

the homes and for the purchase of medications, medication services, medical supplies, and medical equipment by the homes.

Sec. 5907.16. There is hereby created in the state treasury the medicare services fund. Revenue from federal reimbursement of medicare services that were provided at state veterans' homes shall be credited to the fund. The fund shall be used for paying the operating costs of the state veterans' homes.

Sec. 6109.21. (A) Except as provided in divisions (D) and (E) of this section, on and after January 1, 1994, no person shall operate or maintain a public water system in this state without a license issued by the director of environmental protection. A person who operates or maintains a public water system on January 1, 1994, shall obtain an initial license under this section in accordance with the following schedule:

(1) If the public water system is a community water system, not later than January 31, 1994;

(2) If the public water system is not a community water system and serves a nontransient population, not later than January 31, 1994;

(3) If the public water system is not a community water system and serves a transient population, not later than January 31, 1995.

A person proposing to operate or maintain a new public water system after January 1, 1994, in addition to complying with section 6109.07 of the Revised Code and rules adopted under it, shall submit an application for an initial license under this section to the director prior to commencing operation of the system.

A license or license renewal issued under this section shall be renewed annually. Such a license or license renewal shall expire on the thirtieth day of January in the year following its issuance. A license holder that proposes to continue operating the public water system for which the license or license renewal was issued shall apply for a license renewal at least thirty days prior to that expiration date.

The director shall adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code establishing procedures governing and information to be included on applications for licenses and license renewals under this section. Through June 30, ~~2008~~ 2010, each application shall be accompanied by the appropriate fee established under division (M) of section 3745.11 of the Revised Code, provided that an applicant for an initial license who is proposing to operate or maintain a new public water system after January 1, 1994, shall submit a fee that equals a prorated amount of the appropriate fee established under that division for the remainder of the licensing year.

(B) Not later than thirty days after receiving a completed application and the appropriate license fee for an initial license under division (A) of this section, the director shall issue the license for the public water system. Not later than thirty days after receiving a completed application and the appropriate license fee for a license renewal under division (A) of this section, the director shall do one of the following:

- (1) Issue the license renewal for the public water system;
- (2) Issue the license renewal subject to terms and conditions that the director determines are necessary to ensure compliance with this chapter and rules adopted under it;
- (3) Deny the license renewal if the director finds that the public water system was not operated in substantial compliance with this chapter and rules adopted under it.

(C) The director may suspend or revoke a license or license renewal issued under this section if the director finds that the public water system was not operated in substantial compliance with this chapter and rules adopted under it. The director shall adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code governing such suspensions and revocations.

(D)(1) As used in division (D) of this section, "church" means a fellowship of believers, congregation, society, corporation, convention, or association that is formed primarily or exclusively for religious purposes and that is not formed or operated for the private profit of any person.

(2) This section does not apply to a church that operates or maintains a public water system solely to provide water for that church or for a campground that is owned by the church and operated primarily or exclusively for members of the church and their families. A church that, on or before March 5, 1996, has obtained a license under this section for such a public water system need not obtain a license renewal under this section.

(E) This section does not apply to any public or nonpublic school that meets minimum standards of the state board of education that operates or maintains a public water system solely to provide water for that school.

Sec. 6111.0381. There is hereby created in the state treasury the water quality protection fund. The fund shall consist of federal grants, including grants made pursuant to the Federal Water Pollution Control Act, and contributions made to the environmental protection agency for water quality protection and restoration. The director of environmental protection shall use money in the fund for water quality protection and restoration.

Sec. 6111.04. (A) Both of the following apply except as otherwise provided in division (A) or (F) of this section:

(1) No person shall cause pollution or place or cause to be placed any sewage, sludge, sludge materials, industrial waste, or other wastes in a location where they cause pollution of any waters of the state.

(2) Such an action prohibited under division (A)(1) of this section is hereby declared to be a public nuisance.

Divisions (A)(1) and (2) of this section do not apply if the person causing pollution or placing or causing to be placed wastes in a location in which they cause pollution of any waters of the state holds a valid, unexpired permit, or renewal of a permit, governing the causing or placement as provided in sections 6111.01 to 6111.08 of the Revised Code or if the person's application for renewal of such a permit is pending.

(B) If the director of environmental protection administers a sludge management program pursuant to division (S) of section 6111.03 of the Revised Code, both of the following apply except as otherwise provided in division (B) or (F) of this section:

(1) No person, in the course of sludge management, shall place on land located in the state or release into the air of the state any sludge or sludge materials.

(2) An action prohibited under division (B)(1) of this section is hereby declared to be a public nuisance.

Divisions (B)(1) and (2) of this section do not apply if the person placing or releasing the sludge or sludge materials holds a valid, unexpired permit, or renewal of a permit, governing the placement or release as provided in sections 6111.01 to 6111.08 of the Revised Code or if the person's application for renewal of such a permit is pending.

(C) No person to whom a permit has been issued shall place or discharge, or cause to be placed or discharged, in any waters of the state any sewage, sludge, sludge materials, industrial waste, or other wastes in excess of the permissive discharges specified under an existing permit without first receiving a permit from the director to do so.

(D) No person to whom a sludge management permit has been issued shall place on the land or release into the air of the state any sludge or sludge materials in excess of the permissive amounts specified under the existing sludge management permit without first receiving a modification of the existing sludge management permit or a new sludge management permit to do so from the director.

(E) The director may require the submission of plans, specifications, and other information that the director considers relevant in connection with the issuance of permits.

(F) This section does not apply to any of the following:

(1) Waters used in washing sand, gravel, other aggregates, or mineral products when the washing and the ultimate disposal of the water used in the washing, including any sewage, industrial waste, or other wastes contained in the waters, are entirely confined to the land under the control of the person engaged in the recovery and processing of the sand, gravel, other aggregates, or mineral products and do not result in the pollution of waters of the state;

(2) Water, gas, or other material injected into a well to facilitate, or that is incidental to, the production of oil, gas, artificial brine, or water derived in association with oil or gas production and disposed of in a well, in compliance with a permit issued under Chapter 1509. of the Revised Code, or sewage, industrial waste, or other wastes injected into a well in compliance with an injection well operating permit. Division (F)(2) of this section does not authorize, without a permit, any discharge that is prohibited by, or for which a permit is required by, regulation of the United States environmental protection agency.

(3) Application of any materials to land for agricultural purposes or runoff of the materials from that application or pollution by animal waste or soil sediment, including attached substances, resulting from farming, silvicultural, or earthmoving activities regulated by Chapter 307. or 1511. of the Revised Code. Division (F)(3) of this section does not authorize, without a permit, any discharge that is prohibited by, or for which a permit is required by, the Federal Water Pollution Control Act or regulations adopted under it.

(4) The excrement of domestic and farm animals defecated on land or runoff therefrom into any waters of the state. Division (F)(4) of this section does not authorize, without a permit, any discharge that is prohibited by, or for which a permit is required by, the Federal Water Pollution Control Act or regulations adopted under it.

(5) On and after the date on which the United States environmental protection agency approves the NPDES program submitted by the director of agriculture under section 903.08 of the Revised Code, any discharge that is within the scope of the approved NPDES program submitted by the director of agriculture;

(6) The discharge of sewage, industrial waste, or other wastes into a sewerage system tributary to a treatment works. Division (F)(6) of this section does not authorize any discharge into a publicly owned treatment works in violation of a pretreatment program applicable to the publicly owned treatment works.

(7) ~~A household sewage treatment system or a small flow on site~~

~~sewage treatment system, as applicable, as defined in section 3718.01 of the Revised Code that is installed~~ Septic tanks or other disposal systems for the disposal or treatment of sewage from single-family, two-family, or three-family dwellings in compliance with Chapter 3718: the sanitary code and section 3707.01 of the Revised Code and rules adopted under it. Division (F)(7) of this section does not authorize, without a permit, any discharge that is prohibited by, or for which a permit is required by, regulation of the United States environmental protection agency.

(8) Exceptional quality sludge generated outside of this state and contained in bags or other containers not greater than one hundred pounds in capacity. As used in division (F)(8) of this section, "exceptional quality sludge" has the same meaning as in division (Y) of section 3745.11 of the Revised Code.

(G) The holder of a permit issued under section 402 (a) of the Federal Water Pollution Control Act need not obtain a permit for a discharge authorized by the permit until its expiration date. Except as otherwise provided in this division, the director of environmental protection shall administer and enforce those permits within this state and may modify their terms and conditions in accordance with division (J) of section 6111.03 of the Revised Code. On and after the date on which the United States environmental protection agency approves the NPDES program submitted by the director of agriculture under section 903.08 of the Revised Code, the director of agriculture shall administer and enforce those permits within this state that are issued for any discharge that is within the scope of the approved NPDES program submitted by the director of agriculture.

Sec. 6111.44. (A) Except as otherwise provided in division (B) of this section, in section 6111.14 of the Revised Code, or in rules adopted under division (G) of section 6111.03 of the Revised Code, no municipal corporation, county, public institution, corporation, or officer or employee thereof or other person shall provide or install sewerage or treatment works for sewage, sludge, or sludge materials disposal or treatment or make a change in any sewerage or treatment works until the plans therefor have been submitted to and approved by the director of environmental protection. Sections 6111.44 to 6111.46 of the Revised Code apply to sewerage and treatment works of a municipal corporation or part thereof, an unincorporated community, a county sewer district, or other land outside of a municipal corporation or any publicly or privately owned building or group of buildings or place, used for the assemblage, entertainment, recreation, education, correction, hospitalization, housing, or employment of persons.

In granting an approval, the director may stipulate modifications, conditions, and rules that the public health and prevention of pollution may require. Any action taken by the director shall be a matter of public record and shall be entered in the director's journal. Each period of thirty days that a violation of this section continues, after a conviction for the violation, constitutes a separate offense.

(B) Sections 6111.45 and 6111.46 of the Revised Code and division (A) of this section do not apply to any of the following:

(1) Sewerage or treatment works for sewage installed or to be installed for the use of a private residence or dwelling;

(2) Sewerage systems, treatment works, or disposal systems for storm water from an animal feeding facility or manure, as "animal feeding facility" and "manure" are defined in section 903.01 of the Revised Code;

(3) Animal waste treatment or disposal works and related management and conservation practices that are subject to rules adopted under division (E)(2) of section 1511.02 of the Revised Code;

~~(4) Sewerage or treatment works for the on lot disposal or treatment of sewage from a small flow on site sewage treatment system, as defined in section 3718.01 of the Revised Code, if the board of health of a city or general health district has notified the director of health and the director of environmental protection under section 3718.021 of the Revised Code that the board has chosen to regulate the system, provided that the board remains in compliance with the rules adopted under division (A)(13) of section 3718.02 of the Revised Code.~~

The exclusions established in divisions (B)(2) and (3) of this section do not apply to the construction or installation of disposal systems, as defined in section 6111.01 of the Revised Code, that are located at an animal feeding facility and that store, treat, or discharge wastewaters that do not include storm water or manure or that discharge to a publicly owned treatment works.

Sec. 6119.06. Upon the declaration of the court of common pleas organizing the regional water and sewer district pursuant to section 6119.04 of the Revised Code and upon the qualifying of its board of trustees and the election of a president and a secretary, said district shall exercise in its own name all the rights, powers, and duties vested in it by Chapter 6119. of the Revised Code, and, subject to such reservations, limitations and qualifications as are set forth in this Chapter, such district may:

(A) Adopt bylaws for the regulation of its affairs, the conduct of its business, and notice of its actions;

(B) Adopt an official seal;

(C) Maintain a principal office and suboffices at such places within the district as it designates;

(D) Sue and plead in its own name; be sued and impleaded in its own name with respect to its contracts or torts of its members, employees, or agents acting within the scope of their employment, or to enforce its obligations and covenants made under sections 6119.09, 6119.12, and 6119.14 of the Revised Code. Any such actions against the district shall be brought in the court of common pleas of the county in which the principal office of the district is located, or in the court of common pleas of the county in which the cause of action arose, and all summonses, exceptions, and notices of every kind shall be served on the district by leaving a copy thereof at the principal office with the person in charge thereof or with the secretary of the district;

(E) Assume any liability or obligation of any person or political subdivision, including a right on the part of such district to indemnify and save harmless the other contracting party from any loss, cost, or liability by reason of the failure, refusal, neglect, or omission of such district to perform any agreement assumed by it or to act or discharge any such obligation;

(F) Make loans and grants to political subdivisions for the acquisition or construction of water resource projects by such political subdivisions and adopt rules, regulations, and procedures for making such loans and grants;

(G) Acquire, construct, reconstruct, enlarge, improve, furnish, equip, maintain, repair, operate, lease or rent to or from, or contract for operation by or for, a political subdivision or person, water resource projects within or without the district;

(H) Make available the use or service of any water resource project to one or more persons, one or more political subdivisions, or any combination thereof;

(I) Levy and collect taxes and special assessments;

(J) Issue bonds and notes and refunding bonds and notes as provided in Chapter 6119. of the Revised Code;

(K) Acquire by gift or purchase, hold, and dispose of real and personal property in the exercise of its powers and the performance of its duties under Chapter 6119. of the Revised Code;

(L) Dispose of, by public or private sale, or lease any real or personal property determined by the board of trustees to be no longer necessary or needed for the operation or purposes of the district;

(M) Acquire, in the name of the district, by purchase or otherwise, on such terms and in such manner as it considers proper, or by the exercise of the right of condemnation in the manner provided by section 6119.11 of the

