State Special Revenue Fund Group

5BK768-689	Family Violence Shelter Programs	\$	500,000	\$	650,000
5B9766-632	PI & Security Guard Provider	\$	1,188,716	\$	1,188,716
5CC768-607	Public Safety Services	\$	375,000	\$	325,000
TOTAL SSR State Special Revenue Fund Group		\$	2,063,716	\$	2,163,716

TOTAL ALL BUDGET FUND GROUPS		\$	50,966,062	\$	45,821,228
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## OHIO TASK FORCE ONE - URBAN SEARCH AND RESCUE UNIT

Of the foregoing appropriation item 763-403, Operating Expenses - EMA, \$200,000 in each fiscal year shall be used to fund the Ohio Task Force One - Urban Search and Rescue Unit and other urban search and rescue programs around the state to create a stronger search and rescue capability statewide.

## INDIVIDUAL AND HOUSEHOLDS GRANTS STATE MATCH

The foregoing appropriation item 763-507, Individual and Households Program - State, shall be used to fund the state share of costs to provide grants to individuals and households in cases of disaster.

## TRANSFER OF THE OFFICE OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF PUBLIC SAFETY

(A) On July 1, 2005:

(1) The Office of Criminal Justice Services shall cease to exist. Subject to the layoff provisions of sections 124.321 to 124.328 of the Revised Code,

the employees of the Office of Criminal Justice Services who were employed by that Office on June 30, 2005, are transferred on that date to the Department of Public Safety. The vehicles and equipment assigned to those employees are transferred to the Department of Public Safety.

(2) The assets, liabilities, other equipment not provided for, and records, irrespective of form or medium, of the Office of Criminal Justice Services are transferred to the Division of Criminal Justice Services. The Division of Criminal Justice Services is the successor to, assumes the obligations of, and otherwise constitutes the continuation of the Office of Criminal Justice Services.

(3) Business commenced but not completed by the Office of Criminal Justice Services on July 1, 2005, shall be completed by the Division of Criminal Justice Services, in the same manner, and with the same effect, as if completed by the Office of Criminal Justice Services. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer required by this section but shall be administered by the Division of Criminal Justice Services.

(4) The rules, orders, and determinations pertaining to the Office of Criminal Justice Services continue in effect as rules, orders, and determinations of the Division of Criminal Justice Services until modified or rescinded by that Division.

(5) No judicial or administrative action or proceeding pending on July 1, 2005, is affected by the transfer of functions from the Office of Criminal Justice Services to the Division of Criminal Justice Services and shall be prosecuted or defended in the name of the Executive Director or Division of Criminal Justice Services. On application to the court or other tribunal, the Executive Director or Division of Criminal Justice Services shall be substituted as a party in those actions and proceedings.

(6) When the Director or Office of Criminal Justice Services is referred to in any statute, rule, contract, grant, or other document, the reference is hereby deemed to refer to the Executive Director or Division of Criminal Justice Services.

(B) On and after July 1, 2005, if necessary to ensure the integrity of the numbering of the Administrative Code, the Director of the Legislative Service Commission shall renumber the rules of the Office of Criminal Justice Services to reflect their transfer to the Division of Criminal Justice Services in the Department of Public Safety.

(C) On and after July 1, 2005, notwithstanding any provision of law to the contrary, the Director of Budget and Management is authorized to take the actions described in this section with respect to budget changes made



necessary by administrative reorganization, program transfers, the creation of new funds, and the consolidation of funds as authorized by this act. The Director may make any transfer of cash balances between funds. At the request of the Director of Budget and Management, the administering agency head shall certify to the Director an estimate of the amount of the cash balance to be transferred to the receiving fund. The Director may transfer the estimated amount when needed to make payments. Not more than thirty days after certifying the estimated amount, the administering agency head shall certify the final amount to the Director. The Director shall transfer the difference between any amount previously transferred and the certified final amount. The Director may cancel encumbrances and re-establish encumbrances or parts of encumbrances as needed in fiscal year 2006 in the appropriate fund and appropriation item for the same purpose and to the same vendor. As determined by the Director, the appropriation authority necessary to re-establish those encumbrances in fiscal year 2006 in a different fund or appropriation item within an agency or between agencies is hereby authorized. The Director shall reduce each year's appropriation balances by the amount of the encumbrances canceled in their respective funds and appropriation items. Any fiscal year 2005 unencumbered or unallocated appropriation balances may be transferred to the appropriate item to be used for the same purposes, as determined by the Director.

(D) Any advisory committees appointed by the Governor to assist the Office of Criminal Justice Services pursuant to section 181.53 and existing on June 30, 2005, shall continue to exist as advisory committees to the Division of Criminal Justice Services in the Department of Public Safety beginning on July 1, 2005, subject to section 121.13 of the Revised Code.

#### TRANSFER OF FAMILY VIOLENCE PREVENTION CENTER

The Family Violence Prevention Center is transferred from the Office of Criminal Justice Services to the Department of Public Safety. The Family Violence Prevention Center shall operate as part of the Division of Criminal Justice Services in the Department of Public Safety in the same manner as it operated under the Office of Criminal Justice Services.

#### STATE FIRE MARSHAL'S FUND CASH TRANSFERS FOR PUBLIC SAFETY SERVICES

Notwithstanding section 3737.71 of the Revised Code, in fiscal year 2006, the Director of Budget and Management shall transfer \$375,000 in cash from the Department of Commerce's State Fire Marshal's Fund (Fund 546) to the Department of Public Safety's Public Safety Services Fund (Fund 5CC), which is hereby created in the state treasury, and in fiscal year 2007, the Director of Budget and Management shall transfer \$325,000 in

cash from the Department of Commerce's State Fire Marshal's Fund (Fund 546) to the Department of Public Safety's Public Safety Services Fund (Fund 5CC).

Of the foregoing appropriation item 768-607, Public Safety Services, \$100,000 in fiscal year 2006 and \$200,000 in fiscal year 2007 shall be distributed by the Department of Public Safety's Division of Criminal Justice Services to the City of Warren to assist the city in providing essential public safety services to its citizens.

Of the foregoing appropriation item 768-607, Public Safety Services, \$125,000 in each fiscal year shall be distributed by the Department of Public Safety's Division of Criminal Justice Services directly to the Southern Ohio Drug Task Force.

Of the foregoing appropriation item 768-607, Public Safety Services, \$150,000 in fiscal year 2006 shall be distributed by the Department of Public Safety's Division of Criminal Justice Services to the City of Eastlake to assist the city in providing essential public safety services to its citizens.

#### SECTION 209.54. PUC PUBLIC UTILITIES COMMISSION OF OHIO

##### General Services Fund Group

5F6	870-622	Utility and Railroad Regulation	\$	31,272,222	\$	31,272,223
5F6	870-624	NARUC/NRRI Subsidy	\$	167,233	\$	167,233
5F6	870-625	Motor Transportation Regulation	\$	5,361,239	\$	5,361,238
TOTAL GSF General Services Fund Group			\$	36,800,694	\$	36,800,694

##### Federal Special Revenue Fund Group

3V3	870-604	Commercial Vehicle Information Systems/Networks	\$	300,000	\$	300,000
333	870-601	Gas Pipeline Safety	\$	597,957	\$	597,957
350	870-608	Motor Carrier Safety	\$	7,027,712	\$	7,027,712
TOTAL FED Federal Special Revenue Fund Group			\$	7,925,669	\$	7,925,669

##### State Special Revenue Fund Group

4A3	870-614	Grade Crossing Protection Devices-State	\$	1,349,757	\$	1,349,757
4L8	870-617	Pipeline Safety-State	\$	187,621	\$	187,621
4S6	870-618	Hazardous Material Registration	\$	464,325	\$	464,325
4S6	870-621	Hazardous Materials Base State Registration	\$	373,346	\$	373,346
4U8	870-620	Civil Forfeitures	\$	284,986	\$	284,986
5BP	870-623	Wireless 911 Administration	\$	650,000	\$	375,000
559	870-605	Public Utilities Territorial Administration	\$	4,000	\$	4,000

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560	870-607	Special Assessment	\$	100,000	\$	100,000
561	870-606	Power Siting Board	\$	337,210	\$	337,210
638	870-611	Biomass Energy Program	\$	40,000	\$	40,000
661	870-612	Hazardous Materials Transportation	\$	900,000	\$	900,000
TOTAL SSR State Special Revenue Fund Group			\$	4,691,245	\$	4,416,245
<b>Agency Fund Group</b>						
4G4	870-616	Base State Registration Program	\$	5,600,000	\$	5,600,000
TOTAL AGY Agency Fund Group			\$	5,600,000	\$	5,600,000
TOTAL ALL BUDGET FUND GROUPS			\$	55,017,608	\$	54,742,608

**COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS PROJECT**

The Commercial Vehicle Information Systems and Networks Fund is hereby created in the state treasury. The fund shall receive funding from the United States Department of Transportation's Commercial Vehicle Intelligent Transportation System Infrastructure Deployment Program and shall be used to deploy the Ohio Commercial Vehicle Information Systems and Networks Project and to expedite and improve the safety of motor carrier operations through electronic exchange of data by means of on-highway electronic systems.

**ENHANCED AND WIRELESS ENHANCED 9-1-1**

The foregoing appropriation item 870-623, Wireless 911 Administration, shall be used pursuant to section 4931.63 of the Revised Code.

**SECTION 209.57. PWC PUBLIC WORKS COMMISSION**

**General Revenue Fund**

GRF 150-904	Conservation General Obligation Debt Service	\$	13,687,300	\$	17,168,800	
GRF 150-907	State Capital Improvements General Obligation Debt Service	\$	160,731,400	\$	172,145,100	
TOTAL GRF General Revenue Fund			\$	174,418,700	\$	189,313,900
<b>Clean Ohio Fund Group</b>						
056 150-403	Clean Ohio Operating Expenses	\$	298,245	\$	311,509	
TOTAL 056 Clean Ohio Fund Group			\$	298,245	\$	311,509
TOTAL ALL BUDGET FUND GROUPS			\$	174,716,945	\$	189,625,409

**CONSERVATION GENERAL OBLIGATION DEBT SERVICE**

The foregoing appropriation item 150-904, Conservation General Obligation Debt Service, shall be used to pay all debt service and related financing costs at the times they are required to be made under sections 151.01 and 151.09 of the Revised Code during the period from July 1, 2005,

to June 30, 2007. The Office of the Sinking Fund or the Director of Budget and Management shall effectuate the required payments by intrastate transfer voucher.

**STATE CAPITAL IMPROVEMENTS GENERAL OBLIGATION DEBT SERVICE**

The foregoing appropriation item 150-907, State Capital Improvements General Obligation Debt Service, shall be used to pay all debt service and related financing costs at the times they are required to be made under sections 151.01 and 151.08 of the Revised Code during the period from July 1, 2005, to June 30, 2007. The Office of the Sinking Fund or the Director of Budget and Management shall effectuate the required payments by intrastate transfer voucher.

**REIMBURSEMENT TO THE GENERAL REVENUE FUND**

(A) On or before June 1, 2007, the Director of the Public Works Commission shall certify to the Director of Budget and Management the following:

(1) The total amount disbursed from appropriation item 700-409, Farmland Preservation, during the 2005-2007 biennium; and

(2) The amount of interest earnings that have been credited to the Clean Ohio Conservation Fund (Fund 056) that are in excess of the amount needed for other purposes as calculated by the Director of the Public Works Commission.

(B) If the Director of Budget and Management determines under division (A)(2) of this section that there are excess interest earnings, the Director of Budget and Management shall, on or before June 1, 2007, transfer the excess interest earnings to the General Revenue Fund in an amount equal to the total amount disbursed under division (A)(1) of this section from the Clean Ohio Conservation Fund.

**CLEAN OHIO OPERATING EXPENSES**

The foregoing appropriation item 150-403, Clean Ohio Operating Expenses, shall be used by the Ohio Public Works Commission in administering sections 164.20 to 164.27 of the Revised Code.

**SECTION 209.60. RAC STATE RACING COMMISSION**

**State Special Revenue Fund Group**

5C4	875-607	Simulcast Horse Racing Purse	\$	17,061,489	\$	17,063,948
562	875-601	Thoroughbred Race Fund	\$	4,642,378	\$	4,642,378
563	875-602	Standardbred Development Fund	\$	3,161,675	\$	3,161,675
564	875-603	Quarterhorse Development Fund	\$	2,000	\$	2,000

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565	875-604	Racing Commission Operating	\$	4,000,000	\$	4,000,000
TOTAL SSR State Special Revenue						
		Fund Group	\$	28,867,542	\$	28,870,001
<b>Holding Account Redistribution Fund Group</b>						
R21	875-605	Bond Reimbursements	\$	212,900	\$	212,900
TOTAL 090 Holding Account Redistribution						
		Fund Group	\$	212,900	\$	212,900
TOTAL ALL BUDGET FUND GROUPS						
			\$	29,080,442	\$	29,082,901

SECTION 209.63. BOR BOARD OF REGENTS

General Revenue Fund

GRF 235-321	Operating Expenses	\$	2,897,659	\$	2,966,351
GRF 235-401	Lease Rental Payments	\$	200,619,200	\$	200,795,300
GRF 235-402	Sea Grants	\$	231,925	\$	231,925
GRF 235-406	Articulation and Transfer	\$	2,900,000	\$	2,900,000
GRF 235-408	Midwest Higher Education Compact	\$	90,000	\$	90,000
GRF 235-409	Information System	\$	1,146,510	\$	1,175,172
GRF 235-414	State Grants and Scholarship Administration	\$	1,352,811	\$	1,382,881
GRF 235-415	Jobs Challenge	\$	9,348,300	\$	9,348,300
GRF 235-417	Ohio Learning Network	\$	3,119,496	\$	3,119,496
GRF 235-418	Access Challenge	\$	73,513,302	\$	73,004,671
GRF 235-420	Success Challenge	\$	52,601,934	\$	52,601,934
GRF 235-428	Appalachian New Economy Partnership	\$	1,176,068	\$	1,176,068
GRF 235-433	Economic Growth Challenge	\$	20,343,097	\$	23,186,194
GRF 235-434	College Readiness and Access	\$	6,375,975	\$	7,655,425
GRF 235-435	Teacher Improvement Initiatives	\$	2,697,506	\$	2,697,506
GRF 235-451	Eminent Scholars	\$	0	\$	1,370,988
GRF 235-455	EnterpriseOhio Network	\$	1,373,941	\$	1,373,941
GRF 235-474	Area Health Education Centers Program Support	\$	1,571,756	\$	1,571,756
GRF 235-501	State Share of Instruction	\$	1,559,096,031	\$	1,589,096,031
GRF 235-502	Student Support Services	\$	795,790	\$	795,790
GRF 235-503	Ohio Instructional Grants	\$	121,151,870	\$	92,496,969
GRF 235-504	War Orphans Scholarships	\$	4,672,321	\$	4,672,321
GRF 235-507	OhioLINK	\$	6,887,824	\$	6,887,824
GRF 235-508	Air Force Institute of Technology	\$	1,925,345	\$	1,925,345
GRF 235-510	Ohio Supercomputer Center	\$	4,271,195	\$	4,271,195
GRF 235-511	Cooperative Extension Service	\$	25,644,863	\$	25,644,863
GRF 235-513	Ohio University Voinovich Center	\$	336,082	\$	336,082
GRF 235-515	Case Western Reserve University School of Medicine	\$	3,011,271	\$	3,011,271
GRF 235-518	Capitol Scholarship Program	\$	125,000	\$	125,000
GRF 235-519	Family Practice	\$	4,548,470	\$	4,548,470

GRF 235-520	Shawnee State Supplement	\$	1,918,830	\$	1,822,889
GRF 235-521	The Ohio State University Glenn Institute	\$	286,082	\$	286,082
GRF 235-524	Police and Fire Protection	\$	171,959	\$	171,959
GRF 235-525	Geriatric Medicine	\$	750,110	\$	750,110
GRF 235-526	Primary Care Residencies	\$	2,245,688	\$	2,245,688
GRF 235-527	Ohio Aerospace Institute	\$	1,764,957	\$	1,764,957
GRF 235-530	Academic Scholarships	\$	7,800,000	\$	7,800,000
GRF 235-531	Student Choice Grants	\$	50,853,276	\$	52,985,376
GRF 235-534	Student Workforce Development Grants	\$	2,137,500	\$	2,137,500
GRF 235-535	Ohio Agricultural Research and Development Center	\$	35,955,188	\$	35,955,188
GRF 235-536	The Ohio State University Clinical Teaching	\$	13,565,885	\$	13,565,885
GRF 235-537	University of Cincinnati Clinical Teaching	\$	11,157,756	\$	11,157,756
GRF 235-538	Medical University of Ohio at Toledo Clinical Teaching	\$	8,696,866	\$	8,696,866
GRF 235-539	Wright State University Clinical Teaching	\$	4,225,107	\$	4,225,107
GRF 235-540	Ohio University Clinical Teaching	\$	4,084,540	\$	4,084,540
GRF 235-541	Northeastern Ohio Universities College of Medicine Clinical Teaching	\$	4,200,945	\$	4,200,945
GRF 235-543	Ohio College of Podiatric Medicine Clinic Subsidy	\$	250,000	\$	250,000
GRF 235-547	School of International Business	\$	450,000	\$	450,000
GRF 235-549	Part-time Student Instructional Grants	\$	14,457,721	\$	10,534,617
GRF 235-552	Capital Component	\$	19,058,863	\$	19,058,863
GRF 235-553	Dayton Area Graduate Studies Institute	\$	2,806,599	\$	2,806,599
GRF 235-554	Priorities in Collaborative Graduate Education	\$	2,355,548	\$	2,355,548
GRF 235-555	Library Depositories	\$	1,696,458	\$	1,696,458
GRF 235-556	Ohio Academic Resources Network	\$	3,727,223	\$	3,727,223
GRF 235-558	Long-term Care Research	\$	211,047	\$	211,047
GRF 235-561	Bowling Green State University Canadian Studies Center	\$	100,015	\$	100,015
GRF 235-563	Ohio College Opportunity Grant	\$	0	\$	58,144,139
GRF 235-572	The Ohio State University Clinic Support	\$	1,277,019	\$	1,277,019
GRF 235-583	Urban University Program	\$	4,992,937	\$	4,992,937
GRF 235-587	Rural University Projects	\$	1,147,889	\$	1,147,889
GRF 235-596	Hazardous Materials Program	\$	360,435	\$	360,435
GRF 235-599	National Guard Scholarship Program	\$	15,128,472	\$	16,611,063
GRF 235-909	Higher Education General	\$	137,600,300	\$	152,114,100

		Obligation Debt Service			
TOTAL GRF		General Revenue Fund	\$	2,469,260,757	\$ 2,548,147,869
<b>General Services Fund Group</b>					
220	235-614	Program Approval and Reauthorization	\$	400,000	\$ 400,000
456	235-603	Sales and Services	\$	700,000	\$ 900,000
TOTAL GSF		General Services Fund Group	\$	1,100,000	\$ 1,300,000
<b>Federal Special Revenue Fund Group</b>					
3H2	235-608	Human Services Project	\$	1,500,000	\$ 1,500,000
3H2	235-622	Medical Collaboration Network	\$	3,346,143	\$ 3,346,143
3N6	235-605	State Student Incentive Grants	\$	2,196,680	\$ 2,196,680
3T0	235-610	National Health Service Corps - Ohio Loan Repayment	\$	150,001	\$ 150,001
312	235-609	Tech Prep	\$	183,850	\$ 183,850
312	235-611	Gear-up Grant	\$	1,370,691	\$ 1,370,691
312	235-612	Carl D. Perkins Grant/Plan Administration	\$	112,960	\$ 112,960
312	235-615	Professional Development	\$	523,129	\$ 523,129
312	235-617	Improving Teacher Quality Grant	\$	2,900,000	\$ 2,900,000
312	235-619	Ohio Supercomputer Center	\$	6,000,000	\$ 6,000,000
312	235-621	Science Education Network	\$	1,686,970	\$ 1,686,970
312	235-631	Federal Grants	\$	250,590	\$ 250,590
TOTAL FED		Federal Special Revenue Fund Group	\$	20,221,014	\$ 20,221,014
<b>State Special Revenue Fund Group</b>					
4E8	235-602	Higher Educational Facility Commission Administration	\$	55,000	\$ 55,000
4P4	235-604	Physician Loan Repayment	\$	476,870	\$ 476,870
649	235-607	The Ohio State University Highway/Transportation Research	\$	760,000	\$ 760,000
682	235-606	Nursing Loan Program	\$	893,000	\$ 893,000
TOTAL SSR		State Special Revenue Fund Group	\$	2,184,870	\$ 2,184,870
TOTAL ALL BUDGET FUND GROUPS			\$	2,492,766,641	\$ 2,571,853,753

## SECTION 209.63.03. OPERATING EXPENSES

Of the foregoing appropriation item 235-321, Operating Expenses, up to \$150,000 in each fiscal year shall be used in conjunction with funding provided in the Department of Education budget under appropriation item 200-427, Academic Standards, to create Ohio's Partnership for Continued Learning, in consultation with the Governor's Office. The Partnership, which replaces and broadens the former Joint Council of the Department of Education and the Board of Regents, shall advise and make recommendations to promote collaboration among relevant state entities in

an effort to help local communities develop coherent and successful "P-16" learning systems. The Director of Budget and Management may transfer any unencumbered fiscal year 2006 balance to fiscal year 2007 to support the activities of the Partnership.

**SECTION 209.63.06. LEASE RENTAL PAYMENTS**

The foregoing appropriation item 235-401, Lease Rental Payments, shall be used to meet all payments at the times they are required to be made during the period from July 1, 2005, to June 30, 2007, by the Board of Regents under leases and agreements made under section 154.21 of the Revised Code, but limited to the aggregate amount of \$401,414,500. Nothing in this act shall be deemed to contravene the obligation of the state to pay, without necessity for further appropriation, from the sources pledged thereto, the bond service charges on obligations issued pursuant to section 154.21 of the Revised Code.

**SECTION 209.63.09. SEA GRANTS**

The foregoing appropriation item 235-402, Sea Grants, shall be disbursed to the Ohio State University and shall be used to conduct research on fish in Lake Erie.

**SECTION 209.63.12. ARTICULATION AND TRANSFER**

The foregoing appropriation item 235-406, Articulation and Transfer, shall be used by the Board of Regents to maintain and expand the work of the Articulation and Transfer Council to develop a system of transfer policies to ensure that students at state institutions of higher education can transfer and have coursework apply to their majors and degrees at any other state institution of higher education without unnecessary duplication or institutional barriers under sections 3333.16, 3333.161, and 3333.162 of the Revised Code.

Of the foregoing appropriation item 235-406, Articulation and Transfer, \$200,000 in each fiscal year shall be used to support the work of the Articulation and Transfer Council under division (B) of section 3333.162 of the Revised Code.

**SECTION 209.63.15. MIDWEST HIGHER EDUCATION COMPACT**

The foregoing appropriation item 235-408, Midwest Higher Education Compact, shall be distributed by the Board of Regents under section



3333.40 of the Revised Code.

SECTION 209.63.18. INFORMATION SYSTEM

The foregoing appropriation item 235-409, Information System, shall be used by the Board of Regents to operate the higher education information data system known as the Higher Education Information System.

SECTION 209.63.21. STATE GRANTS AND SCHOLARSHIP ADMINISTRATION

The foregoing appropriation item 235-414, State Grants and Scholarship Administration, shall be used by the Board of Regents to administer the following student financial aid programs: Ohio Instructional Grant, Part-time Student Instructional Grant, Ohio College Opportunity Grant, Ohio Student Choice Grant, Ohio Academic Scholarship, Ohio War Orphans' Scholarship, Nurse Education Assistance Loan Program, Student Workforce Development Grant, Regents Graduate/Professional Fellowship, Ohio Safety Officers College Memorial Fund, Capitol Scholarship Program, and any other student financial aid programs created by the General Assembly. The appropriation item also shall be used to administer the federal Leveraging Educational Assistance Partnership (LEAP) and Special Leveraging Educational Assistance Partnership (SLEAP) programs and other student financial aid programs created by Congress and to provide fiscal services for the Ohio National Guard Scholarship Program and the Physician Loan Repayment Program.

SECTION 209.63.24. JOBS CHALLENGE

Funds appropriated to the foregoing appropriation item 235-415, Jobs Challenge, shall be distributed to state-assisted community and technical colleges, regional campuses of state-assisted universities, and other organizationally distinct and identifiable member campuses of the EnterpriseOhio Network in support of noncredit job-related training. In each fiscal year, \$2,770,773 shall be distributed as performance grants to EnterpriseOhio Network campuses based upon each campus's documented performance according to criteria established by the Board of Regents for increasing training and related services to businesses, industries, and public sector organizations.

Of the foregoing appropriation item 235-415, Jobs Challenge, \$2,819,345 in each fiscal year shall be allocated to the Targeted Industries

Training Grant Program to attract, develop, and retain business and industry strategically important to the state's economy.

Also, in each fiscal year, \$3,758,182 shall be allocated to the Higher Skills Incentives Program to promote and deliver coordinated, comprehensive training to local employers and to reward EnterpriseOhio Network campuses for increasing the amount of non-credit skill upgrading services provided to Ohio employers and employees. The funds shall be distributed to campuses in proportion to each campus's share of noncredit job-related training revenues received by all campuses for the previous fiscal year. It is the intent of the General Assembly that this Higher Skills Incentives component of the Jobs Challenge Program reward campus noncredit job-related training efforts in the same manner that the Research Incentive Program rewards campuses for their ability to obtain sponsored research revenues.

#### SECTION 209.63.27. OHIO LEARNING NETWORK

The foregoing appropriation item 235-417, Ohio Learning Network, shall be used by the Board of Regents to support the continued implementation of the Ohio Learning Network, a statewide electronic collaborative effort designed to promote degree completion of students, workforce training of employees, and professional development through the use of advanced telecommunications and distance education initiatives.

#### SECTION 209.63.30. ACCESS CHALLENGE

In each fiscal year, the foregoing appropriation item 235-418, Access Challenge, shall be distributed to Ohio's state-assisted access colleges and universities. For the purposes of this allocation, "access campuses" includes state-assisted community colleges, state community colleges, technical colleges, Shawnee State University, Central State University, Cleveland State University, the regional campuses of state-assisted universities, and, where they are organizationally distinct and identifiable, the community-technical colleges located at the University of Cincinnati, Youngstown State University, and the University of Akron.

The purpose of Access Challenge is to reduce the student share of costs for resident undergraduates enrolled in lower division undergraduate courses at Ohio's access campuses. The long-term goal is to make the student share of costs for these students equivalent to the student share of costs for resident undergraduate students enrolled throughout Ohio's public colleges and universities. Access Challenge appropriations shall be used in both

years of the biennium to sustain, as much as possible, the tuition restraint or tuition reduction that was achieved with Access Challenge allocations in prior years.

In fiscal year 2006, Access Challenge subsidies shall be distributed by the Board of Regents to eligible access campuses on the basis of the average of each campus's share of fiscal year 2003 and 2004 all-terms subsidy-eligible General Studies FTEs. In fiscal year 2007, Access Challenge subsidies shall be distributed by the Board of Regents to eligible access campuses on the basis of the average of each campus's share of fiscal year 2004 and 2005 all-terms subsidy-eligible General Studies FTEs.

For purposes of this calculation, Cleveland State University's enrollments shall be adjusted by the ratio of the sum of subsidy-eligible lower-division FTE student enrollments eligible for access funding to the sum of subsidy-eligible General Studies FTE student enrollments at Central State University and Shawnee State University, and for the following universities and their regional campuses: the Ohio State University, Ohio University, Kent State University, Bowling Green State University, Miami University, the University of Cincinnati, the University of Akron, and Wright State University.

Of the foregoing appropriation item 235-418, Access Challenge, \$10,172,626 in fiscal year 2006 and \$9,663,995 in fiscal year 2007 shall be used by Central State University to keep undergraduate fees below the statewide average, consistent with its mission of service to many first-generation college students from groups historically underrepresented in higher education and from families with limited incomes.

#### SECTION 209.63.33. SUCCESS CHALLENGE

The foregoing appropriation item 235-420, Success Challenge, shall be used by the Board of Regents to promote degree completion by students enrolled at a main campus of a state-assisted university.

Of the foregoing appropriation item 235-420, Success Challenge, 66.67 per cent of the appropriation in each fiscal year shall be distributed to state-assisted university main campuses in proportion to each campus's share of the total statewide bachelor's degrees granted by university main campuses to "at-risk" students. In fiscal years 2006 and 2007, an "at-risk" student means any undergraduate student who was eligible to receive an Ohio need-based financial aid award during the past ten years. An eligible institution shall not receive its share of this distribution until it has submitted a plan that addresses how the subsidy will be used to better serve at-risk students and increase their likelihood of successful completion of a

bachelor's degree program. The Board of Regents shall disseminate to all state-supported institutions of higher education all such plans submitted by institutions that received Success Challenge funds.

Of the foregoing appropriation item 235-420, Success Challenge, 33.33 per cent of the appropriation in each fiscal year shall be distributed to university main campuses in proportion to each campus's share of the total bachelor's degrees granted by university main campuses to undergraduate students who completed their bachelor's degrees in a "timely manner" in the previous fiscal year. For purposes of this section, "timely manner" means the normal time it would take for a full-time degree-seeking undergraduate student to complete the student's degree. Generally, for such students pursuing a bachelor's degree, "timely manner" means four years. Exceptions to this general rule shall be permitted for students enrolled in programs specifically designed to be completed in a longer time period. The Board of Regents shall collect data to assess the timely completion statistics by university main campuses.

SECTION 209.63.36. APPALACHIAN NEW ECONOMY PARTNERSHIP

The foregoing appropriation item 235-428, Appalachian New Economy Partnership, shall be distributed to Ohio University to continue a multi-campus and multi-agency coordinated effort to link Appalachia to the new economy. Ohio University shall use these funds to provide leadership in the development and implementation of initiatives in the areas of entrepreneurship, management, education, and technology.

SECTION 209.63.39. ECONOMIC GROWTH CHALLENGE

The foregoing appropriation item 235-433, Economic Growth Challenge, shall be used to enhance the basic research capabilities of Ohio's public and private institutions of higher education, support improved graduate programs throughout the state, and promote the transfer of technology developed by colleges and universities to private industry to further the economic goals of the state.

Of the foregoing appropriation item 235-433, Economic Growth Challenge, \$18,000,000 in each fiscal year shall be used for the Research Incentive Program to enhance the basic research capabilities of public colleges and universities and accredited Ohio institutions of higher education holding certificates of authorization issued under section 1713.02 of the Revised Code, in order to strengthen academic research for pursuing

Ohio's economic development goals. The Board of Regents, in consultation with the colleges and universities, shall administer the Research Incentive Program and utilize a means of matching, on a fractional basis, external funds attracted in the previous year by institutions for basic research. The program may include incentives for increasing the amount of external research funds coming to eligible institutions and for focusing research efforts upon critical state needs. Colleges and universities shall submit for review and approval to the Board of Regents plans for the institutional allocation of state dollars received through the program. The institutional plans shall provide the rationale for the allocation in terms of the strategic targeting of funds for academic and state purposes, for strengthening research programs, for increasing the amount of external research funds, and shall include an evaluation process to provide results of the increased support. Institutional plans for the use of Research Incentive funding must demonstrate a significant investment in Third Frontier activities funded at the institution. For a college or university with multiple Third Frontier grants, as much as ten per cent of that institution's Research Incentive funding may be invested in Third Frontier Project-related activities. Each institutional plan for the investment of Research Incentive moneys shall report on existing, planned, or possible relationships with other state science and technology programs and funding recipients in order to further ongoing statewide science and technology collaboration objectives. The Board of Regents shall submit a biennial report of progress to the General Assembly.

In fiscal year 2006, both those state-assisted doctoral degree-granting universities and those accredited Ohio institutions of higher education holding certificates of authorization under section 1713.02 of the Revised Code electing to participate in the Innovation Incentive Program shall initiate a comprehensive Innovation Incentive Plan designed to enhance doctoral programs and areas of research that have the greatest potential to attract preeminent researchers and build research capacity; enhance regional or state economic growth by creating new products and services to be commercialized; and complement Ohio's Third Frontier Project.

Funding for the Innovation Incentive Program shall be generated from those state-assisted universities electing to set aside a portion of their allocation of the current doctoral reserve as provided in appropriation item 235-501, State Share of Instruction, and state matching funds provided in appropriation item 235-433, Economic Growth Challenge. Additionally, those accredited Ohio institutions of higher education holding certificates of authorization under section 1713.02 of the Revised Code electing to participate in the Innovation Incentive Program shall be required to set aside

an amount comparable to the state-assisted universities. The criteria for the determination of this amount shall be developed by the Board of Regents.

Of the foregoing appropriation item 235-433, Economic Growth Challenge, \$2,343,097 in fiscal year 2006 and \$4,686,194 in fiscal year 2007 shall match funds set aside by the state-assisted universities for the Innovation Incentive Program. The set aside begins in fiscal year 2006 and is intended to increase incrementally over a period of ten years with the goal of setting aside a total of fifteen per cent of the doctoral reserve from appropriation item 235-501, State Share of Instruction, by 2016.

The Board of Regents shall use the combined amount of each participating state-assisted university's set aside of the doctoral reserve that has been withheld, the state matching funds earmarked under appropriation item 235-433, Economic Growth Challenge, and the amount set aside by each accredited Ohio institution of higher education holding a certificate of authorization under section 1713.02 of the Revised Code electing to participate in the Innovation Incentive Program to make awards through a competitive process under the Innovation Incentive Program. Only universities electing to set aside the prescribed amount shall be eligible to compete for and receive Innovation Incentive awards. The participating universities shall use these awards to restructure their array of doctoral programs.

Of the foregoing appropriation item 235-433, Economic Growth Challenge, \$500,000 in fiscal year 2007 shall be distributed for the Technology Commercialization Incentive. The purpose of the Technology Commercialization Incentive is to reward public and private colleges and universities for successful technology transfer to Ohio-based business and industry resulting in the commercialization of new products, processes, and services and the establishment of new business start-ups within the state. The Third Frontier Commission, with counsel from the Third Frontier Advisory Board, shall establish the eligibility criteria for public and private colleges and universities interested in applying for Technology Commercialization Incentive funding. To qualify for the funds, public and private colleges and universities must maintain a significant investment in their own technology-transfer and commercialization operation and capabilities, and possess a significant history of successful research partnerships with Ohio-based business and industry.

#### SECTION 209.63.42. COLLEGE READINESS AND ACCESS

Appropriation item 235-434, College Readiness and Access, shall be used by the Board of Regents to support programs designed to improve the

academic preparation and increase the number of students that enroll and succeed in higher education such as the Ohio College Access Network, the state match for the federal Gaining Early Awareness and Readiness for Undergraduate Program, and early awareness initiatives. The appropriation item shall also be used to support innovative statewide strategies to increase student access and retention for specialized populations, and to provide for pilot projects that will contribute to improving access to higher education by specialized populations. The funds may be used for projects that improve access for nonpublic secondary students.

Of the foregoing appropriation item 235-434, College Readiness and Access, \$798,684 in fiscal year 2006 and \$822,645 in fiscal year 2007 shall be distributed to the Ohio Appalachian Center for Higher Education at Shawnee State University. The board of directors of the Center shall consist of the presidents of Shawnee State University, Ohio University, Belmont Technical College, Hocking College, Jefferson Community College, Zane State College, Rio Grande Community College, Southern State Community College, and Washington State Community College; the dean of one of the Salem, Tuscarawas, and East Liverpool regional campuses of Kent State University, as designated by the president of Kent State University; and a representative of the Board of Regents designated by the Chancellor.

Of the foregoing appropriation item 235-434, College Readiness and Access, \$169,553 in fiscal year 2006 and \$174,640 in fiscal year 2007 shall be distributed to Miami University for the Student Achievement in Research and Scholarship (STARS) Program.

Of the foregoing appropriation item 235-434, College Readiness and Access, \$1,574,535 in fiscal year 2006 and \$2,753,985 in fiscal year 2007 shall be used in conjunction with funding provided in the Ohio Department of Education budget under appropriation item 200-431, School Improvement Initiatives, to support the Early College High School Pilot Program.

#### SECTION 209.63.45. TEACHER IMPROVEMENT INITIATIVES

Appropriation item 235-435, Teacher Improvement Initiatives, shall be used by the Board of Regents to support programs such as OSI - Discovery and the Centers of Excellence in Mathematics and Science designed to raise the quality of mathematics and science teaching in primary and secondary education.

Of the foregoing appropriation item 235-435, Teacher Improvement Initiatives, \$204,049 in each fiscal year shall be distributed to the Mathematics and Science Center in Lake County.

Of the foregoing appropriation item 235-435, Teacher Improvement Initiatives, \$106,619 in each fiscal year shall be distributed to the Ohio Mathematics and Science Coalition.

Of the foregoing appropriation item 234-435, Teacher Improvement Initiatives, \$100,000 in each fiscal year shall be distributed to the Teacher Quality Partnerships study.

Of the foregoing appropriation item 235-435, Teacher Improvement Initiatives, \$874,871 in each fiscal year shall be distributed to the Ohio Resource Center for Mathematics, Science, and Reading. The funds shall be used to support a resource center for mathematics, science, and reading to be located at a state-assisted university for the purpose of identifying best educational practices in primary and secondary schools and establishing methods for communicating them to colleges of education and school districts. The Ohio Resource Center for Mathematics, Science, and Reading shall not make available resources that are inconsistent with the K-12 science standards and policies as adopted by the State Board of Education.

#### SECTION 209.63.48. EMINENT SCHOLARS

The foregoing appropriation item 235-451, Eminent Scholars, shall be used by the Ohio Board of Regents to continue the Ohio Eminent Scholars Program, the purpose of which is to invest educational resources to address problems that are of vital statewide significance while fostering the growth in eminence of Ohio's academic programs. Ohio Eminent Scholars endowed chairs shall allow Ohio universities to recruit senior faculty members from outside Ohio who are nationally and internationally recognized scholars in areas of science and technology that provide the basic research platforms on which the state's technology and commercialization efforts are built. Endowment grants of approximately \$685,494 to state colleges and universities and nonprofit Ohio institutions of higher education holding certificates of authorization issued under section 1713.02 of the Revised Code to match endowment gifts from nonstate sources may be made in accordance with a plan established by the Ohio Board of Regents. Matching nonstate endowment gifts shall be equal to the state's endowment grant of approximately \$685,494. The grants shall have as their purpose attracting and sustaining in Ohio scholar-leaders of national or international prominence; each grant shall assist in accelerating state economic growth through research that provides an essential basic science platform for commercialization efforts. Such scholar-leaders shall, among their duties, share broadly the benefits and knowledge unique to their fields of scholarship to the betterment of Ohio and its people and collaborate with



other state technology programs and program recipients.

All new Eminent Scholar awards made by the Board of Regents shall be associated with a Wright Center of Innovation, a Partnership Award from the Biomedical Research and Technology Transfer Trust Fund, or a Wright Capital Project.

**SECTION 209.63.51. ENTERPRISEOHIO NETWORK**

The foregoing appropriation item 235-455, EnterpriseOhio Network, shall be allocated by the Board of Regents to continue increasing the capabilities of the EnterpriseOhio Network to meet the ongoing training needs of Ohio employers. Funds shall support multicampus collaboration, best practice dissemination, and capacity building projects. The Regents Advisory Committee for Workforce Development, in its advisory role, shall advise in the development of plans and activities.

Of the foregoing appropriation item 235-455, EnterpriseOhio Network, \$165,300 in each fiscal year shall be used by the Dayton Business/Sinclair College Jobs Profiling Program.

**SECTION 209.63.54. AREA HEALTH EDUCATION CENTERS**

The foregoing appropriation item 235-474, Area Health Education Centers Program Support, shall be used by the Board of Regents to support the medical school regional area health education centers' educational programs for the continued support of medical and other health professions education and for support of the Area Health Education Center Program.

Of the foregoing appropriation item 235-474, Area Health Education Centers Program Support, \$159,158 in each fiscal year shall be disbursed to the Ohio University College of Osteopathic Medicine to operate a mobile health care unit to serve the southeastern area of the state.

Of the foregoing appropriation item 235-474, Area Health Education Centers Program Support, \$119,369 in each fiscal year shall be used to support the Ohio Valley Community Health Information Network (OVCHIN) project.

**SECTION 209.63.57. STATE SHARE OF INSTRUCTION**

As soon as practicable during each fiscal year of the biennium ending June 30, 2007, in accordance with instructions of the Board of Regents, each state-assisted institution of higher education shall report its actual enrollment to the Board of Regents.

The 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 37.5 per cent been funded.

In defining the number of full-time equivalent (FTE) students for state subsidy purposes, the 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 under section 3333.17 of the Revised Code or employer contracts entered into under section 3333.32 of the Revised Code.

(A) AGGREGATE EXPENDITURE PER FULL-TIME EQUIVALENT STUDENT

(1) INSTRUCTION AND SUPPORT SERVICES

MODEL	FY 2006	FY 2007
General Studies I	\$ 4,655	\$ 4,655
General Studies II	\$ 5,135	\$ 5,135
General Studies III	\$ 6,365	\$ 6,365
Technical I	\$ 5,926	\$ 5,926
Technical III	\$ 9,107	\$ 9,107
Baccalaureate I	\$ 7,160	\$ 7,160
Baccalaureate II	\$ 8,235	\$ 8,235
Baccalaureate III	\$ 11,841	\$ 11,841
Masters and Professional I	\$ 19,088	\$ 19,088
Masters and Professional II	\$ 20,984	\$ 20,984
Masters and Professional III	\$ 27,234	\$ 27,234
Medical I	\$ 29,143	\$ 29,143
Medical II	\$ 37,172	\$ 37,172

MPD I \$ 13,645 \$ 13,645

(2) STUDENT SERVICES

For this purpose, FTE counts shall be weighted to reflect differences among institutions in the numbers of students enrolled on a part-time basis. The student services subsidy per FTE shall be \$890 in each fiscal year for all models.

(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 2003 state share of instruction calculation, 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 50 per cent of the space permanently taken out of operation in fiscal year 2006 or fiscal year 2007 that is not otherwise replaced by a campus shall be deleted from the plant operation and maintenance space 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:

	FY 2006	FY 2007
Classrooms	\$5.86	\$5.86
Laboratories	\$7.31	\$7.31
Offices	\$5.86	\$5.86
Audio Visual Data Processing	\$7.31	\$7.31
Storage	\$2.59	\$2.59
Circulation	\$7.39	\$7.39
Other	\$5.86	\$5.86

(b) The total gross square-foot POM expenditure requirement shall be allocated to models in proportion to each campus's activity-based POM weight multiplied by the two- or five-year average subsidy-eligible FTEs for

all models.

(c) The amounts allocated to models in division (B)(1)(b) of this section shall be multiplied by the ratio of subsidy-eligible FTE students to total FTE students reported in each model, and the amounts summed for all models. To this total amount shall be added an amount to support roads and grounds expenditures, which shall also be multiplied by the ratio of subsidy-eligible FTE students to total FTEs reported for each model. From this total amount, the amounts for Doctoral I and Doctoral II shall be subtracted to produce the square-foot-based POM subsidy.

**(2) DETERMINATION OF THE ACTIVITY-BASED POM SUBSIDY**

(a) The number of subsidy-eligible FTE students in each model shall be multiplied by the following rates for each campus for each fiscal year.

	FY 2006	FY 2007
General Studies I	\$ 512	\$ 512
General Studies II	\$ 662	\$ 662
General Studies III	\$1,464	\$1,464
Technical I	\$ 752	\$ 752
Technical III	\$1,343	\$1,343
Baccalaureate I	\$ 639	\$ 639
Baccalaureate II	\$1,149	\$1,149
Baccalaureate III	\$1,262	\$1,262
Masters and Professional I	\$1,258	\$1,258
Masters and Professional II	\$2,446	\$2,446
Masters and Professional III	\$3,276	\$3,276
Medical I	\$1,967	\$1,967
Medical II	\$3,908	\$3,908
MPD I	\$1,081	\$1,081

(b) The sum of the products for each campus determined in division (B)(2)(a) of this section 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 in 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) of this section less assumed local contributions, by

(i) average subsidy-eligible FTEs for the two-year period ending in the prior year for all models except Doctoral I and Doctoral II; and (ii) average subsidy-eligible FTEs 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 of Regents shall use the following count of FTE students:

(i) For those medical schools whose current year enrollment, including students repeating terms, is below the base enrollment, the Medical II FTE enrollment shall equal: 65 per cent of the base enrollment plus 35 per cent of the current year enrollment including students repeating terms, where the base enrollment is:

The Ohio State University	1010
University of Cincinnati	833
Medical University 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, excluding students repeating terms, is equal to or greater than the base enrollment, the Medical II FTE enrollment shall equal the base enrollment plus the FTE for repeating students.

(iii) Students repeating terms may be no more than five per cent of current year enrollment.

(c) The Board of Regents shall compute the sum of the two calculations listed in division (C)(1)(a) of this section and use the greater sum as the core subsidy entitlement.

The POM subsidy for each campus shall equal the greater of the square-foot-based subsidy or the activity-based POM subsidy component of the core subsidy entitlement.

(d) The state share of instruction provided for doctoral students shall be based on a fixed percentage of the total appropriation. In each fiscal year of the biennium not more than 10.34 per cent of the total state share of instruction shall be reserved to implement the recommendations of the Graduate Funding Commission. It is the intent of the General Assembly that the doctoral reserve not exceed 10.34 per cent of the total state share of instruction to implement the recommendations of the Graduate Funding Commission. The Board of Regents may reallocate up to two per cent in each fiscal year of the reserve among the state-assisted universities on the basis of a quality review as specified in the recommendations of the

Graduate Funding Commission. No such reallocation shall occur unless the Board of Regents, in consultation with representatives of state-assisted universities, determines that sufficient funds are available for this purpose.

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 and subsequent changes in Doctoral I equivalent enrollments. 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.

If a university participates in the Innovation Incentive Program outlined in appropriation item 235-433, Economic Growth Challenge, then the Board of Regents shall withhold 1.5 per cent in fiscal year 2006 and three per cent in fiscal year 2007 of the participating university's allocation of the doctoral reserve. This withholding is intended to increase incrementally with a goal of setting aside 15 per cent of the total doctoral reserve by fiscal year 2016.

The Board of Regents shall use the combined amount of each participating state-assisted university's set aside of the doctoral reserve that has been withheld, the state matching funds earmarked under appropriation item 235-433, Economic Growth Challenge, and the amount set aside by each accredited Ohio institution of higher education holding a certificate of authorization under section 1713.02 of the Revised Code electing to participate in the Innovation Incentive Program to make awards through a competitive process under the Innovation Incentive Program. Only universities electing to set aside the prescribed amount shall be eligible to compete for and receive Innovation Incentive awards. The participating universities shall use these awards to restructure their array of doctoral programs.

#### (2) ANNUAL STATE SHARE OF INSTRUCTION FUNDING STOP LOSS

In addition to and after the other adjustment noted above, in each fiscal year, no campus shall receive a state share of instruction allocation that is less than 97 per cent of the prior year's state share of instruction amount.

#### (3) REDUCTIONS IN EARNINGS

If the total state share of instruction earnings in any fiscal year exceeds the total appropriations available for such purposes, the Board of Regents shall proportionately reduce the state share of instruction earnings for all campuses by a uniform percentage so that the system wide sum equals

available appropriations.

**(4) CAPITAL COMPONENT DEDUCTION**

After all other adjustments have been made, state share of instruction 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, Am. Sub. H.B. No. 850 of the 122nd General Assembly, Am. Sub. H.B. No. 640 of the 123rd General Assembly, and H.B. No. 675 of the 124th General Assembly, and Am. Sub. H.B. 16 of the 126th General Assembly for that campus exceeds that campus's capital component earnings. The sum of the amounts deducted shall be transferred to appropriation item 235-552, Capital Component, in each fiscal year.

**(D) EXCEPTIONAL CIRCUMSTANCES**

Adjustments may be made to the state share of instruction payments and other subsidies distributed by the 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.

**(E) MID-YEAR APPROPRIATION REDUCTIONS TO THE STATE SHARE OF INSTRUCTION**

The standard provisions of the state share of instruction calculation as described in the preceding sections of temporary law shall apply to any reductions made to appropriation item 235-501, State Share of Instruction, before the Board of Regents has formally approved the final allocation of the state share of instruction funds for any fiscal year.

Any reductions made to appropriation item 235-501, State Share of Instruction, after the Board of Regents has formally approved the final allocation of the state share of instruction funds for any fiscal year, shall be uniformly applied to each campus in proportion to its share of the final allocation.

**(F) DISTRIBUTION OF STATE SHARE OF INSTRUCTION**

The state share of instruction 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 section 126.09 of the Revised Code. Payments during the first six months of the fiscal year shall be based upon the state share of instruction appropriation estimates made for the various institutions of higher education according to 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 Board of Regents.

**(G) LAW SCHOOL SUBSIDY**

The state share of instruction to state-supported universities for students enrolled in law schools in fiscal year 2006 and fiscal year 2007 shall be calculated by using the number of subsidy-eligible FTE law school students funded by state subsidy in fiscal year 1995 or the actual number of subsidy-eligible FTE law school students at the institution in the fiscal year, whichever is less.

**(H) FUNDS REQUIRING CONTROLLING BOARD APPROVAL**

Of the foregoing appropriation item 235-501, State Share of Instruction, \$30,000,000 in fiscal year 2007 shall not be disbursed without approval of the Controlling Board. Within ten days after the issuance of the report of the Higher Education Funding Study Council required by Section 209.63.58 of this act, the Board of Regents shall seek the Controlling Board's approval to disburse the \$30,000,000 appropriation.

**SECTION 209.63.58. HIGHER EDUCATION FUNDING STUDY COUNCIL**

(A) The Higher Education Funding Study Council is hereby created, consisting of the following members:

- (1) The Chancellor of the Ohio Board of Regents;
- (2) One member of the Ohio Board of Regents, appointed by the chairperson of the Board;
- (3) The Vice-Chancellor of Finance of the Ohio Board of Regents;
- (4) Three members of the House of Representatives, not more than two of whom are members of the same political party, appointed by the Speaker of the House of Representatives;
- (5) Three members of the Senate, not more than two of whom are members of the same political party, appointed by the President of the Senate;
- (6) A student attending a state institution of higher education as defined in section 3345.011 of the Revised Code, appointed by the Governor;
- (7) An employee of the Governor's office, appointed by the Governor;
- (8) One representative from each of the following organizations, appointed by their respective governing bodies:
  - (a) The Inter-University Council of Ohio;
  - (b) The Ohio Association of Community Colleges;
  - (c) The Ohio Council of Medical School Deans;
  - (d) The Association of Independent Colleges and Universities of Ohio.

(B) Initial appointment of members shall be made not later than thirty days after the effective date of this section. The Speaker of the House of Representatives and the President of the Senate shall jointly appoint the



chairperson of the Council. Members of the Council shall serve without compensation. The Council's first meeting shall be not later than August 15, 2005. Subsequent meetings shall be conducted at the discretion of the chair.

(C) The Council shall review all aspects of higher education funding contained in this act, including all appropriation items, and shall recommend any changes it determines are necessary. The Council shall also review the instructional and general fees as well as the room and board charges at the thirteen state universities, with the intent of setting limits on future increases in these fees and charges. The Council shall issue a report of its activities, findings, and recommendations to the Governor, the Speaker of the House of Representatives, and the President of the Senate not later than May 31, 2006.

(D) The Council shall cease to exist January 1, 2007.

**SECTION 209.63.60. HIGHER EDUCATION - BOARD OF TRUSTEES**

Funds appropriated for instructional subsidies at colleges and universities may be used to provide such branch or other off-campus undergraduate courses of study and such master's degree courses of study as may be approved by the Board of Regents.

In providing instructional and other services to students, boards of trustees of state-assisted institutions of higher education shall supplement state subsidies by income from charges to students. Each board shall establish the fees to be charged to all students, including an instructional fee for educational and associated operational support of the institution and a general fee for noninstructional services, including locally financed student services facilities used for the benefit of enrolled students. The instructional fee and the general fee shall encompass all charges for services assessed uniformly to all enrolled students. Each board may also establish special purpose fees, service charges, and fines as required; such special purpose fees and service charges shall be for services or benefits furnished individual students or specific categories of students and shall not be applied uniformly to all enrolled students. Except for the board of trustees of Miami University, in implementing the pilot tuition restructuring plan recognized in Section 89.05 of Am. Sub. H.B. 95 of the 125th General Assembly and again recognized by this act, a tuition surcharge shall be paid by all students who are not residents of Ohio.

The boards of trustees of each state institution of higher education as defined in section 3345.011 of the Revised Code shall limit in-state undergraduate instructional and general fee increases for an academic year over the amounts charged in the prior academic year to not more than the

lesser of six per cent or, for a full-time student, five hundred dollars. A board of trustees shall not authorize combined instructional and general fee increases of more than six per cent in a single vote. The limitations on fee increases prescribed in this section apply to an academic year even if, prior to the effective date of this section, a board of trustees has voted to increase fees beyond the amount permitted under this section. In such case, the board shall reduce the fees in an amount that results in combined in-state undergraduate instructional and general fees that comply with this section. These limitations shall not apply to increases required to comply with institutional covenants related to their obligations or to meet unfunded legal mandates or legally binding obligations incurred or commitments made prior to the effective date of this section with respect to which the institution had identified such fee increases as the source of funds. Any increase required by such covenants and any such mandates, obligations, or commitments shall be reported by the Board of Regents to the Controlling Board. These limitations may also be modified by the Board of Regents, with the approval of the Controlling Board, to respond to exceptional circumstances as identified by the Board of Regents.

The board of trustees of a state-assisted institution of higher education shall not authorize a waiver or nonpayment of instructional fees or general fees for any particular student or any class of students other than waivers specifically authorized by law or approved by the Chancellor. This prohibition is not intended to limit the authority of boards of trustees to provide for payments to students for services rendered the institution, nor to prohibit the budgeting of income for staff benefits or for student assistance in the form of payment of such instructional and general fees. This prohibition is not intended to limit the authority of the board of trustees of Miami University in providing financial assistance to students in implementing the pilot tuition restructuring plan recognized in Section 89.05 of Am. Sub. H.B. 95 of the 125th General Assembly and again recognized by this act.

Except for Miami University, in implementing the pilot tuition restructuring plan recognized in Section 89.05 of Am. Sub. H.B. 95 of the 125th General Assembly and again recognized by this act, each state-assisted institution of higher education in its statement of charges to students shall separately identify the instructional fee, the general fee, the tuition charge, and the tuition surcharge. Fee charges to students for instruction shall not be considered to be a price of service but shall be considered to be an integral part of the state government financing program in support of higher educational opportunity for students.

In providing the appropriations in support of instructional services at state-assisted institutions of higher education and the appropriations for other instruction it is the intent of the General Assembly that faculty members shall devote a proper and judicious part of their work week to the actual instruction of students. Total class credit hours of production per quarter per full-time faculty member is expected to meet the standards set forth in the budget data submitted by the Board of Regents.

The authority of government vested by law in the boards of trustees of state-assisted institutions of higher education shall in fact be exercised by those boards. Boards of trustees may consult extensively with appropriate student and faculty groups. Administrative decisions about the utilization of available resources, about organizational structure, about disciplinary procedure, about the operation and staffing of all auxiliary facilities, and about administrative personnel shall be the exclusive prerogative of boards of trustees. Any delegation of authority by a board of trustees in other areas of responsibility shall be accompanied by appropriate standards of guidance concerning expected objectives in the exercise of such delegated authority and shall be accompanied by periodic review of the exercise of this delegated authority to the end that the public interest, in contrast to any institutional or special interest, shall be served.

#### SECTION 209.63.63. STUDENT SUPPORT SERVICES

The foregoing appropriation item 235-502, Student Support Services, shall be distributed by the Board of Regents to Ohio's state-assisted colleges and universities that incur disproportionate costs in the provision of support services to disabled students.

#### SECTION 209.63.66. OHIO INSTRUCTIONAL GRANTS

In fiscal year 2006, instructional grants for all eligible full-time students shall be made using the tables under section 3333.12 of the Revised Code. In fiscal year 2007, instructional grants for all eligible full-time students who have attended a college, university, or proprietary school and have completed coursework for college credit, excluding early college high school and post-secondary enrollment option students, prior to academic year 2006-2007, shall be made using the tables under section 3333.12 of the Revised Code.

Of the foregoing appropriation item 235-503, Ohio Instructional Grants, an amount in each fiscal year shall be used to make the payments authorized by division (C) of section 3333.26 of the Revised Code to the institutions

described in that division. In addition, an amount in each fiscal year shall be used to reimburse the institutions described in division (B) of section 3333.26 of the Revised Code for the cost of the waivers required by that division.

The unencumbered balance of appropriation item 235-503, Ohio Instructional Grants, at the end of fiscal year 2006 shall be transferred to fiscal year 2007 for use under the same appropriation item. The amounts transferred are hereby appropriated.

#### SECTION 209.63.69. WAR ORPHANS SCHOLARSHIPS

The foregoing appropriation item 235-504, War Orphans Scholarships, shall be used to reimburse state-assisted institutions of higher education for waivers of instructional fees and general fees provided by them, to provide grants to institutions that have received a certificate of authorization from the Ohio Board of Regents under Chapter 1713. of the Revised Code, in accordance with the provisions of section 5910.04 of the Revised Code, and to fund additional scholarship benefits provided by section 5910.032 of the Revised Code.

#### SECTION 209.63.72. OHIOLINK

The foregoing appropriation item 235-507, OhioLINK, shall be used by the Board of Regents to support OhioLINK, the state's electronic library information and retrieval system, which provides access statewide to the library holdings of all of Ohio's public colleges and universities, 40 private colleges, and the State Library of Ohio.

#### SECTION 209.63.75. AIR FORCE INSTITUTE OF TECHNOLOGY

The foregoing appropriation item 235-508, Air Force Institute of Technology, shall be used to strengthen the research and educational linkages between the Wright Patterson Air Force Base and institutions of higher education in Ohio. Of the foregoing appropriation item 235-508, Air Force Institute of Technology, \$1,233,588 in each fiscal year shall be used for research projects that connect the Air Force Research Laboratories with university partners. The institute shall provide annual reports to the Third Frontier Commission, that discuss existing, planned, or possible collaborations between programs and funding recipients related to technology, research development, commercialization, and support for Ohio's economic development.

Of the foregoing appropriation item 235-508, Air Force Institute of Technology, \$691,757 in each fiscal year shall be used to match federal dollars to support technology commercialization and job creation. The Development Research Corporation shall use the funds to create or expand Ohio-based technology and commercial development collaborations in areas that are a priority in Ohio's third frontier initiative between industry, academia, and government.

**SECTION 209.63.78. OHIO SUPERCOMPUTER CENTER**

The foregoing appropriation item 235-510, Ohio Supercomputer Center, shall be used by the Board of Regents to support the operation of the Ohio Super Computer Center, located at The Ohio State University, as a statewide resource available to Ohio research universities both public and private. It is also intended that the center be made accessible to private industry as appropriate. Policies of the center shall be established by a governance committee, representative of Ohio's research universities and private industry, to be appointed by the Chancellor of the Board of Regents and established for this purpose.

The Ohio Supercomputer Center shall report on expanding solutions-oriented, computational science services to industrial and other customers, including alignment programs and recipients, and develop a plan for a computational science initiative in collaboration with the Wright Centers of Innovation Program.

Of the foregoing appropriation item 235-510, Ohio Supercomputer Center, \$250,000 in each fiscal year shall be used to support the Super Computer Center in Beavercreek.

**SECTION 209.63.81. COOPERATIVE EXTENSION SERVICE**

The foregoing appropriation item 235-511, Cooperative Extension Service, shall be disbursed through the Board of Regents to The Ohio State University in monthly payments, unless otherwise determined by the Director of Budget and Management under section 126.09 of the Revised Code.

Of the foregoing appropriation item 235-511, Cooperative Extension Service, \$178,271 in each fiscal year shall be used for additional staffing for county agents for expanded 4-H activities. Of the foregoing appropriation item 235-511, Cooperative Extension Service, \$178,271 in each fiscal year shall be used by the Cooperative Extension Service, through the Enterprise Center for Economic Development in cooperation with other agencies, for a

public-private effort to create and operate a small business economic development program to enhance the development of alternatives to the growing of tobacco, and implement, through applied research and demonstration, the production and marketing of other high-value crops and value-added products. Of the foregoing appropriation item 235-511, Cooperative Extension Service, \$55,179 in each fiscal year shall be used for farm labor mediation and education programs, \$182,515 in each fiscal year shall be used to support the Ohio State University Marion Enterprise Center, and \$772,931 in each fiscal year shall be used to support the Ohio Watersheds Initiative.

**SECTION 209.63.84. OHIO UNIVERSITY VOINOVICH CENTER**

The foregoing appropriation item 235-513, Ohio University Voinovich Center, shall be used by the Board of Regents to support the operations of Ohio University's Voinovich Center.

**SECTION 209.63.90. PERFORMANCE STANDARDS FOR MEDICAL EDUCATION**

The Board of Regents, in consultation with the state-assisted medical colleges, shall develop performance standards for medical education. Special emphasis in the standards shall be placed on attempting to ensure that at least 50 per cent of the aggregate number of students enrolled in state-assisted medical colleges continue to enter residency as primary care physicians. Primary care physicians are general family practice physicians, general internal medicine practitioners, and general pediatric care physicians. The Board of Regents shall monitor medical school performance in relation to their plans for reaching the 50 per cent systemwide standard for primary care physicians.

**SECTION 209.63.93. CASE WESTERN RESERVE UNIVERSITY SCHOOL OF MEDICINE**

The foregoing appropriation item 235-515, Case Western Reserve University School of Medicine, shall be disbursed to Case Western Reserve University through the Board of Regents in accordance with agreements entered into under section 3333.10 of the Revised Code, provided that the state support per full-time medical student shall not exceed that provided to full-time medical students at state universities.

SECTION 209.63.94. CAPITOL SCHOLARSHIP PROGRAM

The foregoing appropriation item 235-518, Capitol Scholarship Program, shall be used by the Board of Regents to provide scholarships to undergraduates of Ohio's four-year public and private institutions of higher education participating in the Washington Center Internship Program. A scholarship of \$1,800 shall be awarded to students enrolled in an institution operating on a quarter system, and a scholarship of \$2,300 shall be awarded to students enrolled in an institution operating on a semester system. The number of scholarships awarded shall be limited by the amounts appropriated in fiscal years 2006 and 2007. The Washington Center shall match the scholarships awarded to students as follows: \$1,200 for students enrolled in an institution operating on a quarter system, and \$1,700 for students enrolled in an institution operating on a semester system.

SECTION 209.63.95. FAMILY PRACTICE

The Board of Regents shall develop plans consistent with existing criteria and guidelines as may be required for the distribution of appropriation item 235-519, Family Practice.

SECTION 209.63.96. SHAWNEE STATE SUPPLEMENT

The foregoing appropriation item 235-520, Shawnee State Supplement, shall be used by Shawnee State University as detailed by both of the following:

(A) To allow Shawnee State University to keep its undergraduate fees below the statewide average, consistent with its mission of service to an economically depressed Appalachian region;

(B) To allow Shawnee State University to employ new faculty to develop and teach in new degree programs that meet the needs of Appalachians.

SECTION 209.63.99. OSU GLENN INSTITUTE

The foregoing appropriation item 235-521, The Ohio State University Glenn Institute, shall be used by the Board of Regents to support the operations of the Ohio State University's Glenn Institute.

SECTION 209.64.03. POLICE AND FIRE PROTECTION

The foregoing appropriation item 235-524, Police and Fire Protection, shall be used for police and fire services in the municipalities of Kent, Athens, Oxford, Fairborn, Bowling Green, Portsmouth, Xenia Township (Greene County), Rootstown Township, and the City of Nelsonville that may be used to assist these local governments in providing police and fire protection for the central campus of the state-affiliated university located therein. Each participating municipality and township shall receive at least \$5,000 in each fiscal year. Funds shall be distributed according to the method employed by the Board of Regents in the previous biennium.

**SECTION 209.64.06. GERIATRIC MEDICINE**

The Board of Regents shall develop plans consistent with existing criteria and guidelines as may be required for the distribution of appropriation item 235-525, Geriatric Medicine.

**SECTION 209.64.07. PRIMARY CARE RESIDENCIES**

The Board of Regents shall develop plans consistent with existing criteria and guidelines as may be required for the distribution of appropriation item 235-526, Primary Care Residencies.

The foregoing appropriation item 235-526, Primary Care Residencies, shall be distributed in each fiscal year of the biennium, based on whether or not the institution has submitted and gained approval for a plan. If the institution does not have an approved plan, it shall receive five per cent less funding per student than it would have received from its annual allocation. The remaining funding shall be distributed among those institutions that meet or exceed their targets.

**SECTION 209.64.09. OHIO AEROSPACE INSTITUTE**

The foregoing appropriation item 235-527, Ohio Aerospace Institute, shall be distributed by the Board of Regents under section 3333.042 of the Revised Code.

The Board of Regents, in consultation with the Third Frontier Commission, shall develop a plan for providing for appropriate, value-added participation of the Ohio Aerospace Institute in Third Frontier Project proposals and grants.

**SECTION 209.64.12. ACADEMIC SCHOLARSHIPS**

The foregoing appropriation item 235-530, Academic Scholarships,



shall be used to provide academic scholarships to students under section 3333.22 of the Revised Code.

**SECTION 209.64.15. STUDENT CHOICE GRANTS**

The foregoing appropriation item 235-531, Student Choice Grants, shall be used to support the Student Choice Grant Program created by section 3333.27 of the Revised Code. The unencumbered balance of appropriation item 235-531, Student Choice Grants, at the end of fiscal year 2006 shall be transferred to fiscal year 2007 for use under the same appropriation item to maintain grant award amounts in fiscal year 2007 equal to the awards provided in fiscal year 2006. The amounts transferred are hereby appropriated.

**SECTION 209.64.18. STUDENT WORKFORCE DEVELOPMENT GRANTS**

The foregoing appropriation item 235-534, Student Workforce Development Grants, shall be used to support the Student Workforce Development Grant Program. The Board of Regents shall distribute grants to each eligible student in an academic year. The size of each grant award shall be determined by the Board of Regents based on the amount of funds available for the program. The unencumbered balance of appropriation item 235-534, Student Workforce Development Grants, at the end of fiscal year 2006 shall be transferred to fiscal year 2007 for use under the same appropriation item. The amounts transferred are hereby appropriated.

**SECTION 209.64.21. OHIO AGRICULTURAL RESEARCH AND DEVELOPMENT CENTER**

The foregoing appropriation item 235-535, Ohio Agricultural Research and Development Center, shall be disbursed through the Board of Regents to The Ohio State University in monthly payments, unless otherwise determined by the Director of Budget and Management under section 126.09 of the Revised Code. The Ohio Agricultural Research and Development Center shall not be required to remit payment to The Ohio State University during the biennium ending June 30, 2007, for cost reallocation assessments. The cost reallocation assessments include, but are not limited to, any assessment on state appropriations to the Center.

The Ohio Agricultural Research and Development Center, an entity of the College of Food, Agricultural, and Environmental Sciences of The Ohio

State University, shall further its mission of enhancing Ohio's economic development and job creation by continuing to internally allocate on a competitive basis appropriated funding of programs based on demonstrated performance. Academic units, faculty, and faculty-driven programs shall be evaluated and rewarded consistent with agreed-upon performance expectations as called for in the College's Expectations and Criteria for Performance Assessment.

Of the foregoing appropriation item 235-535, Ohio Agricultural Research and Development Center, \$458,410 in each fiscal year shall be used to purchase equipment.

Of the foregoing appropriation item 235-535, Ohio Agricultural Research and Development Center, \$806,463 in each fiscal year shall be distributed to the Piketon Agricultural Research and Extension Center.

Of the foregoing appropriation item 235-535, Ohio Agricultural Research and Development Center, \$212,227 in each fiscal year shall be distributed to the Raspberry/Strawberry-Ellagic Acid Research program at The Ohio State University Medical College in cooperation with The Ohio State University College of Agriculture.

Of the foregoing appropriation item 235-535, Ohio Agricultural Research and Development Center, \$42,445 in each fiscal year shall be used to support the Ohio Berry Administrator.

Of the foregoing appropriation item 235-535, Ohio Agricultural Research and Development Center, \$84,890 in each fiscal year shall be used for the development of agricultural crops and products not currently in widespread production in Ohio, in order to increase the income and viability of family farmers.

Of the foregoing appropriation item 235-535, Ohio Agricultural Research and Development Center, \$125,000 in each fiscal year shall be distributed to Wilmington College for the commercialization of agricultural products.

#### SECTION 209.64.22. STATE UNIVERSITY CLINICAL TEACHING

The foregoing appropriation items 235-536, The Ohio State University Clinical Teaching; 235-537, University of Cincinnati Clinical Teaching; 235-538, Medical University of Ohio at Toledo Clinical Teaching; 235-539, Wright State University Clinical Teaching; 235-540, Ohio University Clinical Teaching; and 235-541, Northeastern Ohio Universities College of Medicine Clinical Teaching, shall be distributed through the Board of Regents.

Of the foregoing appropriation item 235-539, Wright State University

Clinical Teaching, \$124,644 in each fiscal year of the biennium shall be for the use of Wright State University's Ellis Institute for Clinical Teaching Studies to operate the clinical facility to serve the Greater Dayton area.

The Board of Regents, in consultation with representatives of each of the six state-assisted colleges of medicine, shall study and propose recommendations for a formula to allocate appropriations for clinical teaching support. The consultation shall consider factors that reward medical schools for serving Ohio's health care needs in an equitable and efficient manner. Recommendations shall be submitted to the Office of Budget and Management and the General Assembly for consideration by November 15, 2006. A new method, approved by the Office of Budget and Management and the General Assembly, shall be implemented in fiscal years 2008 and 2009 for distributing funds for clinical teaching support.

SECTION 209.64.23. SCHOOL OF INTERNATIONAL BUSINESS

Of the foregoing appropriation item 235-547, School of International Business, \$250,000 in each fiscal year shall be used for the continued development and support of the School of International Business of the state universities of northeast Ohio. The money shall go to the University of Akron. These funds shall be used by the university to establish a School of International Business located at the University of Akron. It may confer with Kent State University, Youngstown State University, and Cleveland State University as to the curriculum and other matters regarding the school.

Of the foregoing appropriation item 235-547, School of International Business, \$100,000 in each fiscal year shall be used by the University of Toledo College of Business for expansion of its international business programs.

Of the foregoing appropriation item 235-547, School of International Business, \$100,000 in each fiscal year shall be used to support the Ohio State University BioMEMS program.

SECTION 209.64.24. PART-TIME STUDENT INSTRUCTIONAL GRANTS

The foregoing appropriation item 235-549, Part-time Student Instructional Grants, shall be used to support a grant program for part-time undergraduate students who are Ohio residents and who were enrolled in degree granting programs prior to academic year 2006-2007.

Eligibility for participation in the program shall include degree granting educational institutions that hold a certificate of registration from the State

Board of Career Colleges and Schools, and nonprofit institutions that have a certificate of authorization issued under Chapter 1713. of the Revised Code, as well as state-assisted colleges and universities. Grants shall be given to students on the basis of need, as determined by the college, which, in making these determinations, shall give special consideration to single-parent heads-of-household and displaced homemakers who enroll in an educational degree program that prepares the individual for a career. In determining need, the college also shall consider the availability of educational assistance from a student's employer. It is the intent of the General Assembly that these grants not supplant such assistance.

SECTION 209.64.27. CAPITAL COMPONENT

The foregoing appropriation item 235-552, Capital Component, shall be used by the Board of Regents to implement the capital funding policy for state-assisted colleges and universities established in Am. H.B. No. 748 of the 121st General Assembly. Appropriations from this item shall be distributed to all campuses for which the estimated campus debt service attributable to new qualifying capital projects is less than the campus's formula-determined capital component allocation. Campus allocations shall be determined by subtracting the estimated campus debt service attributable to new qualifying capital projects from the campus's formula-determined capital component allocation. Moneys distributed from this appropriation item shall be restricted to capital-related purposes.

Any campus for which the estimated campus debt service attributable to qualifying capital projects is greater than the campus's formula-determined capital component allocation shall have the difference subtracted from its State Share of Instruction allocation in each fiscal year. The sum of all such amounts shall be transferred from appropriation item 235-501, State Share of Instruction, to appropriation item 235-552, Capital Component.

SECTION 209.64.30. DAYTON AREA GRADUATE STUDIES INSTITUTE

The foregoing appropriation item 235-553, Dayton Area Graduate Studies Institute, shall be used by the Board of Regents to support the Dayton Area Graduate Studies Institute, an engineering graduate consortium of three universities in the Dayton area: Wright State University, the University of Dayton, and the Air Force Institute of Technology, with the participation of the University of Cincinnati and The Ohio State University.

Of the foregoing appropriation item 235-553, Dayton Area Graduate

Studies Institute, \$350,000 in each fiscal year shall be used by the Development Research Corporation to support collaborative research and technology commercialization initiatives in Ohio.

SECTION 209.64.33. PRIORITIES IN COLLABORATIVE GRADUATE EDUCATION

The foregoing appropriation item 235-554, Priorities in Collaborative Graduate Education, shall be used by the Board of Regents to support improvements in graduate programs at state-assisted universities that the Board of Regents identifies as vital to the state's economic strategy. Up to \$169,782 in each fiscal year shall be used to support collaborative efforts in graduate education in this program area. The collaborative program shall be coordinated by the Board of Regents.

SECTION 209.64.36. OHIO ACADEMIC RESOURCES NETWORK (OARNET)

The foregoing appropriation item 235-556, Ohio Academic Resources Network, shall be used to support the operations of the Ohio Academic Resources Network, which shall include support for Ohio's state-assisted colleges and universities in maintaining and enhancing network connections. The network shall give priority to supporting the Third Frontier Network and allocating bandwidth to programs directly supporting Ohio's economic development.

SECTION 209.64.39. LONG-TERM CARE RESEARCH

The foregoing appropriation item 235-558, Long-term Care Research, shall be disbursed to Miami University for long-term care research.

SECTION 209.64.45. BOWLING GREEN STATE UNIVERSITY CANADIAN STUDIES CENTER

The foregoing appropriation item 235-561, Bowling Green State University Canadian Studies Center, shall be used by the Canadian Studies Center at Bowling Green State University to study opportunities for Ohio and Ohio businesses to benefit from the Free Trade Agreement between the United States and Canada.

SECTION 209.64.51. OHIO COLLEGE OPPORTUNITY GRANT

PHASE-IN

The foregoing appropriation item 235-563, Ohio College Opportunity Grant, shall be used by the Board of Regents to begin to award needs-based financial aid to students based on the United States Department of Education's method of determining financial need. Beginning in fiscal year 2007, students who enrolled in a public, private, or proprietary post-secondary institution of higher education for the first time in academic year 2006-2007, excluding early college high school and post-secondary enrollment option participants, shall be eligible to receive aid based on their expected family contributions as calculated by the United State Department of Education, according to section 3333.122 of the Revised Code.

SECTION 209.64.54. THE OHIO STATE UNIVERSITY CLINIC SUPPORT

The foregoing appropriation item 235-572, The Ohio State University Clinic Support, shall be distributed through the Board of Regents to The Ohio State University for support of dental and veterinary medicine clinics.

SECTION 209.64.57. URBAN UNIVERSITY PROGRAM

Universities receiving funds from the foregoing appropriation item 235-583, Urban University Program, that are used to support an ongoing university unit shall certify periodically in a manner approved by the Board of Regents that program funds are being matched on a one-to-one basis with equivalent resources. Overhead support may not be used to meet this requirement. Where Urban University Program funds are being used to support an ongoing university unit, matching funds shall come from continuing rather than one-time sources. At each participating state-assisted institution of higher education, matching funds shall be within the substantial control of the individual designated by the institution's president as the Urban University Program representative.

Of the foregoing appropriation item 235-583, Urban University Program, \$117,215 in each fiscal year shall be used to support the Center for the Interdisciplinary Study of Education and the Urban Child at Cleveland State University. These funds shall be distributed according to rules adopted by the Board of Regents and shall be used by the center for interdisciplinary activities targeted toward increasing the chance of lifetime success of the urban child, including interventions beginning with the prenatal period. The

primary purpose of the center is to study issues in urban education and to systematically map directions for new approaches and new solutions by bringing together a cadre of researchers, scholars, and professionals representing the social, behavioral, education, and health disciplines.

Of the foregoing appropriation item 235-583, Urban University Program, \$1,433,037 in each fiscal year shall be distributed by the Board of Regents to Cleveland State University in support of the Maxine Goodman Levin College of Urban Affairs.

Of the foregoing appropriation item 235-583, Urban University Program, \$1,433,037 in each fiscal year shall be distributed to the Northeast Ohio Research Consortium, the Urban Linkages Program, and the Urban Research Technical Assistance Grant Program. The distribution among the three programs shall be determined by the chair of the Urban University Program.

Of the foregoing appropriation item 235-583, Urban University Program, \$247,453 in each fiscal year shall be used to support a public communication outreach program (WCPN). The primary purpose of the program shall be to develop a relationship between Cleveland State University and nonprofit communications entities.

Of the foregoing appropriation item 235-583, Urban University Program, \$169,310 in each fiscal year shall be used to support the Kent State University Learning and Technology Project. This project is a kindergarten through university collaboration between schools surrounding Kent State University's eight campuses in northeast Ohio and corporate partners who will assist in development and delivery.

The Kent State University Project shall provide a faculty member who has a full-time role in the development of collaborative activities and teacher instructional programming between Kent State University and the K-12th grade schools that surround its eight campuses; appropriate student support staff to facilitate these programs and joint activities; and hardware and software to schools that will make possible the delivery of instruction to pre-service and in-service teachers, and their students, in their own classrooms or school buildings. This shall involve the delivery of low-bandwidth streaming video and web-based technologies in a distributed instructional model.

Of the foregoing appropriation item 235-583, Urban University Program, \$65,119 in each fiscal year shall be used to support the Ameritech Classroom/Center for Research at Kent State University.

Of the foregoing appropriation item 235-583, Urban University Program, \$723,547 in each fiscal year shall be used to support the Polymer

Distance Learning Project at the University of Akron.

Of the foregoing appropriation item 235-583, Urban University Program, \$32,560 in each fiscal year shall be distributed to the Kent State University/Cleveland Design Center program.

Of the foregoing appropriation item 235-583, Urban University Program, \$180,886 in each fiscal year shall be used to support the Bliss Institute of Applied Politics at the University of Akron.

Of the foregoing appropriation item 235-583, Urban University Program, \$10,851 in each fiscal year shall be used for the Advancing-Up Program at the University of Akron.

Of the foregoing appropriation item 235-583, Urban University Program, \$139,777 in each fiscal year shall be used to support the Strategic Economic Research Collaborative at the University of Toledo Urban Affairs Center.

Of the foregoing appropriation item 235-583, Urban University Program, \$139,777 in each fiscal year shall be used to support the Institute for Collaborative Research and Public Humanities at The Ohio State University.

Of the foregoing appropriation item 235-583, Urban University Program, \$300,368 in each fiscal year shall be used to support the Medina County University Center.

#### SECTION 209.64.60. RURAL UNIVERSITY PROJECTS

Of the foregoing appropriation item 235-587, Rural University Projects, Bowling Green State University shall receive \$263,783 in each fiscal year, Miami University shall receive \$245,320 in each fiscal year, and Ohio University shall receive \$575,015 in each fiscal year. These funds shall be used to support the Institute for Local Government Administration and Rural Development at Ohio University, the Center for Public Management and Regional Affairs at Miami University, and the Center for Policy Analysis and Public Service at Bowling Green State University.

A small portion of the funds provided to Ohio University shall also be used for the Institute for Local Government Administration and Rural Development State and Rural Policy Partnership with the Governor's Office of Appalachia and the Appalachian delegation of the General Assembly.

Of the foregoing appropriation item 235-587, Rural University Projects, \$15,942 in each fiscal year shall be used to support the Washington State Community College day care center.

Of the foregoing appropriation item 235-587, Rural University Projects, \$47,829 in each fiscal year shall be used to support the



COAD/ILGARD/GOA Appalachian Leadership Initiative.

SECTION 209.64.63. HAZARDOUS MATERIALS PROGRAM

The foregoing appropriation item 235-596, Hazardous Materials Program, shall be disbursed to Cleveland State University for the operation of a program to certify firefighters for the handling of hazardous materials. Training shall be available to all Ohio firefighters.

Of the foregoing appropriation item 235-596, Hazardous Materials Program, \$177,337 in each fiscal year shall be used to support the Center for the Interdisciplinary Study of Education and Leadership in Public Service at Cleveland State University. These funds shall be distributed by the Board of Regents and shall be used by the center targeted toward increasing the role of special populations in public service and not-for-profit organizations. The primary purpose of the center is to study issues in public service and to guide strategies for attracting new communities into public service occupations by bringing together a cadre of researchers, scholars, and professionals representing the public administration, social behavioral, and education disciplines.

SECTION 209.64.66. NATIONAL GUARD SCHOLARSHIP PROGRAM

The Board of Regents shall disburse funds from appropriation item 235-599, National Guard Scholarship Program, at the direction of the Adjutant General. During each fiscal year, the Board of Regents, within ten days of cancellation, may certify to the Director of Budget and Management the amount of canceled prior-year encumbrances in appropriation item 235-599, National Guard Scholarship Program. Upon receipt of the certification, the Director of Budget and Management may transfer an amount up to the certified amount from the General Revenue Fund to the National Guard Scholarship Reserve Fund (Fund 5BM). Upon the request of the Adjutant General, the Board of Regents shall seek Controlling Board approval to establish appropriations in item 235-623, National Guard Scholarship Reserve Fund. The Board of Regents shall disburse funds from appropriation item 235-623, National Guard Scholarship Reserve Fund, at the direction of the Adjutant General.

\* SECTION 209.64.69. PLEDGE OF FEES

Any new pledge of fees, or new agreement for adjustment of fees, made

in the biennium ending June 30, 2007, to secure bonds or notes of a state-assisted institution of higher education for a project for which bonds or notes were not outstanding on the effective date of this section shall be effective only after approval by the Board of Regents, unless approved in a previous biennium.

SECTION 209.64.72. HIGHER EDUCATION GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 235-909, Higher Education General Obligation Debt Service, shall be used to pay all debt service and related financing costs at the times they are required to be made under sections 151.01 and 151.04 of the Revised Code during the period from July 1, 2005, to June 30, 2007. The Office of the Sinking Fund or the Director of Budget and Management shall effectuate the required payments by intrastate transfer voucher.

SECTION 209.64.75. SALES AND SERVICES

The Board of Regents is authorized to charge and accept payment for the provision of goods and services. Such charges shall be reasonably related to the cost of producing the goods and services. No charges may be levied for goods or services that are produced as part of the routine responsibilities or duties of the Board. All revenues received by the Board of Regents shall be deposited into Fund 456, and may be used by the Board of Regents to pay for the costs of producing the goods and services.

SECTION 209.64.76. OHIO HIGHER EDUCATIONAL FACILITY COMMISSION SUPPORT

The foregoing appropriation item 235-602, Higher Educational Facility Commission Administration, shall be used by the Board of Regents for operating expenses related to the Board of Regents' support of the activities of the Ohio Higher Educational Facility Commission. Upon the request of the chancellor, the Director of Budget and Management shall transfer up to \$55,000 cash from Fund 461 to Fund 4E8 in each fiscal year of the biennium.

SECTION 209.64.78. PHYSICIAN LOAN REPAYMENT

The foregoing appropriation item 235-604, Physician Loan Repayment, shall be used in accordance with sections 3702.71 to 3702.81 of the Revised

Code.

SECTION 209.64.81. NURSING LOAN PROGRAM

The foregoing appropriation item 235-606, Nursing Loan Program, shall be used to administer the nurse education assistance program. Up to \$159,600 in fiscal year 2006 and \$167,580 in fiscal year 2007 may be used for operating expenses associated with the program. Any additional funds needed for the administration of the program are subject to Controlling Board approval.

SECTION 209.64.84. SCIENCE AND TECHNOLOGY COLLABORATION

The Board of Regents shall work in close collaboration with the Department of Development, the Air Quality Development Authority, and the Third Frontier Commission in relation to appropriation items and programs referred to as Alignment Programs in the following paragraph, and other technology-related appropriations and programs in the Department of Development, Air Quality Development Authority, and the Board of Regents as these agencies may designate, to ensure implementation of a coherent state strategy with respect to science and technology.

"Alignment Programs" means: appropriation items 195-401, Thomas Edison Program; 898-402, Coal Development Office; 195-422, Third Frontier Action Fund; 898-604, Coal Research and Development Fund; 235-433, Economic Growth Challenge; 235-451, Eminent Scholars; 235-508, Air Force Institute of Technology; 235-510, Ohio Supercomputer Center; 235-527, Ohio Aerospace Institute; 235-535, Ohio Agricultural Research and Development Center; 235-553, Dayton Area Graduate Studies Institute; 235-554, Priorities in Collaborative Graduate Education; 235-556, Ohio Academic Resources Network; and 195-435, Biomedical Research and Technology Transfer Trust.

Consistent with the recommendations of the Governor's Commission on Higher Education and the Economy, Alignment Programs shall be managed and administered (1) to build on existing competitive research strengths; (2) to encourage new and emerging discoveries and commercialization of products and ideas that will benefit the Ohio economy; and (3) to assure improved collaboration among Alignment Programs, with programs administered by the Third Frontier Commission, and with other state programs that are intended to improve economic growth and job creation.

If requested by the Third Frontier Commission, Alignment Programs

managers shall report to the Commission or the Third Frontier Advisory Board, as directed by the Commission, on the contributions of their programs to achieving the objectives stated in the preceding paragraph of this section.

Each alignment program shall be reviewed annually by the Third Frontier Commission with respect to its development of complementary relationships within a combined state science and technology investment portfolio and its overall contribution to the state's science and technology strategy, including the adoption of appropriately consistent criteria for: (1) the scientific merit of activities supported by the program; (2) the relevance of the program's activities to commercial opportunities in the private sector; (3) the private sector's involvement in a process that continually evaluates commercial opportunities to use the work supported by the program; and (4) the ability of the program and recipients of grant funding from the program to engage in activities that are collaborative, complementary, and efficient with respect to the expenditure of state funds. All programs listed above shall provide annual reports to the Third Frontier Commission discussing existing, planned, or possible collaborations between programs and recipients of grant funding related to technology, development, commercialization, and supporting Ohio's economic development. The annual review by the Third Frontier Commission shall be a comprehensive review of the entire state science and technology program portfolio rather than a review of individual programs.