Revised Code, such public or private lands, including public parks, playgrounds, or reservations, or parts thereof or rights therein, rights-of-way, property, rights, easements, and interests as it considers necessary for carrying out Chapter 6119. of the Revised Code, but excluding the acquisition by the exercise of the right of condemnation of any waste water facility or water management facility owned by any person or political subdivision, and compensation shall be paid for public or private lands so taken;

(N) Adopt rules and regulations to protect augmented flow by the district in waters of the state, to the extent augmented by a water resource project, from depletion so it will be available for beneficial use, to provide standards for the withdrawal from waters of the state of the augmented flow created by a water resource project which is not returned to the waters of the state so augmented, and to establish reasonable charges therefor, if considered necessary by the district;

(O) Make and enter into all contracts and agreements and execute all instruments necessary or incidental to the performance of its duties and the execution of its powers under Chapter 6119. of the Revised Code;

(P) Enter into contracts with any person or any political subdivision to render services to such contracting party for any service the district is authorized to provide;

(Q) Enter into agreements for grants or the receipt and repayment of loans from a board of township trustees under section 505.705 of the Revised Code;

(R) Make provision for, contract for, or sell any of its by-products or waste;

~~(R)~~(S) Exercise the power of eminent domain in the manner provided in Chapter 6119. of the Revised Code;

~~(S)~~(T) Remove or change the location of any fence, building, railroad, canal, or other structure or improvement located in or out of the district, and in case it is not feasible or economical to move any such building, structure, or improvement situated in or upon lands required, and if the cost is determined by the board to be less than that of purchase or condemnation, to acquire land and construct, acquire, or install therein or thereon buildings, structures, or improvements similar in purpose, to be exchanged for such buildings, structures, or improvements under contracts entered into between the owner thereof and the district;

~~(T)~~(U) Receive and accept, from any federal or state agency, grants for or in aid of the construction of any water resource project, and receive and accept aid or contributions from any source of money, property, labor, or

other things of value, to be held, used, and applied only for the purposes for which such grants and contributions are made;

~~(U)~~(V) Purchase fire and extended coverage and liability insurance for any water resource project and for the principal office and suboffices of the district, insurance protecting the district and its officers and employees against liability for damage to property or injury to or death of persons arising from its operations, and any other insurance the district may agree to provide under any resolution authorizing its water resource revenue bonds or in any trust agreement securing the same;

~~(V)~~(W) Charge, alter, and collect rentals and other charges for the use of services of any water resource project as provided in section 6119.09 of the Revised Code. Such district may refuse the services of any of its projects if any of such rentals or other charges, including penalties for late payment, are not paid by the user thereof, and, if such rentals or other charges are not paid when due and upon certification of nonpayment to the county auditor, such rentals or other charges constitute a lien upon the property so served, shall be placed by ~~him~~ the auditor upon the real property tax list and duplicate, and shall be collected in the same manner as other taxes;

~~(W)~~(X) Provide coverage for its employees under Chapters 145., 4123., and 4141. of the Revised Code;

~~(X)~~(Y) Merge or combine with any other regional water and sewer district into a single district, which shall be one of the constituent districts, on terms so that the surviving district shall be possessed of all rights, capacity, privileges, powers, franchises, and authority of the constituent districts and shall be subject to all the liabilities, obligations, and duties of each of the constituent districts and all rights of creditors of such constituent districts shall be preserved unimpaired, limited in lien to the property affected by such liens immediately prior to the time of the merger and all debts, liabilities, and duties of the respective constituent districts shall thereafter attach to the surviving district and may be enforced against it, and such other terms as are agreed upon, provided two-thirds of the members of each of the boards consent to such merger or combination. Such merger or combination shall become legally effective unless, prior to the ninetieth day following the later of the consents, qualified electors residing in either district equal in number to a majority of the qualified electors voting at the last general election in such district file with the secretary of the board of trustees of their regional water and sewer district a petition of remonstrance against such merger or combination. The secretary shall cause the board of elections of the proper county or counties to check the sufficiency of the signatures on such petition.

~~(Y)~~(Z) Exercise the powers of the district without obtaining the consent of any other political subdivision, provided that all public or private property damaged or destroyed in carrying out the powers of the district shall be restored or repaired and placed in its original condition as nearly as practicable or adequate compensation made therefor by the district;

~~(Z)~~(AA) Require the owner of any premises located within the district to connect ~~his~~ the owner's premises to a water resource project determined to be accessible to such premises and found to require such connection so as to prevent or abate pollution or protect the health and property of persons in the district. Such connection shall be made in accordance with procedures established by the board of trustees of such district and pursuant to such orders as the board may find necessary to ensure and enforce compliance with such procedures;

~~(AA)~~(BB) Do all acts necessary or proper to carry out the powers granted in Chapter 6119. of the Revised Code.

Sec. 6121.04. The Ohio water development authority may do any or all of the following:

(A) Adopt bylaws for the regulation of its affairs and the conduct of its business;

(B) Adopt an official seal;

(C) Maintain a principal office and suboffices at places within the state that it designates;

(D) Sue and plead in its own name and be sued and impleaded in its own name with respect to its contracts or torts of its members, employees, or agents acting within the scope of their employment, or to enforce its obligations and covenants made under sections 6121.06, 6121.08, and 6121.13 of the Revised Code. Any such actions against the authority shall be brought in the court of common pleas of the county in which the principal office of the authority is located or in the court of common pleas of the county in which the cause of action arose, provided that the county is located within this state, and all summonses, exceptions, and notices of every kind shall be served on the authority by leaving a copy thereof at the principal office with the person in charge thereof or with the secretary-treasurer of the authority.

(E) Make loans and grants to governmental agencies for the acquisition or construction of water development projects by any such governmental agency and adopt rules and procedures for making such loans and grants;

(F) Acquire, construct, reconstruct, enlarge, improve, furnish, equip, maintain, repair, operate, or lease or rent to, or contract for operation by, a governmental agency or person, water development projects, and establish

rules for the use of those projects;

(G) Make available the use or services of any water development project to one or more persons, one or more governmental agencies, or any combination thereof;

(H) Issue water development revenue bonds and notes and water development revenue refunding bonds of the state, payable solely from revenues as provided in section 6121.06 of the Revised Code, unless the bonds are refunded by refunding bonds, for the purpose of paying any part of the cost of one or more water development projects or parts thereof;

(I) Acquire by gift or purchase, hold, and dispose of real and personal property in the exercise of its powers and the performance of its duties under this chapter;

(J) Acquire, in the name of the state, by purchase or otherwise, on terms and in the manner that it considers proper, or by the exercise of the right of condemnation in the manner provided by section 6121.18 of the Revised Code, public or private lands, including public parks, playgrounds, or reservations, or parts thereof or rights therein, rights-of-way, property, rights, easements, and interests that it considers necessary for carrying out this chapter, but excluding the acquisition by the exercise of the right of condemnation of any waste water facility or water management facility owned by any person or governmental agency, and compensation shall be paid for public or private lands so taken, except that a government-owned waste water facility may be appropriated in accordance with section 6121.041 of the Revised Code;

(K) Adopt rules to protect augmented flow in waters of the state, to the extent augmented by a water development project, from depletion so it will be available for beneficial use, and to provide standards for the withdrawal from waters of the state of the augmented flow created by a water development project that is not returned to the waters of the state so augmented and to establish reasonable charges therefor if considered necessary by the authority;

(L) Make and enter into all contracts and agreements and execute all instruments necessary or incidental to the performance of its duties and the execution of its powers under this chapter in accordance with the following requirements:

(1) When the cost under any such contract or agreement, other than compensation for personal services, involves an expenditure of more than twenty-five thousand dollars, the authority shall make a written contract with the lowest responsive and responsible bidder, in accordance with section 9.312 of the Revised Code, after advertisement for not less than two

consecutive weeks in a newspaper of general circulation in Franklin county, and in other publications that the authority determines, which shall state the general character of the work and the general character of the materials to be furnished, the place where plans and specifications therefor may be examined, and the time and place of receiving bids, provided that a contract or lease for the operation of a water development project constructed and owned by the authority or an agreement for cooperation in the acquisition or construction of a water development project pursuant to section 6121.13 of the Revised Code or any contract for the construction of a water development project that is to be leased by the authority to, and operated by, persons who are not governmental agencies and the cost of the project is to be amortized exclusively from rentals or other charges paid to the authority by persons who are not governmental agencies is not subject to the foregoing requirements and the authority may enter into such a contract or lease or such an agreement pursuant to negotiation and upon terms and conditions and for the period that it finds to be reasonable and proper in the circumstances and in the best interests of proper operation or of efficient acquisition or construction of the project.

(2) Each bid for a contract for the construction, demolition, alteration, repair, or reconstruction of an improvement shall contain the full name of every person interested in it and shall meet the requirements of section 153.54 of the Revised Code.

(3) Each bid for a contract except as provided in division (L)(2) of this section shall contain the full name of every person or company interested in it and shall be accompanied by a sufficient bond or certified check on a solvent bank that if the bid is accepted, a contract will be entered into and the performance thereof secured.

(4) The authority may reject any and all bids.

(5) A bond with good and sufficient surety, approved by the authority, shall be required of every contractor awarded a contract except as provided in division (L)(2) of this section, in an amount equal to at least fifty per cent of the contract price, conditioned upon the faithful performance of the contract.

(M) Employ managers, superintendents, and other employees and retain or contract with consulting engineers, financial consultants, accounting experts, architects, attorneys, and other consultants and independent contractors that are necessary in its judgment to carry out this chapter, and fix the compensation thereof. All expenses thereof shall be payable solely from the proceeds of water development revenue bonds or notes issued under this chapter, from revenues, or from funds appropriated for that

purpose by the general assembly.

(N) Receive and accept from any federal agency, subject to the approval of the governor, grants for or in aid of the construction of any water development project or for research and development with respect to waste water or water management facilities, and receive and accept aid or contributions from any source of money, property, labor, or other things of value, to be held, used, and applied only for the purposes for which the grants and contributions are made;

(O) Engage in research and development with respect to waste water or water management facilities;

(P) Purchase fire and extended coverage and liability insurance for any water development project and for the principal office and suboffices of the authority, insurance protecting the authority and its officers and employees against liability for damage to property or injury to or death of persons arising from its operations, and any other insurance the authority may agree to provide under any resolution authorizing its water development revenue bonds or in any trust agreement securing the same;

(Q) Charge, alter, and collect rentals and other charges for the use or services of any water development project as provided in section 6121.13 of the Revised Code;

(R) Provide coverage for its employees under Chapters 145., 4123., and 4141. of the Revised Code;

(S) Assist in the implementation and administration of the drinking water assistance fund and program created in section 6109.22 of the Revised Code and the water pollution control loan fund and program created in section 6111.036 of the Revised Code, including, without limitation, performing or providing fiscal management for the funds and investing and disbursing moneys in the funds, and enter into all necessary and appropriate agreements with the director of environmental protection for those purposes;

(T) Issue water development revenue bonds and notes of the state in principal amounts that are necessary for the purpose of raising moneys for the sole benefit of the water pollution control loan fund created in section 6111.036 of the Revised Code, including moneys to meet the requirement for providing matching moneys under division (D) of that section. The bonds and notes may be secured by appropriate trust agreements and repaid from moneys credited to the fund from payments of principal and interest on loans made from the fund, as provided in division (F) of section 6111.036 of the Revised Code.

(U) Issue water development revenue bonds and notes of the state in principal amounts that are necessary for the purpose of raising moneys for

the sole benefit of the drinking water assistance fund created in section 6109.22 of the Revised Code, including moneys to meet the requirement for providing matching moneys under divisions (B) and (F) of that section. The bonds and notes may be secured by appropriate trust agreements and repaid from moneys credited to the fund from payments of principal and interest on loans made from the fund, as provided in division (F) of section 6109.22 of the Revised Code.

(V) Make loans to and enter into agreements with boards of county commissioners for the purposes of section ~~4521.26~~ 1506.44 of the Revised Code and adopt rules establishing requirements and procedures for making the loans and entering into the agreements;

(W) Do all acts necessary or proper to carry out the powers expressly granted in this chapter.

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

Sec. 6131.23. The assessments estimated in accordance with section 6131.14 of the Revised Code shall be payable in not less than two semiannual installments. At the time of the final hearing, in the order approving the levying of the assessments, the board of county commissioners shall determine how long a period of time, in semiannual installments, as taxes are paid, shall be given the owners of land benefited to pay the assessments that are made for an improvement and whether or not bonds or notes shall be issued and sold in anticipation of such payments. If bonds or notes are to be issued, the interest shall be added to the assessments. If the estimated cost of the improvement does not exceed five hundred dollars, not more than two semiannual installments, as taxes are paid, shall be given to owners of lands benefited to pay the assessments that are made for the improvement. If the estimated cost of the improvement exceeds five hundred dollars, the board may determine the number of installments in which the assessments are to be paid. If any such assessment is twenty-five dollars or less, or whenever the unpaid balance of any such assessment is twenty-five dollars or less, the same shall be paid in full, and not in installments, at the time the first or next installment would otherwise become due.

When assessments are payable in installments and county general funds are used to pay for the improvement, the assessment shall not exceed ~~ten~~ thirty semiannual installments, as computed by the county auditor pursuant to section 6131.49 of the Revised Code, and shall be payable upon completion of the contract.