Applicants for Third Frontier and Alignment Programs funding shall identify their requirements for high-performance computing facilities and services, including both hardware and software, in the proposals. If an applicant's requirements exceed approximately \$100,000 for a proposal, the Ohio Supercomputer Center shall convene a panel of experts. The panel shall review the proposal to determine whether the proposal's requirements can be met through Ohio Supercomputer Center facilities or through other means and report such information to the Third Frontier Commission.

To ensure that the state receives the maximum benefit from its investment in the Third Frontier Project and the Third Frontier Network, organizations receiving Third Frontier awards and Alignment Programs awards shall, as appropriate, be expected to have a connection to the Third Frontier Network that enables them and their collaborators to achieve award objectives through the Third Frontier Network.

#### SECTION 209.64.87. REPAYMENT OF RESEARCH FACILITY INVESTMENT FUND MONEYS

Notwithstanding any provision of law to the contrary, all repayments of Research Facility Investment Fund loans shall be made to the Bond Service Trust Fund. All Research Facility Investment Fund loan repayments made prior to the effective date of this section shall be transferred by the Director of Budget and Management to the Bond Service Trust Fund within sixty days after the effective date of this section.

Campuses shall make timely repayments of Research Facility 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 209.64.90. VETERANS' PREFERENCES

The Board of Regents shall work with the Governor's Office of Veterans' Affairs to develop specific veterans' preference guidelines for higher education institutions. These guidelines shall ensure that the institutions' hiring practices are in accordance with the intent of Ohio's veterans' preference laws.

#### SECTION 209.64.93. STATE NEED-BASED FINANCIAL AID RECONCILIATION

By the first day of August in each fiscal year, or as soon thereafter as possible, the Ohio Board of Regents shall certify to the Director of Budget and Management the amount necessary to pay any outstanding prior year obligations to higher education institutions for the state's need-based financial aid programs. The amounts certified are hereby appropriated to appropriation item 235-618, State Need-based Financial Aid Reconciliation, from revenues received in the State Need-based Financial Aid Reconciliation Fund (Fund 5Y5).

#### SECTION 209.64.96. STUDY ON DISTRIBUTING STATE SHARE OF INSTRUCTION FUNDS BASED ON CAMPUS ADMINISTRATIVE AND OPERATIONAL EFFICIENCY

The Board of Regents, in consultation with representatives of the higher education community, shall conduct a study on the feasibility of distributing a portion of GRF appropriation item 235-501, State Share of Instruction,

based on campus administrative and operational efficiency. The Board of Regents shall consider what statistic or statistics would be appropriate to measure administrative and operational efficiency and also shall consider what an adequate level of administrative support should be. The Board of Regents shall submit the results of the study to the Higher Education Funding Study Council not later than April 15, 2006.

**SECTION 209.64.99. STUDY ON DISTRIBUTING STATE SHARE OF INSTRUCTION FUNDS BASED ON THE NUMBER OF DEGREES AND CERTIFICATES AWARDED**

The Board of Regents, in consultation with representatives from the higher education community, shall conduct a study on the feasibility of distributing a portion of GRF appropriation item 235-501, State Share of Instruction, based on the number of Ohioans who are awarded certificates or associate's, baccalaureate, master's, or doctoral degrees. The study shall examine whether it is feasible to retain a portion of the State Share of Instruction distributed to the campuses until such times as the certificates or degrees are conferred, whether the existing appropriation is sufficient to fund such an initiative, and how much in additional funds might be necessary to significantly increase the number of certificates and degrees earned by Ohioans each year. The Board of Regents shall submit the results of the study to the Higher Education Funding Study Council not later than April 15, 2006.

**SECTION 209.65.03. STUDY ON PROVIDING INCENTIVES FOR CERTIFICATE AND ASSOCIATE DEGREES**

The Board of Regents, in consultation with representatives from the higher education community, shall conduct a study on the feasibility of devising a performance-based grant to provide incentives to university branch campuses, community colleges, state community colleges, technical colleges, and the community and technical colleges at Youngstown State University, the University of Cincinnati, and The University of Akron to increase the number and proportion of Ohio students who receive a certificate or an associate degree, or who transfer to a four-year institution of higher education. In consultation with representatives from the higher education community, the Board of Regents shall develop measures of certification and degree completion, as well as transferal to a four-year institution of higher education. The Board of Regents shall recommend a formula, using the Success Challenge formula as a model, that will reward

the public two-year campuses for the academic success of their undergraduate students. The Board of Regents shall submit the results of the study to the Higher Education Funding Study Council not later than April 15, 2006.

#### SECTION 209.69. DRC DEPARTMENT OF REHABILITATION AND CORRECTION

##### General Revenue Fund

GRF 501-321	Institutional Operations	\$	857,371,490	\$	873,888,880
GRF 501-403	Prisoner Compensation	\$	8,599,255	\$	8,599,255
GRF 501-405	Halfway House	\$	38,104,924	\$	38,105,128
GRF 501-406	Lease Rental Payments	\$	132,370,500	\$	120,600,600
GRF 501-407	Community Nonresidential Programs	\$	15,383,471	\$	15,404,522
GRF 501-408	Community Misdemeanor Programs	\$	8,041,489	\$	8,041,489
GRF 501-501	Community Residential Programs - CBCF	\$	55,054,445	\$	55,054,445
GRF 502-321	Mental Health Services	\$	64,897,564	\$	66,055,754
GRF 503-321	Parole and Community Operations	\$	78,887,219	\$	80,708,911
GRF 504-321	Administrative Operations	\$	27,559,389	\$	28,147,730
GRF 505-321	Institution Medical Services	\$	159,926,575	\$	176,500,628
GRF 506-321	Institution Education Services	\$	22,727,366	\$	23,114,615
GRF 507-321	Institution Recovery Services	\$	6,946,286	\$	7,090,212
TOTAL GRF General Revenue Fund		\$	1,475,869,973	\$	1,501,312,169

##### General Services Fund Group

148 501-602	Services and Agricultural	\$	95,207,653	\$	95,207,653
200 501-607	Ohio Penal Industries	\$	38,000,000	\$	38,000,000
4B0 501-601	Penitentiary Sewer Treatment Facility Services	\$	1,758,177	\$	1,758,177
4D4 501-603	Prisoner Programs	\$	20,967,703	\$	20,967,703
4L4 501-604	Transitional Control	\$	1,593,794	\$	1,593,794
4S5 501-608	Education Services	\$	4,564,072	\$	4,564,072
483 501-605	Property Receipts	\$	393,491	\$	393,491
5AF 501-609	State and Non-Federal Awards	\$	262,718	\$	262,718
5H8 501-617	Offender Financial Responsibility	\$	2,000,000	\$	2,000,000
5L6 501-611	Information Technology Services	\$	3,741,980	\$	3,741,980
571 501-606	Training Academy Receipts	\$	75,190	\$	75,190
593 501-618	Laboratory Services	\$	5,799,999	\$	5,799,999
TOTAL GSF General Services Fund Group		\$	174,364,777	\$	174,364,777

##### Federal Special Revenue Fund Group

3S1 501-615	Truth-In-Sentencing Grants	\$	26,127,427	\$	26,127,427
323 501-619	Federal Grants	\$	12,198,353	\$	12,198,353
TOTAL FED Federal Special Revenue Fund Group		\$	38,325,780	\$	38,325,780

##### State Special Revenue Fund Group

5CL 501-616 Sex Offender Supervision	\$	100,000	\$	75,000
Total SSR State Special Revenue Fund Group	\$	100,000	\$	75,000
TOTAL ALL BUDGET FUND GROUPS	\$	1,688,660,530	\$	1,714,077,726

**HALFWAY HOUSE TRANSFERS**

The Department of Rehabilitation and Correction shall seek the approval of the Controlling Board to transfer in each of fiscal years 2006 and 2007 from the unexpended, unobligated GRF appropriations made to the Department for fiscal years 2006 and 2007 at least \$500,000 per fiscal year in appropriation authority to appropriation item 501-405, Halfway House.

**OHIO BUILDING AUTHORITY LEASE PAYMENTS**

The foregoing appropriation item 501-406, Lease Rental Payments, shall be used for payments to the Ohio Building Authority for the period July 1, 2005, to June 30, 2007, under the primary leases and agreements for those buildings made under Chapter 152. of the Revised Code but limited to the aggregate amount of \$252,971,100. This appropriation amount is the source of funds pledged for bond service charges on related obligations issued under Chapter 152. of the Revised Code.

**PRISONER COMPENSATION**

Money from the foregoing appropriation item 501-403, Prisoner Compensation, shall be transferred on a quarterly basis by intrastate transfer voucher to the Services and Agricultural Fund (Fund 148) for the purposes of paying prisoner compensation.

**SEX OFFENDER SUPERVISION**

On July 1, 2005, or as soon as practicable thereafter, the Director of Budget and Management shall transfer \$100,000 in cash from the Reparations Fund (Fund 402) to the Sex Offender Supervision Fund (Fund 5CL). On July 1, 2006, or as soon as practicable thereafter, the Director of Budget and Management shall transfer \$75,000 in cash from the Reparations Fund (Fund 402) to the Sex Offender Supervision Fund (Fund 5CL).

The foregoing appropriation item 501-616, Sex Offender Supervision, shall be used by the Department of Rehabilitation and Correction solely to pay for the costs incurred by the Adult Parole Authority in supervising sexually violent predators released from prison as required by section 2971.05 of the Revised Code. At the end of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer back to the Reparations Fund any unexpended, unencumbered cash in the Sex Offender Supervision Fund not needed in that fiscal year for the sole purpose of paying for the costs of supervising sexually violent predators released from prison.



## SECTION 209.72. RSC REHABILITATION SERVICES COMMISSION

## General Revenue Fund

GRF 415-100	Personal Services	\$	8,851,468	\$	8,851,468
GRF 415-402	Independent Living Council	\$	12,280	\$	12,280
GRF 415-403	Mental Health Services	\$	717,221	\$	717,221
GRF 415-404	MR/DD Services	\$	1,260,816	\$	1,260,816
GRF 415-405	Vocational Rehabilitation/Job and Family Services	\$	536,912	\$	536,912
GRF 415-406	Assistive Technology	\$	47,531	\$	47,531
GRF 415-431	Office for People with Brain Injury	\$	226,012	\$	226,012
GRF 415-506	Services for People with Disabilities	\$	12,185,215	\$	12,185,215
GRF 415-508	Services for the Deaf	\$	50,000	\$	50,000
GRF 415-509	Services for the Elderly	\$	359,377	\$	359,377
GRF 415-520	Independent Living Services	\$	50,000	\$	50,000
TOTAL GRF	General Revenue Fund	\$	24,296,832	\$	24,296,832

## General Services Fund Group

4W5 415-606	Program Management Expenses	\$	18,557,040	\$	18,557,040
467 415-609	Business Enterprise Operating Expenses	\$	1,632,082	\$	1,632,082
TOTAL GSF	General Services Fund Group	\$	20,189,122	\$	20,189,122

## Federal Special Revenue Fund Group

3L1 415-601	Social Security Personal Care Assistance	\$	3,743,740	\$	3,743,740
3L1 415-605	Social Security Community Centers for the Deaf	\$	1,100,488	\$	1,100,488
3L1 415-607	Social Security Administration Cost	\$	175,860	\$	175,860
3L1 415-608	Social Security Special Programs/Assistance	\$	2,246,991	\$	131,716
3L1 415-610	Social Security Vocational Rehabilitation	\$	1,336,324	\$	1,338,324
3L1 415-614	Social Security Independent Living	\$	154,942	\$	0
3L4 415-612	Federal Independent Living Centers or Services	\$	894,662	\$	686,520
3L4 415-615	Federal - Supported Employment	\$	1,338,191	\$	1,338,191
3L4 415-617	Independent Living/Vocational Rehabilitation Programs	\$	1,508,885	\$	1,608,885
317 415-620	Disability Determination	\$	82,870,347	\$	87,999,369
379 415-616	Federal - Vocational Rehabilitation	\$	123,565,158	\$	119,998,470

TOTAL FED	Federal Special Revenue Fund Group	\$	218,935,588	\$	218,121,563
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## State Special Revenue Fund Group

4L1	415-619	Services for Rehabilitation	\$	4,500,000	\$	4,500,000
468	415-618	Third Party Funding	\$	1,055,407	\$	1,105,407
TOTAL SSR State Special						
		Revenue Fund Group	\$	5,555,407	\$	5,605,407
TOTAL ALL BUDGET FUND GROUPS						
			\$	268,976,949	\$	268,212,924

**INDEPENDENT LIVING COUNCIL**

The foregoing appropriation item 415-402, Independent Living Council, shall be used to fund the operations of the State Independent Living Council.

**MENTAL HEALTH SERVICES**

The foregoing appropriation item 415-403, Mental Health Services, shall be used for the provision of vocational rehabilitation services to mutually eligible consumers of the Rehabilitation Services Commission and the Department of Mental Health.

The Rehabilitation Services Commission shall provide the Department of Mental Health a quarterly report stating the numbers served, numbers placed in employment, average hourly wage, and average hours worked.

**MR/DD SERVICES**

The foregoing appropriation item 415-404, MR/DD Services, shall be used as state matching funds to provide vocational rehabilitation services to mutually eligible clients between the Rehabilitation Services Commission and the Department of Mental Retardation and Developmental Disabilities. The Rehabilitation Services Commission shall report to the Department of Mental Retardation and Developmental Disabilities, as outlined in an interagency agreement, on the number and status of mutually eligible clients and the status of the funds and expenditures for these clients.

**VOCATIONAL REHABILITATION/JOB AND FAMILY SERVICES**

The foregoing appropriation item 415-405, Vocational Rehabilitation/Job and Family Services, shall be used as state matching funds to provide vocational rehabilitation services to mutually eligible clients between the Rehabilitation Services Commission and the Department of Job and Family Services. The Rehabilitation Services Commission shall report to the Department of Job and Family Services, as outlined in an interagency agreement, on the number and status of mutually eligible clients and the status of the funds and expenditures for these clients.

**ASSISTIVE TECHNOLOGY**

The foregoing appropriation item 415-406, Assistive Technology, shall be provided to Assistive Technology of Ohio and shall be used only to provide grants under that program. No amount of the appropriation may be used for administrative costs.

**OFFICE FOR PEOPLE WITH BRAIN INJURY**

Of the foregoing appropriation item 415-431, Office for People with Brain Injury, up to \$50,000 in each fiscal year shall be used for the state

match for a federal grant awarded through the Traumatic Brain Injury Act, Pub. L. No. 104-166, and up to \$50,000 in each fiscal year shall be provided to the Brain Injury Trust Fund. The remaining appropriation shall be used to plan and coordinate head-injury-related services provided by state agencies and other government or private entities, to assess the needs for such services, and to set priorities in this area.

**SERVICES FOR THE DEAF**

The foregoing appropriation item 415-508, Services for the Deaf, shall be used to supplement Social Security reimbursement funds used to provide grants to community centers for the deaf. These funds shall not be used in lieu of Social Security reimbursement funds.

**SERVICES FOR THE ELDERLY**

The foregoing appropriation item 415-509, Services for the Elderly, shall be used as matching funds for vocational rehabilitation services for eligible elderly citizens with a disability.

**INDEPENDENT LIVING SERVICES**

The foregoing appropriation items 415-520, Independent Living Services, and 415-612, Federal - Independent Living Centers or Services, shall be used to support state independent living centers or independent living services under Title VII of the Independent Living Services and Centers for Independent Living of the Rehabilitation Act Amendments of 1992, 106 Stat. 4344, 29 U.S.C. 796d.

**PROGRAM MANAGEMENT EXPENSES**

The foregoing appropriation item 415-606, Program Management Expenses, shall be used to support the administrative functions of the commission related to the provision of vocational rehabilitation, disability determination services, and ancillary programs.

**INDEPENDENT LIVING/VOCATIONAL REHABILITATION PROGRAMS**

The foregoing appropriation item 415-617, Independent Living/Vocational Rehabilitation Programs, shall be used to support vocational rehabilitation programs, including, but not limited to, high tech high schools, training, and brain injury grants.

**SOCIAL SECURITY REIMBURSEMENT FUNDS**

Reimbursement funds received from the Social Security Administration, United States Department of Health and Human Services, for the costs of providing services and training to return disability recipients to gainful employment shall be used in the Social Security Reimbursement Fund (Fund 3L1), as follows:

- (A) Appropriation item 415-601, Social Security Personal Care

Assistance, to provide personal care services in accordance with section 3304.41 of the Revised Code;

(B) Appropriation item 415-605, Social Security Community Centers for the Deaf, to provide grants to community centers for the deaf in Ohio for services to individuals with hearing impairments;

(C) Appropriation item 415-607, Social Security Administration Cost, to provide administrative services needed to administer the Social Security reimbursement program;

(D) Appropriation item 415-608, Social Security Special Programs/Assistance, to provide vocational rehabilitation services to individuals with severe disabilities who are Social Security beneficiaries, to enable them to achieve competitive employment. This appropriation item also includes funds to assist the Personal Care Assistance, Community Centers for the Deaf, and Independent Living Programs to pay their share of indirect costs as mandated by federal OMB Circular A-87.

(E) Appropriation item 415-610, Social Security Vocational Rehabilitation, to provide vocational rehabilitation services to older blind individuals with severe disabilities to enable them to achieve a noncompetitive employment goal.

**PILOT PROGRAM FOR VOCATIONAL REHABILITATION**

During fiscal years 2006 and 2007, the Rehabilitation Services Commission may conduct a pilot program to provide vocational rehabilitation and related services to entities, employers, or individuals that are not eligible for state- or federally-supported services through the commission. The commission shall propose fees to be collected from the entities, employers, or individuals served by the pilot program to support the costs for vocational rehabilitation and related services provided under the pilot program. Fee revenues collected under the program shall be credited to Fund 468 (Third Party Funding). During implementation of the pilot program, the Rehabilitation Services Commission shall investigate and determine the possibility of utilizing this source of revenue to match federal funds. The Rehabilitation Services Commission shall evaluate the progress of the pilot program and issue a report of its findings to the Governor not later than December 15, 2007. The report shall include a recommendation to either continue or discontinue the pilot program in the next biennium.

**SECTION 209.75. RCB RESPIRATORY CARE BOARD**

**General Services Fund Group**

4K9 872-609 Operating Expenses	\$	441,987	\$	0
TOTAL GSF General Services				

Fund Group	\$	441,987	\$	0
TOTAL ALL BUDGET FUND GROUPS	\$	441,987	\$	0

**SECTION 209.78. REVENUE DISTRIBUTION FUNDS**

**Volunteer Firefighters' Dependents Fund**

085 800-900	Volunteer Firefighters' Dependents Fund	\$	280,000	\$	280,000
TOTAL 085 Volunteer Firefighters' Dependents Fund					
		\$	280,000	\$	280,000
Agency Fund Group					
062 110-900	Resort Area Excise Tax	\$	1,000,000	\$	1,075,000
063 110-900	Permissive Tax Distribution	\$	1,627,628,631	\$	1,706,969,960
067 110-900	School District Income Tax	\$	185,000,000	\$	195,000,000
4P8 001-698	Cash Management Improvement Fund	\$	2,500,000	\$	3,000,000
608 001-699	Investment Earnings	\$	85,000,000	\$	85,000,000
TOTAL AGY Agency Fund Group					
		\$	1,901,128,631	\$	1,991,044,960

**Holding Account Redistribution**

R45 110-617	International Fuel Tax Distribution	\$	6,292,029	\$	0
TOTAL 090 Holding Account Redistribution Fund					
Revenue Distribution Fund Group					
049 038-900	Indigent Drivers Alcohol Treatment	\$	1,865,000	\$	1,865,000
050 762-900	International Registration Plan Distribution	\$	55,000,000	\$	55,000,000
051 762-901	Auto Registration Distribution	\$	475,000,000	\$	475,000,000
054 110-900	Local Government Property Tax Replacement - Utility	\$	90,000,000	\$	90,000,000
060 110-900	Gasoline Excise Tax Fund	\$	325,000,000	\$	349,000,000
064 110-900	Local Government Revenue Assistance	\$	94,605,130	\$	94,605,130
065 110-900	Library/Local Government Support Fund	\$	458,510,155	\$	458,510,155
066 800-900	Undivided Liquor Permits	\$	14,300,000	\$	14,300,000
068 110-900	State and Local Government Highway Distribution	\$	231,076,000	\$	235,542,000
069 110-900	Local Government Fund	\$	662,137,898	\$	662,137,898
081 110-900	Local Government Property Tax Replacement-Business	\$	21,150,000	\$	158,166,000
082 110-900	Horse Racing Tax	\$	130,000	\$	130,000
083 700-900	Ohio Fairs Fund	\$	2,450,000	\$	2,450,000
TOTAL RDF Revenue Distribution Fund Group					
		\$	2,431,224,183	\$	2,596,706,183
TOTAL ALL BUDGET FUND GROUPS					
		\$	4,338,924,843	\$	4,588,031,143

**ADDITIONAL APPROPRIATIONS**

Appropriation items in this section shall be used for the purpose of administering and distributing the designated revenue distribution funds according to the Revised Code. If it is determined that additional

appropriations are necessary for this purpose, such amounts are appropriated.

**SECTION 209.78.03. GENERAL REVENUE FUND TRANSFERS TO LOCAL GOVERNMENT PROPERTY TAX REPLACEMENT – BUSINESS (FUND 081)**

Notwithstanding any provision of law to the contrary, the Director of Budget and Management shall transfer \$4,290,000 in fiscal year 2006 and \$30,090,000 in fiscal year 2007 from the General Revenue Fund to appropriation item 110-900, Local Government Property Tax Replacement – Business (Fund 081) in the Revenue Distribution Fund. The funds shall be used to reimburse local taxing units under section 5751.22 of the Revised Code.

**SECTION 209.81. SAN BOARD OF SANITARIAN REGISTRATION**

**General Services Fund Group**

4K9 893-609	Operating Expenses	\$	134,279	\$	0
<b>TOTAL GSF General Services</b>					
Fund Group		\$	134,279	\$	0
<b>TOTAL ALL BUDGET FUND GROUPS</b>					
		\$	134,279	\$	0

**SECTION 209.84. OSB OHIO STATE SCHOOL FOR THE BLIND**

**General Revenue Fund**

GRF 226-100	Personal Services	\$	6,469,841	\$	6,594,261
GRF 226-200	Maintenance	\$	704,162	\$	704,162
GRF 226-300	Equipment	\$	113,289	\$	113,289
<b>TOTAL GRF General Revenue Fund</b>					
		\$	7,287,292	\$	7,411,712

**General Services Fund Group**

4H8 226-602	Education Reform Grants	\$	21,620	\$	21,620
<b>TOTAL GSF General Services</b>					
Fund Group		\$	21,620	\$	21,620

**Federal Special Revenue Fund Group**

3P5 226-643	Medicaid Professional Services Reimbursement	\$	180,000	\$	210,000
310 226-626	Coordinating Unit	\$	1,639,000	\$	1,639,000
<b>TOTAL FED Federal Special</b>					
Revenue Fund Group		\$	1,819,000	\$	1,849,000

**State Special Revenue Fund Group**

4M5 226-601	Student Activity and Work Study	\$	217,397	\$	217,397
<b>TOTAL SSR State Special Revenue</b>					
Fund Group		\$	217,397	\$	217,397
<b>TOTAL ALL BUDGET FUND GROUPS</b>					
		\$	9,345,309	\$	9,499,729

**SECTION 209.87. OSD OHIO STATE SCHOOL FOR THE DEAF**

**General Revenue Fund**

GRF 221-100	Personal Services	\$	8,401,704	\$	8,401,704
GRF 221-200	Maintenance	\$	1,032,751	\$	1,032,751
GRF 221-300	Equipment	\$	222,500	\$	222,500
TOTAL GRF	General Revenue Fund	\$	9,656,955	\$	9,656,955

**General Services Fund Group**

4M1 221-602	Education Reform Grants	\$	27,575	\$	27,575
TOTAL GSF	General Services Fund Group	\$	27,575	\$	27,575

**Federal Special Revenue Fund Group**

3AD 221-604	VREAL Ohio	\$	1,000,000	\$	1,000,000
3R0 221-684	Medicaid Professional Services Reimbursement	\$	35,000	\$	35,000
3Y1 221-686	Early Childhood Grant	\$	250,000	\$	250,000
311 221-625	Coordinating Unit	\$	1,062,426	\$	1,062,426
TOTAL FED	Federal Special Revenue Fund Group	\$	2,347,426	\$	2,347,426

**State Special Revenue Fund Group**

4M0 221-601	Educational Program Expenses	\$	32,688	\$	32,688
5H6 221-609	Even Start Fees & Gifts	\$	59,800	\$	59,800
TOTAL SSR	State Special Revenue Fund Group	\$	92,488	\$	92,488
TOTAL ALL BUDGET FUND GROUPS		\$	12,124,444	\$	12,124,444

**EQUIPMENT**

Of the foregoing appropriation item 221-300, Equipment, up to \$15,000 in fiscal year 2006 may be used by the Ohio School for the Deaf to purchase software for the documentation and tracking of students for increased accountability and data analysis for quality instruction.

**SECTION 209.90. SFC SCHOOL FACILITIES COMMISSION****General Revenue Fund**

GRF 230-428	Lease Rental Payments	\$	31,691,700	\$	31,603,200
GRF 230-908	Common Schools General Obligation Debt Service	\$	188,724,700	\$	224,911,500
TOTAL GRF	General Revenue Fund	\$	220,416,400	\$	256,514,700

**State Special Revenue Fund Group**

5E3 230-644	Operating Expenses	\$	7,319,617	\$	7,691,485
TOTAL SSR	State Special Revenue Fund Group	\$	7,319,617	\$	7,691,485

**Lottery Profits Education Fund Group**

020 230-620	Career-Tech School Building Assistance	\$	2,000,000	\$	2,000,000
TOTAL LPE	Lottery Profits Education Fund Group	\$	2,000,000	\$	2,000,000
TOTAL ALL BUDGET FUND GROUPS		\$	229,736,017	\$	266,206,185

**SECTION 209.90.03. LEASE RENTAL PAYMENTS**

The foregoing appropriation item 230-428, Lease Rental Payments, shall be used to meet all payments at the times they are required to be made during the period from July 1, 2005, to June 30, 2007, by the School Facilities Commission under leases and agreements made under section 3318.26 of the Revised Code, but limited to the aggregate amount of \$63,294,900. Nothing in this act shall be deemed to contravene the obligation of the state to pay, without necessity for further appropriation, from the sources pledged thereto, the bond service charges on obligations issued under Chapter 3318. of the Revised Code.

**COMMON SCHOOLS GENERAL OBLIGATION DEBT SERVICE**

The foregoing appropriation item 230-908, Common Schools General Obligation Debt Service, shall be used to pay all debt service and related financing costs at the times they are required to be made under sections 151.01 and 151.03 of the Revised Code during the period from July 1, 2005, to June 30, 2007. The Office of the Sinking Fund or the Director of Budget and Management shall effectuate the required payments by an intrastate transfer voucher.

**OPERATING EXPENSES**

The foregoing appropriation item 230-644, Operating Expenses, shall be used by the Ohio School Facilities Commission to carry out its responsibilities under this section and Chapter 3318. of the Revised Code.

In both fiscal years 2006 and 2007, the Executive Director of the Ohio School Facilities Commission shall certify on a quarterly basis to the Director of Budget and Management the amount of cash from interest earnings to be transferred from the School Building Assistance Fund (Fund 032), the Public School Building Fund (Fund 021), and the Educational Facilities Trust Fund (Fund N87) to the Ohio School Facilities Commission Fund (Fund 5E3). The amount transferred may not exceed investment earnings credited to the School Building Assistance Fund (Fund 032), less any amount required to be paid for federal arbitrage rebate purposes.

**SCHOOL FACILITIES ENCUMBRANCES AND REAPPROPRIATION**

At the request of the Executive Director of the Ohio School Facilities Commission, the Director of Budget and Management may cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within one year of receiving Controlling Board approval under section 3318.05 of the Revised Code. The Executive Director of the Ohio School Facilities Commission



shall certify the amounts of the canceled encumbrances to the Director of Budget and Management on a quarterly basis. The amounts of the canceled encumbrances are hereby appropriated.

SECTION 209.90.06. EXTREME ENVIRONMENTAL  
CONTAMINATION OF SCHOOL FACILITIES

Notwithstanding any other provision of law to the contrary, the School Facilities Commission may provide assistance under the Exceptional Needs School Facilities Program established in section 3318.37 of the Revised Code to any school district, and not exclusively to a school district in the lowest fifty per cent of adjusted valuation per pupil on the current ranking of school districts established under section 3317.02 of the Revised Code, for the purpose of the relocation or replacement of school facilities required as a result of extreme environmental contamination.

The School Facilities Commission shall contract with an independent environmental consultant to conduct a study and to report to the commission as to the seriousness of the environmental contamination, whether the contamination violates applicable state and federal standards, and whether the facilities are no longer suitable for use as school facilities. The commission then shall make a determination regarding funding for the relocation or replacement of the school facilities. If the federal government or other public or private entity provides funds for restitution of costs incurred by the state or school district in the relocation or replacement of the school facilities, the school district shall use such funds in excess of the school district's share to refund the state for the state's contribution to the environmental contamination portion of the project. The school district may apply an amount of such restitution funds up to an amount equal to the school district's portion of the project, as defined by the commission, toward paying its portion of that project to reduce the amount of bonds the school district otherwise must issue to receive state assistance under sections 3318.01 to 3318.20 of the Revised Code.

SECTION 209.90.09. CANTON CITY SCHOOL DISTRICT PROJECT

(A) The Ohio School Facilities Commission may commit up to thirty-five million dollars to the Canton City School District for construction of a facility described in this section, in lieu of a high school that would otherwise be authorized under Chapter 3318. of the Revised Code. The Commission shall not commit funds under this section unless all of the following conditions are met:

(1) The District has entered into a cooperative agreement with a state-assisted technical college.

(2) The District has received an irrevocable commitment of additional funding from nonpublic sources.

(3) The facility is intended to serve both secondary and postsecondary instructional purposes.

(B) The Commission shall enter into an agreement with the District for the construction of the facility authorized under this section that is separate from and in addition to the agreement required for the District's participation in the Classroom Facilities Assistance Program under section 3318.08 of the Revised Code. Notwithstanding that section and sections 3318.03, 3318.04, and 3318.083 of the Revised Code, the additional agreement shall provide, but not be limited to, the following:

(1) The Commission shall not have any oversight responsibilities over the construction of the facility.

(2) The facility need not comply with the specifications for plans and materials for high schools adopted by the Commission.

(3) The Commission may decrease the basic project cost that would otherwise be calculated for a high school under Chapter 3318. of the Revised Code.

(4) The state shall not share in any increases in the basic project cost for the facility above the amount authorized under this section.

All other provisions of Chapter 3318. of the Revised Code apply to the approval and construction of a facility authorized under this section.

The state funds committed to the facility authorized by this section shall be part of the total amount the state commits to the Canton City School District under Chapter 3318. of the Revised Code. All additional state funds committed to the Canton City School District for classroom facilities assistance shall be subject to all provisions of Chapter 3318. of the Revised Code.

**SECTION 209.93. SOS SECRETARY OF STATE**

**General Revenue Fund**

GRF 050-321	Operating Expenses	\$	2,585,000	\$	2,585,000
GRF 050-403	Election Statistics	\$	103,936	\$	103,936
GRF 050-407	Pollworkers Training	\$	277,997	\$	277,997
GRF 050-409	Litigation Expenditures	\$	4,652	\$	4,652
TOTAL GRF General Revenue Fund		\$	2,971,585	\$	2,971,585

**General Services Fund Group**

4S8 050-610	Board of Voting Machine Examiners	\$	7,200	\$	7,200
412 050-609	Notary Commission	\$	685,250	\$	685,249

413	050-601	Information Systems	\$	169,955	\$	169,955
414	050-602	Citizen Education Fund	\$	75,700	\$	55,712
TOTAL General Services Fund Group			\$	938,105	\$	918,116
<b>Federal Special Revenue Fund Group</b>						
3AS	050-616	2005 HAVA Voting Machines	\$	37,436,203	\$	0
3X4	050-612	Ohio Center/Law Related Educational Grant	\$	41,000	\$	41,000
TOTAL FED Federal Special Revenue Fund Group			\$	37,477,203	\$	41,000
<b>State Special Revenue Fund Group</b>						
5N9	050-607	Technology Improvements	\$	129,565	\$	129,565
599	050-603	Business Services Operating Expenses	\$	13,741,745	\$	13,761,734
TOTAL SSR State Special Revenue Fund Group			\$	13,871,310	\$	13,891,299
<b>Holding Account Redistribution Fund Group</b>						
R01	050-605	Uniform Commercial Code Refunds	\$	65,000	\$	65,000
R02	050-606	Corporate/Business Filing Refunds	\$	100,000	\$	100,000
TOTAL 090 Holding Account Redistribution Fund Group			\$	165,000	\$	165,000
TOTAL ALL BUDGET FUND GROUPS			\$	55,423,203	\$	17,987,000

**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 that 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 appropriated.

**2005 HAVA VOTING MACHINES**

On July 1, 2005, or as soon as possible thereafter, the Secretary of State shall certify to the Director of Budget and Management the cash balance in Fund 3AR, appropriation item 050-615, 2004 HAVA Voting Machines. The Director of Budget and Management shall transfer the certified amount of cash to Fund 3AS, 050-616, 2005 HAVA Voting Machines, for use in fiscal year 2006. The transferred amount is hereby appropriated.

On July 1, 2006, or as soon as possible thereafter, the Director of Budget and Management shall transfer any remaining unexpended, unencumbered appropriations in Fund 3AS, appropriation item 050-616, 2005 HAVA Voting Machines, at the end of fiscal year 2006 to fiscal year 2007 for use under the same appropriation item.

**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 appropriated.

## SECTION 209.96. SEN THE OHIO SENATE

## General Revenue Fund

GRF 020-321	Operating Expenses	\$	11,546,357	\$	11,661,821
TOTAL GRF General Revenue Fund		\$	11,546,357	\$	11,661,821

## General Services Fund Group

102 020-602	Senate Reimbursement	\$	444,025	\$	444,025
409 020-601	Miscellaneous Sales	\$	34,155	\$	34,155
TOTAL GSF General Services Fund Group		\$	478,180	\$	478,180
TOTAL ALL BUDGET FUND GROUPS		\$	12,024,537	\$	12,140,001

## OPERATING EXPENSES

On July 1, 2005, or as soon as possible thereafter, the Clerk of the Senate shall certify to the Director of Budget and Management the total fiscal year 2005 unencumbered appropriations in appropriation item 020-321, Operating Expenses. The Clerk may direct the Director of Budget and Management to transfer an amount not to exceed the total fiscal year 2005 unencumbered appropriations to fiscal year 2006 for use within appropriation item 020-321, Operating Expenses. Additional appropriation authority equal to the amount certified by the Clerk is hereby appropriated to appropriation item 020-321, Operating Expenses, in fiscal year 2006.

On July 1, 2006, or as soon as possible thereafter, the Clerk of the Senate shall certify to the Director of Budget and Management the total fiscal year 2006 unencumbered appropriations in appropriation item 020-321, Operating Expenses. The Clerk may direct the Director of Budget and Management to transfer an amount not to exceed the total fiscal year 2006 unencumbered appropriations to fiscal year 2007 for use within appropriation item 020-321, Operating Expenses. Additional appropriation authority equal to the amount certified by the Clerk is hereby appropriated to appropriation item 020-321, Operating Expenses, in fiscal year 2007.

## SECTION 209.99. CSF COMMISSIONERS OF THE SINKING FUND

## Debt Service Fund Group

072 155-902	Highway Capital Improvements Bond Retirement Fund	\$	180,620,600	\$	196,464,900
073 155-903	Natural Resources Bond	\$	26,166,000	\$	24,659,100

		Retirement Fund			
074	155-904	Conservation Projects Bond Service Fund	\$	14,687,300	\$ 17,668,800
076	155-906	Coal Research and Development Bond Retirement Fund	\$	7,071,100	\$ 8,980,800
077	155-907	State Capital Improvements Bond Retirement Fund	\$	163,131,400	\$ 174,545,100
078	155-908	Common Schools Bond Retirement Fund	\$	200,724,700	\$ 236,911,500
079	155-909	Higher Education Bond Retirement Fund	\$	140,600,300	\$ 158,114,100
		TOTAL DSF Debt Service Fund Group	\$	733,001,400	\$ 817,344,300
		TOTAL ALL BUDGET FUND GROUPS	\$	733,001,400	\$ 817,344,300

**ADDITIONAL APPROPRIATIONS**

Appropriation items in this section are for the purpose of paying debt service and financing costs on bonds or notes of the state issued under the Ohio Constitution and acts of the General Assembly. If it is determined that additional appropriations are necessary for this purpose, such amounts are appropriated.

**COMMISSIONER OF THE SINKING FUND HIGHWAY BOND TRANSFER AUTHORIZATION**

Notwithstanding any other provision of law to the contrary, the Commissioners of the Sinking Fund shall certify to the Director of Budget and Management, and the director shall then transfer, the cash balance remaining after provision for the payment of all outstanding bonds, notes, coupons, and charges from the Highway Obligation Bond Retirement Fund (Fund 071) to the Highway Capital Improvements Bond Service Fund (Fund 072), created by section 151.06 of the Revised Code, as expeditiously as possible after the effective date of this section.

**SECTION 212.03. SPE BOARD OF SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY**

<b>General Services Fund Group</b>					
4K9	886-609	Operating Expenses	\$	408,864	\$ 0
		TOTAL GSF General Services Fund Group	\$	408,864	\$ 0
		TOTAL ALL BUDGET FUND GROUPS	\$	408,864	\$ 0

**SECTION 212.06. BTA BOARD OF TAX APPEALS**

<b>General Revenue Fund</b>					
GRF	116-321	Operating Expenses	\$	2,155,055	\$ 2,211,035
		TOTAL GRF General Revenue Fund	\$	2,155,055	\$ 2,211,035
		TOTAL ALL BUDGET FUND GROUPS	\$	2,155,055	\$ 2,211,035

## SECTION 212.09. TAX DEPARTMENT OF TAXATION

**General Revenue Fund**

GRF 110-321	Operating Expenses	\$	91,439,754	\$	91,439,754
GRF 110-412	Child Support Administration	\$	71,988	\$	71,988
GRF 110-901	Property Tax Allocation - Taxation	\$	430,102,680	\$	409,946,241
GRF 110-906	Tangible Tax Exemption - Taxation	\$	18,355,923	\$	13,766,942
TOTAL GRF General Revenue Fund		\$	539,970,345	\$	515,224,925

**General Services Fund Group**

228 110-628	Tax Reform System Implementation	\$	7,000,000	\$	7,000,000
433 110-602	Tape File Account	\$	96,165	\$	96,165
5BW 110-630	Tax Amnesty Promotion and Administration	\$	2,000,000	\$	0
5W4 110-625	Centralized Tax Filing and Payment	\$	2,500,000	\$	2,000,000
5W7 110-627	Exempt Facility Administration	\$	36,000	\$	36,000
TOTAL GSF General Services Fund Group		\$	11,632,165	\$	9,132,165

**Federal Special Revenue Fund Group**

3J6 110-601	Motor Fuel Compliance	\$	25,000	\$	25,000
TOTAL FED Federal Special Revenue Fund Group		\$	25,000	\$	25,000

**State Special Revenue Fund Group**

4C6 110-616	International Registration Plan	\$	706,855	\$	706,855
4R6 110-610	Tire Tax Administration	\$	65,000	\$	65,000
435 110-607	Local Tax Administration	\$	15,880,987	\$	16,394,879
436 110-608	Motor Vehicle Audit	\$	1,350,000	\$	1,350,000
437 110-606	Litter Tax and Natural Resource Tax Administration	\$	625,232	\$	625,232
438 110-609	School District Income Tax	\$	2,599,999	\$	2,599,999
5BQ 110-629	Commercial Activity Tax Administration	\$	6,000,000	\$	500,000
5N5 110-605	Municipal Income Tax Administration	\$	265,000	\$	265,000
5N6 110-618	Kilowatt Hour Tax Administration	\$	85,000	\$	85,000
5V7 110-622	Motor Fuel Tax Administration	\$	4,268,345	\$	4,397,263
5V8 110-623	Property Tax Administration	\$	12,758,643	\$	12,967,102
639 110-614	Cigarette Tax Enforcement	\$	168,925	\$	168,925
642 110-613	Ohio Political Party Distributions	\$	600,000	\$	600,000
688 110-615	Local Excise Tax Administration	\$	300,000	\$	300,000
TOTAL SSR State Special Revenue Fund Group		\$	45,673,986	\$	41,025,255

**Agency Fund Group**

095	110-901	Municipal Income Tax	\$	21,000,000	\$	21,000,000
425	110-635	Tax Refunds	\$	1,483,900,000	\$	1,582,700,000
TOTAL AGY Agency Fund Group			\$	1,504,900,000	\$	1,603,700,000
<b>Holding Account Redistribution Fund Group</b>						
R10	110-611	Tax Distributions	\$	50,000	\$	50,000
R11	110-612	Miscellaneous Income Tax Receipts	\$	50,000	\$	50,000
TOTAL 090 Holding Account Redistribution Fund Group						
			\$	100,000	\$	100,000
TOTAL ALL BUDGET FUND GROUPS			\$	2,102,301,496	\$	2,169,207,345

**HOMESTEAD EXEMPTION, PROPERTY TAX ROLLBACK, AND TANGIBLE TAX EXEMPTION**

The foregoing appropriation item 110-901, Property Tax Allocation - Taxation, is hereby appropriated to pay for the state's costs incurred because of the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback. The Tax Commissioner shall distribute these funds directly to the appropriate local taxing districts, 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, the Manufactured Home Property Tax Rollback, 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 foregoing appropriation item 110-906, Tangible Tax Exemption - Taxation, is hereby appropriated to pay for the state's costs incurred because of 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 appearing in the notification from the county treasurer under division (G) of section 321.24 of the Revised Code for all local taxing districts located in the county except for school districts, notwithstanding the provision in section 321.24 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. The county auditor shall distribute the amount paid by the Tax Commissioner among the appropriate local taxing districts except for school districts under division (G) of section 321.24 of the Revised Code.

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, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback payments, and 110-906, Tangible Tax Exemption - Taxation, for the \$10,000 tangible personal property tax exemption payments, which are determined to be necessary for these purposes, are hereby appropriated.

**MUNICIPAL INCOME TAX**

The foregoing appropriation item 110-901, Municipal Income Tax, shall be used to make payments to municipal corporations under section 5745.05 of the Revised Code. If it is determined that additional appropriations are necessary to make these payments, such amounts are hereby appropriated.

**TAX REFUNDS**

The foregoing appropriation item 110-635, Tax Refunds, shall be used to pay refunds under section 5703.052 of the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

**TAX REFORM SYSTEM IMPLEMENTATION FUND**

Notwithstanding section 3734.9010, division (B)(2)(c) of section 4505.09, division (B) of section 5703.12, section 5703.80, division (C)(6) of section 5727.81, sections 5733.122 and 5735.053, division (C) of section 5739.21, section 5745.03, division (C) of section 5747.03, and section 5747.113 of the Revised Code and any other statutory provision to the contrary, any residual cash balances determined and certified by the Tax Commissioner to the Director of Budget and Management shall be transferred on July 1, 2005, or as soon as possible thereafter, to the Tax Reform System Implementation Fund (Fund 228), which is hereby created in the State Treasury. The fund shall be used to pay expenses incurred by the Department of Taxation in providing an integrated tax system that will accommodate the needs of tax reform and allow for improved customer service, processing efficiency, compliance enforcement, and reporting.

**INTERNATIONAL REGISTRATION PLAN AUDIT**

The foregoing appropriation item 110-616, International Registration Plan, shall be used under section 5703.12 of the Revised Code for audits of persons with vehicles registered under the International Registration Plan.

**TRAVEL EXPENSES FOR THE STREAMLINED SALES TAX PROJECT**

Of the foregoing appropriation item 110-607, Local Tax Administration, the Tax Commissioner may disburse funds, if available, for the purposes of paying travel expenses incurred by members of Ohio's delegation to the Streamlined Sales Tax Project, as appointed under section 5740.02 of the



Revised Code. Any travel expense reimbursement paid for by the Department of Taxation shall be done in accordance with applicable state laws and guidelines.

**LITTER CONTROL TAX ADMINISTRATION FUND**

Notwithstanding section 5733.12 of the Revised Code, during the period from July 1, 2005, to June 30, 2006, the amount of \$625,232, and during the period from July 1, 2006, to June 30, 2007, the amount of \$625,232, received by the Tax Commissioner under Chapter 5733. of the Revised Code, shall be credited to the Litter Control Tax Administration Fund (Fund 437).

**TAX AMNESTY PROMOTION AND ADMINISTRATION**

The foregoing appropriation item 110-630, Tax Amnesty Promotion and Administration, shall be used to pay expenses incurred to promote and administer the tax amnesty program run from January 1, 2006, through February 15, 2006, by the Department of Taxation. The Department of Taxation and Attorney General's Office shall work in close collaboration on promotion activities in relation to the Tax Amnesty Promotion and Administration program.

**CENTRALIZED TAX FILING AND PAYMENT FUND**

The Director of Budget and Management, under a plan submitted by the Tax Commissioner, or as otherwise determined by the Director of Budget and Management, shall set a schedule to transfer cash from the General Revenue Fund to the credit of the Centralized Tax Filing and Payment Fund (Fund 5W4). The transfers of cash shall not exceed \$4,500,000 in the biennium.

**COMMERCIAL ACTIVITY TAX ADMINISTRATION**

The foregoing appropriation item 110-629, Commercial Activity Tax Administration, shall be used to pay expenses incurred by the Department of Taxation to implement and administer the Commercial Activity Tax under Chapter 5751. of the Revised Code.

**SECTION 212.12. DOT DEPARTMENT OF TRANSPORTATION  
Transportation Modes**

**General Revenue Fund**

GRF 775-451	Public Transportation - State	\$	16,300,000	\$	16,300,000
GRF 776-465	Ohio Rail Development Commission	\$	2,700,000	\$	2,700,000
GRF 776-466	Railroad Crossing/Grade Separation	\$	789,600	\$	789,600
GRF 777-471	Airport Improvements - State	\$	1,793,985	\$	1,793,985
GRF 777-473	Rickenbacker Lease Payments - State	\$	594,500	\$	320,300

TOTAL GRF General Revenue Fund	\$	22,178,085	\$	21,903,885
<b>Federal Special Revenue Fund Group</b>				
3B9 776-662 Rail Transportation - Federal	\$	10,000	\$	10,000
TOTAL FED Federal Special Revenue Fund Group	\$	10,000	\$	10,000
<b>State Special Revenue Fund Group</b>				
4N4 776-663 Panhandle Lease Reserve Payments	\$	764,400	\$	764,400
4N4 776-664 Rail Transportation - Other	\$	2,111,500	\$	2,111,500
5CF 776-667 Rail Transload Facilities	\$	500,000	\$	0
5W9 777-615 Airport Assistance	\$	570,000	\$	570,000
TOTAL SSR State Special Revenue Fund Group	\$	3,945,900	\$	3,445,900
TOTAL ALL BUDGET FUND GROUPS	\$	26,133,985	\$	25,359,785

**ELDERLY AND DISABLED FARE ASSISTANCE**

Of the foregoing appropriation item 775-451, Public Transportation - State, up to \$6,000,000 in fiscal year 2006 and \$7,000,000 in fiscal year 2007 may be used to make grants to county transit boards, regional transit authorities, regional transit commissions, counties, municipal corporations, and private nonprofit organizations that operate or will operate public transportation systems, for the purpose of reducing the transit fares of elderly or disabled persons. The Director of Transportation shall establish criteria for the distribution of these grants under division (B) of section 5501.07 of the Revised Code.

**AVIATION LEASE PAYMENTS**

The foregoing appropriation item 777-473, Rickenbacker Lease Payments - State, shall be used to meet scheduled payments for the Rickenbacker Port Authority. The Director of Transportation shall certify to the Director of Budget and Management any appropriations in appropriation item 777-473, Rickenbacker Lease Payments - State, that are not needed to make lease payments for the Rickenbacker Port Authority. Notwithstanding section 127.14 of the Revised Code, the amount certified may be transferred by the Director of Budget and Management to appropriation item 777-471, Airport Improvements - State.

**RAIL TRANSLOAD FACILITIES**

The foregoing appropriation item 776-667, Rail Transload Facilities, shall be used to fund the Rail Transload Initiative, a statewide pilot program administered by the Ohio Rail Development Commission, to provide grants to assist communities and railroads and other businesses to develop facilities that will enhance the ability of railroads to work with other transport modes to move bulk commodities more efficiently and safely.

<b>General Revenue Fund</b>			
GRF 090-321	Operating Expenses	\$ 9,041,937	\$ 9,041,937
GRF 090-401	Office of the Sinking Fund	\$ 521,576	\$ 521,576
GRF 090-402	Continuing Education	\$ 435,770	\$ 435,770
GRF 090-524	Police and Fire Disability Pension Fund	\$ 25,000	\$ 20,000
GRF 090-534	Police & Fire Ad Hoc Cost of Living	\$ 180,000	\$ 150,000
GRF 090-554	Police and Fire Survivor Benefits	\$ 1,100,000	\$ 1,000,000
GRF 090-575	Police and Fire Death Benefits	\$ 20,000,000	\$ 20,000,000
TOTAL GRF General Revenue Fund		\$ 31,304,283	\$ 31,169,283
<b>General Services Fund Group</b>			
4E9 090-603	Securities Lending Income	\$ 2,721,800	\$ 2,814,000
577 090-605	Investment Pool Reimbursement	\$ 550,000	\$ 550,000
605 090-609	Treasurer of State Administrative Fund	\$ 700,000	\$ 700,000
TOTAL GSF General Services Fund Group		\$ 3,971,800	\$ 4,064,000
<b>State Special Revenue Fund Group</b>			
5C5 090-602	County Treasurer Education	\$ 135,000	\$ 135,000
TOTAL SSR State Special Revenue Fund Group		\$ 135,000	\$ 135,000
<b>Agency Fund Group</b>			
425 090-635	Tax Refunds	\$ 31,000,000	\$ 31,000,000
TOTAL Agency Fund Group		\$ 31,000,000	\$ 31,000,000
TOTAL ALL BUDGET FUND GROUPS		\$ 66,411,083	\$ 66,368,283

#### SECTION 212.15.03. OFFICE OF THE SINKING FUND

The foregoing appropriation item 090-401, Office of the Sinking Fund, shall be used for financing and other costs incurred by or on behalf of the Commissioners of the Sinking Fund, the Ohio Public Facilities Commission or its secretary, or the Treasurer of State, with respect to State of Ohio general obligation bonds or notes, including, but not limited to, printing, advertising, delivery, rating fees and the procurement of ratings, professional publications, membership in professional organizations, and services referred to in division (D) of section 151.01 of the Revised Code. The General Revenue Fund shall be reimbursed for such costs by intrastate transfer voucher pursuant to a certification by the Office of the Sinking Fund of the actual amounts used. The amounts necessary to make such reimbursements are appropriated from the general obligation bond retirement funds created by the Constitution and laws to the extent such costs are incurred.

**POLICE AND FIRE DEATH BENEFIT FUND**

The foregoing appropriation item 090-575, Police and Fire Death Benefits, shall be disbursed quarterly by the Treasurer of State at the beginning of each quarter of each fiscal year to the Board of Trustees of the Ohio Police and Fire Pension Fund. The Treasurer of State shall certify such amounts quarterly to the Director of Budget and Management. By the twentieth day of June of each fiscal year, the Board of Trustees of the Ohio Police and Fire Pension Fund shall certify to the Treasurer of State the amount disbursed in 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 appropriation item but not disbursed.

**TAX REFUNDS**

The foregoing appropriation item 090-635, Tax Refunds, shall be used to pay refunds under section 5703.052 of the Revised Code. If the Director of Budget and Management determines that additional amounts are necessary for this purpose, such amounts are hereby appropriated.

**SECTION 212.18. UST PETROLEUM UNDERGROUND STORAGE TANK****Agency Fund Group**

691 810-632	PUSTRCB Staff	\$	1,075,158	\$	1,116,658
TOTAL AGY Agency Fund Group		\$	1,075,158	\$	1,116,658
TOTAL ALL BUDGET FUND GROUPS		\$	1,075,158	\$	1,116,658

**SECTION 212.21. TTA OHIO TUITION TRUST AUTHORITY****State Special Revenue Fund Group**

5AM 095-603	Index Savings Plan	\$	2,866,240	\$	3,104,865
5P3 095-602	Variable College Savings Fund	\$	2,042,486	\$	2,118,568
645 095-601	Operating Expenses	\$	807,260	\$	891,173
TOTAL SSR State Special Revenue Fund Group		\$	5,715,986	\$	6,114,606
TOTAL ALL BUDGET FUND GROUPS		\$	5,715,986	\$	6,114,606

**SECTION 212.24. OVH OHIO VETERANS' HOME****General Revenue Fund**

GRF 430-100	Personal Services	\$	20,629,914	\$	21,030,031
GRF 430-200	Maintenance	\$	6,396,200	\$	6,396,200
TOTAL GRF General Revenue Fund		\$	27,026,114	\$	27,426,231

**General Services Fund Group**

484 430-603	Rental and Service Revenue	\$	882,737	\$	882,737
TOTAL GSF General Services Fund Group		\$	882,737	\$	882,737

**Federal Special Revenue Fund Group**

3L2 430-601	Federal VA Per Diem Grant	\$	14,990,510	\$	15,290,320
<b>TOTAL FED Federal Special Revenue</b>					
Fund Group		\$	14,990,510	\$	15,290,320

**State Special Revenue Fund Group**

4E2 430-602	Veterans Home Operating	\$	8,322,731	\$	8,530,800
604 430-604	Veterans Home Improvement	\$	770,096	\$	770,096
<b>TOTAL SSR State Special Revenue</b>					
Fund Group		\$	9,092,827	\$	9,300,896
<b>TOTAL ALL BUDGET FUND GROUPS</b>					
		\$	51,992,188	\$	52,900,184

**SECTION 212.27. VET VETERANS' ORGANIZATIONS**

**General Revenue Fund**

<b>VAP AMERICAN EX-PRISONERS OF WAR</b>					
GRF 743-501	State Support	\$	25,030	\$	25,030
<b>VAN ARMY AND NAVY UNION, USA, INC.</b>					
GRF 746-501	State Support	\$	55,012	\$	55,012
<b>VKW KOREAN WAR VETERANS</b>					
GRF 747-501	State Support	\$	49,453	\$	49,453
<b>VJW JEWISH WAR VETERANS</b>					
GRF 748-501	State Support	\$	29,715	\$	29,715
<b>VCW CATHOLIC WAR VETERANS</b>					
GRF 749-501	State Support	\$	57,990	\$	57,990
<b>VPH MILITARY ORDER OF THE PURPLE HEART</b>					
GRF 750-501	State Support	\$	56,377	\$	56,377
<b>VVV VIETNAM VETERANS OF AMERICA</b>					
GRF 751-501	State Support	\$	185,954	\$	185,954
<b>VAL AMERICAN LEGION OF OHIO</b>					
GRF 752-501	State Support	\$	302,328	\$	302,328
<b>VII AMVETS</b>					
GRF 753-501	State Support	\$	287,919	\$	287,919
<b>VAV DISABLED AMERICAN VETERANS</b>					
GRF 754-501	State Support	\$	216,308	\$	216,308
<b>VMC MARINE CORPS LEAGUE</b>					
GRF 756-501	State Support	\$	115,972	\$	115,972
<b>V37 37TH DIVISION AEF VETERANS' ASSOCIATION</b>					
GRF 757-501	State Support	\$	5,946	\$	5,946
<b>VFW VETERANS OF FOREIGN WARS</b>					
GRF 758-501	State Support	\$	246,615	\$	246,615
<b>TOTAL GRF General Revenue Fund</b>					
		\$	1,634,619	\$	1,634,619
<b>TOTAL ALL BUDGET FUND GROUPS</b>					
		\$	1,634,619	\$	1,634,619

**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, 756-501, 757-501, and 758-501, State Support, shall be released upon approval by the Director

of Budget and Management.

**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.

**VAL AMERICAN LEGION OF OHIO**

Of the foregoing appropriation item 752-501, State Support, VAL American Legion, at least \$50,000 in each fiscal year shall be used to fund service officer expenses.

**VETERANS SERVICE COMMISSION EDUCATION**

Of the foregoing appropriation item 753-501, State Support, AMVETS, 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. Additionally, at least \$50,000 shall be used in each fiscal year to fund service officer expenses. The Director of Budget and Management shall release these funds upon the presentation of an itemized receipt, approved by the Governor's Office of Veterans Affairs, from the association for reasonable and appropriate expenses incurred while performing these duties. The association shall establish uniform procedures for reimbursing member commissions.

**VAV DISABLED AMERICAN VETERANS**

Of the foregoing appropriation item 754-501, State Support, VAV Disabled American Veterans, at least \$50,000 in each fiscal year shall be used to fund service officer expenses.

**VMC MARINE CORPS LEAGUE**

Of the foregoing appropriation item 756-501, State Support, VMC Marine Corps League, at least \$30,000 in each fiscal year shall be used to fund service officer expenses.

**VFW VETERANS OF FOREIGN WARS**

Of the foregoing appropriation item 758-501, State Support, VFW Veterans of Foreign Wars, at least \$50,000 in each fiscal year shall be used to fund service officer expenses.

**SECTION 212.30. DVM STATE VETERINARY MEDICAL BOARD**

**General Services Fund Group**

4K9 888-609	Operating Expenses	\$	293,691	\$	0
5BU 888-602	Veterinary Student Loan Program	\$	60,000	\$	0

TOTAL GSF General Services

Fund Group	\$	353,691	\$	0
TOTAL ALL BUDGET FUND GROUPS	\$	353,691	\$	0
<b>CASH TRANSFER TO VETERINARY STUDENT LOAN PROGRAM FUND (FUND 5BU)</b>				

On July 1, 2005, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$60,000 in cash from the Occupational Licensing and Regulatory Fund (Fund 4K9) to the Veterinary Student Loan Program Fund (Fund 5BU), which is hereby created. The amount of the transfer is hereby appropriated.

**VETERINARY STUDENT LOAN PROGRAM**

The foregoing appropriation item 888-602, Veterinary Student Loan Program, shall be used by the Veterinary Medical Licensing Board to implement a student loan repayment program for veterinary students focusing on large animal populations, public health, or regulatory veterinary medicine.

**SECTION 212.33. DYS DEPARTMENT OF YOUTH SERVICES**

**General Revenue Fund**

GRF 470-401	RECLAIM Ohio	\$	177,016,683	\$	182,084,588
GRF 470-412	Lease Rental Payments	\$	20,267,500	\$	21,882,700
GRF 470-510	Youth Services	\$	18,608,587	\$	18,608,587
GRF 472-321	Parole Operations	\$	14,358,995	\$	14,962,871
GRF 477-321	Administrative Operations	\$	14,239,494	\$	14,754,420
TOTAL GRF General Revenue Fund		\$	244,491,259	\$	252,293,166

**General Services Fund Group**

175 470-613	Education Reimbursement	\$	10,112,529	\$	9,450,598
4A2 470-602	Child Support	\$	320,641	\$	328,657
4G6 470-605	General Operational Funds	\$	10,000	\$	10,000
479 470-609	Employee Food Service	\$	141,466	\$	137,666
523 470-621	Wellness Program	\$	46,937	\$	0
6A5 470-616	Building Demolition	\$	31,100	\$	0
TOTAL GSF General Services Fund Group		\$	10,662,673	\$	9,926,921

**Federal Special Revenue Fund Group**

3V5 470-604	Juvenile Justice/Delinquency Prevention	\$	4,254,745	\$	4,254,746
3W0 470-611	Federal Juvenile Programs FFY 02	\$	222,507	\$	0
3Z8 470-625	Federal Juvenile Programs FFY 04	\$	1,500,001	\$	773,812
3Z9 470-626	Federal Juvenile Programs FFY 05	\$	465,000	\$	0
321 470-601	Education	\$	1,422,580	\$	1,465,399
321 470-603	Juvenile Justice Prevention	\$	1,981,169	\$	2,006,505
321 470-606	Nutrition	\$	2,471,550	\$	2,470,655
321 470-614	Title IV-E Reimbursements	\$	4,960,589	\$	6,012,361
321 470-617	AmeriCorps Programs	\$	456,000	\$	463,700

TOTAL FED Federal Special Revenue			
Fund Group	\$	17,734,141	\$ 17,447,178
<b>State Special Revenue Fund Group</b>			
147 470-612 Vocational Education	\$	1,937,784	\$ 2,009,866
4W3 470-618 Help Me Grow	\$	11,000	\$ 11,000
5BH 470-628 Partnerships for Success	\$	1,500,000	\$ 1,500,000
TOTAL SSR State Special Revenue			
Fund Group	\$	3,448,784	\$ 3,520,866
TOTAL ALL BUDGET FUND GROUPS	\$	276,336,857	\$ 283,188,131

**RECLAIM OHIO**

Of the foregoing appropriation item 470-401, RECLAIM Ohio, \$25,000 in each fiscal year shall be distributed directly to the Lighthouse Youth Services Wrap-Around Program.

**OHIO BUILDING AUTHORITY LEASE PAYMENTS**

The foregoing appropriation item 470-412, Lease Rental Payments, in the Department of Youth Services, shall be used for payments to the Ohio Building Authority for the period from July 1, 2005, to June 30, 2007, under the primary leases and agreements for facilities made under Chapter 152. of the Revised Code, but limited to the aggregate amount of \$42,150,200. This appropriation is the source of funds pledged for bond service charges on related obligations issued pursuant to Chapter 152. of the Revised Code.

**EDUCATION REIMBURSEMENT**

The foregoing appropriation item 470-613, Education Reimbursement, shall be used to fund the operating expenses of providing educational services to youth supervised by the Department of Youth Services. Operating expenses include, but are not limited to, teachers' salaries, maintenance costs, and educational equipment. This appropriation item may be used for capital expenses related to the education program.

**EMPLOYEE FOOD SERVICE AND EQUIPMENT**

Notwithstanding section 125.14 of the Revised Code, the foregoing appropriation item 470-609, Employee Food Service, may be used to purchase any food operational items with funds received into the fund from reimbursement for state surplus property.

**PARTNERSHIPS FOR SUCCESS**

In fiscal year 2006, the foregoing appropriation item 470-628, Partnerships for Success, shall be used to support the Partnerships for Success Project. On or before January 1, 2007, the Director of Budget and Management shall transfer any amount of cash that remains unspent in the Partnerships for Success Fund (Fund 5BH) to the Children's Trust Fund (Fund 198).

**FEDERAL JUVENILE JUSTICE PROGRAM TRANSFER FROM THE OFFICE OF CRIMINAL JUSTICE SERVICES TO THE**



DEPARTMENT OF YOUTH SERVICES

Any business relating to the funds associated with the Office of Criminal Justice Services' appropriation item 196-602, Criminal Justice Federal Programs, commenced but not completed by the Office of Criminal Justice Services or its director shall be completed by the Department of Youth Services or its director in the same manner, and with the same effect, as if completed by the Office of Criminal Justice Services or its director. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer and shall be administered by the Department of Youth Services.

Any action or proceeding against the Office of Criminal Justice Services pending on the effective date of this section shall not be affected by the transfer of responsibility to the Department of Youth Services, and shall be prosecuted or defended in the name of the Department of Youth Services or its director. In all such actions and proceedings, the Department of Youth Services or its director upon application of the court shall be substituted as party.

SECTION 303.03. EXPENDITURES AND APPROPRIATION INCREASES APPROVED BY THE CONTROLLING BOARD

Any money that the Controlling Board approves for expenditure or any increase in appropriation authority that the Controlling Board approves under sections 127.14, 131.35, and 131.39 of the Revised Code or any other provision of law is hereby appropriated for the period ending June 30, 2007.

SECTION 303.06. PERSONAL SERVICE EXPENSES

Unless otherwise prohibited by law, any appropriation from which personal service expenses are paid shall bear the employer's share of public employees' retirement, workers' compensation, disabled workers' relief, and all group insurance programs; the costs of centralized accounting, centralized payroll processing, and related personnel reports and services; the cost of the Office of Collective Bargaining; the cost of the Personnel Board of Review; the cost of the Employee Assistance Program; the cost of the affirmative action and equal employment opportunity programs administered by the Department of Administrative Services; the costs of interagency information management infrastructure; and the cost of administering the state employee merit system as required by section 124.07 of the Revised Code. These costs shall be determined in conformity with the appropriate sections of law and paid in accordance with procedures

specified by the Office of Budget and Management. Expenditures from appropriation item 070-601, Public Audit Expense - Local Government, in Fund 422 may be exempted from the requirements of this section.

**SECTION 303.09. RE-ISSUANCE OF VOIDED WARRANTS**

In order to provide funds for the reissuance of voided warrants under section 117.47 of the Revised Code, there is hereby appropriated, out of moneys in the state treasury from the fund credited as provided in section 117.47 of the Revised Code, that amount sufficient to pay such warrants when approved by the Office of Budget and Management.

**SECTION 303.12. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST THE STATE**

Except as otherwise provided in this section, an appropriation 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 does not apply to appropriations to be applied to or used for payment of guarantees by or on behalf of the state, or for payments under lease agreements relating to, or debt service on, bonds, notes, or other obligations of the state. Notwithstanding any other statute to the contrary, this authorization includes appropriations from funds into which proceeds of direct obligations of the state are deposited 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 obligations were issued or entered into. 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, and is not intended to waive or compromise any defense or right available to the state in any suit against it.

**SECTION 303.13. CAPITAL PROJECT SETTLEMENTS**

This section specifies an additional and supplemental procedure to provide for payments of judgments and settlements if the Director of Budget and Management determines, pursuant to division (C)(4) of section 2743.19 of the Revised Code, that sufficient unencumbered moneys do not exist in the particular appropriation to pay the amount of a final judgment rendered against the state or a state agency, including the settlement of a claim

approved by a court, in an action upon and arising out of a contractual obligation for the construction or improvement of a capital facility if the costs under the contract were payable in whole or in part from a state capital projects appropriation. In such a case, the director may either proceed pursuant to division (C)(4) of section 2743.19 of the Revised Code or apply to the Controlling Board to increase an appropriation or create an appropriation out of any unencumbered moneys in the state treasury to the credit of the capital projects fund from which the initial state appropriation was made. The Controlling Board may approve or disapprove the application as submitted or modified. The amount of an increase in appropriation or new appropriation specified in an application approved by the Controlling Board is hereby appropriated from the applicable capital projects fund and made available for the payment of the judgment or settlement.

If the director does not make the application authorized by this section or the Controlling Board disapproves the application, and the director does not make application under division (C)(4) of section 2743.19 of the Revised Code, the director shall for the purpose of making that payment make a request to the General Assembly as provided for in division (C)(5) of that section.

#### SECTION 303.18. INCOME TAX DISTRIBUTION TO COUNTIES

There are hereby appropriated out of any moneys in the state treasury to the credit of the General Revenue Fund, which are not otherwise appropriated, funds sufficient to make any payment required by division (B)(2) of section 5747.03 of the Revised Code.

#### SECTION 303.21. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES OF OPERATING APPROPRIATIONS

An unexpended balance of an operating appropriation or reappropriation that a state agency lawfully encumbered prior to the close of a fiscal year is reappropriated on the first day of July of the following fiscal year from the fund from which it was originally appropriated or reappropriated for the following period and shall remain available only for the purpose of discharging the encumbrance:

(A) For an encumbrance for personal services, maintenance, equipment, or items for resale, other than an encumbrance for an item of special order manufacture not available on term contract or in the open market or for reclamation of land or oil and gas wells for a period of not more than five

months from the end of the fiscal year;

(B) For an encumbrance for an item of special order manufacture not available on term contract or in the open market, for a period of not more than five months from the end of the fiscal year or, with the written approval of the Director of Budget and Management, for a period of not more than twelve months from the end of the fiscal year;

(C) For an encumbrance for reclamation of land or oil and gas wells, for a period ending when the encumbered appropriation is expended or for a period of two years, whichever is less;

(D) For an encumbrance for any other expense, for such period as the director approves, provided such period does not exceed two years.

Any operating appropriations for which unexpended balances are reappropriated beyond a five-month period from the end of the fiscal year by division (B) of this section shall be reported to the Controlling Board by the Director of Budget and Management by the thirty-first day of December of each year. The report on each such item shall include the item, the cost of the item, and the name of the vendor. The report shall be updated on a quarterly basis for encumbrances remaining open.

Upon the expiration of the reappropriation period set out in divisions (A), (B), (C), or (D) of this section, a reappropriation made by this section lapses, and the Director of Budget and Management shall cancel the encumbrance of the unexpended reappropriation not later than the end of the weekend following the expiration of the reappropriation period.

Notwithstanding the preceding paragraph, with the approval of the Director of Budget and Management, an unexpended balance of an encumbrance that was reappropriated on the first day of July by this section for a period specified in division (C) or (D) of this section and that remains encumbered at the close of the fiscal biennium is hereby reappropriated on the first day of July of the following fiscal biennium from the fund from which it was originally appropriated or reappropriated for the applicable period specified in division (C) or (D) of this section and shall remain available only for the purpose of discharging the encumbrance.

The Director of Budget and Management may correct accounting errors committed by the staff of the Office of Budget and Management, such as re-establishing encumbrances or appropriations cancelled in error, during the cancellation of operating encumbrances in November and of non-operating encumbrances in December.

If the Controlling Board approved a purchase, that approval remains in effect so long as the appropriation used to make that purchase remains encumbered.

**SECTION 306.03. UTILITY RADIOLOGICAL SAFETY BOARD ASSESSMENTS**

The maximum amounts that may be assessed against nuclear electric utilities under division (B)(2) of section 4937.05 of the Revised Code are as follows:

	FY 2006	FY 2007
Department of Agriculture		
Fund 4E4 Utility Radiological Safety	\$73,059	\$73,059
Department of Health		
Fund 610 Radiation Emergency Response	\$850,000	\$850,000
Environmental Protection Agency		
Fund 644 ER Radiological Safety	\$286,114	\$286,114
Emergency Management Agency		
Fund 657 Utility Radiological Safety	\$1,260,000	\$1,260,000

**SECTION 312.01. TRANSFERS OF FISCAL YEAR 2005 GENERAL REVENUE FUND ENDING BALANCES**

Notwithstanding divisions (B)(1)(b), (B)(2), and (C) of section 131.44 of the Revised Code, fiscal year 2005 surplus revenue shall be distributed as follows:

(A) The first \$60,000,000 of such surplus revenue shall be transferred to Fund 5AX, Public Assistance Reconciliation Fund, to pay a portion of the remaining state TANF liability to the federal government.

(B) The next \$40,000,000 of such surplus revenue shall be transferred to the Disaster Services Fund (5E2), which is hereby created in the state treasury.

(C) The next \$50,000,000 of such surplus revenue shall be transferred to Fund 021, the Public School Building Fund.

(D) Any surplus revenue in excess of the amounts distributed under divisions (A) to (C) of this section shall be transferred to the Budget Stabilization Fund.

**SECTION 312.03. TRANSFERS TO THE GENERAL REVENUE FUND FROM NON-FEDERAL NON-GRF FUNDS**

Notwithstanding any other provision of law to the contrary, during fiscal

years 2006 and 2007, the Director of Budget and Management is hereby authorized to transfer cash from non-federal, non-General Revenue Fund funds that are not constitutionally restricted to the General Revenue Fund. The total amount of cash transfers made pursuant to this section to the General Revenue Fund during fiscal years 2006 and 2007 shall not exceed \$60,000,000.

**SECTION 312.06. TRANSFERS TO THE GENERAL REVENUE FUND OF INTEREST EARNED**

Notwithstanding any provision of Ohio law to the contrary, the Director of Budget and Management, through June 30, 2007, may transfer interest earned by any fund in the Central Accounting System to the General Revenue Fund. This section does not apply to funds whose source of revenue is restricted or protected by the Constitution of this state, federal tax law, or the "Cash Management Improvement Act of 1990" 104 Stat. 1058 (1990), 31 U.S.C. 6501, et. seq., as amended.

**SECTION 312.09. BUDGET STABILIZATION FUND TRANSFERS**

(A) Notwithstanding any provision of law to the contrary, through June 30, 2006, if the Director of Budget and Management determines that the estimated ending fund balance of the General Revenue Fund will be greater than the amounts assumed in this act for fiscal year 2006, the Director shall transfer at least \$50,000,000 at the end of fiscal year 2006 to the Budget Stabilization Fund, if available unobligated balances exist. This division does not apply to division (A) of Section 206.66.21, TANF TRANSFERS, of this act.

(B) Notwithstanding any provision of law to the contrary, through June 30, 2007, if the Director of Budget and Management determines that the estimated ending fund balance of the General Revenue Fund will be greater than the amounts assumed in this act for fiscal year 2007, the Director may transfer up to the excess balance to the Budget Stabilization Fund. This division does not apply to division (A) of Section 206.66.21, TANF TRANSFERS, of this act.

(C) Notwithstanding any provision of law to the contrary, through June 30, 2007, if the Director of Budget and Management determines that state revenue receipts and available fund balances in any fund other than the General Revenue Fund exceed estimated state expenditures, the Director may transfer up to the excess revenue to the Budget Stabilization Fund. This division does not apply to revenue restricted or protected by the Ohio

Constitution, federal tax law or grant requirements, or the "Cash Management Improvement Act of 1990," 104 Stat. 1058 (1990), 31 U.S.C. 6501, et seq., as amended.

(D) In executing division (A) of this section and divisions (A) and (B) of Section 206.66.21, TANF TRANSFERS, it is intended that these divisions be applied and construed so that both of the transfers authorized under these divisions may be made through June 30, 2007.

(E) After making the transfers described in divisions (A) to (C) of this section, the Director of Budget and Management shall submit a report to the President of the Senate and the Speaker of the House of Representatives.

**SECTION 312.10. TAX REFORM SYSTEM IMPLEMENTATION FUND TRANSFERS TO TAX AMNESTY PROGRAM**

Notwithstanding any provision of law to the contrary, prior to June 30, 2006, the Director of Budget and Management shall transfer \$2,000,000 in cash from the Tax Reform System Implementation Fund (Fund 228) to the Tax Amnesty Promotion and Administration Fund (Fund 5BW), which is hereby created in the State Treasury. The funds shall be used to pay expenses incurred in promoting and administering the tax amnesty program run by the Department of Taxation.

After receiving the revenue receipts from the tax amnesty program, the Director of Budget and Management shall transfer the first \$2,000,000 to the Tax Reform System Implementation Fund, the next \$10,000,000 to the General Revenue Fund, and the remaining excess fund balance to the Budget Stabilization Fund.

**SECTION 312.12. GRF TRANSFER TO FUND 5N4, OAKS PROJECT IMPLEMENTATION**

On July 1, 2005, or as soon thereafter as possible, the Director of Budget and Management shall transfer an amount not to exceed \$675,000 in cash from the General Revenue Fund to Fund 5N4, OAKS Project Implementation. On July 1, 2006, or as soon thereafter as possible, the Director of Budget and Management shall transfer an amount not to exceed \$675,000 in cash from the General Revenue Fund to Fund 5N4, OAKS Project Implementation.

**SECTION 312.15. CORPORATE AND UCC FILING FUND TRANSFER TO GRF**

Not later than the first day of June in each year of the biennium, the Director of Budget and Management shall transfer \$1,000,000 from the Corporate and Uniform Commercial Code Filing Fund to the General Revenue Fund.

**SECTION 312.18. GRF TRANSFER TO THE NATIONAL GUARD SCHOLARSHIP RESERVE FUND**

On July 1, 2005, or as soon as possible thereafter, the Director of Budget and Management shall transfer up to \$592,000 cash from the General Revenue Fund to the National Guard Scholarship Reserve Fund (Fund 5BM).

**SECTION 312.19. GRF TRANSFER TO THE PUBLIC SCHOOL BUILDING FUND**

In fiscal year 2006, the Director of Budget and Management shall transfer \$30,000,000 in cash from the General Revenue Fund to Fund 021, the Public School Building Fund.

**SECTION 312.21. APPROPRIATIONS RELATED TO CASH TRANSFERS AND RE-ESTABLISHMENT OF ENCUMBRANCES**

Any cash transferred by the Director of Budget and Management under section 126.15 of the Revised Code is hereby appropriated. Any amounts necessary to re-establish appropriations or encumbrances under section 126.15 of the Revised Code are hereby appropriated.

**SECTION 312.24. TRANSFERS FROM THE TOBACCO MASTER SETTLEMENT AGREEMENT FUND**

(A) Notwithstanding section 183.02 of the Revised Code, on July 1, 2005, or as soon as possible thereafter, the Director of Budget and Management shall transfer from the Tobacco Master Settlement Agreement Fund (Fund 087) \$5,000,000 cash to the General Revenue Fund, up to \$5,000,000 cash to the Healthy Ohioans Initiative Fund (Fund 5BL in the Department of Health), \$6,000,000 cash to the Children's Hospitals Fund (Fund 5CR in the Department of Job and Family Services), and \$10,000,000 cash to the Lung Cancer and Lung Disease Research Fund (Fund 5CY in the Department of Development). Of the tobacco revenue that is credited to the Tobacco Master Settlement Agreement Fund (Fund 087) in fiscal year 2005, the share that is determined pursuant to section 183.02 of the Revised Code



to be the amount transferred by the Director of Budget and Management from the Tobacco Master Settlement Agreement Fund (Fund 087) to the Tobacco Use Prevention and Cessation Trust Fund (Fund H87) shall be reduced by the amount that is transferred from the Tobacco Master Settlement Agreement Fund (Fund 087) to various funds pursuant to this division.

(B) Notwithstanding section 183.02 of the Revised Code, on July 1, 2006, or as soon as possible thereafter, the Director of Budget and Management shall transfer from the Tobacco Master Settlement Agreement Fund (Fund 087) \$6,000,000 cash to the Children's Hospitals Fund (Fund 5CR in the Department of Job and Family Services). Of the tobacco revenue that is credited to the Tobacco Master Settlement Agreement Fund (Fund 087) in fiscal year 2006, the share that is determined pursuant to section 183.02 of the Revised Code to be the amount transferred by the Director of Budget and Management from the Tobacco Master Settlement Agreement Fund (Fund 087) to the Tobacco Use Prevention and Cessation Trust Fund (Fund H87) shall be reduced by the amount that is transferred from the Tobacco Master Settlement Agreement Fund (Fund 087) pursuant to this division.

(C) Notwithstanding section 183.02 of the Revised Code, on July 1, 2006, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$800,000 cash from the Tobacco Master Settlement Agreement Fund (Fund 087) to the General Revenue Fund. Of the tobacco revenue that is credited to the Tobacco Master Settlement Agreement Fund (Fund 087) in fiscal year 2006, the share that is determined pursuant to section 183.02 of the Revised Code to be the amount transferred by the Director of Budget and Management from the Tobacco Master Settlement Agreement Fund (Fund 087) to the Ohio's Public Health Priorities Trust Fund (Fund L87) shall be reduced by the amount that is transferred from the Tobacco Master Settlement Agreement Fund (Fund 087) to the General Revenue Fund under this division.

#### SECTION 312.27. TRANSFERS TO THE EDUCATION FACILITIES TRUST FUND

Notwithstanding section 183.02 of the Revised Code, after all transfers from the Tobacco Master Settlement Agreement Fund (Fund 087) to various other funds of cash that would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund (Fund H87) in fiscal year 2006 have been made, the Director of Budget and Management shall transfer the remaining balance of the funds that would otherwise be

transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal year 2006 to the Education Facilities Trust Fund (Fund N87).

Notwithstanding section 183.02 of the Revised Code, after all transfers from the Tobacco Master Settlement Agreement Fund (Fund 087) to various other funds of cash that would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund (Fund H87) in fiscal year 2007 have been made, the Director of Budget and Management shall transfer the remaining balance of the funds that would otherwise be transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal year 2007 to the Education Facilities Trust Fund (Fund N87).

SECTION 315.03. CONSOLIDATION OF REGULATORY BOARDS

(A) It is the intent of the General Assembly to consolidate the following health-related regulatory boards within the Department of Health not later than July 1, 2006:

- (1) The Chemical Dependency Professionals Board;
- (2) The Board of Chiropractic Examiners;
- (3) The Counselor, Social Worker, and Marriage and Family Therapist Board;
- (4) The Ohio Board of Dietetics;
- (5) The Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board;
- (6) The Ohio Optical Dispensers Board;
- (7) The State Board of Optometry;
- (8) The State Board of Orthotics, Prosthetics, and Pedorthics;
- (9) The State Board of Psychology;
- (10) The Ohio Respiratory Care Board;
- (11) The Board of Speech-Language Pathology and Audiology;
- (12) The State Veterinary Medical Licensing Board.

(B) It is the intent of the General Assembly to consolidate the following regulatory boards and commissions within the Department of Commerce not later than July 1, 2006:

- (1) The Ohio Athletic Commission;
  - (2) The Barber Board;
  - (3) The State Board of Cosmetology;
  - (4) The Board of Embalmers and Funeral Directors;
  - (5) The Manufactured Homes Commission;
  - (6) The Board of Motor Vehicle Collision Repair Registration;
  - (7) The State Board of Sanitarian Registration.
- (C) It is the intent of the General Assembly to consolidate the Ohio

Medical Transportation Board within the Department of Public Safety not later than July 1, 2006.

(D) The Director of Budget and Management and the Directors of Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. In addition, the transition team shall include a total of three members representing the affected regulatory boards, to be selected by the executive directors of those boards.

The transition team shall develop a plan to ensure the smooth and timely consolidation of the boards into the respective departments. The transition team shall address the details of the consolidations, identifying necessary statutory changes and working with the Office of Budget and Management to develop budgets for the respective departments and the consolidated boards and commissions. The transition team may recommend additional regulatory boards or commissions to be consolidated and may recommend modifications to the planned consolidations.

The transition team shall submit a report containing recommendations and the details for the consolidations not later than December 31, 2005, to the Governor, the Speaker of the House of Representatives, and the President of the Senate. The report and recommendations shall address the following issues, and may address additional issues:

- (1) The necessary levels of funding;
- (2) The savings projected as a result of the consolidations;
- (3) The consolidation of activities between each board or commission and the department providing centralized services, including the role of the members of the board or commission and the role of the department;
- (4) The staffing levels needed, whether employees must be retained, and whether any employees retained have civil service status;
- (5) The continuation of the standards and procedures of the board or commission;
- (6) The continuation of rules and whether any rules need to be amended as a result of the consolidations;
- (7) The transfer of assets, liabilities, and contractual obligations;
- (8) The transfer of records and other materials pertaining to the board or commission.

(E) It is the intent of the General Assembly to introduce a bill in fiscal year 2006 that will include the necessary statutory changes to effect the consolidations and that will include revised appropriations for the departments and the consolidated boards and commissions for fiscal year 2007.

SECTION 315.04. RECOMMENDATIONS FOR A STATE GOVERNMENT REORGANIZATION PLAN

Within thirty days after the effective date of this section, the Department of Administrative Services shall begin developing recommendations for a state government reorganization plan focused on increased efficiencies in the operation of state government and a reduced number of state agencies. The Department shall present its recommendations to the Speaker of the House of Representatives, the President of the Senate, the Minority Leader of the House of Representatives, and the Minority Leader of the Senate by not later than January 1, 2007.

SECTION 315.06. CAREER-TECHNICAL SCHOOL BUILDING ASSISTANCE PROGRAM

All materials, assets, liabilities, and records of the Department of Education, irrespective of form or medium, deemed necessary by the Ohio School Facilities Commission to implement sections 3318.47, 3318.48, and 3318.49 of the Revised Code shall be transferred to the Commission not later than one hundred twenty days after the effective date of this section, in accordance with a transition plan which shall be developed and approved by the Commission in consultation with the Department.

All current and pending loans and appropriations, encumbrances, and funds related to the Career-Technical School Building Assistance Fund (Fund 020), deemed necessary by the Commission to implement section 3318.48 of the Revised Code, shall be transferred to the Commission not later than one hundred twenty days after the effective date of this section in accordance with the transition plan.

Any business commenced but not completed by the Department on the effective date of this section relating to the implementation of section 3318.48 of the Revised Code and the functions transferred by this section shall continue to be administered by the Department for a period of one hundred twenty days after the effective date of this section or until the transition plan described in this section is approved by the Commission, whichever occurs first. The Department shall provide the Commission whatever administrative assistance the Commission requires during the period of transition, which assistance shall be specified in the transition plan described in this section.

Wherever any law, contract, or other document refers to the Department, the State Board of Education, or the Superintendent of Public

Instruction in regard to the implementation or administration of section 3318.48 of the Revised Code, the references shall be deemed to refer to the Commission or the Director of the Commission. No action or proceeding pending on the effective date of this section relating to the implementation or administration of Chapter 3318. of the Revised Code is affected by the transfer. In all such actions and proceedings, the Commission or the Director shall be substituted as a party upon application by the receiving entity to the court or other appropriate tribunal.

**SECTION 315.09. ELIMINATION OF THE OHIO EDUCATIONAL TELECOMMUNICATIONS NETWORK COMMISSION**

(A) Effective July 1, 2005, the Ohio Educational Telecommunications Network Commission is abolished and its functions, assets, and liabilities, including but not limited to vehicles and equipment assigned to employees of the Commission and records of the Commission regardless of form or medium, are transferred to the eTech Ohio Commission. The eTech Ohio Commission is thereupon and thereafter successor to, assumes the obligations of, and otherwise constitutes the continuation of the Ohio Educational Telecommunications Network Commission. The functions of the Executive Director of the Ohio Educational Telecommunications Network Commission are thereupon and thereafter transferred to the Executive Director of the eTech Ohio Commission.

Any business commenced but not completed by the Ohio Educational Telecommunications Network Commission or the Executive Director of the Ohio Educational Telecommunications Network Commission on July 1, 2005, shall be completed by the eTech Ohio Commission or the Executive Director of the eTech Ohio Commission, respectively, in the same manner, and with the same effect, as if completed by the Ohio Educational Telecommunications Network Commission or the Executive Director of the Ohio Educational Telecommunications Network Commission. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer required under this section and shall be administered by the eTech Ohio Commission. All of the Ohio Educational Telecommunications Network Commission's rules, orders, and determinations continue in effect as rules, orders, and determinations of the eTech Ohio Commission, until modified or rescinded by the eTech Ohio Commission. If necessary to ensure the integrity of the Administrative Code, the Director of the Legislative Service Commission shall renumber the Ohio Educational Telecommunications Network Commission's rules to reflect their transfer to the eTech Ohio Commission.