When assessments are made payable in installments and bonds or notes have been sold to pay for the improvement, interest shall be added to the installments of assessments at the same rate as is drawn by the bonds or notes issued to pay for the improvements. Any owner may pay the estimated assessments on the owner's land in cash within thirty days after the final hearing without paying any interest thereon. If the legislative authority of a political subdivision chooses to pay the assessments on all parcels within the subdivision, both public and private, in one installment, it shall pass a resolution so stating and shall send the resolution, or a copy thereof, to the board of county commissioners before making the payment. The legislative authority shall pay all subsequent maintenance assessments levied under section 6137.03 of the Revised Code if it chooses to pay the construction assessments on all parcels within the subdivision.

Bonds may be sold for any repayment period that the board of county commissioners may determine proper, not to exceed ~~sixteen~~ thirty semiannual installments, except that for bonds sold by a board of county commissioners for soil and water conservation district improvements pursuant to section 1515.24 of the Revised Code, the repayment period shall not exceed thirty semiannual installments.

SECTION 101.02. That existing sections 9.821, 9.822, 9.823, 9.83, 107.12, 107.40, 109.57, 109.572, 109.93, 111.18, 117.11, 119.07, 120.33, 121.48, 121.51, 122.17, 122.171, 122.602, 122.652, 124.152, 125.04, 125.45, 125.93, 125.96, 125.97, 125.98, 126.07, 126.08, 126.16, 126.21, 126.22, 127.16, 131.44, 133.01, 133.081, 149.311, 151.08, 151.40, 156.02, 164.03, 164.08, 164.09, 166.08, 167.04, 173.04, 173.35, 173.71, 173.85, 173.86, 174.03, 174.06, 183.01, 183.021, 183.17, 183.33, 183.34, 183.35, 305.31, 307.672, 307.695, 307.98, 307.981, 308.04, 317.08, 319.202, 319.54, 322.01, 323.131, 323.151, 323.152, 323.153, 323.154, 325.31, 329.04, 329.05, 329.14, 340.03, 505.37, 505.376, 505.705, 517.08, 709.01, 711.001, 711.05, 711.10, 711.131, 718.01, 718.03, 718.13, 901.171, 1503.05, 1504.02, 1506.01, 1506.99, 1513.08, 1513.18, 1514.081, 1514.40, 1521.01, 1521.20, 1521.21, 1521.22, 1521.23, 1521.24, 1521.25, 1521.26, 1521.27, 1521.28, 1521.29, 1521.30, 1521.99, 1531.06, 1531.35, 1555.08, 1557.03, 1901.34, 2113.041, 2117.061, 2117.25, 2151.362, 2305.2341, 2744.02, 2913.40, 2921.42, 2927.023, 2935.03, 3109.04, 3109.041, 3119.022, 3119.023, 3119.05, 3119.27, 3119.29, 3119.30, 3119.32, 3125.12, 3301.011, 3301.07, 3301.0711, 3301.0714, 3301.0718, 3301.12, 3301.311, 3301.53, 3302.03, 3302.10, 3307.01, 3307.31, 3309.01, 3309.51, 3310.41, 3311.24, 3311.51, 3311.521, 3313.532, 3313.537, 3313.603, 3313.615,

The above boxed and initialed text was disapproved.

Date: June 30, 2007

Ted Strickland
Ted Strickland Governor

3313.64, 3313.646, 3313.66, 3313.661, 3313.841, 3313.843, 3313.97,
3313.974, 3313.977, 3313.978, 3313.98, 3313.983, 3314.015, 3314.02,
3314.06, 3314.061, 3314.074, 3314.08, 3314.083, 3314.091, 3314.26,
3317.01, 3317.012, 3317.013, 3317.014, 3317.015, 3317.016, 3317.017,
3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.025, 3317.026,
3317.027, 3317.028, 3317.029, 3317.0216, 3317.0217, 3317.03, 3317.031,
3317.032, 3317.04, 3317.05, 3317.051, 3317.052, 3317.06, 3317.063,
3317.07, 3317.08, 3317.15, 3317.16, 3317.19, 3317.20, 3317.201, 3318.01,
3318.011, 3318.023, 3318.12, 3318.15, 3318.26, 3318.36, 3319.29, *W*
3319.291, 3319.301, 3319.31, 3319.55, 3321.03, 3323.011, 3323.02,
3323.03, 3323.031, 3323.04, 3323.05, 3323.051, 3323.07, 3323.09,
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3327.05, 3327.16, 3333.04, 3333.122, 3333.36, 3333.38, 3345.05, 3345.32,
3353.03, 3354.10, 3357.01, 3357.10, 3358.06, 3365.01, 3365.02, 3365.03,
3365.04, 3365.041, 3365.05, 3365.07, 3365.09, 3365.11, 3381.04, 3501.01,
3501.05, 3501.11, 3501.17, 3501.31, 3505.062, 3505.063, 3505.23, 3509.08,
3513.21, 3517.093, 3517.106, 3517.11, 3517.13, 3517.992, 3599.17,
3599.19, 3599.37, 3701.74, 3701.741, 3702.52, 3702.5211, 3702.5212,
3702.5213, 3702.57, 3702.63, 3702.68, 3704.03, 3705.24, 3706.01, 3706.03,
3706.041, 3706.05, 3706.07, 3718.03, 3721.51, 3721.541, 3721.56, *W*
3727.391, 3734.57, 3735.672, 3743.17, 3743.19, 3743.25, 3743.75, 3745.04,
3745.11, 3767.41, 3769.087, 3770.03, 3770.06, 3905.36, 3923.281, 4112.12,
4112.13, 4117.06, 4141.09, 4301.20, 4301.24, 4301.43, 4303.03, 4503.06,
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4503.35, 4505.06, 4508.10, 4513.241, 4513.263, 4513.35, 4715.251,
4717.07, 4723.32, 4723.621, 4723.63, 4723.64, 4723.65, 4723.66, 4731.053,
4731.142, 4731.22, 4735.10, 4735.141, 4736.01, 4743.05, 4755.03, 4766.05,
4775.08, 4921.40, 5101.141, 5101.16, 5101.162, 5101.21, 5101.211,
5101.212, 5101.213, 5101.24, 5101.242, 5101.244, 5101.26, 5101.27,
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5101.802, 5101.98, 5104.04, 5104.30, 5107.02, 5107.03, 5107.05, 5107.10,
5107.12, 5107.14, 5107.16, 5107.17, 5107.18, 5107.281, 5107.30, 5107.36,
5107.41, 5107.42, 5107.70, 5111.01, 5111.013, 5111.014, 5111.016,
5111.019, 5111.0111, 5111.0112, 5111.023, 5111.03, 5111.06, 5111.084,
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5123.012, 5123.043, 5123.045, 5123.046, 5123.047, 5123.048, 5123.049,
5123.0411, 5123.051, 5123.19, 5123.196, 5123.198, 5123.20, 5123.211,

The above boxed and initialed text was
disapproved.

Date: June 30 2007

Ted Strickland
Ted Strickland, Governor

5123.38, 5123.41, 5123.51, 5123.60, 5123.602, 5123.99, 5126.038, 5126.04, 5126.041, 5126.042, 5126.046, 5126.05, 5126.054, 5126.055, 5126.056, 5126.057, 5126.06, 5126.12, 5126.15, 5126.18, 5126.19, 5126.25, 5126.40, 5126.42, 5126.43, 5126.45, 5126.47, 5139.43, 5323.01, 5323.02, 5323.99, 5528.54, 5531.10, 5537.04, 5537.16, 5537.99, 5703.80, 5705.01, 5705.25, 5705.29, 5705.44, 5709.68, 5711.01, 5713.011, 5725.24, 5727.06, 5727.45, 5727.81, 5727.84, 5727.85, 5727.86, 5727.87, 5733.12, 5733.39, 5733.98, 5739.02, 5739.032, 5739.033, 5739.035, 5739.09, 5739.12, 5739.122, 5739.123, 5739.21, 5741.02, 5741.03, 5741.05, 5741.121, 5743.01, 5743.20, 5743.99, 5745.02, 5745.05, 5745.13, 5747.01, 5747.03, 5747.47, 5747.50, 5747.501, 5747.51, 5747.54, 5747.98, 5748.01, 5748.02, 5749.02, 5751.20, 5751.21, 5751.23, 5907.15, 6109.21, 6111.04, 6111.44, 6119.06, 6121.04, and 6131.23 of the Revised Code are hereby repealed.

SECTION 105.01. That sections 103.141, 125.95, 183.02, 183.27, 183.32, 3318.47, 3318.48, 3318.49, 3323.01, 3323.06, 3323.08, 3323.11, 3333.29, 3704.14, 4911.021, 5111.161, 5123.16, 5123.182, 5123.199, 5126.035, 5126.036, 5126.053, 5126.431, 5126.44, 5126.451, 5743.331, 5747.61, 5747.62, and 5747.63 of the Revised Code are hereby repealed.

SECTION 105.03. That the version of section 3702.68 of the Revised Code that was to have taken effect July 1, 2007, as a result of Sections 3 to 5 of Am. Sub. S.B. 50 of the 121st General Assembly, as most recently amended by Am. Sub. H.B. 66 of the 126th General Assembly, is hereby repealed. It is the intent of this section to prevent the amendment of section 3702.68 of the Revised Code that was to have taken effect July 1, 2007.

SECTION 115.03. That section 5101.213 of the Revised Code is hereby repealed, effective July 1, 2008.

SECTION 120.01. During the period beginning July 1, 2007, and expiring July 1, 2009, the operation of sections 3718.02, 3718.05, 3718.06, 3718.07, 3718.08, 3718.09, 3718.10, 3718.99, and 6111.441 of the Revised Code is suspended. On July 1, 2009, sections 3718.02, 3718.05, 3718.06, 3718.07, 3718.08, 3718.09, 3718.10, 3718.99, and 6111.441 of the Revised Code, in either their present form or as they are later amended, again become operational.

The above boxed and initialed text was disapproved.

Date: June 30, 2007

Ted Strickland
Ted Strickland, Governor

SECTION 120.02. (A)(1) Effective July 2, 2007, the rules adopted by the Public Health Council under section 3718.02 of the Revised Code that took effect on January 1, 2007, are not valid. Not later than July 2, 2007, the Director of Health shall adopt rules that are identical to the rules adopted by the Public Health Council that were in effect prior to January 1, 2007, and were codified in Chapter 3701-29 of the Administrative Code, except the rules in that chapter that established requirements for separation distances from a water table and soil absorption requirements.

At the same time that the Public Health Council adopts the rules required under division (A)(2) of this section, the Director shall rescind the rules adopted under this division.

The adoption and rescission of rules under this division are not subject to section 119.03 of the Revised Code. However, the Director shall file the adoption and rescission of the rules in accordance with section 119.04 of the Revised Code. Upon that filing, the adoption and rescission of the rules take immediate effect.

(2) Not later than thirty days after the effective date of this section and notwithstanding any provision of law to the contrary, the Public Health Council shall rescind rules adopted by the Council under section 3718.02 of the Revised Code, that took effect on January 1, 2007. At the same time as those rules are rescinded, the Council shall adopt rules that are identical to the rules adopted by the Council that were in effect prior to January 1, 2007, and were codified in Chapter 3701-29 of the Administrative Code, except the rules in that Chapter that established requirements for separation distances from a water table and soil absorption requirements. Instead, a board of health or the authority having the duties of a board of health shall adopt standards establishing requirements for separation distances from a water table and soil absorption requirements based on the water table and soils in the applicable health district for purposes of the installation and operation of household sewage treatment systems and small flow on-site sewage treatment systems in the applicable health district.

The rescission and adoption of rules under this division are not subject to section 119.03 of the Revised Code. However, the Public Health Council shall file the rules in accordance with section 119.04 of the Revised Code. Upon that filing, the rules take immediate effect.

(B) A local board of health or the authority having the duties of a board of health may adopt standards for use in the health district that are more stringent than the rules adopted under division (A)(1) or (2) of this section, provided that the board of health or authority having the duties of a board of

health in adopting such standards considers the economic impact of those standards on property owners, the state of available technology, and the nature and economics of the available alternatives. If a board of health or authority having the duties of a board of health adopts standards that are more stringent than the rules adopted under division (A)(1) or (2) of this section, the board or authority shall send a copy of the standards to the Department of Health.

(C)(1) A board of health or the authority having the duties of a board of health shall approve or deny the use of household sewage treatment systems and small flow on-site sewage treatment systems in the applicable health district. In approving or denying a household sewage treatment system or a small flow on-site sewage treatment system for use in the health district, the board or authority shall consider the economic impact of the system on property owners, the state of available technology, and the nature and economics of the available alternatives, ensure that a system will not create a public health nuisance, and require a system to comply with the requirements established in divisions (C)(2) and (3) of this section.

(2) Notwithstanding any rule adopted by the Director of Health or the Public Health Council or standard adopted by a board of health or the authority having the duties of a board of health governing the installation and operation of sewage treatment systems, a board of health or the authority having the duties of a board of health shall ensure that the design and installation of a soil absorption system prevents public health nuisances. To the extent determined necessary by a board of health or the authority having the duties of a board of health, a sewage treatment system that is installed after the effective date of this section shall not discharge to a ditch, stream, pond, lake, natural or artificial waterway, drain tile, other surface water, or the surface of the ground unless authorized by a national pollutant discharge elimination system (NPDES) permit issued under Chapter 6111. of the Revised Code and rules adopted under it. In addition, a sewage treatment system shall not discharge to an abandoned well, a drainage well, a dry well or cesspool, a sinkhole, or another connection to ground water. As a condition to the issuance of a permit to operate a system, a board of health or the authority having the duties of a board of health shall require a service contract for any sewage treatment system that is subject to an NPDES permit to the extent required by the Environmental Protection Agency. If classified as a class V injection well, a household sewage treatment system serving a two- or three-family dwelling or a small flow on-site sewage treatment system shall comply with 40 C.F.R. 144, as published in the July 1, 2005, Code of Federal Regulations and with the

registration requirements established in rule 3745-34-13 of the Administrative Code.