(B) Employees of the Ohio Educational Telecommunications Network Commission shall be transferred to the eTech Ohio Commission or dismissed. Employees of the Ohio Educational Telecommunications Network Commission so dismissed cease to hold their positions of employment on July 1, 2005.

(C) No judicial or administrative action or proceeding in which the Ohio Educational Telecommunications Network Commission or the Executive Director of the Commission is a party that is pending on July 1, 2005, is affected by the transfer of functions under division (A) of this section. Such action or proceeding shall be prosecuted or defended in the name of the eTech Ohio Commission. On application to the court or other tribunal, the eTech Ohio Commission shall be substituted for the Executive Director of the Ohio Educational Telecommunications Network or the Commission as a party to such action or proceeding.

(D) On and after July 1, 2005, when the Ohio Educational Telecommunications Network Commission or the Executive Director of the Ohio Educational Telecommunications Network Commission is referred to in any statute, rule, contract, grant, or other document, the reference is hereby deemed to refer to the eTech Ohio Commission or the Executive Director of the eTech Ohio Commission, respectively.

#### SECTION 315.10. ELIMINATION OF THE OHIO SCHOOLNET COMMISSION

(A) Effective July 1, 2005, the Ohio SchoolNet Commission is abolished and its functions, assets, and liabilities, including, but not limited to, vehicles and equipment assigned to employees of the Commission and records of the Commission regardless of form or medium, are transferred to the eTech Ohio Commission. The eTech Ohio Commission is thereupon and thereafter successor to, assumes the obligations of, and otherwise constitutes the continuation of the Ohio SchoolNet Commission. The functions of the Executive Director of the Ohio SchoolNet Commission are thereupon and thereafter transferred to the Executive Director of the eTech Ohio Commission.

Any business commenced but not completed by the Ohio SchoolNet Commission or the Executive Director of the Ohio SchoolNet Commission on July 1, 2005, shall be completed by the eTech Ohio Commission or the Executive Director of the eTech Ohio Commission, respectively, in the same manner, and with the same effect, as if completed by the Ohio SchoolNet Commission or the Executive Director of the Ohio SchoolNet Commission. No validation, cure, right, privilege, remedy, obligation, or

liability is lost or impaired by reason of the transfer required under this section and shall be administered by the eTech Ohio Commission. All of the Ohio SchoolNet Commission's rules, orders, and determinations continue in effect as rules, orders, and determinations of the eTech Ohio Commission, until modified or rescinded by the eTech Ohio Commission. If necessary to ensure the integrity of the Administrative Code, the Director of the Legislative Service Commission shall renumber the Ohio SchoolNet Commission's rules to reflect their transfer to the eTech Ohio Commission.

(B) Employees of the Ohio SchoolNet Commission shall be transferred to the eTech Ohio Commission or dismissed. Employees of the Ohio SchoolNet Commission so dismissed cease to hold their positions of employment on July 1, 2005.

(C) No judicial or administrative action or proceeding in which the Ohio SchoolNet Commission or the Executive Director of the Commission is a party that is pending on July 1, 2005, is affected by the transfer of functions under division (A) of this section. Such action or proceeding shall be prosecuted or defended in the eTech Ohio Commission. On application to the court or other tribunal, the eTech Ohio Commission shall be substituted for the Executive Director of the Ohio SchoolNet Commission as a party to such action or proceeding.

(D) On and after July 1, 2005, when the Ohio SchoolNet Commission or the Executive Director of the Ohio SchoolNet Commission is referred to in any statute, rule, contract, grant, or other document, the reference is hereby deemed to refer to the eTech Ohio Commission or the Executive Director of the eTech Ohio Commission, respectively.

(E) If the Department of Education receives any expenditure and program reports for fiscal year 2005 for programs that were administered by the Ohio SchoolNet Commission during that fiscal year, the Department shall forward those reports to the eTech Ohio Commission by September 30, 2005.

#### SECTION 315.11. TRANSFER OF FUNDS TO THE AGENCIES

On and after July 1, 2005, notwithstanding any provision of law to the contrary, the Director of Budget and Management is authorized to take the actions described in this section with respect to budget changes made necessary by administrative reorganization, program transfers, the creation of new funds, and the consolidation of funds as authorized by this act. The Director may make any transfer of cash balances between funds. At the request of the Director, the Ohio Educational Telecommunications Network Commission and the Ohio SchoolNet Commission shall certify to the

Director an estimate of the amount of the cash balance to be transferred to the receiving funds. The Director may transfer the estimated amount when needed to make payments. Not more than thirty days after certifying the estimated amount, the Commissions shall certify the final amount to the Director. The Director shall transfer the difference between any amount previously transferred and the certified final amount. The Director may cancel encumbrances and re-establish encumbrances or parts of encumbrances as needed in fiscal year 2006 in the appropriate funds and appropriation items for the same purposes. The appropriation authority necessary to re-establish such encumbrances in fiscal year 2006 as determined by the Director, in a different fund or appropriation item, within an agency or between agencies, is hereby appropriated. When re-established encumbrances or parts of re-established encumbrances are cancelled, the Director shall reduce the appropriations for these respective funds and appropriation items by the amount of the encumbrances cancelled. The amounts cancelled are hereby authorized. Any fiscal year 2005 unencumbered or unallotted appropriation balances may be transferred to the appropriate funds and appropriation items to be used for the same purposes, as determined by the Director. The amounts transferred are hereby appropriated.

SECTION 316.03. (A) On July 1, 2005, or as soon as possible thereafter, the Speaker of the House of Representatives, the President of the Senate, and the Governor, with the advice and consent of the Senate, shall appoint members to the eTech Ohio Commission as required by section 3353.02 of the Revised Code, as enacted by this act. On July 1, 2005, or as soon as possible thereafter, the Governor shall appoint a chairperson of the Commission as required by section 3353.02 of the Revised Code. Notwithstanding division (F) of that section, the initial chairperson appointed by the Governor shall serve until July 1, 2006, at which time the Governor shall appoint a chairperson in accordance with that section.

(B) Notwithstanding section 3353.03 of the Revised Code, as enacted by this act, the Governor, with the advice and consent of the Senate, shall appoint an interim executive director of the Commission on July 1, 2005, or as soon as possible thereafter. The interim executive director shall serve for one year or until the Commission appoints an executive director pursuant to that section, whichever is earlier. The Governor shall fix the compensation of the interim executive director. The interim executive director shall exercise any authority provided by law to the executive director of the Commission or delegated to the interim executive director by the



Commission.

(C) Notwithstanding any provision of law to the contrary, the Director of Budget and Management, or the Director's designee, may do both of the following:

(1) Exercise any authority provided by law to the eTech Ohio Commission until Commission members hold their first meeting following their appointment under this section;

(2) Exercise any authority provided by law to the executive director of the Commission, or delegated to the Director of Budget and Management, or the Director's designee, by the Commission, until an interim executive director of the Commission is appointed under this section.

#### SECTION 318.03. GENERAL OBLIGATION DEBT SERVICE PAYMENTS

Certain appropriations are in this act for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state issued pursuant to the Ohio Constitution and acts of the General Assembly. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

#### SECTION 318.06. LEASE PAYMENTS TO OPFC, OBA, AND TREASURER OF STATE

Certain appropriations are in this act for the purpose of making lease payments pursuant to leases and agreements relating to bonds or notes issued by the Ohio Building Authority or the Treasurer of State or, previously, by the Ohio Public Facilities Commission, pursuant to the Ohio Constitution and acts of the General Assembly. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

#### SECTION 318.09. AUTHORIZATION FOR TREASURER OF STATE AND OBM TO EFFECTUATE CERTAIN DEBT SERVICE PAYMENTS

The Office of Budget and Management shall initiate and process disbursements from general obligation and lease rental payment appropriation items during the period from July 1, 2005, to June 30, 2007, relating to bonds or notes issued under Sections 2i, 2k, 2l, 2m, 2n, 2o, and 15 of Article VIII, Ohio Constitution, and Chapters 151. and 154. of the Revised Code. Disbursements shall be made upon certification by the

Treasurer of State of the dates and the amounts due on those dates.

**SECTION 318.12. ISSUANCE OF OBLIGATIONS BY THE OHIO COAL DEVELOPMENT OFFICE**

The Ohio Public Facilities Commission, upon the request of the Director of the Ohio Coal Development Office of the Ohio Air Quality Development Authority with the advice of the Technical Advisory Committee created in section 1551.35 of the Revised Code and the approval of the Executive Director of the Ohio Air Quality Development Authority, is hereby authorized to issue and sell, in accordance with Section 15 of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.07 of the Revised Code, bonds and other obligations of the State of Ohio in an aggregate principal amount not to exceed \$15,000,000 in addition to the issuance of obligations heretofore authorized by prior acts of the General Assembly. The obligations shall be dated, issued, and sold from time to time in such amounts as may be necessary to provide sufficient moneys to the credit of the Coal Research and Development Fund created in section 1555.15 of the Revised Code to pay costs charged to the fund when due.

**SECTION 321.03. STATE AND LOCAL REBATE AUTHORIZATION**

There is hereby appropriated, from those funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations, amounts computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code.

Rebate payments shall be approved and vouchered by the Office of Budget and Management.

**SECTION 321.06. FEDERAL CASH MANAGEMENT IMPROVEMENT ACT**

Pursuant to the plan for compliance with the Federal Cash Management Improvement Act required by section 131.36 of the Revised Code, the Director of Budget and Management may cancel and re-establish all or part of encumbrances in like amounts within the funds identified by the plan. The amounts necessary to re-establish all or part of encumbrances are

hereby appropriated.

**SECTION 321.09. STATEWIDE INDIRECT COST RECOVERY**

Whenever the Director of Budget and Management determines that an appropriation made to a state agency from a fund of the state is insufficient to provide for the recovery of statewide indirect costs under section 126.12 of the Revised Code, the amount required for such purpose is hereby appropriated from the available receipts of such fund.

**SECTION 321.10. GRF TRANSFERS ON BEHALF OF THE STATEWIDE INDIRECT COST ALLOCATION PLAN**

The total transfers made from the General Revenue Fund by the Director of Budget and Management under this section shall not exceed the amounts transferred into the General Revenue Fund under division (B) of section 126.12 of the Revised Code.

The director of an agency may certify to the Director of Budget and Management the amount of expenses not allowed to be included in the Statewide Indirect Cost Allocation Plan under federal regulations, from any fund included in the Statewide Indirect Cost Allocation Plan, prepared as required by section 126.12 of the Revised Code.

Upon determining that no alternative source of funding is available to pay for such expenses, the Director of Budget and Management may transfer from the General Revenue Fund into the fund for which the certification is made, up to the amount of the certification. The director of the agency receiving such funds shall include, as part of the next budget submission prepared under section 126.02 of the Revised Code, a request for funding for such activities from an alternative source such that further federal disallowances would not be required.

**SECTION 321.11. FEDERAL GOVERNMENT INTEREST REQUIREMENTS**

Notwithstanding any provision of law to the contrary, on or before the first day of September of each fiscal year, the Director of Budget and Management, in order to reduce the payment of adjustments to the federal government, as determined by the plan prepared under division (A) of section 126.12 of the Revised Code, may designate such funds as the director considers necessary to retain their own interest earnings.

SECTION 401.05. That Sections 16.09, 19.01, 20.01, 22.03, 22.04, 23.02, 23.12, 23.13, 23.19, 23.26, 23.45, and 24.01 of Am. Sub. H.B. 16 of the 126th General Assembly be amended to read as follows:

	Appropriations
<b>Sec. 16.09. OSB SCHOOL FOR THE BLIND</b>	
CAP-774 Glass Windows/E Wall of Natatorium	\$ 63,726
CAP-775 Renovation of Science Lab Greenhouse	\$ 58,850
CAP-776 Renovating Recreation Area	\$ 213,900
CAP-777 New Classrooms for Secondary MH Program	\$ 880,407
CAP-778 Renovation of Student Health Service Area	\$ 144,375
CAP-779 Replacement of Cottage Windows	\$ 208,725
CAP-780 New School Lighting	\$ 184,500
<u>782</u>	
CAP-781 Food Prep. Area Air Conditioning	\$ 67,250
Total School for the Blind	\$ 1,821,733

Sec. 19.01. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Cultural and Sports Facilities Building Fund (Fund 030) that are not otherwise appropriated.

	Appropriations
<b>AFC CULTURAL FACILITIES COMMISSION</b>	
CAP-010 Sandusky State Theatre Improvements	\$ 325,000
CAP-013 Stambaugh Hall Improvements	\$ 250,000
CAP-033 Woodward Opera House Renovation	\$ 100,000
CAP-038 Center Exhibit Replacement	\$ 816,000
CAP-043 Statewide Site Repairs	\$ 100,000
CAP-044 National Underground Railroad Freedom Center	\$ 4,150,000
CAP-046 Cincinnati Museum Center Improvements	\$ 250,000
CAP-052 Akron Art Museum	\$ 1,012,500
CAP-053 Powers Auditorium Improvements - Eleanor Beecher Flad Pavilion	\$ 250,000
CAP-065 Beck Center for the Cultural Arts	\$ 100,000
CAP-069 Cleveland Institute of Art	\$ 250,000
CAP-071 Cleveland Institute of Music	\$ 750,000
CAP-073 Marina District/Ice Arena Development	\$ 3,500,000
CAP-074 Stan Hywet Hall & Gardens - West Vista Restoration	\$ 750,000
CAP-745 Emergency Repairs	\$ 838,560
CAP-769 Rankin House State Memorial	\$ 192,000
CAP-781 Archives and Library Automation	\$ 624,000
CAP-784 Center Rehabilitation	\$ 960,000
CAP-806 Grant Boyhood Home Improvements	\$ 480,000
CAP-812 Schuster Arts Center	\$ 5,500,000
CAP-823 Marion Palace Theatre	\$ 750,000

CAP-826	Renaissance Theatre	\$	750,000
CAP-834	Galion Historic Big Four Depot Restoration	\$	170,000
CAP-835	Jamestown Opera House	\$	125,000
CAP-844	Charles A. Eulett Education Center/Edge of Appalachia Museum Center	\$	1,850,000
CAP-845	Lima Historic Athletic Field	\$	100,000
CAP-846	Butler Palace Theatre	\$	<del>100,000</del> 200,000
CAP-847	Voice of America Museum	\$	275,000
CAP-848	Oxford Arts Center ADA Project	\$	72,000
CAP-849	Clark County Community Arts Expansion Project	\$	500,000
CAP-850	Westcott House Historic Site	\$	75,000
CAP-851	General Lytle Homestead - Harmony Hill	\$	50,000
CAP-852	Miami Township Community Amphitheatre	\$	50,000
CAP-853	Western Reserve Historical Society	\$	1,000,000
CAP-854	Steamship Mather Museum	\$	100,000
CAP-855	Rock and Roll Hall of Fame	\$	250,000
CAP-856	Friendly Inn Settlement House Historic Site	\$	250,000
CAP-857	Merrick House Historic Site	\$	250,000
CAP-858	Strongsville Historic Building	\$	100,000
CAP-859	Arts Castle	\$	100,000
CAP-860	Great Lakes Historical Society	\$	325,000
CAP-861	Ohio Glass Museum	\$	250,000
CAP-862	Goll Wood Homestead	\$	50,000
CAP-863	Ariel Theatre	\$	100,000
CAP-864	Bellbrook/Sugarcreek Historical Society	\$	10,000
<del>CAP-865</del>	<del>Kennedy Stone House</del>	\$	<del>15,000</del>
CAP-866	Sports Facilities Improvements - Cincinnati	\$	4,350,000
CAP-867	Ensemble Theatre	\$	450,000
CAP-868	Taft Museum	\$	500,000
CAP-869	Art Academy of Cincinnati	\$	100,000
CAP-870	Riverbend Pavilion Improvements	\$	250,000
CAP-871	Cincinnati Art & Technology Academy - Longworth Hall	\$	100,000
CAP-872	Music Hall: Over-The-Rhine	\$	750,000
CAP-873	John Bloomfield Home Restoration	\$	115,000
CAP-874	Malinta Historical Society Caboose Exhibit	\$	6,000
CAP-875	Hocking County Historical Society - Schempp House	\$	10,000
CAP-876	Art Deco Markay Theater	\$	200,000
CAP-877	Harvey Wells House	\$	100,000
CAP-878	Bryn Du	\$	250,000
CAP-879	Broad Street Historical Renovation	\$	300,000
CAP-880	Amherst Historical Society	\$	35,000
CAP-881	COSI - Toledo	\$	1,900,000
CAP-882	Ohio Theatre - Toledo	\$	100,000
CAP-883	Chester Academy Historic Site Renovations	\$	25,000
CAP-884	Bradford Ohio Railroad Museum	\$	100,000
CAP-885	Montgomery County Historical Society Archives	\$	100,000
CAP-886	Nelson T. Gant Historic Homestead	\$	25,000
CAP-887	Aurora Outdoor Sports Complex	\$	50,000
CAP-888	Preble County Historical Society	\$	100,000
CAP-889	Tecumseh Sugarloaf Mountain Amphitheatre	\$	120,000
CAP-890	Pro Football Hall of Fame	\$	400,000
CAP-891	MAPS Air Museum	\$	15,000
CAP-892	Foundation Community Theatre Theatre	\$	50,000

CAP-893	William McKinley Library Restoration	\$	250,000
CAP-894	Hale Farm & Village	\$	250,000
<del>CAP-895</del>	<del>Blossom Music Center</del>	\$	<del>2,512,500</del>
CAP-896	Richard Howe House	\$	100,000
CAP-897	Ward-Thomas Museum	\$	30,000
CAP-898	Packard Music Hall Renovation Project	\$	100,000
CAP-899	Holland Theatre	\$	100,000
CAP-900	Van Wert Historical Society	\$	32,000
CAP-901	Warren County Historical Society	\$	225,000
CAP-902	Marietta Colony Theatre	\$	335,000
CAP-903	West Salem Village Opera House	\$	92,000
CAP-904	Beavercreek Community Theater	\$	100,000
CAP-905	Smith Orr Homestead	\$	100,000
	Total Cultural Facilities Commission	\$	<del>43,592,560</del>
			<u>41,165,060</u>
	TOTAL Cultural and Sports Facilities Building Fund	\$	<del>43,592,560</del>
			<u>41,165,060</u>

Sec. 20.01. 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) that are not otherwise appropriated.

Appropriations

DNR DEPARTMENT OF NATURAL RESOURCES  
STATEWIDE AND LOCAL PROJECTS

CAP-012	Land Acquisition	\$	750,000
CAP-051	Buck Creek State Park - Camp/Dock Renovations	\$	25,000
CAP-060	East Fork State Park Renovation	\$	50,000
<u>CAP-068</u>	<u>Kennedy Stone House</u>	<u>\$</u>	<u>15,000</u>
CAP-080	Atwood Lake Conservancy District	\$	75,000
CAP-083	John Bryan State Park Shelter Construction	\$	30,000
CAP-084	Findley State Park General Improvements	\$	12,500
<del>CAP-085</del>	<del>The Wilds Carnivore Center</del>	<del>\$</del>	<del>1,000,000</del>
CAP-086	Scippo Creek Conservation	\$	75,000
CAP-087	Belpre City Swimming Pool	\$	125,000
CAP-705	Ohio-Erie Canal Tuscarawas River Logjam Removal	\$	25,000
CAP-748	Local Parks Projects - Statewide	\$	2,511,079
CAP-753	Project Planning	\$	1,144,316
CAP-881	Dam Rehabilitation	\$	5,000,000
CAP-931	Wastewater/Water Systems Upgrades	\$	2,900,000
	Total Statewide and Local Projects	\$	<del>13,722,895</del>
			<u>12,737,895</u>
	Total Department of Natural Resources	\$	<del>13,722,895</del>
			<u>12,737,895</u>
	TOTAL Ohio Parks and Natural Resources Fund	\$	<del>13,722,895</del>
			<u>12,737,895</u>

Appropriations

Sec. 22.03. DMH DEPARTMENT OF MENTAL HEALTH

CAP-479	Community Assistance Projects	\$	<del>1,800,000</del>
			<u>1,950,000</u>
CAP-978	Infrastructure Improvements	\$	8,050,000
<del>CAP-989</del>	<del>Cleveland Christian Home</del>	<del>\$</del>	<del>100,000</del>
	Total Department of Mental Health	\$	<del>9,950,000</del>
			<u>9,950,000</u>

10,000,000

COMMUNITY ASSISTANCE PROJECTS

Of the foregoing appropriation item CAP-479, Community Assistance Projects, \$200,000 shall be used for the Center for Families and Children, \$100,000 shall be used for the Cleveland Christian Home, and \$100,000 \$150,000 shall be used for the Berea Children's Home.

Appropriations

Sec. 22.04. DMR DEPARTMENT OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

STATEWIDE AND CENTRAL OFFICE PROJECTS

CAP-480	Community Assistance Projects	\$	9,475,000
CAP-955	Statewide Development Centers	\$	3,257,257
	Total Statewide and Central Office Projects	\$	12,732,257
	TOTAL Department of Mental Retardation and Developmental Disabilities	\$	12,732,257
	TOTAL MENTAL HEALTH FACILITIES IMPROVEMENT FUND	\$	22,782,257

COMMUNITY ASSISTANCE PROJECTS

The foregoing appropriation item CAP-480, Community Assistance Projects, may be used to provide community assistance funds for the development, purchase, 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.

Of the foregoing appropriation item CAP-480, \$200,000 shall be used for the Achievement Centers for Children; and \$250,000 shall be used for Bellefaire Jewish Children's Bureau;

Notwithstanding any other provision of law to the contrary, of the foregoing appropriation item CAP-480, \$250,000 shall be used for the Julie Billart facility; and \$75,000 shall be used for the Hanson Home.

Appropriations

Sec. 23.02. ~~OEB OHIO EDUCATIONAL TELECOMMUNICATIONS NETWORK COMMISSION ETC ETECH OHIO~~

CAP-001	Educational TV and Radio Equipment	\$	1,027,038
	Total <del>Ohio Educational Telecommunications Network Commission</del> <u>eTech Ohio</u>	\$	1,027,038

Appropriations

Sec. 23.12. CLS CLEVELAND STATE UNIVERSITY

CAP-023	Basic Renovations	\$	3,267,875
CAP-125	College of Education Building	\$	8,057,262
<del>CAP-130</del>	<del>WVIZ Technology Center/Playhouse Square</del>	<del>\$</del>	<del>750,000</del>
CAP-152	Rhodes Tower-Data Center Relocation	\$	1,000,000
CAP-153	University Annex-Vacation and Demolition	\$	49,390
CAP-154	Main Classroom Stair Tower & Entry	\$	1,500,000
CAP-155	Cleveland Playhouse	\$	250,000
CAP-156	Physical Education Building Rehabilitation	\$	1,000,000
Total Cleveland State University		\$	<del>15,874,527</del>
			<u>15,124,527</u>

## Appropriations

## Sec. 23.13. KSU KENT STATE UNIVERSITY

CAP-022	Basic Renovations	\$	3,573,078
CAP-105	Basic Renovations-East Liverpool	\$	151,408
CAP-106	Basic Renovations-Geauga	\$	45,607
CAP-107	Basic Renovations-Salem	\$	105,640
CAP-108	Basic Renovations-Stark	\$	325,358
CAP-110	Basic Renovations-Ashtabula	\$	177,801
CAP-111	Basic Renovations-Trumbull	\$	347,695
CAP-112	Basic Renovations-Tuscarawas	\$	171,699
CAP-212	Health Science Building, Planning	\$	705,720
CAP-235	Rehabilitation of Franklin Hall	\$	13,923,684
CAP-260	Land Acquisitions & Improvements-East Liverpool	\$	638,419
CAP-261	Addition/Renovation of Classrooms-Geauga	\$	246,878
CAP-262	Gym Renovation Planning-Salem	\$	490,213
CAP-263	Parking Lot & Roadway Paving-Stark	\$	162,076
CAP-264	Fine Arts Building & New Campus Center-Stark	\$	1,000,000
CAP-265	Science Lab Addition-Trumbull	\$	991,786
CAP-266	Fine & Performing Arts Center - Tuscarawas	\$	844,655
CAP-267	Columbiana County Port Authority	\$	875,000
CAP-268	Canton Convention Center	\$	735,000
<u>CAP-269</u>	<u>Blossom Music Center</u>	<u>\$</u>	<u>2,512,500</u>
Total Kent State University		\$	<del>25,511,717</del>
			<u>28,024,217</u>

## Sec. 23.19. WSU WRIGHT STATE UNIVERSITY

CAP-015	Basic Renovations	\$	2,752,255
CAP-064	Basic Renovations - Lake	\$	91,232
CAP-115	Russ Engineering Expansion	\$	369,000
CAP-116	Rike Hall Renovation	\$	2,000,000
CAP-119	Science Lab Renovations (Planning)	\$	5,720,940
CAP-120	Lake Campus University Center	\$	1,420,709
CAP-127	Rehabilitate Festival Playhouse	\$	1,000,000
CAP-128	Glenn Helen Preserve Eco Art Classroom	\$	25,000
<u>CAP-132</u>	<u>Montgomery County Port Authority</u>	<u>\$</u>	<u>1,000,000</u>
Total Wright State University		\$	<del>13,379,136</del>
			<u>14,379,136</u>

MONTGOMERY COUNTY PORT AUTHORITY

Appropriation item CAP-132, Montgomery County Port Authority, shall not be released unless the Controlling Board approves the release, and, within 90 days after the effective date of this amendment, Wright State University shall seek the Controlling Board's approval to release the funds



appropriated to CAP-132, Montgomery County Port Authority.

Sec. 23.26. CCC CUYAHOGA COMMUNITY COLLEGE

		Appropriations
CAP-031	Basic Renovations	\$ 2,428,960
CAP-079	Cleveland Art Museum Improvements	\$ 3,000,000
CAP-094	Collegewide Wayfinding Signage System	\$ 1,067,510
CAP-095	Collegewide Asset Protection and Building Codes Upgrade	\$ 1,491,522
CAP-096	Health Care Technology Building - Eastern	\$ 6,050,264
<u>CAP-097</u>	<u>WVIZ Technology Center/Playhouse Square</u>	<u>\$ 750,000</u>
Total Cuyahoga Community College		<u>\$ 14,038,256</u>
		<u>14,788,256</u>

Sec. 23.45. STC STARK TECHNICAL COLLEGE

CAP-004	Basic Renovations	\$ 438,295
CAP-035	Business Technologies Addition Rehabilitation	\$ 1,378,892
CAP-037	Fuel Cell Initiative	\$ 250,000
Total Stark Technical College		\$ 2,067,187
Total Board of Regents and State Institutions of Higher Education		\$ <u>488,343,998</u>
		<u>490,956,498</u>
TOTAL Higher Education Improvement Fund		\$ <u>489,371,036</u>
		<u>492,883,536</u>

Sec. 24.01. 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) that are not otherwise appropriated.

Appropriations

DNR DEPARTMENT OF NATURAL RESOURCES

CAP-004	Burr Oak Lodge	\$ 150,000
CAP-012	Land Acquisition	\$ 243,663
<u>CAP-085</u>	<u>The Wilds Carnivore Center</u>	<u>\$ 1,000,000</u>
<del>CAP-088</del>	<del>Muskingum River Lock and Dam</del>	<del>\$ 250,000</del>
<u>CAP-716</u>		
CAP-234	State Park Campgrounds, Cabins, and Lodges	\$ 2,712,500
CAP-331	Park Boating Facilities	\$ 7,588,383
CAP-701	Buckeye Lake State Park - Dam Rehabilitation	\$ 4,000,000
CAP-718	Grand Lake St. Mary's State Park Erosion Control Project	\$ 450,000
CAP-748	Local Park Projects	\$ 2,715,000
CAP-753	Project Planning	\$ 175,000
CAP-848	Hazardous Dam Repair - Statewide	\$ 1,325,000
CAP-876	Statewide Trails	\$ <u>1,101,500</u>
		<u>1,851,500</u>
CAP-931	Statewide Wastewater/Water Systems Upgrade	\$ 2,500,000
Total Department of Natural Resources		\$ <u>23,211,046</u>
		<u>24,961,046</u>
TOTAL Parks and Recreation Improvement Fund		\$ <u>23,211,046</u>
		<u>24,961,046</u>

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 (Fund 035).

#### LOCAL PARKS PROJECTS

Of the foregoing appropriation item CAP-748, Local Parks Projects, \$75,000 shall be used for the Springfield Arts Veterans' Park; \$50,000 shall be used for the Village of Bentleyville Park; \$25,000 shall be used for the Cleveland Police and Firefighters Memorial Park; \$100,000 shall be used for the Parma Heights Greenbriar Park; \$125,000 shall be used for the Fairborn Park Entrance Project; \$250,000 shall be used for the Greene County Soccer Park; \$750,000 shall be used for the Banks Park; \$400,000 shall be used for the Colerain Township Park Improvements; \$200,000 shall be used for the Colerain Township Heritage Park; \$75,000 shall be used for the London Park Project; \$50,000 shall be used for Somerset Park Improvements; \$50,000 shall be used for Meadowbrook Park; \$25,000 shall be used for Early Hill Park; \$25,000 shall be used for the Wright-Flyer Aviation Park; \$200,000 shall be used for Madison Township Park; \$10,000 shall be used for the Wellington Soccer Field Park; \$10,000 shall be used for the Greenwich Township Baseball Field Park Improvements; \$20,000 shall be used for the City of London Sports Park; \$25,000 shall be used for the Pleasant Hill Park Ball Field Project; and \$250,000 shall be used for the Education Gateway at Sippo Lake Park.

#### STATEWIDE TRAILS PROGRAM

Of the foregoing appropriation item CAP-876, Statewide Trails, \$85,000 shall be used for the Williamsburg-Batavia hike/bike trail; \$16,500 shall be used for the South Milford Road Bike Trail Project; \$125,000 shall be used for the Tri-County Triangle Trail in Fayette county; ~~\$100,00~~ \$100,000 shall be used for the Tri-County Triangle Trail in Highland County; \$125,000 shall be used for the Tri-County Triangle Trail in Ross county; \$550,000 shall be used for the Camp Chase Ohio to Erie Trail; ~~and~~ \$100,000 shall be used for the Holmes County Park District - Rails to Trails; and \$750,000 shall be used for the Little Miami Trail through the Village of Terrace Park. The state funds for the Little Miami Trail Project shall be used to undertake project work that is eligible for reimbursement under the federal Land and Water Conservation Fund and the Recreational Trails Program. The federal reimbursement funds for the project work shall be credited to the Parks and Recreation Improvement Fund (Fund 035).

SECTION 401.06. That existing Sections 16.09, 19.01, 20.01, 22.03, 22.04, 23.02, 23.12, 23.13, 23.19, 23.26, 23.45, and 24.01 of Am. Sub. H.B.

16 of the 126th General Assembly are hereby repealed.

SECTION 401.07. That Section 3 of Am. H.B. 67 of the 126th General Assembly be amended to read as follows:

Sec. 3. All items in this section are hereby appropriated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2006, and those in the second column are for fiscal year 2007.

FND AI	AI TITLE	Appropriations	
<b>BWC BUREAU OF WORKERS' COMPENSATION</b>			
<b>Workers' Compensation Fund Group</b>			
023 855-401	William Green Lease	\$ 19,736,600	\$ 20,125,900
	Payments to OBA		
023 855-407	Claims, Risk & Medical Management	\$ 140,052,037	\$ 140,052,037
023 855-408	Fraud Prevention	\$ 11,713,797	\$ 11,713,797
023 855-409	Administrative Services	\$ 119,246,553	\$ 119,246,553
023 855-410	Attorney General Payments	\$ 4,314,644	\$ 4,314,644
822 855-606	Coal Workers' Fund	\$ 91,894	\$ 91,894
823 855-608	Marine Industry	\$ 53,952	\$ 53,952
825 855-605	Disabled Workers Relief Fund	\$ 693,764	\$ 693,764
826 855-609	Safety & Hygiene Operating	\$ 20,130,820	\$ 20,130,820
826 855-610	Safety Grants Program	\$ 4,000,000	\$ 4,000,000
TOTAL WCF Workers' Compensation Fund Group		\$ 320,034,061	\$ 320,423,361
<b>Federal Special Revenue Fund Group</b>			
349 855-601	OSHA Enforcement	\$ 1,527,750	\$ 1,604,140
TOTAL FED Federal Special Revenue Fund Group		\$ 1,527,750	\$ 1,604,140
TOTAL ALL BUDGET FUND GROUPS		\$ 321,561,811	\$ 322,027,501

#### WILLIAM GREEN LEASE PAYMENTS

The foregoing appropriation item 855-401, William Green Lease Payments to OBA, shall be used for lease payments to the Ohio Building Authority, and these appropriations shall be used to meet all payments at the times they are required to be made during the period from July 1, 2005, to June 30, 2007, by the Bureau of Workers' Compensation to the Ohio Building Authority pursuant to leases and agreements made under Chapter 152. of the Revised Code and Section 6 of Am. Sub. H.B. 743 of the 118th General Assembly. Of the amounts received in Fund 023, appropriation item 855-401, William Green Lease Payments to OBA, up to \$39,862,500 shall be restricted for lease rental payments to the Ohio Building Authority. If it is determined that additional appropriations are necessary for such purpose, such amounts are hereby appropriated.

Notwithstanding any other provision of law to the contrary, all tenants of the William Green Building not funded by the Workers' Compensation Fund (Fund 023) shall pay their fair share of the costs of lease payments to the Workers' Compensation Fund (Fund 023) by intrastate transfer voucher.

WORKERS' COMPENSATION OVERSIGHT COMMISSION

Of the foregoing appropriation item 855-409, Administrative Services, up to \$18,000 per calendar year shall be used to pay the annual compensation of each investment expert member of the Workers' Compensation Oversight Commission, as provided in divisions (D) and (F) of section 4121.12 of the Revised Code. Each investment expert member shall also receive reasonable and necessary expenses while engaged in the performance of his or her duties, as provided in division (F) of section 4121.12 of the Revised Code.

WORKERS' COMPENSATION FRAUD UNIT

The Workers' Compensation Section Fund (Fund 195) shall receive payments from the Bureau of Workers' Compensation at the beginning of each quarter of each fiscal year to fund expenses of the Workers' Compensation Fraud Unit of the Attorney General's Office. Of the foregoing appropriation item 855-410, Attorney General Payments, \$773,151 in fiscal year 2006 and \$773,151 in fiscal year 2007 shall be used to provide these payments.

SAFETY AND HYGIENE

Notwithstanding section 4121.37 of the Revised Code, the Administrator of Workers' Compensation shall transfer moneys from the State Insurance Fund so that appropriation item 855-609, Safety and Hygiene Operating, is provided \$20,130,820 in fiscal year 2006 and \$20,130,820 in fiscal year 2007.

LONG-TERM CARE LOAN FUND

Upon the request of the Administrator of the Bureau of Workers' Compensation and with the advice and consent of the Bureau of Workers' Compensation Oversight Commission, the Director of Budget and Management shall transfer cash in the amounts requested from the Safety and Hygiene Operating Fund (Fund 826) to the Long-Term Care Loan Fund (Fund 829) created in section 4121.48 of the Revised Code. The amounts transferred are hereby appropriated.

OSHA ON-SITE CONSULTATION PROGRAM

The Bureau of Workers' Compensation may designate a portion of appropriation item 855-609, Safety and Hygiene Operating, to be used to match federal funding for the federal Occupational Safety and Health Administration's (OSHA) on-site consultation program.

VOCATIONAL REHABILITATION

The Bureau of Workers' Compensation and the Rehabilitation Services Commission shall enter into an interagency agreement for the provision of vocational rehabilitation services and staff to mutually eligible clients. The bureau shall provide \$587,774 in fiscal year 2006 and \$605,407 in fiscal year 2007 from the State Insurance Fund to fund vocational rehabilitation services and staff in accordance with the interagency agreement.

FUND BALANCE

Any unencumbered cash balance in excess of \$45,000,000 in the Workers' Compensation Fund (Fund 023) on the thirtieth day of June of each fiscal year shall be used to reduce the administrative cost rate charged to employers to cover appropriations for Bureau of Workers' Compensation operations.

OSHA ENFORCEMENT FUND TRANSFER

On July 1, 2005, or as soon thereafter as possible, the Director of Budget and Management shall transfer the OSHA Enforcement Fund (Fund 349) from the Department of Commerce to the Bureau of Workers' Compensation. At the request of the Director of the Department of Commerce, the Director of Budget and Management may cancel encumbrances in this fund from appropriation item 800-626, OSHA Enforcement, within the budget of the Department of Commerce, and reestablish those encumbrances or parts of those encumbrances in fiscal year 2006 for the same purpose and to the same vendor to appropriation item 855-601, OSHA Enforcement, within the budget of the Bureau of Workers' Compensation. As determined by the Director of Budget and Management, the appropriation authority necessary to reestablish encumbrances or parts of encumbrances in fiscal year 2006 for the Bureau of Workers' Compensation is hereby granted.

SECTION 401.08. That existing Section 3 of Am. H.B. 67 of the 126th General Assembly is hereby repealed.

SECTION 401.11. That Sections 203.03, 203.03.09, 203.03.10, 203.06.06, 203.06.12, 203.06.15, and 203.06.24 of Am. Sub. H.B. 68 of the 126th General Assembly be amended to read as follows:

Sec. 203.03. DOT DEPARTMENT OF TRANSPORTATION

FUND	TITLE	FY 2006	FY 2007
	Transportation Planning and Research		
	Highway Operating Fund Group		

Am. Sub. H. B. No. 66

2228

002	771-411	Planning and Research - State	\$	19,000,000	\$	19,112,000
002	771-412	Planning and Research - Federal	\$	40,000,000	\$	40,000,000
TOTAL HOF Highway Operating Fund Group			\$	59,000,000	\$	59,112,000
TOTAL ALL BUDGET FUND GROUPS - Transportation Planning and Research			\$	59,000,000	\$	59,112,000

Highway Construction

Highway Operating Fund Group

002	772-421	Highway Construction - State	\$	585,240,305	\$	578,969,730
002	772-422	Highway Construction - Federal	\$	1,021,500,000	\$	1,131,500,000
002	772-424	Highway Construction - Other	\$	62,500,000	\$	53,500,000
214	770-401	Infrastructure Debt Service - Federal	\$	80,182,400	\$	105,129,400
214	772-434	Infrastructure Lease Payments - Federal	\$	12,537,100	\$	12,536,000
212	772-426	Highway Infrastructure Bank - Federal	\$	1,500,000	\$	2,000,000
212	772-427	Highway Infrastructure Bank - State	\$	<del>9,353,400</del>	\$	<del>12,853,400</del>
				<u>5,353,400</u>		<u>8,853,400</u>
212	772-429	Highway Infrastructure Bank - Local	\$	12,500,000	\$	12,500,000
212	772-430	Infrastructure Debt Reserve Title 23-49	\$	1,500,000	\$	1,500,000
<u>213</u>	<u>772-431</u>	<u>Roadway Infrastructure Bank - State</u>	<u>\$</u>	<u>500,000</u>	<u>\$</u>	<u>500,000</u>
213	772-432	Roadway Infrastructure Bank - Local	\$	7,000,000	\$	7,000,000
<u>213</u>	<u>772-433</u>	<u>Infrastructure Debt Reserve - State</u>	<u>\$</u>	<u>2,000,000</u>	<u>\$</u>	<u>2,000,000</u>
TOTAL HOF Highway Operating Fund Group			\$	<del>1,793,813,205</del>	\$	<del>1,917,488,530</del>
				<u>1,792,313,205</u>		<u>1,915,988,530</u>

Highway Capital Improvement Fund Group

042	772-723	Highway Construction - Bonds	\$	220,000,000	\$	150,000,000
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Infrastructure Bank Obligations Fund Group

045	772-428	Highway Infrastructure Bank - Bonds	\$	180,000,000	\$	160,000,000
TOTAL 045 Infrastructure Bank Obligations Fund Group			\$	180,000,000	\$	160,000,000
TOTAL ALL BUDGET FUND GROUPS - Highway Construction			\$	2,193,813,205	\$	2,227,488,530

Highway Maintenance

Highway Operating Fund Group

002	773-431	Highway Maintenance - State	\$	386,527,582	\$	393,313,472
TOTAL HOF Highway Operating Fund Group			\$	386,527,582	\$	393,313,472
TOTAL ALL BUDGET FUND GROUPS -						

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Highway Maintenance		\$	386,527,582	\$	393,313,472
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Public Transportation

Highway Operating Fund Group

002 775-452	Public Transportation - Federal	\$	30,000,000	\$	30,365,000
002 775-454	Public Transportation - Other	\$	1,500,000	\$	1,500,000
002 775-459	Elderly and Disabled Special Equipment - Federal	\$	4,595,000	\$	4,595,000
212 775-408	Transit Infrastructure Bank - Local	\$	2,500,000	\$	2,500,000
<u>212 775-455</u>	<u>Title 49 Infrastructure Bank - State</u>	<u>\$</u>	<u>1,000,000</u>	<u>\$</u>	<u>1,000,000</u>
<u>213 775-457</u>	<u>Transit Infrastructure Bank - State</u>	<u>\$</u>	<u>500,000</u>	<u>\$</u>	<u>500,000</u>
213 775-460	Transit Infrastructure Bank - Local	\$	1,000,000	\$	1,000,000
TOTAL HOF Highway Operating Fund Group		\$	<u>39,595,000</u>	\$	<u>39,960,000</u>
			<u>41,095,000</u>		<u>41,460,000</u>
TOTAL ALL BUDGET FUND GROUPS - Public Transportation		\$	<u>39,595,000</u>	\$	<u>39,960,000</u>
			<u>41,095,000</u>		<u>41,460,000</u>

Rail Transportation

Highway Operating Fund Group

002 776-462	Grade Crossings - Federal	\$	15,000,000	\$	15,000,000
TOTAL HOF Highway Operating Fund Group		\$	15,000,000	\$	15,000,000
TOTAL ALL BUDGET FUND GROUPS - Rail Transportation		\$	15,000,000	\$	15,000,000

Aviation

Highway Operating Fund Group

002 777-472	Airport Improvements - Federal	\$	405,000	\$	405,000
002 777-475	Aviation Administration	\$	4,007,600	\$	4,046,900
213 777-477	Aviation Infrastructure Bank - State	\$	3,000,000	\$	3,000,000
213 777-478	Aviation Infrastructure Bank - Local	\$	7,000,000	\$	7,000,000
TOTAL HOF Highway Operating Fund Group		\$	14,412,600	\$	14,451,900
TOTAL ALL BUDGET FUND GROUPS - Aviation		\$	14,412,600	\$	14,451,900

Administration

Highway Operating Fund Group

002 779-491	Administration - State	\$	119,624,513	\$	121,057,898
TOTAL HOF Highway Operating Fund Group		\$	119,624,513	\$	121,057,898
TOTAL ALL BUDGET FUND GROUPS - Administration		\$	119,624,513	\$	121,057,898

Debt Service

Highway Operating Fund Group

002 770-003 Administration - State - Debt Service	\$	13,074,500	\$	10,923,100
TOTAL HOF Highway Operating Fund Group	\$	13,074,500	\$	10,923,100
TOTAL ALL BUDGET FUND GROUPS - Debt Service	\$	13,074,500	\$	10,923,100

**TOTAL Department of Transportation**

TOTAL HOF Highway Operating Fund Group	\$	2,441,047,400	\$	2,571,306,900
TOTAL 042 Highway Capital Improvement Fund Group	\$	220,000,000	\$	150,000,000
TOTAL 045 Infrastructure Bank Obligations Fund Group	\$	180,000,000	\$	160,000,000
TOTAL ALL BUDGET FUND GROUPS	\$	2,841,047,400	\$	2,881,306,900

**Sec. 203.03.09. PUBLIC ACCESS ROADS FOR STATE FACILITIES**

Of the foregoing appropriation item 772-421, Highway Construction - State, ~~\$4,517,500~~ \$5,000,000 shall be used in each fiscal year during the fiscal year 2006-2007 biennium by the Department of Transportation for the construction, reconstruction, or maintenance of public access roads, including support features, to and within state facilities owned or operated by the Department of Natural Resources, ~~as requested by the Director of Natural Resources.~~

Notwithstanding section 5511.06 of the Revised Code, of the foregoing appropriation item 772-421, Highway Construction - State, \$2,228,000 in each fiscal year of the fiscal year 2006-2007 biennium shall be used by the Department of Transportation for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of metropolitan parks.

Included in the foregoing appropriation item 772-421, Highway Construction - State, the department may perform related road work on behalf of the Ohio Expositions Commission at the state fairgrounds, including reconstruction or maintenance of public access roads and support features, to and within fairground facilities as requested by the commission and approved by the Director of Transportation.

**LIQUIDATION OF UNFORESEEN LIABILITIES**

Any appropriation made to the Department of Transportation, Highway Operating Fund, not otherwise restricted by law, is available to liquidate unforeseen liabilities arising from contractual agreements of prior years when the prior year encumbrance is insufficient.

**Sec. 203.30.10. PREVENTIVE MAINTENANCE**

The Department of Transportation shall contract with an independent party to ~~issue a yearly report~~ conduct a study and issue a report on the effectiveness and progress of preventive maintenance projects ~~that meet warranty guidelines.~~ Thereafter, the Department shall issue a yearly



report on or before the first day of December for three consecutive years beginning in fiscal year 2005.

~~The Department shall provide in its annual report data~~ on actual and planned pavement preventive maintenance activities. The data shall include the following: (1) the total number of lane miles receiving preventive maintenance treatment, by treatment type and highway system category; (2) the total number of lane miles programmed to receive treatment; (3) the actual costs of the pavement preventive maintenance activities per lane mile, by treatment type and highway system category; (4) the total number of lane miles rehabilitated or reconstructed; and (5) the actual cost per lane mile of rehabilitated or reconstructed highway, by highway system category.

Sec. 203.06.06. ENFORCEMENT

State Highway Safety Fund Group

036 764-033	Minor Capital Projects	\$	1,250,000	\$	1,250,000
036 764-321	Operating Expense - Highway Patrol	\$	229,293,561	\$	237,364,988
036 764-605	Motor Carrier Enforcement Expenses	\$	2,643,022	\$	2,670,911
5AY764-688	Traffic Safety Operating	\$	3,082,962	\$	1,999,437
83C 764-630	Contraband, Forfeiture, Other	\$	622,894	\$	622,894
83F 764-657	Law Enforcement Automated Data System	\$	7,324,524	\$	7,544,260
83G 764-633	OMVI Fines	\$	820,927	\$	820,927
831 764-610	Patrol - Federal	\$	2,430,950	\$	2,455,484
831 764-659	Transportation Enforcement - Federal	\$	4,880,671	\$	5,027,091
837 764-602	Turnpike Policing	\$	9,942,621	\$	10,240,900
838 764-606	Patrol Reimbursement	\$	222,108	\$	222,108
840 764-607	State Fair Security	\$	1,496,283	\$	1,496,283
840 764-617	Security and Investigations	\$	8,145,192	\$	8,145,192
840 764-626	State Fairgrounds Police Force	\$	788,375	\$	788,375
841 764-603	Salvage and Exchange - Highway Patrol	\$	1,305,954	\$	1,339,399

TOTAL HSF State Highway Safety Fund Group \$ 274,250,044 \$ 281,988,249

General Services Fund Group

4S2 764-660	MARCS Maintenance	\$	252,432	\$	262,186
TOTAL GSF General Services Fund Group		\$	252,432	\$	262,186

Federal Special Revenue Fund Group

3BF 764-692	Federal Contraband, Forfeiture, and Other	\$	1,942,040	\$	1,942,040
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TOTAL FED Federal Special Revenue Fund Group \$ 1,942,040 \$ 1,942,040

TOTAL ALL BUDGET FUND GROUPS - Enforcement \$ 274,502,476 \$ 282,250,435  
276,444,516 284,192,475

CASH TRANSFER TO HIGHWAY PATROL FEDERAL

CONTRABAND, FORFEITURE, AND OTHER FUND (FUND 3BF)

On July 1, 2005, or as soon thereafter as possible, notwithstanding any other provision of law to the contrary, the Director of Budget and Management shall transfer \$1,942,040 in cash from the Highway Patrol State Contraband, Forfeiture, and Other Fund (Fund 83C) in the State Highway Safety Fund Group to the Highway Patrol Federal Contraband, Forfeiture, and Other Fund (Fund 3BF) in the Federal Special Revenue Fund Group.

## COLLECTIVE BARGAINING INCREASES

Notwithstanding division (D) of section 127.14 and division (B) of section 131.35 of the Revised Code, except for the General Revenue Fund, the Controlling Board may, upon the request of either the Director of Budget and Management, or the Department of Public Safety with the approval of the Director of Budget and Management, increase appropriations for any fund, as necessary for the Department of Public Safety, to assist in paying the costs of increases in employee compensation that have occurred pursuant to collective bargaining agreements under Chapter 4117. of the Revised Code and, for exempt employees, under section 124.152 of the Revised Code.

## Sec. 203.06.12. INVESTIGATIVE UNIT

## State Highway Safety Fund Group

831	767-610	Liquor Enforcement - Federal	\$	514,184	\$	514,184
831	769-610	Food Stamp Trafficking Enforcement - Federal	\$	992,920	\$	1,032,135
TOTAL HSF State Highway Safety Fund Group			\$	1,507,104	\$	1,546,319

## Liquor Control Fund Group

043	767-321	Liquor Enforcement - Operations	\$	10,120,365	\$	10,423,976
TOTAL LCF Liquor Control Fund Group			\$	10,120,365	\$	10,423,976

## State Special Revenue Fund Group

<u>5CM</u>	<u>767-691</u>	<u>Equitable Share Account</u>	<u>\$</u>	<u>642,175</u>	<u>\$</u>	<u>642,175</u>
622	767-615	Investigative Contraband and Forfeiture	\$	404,111	\$	404,111
850	767-628	Investigative Unit Salvage	\$	120,000	\$	120,000
TOTAL SSR State Special Revenue Fund Group			\$	<del>524,111</del> <u>1,166,286</u>	\$	<del>524,111</del> <u>1,166,286</u>
TOTAL ALL BUDGET FUND GROUPS - Special Enforcement			\$	<del>12,151,580</del> <u>12,793,755</u>	\$	<del>12,494,406</del> <u>13,136,581</u>

CASH TRANSFER TO INVESTIGATIVE UNIT FEDERAL EQUITABLE SHARE ACCOUNT FUND (FUND 5CM)

On July 1, 2005, or as soon thereafter as possible, notwithstanding any other provision of law to the contrary, the Director of Budget and

Management shall transfer \$642,175 in cash from the Investigative, Contraband, and Forfeiture Fund (Fund 622) in the State Special Revenue Fund Group to the Investigative Unit Federal Equitable Share Account Fund (Fund 5CM) in the State Special Revenue Fund Group.

LEASE RENTAL PAYMENTS FOR CAP-076, INVESTIGATIVE UNIT MARCS EQUIPMENT

The Director of Public Safety, using intrastate transfer vouchers, shall make cash transfers to the State Highway Safety Fund (Fund 036) from other funds to reimburse the State Highway Safety Fund for the share of lease rental payments to the Ohio Building Authority that are associated with appropriation item CAP-076, Investigative Unit MARCS Equipment.

Sec. 203.06.15. EMERGENCY MANAGEMENT

Federal Special Revenue Fund Group

3N5 763-644	U.S. DOE Agreement	\$	275,000	\$	275,000
329 763-645	Federal Mitigation Program	\$	<del>303,504</del> <u>8,937,624</u>	\$	<del>303,504</del> <u>8,937,624</u>
337 763-609	Federal Disaster Relief	\$	27,269,140	\$	27,280,000
339 763-647	Emergency Management Assistance and Training	\$	129,622,000	\$	129,622,000
TOTAL FED Federal Special Revenue Fund Group		\$	<del>157,469,644</del> <u>166,103,764</u>	\$	<del>157,480,504</del> <u>166,114,624</u>

State Special Revenue Fund Group

4V3 763-662	EMA Service and Reimbursement	\$	696,446	\$	696,446
657 763-652	Utility Radiological Safety	\$	1,260,000	\$	1,260,000
681 763-653	SARA Title III HAZMAT Planning	\$	271,510	\$	271,510
TOTAL SSR State Special Revenue Fund Group		\$	2,227,956	\$	2,227,956
TOTAL ALL BUDGET FUND GROUPS - Emergency Management		\$	<del>159,697,600</del> <u>168,331,720</u>	\$	<del>159,708,460</del> <u>168,342,580</u>

FEDERAL MITIGATION PROGRAM

The fund created by the Controlling Board known as the Disaster Relief Services Plan and Grant Administration Fund is now the Federal Mitigation Program Fund, and shall be used to plan and mitigate against future disaster costs.

The appropriation item 763-645, heretofore known as Individual/Family Grant - Fed, is hereafter known as Federal Mitigation Program, and shall be used to plan and mitigate against future disaster costs.

STATE DISASTER RELIEF

The 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.

Individuals may be eligible for reimbursement of costs related to disasters that have been declared by the Governor and the Small Business Administration. The funding in appropriation item 763-601, State Disaster Relief, shall be used in accordance with the principles of the federal Individual and Family Grant Program, which provides grants to households that have been affected by a disaster to replace basic living items. The Ohio Emergency Management Agency shall publish and make available an application procedure for individuals requesting assistance under the state Individual Assistance Program.

**SARA TITLE III HAZMAT PLANNING**

The SARA Title III HAZMAT Planning Fund (Fund 681) is entitled to receive grant funds from the Emergency Response Commission to implement the Emergency Management Agency's responsibilities under Chapter 3750. of the Revised Code.

**Sec. 203.06.24. REVENUE DISTRIBUTION**

**Holding Account Redistribution Fund Group**

R24 762-619	Unidentified Public Safety	\$	1,885,000	\$	1,885,000
	Receipts				
R52 762-623	Security Deposits	\$	250,000	\$	250,000
TOTAL 090 Holding Account					
Redistribution Fund Group		\$	2,135,000	\$	2,135,000
TOTAL ALL BUDGET FUND GROUPS -					
Revenue Distribution		\$	2,135,000	\$	2,135,000

**TRANSFER OF CASH BALANCE FROM FUND R27, HIGHWAY PATROL FEE REFUND FUND**

On July 1, 2005, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Highway Patrol Fee Refund Fund (Fund R27) created in former section 4501.12 of the Revised Code to the Unidentified Public Safety Receipts Fund (Fund R24).

**TOTAL Department of Public Safety**

TOTAL HSF State Highway Safety					
Fund Group	\$	459,009,425	\$	464,841,856	
TOTAL SSR State Special Revenue					
Fund Group	\$	<del>2,991,969</del>	\$	<del>2,991,969</del>	
		<u>3,634,144</u>		<u>3,634,144</u>	
TOTAL LCF Liquor Control					
Fund Group	\$	10,120,365	\$	10,423,976	
TOTAL GSF General Services					
Fund Group	\$	752,432	\$	762,186	
TOTAL FED Federal <u>Special</u> Revenue					
<del>Special</del> Fund Group	\$	<del>157,469,644</del>	\$	<del>157,480,504</del>	
		<u>168,045,804</u>		<u>168,056,664</u>	

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TOTAL AGY Agency Fund Group	\$	100,000	\$	100,000
TOTAL 090 Holding Account Redistribution Fund Group	\$	2,135,000	\$	2,135,000
TOTAL ALL BUDGET FUND GROUPS	\$	<del>632,578,835</del>	\$	<del>638,735,491</del>
		<u>643,797,170</u>		<u>649,953,826</u>

SECTION 401.12. That existing Sections 203.03, 203.03.09, 203.03.10, 203.06.06, 203.06.12, 203.06.15, and 203.06.24 of Am. Sub. H.B. 68 of the 126th General Assembly are hereby repealed.

SECTION 401.13. Notwithstanding section 5511.05 of the Revised Code, the Director of Transportation shall confer with the Director of Natural Resources in fiscal years 2006 and 2007 concerning the establishment, construction, reconstruction, improvement, repair, and maintenance of all roads and bridges within the boundaries of all state parks, including all such parks and properties under the control and custody of the Department of Natural Resources. After conferring with the Director of Natural Resources, the Director of Transportation shall establish, construct, reconstruct, improve, repair, and maintain all such roads and bridges. \$5,000,000 shall be expended to establish, construct, reconstruct, improve, repair, and maintain all such roads and bridges in each fiscal year.

SECTION 403.01. That Section 14 of Sub. H.B. 434 of the 125th General Assembly be amended to read as follows:

Sec. 14. ~~NET SCHOOLNET COMMISSION~~ ETC ETECH OHIO

Tobacco Master Settlement Agreement Fund Group

S87 <del>228</del> Education Technology Trust	\$	9,277,865	\$	6,274,109
<del>935-602</del> Fund				
TOTAL TSF Tobacco Master Settlement Agreement Fund Group	\$	9,277,865	\$	6,274,109
TOTAL ALL BUDGET FUND GROUPS	\$	9,277,865	\$	6,274,109

SCHOOLNET PLUS

~~The Ohio SchoolNet Commission shall distribute SchoolNet Plus Grants to qualifying school districts in fiscal year 2005 to establish and equip at least one interactive computer workstation for each five students enrolled in the seventh grade as reported by school districts pursuant to division (A) of section 3317.03 of the Revised Code.~~

Upon completion of the SchoolNet Plus Grant Program for the seventh grade, ~~the Ohio SchoolNet Commission~~ eTech Ohio shall distribute SchoolNet Plus Grants to qualifying school districts in fiscal year 2006 to

establish and equip at least one interactive computer workstation for each five children enrolled in the eighth grade as reported by school districts pursuant to division (A) of section 3317.03 of the Revised Code.

Districts in the first two quartiles of wealth shall receive up to \$275 per pupil for students in the targeted grade to purchase classroom computers. Districts in the third and fourth quartiles shall receive up to \$105 per pupil in the targeted grade. If a district has met the state's goal of one computer to every five students in the targeted grade, the district may use the funds provided through SchoolNet Plus to purchase computers for successive grades or to fulfill educational technology needs in other grades as specified in the district's technology plan.

SECTION 403.02. That existing Section 14 of Sub. H.B. 434 of the 125th General Assembly is hereby repealed.

SECTION 403.05. That Section 4 of Am. Sub. H.B. 516 of the 125th General Assembly be amended to read as follows:

Sec. 4. The following agencies shall be retained pursuant to division (D) of section 101.83 of the Revised Code and shall expire on December 31, 2010:

AGENCY NAME	REVISED CODE OR UNCODIFIED SECTION
Administrator, Interstate Compact on Mental Health	5119.50
Administrator, Interstate Compact on Placement of Children	5103.20
Advisory Board of Governor's Office of Faith-Based and Community Initiatives	107.12
Advisory Boards to the EPA for Air Pollution	121.13
Advisory Boards to the EPA for Water Pollution	121.13
Advisory Committee of the State Veterinary Medical Licensing Board	4741.03(D)(3)
Advisory Committee on Livestock Exhibitions	901.71
Advisory Council on Amusement Ride Safety	1711.51
Advisory Board of Directors for Prison Labor	5145.162
Advisory Council for Each Wild, Scenic, or Recreational River Area	1517.18

Advisory Councils or Boards for State Departments	107.18 or 121.13
Advisory Group to the Ohio Water Resources Council	1521.19(C)
Alzheimer's Disease Task Force	173.04(F)
AMBER Alert Advisory Committee	5502.521
Apprenticeship Council	4139.02
Armory Board of Control	5911.09
Automated Title Processing Board	4505.09(C)(1)
Banking Commission	1123.01
Board of Directors of the Ohio Health Reinsurance Program	3924.08
Board of Voting Machine Examiners	3506.05(B)
Board of Tax Appeals	5703.02
Brain Injury Advisory Committee	3304.231
Capitol Square Review and Advisory Board	105.41
Child Support Guideline Advisory Council	3119.024
Children's Trust Fund Board	3109.15
Citizens Advisory Committee (BMV)	4501.025
Citizen's Advisory Councils (Dept. of Mental Retardation and Developmental Disabilities)	5123.092
Clean Ohio Trail Advisory Board	1519.06
Coastal Resources Advisory Council	1506.12
Commission on African-American Males	4112.12
Commission on Hispanic-Latino Affairs	121.31
Commission on Minority Health	3701.78
Committee on Prescriptive Governance	4723.49
Commodity Advisory Commission	926.32
Community Mental Retardation and Developmental Disabilities Trust Fund Advisory Council	5123.353
Community Oversight Council	3311.77
Compassionate Care Task Force	Section 3, H.B. 474, 124th GA
<del>Consumer Advisory Committee to the Rehabilitation Services Commission</del>	<del>3304.24</del>
Continuing Education Committee (for Sheriffs)	109.80
Controlling Board	127.12
Coordinating Committee, Agricultural Commodity	924.14

Marketing Programs	
Council on Alcohol and Drug Addiction Services	3793.09
Council on Unreclaimed Strip Mined Lands	1513.29
Council to Advise on the Establishment and Implementation of the Birth Defects Information System	3705.34
County Sheriffs' Standard Car-Marking and Uniform Commission	311.25
Credit Union Council	1733.329
Criminal Sentencing Advisory Committee	181.22
Day-Care Advisory Council	5104.08
Dentist Loan Repayment Advisory Board	3702.92
Development Financing Advisory Council	122.40
Education Commission of the States (Interstate Compact for Education)	3301.48
Electrical Safety Inspector Advisory Committee	3783.08
Emergency Response Commission	3750.02
Engineering Experiment Station Advisory Committee	3335.27
Environmental Education Council	3745.21
Environmental Review Appeals Commission	3745.02
EPA Advisory Boards or Councils	121.13
Farmland Preservation Advisory Board	901.23
Financial Planning & Supervision Commission for Municipal Corporation, County, or Township	118.05
Financial Planning & Supervision Commission for School District	3316.05
Forestry Advisory Council	1503.40
Governance Authority for a State University or College	3345.75
Governor's Advisory Council on Physical Fitness, Wellness, & Sports	3701.77
Governor's Council on People with Disabilities	3303.41
Governor's Residence Advisory Commission	107.40
Great Lakes Commission (Great Lakes Basin Compact)	6161.01
Gubernatorial Transition Committee	107.29
Head Start Partnership Study Council	Section 41.35, H.B. 95, 125th GA



Hemophilia Advisory Subcommittee	3701.0210
Housing Trust Fund Advisory Committee	175.25
Industrial Commission Nominating Council	4121.04
Industrial Technology and Enterprise Advisory Council	122.29
Infant Hearing Screening Subcommittee	3701.507
Insurance Agent Education Advisory Council	3905.483
Interagency Council on Hispanic/Latino Affairs	121.32(J)
Interstate Mining Commission (Interstate Mining Compact)	1514.30
Interstate Rail Passenger Advisory Council (Interstate High Speed Intercity Rail Passenger Network Compact)	4981.35
Joint Council on MR/DD	101.37
Joint Select Committee on Volume Cap	133.021
Labor-Management Government Advisory Council	4121.70
Legal Rights Service Commission	5123.60
Legislative Task Force on Redistricting, Reapportionment, and Demographic Research	103.51
Maternal and Child Health Council	3701.025
Medically Handicapped Children's Medical Advisory Council	3701.025
Midwest Interstate Passenger Rail Compact Commission (Ohio members)	4981.361
Military Activation Task Force	5902.15
Milk Sanitation Board	917.03
Mine Subsidence Insurance Governing Board	3929.51
Minority Development Financing Board	122.72
Multi-Agency Radio Communications Systems Steering Committee	Sec. 21, H.B. 790, 120th GA
Multidisciplinary Council	3746.03
Muskingum River Advisory Council	1501.25
National Museum of Afro-American History and Culture Planning Committee	149.303
<del>Nursing Facility Reimbursement Study Council</del>	<del>5111.34</del>
Ohio Advisory Council for the Aging	173.03
Ohio Aerospace & Defense Advisory Council	122.98
Ohio Arts Council	3379.02
Ohio Business Gateway Steering Committee	5703.57
Ohio Cemetery Dispute Resolution Commission	4767.05

Ohio Civil Rights Commission Advisory Agencies and Conciliation Councils	4112.04(B)
Ohio Commercial Insurance Joint Underwriting Association Board Of Governors	3930.03
Ohio Commercial Market Assistance Plan Executive Committee	3930.02
Ohio Commission on Dispute Resolution and Conflict Management	179.02
Ohio Commission to Reform Medicaid	Section 59.29, H.B. 95, 125th GA
Ohio Community Service Council	121.40
Ohio Council for Interstate Adult Offender Supervision	5149.22
Ohio Cultural Facilities Commission	3383.02
Ohio Developmental Disabilities Council	5123.35
<del>Ohio Educational Telecommunications Network Commission</del>	<del>3353.02</del>
Ohio Ethics Commission	102.05
Ohio Expositions Commission	991.02
Ohio Family and Children First Cabinet Council	121.37
Ohio Geology Advisory Council	1505.11
Ohio Grape Industries Committee	924.51
Ohio Hepatitis C Advisory Commission	3701.92
Ohio Historic Site Preservation Advisory Board	149.301
Ohio Historical Society Board of Trustees	149.30
Ohio Judicial Conference	105.91
Ohio Lake Erie Commission	1506.21
Ohio Medical Malpractice Commission	Section 4, S.B. 281, 124th GA and Section 3, S.B. 86, 125th GA
Ohio Medical Quality Foundation	3701.89
Ohio Parks and Recreation Council	1541.40
Ohio Peace Officer Training Commission	109.71
Ohio Public Defender Commission	120.01
Ohio Public Library Information Network Board	Sec. 69, H.B. 117, 121st GA, as

	amended by H.B. 284, 121st GA
Ohio Public Works Commission	164.02
Ohio Quarter Horse Development Commission	3769.086
<del>Ohio SchoolNet Commission</del>	<del>3301.80</del>
Ohio Small Government Capital Improvements Commission	164.02
Ohio Soil and Water Conservation Commission	1515.02
Ohio Standardbred Development Commission	3769.085
Ohio Steel Industry Advisory Council	122.97
Ohio Teacher Education and Licensure Advisory Council	3319.28(D)
Ohio Thoroughbred Racing Advisory Committee	3769.084
Ohio Tuition Trust Authority	3334.03
Ohio University College of Osteopathic Medicine Advisory Committee	3337.10
Ohio Vendors Representative Committee	3304.34
Ohio War Orphans Scholarship Board	5910.02
Ohio Water Advisory Council	1521.031
Ohio Water Resources Council	1521.19
Ohioana Library Association, Martha Kinney Cooper Memorial	3375.62
Oil and Gas Commission	1509.35
Operating Committee, Agricultural Commodity Marketing Programs	924.07
Organized Crime Investigations Commission	177.01
Parole Board	5149.10
Pharmacy and Therapeutics Committee of the Dept. of Job and Family Services	5111.81
Physician Loan Repayment Advisory Board	3702.81
Power Siting Board	4906.02
Prequalification Review Board	5525.07
Private Water Systems Advisory Council	3701.346
Public Employment Risk Reduction Advisory Commission	4167.02
Public Health Council	3701.33
Public Utilities Commission Nominating Council	4901.021
Public Utility Property Tax Study Committee	5727.85
Radiation Advisory Council	3748.20

Reclamation Commission	1513.05
Recreation and Resources Commission	1501.04
Recycling and Litter Prevention Advisory Council	1502.04
Rehabilitation Services Commission Consumer Advisory Committee	3304.24
Release Authority of Department of Youth Services	5139.50
Savings & Loans Associations & Savings Banks Board	1181.16
Schools and Ministerial Lands Divestiture Committee	501.041
Second Chance Trust Fund Advisory Committee	2108.17
Self-Insuring Employers Evaluation Board	4123.352
Services Committee of the Workers' Compensation System	4121.06
Small Business Stationary Source Technical and Environmental Compliance Assistance Council	3704.19
Solid Waste Management Advisory Council	3734.51
State Agency Coordinating Group	1521.19
State Board of Deposit	135.02
State Board of Emergency Medical Services Subcommittees	4765.04
State Council of Uniform State Laws	105.21
State Committee for the Purchase of Products and Services Provided by Persons with Severe Disabilities	4115.32
State Criminal Sentencing Commission	181.21
State Employment Relations Board	4117.02
State Fire Commission	3737.81
State Racing Commission	3769.02
State Victims Assistance Advisory Committee	109.91
Student Tuition Recovery Authority	3332.081
Tax Credit Authority	122.17
Technical Advisory Committee to Assist the Director of the Ohio Coal Development Office	1551.35
Technical Advisory Council on Oil and Gas	1509.38
Transportation Review Advisory Council	5512.07
Unemployment Compensation Review Commission	4141.06
Unemployment Compensation Advisory Council	4141.08
Utility Radiological Safety Board	4937.02

Vehicle Management Commission	125.833
Veterans Advisory Committee	5902.02(K)
Volunteer Fire Fighters' Dependents Fund Boards (Private and Public)	146.02
Water and Sewer Commission	1525.11(C)
Waterways Safety Council	1547.73
Wildlife Council	1531.03
Workers' Compensation System Oversight Commission	4121.12
Workers' Compensation Oversight Commission	4121.123
Nominating Committee	

SECTION 403.06. That existing Section 4 of Am. Sub. H.B. 516 of the 125th General Assembly is hereby repealed.

SECTION 403.10.01. That Sections 3.01, 3.04, and 26.01 of Am. Sub. S.B. 189 of the 125th General Assembly be amended to read as follows:

Reappropriations

Sec. 3.01. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES

CAP-773	Governor's Residence Restoration	\$	4,705
CAP-786	Rural Areas Community Improvements	\$	365,000
CAP-804	Day Care Centers	\$	6,472
CAP-817	Urban Areas Community Improvements	\$	1,058,900
Total Department of Administrative Services		\$	1,435,077

**RURAL AREAS COMMUNITY IMPROVEMENTS**

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

The amount reappropriated for the foregoing appropriation item CAP-786, Rural Areas Community Improvements, is the unencumbered and unallotted balance as of June 30, 2004, in appropriation item CAP-786, Rural Areas Community Improvements, minus \$75,000.

**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 the Maumee Youth Center; \$25,000 for the Columbus Civic Arena Development Planning; \$50,000 for the Brown Senior Center

Renovations; \$100,000 for Project AHEAD Facility Improvements; \$75,000 for the J. Frank-Troy Senior Citizens Center; \$15,000 for the Victorian Village Society; \$50,000 for the Beech Acres Family Center; \$23,900 for the Canton Jewish Women's Center; \$450,000 for the Gateway Social Services Building; \$50,000 for the Loew Field Improvements; \$20,000 for the Harvard Community Services Center Renovation & Expansion; \$20,000 for the Collinwood Community Service Center Repair & Renovation; and \$80,000 for Bowman Park - City of Toledo.

Reappropriations

Sec. 3.04. DNR DEPARTMENT OF NATURAL RESOURCES

CAP-245	Millcreek Valley Conservancy District	\$	230,503
CAP-702	Upgrade Underground Fuel Tanks	\$	296,963
CAP-703	Cap Abandoned Water Wells	\$	357,481
CAP-823	Cost Sharing-Pollution Abatement	\$	33,614
CAP-847	Assistance to Local Governments for Conservation Works of Improvement	\$	25,000
CAP-848	Hazardous Dam Repair	\$	91,521
CAP-875	Ohio River Access	\$	100,000
CAP-929	Hazardous Waste/Asbestos Abatement	\$	286,154
CAP-931	Wastewater/Water Systems Upgrades	\$	32,205
CAP-932	Wetlands/Waterfront Development and Acquisition	\$	32,460
CAP-942	Local Parks Projects	\$	80,225
CAP-969	Frost-Parker Wetlands Preserve	\$	4,760
CAP-999	Geographic Information Management System	\$	1,085
	Total Department of Natural Resources	\$	1,571,971
	TOTAL GRF General Revenue Fund	\$	3,462,769

LOCAL PARKS PROJECTS

From the foregoing appropriation item CAP-942, Local Parks Projects, \$75,000 shall be granted for the Liberty Township Playground. The amount reappropriated for the foregoing appropriation item CAP-942, Local Parks Projects, is the unencumbered and unallotted balance as of June 30, 2004, in appropriation item CAP-942, Local Parks Projects, plus \$75,000.

Reappropriations

Sec. 26.01. ~~OEB OHIO EDUCATIONAL TELECOMMUNICATIONS~~

~~NETWORK COMMISSION ETC ETECH OHIO~~

CAP-001	Educational Television and Radio Equipment	\$	<del>1,650,617</del>
			<u>3,378,684</u>
CAP-002	Educational Broadcasting Fiber Optic Network	\$	51,748
	Total Ohio Educational Telecommunications Network Commission	\$	1,702,365
	<u>eTech Ohio</u>		<u>3,430,432</u>

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~~ eTech Ohio.

### 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~~ eTech Ohio for the reception and transmission of digital communications through fiber optic cable or other technology.

SECTION 403.10.02. That existing Sections 3.01, 3.04, and 26.01 of Am. Sub. S.B. 189 of the 125th General Assembly is hereby repealed.

SECTION 403.09. That Section 22 of Am. Sub. S.B. 189 of the 125th General Assembly, as amended by Am. Sub. H.B. 16 of the 126th General Assembly, be amended to read as follows:

Sec. 22. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Cultural and Sports Facilities Building Fund (Fund 030) that are not otherwise appropriated:

#### Reappropriations

#### AFC CULTURAL FACILITIES COMMISSION

CAP-003	Center of Science and Industry - Toledo	\$	12,268
CAP-004	Valentine Theatre	\$	1,111
CAP-005	Center of Science and Industry - Columbus	\$	181,636
CAP-010	Sandusky State Theatre Improvements	\$	1,000,000
CAP-017	Zion Center of the National Afro-American Museum	\$	488,232
CAP-021	Ohio Historical Center - Archives and Library Shelving	\$	2,395
CAP-033	Woodward Opera House Renovation	\$	1,050,000
CAP-037	Canton Palace Theatre Renovations	\$	1,066,126
CAP-038	Center Exhibit Replacement	\$	750,000
CAP-042	Statewide Site Exhibit/Renovation & Construction	\$	625,000
CAP-043	Statewide Site Repairs	\$	454,000
CAP-046	Cincinnati Museum Center Improvements	\$	500,000
CAP-052	Akron Art Museum	\$	6,634,666
CAP-053	Powers Auditorium Improvements	\$	200,000
CAP-055	Waco Museum & Aviation Learning Center	\$	500,000
CAP-057	Comprehensive Master Plan	\$	180,000
CAP-058	Cedar Bog Nature Preserve Education Center	\$	766,200
CAP-061	Statewide Arts Facilities Planning	\$	35,931
CAP-063	Robins Theatre Renovations	\$	1,000,000
CAP-064	Bramley Historic House	\$	75,000
CAP-066	Delaware County Cultural Arts Center	\$	40,000
CAP-068	Perry County Historical Society	\$	100,000
CAP-069	Cleveland Institute of Art	\$	750,000
CAP-071	Cleveland Institute of Music	\$	750,000
CAP-072	West Side Arts Consortium	\$	138,000
CAP-074	Stan Hywet Hall & Gardens	\$	250,000
CAP-075	McKinley Museum Improvements	\$	125,000
CAP-076	Spring Hill Historic Home	\$	125,000

CAP-077	Western Reserve Ballet Improvements	\$	100,000
CAP-078	Midland Theatre	\$	175,000
CAP-079	Lorain Palace Civic Theatre	\$	200,000
CAP-080	Great Lakes Historical Society	\$	150,000
CAP-734	Hayes Presidential Center	\$	75,000
CAP-745	Historic Sites and Museums	\$	750,000
CAP-753	Buffington Island State Memorial	\$	91,500
CAP-770	Serpent Mound State Memorial	\$	295,000
CAP-784	Ohio Historical Center Rehabilitation	\$	673,700
CAP-786	Piqua/Ft Picakawillany Acquisition and Improvements	\$	136,000
CAP-789	Neil Armstrong Air and Space Museum Improvements	\$	103,516
CAP-791	Harrison Tomb and Site Renovations	\$	149,500
CAP-796	Moundbuilders State Memorial	\$	530,000
CAP-806	Grant Boyhood Home Improvements	\$	68,333
CAP-809	Cincinnati Ballet Facility Improvements	\$	450,000
CAP-810	Toledo Museum of Art Improvements	\$	2,000,000
CAP-814	Crawford Museum of Transportation & Industry	\$	2,500,000
CAP-820	Historical Center Ohio Village Buildings	\$	502,000
CAP-821	Lorain County Historical Society	\$	300,000
CAP-822	Madison County Historic Schoolhouse	\$	40,000
CAP-823	Marion Palace Theatre	\$	825,000
CAP-824	McConnellsville Opera House	\$	75,000
CAP-825	Secrest Auditorium	\$	75,000
CAP-826	Renaissance Theatre	\$	50,000
CAP-827	Trumpet in the Land	\$	100,000
<del>CAP-828</del>	<del>Becky Thatcher Showboat</del>	\$	<del>30,000</del>
CAP-829	Mid Ohio Valley Players	\$	50,000 80,000
CAP-830	The Anchorage	\$	50,000
CAP-831	Wayne County Historical Society	\$	300,000
CAP-833	Promont House Museum	\$	200,000
<del>CAP-836</del>	<del>Fairfield Outdoor Theatre</del>	\$	<del>100,000</del>
CAP-837	Lake County Historical Society	\$	250,000
CAP-839	Hancock Historical Society	\$	75,000
CAP-840	Riversouth Development	\$	1,000,000
CAP-841	Ft. Piqua Hotel	\$	200,000
CAP-843	Marina District/Ice Arena Development	\$	4,000,000
Total Cultural Facilities Commission		\$	34,470,114
TOTAL CULTURAL and Sports Facilities Building Fund		\$	34,370,114
			<u>34,370,114</u>

#### COSI COLUMBUS - LOCAL ADMINISTRATION OF CAPITAL PROJECT CONTRACTS

Notwithstanding division (A) of section 3383.07 of the Revised Code, the Ohio Cultural Facilities Commission, with respect to the foregoing appropriation item CAP-005, Center of Science and Industry - Columbus, may administer all or part of capital facilities project contracts involving exhibit fabrication and installation as determined by the Department of Administrative Services, the Center of Science and Industry - Columbus, and the Ohio Cultural Facilities Commission in review of the project plans. The Ohio Cultural Facilities Commission shall enter into a contract with the



Center of Science and Industry - Columbus to administer the exhibit fabrication and installation contracts and such contracts are not subject to Chapter 123. or 153. of the Revised Code.

**SPORTS FACILITIES IMPROVEMENTS - AKRON**

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

**REDS HALL OF FAME**

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

**AKRON ART MUSEUM**

The amount reappropriated for the foregoing appropriation item CAP-052, Akron Art Museum, is the unencumbered and unallotted balance as of June 30, 2004, in appropriation item CAP-052, Akron Art Museum, plus \$1,634,666.

**RIVERSOUTH DEVELOPMENT**

The amount reappropriated for the foregoing appropriation item CAP-840, Riversouth Development, is the unencumbered and unallotted balance as of June 30, 2004, in appropriation item CAP-840, Riversouth Development, minus \$9,000,000.

**MARINA DISTRICT/ICE ARENA DEVELOPMENT**

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

SECTION 403.10. That existing Section 22 of Am. Sub. S.B. 189 of the 125th General Assembly, as amended by Am. Sub. H.B. 16 of the 126th General Assembly, is hereby repealed.

SECTION 403.11. That Section 3 of Am. Sub. H.B. 621 of the 122nd General Assembly, as most recently amended by Am. Sub. H.B. 95 of the 125th General Assembly, be amended to read as follows:

Sec. 3. That sections 166.031, 901.80, 901.81, 901.82, and 901.83 of the Revised Code are hereby repealed, effective October 15, ~~2005~~ 2007.

SECTION 403.12. That existing Section 3 of Am. Sub. H.B. 621 of the 122nd General Assembly, as most recently amended by Am. Sub. H.B. 95 of the 125th General Assembly, is hereby repealed.

SECTION 403.17. That Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as most recently amended by Am. Sub. H.B. 95 of the 125th General Assembly, be amended to read as follows:

Sec. 153. (A) Sections 5112.01, 5112.03, 5112.04, 5112.05, 5112.06, 5112.07, 5112.08, 5112.09, 5112.10, 5112.11, 5112.18, 5112.19, 5112.21, and 5112.99 of the Revised Code are hereby repealed, effective October 16, ~~2005~~ 2007.

(B) Any money remaining in the Legislative Budget Services Fund on October 16, ~~2005~~ 2007, the date that section 5112.19 of the Revised Code is repealed by division (A) of this section, shall be used solely for the purposes stated in then former section 5112.19 of the Revised Code. When all money in the Legislative Budget Services Fund has been spent after then former section 5112.19 of the Revised Code is repealed under division (A) of this section, the fund shall cease to exist.

SECTION 403.18. That existing Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as most recently amended by Am. Sub. H.B. 95 of the 125th General Assembly, is hereby repealed.

SECTION 403.23. That Section 5 of Am. Sub. S.B. 50 of the 121st General Assembly, as most recently amended by Am. Sub. H.B. 95 of the 125th General Assembly, be amended to read as follows:

Sec. 5. Sections 3 and 4 of Am. Sub. S.B. 50 of the 121st General Assembly shall take effect July 1, ~~2005~~ 2007.

SECTION 403.24. That existing Section 5 of Am. Sub. S.B. 50 of the 121st General Assembly, as most recently amended by Am. Sub. H.B. 95 of the 125th General Assembly is hereby repealed.

\* SECTION 490.03. That Section 59.19 of Am. Sub. H.B. 95 of the 125th General Assembly is hereby repealed.

\* SECTION 490.04. Section 89.17 of Am. Sub. H.B. 95 of the 125th General Assembly is hereby repealed.

SECTION 490.06. That Section 147 of Am. Sub. H.B. 95 of the 125th General Assembly is hereby repealed.

SECTION 502.01. Nothing in this act shall affect the term of any member of the workers' compensation oversight commission serving on the effective date of this act.

The Treasurer of State shall appoint a person to serve as an investment expert member of the Workers' Compensation Oversight Commission and the President of the Senate and the Speaker of the House of Representatives jointly shall appoint a person to serve as an investment expert member of the Oversight Commission not later than ninety days after the effective date of this section, and those persons shall take office not later than ninety days after the effective date of this section. The Treasurer and the President and Speaker shall appoint those members to a term ending September 1, 2008. Each investment expert member shall have the following qualifications:

(A) Be a resident of this state;

(B) Within the three years immediately preceding the appointment, not have been employed by the bureau of workers' compensation or by any person, partnership, or corporation that has provided to the bureau services of a financial or investment nature, including the management, analysis, supervision, or investment of assets;

(C) Have direct experience in the management, analysis, supervision, or investment of assets.

The investment expert members of the oversight commission shall vote only on investment matters.

\* SECTION 502.02. Within thirty days after the effective date of section 4121.12 of the Revised Code as amended by this act, the workers' compensation oversight commission shall adopt new objectives, criteria, and policies for the investment program of the bureau of workers' compensation that complies with the requirements of section 4121.12 of the Revised Code as amended by this act.

\* SECTION 502.03. Within thirty days after the effective date of this section, the Workers' Compensation Oversight Commission shall submit both of the following lists to the Governor, the President of the Senate, and the Speaker of the House of Representatives:

(A) A list of all of the classes of investments in which assets of funds are invested at the time the act takes effect and in which assets of funds have been invested in the twelve months immediately preceding the effective date of this act;

(B) A list of all investments that are prohibited by this act in which the Administrator of Workers' Compensation has invested, and the value of each investment.

The Oversight Commission shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives, within thirty days after the effective date of this section, a plan to divest itself, within six months after the effective date of this section, of any investments that are prohibited by section 4121.12 of the Revised Code, as amended by this act.

SECTION 502.03.01. In addition to the Inspector General's powers and duties specified in sections 121.41 to 121.50 of the Revised Code and notwithstanding division (F) of section 121.42 of the Revised Code, as part of the Inspector General's investigation of the investments of the assets of the funds specified in Chapters 4121., 4123., 4127., and 4131. of the Revised Code that the Administrator of Workers' Compensation has the authority to invest, the Inspector General shall have a fiduciary review of those investments conducted by an independent firm. The Inspector General shall award a contract to an independent firm in the same manner as the Inspector General awards contracts to special investigators. The Inspector General shall submit a copy of the fiduciary review that the Inspector General receives to the Governor, the Attorney General, the Auditor of State, and the General Assembly.

\* SECTION 502.04. Nothing in this act shall be construed to limit the Ohio Ethics Commission's authority, responsibility, and powers under Chapter 102. of the Revised Code as it existed immediately prior to the effective date of this section as applied to members of the Workers' Compensation Oversight Commission and employees of the Bureau of Workers' Compensation. Any authority, power, or responsibilities of the

Ohio Ethics Commission expressly created by this act are in addition to any authority, power, or responsibilities of the Commission in effect immediately prior to the effective date of this section.

SECTION 503.03. As used in this section, "state agency" means the administrative departments identified in section 121.02 of the Revised Code and the bureau of workers' compensation.

During 2005, the Auditor of State shall examine the compliance of each state agency with the requirements of section 131.02 of the Revised Code. The examination shall inquire into the following matters:

(A) The practices and procedures used by the agency to collect claims before the claims are certified to the Attorney General as required by section 131.02 of the Revised Code;

(B) The number of individuals employed by the agency or engaged under contract with the agency in 2003 and 2004 whose only or whose primary duty is to collect amounts owed to the agency;

(C) For claims certified to the Attorney General under section 131.02 of the Revised Code in 2003 and 2004, the average number of days elapsing between the last day for timely payment of the claims and the day the agency certified the claim to the Attorney General.

For the purposes of the examination required by this section, the Auditor of State may request a state agency to provide reports to the Auditor of State on the matters described under divisions (A), (B), and (C) of this section. State agencies shall provide such reports to the Auditor of State within 60 days after the request, but the Auditor of State may extend the time for providing the report for good cause for up to sixty days.

Not later than March 31, 2006, the Auditor of State shall submit a written report of the Auditor of State's findings under this section to the Governor, the Speaker of the House of Representatives, the President of the Senate, and the Legislative Service Commission.

SECTION 503.06. (A) There is hereby created the Task Force on Law Library Associations, consisting of thirteen members. The Speaker and Minority Leader of the House of Representatives shall each appoint one member of the House of Representatives to the Task Force. The President and Minority Leader of the Senate shall each appoint one member of the Senate to the Task Force. The Ohio Judicial Conference shall appoint three

members to the Task Force, two of whom shall be judges who are members of the Conference and one of whom shall be a law librarian associated with a law library association. The County Commissioners Association of Ohio shall appoint three members to the Task Force. The Ohio State Bar Association shall appoint three members to the Task Force, two of whom shall be attorneys licensed to practice law in this state and one of whom shall be a law librarian associated with a law library association. Appointments to the Task Force shall be made by September 1, 2005. Vacancies on the Task Force shall be filled in the manner provided for original appointments.