(3) Notwithstanding any rule adopted by the Director of Health or the Public Health Council or standard adopted by a board of health or the authority having the duties of a board of health governing the installation and operation of household sewage treatment systems, all septic tanks, other disposal component tanks, dosing tanks, pump vaults, household sewage disposal system holding tanks and privy vaults, or other applicable sewage disposal system components manufactured after the effective date of this section and used in this state shall be watertight and structurally sound.

(4) For purposes of division (C) of this section, "economic impact" means all of the following with respect to the approval or denial of a household sewage treatment system or small flow on-site sewage treatment system, as applicable:

- (a) The cost of a proposed system;
- (b) The cost of an alternative system that will not create a public health nuisance;
- (c) A comparison of the costs of repairing a system as opposed to replacing the system with a new system;
- (d) The value of the dwelling or facility, as applicable, that the system services as indicated in the most recent tax duplicate.

(D)(1) Notwithstanding any rule adopted by the Director of Health or the Public Health Council governing the installation and operation of household sewage treatment systems, a board of health or the authority having the duties of a board of health may establish and collect fees for the purposes of this section.

(2) In addition to the fees that are authorized to be established under division (D)(1) of this section, there is hereby levied an application fee of twenty-five dollars for a sewage treatment system installation permit. A board of health or the authority having the duties of a board of health shall collect the fee on behalf of the Department of Health and forward the fee to the Department to be deposited in the state treasury to the credit of the Sewage Treatment System Innovation Fund, which is hereby created. Not more than seventy-five per cent of the money in the Fund shall be used by the Department to administer the sewage treatment system program, and not less than twenty-five per cent of the money in the Fund shall be used to establish a grant program in cooperation with boards of health to fund the installation and evaluation of new technology pilot projects. In the selection of the pilot projects, the Director of Health shall consult with the Sewage Treatment System Technical Advisory Committee created in section

3718.03 of the Revised Code.

(E) Not later than one year after the installation of a household sewage treatment system, a board of health or the authority having the duties of a board of health shall inspect the system to ensure that it is not a public health nuisance.

(F) The Department of Health may file an injunctive action against a board of health or the authority having the duties of a board of health that allows a household sewage treatment system or small flow on-site sewage treatment system to cause a public health nuisance, provided that the Department provides reasonable notice to the board or authority and allows for the opportunity to abate the nuisance prior to the action.

(G) The Environmental Protection Agency shall not require a board of health or the authority having the duties of a board of health to enter into a memorandum of understanding or any other agreement with the Agency regarding the issuance of NPDES permits for off-lot sewage treatment systems. Instead, a representative of a board of health or the authority having the duties of a board of health may meet with a person who intends to install such a system to determine the feasibility of the system and refer the person to the Agency to secure an NPDES permit for the system if needed. The Environmental Protection Agency, within ninety days or as quickly as possible after the effective date of this section, shall seek a revision to the general NPDES permit, issued pursuant to the federal Water Pollution Control Act as defined in section 6111.01 of the Revised Code, in order not to require a memorandum of understanding with a board of health or the authority having the duties of a board of health and that allows a property owner to seek coverage under the general NPDES permit for purposes of this division. A board of health or the authority having the duties of a board of health voluntarily may enter into a memorandum of understanding with the Environmental Protection Agency to implement the general NPDES permit. In the interim, the Agency shall work with boards of health or authorities having the duties of boards of health and with property owners in order to facilitate the owners' securing an NPDES permit in counties without a memorandum of understanding.

(H) Notwithstanding any rule adopted by the Director of Health or the Public Health Council governing the installation and operation of household sewage treatment systems, a board of health or the authority having the duties of a board of health that, prior to the effective date of this section, has obtained authority from the Department of Health and the Environmental Protection Agency to regulate small flow on-site sewage treatment systems may continue to regulate such systems on and after the effective date of this

section. A board of health or the authority having the duties of a board of health that has not obtained such authority may request the authority from the Department of Health and the Environmental Protection Agency in the manner provided by law.

(I) Because the rules adopted by the Public Health Council under section 3718.02 of the Revised Code that were effective on January 1, 2007, have been rescinded by operation of this section, the references to those rules in section 3718.021 of the Revised Code are not operable. Instead, notwithstanding any other provisions of this section, the Director of Health or the Public Health Council, as applicable, shall provide for the implementation of section 3718.021 of the Revised Code in the rules that are required to be adopted under division (A) of this section.

(J) The Department of Health in cooperation with a board of health or the authority having the duties of a board of health shall assess the familiarity of the board's or authority's staff with the best practices in the use of sewage treatment systems and conduct appropriate training to educate the board's or authority's staff in those best practices and in the use of any new sewage treatment system technology that is recommended for use by the Sewage Treatment System Technical Advisory Committee created in section 3718.03 of the Revised Code.

(K)(1) As used in this section, "household sewage treatment system," "small flow on-site sewage treatment system," and "sewage treatment system" have the same meanings as in section 3718.01 of the Revised Code.

(2) For the purposes of this section, "household sewage treatment system" is deemed to mean "household sewage disposal system" as necessary for the operation of this section.

(3) For purposes of this section, a public health nuisance shall be deemed to exist when an inspection conducted by a board of health documents odor, color, or other visual manifestations of raw or poorly treated sewage and either of the following applies:

(a) Water samples exceed five thousand fecal coliform counts per one hundred milliliters (either MPN or MF) in two or more samples when five or fewer samples are collected or in more than twenty per cent of the samples when more than five samples are taken.

(b) Water samples exceed five hundred seventy-six E. Coli counts per one hundred milliliters in two or more samples when five or fewer samples are collected or in more than twenty per cent of the samples when more than five samples are taken.

(L) Neither the Director of Health or the Public Health Council shall adopt rules prior to July 1, 2009, that modify or change the requirements

established by this section.

(M) This section expires on the effective date of the rules that are to be adopted under section 3718.02 of the Revised Code when that section becomes operational on July 1, 2009, pursuant to Section 120.01 of this act.

SECTION 120.03. That sections 711.001, 711.05, 711.10, 711.131, 4736.01, 6111.04, and 6111.44 be further amended and section 3718.022 of the Revised Code be enacted to read as follows:

Sec. 711.001. As used in this chapter:

(A) "Plat" means a map of a tract or parcel of land.

(B) "Subdivision" means either of the following:

(1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the following are exempt:

(a) A division or partition of land into parcels of more than five acres not involving any new streets or easements of access;

(b) The sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites;

(c) If the planning authority adopts a rule in accordance with section 711.133 of the Revised Code that exempts from division (B)(1) of this section any parcel of land that is four acres or more, parcels in the size range delineated in that rule.

(2) The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any public or private street or streets, except private streets serving industrial structures, or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage, or other similar facilities.

~~(C) "Household sewage treatment system" has the same meaning as in section 3709.091 of the Revised Code.~~

Sec. 711.05. (A) Upon the submission of a plat for approval, in accordance with section 711.041 of the Revised Code, the board of county commissioners shall certify on it the date of the submission. Within five days of submission of the plat, the board shall schedule a meeting to consider the plat and send a written notice by regular mail to the fiscal officer of the board of township trustees of the township in which the plat is

located and the board of health of the health district in which the plat is located. The notice shall inform the trustees and the board of health of the submission of the plat and of the date, time, and location of any meeting at which the board of county commissioners will consider or act upon the proposed plat. The meeting shall take place within thirty days of submission of the plat, and no meeting shall be held until at least seven days have passed from the date the notice was sent by the board of county commissioners. The approval of the board required by section 711.041 of the Revised Code or the refusal to approve shall take place within thirty days from the date of submission or such further time as the applying party may agree to in writing; otherwise, the plat is deemed approved and may be recorded as if bearing such approval.

(B) The board may adopt general rules governing plats and subdivisions of land falling within its jurisdiction, to secure and provide for the coordination of the streets within the subdivision with existing streets and roads or with existing county highways, for the proper amount of open spaces for traffic, circulation, and utilities, and for the avoidance of future congestion of population detrimental to the public health, safety, or welfare, but shall not impose a greater minimum lot area than forty-eight hundred square feet. Before the board may amend or adopt rules, it shall notify all the townships in the county of the proposed amendments or rules by regular mail at least thirty days before the public meeting at which the proposed amendments or rules are to be considered.

The rules may require the board of health to review and comment on a plat before the board of county commissioners acts upon it and may also require proof of compliance with any applicable zoning resolutions, and with ~~rules governing household sewage treatment systems~~ rules adopted under section 3718.02 of the Revised Code, as a basis for approval of a plat. Where under section 711.101 of the Revised Code the board of county commissioners has set up standards and specifications for the construction of streets, utilities, and other improvements for common use, the general rules may require the submission of appropriate plans and specifications for approval. The board shall not require the person submitting the plat to alter the plat or any part of it as a condition for approval, as long as the plat is in accordance with general rules governing plats and subdivisions of land, adopted by the board as provided in this section, in effect at the time the plat was submitted and the plat is in accordance with any standards and specifications set up under section 711.101 of the Revised Code, in effect at the time the plat was submitted.

(C) The ground of refusal to approve any plat, submitted in accordance

with section 711.041 of the Revised Code, shall be stated upon the record of the board, and, within sixty days thereafter, the person submitting any plat that the board refuses to approve may file a petition in the court of common pleas of the county in which the land described in the plat is situated to review the action of the board. A board of township trustees is not entitled to appeal a decision of the board of county commissioners under this section.

Sec. 711.10. (A) Whenever a county planning commission or a regional planning commission adopts a plan for the major streets or highways of the county or region, no plat of a subdivision of land within the county or region, other than land within a municipal corporation or land within three miles of a city or one and one-half miles of a village as provided in section 711.09 of the Revised Code, shall be recorded until it is approved by the county or regional planning commission under division (C) of this section and the approval is endorsed in writing on the plat.

(B) A county or regional planning commission may require the submission of a preliminary plan for each plat sought to be recorded. If the commission requires this submission, it shall provide for a review process for the preliminary plan. Under this review process, the planning commission shall give its approval, its approval with conditions, or its disapproval of each preliminary plan. The commission's decision shall be in writing, shall be under the signature of the secretary of the commission, and shall be issued within thirty-five business days after the submission of the preliminary plan to the commission. The disapproval of a preliminary plan shall state the reasons for the disapproval. A decision of the commission under this division is preliminary to and separate from the commission's decision to approve, conditionally approve, or refuse to approve a plat under division (C) of this section.

(C) Within five calendar days after the submission of a plat for approval under this division, the county or regional planning commission shall schedule a meeting to consider the plat and send a notice by regular mail or by electronic mail to the fiscal officer of the board of township trustees of the township in which the plat is located and the board of health of the health district in which the plat is located. The notice shall inform the trustees and the board of health of the submission of the plat and of the date, time, and location of any meeting at which the county or regional planning commission will consider or act upon the plat. The meeting shall take place within thirty calendar days after submission of the plat, and no meeting shall be held until at least seven calendar days have passed from the date the planning commission sent the notice.

The approval of the county or regional planning commission, the

commission's conditional approval as described in this division, or the refusal of the commission to approve shall be endorsed on the plat within thirty calendar days after the submission of the plat for approval under this division or within such further time as the applying party may agree to in writing; otherwise that plat is deemed approved, and the certificate of the commission as to the date of the submission of the plat for approval under this division and the failure to take action on it within that time shall be sufficient in lieu of the written endorsement or evidence of approval required by this division.

A county or regional planning commission may grant conditional approval under this division to a plat by requiring a person submitting the plat to alter the plat or any part of it, within a specified period after the end of the thirty calendar days, as a condition for final approval under this division. Once all the conditions have been met within the specified period, the commission shall cause its final approval under this division to be endorsed on the plat. No plat shall be recorded until it is endorsed with the commission's final or unconditional approval under this division.

The ground of refusal of approval of any plat submitted under this division, including citation of or reference to the rule violated by the plat, shall be stated upon the record of the county or regional planning commission. Within sixty calendar days after the refusal under this division, the person submitting any plat that the commission refuses to approve under this division may file a petition in the court of common pleas of the proper county, and the proceedings on the petition shall be governed by section 711.09 of the Revised Code as in the case of the refusal of a planning authority to approve a plat. A board of township trustees is not entitled to appeal a decision of the commission under this division.

A county or regional planning commission shall adopt general rules, of uniform application, governing plats and subdivisions of land falling within its jurisdiction, to secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways or to the county or regional plan, for adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, and air, and for the avoidance of congestion of population. The rules may provide for their modification by the commission in specific cases where unusual topographical and other exceptional conditions require the modification. The rules may require the board of health to review and comment on a plat before the commission acts upon it and also may require proof of compliance with any applicable zoning resolutions, and with ~~rules governing household sewage treatment systems~~ rules adopted under section

3718.02 of the Revised Code, as a basis for approval of a plat.

Before adoption of its rules or amendment of its rules, the commission shall hold a public hearing on the adoption or amendment. Notice of the public hearing shall be sent to all townships in the county or region by regular mail or electronic mail at least thirty business days before the hearing. No county or regional planning commission shall adopt any rules requiring actual construction of streets or other improvements or facilities or assurance of that construction as a condition precedent to the approval of a plat of a subdivision unless the requirements have first been adopted by the board of county commissioners after a public hearing. A copy of the rules shall be certified by the planning commission to the county recorders of the appropriate counties.

After a county or regional street or highway plan has been adopted as provided in this section, the approval of plats and subdivisions provided for in this section shall be in lieu of any approvals provided for in other sections of the Revised Code, insofar as the territory within the approving jurisdiction of the county or regional planning commission, as provided in this section, is concerned. Approval of a plat shall not be an acceptance by the public of the dedication of any street, highway, or other way or open space shown upon the plat.

No county or regional planning commission shall require a person submitting a plat to alter the plat or any part of it as long as the plat is in accordance with the general rules governing plats and subdivisions of land, adopted by the commission as provided in this section, in effect at the time the plat is submitted.

A county or regional planning commission and a city or village planning commission, or platting commissioner or legislative authority of a village, with subdivision regulation jurisdiction over unincorporated territory within the county or region may cooperate and agree by written agreement that the approval of a plat by the city or village planning commission, or platting commissioner or legislative authority of a village, as provided in section 711.09 of the Revised Code, shall be conditioned upon receiving advice from or approval by the county or regional planning commission.

(D) As used in this section, "business day" means a day of the week excluding Saturday, Sunday, or a legal holiday as defined in section 1.14 of the Revised Code.

Sec. 711.131. (A) Notwithstanding sections 711.001 to 711.13 of the Revised Code and except as provided in division (C) of this section, unless the rules adopted under section 711.05, 711.09, or 711.10 of the Revised Code are amended pursuant to division (B) of this section, a proposed

division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road, and involving no more than five lots after the original tract has been completely subdivided, may be submitted to the planning authority having approving jurisdiction of plats under section 711.05, 711.09, or 711.10 of the Revised Code for approval without plat. If the authority acting through a properly designated representative finds that a proposed division is not contrary to applicable platting, subdividing, zoning, health, sanitary, or access management regulations, regulations adopted under division (B)(3) of section 307.37 of the Revised Code regarding existing surface or subsurface drainage, or ~~rules governing household sewage treatment systems~~ rules adopted under section 3718.02 of the Revised Code, it shall approve the proposed division within seven business days after its submission and, on presentation of a conveyance of the parcel, shall stamp the conveyance "approved by (planning authority); no plat required" and have it signed by its clerk, secretary, or other official as may be designated by it. The planning authority may require the submission of a sketch and other information that is pertinent to its determination under this division.

(B) For a period of up to two years after April 15, 2005, the rules adopted under section 711.05, 711.09, or 711.10 of the Revised Code may be amended within that period to authorize the planning authority involved to approve proposed divisions of parcels of land without plat under this division. If an authority so amends its rules, it may approve no more than five lots without a plat from an original tract as that original tract exists on the effective date of the amendment to the rules. The authority shall make the findings and approve a proposed division in the time and manner specified in division (A) of this section.

(C) This section does not apply to parcels subject to section 711.133 of the Revised Code.

(D) As used in this section, "business day" means a day of the week excluding Saturday, Sunday, or a legal holiday as defined in section 1.14 of the Revised Code.

Sec. 3718.022. Notwithstanding any provision in this chapter to the contrary, in adopting rules under division (A) of section 3718.02 of the Revised Code, the public health council shall consider the economic impact of the rules on property owners, the state of available technology, and the nature and economics of the available alternatives.

Sec. 4736.01. As used in this chapter:

(A) "Environmental health science" means the aspect of public health science that includes, but is not limited to, the following bodies of

knowledge: air quality, food quality and protection, hazardous and toxic substances, consumer product safety, housing, institutional health and safety, community noise control, radiation protection, recreational facilities, solid and liquid waste management, vector control, drinking water quality, milk sanitation, and rabies control.

(B) "Sanitarian" means a person who performs for compensation educational, investigational, technical, or administrative duties requiring specialized knowledge and skills in the field of environmental health science.

(C) "Registered sanitarian" means a person who is registered as a sanitarian in accordance with this chapter.

(D) "Sanitarian-in-training" means a person who is registered as a sanitarian-in-training in accordance with this chapter.

(E) "Practice of environmental health" means consultation, instruction, investigation, inspection, or evaluation by an employee of a city health district, a general health district, the environmental protection agency, the department of health, or the department of agriculture requiring specialized knowledge, training, and experience in the field of environmental health science, with the primary purpose of improving or conducting administration or enforcement under any of the following:

(1) Chapter 911., 913., 917., 3717., 3718., 3721., 3729., or 3733. of the Revised Code;

(2) Chapter 3734. of the Revised Code as it pertains to solid waste;

(3) Section 955.26, 3701.344, 3707.01, or 3707.03, sections 3707.38 to 3707.99, or section 3715.21 of the Revised Code;

(4) Rules adopted under section 3701.34 of the Revised Code pertaining to ~~home sewage~~, rabies control, or swimming pools;

(5) Rules adopted under section 3701.935 of the Revised Code for school health and safety network inspections and rules adopted under section 3707.26 of the Revised Code for sanitary inspections.

"Practice of environmental health" does not include sampling, testing, controlling of vectors, reporting of observations, or other duties that do not require application of specialized knowledge and skills in environmental health science performed under the supervision of a registered sanitarian.

The state board of sanitarian registration may further define environmental health science in relation to specific functions in the practice of environmental health through rules adopted by the board under Chapter 119. of the Revised Code.

Sec. 6111.04. (A) Both of the following apply except as otherwise provided in division (A) or (F) of this section:

(1) No person shall cause pollution or place or cause to be placed any sewage, sludge, sludge materials, industrial waste, or other wastes in a location where they cause pollution of any waters of the state.

(2) Such an action prohibited under division (A)(1) of this section is hereby declared to be a public nuisance.

Divisions (A)(1) and (2) of this section do not apply if the person causing pollution or placing or causing to be placed wastes in a location in which they cause pollution of any waters of the state holds a valid, unexpired permit, or renewal of a permit, governing the causing or placement as provided in sections 6111.01 to 6111.08 of the Revised Code or if the person's application for renewal of such a permit is pending.

(B) If the director of environmental protection administers a sludge management program pursuant to division (S) of section 6111.03 of the Revised Code, both of the following apply except as otherwise provided in division (B) or (F) of this section:

(1) No person, in the course of sludge management, shall place on land located in the state or release into the air of the state any sludge or sludge materials.

(2) An action prohibited under division (B)(1) of this section is hereby declared to be a public nuisance.

Divisions (B)(1) and (2) of this section do not apply if the person placing or releasing the sludge or sludge materials holds a valid, unexpired permit, or renewal of a permit, governing the placement or release as provided in sections 6111.01 to 6111.08 of the Revised Code or if the person's application for renewal of such a permit is pending.

(C) No person to whom a permit has been issued shall place or discharge, or cause to be placed or discharged, in any waters of the state any sewage, sludge, sludge materials, industrial waste, or other wastes in excess of the permissive discharges specified under an existing permit without first receiving a permit from the director to do so.

(D) No person to whom a sludge management permit has been issued shall place on the land or release into the air of the state any sludge or sludge materials in excess of the permissive amounts specified under the existing sludge management permit without first receiving a modification of the existing sludge management permit or a new sludge management permit to do so from the director.

(E) The director may require the submission of plans, specifications, and other information that the director considers relevant in connection with the issuance of permits.

(F) This section does not apply to any of the following:

(1) Waters used in washing sand, gravel, other aggregates, or mineral products when the washing and the ultimate disposal of the water used in the washing, including any sewage, industrial waste, or other wastes contained in the waters, are entirely confined to the land under the control of the person engaged in the recovery and processing of the sand, gravel, other aggregates, or mineral products and do not result in the pollution of waters of the state;

(2) Water, gas, or other material injected into a well to facilitate, or that is incidental to, the production of oil, gas, artificial brine, or water derived in association with oil or gas production and disposed of in a well, in compliance with a permit issued under Chapter 1509. of the Revised Code, or sewage, industrial waste, or other wastes injected into a well in compliance with an injection well operating permit. Division (F)(2) of this section does not authorize, without a permit, any discharge that is prohibited by, or for which a permit is required by, regulation of the United States environmental protection agency.

(3) Application of any materials to land for agricultural purposes or runoff of the materials from that application or pollution by animal waste or soil sediment, including attached substances, resulting from farming, silvicultural, or earthmoving activities regulated by Chapter 307. or 1511. of the Revised Code. Division (F)(3) of this section does not authorize, without a permit, any discharge that is prohibited by, or for which a permit is required by, the Federal Water Pollution Control Act or regulations adopted under it.

(4) The excrement of domestic and farm animals defecated on land or runoff therefrom into any waters of the state. Division (F)(4) of this section does not authorize, without a permit, any discharge that is prohibited by, or for which a permit is required by, the Federal Water Pollution Control Act or regulations adopted under it.

(5) On and after the date on which the United States environmental protection agency approves the NPDES program submitted by the director of agriculture under section 903.08 of the Revised Code, any discharge that is within the scope of the approved NPDES program submitted by the director of agriculture;

(6) The discharge of sewage, industrial waste, or other wastes into a sewerage system tributary to a treatment works. Division (F)(6) of this section does not authorize any discharge into a publicly owned treatment works in violation of a pretreatment program applicable to the publicly owned treatment works.

(7) ~~Septic tanks or other disposal systems for the disposal or treatment~~

~~of sewage from single family, two family, or three family dwellings~~ A household sewage treatment system or a small flow on-site sewage treatment system, as applicable, as defined in section 3718.01 of the Revised Code that is installed in compliance with the sanitary code and section 3707.01 Chapter 3718, of the Revised Code and rules adopted under it. Division (F)(7) of this section does not authorize, without a permit, any discharge that is prohibited by, or for which a permit is required by, regulation of the United States environmental protection agency.

(8) Exceptional quality sludge generated outside of this state and contained in bags or other containers not greater than one hundred pounds in capacity. As used in division (F)(8) of this section, "exceptional quality sludge" has the same meaning as in division (Y) of section 3745.11 of the Revised Code.

(G) The holder of a permit issued under section 402 (a) of the Federal Water Pollution Control Act need not obtain a permit for a discharge authorized by the permit until its expiration date. Except as otherwise provided in this division, the director of environmental protection shall administer and enforce those permits within this state and may modify their terms and conditions in accordance with division (J) of section 6111.03 of the Revised Code. On and after the date on which the United States environmental protection agency approves the NPDES program submitted by the director of agriculture under section 903.08 of the Revised Code, the director of agriculture shall administer and enforce those permits within this state that are issued for any discharge that is within the scope of the approved NPDES program submitted by the director of agriculture.

Sec. 6111.44. (A) Except as otherwise provided in division (B) of this section, in section 6111.14 of the Revised Code, or in rules adopted under division (G) of section 6111.03 of the Revised Code, no municipal corporation, county, public institution, corporation, or officer or employee thereof or other person shall provide or install sewerage or treatment works for sewage, sludge, or sludge materials disposal or treatment or make a change in any sewerage or treatment works until the plans therefor have been submitted to and approved by the director of environmental protection. Sections 6111.44 to 6111.46 of the Revised Code apply to sewerage and treatment works of a municipal corporation or part thereof, an unincorporated community, a county sewer district, or other land outside of a municipal corporation or any publicly or privately owned building or group of buildings or place, used for the assemblage, entertainment, recreation, education, correction, hospitalization, housing, or employment of persons.

In granting an approval, the director may stipulate modifications, conditions, and rules that the public health and prevention of pollution may require. Any action taken by the director shall be a matter of public record and shall be entered in the director's journal. Each period of thirty days that a violation of this section continues, after a conviction for the violation, constitutes a separate offense.

(B) Sections 6111.45 and 6111.46 of the Revised Code and division (A) of this section do not apply to any of the following:

(1) Sewerage or treatment works for sewage installed or to be installed for the use of a private residence or dwelling;

(2) Sewerage systems, treatment works, or disposal systems for storm water from an animal feeding facility or manure, as "animal feeding facility" and "manure" are defined in section 903.01 of the Revised Code;

(3) Animal waste treatment or disposal works and related management and conservation practices that are subject to rules adopted under division (E)(2) of section 1511.02 of the Revised Code;

(4) Sewerage or treatment works for the on-lot disposal or treatment of sewage from a small flow on-site sewage treatment system, as defined in section 3718.01 of the Revised Code, if the board of health of a city or general health district has notified the director of health and the director of environmental protection under section 3718.021 of the Revised Code that the board has chosen to regulate the system, provided that the board remains in compliance with the rules adopted under division (A)(13) of section 3718.02 of the Revised Code.

The exclusions established in divisions (B)(2) and (3) of this section do not apply to the construction or installation of disposal systems, as defined in section 6111.01 of the Revised Code, that are located at an animal feeding facility and that store, treat, or discharge wastewaters that do not include storm water or manure or that discharge to a publicly owned treatment works.

SECTION 120.04. That existing sections 711.001, 711.05, 711.10, 711.131, 4736.01, 6111.04, and 6111.44 of the Revised Code are hereby repealed.

SECTION 120.05. Sections 120.03 and 120.04 take effect on July 1, 2009.