(B)(1) The Task Force shall do each of the following:

(a) Gather information on and study the current state of the law library associations in this state covered by sections 3375.48 to 3375.56 of the Revised Code, with particular emphasis on the structure, funding, and administration of their law libraries, and on the effect of technology on, and access to, their law libraries;

(b) Make recommendations on the structure, funding, and administration of these law libraries presently and over the next five calendar years;

(c) Make recommendations as to how to ensure that these law libraries remain open and may be made available to members of the public.

(2) The Task Force shall submit a report of its findings and recommendations to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Chief Justice of the Supreme Court by October 31, 2006. Upon submission of its report, the Task Force shall cease to exist.

(C) Sections 101.82 to 101.87 of the Revised Code do not apply to the Task Force.

SECTION 503.09. (A) There is hereby created the Correctional Faith-Based Initiatives Task Force consisting of the following seventeen members:

(1) One member of the House of Representatives appointed by the Speaker of the House of Representatives;

(2) One member of the House of Representatives appointed by the Speaker of the House of Representatives after considering the recommendation of the leader of the minority party of the House of Representatives;

- (3) One member of the Senate appointed by the President of the Senate;
- (4) One member of the Senate appointed by the President of the Senate after considering the recommendation of the Minority Leader of the Senate;
- (5) Two members appointed by the Governor;
- (6) The Director of Rehabilitation and Correction or the director's designee;
- (7) Three members appointed by the Director of Rehabilitation and Correction who have expertise or experience in faith-based programs in the correctional setting;
- (8) The Director of Job and Family Services or the director's designee;
- (9) The Director of Youth Services or the director's designee;
- (10) One member appointed by the Director of Youth Services who has expertise or experience in the juvenile court system;
- (11) The Director of Alcohol and Drug Addiction Services or the director's designee;
- (12) The Director of Mental Health or the director's designee;
- (13) The Executive Director of the Division of Criminal Justice Services or the executive director's designee;
- (14) One member appointed by the executive assistant in charge of the Governor's Office of Faith-Based and Community Initiatives.

(B) The Director of Rehabilitation and Correction, or the director's designee, and the member of the House of Representatives appointed by the Speaker of the House of Representatives shall be co-chairs of the task force. The task force shall meet at least once each month. The Department of Rehabilitation and Correction shall provide the task force with a meeting room and secretarial assistance.

(C) The task force shall study seamless faith-based solutions to problems in the correctional system, focusing on diversion programs, programs and services in the prison system and for families of incarcerated individuals, and the faith-based and nonprofit organizations that provide the programs and services. The task force shall examine existing faith-based programs in prisons in Ohio and other states and shall consider the feasibility of replicating programs from other states and developing model faith-based penal institutions, faith-based units within penal institutions, and faith-based programs to reduce recidivism of offenders after their release from prison, improve prison management, and deal with juveniles who have been held over to or are in the adult penal system or who have parents who are incarcerated.

(D) On or before the first anniversary of the effective date of this section, the task force shall provide a written report and recommendations to

the Governor, the Speaker of the House of Representatives, and the President of the Senate. Upon submitting the report and recommendations, the task force shall cease to exist.

SECTION 503.12. (A) There is hereby created the Local Government and Library Revenue Distribution Task Force consisting of the following members:

(1) Five members of the House of Representatives to be appointed by the Speaker of the House of Representatives, at least two of whom shall be from the minority party;

(2) Five members of the Senate to be appointed by the President of the Senate, at least two of whom shall be from the minority party;

(3) One nonvoting member to be appointed by the Ohio Library Council;

(4) One nonvoting member to be appointed by the County Commissioners' Association of Ohio;

(5) One nonvoting member to be appointed by the Ohio Municipal League;

(6) One nonvoting member to be appointed by the Ohio Township Association;

(7) One nonvoting member to be appointed by the Ohio Parks and Recreation Association.

All appointments shall be made within thirty days after the effective date of this section. Vacancies on the Task Force shall be filled in the same manner as the original appointments. The Task Force shall designate one of the members to serve as chairperson. The initial meeting to organize the Task Force shall be called by the Tax Commissioner.

(B) The Task Force shall study potential sources of state funding for the Local Government Fund, the Library and Local Government Support Fund, and the Local Government Revenue Assistance Fund that have the capacity to allow for growth in funding levels and to provide stability in funding levels. In addition, the Task Force shall consider changes to the codified funding formulae for the Local Government Fund, the Library and Local Government Support Fund, and the Local Government Revenue Assistance Fund that reflect the reform to Ohio tax code.

(C) The Task Force shall receive staff assistance from the Tax Commissioner and may request assistance from the Legislative Service Commission. The Task Force shall also seek the input and testimony of interested parties.

(D) Not later than December 1, 2006, the Task Force shall submit a



report to the Governor and to the General Assembly setting forth its recommendations for sources of funding for the funds specified in division (B) of this section, together with suggested legislation to implement the recommendations.

(E) The Task Force shall cease to exist upon issuing its report.

SECTION 503.15. (A) Notwithstanding any other provision of law to the contrary, the appointment and removal provisions of the resolutions and ordinances governing the board of trustees of any regional transit authority consisting of a county having a population of at least five hundred thousand, according to the 2000 federal census, and two municipal corporations, are void on the effective date of this act. The appointment and removal of the board of trustees of such regional transit authority shall comply with section 306.331 of the Revised Code.

(B) Within the first five days after the effective date of this act, the county and municipal corporations specified in section 306.331 of the Revised Code shall appoint a new board of trustees for the regional transit authority in accordance with section 306.331 of the Revised Code.

(C) Notwithstanding any other provision of law to the contrary, on the fifth day after the effective date of this act, the board of trustees of such regional transit authority, as constituted on the effective date of this act, is dissolved and the board appointed in accordance with section 306.331 of the Revised Code shall meet and organize.

(D) This act shall not be construed as affecting the validity of any action of such regional transit authority taken prior to the effective date of this act.

**SECTION 503.18. OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD MEMBER APPOINTMENT**

The term of the licensed occupational therapy assistant, as established in section 4755.03 of the Revised Code as amended by this act, shall commence at the time of the next appointment to the Occupational Therapy, Physical Therapy, and Athletic Trainers Board.

SECTION 506.03. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to Hocking.Athens.Perry Community Action and its successors and assigns all of the state's right, title, and interest in the following described real estate:

Situate in the Village of Glouster, Trimble Township, Athens County, Ohio, and being a part of a tract as described in Volume 384, Page 47 of the Deed Records of Athens County, and being more particularly described as follows:

Beginning at an iron pin set at the northeast corner of Lot 848 of the Wassall Fire Clay Company's Addition to the Village of Glouster; thence along the south line of a 10.00 foot alley South 85° 54' 29" East 219.30 feet to an iron pin set, thence along the west line of a 4.27 acre tract (ORV 4-442) South 2° 25' 37" East, 528.53 feet to an iron pin found; thence along the west line of a 44.21 acre tract (ORV 172-611) South 24° 08' 53" West, 412.51 feet to an iron pin found; thence North 81° 51' 07" West 594.65 feet to a point on the east right of way line of the former Toledo and Ohio Central Railroad (passing an iron pin found at 586.43 feet); thence along said line North 1° 39' 06" West, 734.24 feet to an iron pin found; thence along the south line of Lot 860 in said Village South 85° 54' 11" East, 188.77 feet to an iron pin set; thence along the east line of Lots 860 and 859 North 4° 05' 20" East, 100.00 feet to an iron pin set (an iron pin found for reference bears South 70° 30' 21" East, 1.01 feet); thence along the south line of Lots 857 and 848 South 85° 54' 29" East, 340.04 feet to an iron pin found; thence along the east line of Lot 848 North 4° 05' 30" East, 40.00 feet to the point of beginning and containing 14.046 acres.

Subject to all Easements and Rights of Way of Record.

Bearings used are to an assumed meridian and are for angular determination only.

Surveyed October 1996 by Kenneth E. Highland, Ohio PLS #S-7581.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TWO TRACTS:

Tract 1-0.020 acre: Situate in the Village of Glouster, Trimble Township, Athens County, Ohio, and being a part of a tract as previously described in Volume 384, Page 47 of the Deed Records of Athens County and being more particularly described as follows: Commencing at an iron pin set at the southeast corner of Lot 860 of the Wassall Fire Clay Company's Addition to the Village of Glouster; thence along the south line of said lot North 85° 54' 11" West, 88.77 feet to an iron pin set at the point of beginning of this tract; thence leaving said line and along a new line South 4° 05' 49" West, 15.00 feet to a point (passing an iron pin set at 10.00 feet); thence along a new line parallel to the south line of the previously mentioned lot line North 85° 54' 11" West, 60.00 feet to an iron pin set; thence North 4° 05' 49" East, 15.00 feet to an iron pin set on grantors most westerly north line (passing an iron pin set at 5.00 feet); thence along said

line South 85° 54' 11" East, 60.00 feet to the point of beginning and containing 0.020 acre. Subject to all easements and rights of way of record. Bearings used are to an assumed meridian and are for angular determination only. Surveyed August 1997 by Kenneth E. Highland, Ohio PLS #S-7581.

Deed Reference: Volume 263, Page 540 and Volume 299, Page 185, Athens County Official Records.

Tract 2-0.013 acre: Situate in the Village of Glouster, Trimble Township, Athens County, Ohio, and being a part of a tract as previously described in Volume 384, Page 47 of the Deed Records of Athens County and being more particularly described as follows: Commencing at an iron pin set at the southwest corner of Lot 857 of the Wassall Fire Clay Company's Addition to the Village of Glouster; thence along the south line of said lot South 85° 54' 29" East, 90.00 feet to an iron pin set at the point of beginning of this tract; thence continuing along said line South 85° 54' 29" East, 60.00 feet to an iron pin set at the southeast corner of said lot; thence along a new line South 4° 05' 31" West 10.00 feet to an iron pin set; thence along a line parallel to the south line of Lot 857 North 85° 54' 29" West, 60.00 feet to an iron pin set; thence along a new line North 4° 05' 31" East, 10.00 feet to the point of beginning and containing 0.013 acre. Subject to all easements and rights of way of record. Bearings used are to an assumed meridian and are for angular determination only. Surveyed August 1997 by Kenneth E. Highland, Ohio PLS #S-7581; revised June 2000.

Deed Reference: Volume 299, Page 704; Volume 263, Page 544; and Volume 299, Page 183, Athens County Official Records.

DEED REFERENCE: VOLUME \_\_\_\_\_, PAGE \_\_\_\_\_; VOLUME 298, PAGE 2439; AND VOLUME 258, PAGE 79, ATHENS COUNTY OFFICIAL RECORDS.

(B) Consideration for the conveyance of the real estate described in division (A) of this section is the purchase price of one dollar.

(C) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration. The deed shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to Hocking.Athens.Perry Community Action. Hocking.Athens.Perry Community Action shall present the deed for recording in the Office of the Athens County Recorder.

(D) Hocking.Athens.Perry Community Action shall pay the costs of the conveyance of the real estate described in division (A) of this section.

(E) This section expires one year after its effective date.

SECTION 509.03. (A)(1) The Clerk of the Medina Municipal Court shall be elected by the qualified electors of the territory of the court in the manner that is provided for the election of the judge of that court in section 1901.07 of the Revised Code at the first general election that occurs not less than six months after the effective date of this section.

(2) Notwithstanding division (A)(1)(a) of section 1901.31 of the Revised Code, the term of the Clerk of the Medina Municipal Court elected under division (A)(1) of this section shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified. The clerk's successor shall be elected pursuant to the schedule for the election of the judge of that court in sections 1901.07 and 1901.08 of the Revised Code.

(B) The Clerk of the Medina Municipal Court shall continue in office until the clerk elected pursuant to division (A) of this section takes office. If the office of Clerk of the Medina Municipal Court becomes vacant prior to the date that the clerk elected pursuant to division (A) of this section takes office, the judges of the court shall appoint a clerk to serve until the clerk elected pursuant to division (A) of this section takes office.

SECTION 512.03. The Motor Vehicle Inspection and Maintenance Fund that is created in section 3704.14 of the Revised Code, as reenacted by this act, is a continuation of the Motor Vehicle Inspection and Maintenance Fund that was created in section 3704.14 of the Revised Code, as repealed by this act. Money credited to the Fund under former section 3704.14 of the Revised Code shall be used for the purposes specified in new section 3704.14 of the Revised Code, as enacted by this act.

" SECTION 513.03. (A) Notwithstanding any provision of law to the contrary and during the period beginning July 1, 2005, and ending December 31, 2005, the Director of Environmental Protection or a board of health as defined in section 3714.01 of the Revised Code shall not issue a license to open a new construction and demolition debris facility under Chapter 3714. of the Revised Code and rules adopted under it. Except as otherwise provided in this division, the moratorium established by this division applies both with respect to an application for a license to open a new construction and demolition debris facility that is submitted on or after

the effective date of this section and to an application for such a license that has been submitted to the Director or a board of health prior to the effective date of this section, but concerning which a license for a facility has not been issued as of that effective date.

The board of county commissioners of a county may request the Director or a board of health to continue to process an application for a license to open a new construction and demolition debris facility in that county that has been submitted to the Director or board of health prior to the effective date of this section. After receiving such a request from a board of county commissioners, the Director or board of health may then issue a license for the new construction and demolition debris facility notwithstanding the moratorium established by this division.

The moratorium established by this division does not apply to a license for a new construction and demolition debris facility if the new facility will be located adjacent or contiguous to a previously licensed construction and demolition debris facility. The moratorium also does not apply to an expansion of or other modification to an existing licensed construction and demolition debris facility.

(B)(1) There is hereby created the Construction and Demolition Debris Facility Study Committee composed of the following thirteen members:

(a) Three members of the House of Representatives appointed by the Speaker of the House of Representatives;

(b) Three members of the Senate appointed by the President of the Senate;

(c) The Director of Environmental Protection or the Director's designee;

(d) One member representing health districts in the state appointed by the Governor;

(e) Three members representing the construction and demolition debris industry in the state appointed by the Governor, one of whom shall be the owner of both a construction and demolition debris facility and a solid waste disposal facility;

(f) Two members representing environmental consulting organizations or firms in the state appointed by the Governor.

Appointments shall be made to the Committee not later than fifteen days after the effective date of this section. Members of the Committee shall not receive compensation for their service on the Committee and shall not receive reimbursement for expenses incurred related to that service.

(2) The Committee shall study the laws of this state governing construction and demolition debris facilities and the rules adopted under those laws and shall make recommendations to the General Assembly

regarding changes to those laws including, but not limited to, recommendations concerning the following topics:

- (a) The establishment of a code of ethics for owners and operators of construction and demolition debris facilities;
- (b) The establishment of best management practices;
- (c) Licensing requirements;
- (d) Testing and monitoring requirements and protocols;
- (e) Siting and setback criteria for construction and demolition debris facilities;
- (f) State and local oversight and regulatory authority;
- (g) Fees;
- (h) The regulation of construction and demolition debris from sources inside and outside the state;
- (i) The closure process for construction and demolition debris facilities.

(3) The Committee shall submit a report of its study and any recommendations that it has developed to the General Assembly not later than September 30, 2005. The Committee shall cease to exist on the date on which it submits its report.

The General Assembly shall enact legislation based on the recommendations of the Committee as soon as is practicable.

SECTION 514.03. (A) As used in this section:

(1) "Automatic tabulating equipment," "direct recording electronic voting machine," "marking device," and "voting machines" have the same meanings as in section 3506.01 of the Revised Code.

(2) "Help America Vote Act of 2002" means the "Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666.

(B) A county that is scheduled to acquire voting machines, marking devices, or automatic tabulating equipment with funds made available pursuant to the Help America Vote Act of 2002 and that selects direct recording electronic voting machines as the primary voting system to be used in the county and not only for accessibility for individuals with disabilities as required under the Help America Vote Act of 2002 and section 3506.19 of the Revised Code, only may acquire direct recording electronic voting machines with funds made available pursuant to the Help America Vote Act of 2002 if the county acquires sufficient direct recording electronic voting machines to meet the minimum number of direct recording electronic voting machines required to be established by the Secretary of State under division (C) of this section.

(C) The Secretary of State shall establish, for each county, a minimum

number of direct recording electronic voting machines that the county shall be required to acquire to be eligible to acquire direct recording electronic voting machines as the primary voting system in the county with funds made available pursuant to the Help America Vote Act of 2002. The minimum number for each county shall be calculated as follows:

(1) The total number of registered voters in the county on January 1, 2005, shall be multiplied by the statewide percentage of voters who were purged from the official lists of registered voters during the 2001 calendar year.

(2) The number resulting from the calculation in division (C)(1) of this section shall be subtracted from the total number of registered voters in the county on January 1, 2005.

(3) The number resulting from the calculation in division (C)(2) of this section shall be divided by one hundred seventy-five.

(4) Any fraction resulting from the calculation in division (C)(3) of this section shall be rounded up to the next whole number.

SECTION 515.03. (A) On or before December 31, 2005, a transportation improvement district and any two or more governmental agencies may enter into an agreement providing for the joint financing of any street, highway, interchange, or other transportation project. Any such agreement shall be approved by resolution or ordinance passed by the legislative authority of each of the parties to such agreement, which resolution or ordinance shall authorize the execution thereof by a designated official or officials of each of such parties, and such agreement, when so approved and executed, shall be in full force and effect.

(B)(1) Subject to division (B)(2) of this section, any party to such an agreement may issue and, notwithstanding any other provision of the Revised Code, a district may purchase directly from the party as an investment, securities to evidence the obligations of that party to the district pursuant to the agreement for its portion of the cost of the project pursuant to Chapter 133. or other applicable provisions of the Revised Code.

(2) More than half of the property necessary for any project undertaken pursuant to an agreement under this section for which a district is purchasing securities under division (B)(1) of this section shall be located within the territory of the transportation improvement district.

(C) Any term used in this section has the same meaning as defined in section 5540.01 of the Revised Code, as amended by this act, unless the context clearly requires another meaning.

SECTION 553.01. (A) As used in this section:

(1) "Qualifying delinquent taxes" means any tax levied under Chapter 5733., 5739., 5741., 5747., or 5748. of the Revised Code, including the taxes levied under sections 5733.41 and 5747.41 of the Revised Code and taxes required to be withheld under Chapters 5747. and 5748. of the Revised Code, which were due and payable from any person as of May 1, 2005, were unreported or underreported, and remain unpaid.

(2) "Qualifying delinquent personal property taxes" means a tax for which a return is filed under section 5711.02 of the Revised Code.

(3) "Qualifying delinquent taxes" and "qualifying delinquent personal property taxes" do not include any tax for which a notice of assessment or audit has been issued, for which a bill has been issued, which relates to a tax period that ends after the effective date of this section, or for which an audit has been conducted or is currently being conducted.

(B) The Tax Commissioner shall establish and administer a tax amnesty program with respect to qualifying delinquent taxes and qualifying delinquent personal property taxes. The program shall commence on January 1, 2006, and shall conclude on February 15, 2006. The Tax Commissioner shall issue forms and instructions and take other actions necessary to implement the program. The Tax Commissioner shall publicize the program so as to maximize public awareness and participation in the program.

(C)(1) During the program, if a person pays the full amount of qualifying delinquent taxes owed by that person and one-half of any interest that has accrued as a result of the person failing to pay those taxes in a timely fashion, the Tax Commissioner shall waive or abate all applicable penalties and one-half of any interest that accrued on the qualifying delinquent taxes.

(2) During the program, if a person who owes qualifying delinquent personal property taxes files a return with the Tax Commissioner, in the form and manner prescribed by the Tax Commissioner, listing all taxable property that was required to be listed on the return required to be filed under section 5711.02 of the Revised Code, the Tax Commissioner shall issue a preliminary assessment certificate to the appropriate county auditor. Upon receiving a preliminary assessment certificate issued by the Tax Commissioner pursuant to this division, the county auditor shall compute the amount of qualifying delinquent personal property taxes owed by the person and shall add to that amount one-half of the interest prescribed under sections 5711.32 and 5719.041 of the Revised Code. The county treasurer



shall collect the amount of tax and interest computed by the county auditor under this division by preparing and mailing a tax bill to the person as prescribed in section 5711.32 of the Revised Code. If the person pays the full amount of tax and interest thereon on or before the date shown on the tax bill all applicable penalties and one-half of any interest that accrued on the qualifying delinquent personal property taxes shall be waived.

(3) No payment required under division (G) of section 321.24 of the Revised Code shall be made with respect to any person who pays qualifying delinquent personal property taxes under division (C)(2) of this section.

(4) Notwithstanding any contrary provision of the Revised Code, the Tax Commissioner shall not furnish to the county auditor any information pertaining to the exemption from taxation under division (C)(3) of section 5709.01 of the Revised Code insofar as that information pertains to any person who pays qualifying delinquent personal property taxes under division (C)(2) of this section.

(D) The Tax Commissioner may require a person participating in the program to file returns or reports, including amended returns and reports, in connection with the person's payment of qualifying delinquent taxes or qualifying delinquent personal property taxes.

(E) A person who participates in the program and pays in full any outstanding qualifying delinquent tax or qualifying delinquent personal property tax and the interest payable on such tax in accordance with this section shall not be subject to any criminal prosecution or any civil action with respect to that tax, and no assessment shall thereafter be issued against that person with respect to that tax.

(F) Taxes and interest collected under the program shall be credited to the General Revenue Fund, except that:

(1) Qualifying delinquent personal property taxes and interest payable thereon shall be credited to the appropriate county undivided income tax fund, and the county auditor shall distribute the amount thereof among the various taxing districts in the county as if it had been levied, collected, and settled, as personal property taxes;

(2) Qualifying delinquent taxes levied under section 5739.021, 5739.023, or 5739.026 of the Revised Code shall be distributed to the appropriate counties and transit authorities in accordance with section 5739.21 of the Revised Code during the next distribution required under that section;

(3) Qualifying delinquent taxes levied under section 5741.021, 5741.022, or 5741.023 of the Revised Code shall be distributed to the appropriate counties and transit authorities in accordance with section

5741.03 of the Revised Code during the next distribution required under that section; and

(4) Qualifying delinquent taxes levied under Chapter 5748. of the Revised Code shall be credited to the school district income tax fund and then paid to the appropriate school district during the next payment required under division (D) of section 5747.03 of the Revised Code.

SECTION 553.02. Section 553.01 of this act is hereby repealed, effective February 16, 2006. The repeal of Section 553.01 of this act does not affect, after the effective date of the repeal, the rights, remedies, or actions authorized under that section.

SECTION 553.02.01. Notwithstanding section 5735.142 of the Revised Code, a city, exempted village, joint vocational, or local school district or educational service center that failed to file or failed to file in a timely manner an application for a refund of that portion of the motor vehicle fuel tax imposed by section 5735.29 of the Revised Code that became effective on July 1, 2003, as permitted by section 5735.142 of the Revised Code, that the school district or educational service center paid through the purchase of motor fuel on or after that date may file such a refund application with the Tax Commissioner during the sixty-day period next following the effective date of this section. The Tax Commissioner shall process a refund application received under this section in accordance with section 5735.142 of the Revised Code, treating such an application as if it had been timely filed with the Tax Commissioner in accordance with that section.

SECTION 553.02.03. (A) The amendment by this act of section 5709.07 of the Revised Code first applies with respect to tax year 2005.

(B) Notwithstanding that buildings and lands described in division (D) of section 5709.07 of the Revised Code, as amended by this act, may qualify for an exemption from real property taxation under a provision of another section of the Revised Code that specifically applies to such buildings and lands, the buildings and lands are nevertheless entitled to the exemption allowed under division (A)(4) of section 5709.07 of the Revised Code, as amended by this act.

SECTION 553.02.06. Notwithstanding section 5709.40, 5709.41, 5709.73, or 5709.78 of the Revised Code to the contrary, exemptions from taxation

granted pursuant to an ordinance or resolution adopted under any of those sections on or after July 1, 2005, and on or before December 31, 2005, shall commence with the tax year specified in the ordinance or resolution.

SECTION 557.03. A credit is hereby allowed against the additional estate tax imposed by section 5731.18 of the Revised Code on the estate of a decedent who dies on or after January 1, 2002, but before the effective date of that section as amended by this act. The credit shall equal that portion of the additional estate tax imposed by section 5731.18 of the Revised Code that is over and above the additional estate tax that would have been imposed if the tax levied by division (A) of that section had been an amount equal to the maximum credit allowable by section 2011 of the Internal Revenue Code that was in effect and applicable on the date of such decedent's death for any taxes paid to any state.

SECTION 557.04. Notwithstanding division (A)(3) of section 5733.09 or section 5733.98 of the Revised Code, the credit allowed under section 5733.56 of the Revised Code to telephone companies for providing programs to aid the communicatively impaired shall be allowed in tax year 2005 so that there is full recovery of the tax credit under that section for that tax year.

SECTION 557.06. (A) As used in this section, "net additional tax" means, in the case of a wholesale dealer, the net additional amount of tax resulting from the amendment by this act of section 5743.02 of the Revised Code, less the discount allowed under section 5743.05 of the Revised Code as a commission for affixing and canceling stamps or meter impressions, that is due on all packages of Ohio stamped cigarettes and on all unaffixed Ohio cigarette tax stamps that the wholesale dealer has on hand as of the beginning of business on July 1, 2005, and, in the case of a retail dealer, means the net additional amount of tax resulting from the amendment by this act of section 5743.02 of the Revised Code that is due on all packages of Ohio stamped cigarettes and on all unaffixed Ohio cigarette tax stamps that the retail dealer has on hand as of the beginning of business on July 1, 2005.

(B) In addition to the return required under section 5743.03 of the Revised Code, each wholesale dealer and each retail dealer shall make and

file a return on forms prescribed by the tax commissioner showing the net additional tax due and any other information that the commissioner considers necessary to apply sections 5743.01 to 5743.20 of the Revised Code in the administration of the net additional tax. On or before September 30, 2005, each wholesale dealer and each retail dealer shall deliver the return to the treasurer of state, together with remittance of the net additional tax shown on the return to be due. A wholesale dealer or retail dealer may claim a credit equal to five per cent of the net additional tax shown on the return to be due if the wholesale dealer or retail dealer delivers the return required under this section to the treasurer of state on or before August 15, 2005, together with remittance of the net additional tax due after allowing for the five per cent credit. The treasurer of state shall stamp or otherwise mark on the return the date on which the return and remittance were received by the treasurer of state and also shall show on the return by stamp or otherwise the amount of the tax payment remitted with the return. Upon receipt, the treasurer of state shall immediately transmit all returns filed under this section to the commissioner.

(C) Any wholesale or retail dealer who fails to file a return or remit net additional tax as required under this section shall forfeit and pay into the state treasury a late charge equal to fifty dollars or ten per cent of the net additional tax due, whichever is greater. If the net additional tax, or any portion thereof, whether determined by the commissioner or the wholesale or retail dealer, is not paid on or before the date prescribed for payment under this section, interest shall accrue on the unpaid amount at the rate per annum required by section 5703.47 of the Revised Code from the date prescribed for payment of the net additional tax to the date of payment or to the date the commissioner issues an assessment under section 5743.081 or 5743.082 of the Revised Code, whichever occurs first. Interest shall be paid and collected in the same manner as the net additional tax.

(D) Unpaid or unreported net additional taxes, late charges, and interest may be collected by assessment in the manner prescribed under sections 5743.081 and 5743.082 of the Revised Code.

(E) All amounts collected under this section shall be considered revenue arising from the tax imposed by section 5743.02 of the Revised Code.

SECTION 557.09. (A) This section applies only to the semiannual period from July 1, 2005, to December 31, 2005.

Notwithstanding any provision of Chapter 5751. of the Revised Code as enacted by this act, for purposes of making the first payment of the tax imposed under that chapter, a tax return for both calendar year and calendar

quarter taxpayers for that semiannual period shall be filed not later than February 10, 2006. The tax imposed by this section is a semiannual privilege tax measured for the semiannual period commencing July 1, 2005, that is the six-month tax period during which the tax is measured on receipts during that period. The semiannual tax payment for all taxpayers for that semiannual period shall be seventy-five dollars for the first five hundred thousand dollars in taxable gross receipts during that semiannual period. In addition, a tax is imposed on all taxable gross receipts for that semiannual period in excess of five hundred thousand dollars. Such tax shall equal the product of six-tenths of one mill per dollar (the result of rounding twenty-three per cent of two and six-tenths mills) times the remaining amount of taxable gross receipts after subtracting five hundred thousand dollars in taxable gross receipts.

(B) Only persons excluded pursuant to divisions (E)(2) to (10) of section 5751.01 of the Revised Code, as enacted by this act, and persons with less than one hundred fifty thousand dollars in taxable gross receipts during calendar year 2005 are not subject to this section.

(C) The tax commissioner shall take the necessary steps to implement this section and use money in the commercial tax administrative fund to promote awareness of the tax imposed under this section and under Chapter 5751. of the Revised Code as enacted by this act by means of advertising and other reasonable means.

SECTION 557.09.03. It is the intent of the General Assembly that section 5751.033 of the Revised Code, as enacted by this act, be applied in a manner that is consistent with and identical to the situsing provisions that apply to the corporation franchise tax. That section shall be interpreted and applied by the Tax Commissioner in a manner that is consistent with the body of case law addressing the situsing of sales for purposes of the sales factor as determined under Chapter 5733. of the Revised Code, and in a manner that is consistent with the Tax Commissioner's prior treatment of the corporation franchise tax sales factor situsing law for taxpayers under that chapter.

SECTION 557.09.06. (A) Notwithstanding any provision of Chapter 5751. of the Revised Code as enacted by this act, "gross receipts," as defined in section 5751.01 of the Revised Code, excludes all of the following receipts if they are received prior to July 1, 2007:

(1) Receipts from the sale of fuel by a refinery to a terminal that is intended to be used as motor fuel;

(2) Receipts from the sale of motor fuel from a terminal to a motor fuel dealer, excluding motor fuel that is not subject to taxation under Chapter 5735. of the Revised Code;

(3) Receipts from the sale of motor fuel upon which the tax under Chapter 5735. of the Revised Code has been imposed.

For the purposes of this division, "motor fuel," "motor fuel dealer, and "terminal" have the same meanings as used in section 5735.01 of the Revised Code.

(B) For the purposes of division (A) of this section, the imposition of tax on motor fuel for the illegal use of that fuel shall not be considered motor fuel subject to the tax under Chapter 5735. of the Revised Code.

(C) The Tax Commissioner may promulgate rules to administer this section, including prescribing the method to determine which fuel is intended to be used as motor fuel.

Between July 1, 2005, and March 1, 2007, the Tax Commissioner shall accept recommendations and comments on the taxation of receipts from the sale or other transfer of motor fuel under Chapter 5751. of the Revised Code, including from persons required to report and pay the tax under Chapter 5735. of the Revised Code, and shall prepare a report summarizing those recommendations and comments and presenting any recommendations of the Tax Commissioner. The Tax Commissioner and shall submit the report to the President of the Senate, the Speaker of the House of Representatives, and the leader of the minority caucus in each house on or before March 1, 2007.

SECTION 557.09.07. Notwithstanding anything in Chapter 5735. of the Revised Code as amended by this act, the discount or shrinkage allowance provided for in sections 5735.06 and 5735.141 of the Revised Code for the period July 1, 2005, through June 30, 2007, shall be based on divisions (A) and (B) of this section:

(A) For the discount under section 5735.06 of the Revised Code:

(1) For July 2005 through June 2006, if the monthly report is timely filed and the tax is timely paid, 2.5 per cent of the total number of gallons of motor fuel received by the motor fuel dealer within the state during the preceding calendar month less the total number of gallons deducted under divisions (B)(1)(a) and (b) of section 5735.06 of the Revised Code, less 0.83 per cent of the total number of gallons of motor fuel that were sold to a retail dealer during the preceding calendar month.

(2) For July 2006 through June 2007, if the monthly report is timely filed and the tax is timely paid, 1.95 per cent of the total number of gallons

of motor fuel received by the motor fuel dealer within the state during the preceding calendar month less the total number of gallons deducted under divisions (B)(1)(a) and (b) of section 5735.06 of the Revised Code, less 0.65 per cent of the total number of gallons of motor fuel that were sold to a retail dealer during the preceding calendar month.

(B) For the refund provided retail dealers under section 5735.141 of the Revised Code:

(1) For the semiannual periods ending December 31, 2005, and June 30, 2006, the refund shall be 0.83 per cent of the Ohio motor fuel taxes paid on fuel purchased during those semiannual periods.

(2) For the semiannual periods ending December 31, 2006, and June 30, 2007, the refund shall be 0.65 per cent of the Ohio motor fuel taxes paid on fuel purchased during those semiannual periods.

The Tax Commissioner may adopt rules to administer this section.

SECTION 557.09.09. Notwithstanding any provision of Chapter 5751. of the Revised Code as enacted by this act, for purposes of Chapter 5751. of the Revised Code, "gross receipts" excludes amounts received from the sale of tangible personal property that is delivered into or shipped from a qualified foreign trade zone area that includes a qualified intermodal facility.

As used in this section:

(A) "Qualified foreign trade zone area" means a warehouse or other place of delivery or shipment that is:

(1) Located within one mile of the nearest boundary of an international airport; and

(2) Located, in whole or in part, within a foreign trade zone as defined in division (A)(2) of section 5709.44 of the Revised Code.

(B) "Qualified intermodal facility" means a transshipment station that is capable of receiving and shipping freight through rail transportation, highway transportation, and air transportation. A transshipment station is "capable of receiving and shipping freight" after the commencement of the construction of each of the rail, highway, and air transportation components of the facility.

SECTION 557.10. In lieu of the certification and crediting of money to the Recycling and Litter Prevention Fund in fiscal year 2006 that would be required under section 5733.122 of the Revised Code if that section were not repealed by this act, the Director of Budget and Management, during fiscal year 2006, shall transfer \$1,500,000 from the General Revenue Fund to the

Recycling and Litter Prevention Fund according to a schedule to be determined by the Director.

SECTION 557.11. For tax years 2007 and thereafter, telephone, telegraph, and interexchange telecommunications companies, as defined in section 5727.01 of the Revised Code, shall list taxable property at the percentage of true value required in Chapter 5711. of the Revised Code. For purposes of assigning taxable valuation to each taxing district for those years, the Tax Commissioner shall continue to use the apportionment provisions of Chapter 5727. of the Revised Code. However, such property shall be listed by the county auditor and certified to the county treasurer for collection under the provisions applicable to the general list of taxable property and not upon the tax list and duplicate of real and public utility personal property.

SECTION 557.12. ADJUSTMENT TO LOCAL GOVERNMENT DISTRIBUTIONS

(A) On or before the seventh day of each month of the period July 2005 through June 2007, the Tax Commissioner shall determine and certify to the Director of Budget and Management the amount to be credited, by tax, during that month to the Local Government Fund, to the Library and Local Government Support Fund, and to the Local Government Revenue Assistance Fund, respectively, under divisions (B) to (G) of this section.

(B) Notwithstanding sections 5727.45, 5727.84, 5733.12, 5739.21, 5741.03, and 5747.03 of the Revised Code to the contrary, for each month in the period July 1, 2005, through June 30, 2007, from the utility excise, kilowatt-hour, corporation franchise, sales and use, and personal income taxes collected:

(1) An amount shall first be credited to the Local Government Fund equal to the amount credited to that fund from that tax according to the schedule in divisions (C), (D), (E), and (F) of this section;

(2) An amount shall next be credited to the Local Government Revenue Assistance Fund equal to the amount credited to that fund from that tax according to the schedule in divisions (C), (D), (E), and (F) of this section;

(3) An amount shall next be credited to the Library and Local Government Support Fund equal to the amount credited to that fund from that tax according to the schedule in division (G) of this section.

To the extent the amounts credited under divisions (B) through (G) of this section exceed the amounts that otherwise would have been credited under sections 5727.45, 5727.84, 5733.12, 5739.21, 5741.03, and 5747.03



of the Revised Code, the amounts credited to the general revenue fund shall be reduced. To the extent the amounts credited under divisions (B) through (G) of this section are less than the amounts that otherwise would have been credited under sections 5727.45, 5727.84, 5733.12, 5739.21, 5741.03, and 5747.03 of the Revised Code, the amounts credited to the general revenue fund shall be increased. After the appropriate amounts are credited to funds under division (B) of this section, additional adjustments may be required in June 2006 and June 2007 pursuant to division (I) of this section.

(C) Pursuant to divisions (B)(1) and (2) of this section, the amounts shall be credited from the corporation franchise, sales and use, and personal income taxes to each respective fund as follows:

(1) In July 2005, one hundred per cent of the amount credited in July 2004; in July 2006, one hundred per cent of the amount credited in July 2005;

(2) In August 2005, one hundred per cent of the amount credited in August 2004; in August 2006, one hundred per cent of the amount credited in August 2005;

(3) In September 2005, one hundred per cent of the amount credited in September 2004; in September 2006, one hundred per cent of the amount credited in September 2005;

(4) In October 2005, one hundred per cent of the amount credited in October 2004; in October 2006, one hundred per cent of the amount credited in October 2005;

(5) In November 2005, one hundred per cent of the amount credited in November 2004; in November 2006, one hundred per cent of the amount credited in November 2005;

(6) In December 2005, one hundred per cent of the amount credited in December 2004; in December 2006, one hundred per cent of the amount credited in December 2005;

(7) In January 2006, one hundred per cent of the amount credited in January 2005; in January 2007, one hundred per cent of the amount credited in January 2006;

(8) In February 2006, one hundred per cent of the amount credited in February 2005; in February 2007, one hundred per cent of the amount credited in February 2006;

(9) In March 2006, one hundred per cent of the amount credited in March 2005; in March 2007, one hundred per cent of the amount credited in March 2006;

(10) In April 2006, one hundred per cent of the amount credited in April 2005; in April 2007, one hundred per cent of the amount credited in April

2006;

(11) In May 2006, one hundred per cent of the amount credited in May 2005; in May 2007, one hundred per cent of the amount credited in May 2006;

(12) In June 2006, one hundred per cent of the amount credited in June 2005; in June 2007, one hundred per cent of the amount credited in June 2006.

(D) Pursuant to divisions (B)(1) and (2) of this section, from the public utility excise tax, amounts shall be credited to the Local Government Fund and the Local Government Revenue Assistance Fund as follows:

(1) In July 2005 and July 2006, no amount shall be credited to the Local Government Fund and no amount shall be credited to the Local Government Revenue Assistance Fund;

(2) In August 2005 and August 2006, no amount shall be credited to the Local Government Fund or to the Local Government Revenue Assistance Fund;

(3) In September 2005 and September 2006, no amount shall be credited to the Local Government Fund or to the Local Government Revenue Assistance Fund;

(4) In October 2005 and October 2006, thirty per cent of \$7,870,426.16 shall be credited to the Local Government Fund and thirty per cent of \$1,124,346.59 shall be credited to the Local Government Revenue Assistance Fund;

(5) In November 2005 and November 2006, thirty per cent of \$1,045,731.11 shall be credited to the Local Government Fund and thirty per cent of \$149,390.15 shall be credited to the Local Government Revenue Assistance Fund;

(6) In December 2005 and December 2006, thirty per cent of \$1,210,041.67 shall be credited to the Local Government Fund and thirty per cent of \$172,863.13 shall be credited to the Local Government Revenue Assistance Fund;

(7) In January 2006 and January 2007, no amount shall be credited to the Local Government Fund or to the Local Government Revenue Assistance Fund;

(8) In February 2006 and February 2007, thirty per cent of \$1,515,069.22 shall be credited to the Local Government Fund and thirty per cent of \$216,438.43 shall be credited to the Local Government Revenue Assistance Fund;

(9) In March 2006 and March 2007, thirty per cent of \$7,859,958.57 shall be credited to the Local Government Fund and thirty per cent of

\$1,122,851.24 shall be credited to the Local Government Revenue Assistance Fund;

(10) In April 2006 and April 2007, no amount shall be credited to the Local Government Fund or to the Local Government Revenue Assistance Fund;

(11) In May 2006 and May 2007, thirty per cent of \$3,300,718.22 shall be credited to the Local Government Fund and thirty per cent of \$471,531.17 shall be credited to the Local Government Revenue Assistance Fund;

(12) In June 2006 and June 2007, thirty per cent of \$9,344,500.89 shall be credited to the Local Government Fund and thirty per cent of \$1,334,928.70 shall be credited to the Local Government Revenue Assistance Fund.

(E) Pursuant to divisions (B)(1) and (2) of this section, from the kilowatt-hour tax, amounts shall be credited to the Local Government Fund and the Local Government Revenue Assistance Fund as follows:

(1) In July 2005 and July 2006, no amount shall be credited to the Local Government Fund and no amount shall be credited to the Local Government Revenue Assistance Fund;

(2) In August 2005 and August 2006, no amount shall be credited to the Local Government Fund or to the Local Government Revenue Assistance Fund;

(3) In September 2005, and September 2006, no amount shall be credited to the Local Government Fund or to the Local Government Revenue Assistance Fund;

(4) In October 2005 and October 2006, seventy per cent of \$7,870,426.16 shall be credited to the Local Government Fund and seventy per cent of \$1,124,346.59 shall be credited to the Local Government Revenue Assistance Fund;

(5) In November 2005 and November 2006, seventy per cent of \$1,045,731.11 shall be credited to the Local Government Fund and seventy per cent of \$149,390.15 shall be credited to the Local Government Revenue Assistance Fund;

(6) In December 2005 and December 2006, seventy per cent of \$1,210,041.67 shall be credited to the Local Government Fund and seventy per cent of \$172,863.13 shall be credited to the Local Government Revenue Assistance Fund;

(7) In January 2006 and January 2007, no amount shall be credited to the Local Government Fund or to the Local Government Revenue Assistance Fund;

(8) In February 2006 and February 2007, seventy per cent of \$1,515,069.22 shall be credited to the Local Government Fund and seventy per cent of \$216,438.43 shall be credited to the Local Government Revenue Assistance Fund;

(9) In March 2006 and March 2007, seventy per cent of \$7,859,958.57 shall be credited to the Local Government Fund and seventy per cent of \$1,122,851.24 shall be credited to the Local Government Revenue Assistance Fund;

(10) In April 2006 and April 2007, no amount shall be credited to the Local Government Fund or to the Local Government Revenue Assistance Fund;

(11) In May 2006 and May 2007, seventy per cent of \$3,300,718.22 shall be credited to the Local Government Fund and seventy per cent of \$471,531.17 shall be credited to the Local Government Revenue Assistance Fund;

(12) In June 2006 and June 2007, seventy per cent of \$9,344,500.89 shall be credited to the Local Government Fund and seventy per cent of \$1,334,928.70 shall be credited to the Local Government Revenue Assistance Fund.

(F) Notwithstanding the amounts required to be credited pursuant to division (C) of this section, the amount credited in June 2006 and June 2007 to the Local Government Fund and the Local Government Revenue Assistance Fund from the personal income tax shall be net of a reduction that may be required by division (I) of this section.

(G) Pursuant to division (B)(3) of this section, amounts shall be credited from the personal income tax to the Library and Local Government Support Fund as follows:

(1) In July 2005, one hundred per cent of the amount credited in July 2004; in July 2006, one hundred per cent of the amount credited in July 2005;

(2) In August 2005, one hundred per cent of the amount credited in August 2004; in August 2006, one hundred per cent of the amount credited in August 2005;

(3) In September 2005, one hundred per cent of the amount credited in September 2004; in September 2006, one hundred per cent of the amount credited in September 2005;

(4) In October 2005, one hundred per cent of the amount credited in October 2004; in October 2006, one hundred per cent of the amount credited in October 2005;

(5) In November 2005, one hundred per cent of the amount credited in

November 2004; in November 2006, one hundred per cent of the amount credited in November 2005;

(6) In December 2005, one hundred per cent of the amount credited in December 2004; in December 2006, one hundred per cent of the amount credited in December 2005;

(7) In January 2006, one hundred per cent of the amount credited in January 2005; in January 2007, one hundred per cent of the amount credited in January 2006;

(8) In February 2006, one hundred per cent of the amount credited in February 2005; in February 2007, one hundred per cent of the amount credited in February 2006;

(9) In March 2006, one hundred per cent of the amount credited in March 2005; in March 2007, one hundred per cent of the amount credited in March 2006;

(10) In April 2006, one hundred per cent of the amount credited in April 2005; in April 2007, one hundred per cent of the amount credited in April 2006;

(11) In May 2006, one hundred per cent of the amount credited in May 2005; in May 2007, one hundred per cent of the amount credited in May 2006;

(12) In June 2006, one hundred per cent of the amount credited in June 2005, less any reduction that may be required by division (I) of this section; in June 2007, one hundred per cent of the amount credited in June 2006, less any reduction that may be required by division (I) of this section.

(H) The total amount credited to the Local Government Fund, the Local Government Revenue Assistance Fund, and the Library and Local Government Support Fund in each month during the period July 2005 through June 2007 shall be distributed by the tenth day of the immediately succeeding month in the following manner:

(1) Each county undivided local government fund shall receive a distribution from the Local Government Fund based on its proportionate share of the total amount received from the fund in such respective month for the period August 1, 2004, through July 31, 2005.

(2) Each municipal corporation receiving a direct distribution from the Local Government Fund shall receive a distribution based on its proportionate share of the total amount received from the fund in such respective month for the period August 1, 2004, through July 31, 2005.

(3) Each county undivided local government revenue assistance fund shall receive a distribution from the Local Government Revenue Assistance Fund based on its proportionate share of the total amount received from the

fund in such respective month for the period August 1, 2004, through July 31, 2005.

(4) Each county undivided library and local government support fund shall receive a distribution from the Library and Local Government Support Fund based on its proportionate share of the total amount received from the fund in such respective month for the period August 1, 2004, through July 31, 2005.

(I) The Tax Commissioner shall do each of the following:

(1) By June 7, 2006, the Commissioner shall subtract the amount calculated in division (I)(1)(b) of this section from the amount calculated in division (I)(1)(a) of this section. If the amount in division (I)(1)(a) of this section is greater than the amount in division (I)(1)(b) of this section, then such difference shall be subtracted from the total amount of income tax revenue credited to the Local Government Fund, the Local Government Revenue Assistance Fund, and the Library and Local Government Support Fund in June 2006. An amount shall be subtracted from income tax revenue credited to the Local Government Fund, the Local Government Revenue Assistance Fund, or the Library and Local Government Support Fund only if, and according to the proportion by which, such fund contributed to the result that the amount in division (I)(1)(a) of this section exceeds the amount in division (I)(1)(b) of this section.

(a) The sum of all money credited to the Local Government Fund, the Local Government Revenue Assistance Fund, and the Library and Local Government Support Fund from July 2005 through May 2006. The sum computed in division (I)(1)(a) of this section shall exclude any dealer in intangibles tax revenues credited to the Local Government Fund.

(b) The sum of all money that would have been credited to the Local Government Fund, the Local Government Revenue Assistance Fund, and the Library and Local Government Support Fund from July 2005 through May 2006, if sections 5727.45, 5727.84, 5733.12, 5739.21, 5741.03, and 5747.03 of the Revised Code were in effect during this period.

(2) By June 7, 2007, the Commissioner shall subtract the amount calculated in division (I)(2)(b) of this section from the amount calculated in division (I)(2)(a) of this section. If the amount in division (I)(2)(a) of this section is greater than the amount in division (I)(2)(b) of this section, then such difference shall be subtracted from the total amount of income tax revenue credited to the Local Government Fund, the Local Government Revenue Assistance Fund, and the Library and Local Government Support Fund in June 2007. An amount shall be subtracted from income tax revenue credited to the Local Government Fund, the Local Government Revenue

Assistance Fund, or the Library and Local Government Support Fund only if, and according to the proportion by which, such fund contributed to the result that the amount in division (I)(2)(a) of this section exceeds the amount in division (I)(2)(b) of this section.

(a) The sum of all money credited to the Local Government Fund, the Local Government Revenue Assistance Fund, and the Library and Local Government Support Fund from June 2006 through May 2007. The sum computed in division (I)(2)(a) of this section shall exclude any dealer in intangibles tax revenues credited to the Local Government Fund and shall be prior to any reduction required by division (I)(1) of this section.

(b) The sum of all money that would have been credited to the Local Government Fund, the Local Government Revenue Assistance Fund, and the Library and Local Government Support Fund from June 2006 through May 2007, if sections 5727.45, 5727.84, 5733.12, 5739.21, 5741.03, and 5747.03 of the Revised Code were in effect during this period.

(3) On the advice of the Tax Commissioner, during any month other than June 2006 or June 2007 of the period July 1, 2005, through July 31, 2007, the Director of Budget and Management may reduce the amounts that are to be otherwise credited to the Local Government Fund, Local Government Revenue Assistance Fund, or Library and Local Government Support Fund in order to accomplish more effectively the purposes of the adjustments in divisions (I)(1) and (2) of this section. If the respective calculations made in June 2006 and June 2007 pursuant to divisions (I)(1) and (2) of this section indicate that excess reductions had been made during the previous months, such excess amounts shall be credited, as appropriate, to the Local Government Fund, Local Government Revenue Assistance Fund, and Library and Local Government Support Fund.

(J) For the 2005, 2006, and 2007 distribution years, the Tax Commissioner is not required to issue the certifications otherwise required by sections 5747.47, 5747.501, 5747.51, and 5747.61 of the Revised Code, but shall provide to each county auditor by the twentieth day of July 2005, July 2006, and July 2007 an estimate of the amounts to be received by the county in the ensuing year from the Local Government Fund, Local Government Revenue Assistance Fund, and Library and Local Government Support Fund pursuant to this section and any pertinent section of the Revised Code. At the discretion of the Tax Commissioner, the Tax Commissioner may report to each county auditor additional revised estimates of the 2005, 2006, or 2007 distributions at any time during the period July 1, 2005, through July 31, 2007.

(K) During the period July 1, 2005, through July 31, 2007, the Director

of Budget and Management shall issue such directives to state agencies that are necessary to ensure that the appropriate amounts are distributed to the Local Government Fund, to the Local Government Revenue Assistance Fund, and to the Library and Local Government Support Fund.

(L) No subdivision shall receive a proportionate share from the county undivided local government fund or county undivided local government revenue assistance fund during the period July 1, 2005, through June 30, 2007, that is less than the proportionate share the subdivision received from that fund during the period July 1, 2004, through June 30, 2005, unless the subdivision consents to receive the lesser proportionate share.

SECTION 557.12.01. (A) Each county and each city with a population of one hundred thousand or more persons shall submit to the Auditor of State a report on or before October 1, 2005, that describes efforts on the part of the county or city to reduce costs by consolidating services and engaging in regional cooperation, specifies cost savings resulting from consolidation of services and regional cooperation, and describes the county's or city's future plans with respect to consolidating services and engaging in regional cooperation as described in division (B) of this section.

(B) The report described in division (A) of this section shall describe future plans with respect to consolidating services, including, but not limited to, consolidating fire, law enforcement, water, sewer, and solid waste services provided by the county or city. The report shall describe any efforts already undertaken by the county or city to analyze how these future consolidation efforts would impact costs and affect existing collective bargaining agreements. If no such analyses have been undertaken at the time the report is filed, the report shall set forth a timeline for completing the analyses.

The report also shall describe future plans with respect to cooperating with one or more neighboring political subdivisions in the financing of operations that serve all of the subdivisions. The report shall describe the county's or city's future plans, if any, to cooperate with other political subdivisions in the consolidation of purchasing or construction functions.

(C) The report described in division (A) of this section shall be used by the Auditor of State for informational purposes only. The Auditor of State shall have no authority to approve or disapprove any plan described in a report.

SECTION 557.13.03. The Tax Commissioner shall review the



calculations of the multipliers used in the determination of oil and gas valuations, in light of the amendment by this act to section 5715.01 of the Revised Code, and the enactment by this act of section 5709.112 of the Revised Code. The review shall be conducted in sufficient time to be used in the Commissioner's annual entry adopting the multipliers for tax year 2006, to ensure that oil and gas properties are uniformly assessed as provided by law and this act.

SECTION 557.13.06. Prior to adopting the rule defining "primarily," as required by division (B)(2) of section 5725.01 of the Revised Code, the Tax Commissioner shall seek the input of current dealers in intangibles.

SECTION 557.13.09. (A) There is hereby created the Joint Legislative Tax Reform Impact Study Committee. The Committee shall consist of the following members of the General Assembly: the chairperson of the Senate's standing committee with primary responsibility for tax legislation, the chairperson of the House of Representatives' standing committee with primary responsibility for tax legislation, four members of the House of Representatives appointed by the Speaker of the House of Representatives, and four members of the Senate appointed by the President of the Senate. Not more than two members appointed by the Speaker and not more than two members appointed by the President may be of the same political party. The appointments shall be made not later than July 31, 2005. The chairpersons of the standing committees with primary responsibility for tax legislation shall serve as co-chairpersons of the Committee. The Department of Taxation shall cooperate with the Committee and, on request, shall provide any information and assistance that is required by the Committee to carry out its duties.

(B) The Committee shall study the effects on school districts and other local taxing units of phasing-out the tangible personal property tax under this act, and any other matter related to that phase-out that it considers of significance. As part of the study, the Committee shall do all of the following:

(1) Estimate the total taxes lost by school districts and local taxing units as a result of the phase-out;

(2) Estimate the capacity of the commercial activity tax levied under Chapter 5751. of the Revised Code, as enacted by this act, to replace lost tangible personal property tax revenues and to fund the General Revenue Fund;

(3) Estimate the cost for delivery of services by school districts and other local taxing units and the emerging service demands for those services arising from demographic and economic changes to the districts and units;

(4) Identify alternatives for effectively balancing state and local tax revenues available to school districts and other taxing units and their responsibilities for delivery of services;

(5) Examine how the commercial activity tax treats for-profit corporations as compared to nonprofit corporations;

(6) Review the impact of the commercial activity tax on the various business sectors;

(7) Estimate the revenue impact of reclassifying rental real property having more than three units as residential/agricultural real property instead of as nonresidential/agricultural real property under section 5713.041 of the Revised Code.

(C) At the call of the co-chairpersons, the Committee shall hold not less than four meetings. The co-chairpersons shall determine the time, place, and agenda for each meeting of the Committee. Not later than January 31, 2006, the Committee shall issue a report of its findings and shall make recommendations to the President of the Senate and the Speaker of the House of Representatives, at which time the Committee shall cease to exist.

SECTION 557.15. The amendment by this act of sections 319.302 and 323.152 of the Revised Code first applies in tax year 2005.

SECTION 557.17. The amendments to sections 5709.40, 5709.73, 5709.77, and 5709.78 of the Revised Code by this act do not apply, but those sections as they were in effect prior January 1, 2006, do apply, to any project, as defined in section 5709.40 of the Revised Code, if the project meets either of the following requirements:

(A) A project agreement has been completed on or before December 31, 2005, for the project.

(B) Bonds have been issued on or before December 31, 2005, for the project.

SECTION 557.19. Sections 5713.01 and 5727.12 of the Revised Code, as amended by this act, first apply to tax year 2006.

SECTION 557.24. The amendment by this act of sections 5731.01,

5731.05, 5731.131, 5731.14, 5731.18, and 5731.181 of the Revised Code, and the repeal by this act of section 5731.20 of the Revised Code, applies to estates of decedents dying on or after the effective date of those sections as amended by this act.

SECTION 557.27. The amendment by this act of section 5733.40 of the Revised Code applies to taxable years ending on or after the effective date of this act.

SECTION 557.30. Except as otherwise provided in division (A)(18) of section 5747.01 and division (A) of section 5747.02 of the Revised Code, the amendment by this act of sections 5747.01 and 5747.02 of the Revised Code applies to taxable years ending on or after the effective date of this section.

SECTION 557.33. The amendment by this act of section 5747.05 of the Revised Code applies to taxable years ending on or after the effective date of this section.

SECTION 559.03. (A) Sections 9.23, 9.231, 9.232, 9.233, 9.234, 9.235, 9.236, 9.237, 9.238, and 9.239 of the Revised Code, as enacted by this act, apply only to disbursements of money that occur on or after January 1, 2006.

(B) Section 9.241 of the Revised Code, as enacted by this act, applies only to contracts that are entered into or awarded on or after the effective date of that section.

SECTION 560.03. There is hereby created the Ohio Military Reserve Homeland Security Study Commission to evaluate the role and effectiveness of the Ohio Military Reserve. The Commission shall consist of seven members: the Chairperson of the House Commerce and Labor Committee, who shall serve as chairperson of the Commission, two members of the House of Representatives whom the Speaker of the House of Representatives shall appoint, two members of the Senate whom the President of the Senate shall appoint, the Adjutant General or a

representative the Adjutant General designates, and the Director of Public Safety or a representative the Director designates. The chairperson shall call the meetings of the Commission. The Commission shall report its findings to the General Assembly before January 1, 2006.

SECTION 563.03. It is the intention of the General Assembly that the amendments made by this act to sections 3319.081 and 3319.17 of the Revised Code, and the enactment by this act of section 3319.172 of the Revised Code, shall not affect collective bargaining agreements between public employers and public employees entered into prior to the effective date of this section.

SECTION 569.03. (A) As used in this section, "appointing authority" has the same meaning as in section 124.01 of the Revised Code, and "exempt employee" has the same meaning as in section 124.152 of the Revised Code.

(B) Notwithstanding section 124.181 of the Revised Code both of the following apply:

(1) In cases where no vacancy exists, an appointing authority may, with the written consent of an exempt employee, assign duties of a higher classification for a period of time not to exceed two years to that exempt employee, and that exempt employee shall receive compensation at a rate commensurate with the duties of the higher classification.

(2) If necessary, employees exempt from collective bargaining who are assigned to duties within their agency to maintain operations during the Ohio Administrative Knowledge System (OAKS) implementation may agree to a temporary assignment that exceeds the two-year limit.

SECTION 569.06. (A) As used in this section, "exempt employee" has the same meaning as in section 124.152 of the Revised Code.

(B) Notwithstanding any provision to the contrary in Chapter 124. of the Revised Code, for the period beginning on July 1, 2005, and ending on June 30, 2007, the Director of Job and Family Services shall have the authority to do the following:

(1) Establish, change, and abolish positions of employment in the Department of Job and Family Services that are in the classified civil service;

(2) Assign, reassign, classify, reclassify, transfer, reduce, promote, and

demote exempt employees of the Department who are in the classified civil service, including, but not limited to, assigning or reassigning an employee to a bargaining unit classification if the Director determines that the classification is the proper classification for that employee.

(C) All actions taken by the Director under division (B) of this section relative to exempt employees of the Department who are in the classified civil service and are subject to section 900.603 of Title 5 of the Code of Federal Regulations, 5 C.F.R. 900.603, as amended, shall be consistent with the requirements of that section.

(D) If an exempt employee of the Department who is in the classified civil service and paid in accordance with salary schedule E-1 of section 124.152 of the Revised Code is to be assigned, reassigned, classified, reclassified, transferred, reduced, or demoted to a position in a lower job classification by the Director under division (B) of this section, the Director, or in the case of a transfer of the employee outside the Department, the Director of Administrative Services, shall assign the employee to the appropriate job classification and place the exempt employee in pay step X. The employee shall not receive an increase in compensation until the maximum rate of pay for that classification exceeds the employee's compensation.

(E) Actions taken by the Director under division (B) of this section shall not be subject to appeal to the State Personnel Board of Review.

SECTION 569.12. As used in this section, "municipal public safety director" has the same meaning as in section 145.01 of the Revised Code, as amended by this act.

Not later than November 1, 2005, each municipal public safety director who is a member of the Public Employees Retirement System shall indicate to the retirement system, on a form supplied by the retirement system, a choice of whether to receive benefits under division (A) of section 145.33 of the Revised Code or under division (B) of that section.

SECTION 606.03. 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 application. 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.

SECTION 609.03. An item of law, other than an amending, enacting, or repealing clause, that composes the whole or part of an uncodified section contained in this act has no effect after June 30, 2007, unless its context clearly indicates otherwise.

SECTION 611.03. DELAYED IMPLEMENTATION OF CENTRALIZED PUBLIC SCHOOL EMPLOYEES' HEALTH CARE BENEFITS SYSTEM

Notwithstanding the amendments made to sections 9.833, 9.90, 3311.19, 3313.12, 3313.202, 3313.33, 4117.03, and 4117.08 of the Revised Code by this act and the enactment of section 9.901 of the Revised Code by this act, the following amendments to a section or enactment of provisions shall not take effect unless and until the General Assembly, by subsequent enactment of law, confirms those amendments and provisions, orders their implementation, and makes such other specifications pertaining to that implementation as is then necessary:

(A) All amendments to sections 9.833, 9.90, 3311.19, 3313.12, 3313.202, 3313.33, 4117.03, and 4117.08 of the Revised Code.

(B) The following provisions of section 9.901 of the Revised Code as enacted:

(1) Division (A)(1);

(2) The provision that authorizes the soliciting of bids in division (A)(3);

(3) Division (F), except for the provision that creates the school employees health care fund in the state treasury;

(4) Division (I)(1);

(5) Division (I)(5);

(6) Division (J), except for the provision that authorizes the School Employees Health Care Board to contract with the Department of Administrative Services for central services and reimburse the Department for such services;

(7) Division (K);

(8) Division (L); and

(9) Division (M).

(C) The provision in Section 203.12.02 of this act that extends the duties of the executive director and assistant to the School Employees Health Care Board to the Public School Employee Health Insurance Program being proposed for establishment and the provision requiring the reimbursement of the General Revenue Fund of \$2,700,000 by the School Employees Health Care Fund pending a future determination of the sufficiency of premium payments.

SECTION 612.03. Except as otherwise specifically provided in this act, the codified sections of law amended or enacted in this act, and the items of law of which the codified sections of law amended or enacted 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 sections of law amended or enacted by this act, and the items of law of which the codified sections of law as amended or enacted by this act are composed, take effect on the ninety-first day after this act is filed with the Secretary of State. If, however, a referendum petition is filed against any such codified section of law as amended or enacted by this act, or against any item of law of which any such codified section of law as amended or enacted by this act is composed, the codified section of law as amended or enacted, or item of law, unless rejected at the referendum, takes effect at the earliest time permitted by law.

SECTION 612.06. Except as otherwise specifically provided in this act, the repeal by this act of a codified section of law is subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the repeal by this act of a codified section of law takes 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 repeal, the repeal, unless rejected at the referendum, takes effect at the earliest time permitted by law.

SECTION 612.09. The sections of law amended, enacted, or repealed by this act that are listed in this section are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the sections, and the items of law of which they are composed, take effect as specified in this section. If, however, a referendum petition is filed against any such section as amended, enacted, or repealed,

or against any item of law of which any such section as amended or enacted is composed, the section as amended, enacted, or repealed goes into effect at the earliest time permitted by law that is on or after the effective date specified in this section.

Sections 9.24, 120.52, 120.53, 131.23, 317.08, 317.36, 323.01, 329.051, 340.03, 340.16, 1901.26, 1907.24, 2303.201, 2305.234, 2744.05, 3111.04, 3119.54, 3121.12, 3121.50, 3702.74, 4123.27, 4705.09, 4731.65, 4731.71, 4736.11, 5101.181, 5101.241, 5101.26, 5101.31, 5101.36, 5107.26, 5110.01, 5110.05, 5111.021 (5111.022), 5111.022 (5111.023), 5111.023 (5111.0115), 5111.025, 5111.062, 5111.10, 5111.85, 5111.851, 5111.852, 5111.853, 5111.854, 5111.855, 5111.856, 5111.89, 5111.891, 5111.892, 5111.893, 5111.914, 5111.97 (5111.86), 5112.03, 5112.08, 5112.17, 5115.10, 5115.11, 5115.12, 5115.13, 5115.14, 5115.20, 5115.22, 5115.23, and 5119.61 of the Revised Code take effect October 1, 2005.

Sections 1711.531, 4753.03, 4753.06, 4753.071, 4753.08, 4753.09, 5107.05, 5107.30, 5107.301, 5121.01 (5121.02), 5121.02 (5121.03), 5121.03 (5121.01), 5121.04, 5121.05, 5121.06, 5121.061, 5121.07, 5121.08, 5121.09, 5121.10, 5121.11, 5121.12, 5121.21, 5121.30, 5121.31, 5121.32, 5121.33, 5121.34, 5121.35, 5121.36, 5121.37, 5121.38, 5121.40, 5121.41, 5121.42, 5121.43, 5121.44, 5121.45, 5121.46, 5121.47, 5121.48, 5121.49, 5121.50, 5121.51, 5121.52, 5121.53, 5121.54, 5121.55, 5121.56, 5122.03, 5122.31, and 5123.701 of the Revised Code take effect January 1, 2006.

Sections 3301.0710 and 3301.0714 of the Revised Code take effect July 1, 2006.

SECTION 612.12. Sections 101.391, 108.05, 109.57, 109.91, 121.37, 121.38, 121.381, 121.382, 122.011, 122.083, 123.17, 125.11, 125.60, 125.601, 125.602, 125.603, 125.604, 125.605, 125.606, 125.607, 125.608, 125.609, 125.6010, 125.6011, 125.6012, 125.831, 125.832, 126.25, 131.02, 133.09, 141.011, 141.04, 147.05, 147.10, 147.11, 147.12, 147.371, 149.30, 181.251 (5502.63), 181.51 (5502.61), 181.52 (5502.62), 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 307.86, 339.72, 339.88, 731.14, 731.141, 742.59, 901.43, 901.44, 905.32, 905.33, 905.331, 905.36, 905.37, 905.38, 905.381, 905.50, 905.66, 907.16, 913.02, 913.23, 915.02, 915.16, 915.24, 921.02, 921.16, 923.44, 923.45, 923.46, 926.01, 927.69, 1327.511, 1502.02, 1515.14, 1541.03, 1713.03, 2113.041, 2117.061, 2151.416, 2152.74, 2901.07, 2923.25, 3107.10, 3125.191, 3301.311, 3301.32, 3301.86, 3301.88, 3302.03, 3310.01, 3310.02, 3310.03, 3310.04, 3310.05, 3310.06,



3310.07, 3310.08, 3310.09, 3310.10, 3310.13, 3310.14, 3310.16, 3310.17, 3311.11, 3313.975, 3313.976, 3313.977, 3313.978, 3313.98, 3314.013, 3314.014, 3314.015, 3314.021, 3314.06, 3314.061, 3314.084, 3314.085, 3314.13, 3314.27, 3314.28, 3316.043, 3317.013, 3317.016, 3317.017, 3317.02, 3317.021, 3317.022, 3317.023, 3317.026, 3317.027, 3317.028, 3317.029, 3317.0216, 3317.0217, 3317.03, 3317.031, 3317.035, 3317.05, 3317.052, 3317.053, 3317.063, 3317.07, 3317.081, 3317.10, 3317.16, 3317.20, 3317.201, 3317.21 (3318.47), 3317.22 (3318.48), 3317.23 (3318.49), 3318.33, 3319.06, 3323.091, 3323.14, 3323.16, 3323.19, 3325.11, 3325.12, 3325.16, 3325.17, 3333.28, 3333.36, 3334.02, 3334.19, 3365.01, 3365.02, 3365.04, 3365.041, 3365.05, 3365.08, 3365.11, 3701.073, 3701.146, 3702.141, 3702.68, 3702.83, 3712.03, 3714.073, 3715.04, 3721.011, 3721.03, 3721.032, 3721.07, 3721.121, 3721.15, 3721.21, 3721.541, 3734.57, 3734.901, 3734.9010, 3743.57, 3745.015, 3745.11, 3745.114, 3748.07, 3748.13, 3770.061, 3793.09, 3901.021, 3901.17, 3905.36, 4112.12, 4115.32, 4115.34, 4115.36, 4511.75, 4519.02, 4519.09, 4723.32, 4723.33, 4723.34, 4723.341, 4723.61, 4723.62, 4723.621, 4723.63 (4723.91), 4723.64, 4723.65, 4723.651, 4723.652, 4723.66, 4723.67, 4723.68, 4723.69, 4736.12, 4766.09, 4766.14, 4905.10, 4911.18, 4973.171, 5101.07, 5101.071, 5101.21, 5101.46, 5101.461, 5101.821, 5104.01, 5104.32, 5110.352, 5111.019, 5111.061, 5111.082, 5111.11, 5111.111, 5111.112 (5111.113), 5111.113 (5111.114), 5111.16, 5111.161, 5111.162, 5111.17, 5111.176, 5111.19, 5111.191, 5111.98, 5112.30, 5112.341, 5120.09, 5120.51, 5139.01, 5502.01, 5540.01, 5540.09, 5731.39, and 6109.21 of the Revised Code as amended or enacted by this act, and the items of law of which such sections as amended or enacted by this act are composed, 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 or enacted by this act, and the items of law of which such sections as amended or enacted by this act are composed, go into immediate effect when this act becomes law.

SECTION 612.12.01. The enactment by this act of new section 4723.63 of the Revised Code, and the items of which it is composed, are not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the new section, and the items of which it is composed, go into immediate effect when this act becomes law.

SECTION 612.12.03. New sections 3317.012, 5111.02, and 5111.112 of the Revised Code as enacted by this act, and the items of law of which such sections as enacted by this act are composed, 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 enacted by this act, and the items of law of which such sections as enacted by this act are composed, go into immediate effect when this act becomes law.

SECTION 612.15. The repeal by this act of sections 181.53, 339.77, 742.36, 3301.31, 3301.33, 3301.34, 3301.35, 3301.36, 3301.37, 3301.38, 3301.85, 3301.87, 3317.012, 3317.0212, and 3317.0213 of the Revised Code is not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the repeals go into immediate effect when this act becomes law.

SECTION 612.18. The sections of law amended, enacted, or repealed by this act that are listed in this section are not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the sections as amended, enacted, or repealed, and the items of law of which such sections as amended or enacted by this act are composed, go into effect as specified in this section.

Sections 9.981, 125.05, 133.08, 133.081, 140.01, 154.11, 183.28, 3301.80, 3314.074, 3317.06, 3317.50, 3317.51, 3319.22, 3319.235, 3323.021, 3353.01, 3353.02, 3353.03, 3353.04, 3353.06, 3353.07, 3506.17, 3704.035, 3704.14, 3704.142, 3704.143, 3704.17, 3704.99, 3721.01, 3721.19, 3721.50, 3721.51, 3721.511, 3721.52, 3721.56, 3721.561, 3721.58, 3722.01, 3722.02, 4117.24, 4503.103, 5111.041, 5111.042, 5111.20, 5111.21, 5111.22, 5111.221, 5111.222, 5111.223, 5111.23, 5111.231 (5111.232), 5111.235, 5111.24, 5111.241, 5111.242, 5111.243, 5111.244, 5111.25, 5111.251, 5111.254, 5111.255, 5111.257 (5111.258), 5111.26, 5111.261, 5111.262, 5111.263, 5111.264, 5111.265, 5111.266, 5111.27, 5111.28, 5111.29, 5111.291, 5111.30, 5111.31, 5111.32, 5111.33, 5111.34, 5111.65, 5111.651, 5111.66, 5111.661, 5111.67, 5111.671, 5111.672, 5111.673, 5111.674, 5111.675, 5111.676, 5111.677, 5111.68, 5111.681, 5111.682, 5111.683, 5111.684, 5111.685, 5111.686, 5111.687, 5111.688, 5111.871, 5112.31, 5123.01, 5123.041, 5123.045, 5123.046, 5123.047, 5123.048, 5123.049, 5123.0412, 5123.16, 5123.34, 5123.41, 5123.71,

5123.76, 5126.01, 5126.035, 5126.042, 5126.054, 5126.055, 5126.056, 5126.057, 5126.12, 5552.01, and 5705.091 of the Revised Code take effect July 1, 2005.

New sections 3353.02, 3353.03, 3704.14, 5111.231, 5111.24, 5111.257, 5111.34, and 5123.048 of the Revised Code take effect July 1, 2005.

The amendment by this act of sections 5709.40, 5709.73, 5709.77, and 5709.78 of the Revised Code takes effect January 1, 2006.

SECTION 612.21. The amendment or enactment by this act of sections 122.17, 122.171, 122.172, 122.173, 122.18, 150.07, 150.10, 319.302, 323.152, 325.31, 351.01, 351.021, 351.06, 351.141, 351.16, 718.09, 718.10, 1548.06, 2921.13, 2927.023, 4301.43, 4505.06, 5101.184, 5101.98, 5703.052, 5703.053, 5703.057, 5703.47, 5703.50, 5703.70, 5707.031, 5709.07, 5709.112, 5709.12, 5709.121, 5711.01, 5711.16, 5711.21, 5711.22, 5711.28, 5713.01, 5715.01, 5715.24, 5719.041, 5725.19, 5725.32, 5727.01, 5727.02, 5727.031, 5727.06, 5727.08, 5727.10, 5727.11, 5727.111, 5727.12, 5727.23, 5727.241, 5728.01, 5728.02, 5728.03, 5728.04, 5728.06, 5728.08, 5729.032, 5729.08, 5731.01, 5731.05, 5731.131, 5731.14, 5731.18, 5731.181, 5731.22, 5731.23, 5731.41, 5733.01, 5733.33, 5733.351, 5733.352, 5733.40, 5733.41, 5733.49, 5733.98, 5737.03, 5739.025, 5739.034, 5739.035, 5739.08, 5739.10, 5743.01, 5743.03, 5743.031, 5743.05, 5743.071, 5743.072, 5743.08, 5743.10, 5743.111, 5743.112, 5743.14, 5743.15, 5743.16, 5743.18, 5743.19, 5743.20, 5743.331, 5743.71, 5747.012, 5747.02, 5747.05, 5747.056, 5747.08, 5747.113, 5747.212, 5747.331, 5747.80, 5747.98, 5748.01, 5748.02, 5748.03, 5748.04, 5748.08,, 5751.01, 5751.011, 5751.012, 5751.013, 5751.02, 5751.03, 5751.031, 5751.032, 5751.033, 5751.04, 5751.05, 5751.051, 5751.06, 5751.07, 5751.08, 5751.081, 5751.09, 5751.10, 5751.11, 5751.12, 5751.20, 5751.21, 5751.22, 5751.23, 5751.31, 5751.50, 5751.51, 5751.52, 5751.53, 5751.98, and 5751.99 of the Revised Code provides for or is essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the amendments and enactments, and the items of which they are composed, are not subject to the referendum and go into immediate effect when this act becomes law.

SECTION 612.24. The repeal by this act of section 5731.20 of the Revised Code provides for or is essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the repeal is not subject to the referendum and goes into immediate effect when this act

becomes law.

SECTION 612.27. The amendment, enactment, or repeal by this act of the sections of law that are listed in this section provides for or is essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the amendments, enactments, and repeals, and the items of which any such amendment or enactment is composed, are not subject to the referendum and go into effect as specified in this section.

Sections 5703.80, 5733.065, 5733.066, 5733.122, 5739.033, 5739.12, 5743.02, 5743.32, and 5743.33 of the Revised Code take effect July 1, 2005.

Sections 5739.012, 5739.03, 5739.16, and 5741.16 of the Revised Code take effect January 1, 2006.

SECTION 612.30. (A) Except as otherwise provided in division (B) of this section, the amendments by this act to section 127.16 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, the amendments take effect July 1, 2005.

(B) The amendment to division (D)(2) of section 127.16 of the Revised Code is subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendment takes effect October 1, 2005. If, however, a referendum petition is filed against the amendment, the amendment, unless rejected at the referendum, takes effect at the earliest time permitted by law that is on or after the effective date specified in this division.

SECTION 612.31. (A) Except as otherwise provided in division (B) of this section, the amendments by this act to section 307.695 of the Revised Code are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments go into effect on the ninety-first day after this act is filed with the Secretary of State. If, however, a referendum petition is filed against the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law.

(B) The amendments to section 307.695 of the Revised Code relating to community improvement corporations provide for or are essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II,

Section 1d, the amendments take effect July 1, 2005.

SECTION 612.33. (A) Except as otherwise provided in division (B) of this section, the amendments by this act to section 321.24 of the Revised Code provides for or is essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the amendments are not subject to the referendum and go into immediate effect when this act becomes law.

(B) The amendment to division (F) of section 321.24 of the Revised Code provides for or is essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the amendment takes effect July 1, 2005.

SECTION 612.36. (A) Except as otherwise provided in division (B) of this section, the amendments by this act to section 329.04 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, the amendments go into immediate effect.

(B) The amendments to divisions (A)(3) to (9) of section 329.04 of the Revised Code are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments take effect October 1, 2005. If, however, a referendum petition is filed against the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law that is on or after the effective date specified in this division.

SECTION 612.36.03. (A) Except as otherwise provided in division (B) of this section, the amendments to section 3301.0711 of the Revised Code are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments take effect July 1, 2006. If, however, a referendum petition is filed against the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law that is on or after the effective date specified in this division.

(B) The amendments to division (N) of section 3301.0711 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, the amendments go into immediate effect.

SECTION 612.37. (A) Except as otherwise provided in division (B) of this section, the amendments to section 3314.02 of the Revised Code are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments go into effect on the ninety-first day after this act is filed with the Secretary of State. If, however, a referendum petition is filed against the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law.

(B) The amendment striking the paragraph immediately following division (C)(1)(f)(iii) of section 3314.02 of the Revised Code is not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the amendment goes into immediate effect when this act becomes law.

SECTION 612.38. (A) Except as otherwise provided in division (B) of this section, the amendments by this act to section 3314.03 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, the amendments go into immediate effect.

(B) The amendment to division (A)(4) and the amendments adding divisions (A)(25) and (F) of section 3314.03 of the Revised Code are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments 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 the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law.

SECTION 612.38.03. (A) Except as otherwise provided in division (B) of this section, the amendments by this act to section 3314.08 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, the amendments go into immediate effect.

(B) The amendments to division (N) of section 3314.08 of the Revised Code are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments 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 the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law.

SECTION 612.39. (A) Except as otherwise provided in division (B) of this section, the amendments by this act to section 3317.024 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, the amendments go into immediate effect.

(B) The amendment to division (J) of section 3317.024 of the Revised Code is subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendment takes effect on the ninety-first day after this act is filed with the Secretary of State. If, however, a referendum petition is filed against the amendment, the amendment, unless rejected at the referendum, takes effect at the earliest time permitted by law.

SECTION 612.45. (A) Except as otherwise provided in division (B) of this section, the amendments by this act to section 3702.51 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, the amendments go into immediate effect.

(B) The amendment to division (G)(10) of section 3702.51 of the Revised Code is not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the amendments take effect July 1, 2005.

SECTION 612.48. (A) Except as otherwise provided in division (B) of this section, the amendments to section 5101.35 of the Revised Code are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments 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 the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law.

(B) The amendment by this act to division (A)(3) of section 5101.35 of the Revised Code adding a reference to "5101.461" is not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and

section 1.471 of the Revised Code, the amendment goes into immediate effect.

SECTION 612.54. (A) Except as otherwise provided in division (B) of this section, the amendments to section 5111.02 (5111.021) of the Revised Code are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments take effect October 1, 2005. If, however, a referendum petition is filed against the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law that is on or after the effective date specified in this division.

(B) The amendment by this act to division (B) of section 5111.02 (5111.021) of the Revised Code striking the last sentence of that division (B) is not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the amendment takes effect July 1, 2005.

SECTION 612.57. (A) Except as otherwise provided in division (B) of this section, the amendments to section 5111.06 of the Revised Code are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments go into effect on October 1, 2005. If, however, a referendum petition is filed against the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law that is on or after the effective date specified in this division.

(B) The amendment to division (A)(1) of section 5111.06 of the Revised Code that inserts a reference to section 5111.061 of the Revised Code is not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the amendment goes into immediate effect when this act becomes law.

SECTION 612.63. (A) Except as otherwise provided in division (B) of this section, the amendment renumbering section 5111.88 as section 5111.97 of the Revised Code is subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the renumbering amendment takes effect October 1, 2005. If, however, a referendum petition is filed against the renumbering amendment, the renumbering amendment, unless rejected at the referendum, takes effect



at the earliest time permitted by law that is on or after the effective date specified in this division.

(B) The amendment to division (B)(2) of section 5111.88 (5111.97) of the Revised Code striking "eighteen" and inserting "twelve" is not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the amendment goes into immediate effect when this act becomes law.

SECTION 612.66. (A) Except as otherwise provided in division (B) of this section, the amendments to section 5727.84 of the Revised Code provide for or are essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the amendments go into immediate effect when this act becomes law.

(B) The amendments striking divisions (B)(6) and (7) and (C)(3) from section 5727.84 of the Revised Code are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments 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 the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law.

SECTION 612.69. (A) Except as otherwise provided in division (B) of this section, the amendments to section 5727.85 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, the amendments go into immediate effect when this act becomes law.

(B) The amendments to section 5727.85 of the Revised Code that insert new language into division (F), strike "February" and insert "May," strike divisions (G) and (H) and the two unlettered paragraphs following, insert new division (H), and add an internal cross-reference to division (F) of the section are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments 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 the amendments, the amendments, unless rejected at the referendum, take effect at the earliest time permitted by law.

SECTION 612.69.03. The amendments by this act to section 5739.01 of the Revised Code provide for or are essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the amendments are not subject to the referendum and go into immediate effect when this act becomes law. However, the amendment to divisions (HHH) and (III) of the section goes into effect July 1, 2005, and the amendments to division (H)(1)(a)(vi), adding a new division (H)(1)(b), and adding a new division (H)(1)(c)(iv) of the section go into effect January 1, 2006.

SECTION 612.69.06. The amendments by this act to section 5739.02 of the Revised Code provide for or are essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the amendments are not subject to the referendum and go into immediate effect when this act becomes law. However, the amendment to division (B)(18) of the section and the amendment striking through division (B)(35) of the section go into effect July 1, 2005.

SECTION 612.69.09. (A) Except as otherwise provided in division (B) of this section, the amendments by this act to section 5739.17 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, the amendments take effect on July 1, 2005.

(B) The amendments to division (C) of section 5739.17 of the Revised Code provide for or are essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the amendments are not subject to the referendum and go into immediate effect when this act becomes law.

SECTION 612.69.12. The amendments by this act to section 5741.02 of the Revised Code provide for or are essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the amendments are not subject to the referendum and go into immediate effect when this act becomes law. However, the amendment to division (E) of the section goes into effect January 1, 2006.

SECTION 612.72. (A) Except as otherwise provided in division (B) of

this section, the amendments by this act to section 5747.01 of the Revised Code provides for or is essential to implementation of a tax levy. Therefore, under Ohio Constitution, Article II, Section 1d, the amendments are not subject to the referendum and go into immediate effect when this act becomes law.

(B) The amendment to division (A)(10) of section 5747.01 of the Revised Code is subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendment takes effect on the ninety-first day after this act is filed with the Secretary of State. If, however, a referendum petition is filed against the amendment, the amendment, unless rejected at the referendum, takes effect at the earliest time permitted by law.

SECTION 615.03. Except as otherwise specifically provided in this act, the uncodified sections of law amended or enacted in this act, and the items of law of which the uncodified sections of law amended or enacted in this act are composed, are not subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, the uncodified sections of law amended or enacted in this act, and the items of law of which the uncodified sections of law amended or enacted in this act are composed, go into immediate effect when this act becomes law.

SECTION 615.06. Uncodified sections of law amended or enacted in this act, and items of law contained within the uncodified sections of law amended or enacted in this act, that are marked with an asterisk are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the uncodified sections and items of law marked with an asterisk 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 an uncodified section or item of law marked with an asterisk, the uncodified section or item of law marked with an asterisk, unless rejected at the referendum, takes effect at the earliest time permitted by law.

If the amending and existing repeal clauses commanding the amendment of an uncodified section of law are both marked with asterisks, the uncodified section as amended is deemed also to have been marked with an asterisk.

An asterisk marking an uncodified section or item of law has the form \*.

This section defines the meaning and form of, but is not itself to be considered marked with, an asterisk.

SECTION 615.90. If the amendment or enactment in this act of a codified or uncodified section of law is subject to the referendum, the corresponding indications in the amending, enacting, or existing repeal clauses commanding the amendment or enactment also are subject to the referendum, along with the amendment or enactment. If the amendment or enactment by this act of a codified or uncodified section of law is not subject to the referendum, the corresponding indications in the amending, enacting, or existing repeal clauses commanding the amendment or enactment also are not subject to the referendum, the same as the amendment or enactment.

SECTION 618.03. The amendment of sections 5112.03 and 5112.08 of the Revised Code are not intended to supersede the earlier repeal, with delayed effective date, of those sections.

SECTION 618.06. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 122.74 of the Revised Code as amended by both Am. Sub. H.B. 356 and Am. Sub. S.B. 310 of the 121st General Assembly.

Section 307.37 of the Revised Code as amended by both Am. Sub. H.B. 175 and Sub. H.B. 231 of the 125th General Assembly.

Section 307.86 of the Revised Code as amended by both Am. Sub. H.B. 11 and Sub. H.B. 230 of the 125th General Assembly.

Section 2921.13 of the Revised Code as amended by Am. Sub. H.B. 12, Am. Sub. H.B. 95, and Am. Sub. H.B. 311 of the 125th General Assembly.

Section 3314.03 of the Revised Code as amended by both Am. Sub. H.B. 3 and Am. Sub. H.B. 95 of the 125th General Assembly.

Section 3317.023 of the Revised Code as amended by both Am. Sub. H.B. 3 and Am. Sub. H.B. 95 of the 125th General Assembly.

Section 3317.026 of the Revised Code as amended by both Sub. H.B. 129 and Sub. S.B. 200 of the 124th General Assembly.

Section 3704.035 of the Revised Code as amended by both Am. Sub. S.B. 18 and Am. Sub. S.B. 153 of the 120th General Assembly.

Section 4503.571 of the Revised Code as amended by both Am. Sub. S.B. 120 and Am. Sub. S.B. 232 of the 123rd General Assembly.

Section 4723.341 of the Revised Code as amended by both Sub. H.B. 511 and Am. Sub. S.B. 180 of the 123rd General Assembly.

Section 5739.01 of the Revised Code as amended by both Am. Sub. H.B. 95 and Am. Sub. S.B. 37 of the 125th General Assembly.

Section 5739.02 of the Revised Code as amended by both Am. Sub. H.B. 95 and Am. Sub. S.B. 37 of the 125th General Assembly.

Section 5741.02 of the Revised Code as amended by Am. Sub. H.B. 95, Am. Sub. S.B. 37, and Sub. S.B. 47 of the 125th General Assembly.

Section 5743.03 of the Revised Code as amended by both Am. Sub. S.B. 242 and Am. Sub. S.B. 261 of the 124th General Assembly.

Am. Sub. H. B. No. 66

2300

Section 6121.04 of the Revised Code as amended by both Sub. H.B. 601 and Am. Sub. H.B. 628 of the 123rd General Assembly.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

Am. Sub. H. B. No. 66

2301

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_ day of \_\_\_\_\_, A. D. 20\_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_