SECTION 130.01. As is more completely explained in Sections 130.02

and 130.03 that follow, this act, pursuant to Section 611.03 of Am. Sub. H.B. 66 of the 126th General Assembly, confirms and orders implementation of the amendments and the enactment referred to in Section 611.03, the taking effect of which amendments and enactment by Am. Sub. H.B. 66 was postponed in whole or in part by Section 611.03 pending this confirmation and order.

SECTION 130.02. (A)(1) Sections 3311.19, 3313.12, and 4117.08 of the Revised Code are presented in division (B) of this section solely for the purpose of confirming the sections and ordering their implementation as they result from Am. Sub. H.B. 66 of the 126th General Assembly. No other action is being taken with regard to these sections.

(2) Section 9.833 of the Revised Code is presented in division (B) of this section for the purpose of confirming the section and ordering its implementation as it results from Am. Sub. H.B. 46 and Am. Sub. H.B. 66, both of the 126th General Assembly, and of amending the section to read as directed by this act. Section 9.90 of the Revised Code is presented in division (B) of this section for the purposes of confirming the section and ordering its implementation as it results from Am. Sub. H.B. 66 and Sub. H.B. 193 of the 126th General Assembly and of amending the section to read as directed by this act. Section 9.901 of the Revised Code is presented in division (B) of this section for the purposes of confirming the section and ordering its complete implementation as it results from Am. Sub. H.B. 66 of the 126th General Assembly and as it was subsequently amended by Am. Sub. H.B. 530 of the 126th General Assembly and of amending the section to read as directed by this act. Sections 3313.202, 3313.33, and 4117.03 of the Revised Code are presented in division (B) of this section for the purposes of confirming the sections and ordering their implementation as they result from Am. Sub. H.B. 66 of the 126th General Assembly and of amending the sections to read as directed by this act.

(B) Sections 9.833, 9.90, 9.901, 3311.19, 3313.12, 3313.202, 3313.33, 4117.03, and 4117.08 of the Revised Code are presented in this division as explained in divisions (A)(1) and (2) of this section:

Sec. 9.833. (A) As used in this section, "political subdivision" means a municipal corporation, township, county, or other body corporate and politic responsible for governmental activities in a geographic area smaller than that of the state, and agencies and instrumentalities of these entities. ~~For purposes of this section, a school district is not a "political subdivision."~~

(B) Political subdivisions that provide health care benefits for their officers or employees may do any of the following:

(1) Establish and maintain an individual self-insurance program with public moneys to provide authorized health care benefits, including but not limited to, health care, prescription drugs, dental care, and vision care, in accordance with division (C) of this section;

(2) Establish and maintain a health savings account program whereby employees or officers may establish and maintain health savings accounts in accordance with section 223 of the Internal Revenue Code. Public moneys may be used to pay for or fund federally qualified high deductible health plans that are linked to health savings accounts or to make contributions to health savings accounts. A health savings account program may be a part of a self-insurance program.

(3) After establishing an individual self-insurance program, agree with other political subdivisions that have established individual self-insurance programs for health care benefits, that their programs will be jointly administered in a manner specified in the agreement;

(4) Pursuant to a written agreement and in accordance with division (C) of this section, join in any combination with other political subdivisions to establish and maintain a joint self-insurance program to provide health care benefits;

(5) Pursuant to a written agreement, join in any combination with other political subdivisions to procure or contract for policies, contracts, or plans of insurance to provide health care benefits, which may include a health savings account program, for their officers and employees subject to the agreement;

(6) Use in any combination any of the policies, contracts, plans, or programs authorized under this division.

(C) Except as otherwise provided in division (E) of this section, the following apply to individual or joint self-insurance programs established pursuant to this section:

(1) Such funds shall be reserved as are necessary, in the exercise of sound and prudent actuarial judgment, to cover potential cost of health care benefits for the officers and employees of the political subdivision. A report of amounts so reserved and disbursements made from such funds, together with a written report of a member of the American academy of actuaries certifying whether the amounts reserved conform to the requirements of this division, are computed in accordance with accepted loss reserving standards, and are fairly stated in accordance with sound loss reserving principles, shall be prepared and maintained, within ninety days after the last day of the fiscal year of the entity for which the report is provided for that fiscal year, in the office of the program administrator described in division (C)(3) of this

section.

The report required by division (C)(1) of this section shall include, but not be limited to, disbursements made for the administration of the program, including claims paid, costs of the legal representation of political subdivisions and employees, and fees paid to consultants.

The program administrator described in division (C)(3) of this section shall make the report required by this division available for inspection by any person at all reasonable times during regular business hours, and, upon the request of such person, shall make copies of the report available at cost within a reasonable period of time.

(2) Each political subdivision shall reserve funds necessary for an individual or joint self-insurance program in a special fund that may be established for political subdivisions other than an agency or instrumentality pursuant to an ordinance or resolution of the political subdivision and not subject to section 5705.12 of the Revised Code. An agency or instrumentality shall reserve the funds necessary for an individual or joint self-insurance program in a special fund established pursuant to a resolution duly adopted by the agency's or instrumentality's governing board. The political subdivision may allocate the costs of insurance or any self-insurance program, or both, among the funds or accounts established under this division on the basis of relative exposure and loss experience.

(3) A contract may be awarded, without the necessity of competitive bidding, to any person, political subdivision, nonprofit corporation organized under Chapter 1702. of the Revised Code, or regional council of governments created under Chapter 167. of the Revised Code for purposes of administration of an individual or joint self-insurance program. No such contract shall be entered into without full, prior, public disclosure of all terms and conditions. The disclosure shall include, at a minimum, a statement listing all representations made in connection with any possible savings and losses resulting from the contract, and potential liability of any political subdivision or employee. The proposed contract and statement shall be disclosed and presented at a meeting of the political subdivision not less than one week prior to the meeting at which the political subdivision authorizes the contract.

A contract awarded to a nonprofit corporation or a regional council of governments under this division may provide that all employees of the nonprofit corporation or regional council of governments and the employees of all entities related to the nonprofit corporation or regional council of governments may be covered by the individual or joint self-insurance program under the terms and conditions set forth in the contract.

(4) The individual or joint self-insurance program shall include a contract with a member of the American academy of actuaries for the preparation of the written evaluation of the reserve funds required under division (C)(1) of this section.

(5) A joint self-insurance program may allocate the costs of funding the program among the funds or accounts established under this division to the participating political subdivisions on the basis of their relative exposure and loss experience.

(6) An individual self-insurance program may allocate the costs of funding the program among the funds or accounts established under this division to the political subdivision that established the program.

(7) Two or more political subdivisions may also authorize the establishment and maintenance of a joint health care cost containment program, including, but not limited to, the employment of risk managers, health care cost containment specialists, and consultants, for the purpose of preventing and reducing health care costs covered by insurance, individual self-insurance, or joint self-insurance programs.

(8) A political subdivision is not liable under a joint self-insurance program for any amount in excess of amounts payable pursuant to the written agreement for the participation of the political subdivision in the joint self-insurance program. Under a joint self-insurance program agreement, a political subdivision may, to the extent permitted under the written agreement, assume the risks of any other political subdivision. A joint self-insurance program established under this section is deemed a separate legal entity for the public purpose of enabling the members of the joint self-insurance program to obtain insurance or to provide for a formalized, jointly administered self-insurance fund for its members. An entity created pursuant to this section is exempt from all state and local taxes.

(9) Any political subdivision, other than an agency or instrumentality, may issue general obligation bonds, or special obligation bonds that are not payable from real or personal property taxes, and may also issue notes in anticipation of such bonds, pursuant to an ordinance or resolution of its legislative authority or other governing body for the purpose of providing funds to pay expenses associated with the settlement of claims, whether by way of a reserve or otherwise, and to pay the political subdivision's portion of the cost of establishing and maintaining an individual or joint self-insurance program or to provide for the reserve in the special fund authorized by division (C)(2) of this section.

In its ordinance or resolution authorizing bonds or notes under this

section, a political subdivision may elect to issue such bonds or notes under the procedures set forth in Chapter 133. of the Revised Code. In the event of such an election, notwithstanding Chapter 133. of the Revised Code, the maturity of the bonds may be for any period authorized in the ordinance or resolution not exceeding twenty years, which period shall be the maximum maturity of the bonds for purposes of section 133.22 of the Revised Code.

Bonds and notes issued under this section shall not be considered in calculating the net indebtedness of the political subdivision under sections 133.04, 133.05, 133.06, and 133.07 of the Revised Code. Sections 9.98 to 9.983 of the Revised Code are hereby made applicable to bonds or notes authorized under this section.

(10) A joint self-insurance program is not an insurance company. Its operation does not constitute doing an insurance business and is not subject to the insurance laws of this state.

(D) A political subdivision may procure group life insurance for its employees in conjunction with an individual or joint self-insurance program authorized by this section, provided that the policy of group life insurance is not self-insured.

(E) Divisions (C)(1), (2), and (4) of this section do not apply to individual self-insurance programs in municipal corporations, townships, or counties.

(F) A public official or employee of a political subdivision who is or becomes a member of the governing body of the program administrator of a joint self-insurance program in which the political subdivision participates is not in violation of division (D) or (E) of section 102.03, division (C) of section 102.04, or section 2921.42 of the Revised Code as a result of either of the following:

(1) The political subdivision's entering under this section into the written agreement to participate in the joint self-insurance program;

(2) The political subdivision's entering under this section into any other contract with the joint self-insurance program.

Sec. 9.90. (A) The governing board of any public institution of higher education, including without limitation state universities and colleges, community college districts, university branch districts, technical college districts, and municipal universities, may, in addition to all other powers provided in the Revised Code:

(1) Contract for, purchase, or otherwise procure from an insurer or insurers licensed to do business by the state of Ohio for or on behalf of such of its employees as it may determine, life insurance, or sickness, accident, annuity, endowment, health, medical, hospital, dental, or surgical coverage

and benefits, or any combination thereof, by means of insurance plans or other types of coverage, family, group or otherwise, and may pay from funds under its control and available for such purpose all or any portion of the cost, premium, or charge for such insurance, coverage, or benefits. However, the governing board, in addition to or as an alternative to the authority otherwise granted by division (A)(1) of this section, may elect to procure coverage for health care services, for or on behalf of such of its employees as it may determine, by means of policies, contracts, certificates, or agreements issued by at least two health insuring corporations holding a certificate of authority under Chapter 1751. of the Revised Code and may pay from funds under the governing board's control and available for such purpose all or any portion of the cost of such coverage.

(2) Make payments to a custodial account for investment in regulated investment company stock for the purpose of providing retirement benefits as described in section 403(b)(7) of the Internal Revenue Code of 1954, as amended. Such stock shall be purchased only from persons authorized to sell such stock in this state.

Any income of an employee deferred under divisions (A)(1) and (2) of this section in a deferred compensation program eligible for favorable tax treatment under the Internal Revenue Code of 1954, as amended, shall continue to be included as regular compensation for the purpose of computing the contributions to and benefits from the retirement system of such employee. Any sum so deferred shall not be included in the computation of any federal and state income taxes withheld on behalf of any such employee.

(B) All or any portion of the cost, premium, or charge therefor may be paid in such other manner or combination of manners as the governing board may determine, including direct payment by the employee in cases under division (A)(1) of this section, and, if authorized in writing by the employee in cases under division (A)(1) or (2) of this section, by such governing board with moneys made available by deduction from or reduction in salary or wages or by the foregoing of a salary or wage increase. Nothing in section 3917.01 or section 3917.06 of the Revised Code shall prohibit the issuance or purchase of group life insurance authorized by this section by reason of payment of premiums therefor by the governing board from its funds, and such group life insurance may be so issued and purchased if otherwise consistent with the provisions of sections 3917.01 to 3917.07 of the Revised Code.

(C) The board of education of any school district may exercise any of the powers granted to the governing boards of public institutions of higher

education under divisions (A) and (B) of this section, except in relation to the provision of health care benefits to employees. All health care benefits provided to persons employed by the public schools of this state shall be medical health care plans designed that contain best practices established by the school employees health care board pursuant to section 9.901 of the Revised Code.

Sec. 9.901. (A)(1) All health care benefits provided to persons employed by the public ~~schools~~ school districts of this state shall be provided by medical health care plans designed that contain best practices established pursuant to this section by the school employees health care board. ~~The board, in consultation with the superintendent of insurance, shall negotiate with and, in accordance with the competitive selection procedures of Chapter 125. of the Revised Code, contract with one or more insurance companies authorized to do business in this state for the issuance of the plans. Twelve months after the release of best practices by the board all policies or contracts for health care benefits provided to public school district employees that are issued or renewed after the expiration of any applicable collective bargaining agreement must contain best practices established pursuant to this section by the board. Any or all of the medical health care plans designed that contain best practices specified by the board may be self-insured. All self-insured plans adopted shall be administered by the board in accordance with this section.~~ As used in this section, a "public school district" means ~~a school in~~ a city, local, exempted village, or joint vocational school district, and includes the educational service centers associated with those ~~schools districts but not charter schools.~~

(2) ~~Prior to soliciting proposals from insurance companies for the issuance of medical plans, the board shall determine what geographic regions exist in the state based on the availability of providers, networks, costs, and other factors relating to providing health care benefits. The board shall then determine what medical plans are offered by school districts and existing consortiums in the state. The board shall determine what medical plan offered by a school district or existing consortium in the region offers the lowest premium cost plan.~~

(3) ~~The board shall develop a request for proposals and solicit bids for medical plans for the school districts in a region similar to the existing plans. The board shall also determine the benefits offered by existing medical plans, the employees' costs, and the cost sharing arrangements used by public schools participating in a consortium. The board shall determine what strategies are used by the existing medical plans to manage health care costs and shall study the potential benefits of state or regional consortiums~~

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~~of public schools offering multiple health care plans.~~ *JS*

~~(4) As used in this section, a:~~

(a) A ~~"medical health care plan"~~ includes group policies, contracts, and agreements that provide hospital, surgical, or medical expense coverage, including self-insured plans. A ~~"medical health care plan"~~ does not include an individual plan offered to the employees of a public school district, or a plan that provides coverage only for ~~dental services, vision services,~~ specific disease or accidents, or a hospital indemnity, medicare supplement, or other plan ~~including a group voluntary plan~~ that provides only supplemental benefits, paid for by the employees of a public school district. *JS*

(b) A "health plan sponsor" means a public school district, a consortium of public school districts, or a council of governments.

(B) The school employees health care board is hereby created. The school employees health care board shall consist of the following ~~nine~~ twelve members and shall include individuals with experience with public school district benefit programs, health care industry providers, and ~~medical health care plan~~ beneficiaries.

(1) ~~Three~~ Four members appointed by the governor, one of whom shall be representative of nonadministrative public school district employees;

(2) ~~Three~~ Four members appointed by the president of the senate, one of whom shall be representative of nonadministrative public school district employees;

(3) ~~Three~~ Four members appointed by the speaker of the house of representatives, one of whom shall be representative of nonadministrative public school district employees.

A member of the school employees health care board shall not be employed by, represent, or in any way be affiliated with a private entity that is providing services to the board, an individual school district, employers, or employees in the state of Ohio.

(C)(1) Members of the school employees health care board shall serve four-year terms; ~~however, one of each of the initial members appointed under divisions (B)(1) to (3) of this section shall be appointed to a term of one year. The initial appointments under this section shall be made within forty five days after September 29, 2005, but may be reappointed, except as otherwise specified in division (B) of this section.~~

~~Members' terms shall end on the twenty-ninth day of September, but a~~ A member shall continue to serve subsequent to the expiration of the member's term until a successor is appointed. Any vacancy occurring during a member's term shall be filled in the same manner as the original appointment, except that the person appointed to fill the vacancy shall be

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appointed to the remainder of the unexpired term.

(2) Members shall ~~serve without~~ receive compensation ~~but fixed~~ pursuant to division (J) of section 124.15 of the Revised Code and shall be reimbursed from the school employees health care fund for actual and necessary expenses incurred in the performance of their official duties as members of the board.

(3) Members may be removed by their appointing authority for misfeasance, malfeasance, incompetence, dereliction of duty, or other just cause.

(D)(1) ~~The governor shall call the first meeting of the school employees health care board. At that meeting, and annually thereafter~~ At the first meeting of the board after the first day of January of each calendar year, the board shall elect a chairperson and may elect members to other positions on the board as the board considers necessary or appropriate. The board shall meet at least ~~four~~ nine times each calendar year and shall also meet at the call of the chairperson or ~~three~~ four or more board members. The chairperson shall provide reasonable advance notice of the time and place of board meetings to all members.

(2) A majority of the board constitutes a quorum for the transaction of business at a board meeting. A majority vote of the members present is necessary for official action.

(E) The school employees health care board shall conduct its business at open meetings; however, the records of the board are not public records for purposes of section 149.43 of the Revised Code.

(F) The school employees health care fund is hereby created in the state treasury. ~~The public schools shall pay all school employees health care board plan premiums in the manner prescribed by the school employees health care board to the board for deposit into the school employees health care fund. All~~ The board shall use all funds in the school employees health care fund shall be used solely for the provision of health care benefits to public schools employees pursuant to this section to carry out the provisions of this section and related administrative costs. ~~Premiums received by the board or insurance companies contracted pursuant to division (A) of this section are not subject to any state insurance premium tax.~~

(G) The school employees health care board shall do all of the following:

(1) ~~Design multiple medical plans, including regional plans, to provide, in the board's judgment, the optimal combination of coverage, cost, choice, and stability of health cost benefits. The board may establish more than one tier of premium rates for any medical plan. The board shall establish regions~~

as necessary for the implementation of the board's medical plans. Plans and premium rates may vary across the regions established by the board.

(2) ~~Set an aggregate goal for employee and employer portions of premiums for the board's medical plans so as to manage plan participation and encourage the use of value based plan participation by employees;~~

(3) ~~Set employer and employee plan copayments, deductibles, exclusions, limitations, formularies, premium shares, and other responsibilities;~~

(4) ~~Include disease management and consumer education programs;~~ *JS*
~~the extent that the board determines is appropriate, in all medical plans designed by the board, which programs shall include, but are not limited to, wellness programs and other measures designed to encourage the wise use of medical plan coverage. These programs are not services or treatments for purposes of section 3901.71 of the Revised Code.~~ *JS*

(5) ~~Create and distribute to the governor, the speaker of the house of representatives, and the president of the senate, an annual report covering the plan background; plan coverage options; plan administration, including procedures for monitoring and managing objectives, scope, and methodology; plan operations; employee and employer contribution rates and the relationship between the rates and the school employees health care fund balance; a means to develop and maintain identity and evaluate alternative employee and employer cost sharing strategies; an evaluation of the effectiveness of cost saving services and programs; an evaluation of efforts to control and manage member eligibility and to insure that proper employee and employer contributions are remitted to the trust fund; efforts to prevent and detect fraud; and efforts to manage and monitor board contracts; Adopt and release a set of standards that shall be considered the best practices to which public school districts shall adhere in the selection and implementation of health care plans. The standards developed by the board shall not duplicate or conflict with existing requirements with which health insuring corporations and sickness and accident insurers must comply pursuant to Chapters 1751. and 3923. of the Revised Code.~~ *JS*

(2) Require that the plans the health plan sponsors administer make readily available to the public all cost and design elements of the plan;

(3) Work with health plan sponsors through educational outlets and consultation;

(4) Maintain a commitment to transparency and public access of its meetings and activity pursuant to division (E) of this section;

(5) Promote cooperation among all organizations affected by this section in identifying the elements for the successful implementation of this

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section:

(6) ~~Utilize~~ Promote cost containment measures aligned with patient, plan, and provider management strategies in developing and managing ~~medical~~ health care plans;

(7) Prepare and disseminate to the public an annual report on the status of health plan sponsors' effectiveness in making progress to reduce the rate of increase in insurance premiums and employee out of pocket expenses, as well as progress in improving the health status of school district employees and their families.

(H) The sections in Chapter 3923. of the Revised Code regulating public employee benefit plans are not applicable to the ~~medical~~ health care plans designed pursuant to this section.

(I)(1) ~~Public schools are not subject to this section prior to the release of medical plans designed pursuant to this section.~~

(2) ~~Prior to the school employees health care board's release of the board's initial medical plans, the~~ The board shall ~~may~~ may contract with ~~an~~ one or ~~more~~ independent ~~consultant~~ consultants to analyze costs related to employee health care benefits provided by existing public school district plans in this state. The ~~consultant shall determine~~ consultants may evaluate the benefits offered by existing ~~medical~~ health care plans, the employees' costs, and the cost-sharing arrangements used by public ~~schools~~ school districts either participating in a consortium or by other means. The ~~consultant shall determine~~ consultants may evaluate what strategies are used by the existing ~~medical~~ health care plans to manage health care costs and ~~shall study the potential benefits of state or regional consortiums of public schools offering multiple health care plans.~~ Based on the findings of the analysis, the ~~consultant shall~~ consultants may submit written recommendations to the board for the development and implementation of a successful ~~program~~ best practices and programs for pooling improving school districts' purchasing power for the acquisition of employee medical ~~health care~~ health care plans. The consultant's recommendations shall address, at a minimum, all of the following issues:

(a) ~~The establishment of regions for the provision of medical plans, based on the availability of providers and plans in the state at the time that the school employees health care board is established;~~

(b) ~~The use of regional preferred provider and closed panel plans, health savings accounts, and alternative medical plans, to stabilize both costs and the premiums charged school districts and district employees;~~

(c) ~~The development of a system to obtain eligibility data and data compiled pursuant to the "Consolidated Omnibus Budget Reconciliation Act~~

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of 1985 (COBRA)," 100 Stat. 227, 29 U.S.C. 1161, as amended;

~~(d) The use of the competitive bidding process for regional medical plans;~~

~~(e) The development of a timeline planning for the design and use of board medical plans by not later than December 31, 2007;~~

~~(f) The use of information on claims and costs and of information reported by districts pursuant to COBRA in analyzing administrative and premium costs;~~

~~(g) The experience of states that have mandated statewide medical plans for public school employees, including the implementation strategies used by those states;~~

~~(h) Recommended strategies for the use of first year roll in premiums in the transition from district medical plans to school employees health care board plans;~~

~~(i) The option of allowing school districts to join an existing regional consortium as an alternative to school employees health care board plans;~~

~~(j) Mandatory and optional coverages to be offered by the board's medical plans;~~

~~(k) Potential risks to the state from the use of medical plans developed pursuant to this section;~~

~~(l) Any legislation needed to ensure the long term financial solvency and stability of a health care purchasing system;~~

~~(m) The potential impacts of any changes to the existing purchasing structure on all of the following:~~

~~(i) Existing health care pooling and consortiums;~~

~~(ii) School district employees;~~

~~(iii) Individual school districts.~~

~~(n) Issues that could arise when school districts transition from the existing purchasing structure to a new purchasing structure;~~

~~(o) Strategies available to the board in the creation of fund reserves and the need for stop loss insurance coverage for catastrophic losses;~~

~~(p) Any legislation needed to establish and maintain medical plans designed pursuant to this section. The consultant shall submit all legislative recommendations not later than December 31, 2006, in writing, to the school employees health care board and to the governor, the speaker of the house of representatives, and the president of the senate.~~

(3)(J) The public schools health care advisory committee is hereby created under the school employees health care board. The committee shall make recommendations to the school employees health care board related to the board's accomplishment of the duties assigned to the board under this

section. The committee shall consist of eighteen members. The governor; ~~the speaker of the house of representatives, and the president of the senate shall each appoint a representative~~ shall appoint two representatives each from the Ohio education association, the Ohio school boards association, and a health insuring corporation licensed to do business in Ohio and recommended by the Ohio association of Health Plans. The speaker shall appoint two representatives each from the Ohio association of school business officials, the Ohio federation of teachers, and the buckeye association of school administrators. The president of the senate shall appoint two representatives each from the Ohio association of health underwriters, an existing health care consortium serving public schools, ~~and a health insuring corporation licensed to do business in Ohio and recommended by the Ohio association of health plans and the Ohio association of public school employees.~~ The initial appointees shall ~~be appointed to a one year term not later than July 31, 2007, the members' term to begin on that date. Subsequent one year~~ serve until December 31, 2007; subsequent two-year appointments, to commence on the ~~thirty first day of~~ July first day of January of each year thereafter, and shall be made in the same manner. A member shall continue to serve subsequent to the expiration of the member's term until the member's successor is appointed. Any vacancy occurring during a member's term shall be filled in the same manner as the original appointment, except that the person appointed to fill the vacancy shall be appointed to the remainder of the unexpired term. The ~~governor shall call the first meeting of each newly appointed committee. At that meeting the board~~ advisory committee shall elect a chairperson at its first meeting after the first day of January each year who shall call the time and place of future committee meetings in addition to the meetings that are to be held jointly with the school employees health care board. Committee members are not subject to the conditions for eligibility set by division (B) of this section for members of the school employees health care board.

(4) ~~The school employees health care board shall submit a written study to the governor and the general assembly not later than January 31, 2007, of a plan to operate in compliance with this section, and on the governance of the school employees health care board. A copy of the board's plan of operation, including audit provisions, shall accompany the report on the board's governance and the report shall include the board's recommendations on any legislation needed to enforce the recommendations of the board on implementing the provisions of this section.~~

(5) ~~Not later than January 15, 2009, and not later than the same day of each subsequent year, the school employees health care board shall submit a~~

~~written report to the governor and each member of the general assembly, which report evaluates the performance of school employees health care board medical plans during the previous year. Districts offering employee health care benefits through a plan offered by a consortium of two or more districts, or a consortium of one or more districts and one or more political subdivisions as defined in section 9.833 of the Revised Code, representing five thousand or more employees as of January 1, 2005, may request permission from the school employees health care board to continue offering consortium plans to the districts' employees at the discretion of the board. If the board grants permission, the permission is valid for only one year but may be renewed annually thereafter upon application to an approval of the board. The board shall grant initial or continued approval upon finding, based on an actuarial evaluation of the existing consortium plan offerings, that benefit design, premium costs, administrative cost, and other factors considered by the board are equivalent to or lower than comparable costs of the board's plan options offered to the local district. Age and gender adjustments, benefit comparison adjustments, and the total cost of the consortium plan, including administration, benefit cost, stop loss insurance, and all other expenses or information requested by the board shall be presented to the board prior to the board's decision to allow a local district to continue to offer health care benefits under a consortium plan. A district shall not participate in the consortium plan once the district has chosen to offer plans designed by the board to the district's employees and begins premium payments for deposit into the school employees health care fund.~~

~~(6)~~(K) The board may adopt rules for the enforcement of health plan sponsors' compliance with the best practices standards adopted by the board pursuant to this section.

~~(L)~~ Any districts providing ~~medical~~ health care plan coverage for the employees of public schools, ~~or that have provided coverage within two years prior to September 29, 2005,~~ school districts shall provide nonidentifiable aggregate claims data for the coverage to the school employees health care board ~~or the department of administrative services,~~ without charge, within ~~thirty~~ sixty days after receiving a written request from the board ~~or the department.~~ The claims data shall include data relating to employee group benefit sets, demographics, and claims experience.

~~(J)~~(M)(1) The school employees health care board may contract with other state agencies for services as the board deems necessary for the implementation and operation of this section, based on demonstrated experience and expertise in administration, management, data handling, actuarial studies, quality assurance, or for other needed services. The school

employees health care board ~~shall~~ may contract with the department of administrative services for central services until such time the board ~~is~~ deems itself able to obtain such services from its own staff or from other sources. The board shall reimburse the department of administrative services for the reasonable cost of those services.

~~(K) The board's administrative functions shall include, but are not limited to, the following:~~

~~(1) Maintaining reserves in the school employees health care fund, reinsurance, and other measures that in the judgment of the board will result in the long term stability and solvency of the medical plans designed by the board. The board shall bill school districts, in proportion to a district's premium payments to all premium payments paid into the school employees health care fund during the previous year, in order to maintain necessary reserves, reinsurance, and administrative and operating funds. Each school district contributing to a board medical plan shall share any losses due to the expense of claims paid by the plan. In the event of a loss, the board may bill each district an amount, in proportion to the district's premium payments to all premium payments paid into the school employees health care fund during the previous year, sufficient in total to cover the loss. The state is not liable for any obligations of the school employees health care board or the school employees health care fund, or for expenses of public schools or school districts related to the board's medical plans.~~

~~(2) Providing health care information, wellness programs, and other preventive health care measures to medical plan beneficiaries, to the extent that the board determines to be appropriate;~~

~~(3) Coordinating contracts for services related to the board's medical plans. Contracts shall be approved by the school employees health care board.~~

~~(L)~~ (2) The board shall hire staff as necessary to provide administrative support to the board and the public school employee health care plan program established by this section.

(N) Not less more than ninety days before coverage begins for public school district employees under medical health care plans ~~designed by~~ containing best practices prescribed by the school employees health care board, a public school district's board of education shall provide detailed information about the medical health care plans to the employees.

~~(M)~~ (O) Nothing in this section shall be construed as prohibiting public ~~schools or~~ school districts from consulting with and compensating insurance agents and brokers for professional services.

~~(N) The department of administrative services shall report to the~~

~~governor, the speaker of the house of representatives, and the president of the senate not later than April 30, 2007, on the feasibility of achieving all of the following:~~

~~(1) Designing multiple medical plans to cover persons employed by public institutions of higher education that achieve an optimal combination of coverage, cost, choice, and stability, which plans include both state and regional preferred provider plans, set employee and employer premiums, and set employee plan copayments, deductibles, exclusions, limitations, formularies, and other responsibilities. For this purpose, "public institutions of higher education" include, without limitation, state universities and colleges, state community college districts, community college districts, university branch districts, technical college districts, and municipal universities.~~

~~(2) Maintaining reserves, reinsurance, and other measures to insure the long term stability and solvency of the medical plans;~~

~~(3) Providing appropriate health care information, wellness programs, and other preventive health care measures to medical plan beneficiaries;~~

~~(4) Coordinating contracts for services related to the medical plans.~~

~~(P)(1) Pursuant to Chapter 117. of the Revised Code, the auditor of state shall conduct all necessary and required audits of the board. The auditor of state, upon request, also shall furnish to the board copies of audits of public school districts or consortia performed by the auditor of state.~~

~~(2) Annually, the superintendent of insurance shall evaluate the performance of the school employee health care board best practices during the previous year and submit the results in writing to the governor and the general assembly. The superintendent also shall include in the audit of the health care plans of the health plan sponsors for which the superintendent has jurisdiction for a determination of adherence to the best practices established by the board.~~

Sec. 3311.19. (A) The management and control of a joint vocational school district shall be vested in the joint vocational school district board of education. Where a joint vocational school district is composed only of two or more local school districts located in one county, or when all the participating districts are in one county and the boards of such participating districts so choose, the educational service center governing board of the county in which the joint vocational school district is located shall serve as the joint vocational school district board of education. Where a joint vocational school district is composed of local school districts of more than one county, or of any combination of city, local, or exempted village school districts or educational service centers, unless administration by the

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educational service center governing board has been chosen by all the participating districts in one county pursuant to this section, the board of education of the joint vocational school district shall be composed of one or more persons who are members of the boards of education from each of the city or exempted village school districts or members of the educational service centers' governing boards affected to be appointed by the boards of education or governing boards of such school districts and educational service centers. In such joint vocational school districts the number and terms of members of the joint vocational school district board of education and the allocation of a given number of members to each of the city and exempted village districts and educational service centers shall be determined in the plan for such district, provided that each such joint vocational school district board of education shall be composed of an odd number of members.

(B) Notwithstanding division (A) of this section, a governing board of an educational service center that has members of its governing board serving on a joint vocational school district board of education may make a request to the joint vocational district board that the joint vocational school district plan be revised to provide for one or more members of boards of education of local school districts that are within the territory of the educational service district and within the joint vocational school district to serve in the place of or in addition to its educational service center governing board members. If agreement is obtained among a majority of the boards of education and governing boards that have a member serving on the joint vocational school district board of education and among a majority of the local school district boards of education included in the district and located within the territory of the educational service center whose board requests the substitution or addition, the state board of education may revise the joint vocational school district plan to conform with such agreement.

(C) If the board of education of any school district or educational service center governing board included within a joint vocational district that has had its board or governing board membership revised under division (B) of this section requests the joint vocational school district board to submit to the state board of education a revised plan under which one or more joint vocational board members chosen in accordance with a plan revised under such division would again be chosen in the manner prescribed by division (A) of this section, the joint vocational board shall submit the revised plan to the state board of education, provided the plan is agreed to by a majority of the boards of education represented on the joint vocational board, a majority of the local school district boards included within the joint

vocational district, and each educational service center governing board affected by such plan. The state board of education may revise the joint vocational school district plan to conform with the revised plan.

(D) The vocational schools in such joint vocational school district shall be available to all youth of school age within the joint vocational school district subject to the rules adopted by the joint vocational school district board of education in regard to the standards requisite to admission. A joint vocational school district board of education shall have the same powers, duties, and authority for the management and operation of such joint vocational school district as is granted by law, except by this chapter and Chapters 124., 3317., 3323., and 3331. of the Revised Code, to a board of education of a city school district, and shall be subject to all the provisions of law that apply to a city school district, except such provisions in this chapter and Chapters 124., 3317., 3323., and 3331. of the Revised Code.

(E) Where a governing board of an educational service center has been designated to serve as the joint vocational school district board of education, the educational service center superintendent shall be the executive officer for the joint vocational school district, and the governing board may provide for additional compensation to be paid to the educational service center superintendent by the joint vocational school district, but the educational service center superintendent shall have no continuing tenure other than that of educational service center superintendent. The superintendent of schools of a joint vocational school district shall exercise the duties and authority vested by law in a superintendent of schools pertaining to the operation of a school district and the employment and supervision of its personnel. The joint vocational school district board of education shall appoint a treasurer of the joint vocational school district who shall be the fiscal officer for such district and who shall have all the powers, duties, and authority vested by law in a treasurer of a board of education. Where a governing board of an educational service center has been designated to serve as the joint vocational school district board of education, such board may appoint the educational service center superintendent as the treasurer of the joint vocational school district.

(F) Each member of a joint vocational school district board of education may be paid such compensation as the board provides by resolution, but it shall not exceed one hundred twenty-five dollars per member for each meeting attended plus mileage, at the rate per mile provided by resolution of the board, to and from meetings of the board.

The board may provide by resolution for the deduction of amounts payable for benefits under section 3313.202 of the Revised Code.

Each member of a joint vocational school district board may be paid such compensation as the board provides by resolution for attendance at an approved training program, provided that such compensation shall not exceed sixty dollars per day for attendance at a training program three hours or fewer in length and one hundred twenty-five dollars a day for attendance at a training program longer than three hours in length. However, no board member shall be compensated for the same training program under this section and section 3313.12 of the Revised Code.

Sec. 3313.12. Each member of the educational service center governing board may be paid such compensation as the governing board provides by resolution, provided that any such compensation shall not exceed one hundred twenty-five dollars a day plus mileage both ways, at the rate per mile provided by resolution of the governing board, for attendance at any meeting of the board. Such compensation and the expenses of the educational service center superintendent, itemized and verified, shall be paid from the educational service center governing board fund upon vouchers signed by the president of the governing board.

The board of education of any city, local, or exempted village school district may provide by resolution for compensation of its members, provided that such compensation shall not exceed one hundred twenty-five dollars per member for meetings attended. The board may provide by resolution for the deduction of amounts payable for benefits under section 3313.202 of the Revised Code.

Each member of a district board or educational service center governing board may be paid such compensation as the respective board provides by resolution for attendance at an approved training program, provided that such compensation shall not exceed sixty dollars a day for attendance at a training program three hours or fewer in length and one hundred twenty-five dollars a day for attendance at a training program longer than three hours in length.

Sec. 3313.202. Any elected or appointed member of the board of education of a school district and the dependent children and spouse of the member may be covered, at the option of the member, under any ~~medical~~ health care plan designed containing best practices prescribed by the school employees health care board under section 9.901 of the Revised Code. The member shall pay all premiums for that coverage. Payments for such coverage shall be made, in advance, in a manner prescribed by the school employees health care board. The member's exercise of an option to be covered under this section shall be in writing, announced at a regular public meeting of the board of education, and recorded as a public record in the

minutes of the board.

Sec. 3313.33. (A) Conveyances made by a board of education shall be executed by the president and treasurer thereof.

(B) Except as provided in division (C) of this section, no member of the board shall have, directly or indirectly, any pecuniary interest in any contract of the board or be employed in any manner for compensation by the board of which the person is a member. No contract shall be binding upon any board unless it is made or authorized at a regular or special meeting of such board.

(C) A member of the board may have a pecuniary interest in a contract of the board if all of the following apply:

(1) The member's pecuniary interest in that contract is that the member is employed by a political subdivision, instrumentality, or agency of the state that is contracting with the board;

(2) The member does not participate in any discussion or debate regarding the contract or vote on the contract;

(3) The member files with the school district treasurer an affidavit stating the member's exact employment status with the political subdivision, instrumentality, or agency contracting with the board.

(D) This section does not apply where a member of the board, being a shareholder of a corporation but not being an officer or director thereof, owns not in excess of five per cent of the stock of such corporation. If a stockholder desires to avail self of the exception, before entering upon such contract such person shall first file with the treasurer an affidavit stating the stockholder's exact status and connection with said corporation.

This section does not apply where a member of the board elects to be covered by a ~~medical~~ health care plan under section 3313.202 of the Revised Code.

Sec. 4117.03. (A) Public employees have the right to:

(1) Form, join, assist, or participate in, or refrain from forming, joining, assisting, or participating in, except as otherwise provided in Chapter 4117. of the Revised Code, any employee organization of their own choosing;

(2) Engage in other concerted activities for the purpose of collective bargaining or other mutual aid and protection;

(3) Representation by an employee organization;

(4) Bargain collectively with their public employers to determine wages, hours, terms and other conditions of employment and the continuation, modification, or deletion of an existing provision of a collective bargaining agreement, and enter into collective bargaining agreements;

(5) Present grievances and have them adjusted, without the intervention

of the bargaining representative, as long as the adjustment is not inconsistent with the terms of the collective bargaining agreement then in effect and as long as the bargaining representatives have the opportunity to be present at the adjustment.

(B) Persons on active duty or acting in any capacity as members of the organized militia do not have collective bargaining rights.

(C) Except as provided in division (D) of this section, nothing in Chapter 4117. of the Revised Code prohibits public employers from electing to engage in collective bargaining, to meet and confer, to hold discussions, or to engage in any other form of collective negotiations with public employees who are not subject to Chapter 4117. of the Revised Code pursuant to division (C) of section 4117.01 of the Revised Code.

(D) A public employer shall not engage in collective bargaining or other forms of collective negotiations with the employees of county boards of elections referred to in division (C)(12) of section 4117.01 of the Revised Code.

(E)(1) Employees of public ~~school~~ schools may bargain collectively for health care benefits; however, all health care benefits shall ~~be provided through~~ include best practices prescribed by the school employees health care board ~~medical plans~~, in accordance with section 9.901 of the Revised Code. ~~If a school district provides its employees with health care benefits pursuant to collective bargaining, the employees shall be permitted to choose a plan option from among the school employees health care board plans agreed to during collective bargaining.~~

~~(2) During collective bargaining, employees of public schools may agree to pay a higher percentage of the premium for health benefit coverage under the plans designed by the school employees health care board pursuant to section 9.901 of the Revised Code than the percentage designated as the employees' contribution level by the board. A collective bargaining agreement, however, shall not permit the employees to contribute a lesser percentage of the premium than that set as the employees' contribution level by the school employees health care board, unless, in so doing, the participating school board is able to remain in compliance with the aggregate goal set pursuant to division (G)(3) of section 9.901 of the Revised Code.~~

Sec. 4117.08. (A) All matters pertaining to wages, hours, or terms and other conditions of employment and the continuation, modification, or deletion of an existing provision of a collective bargaining agreement are subject to collective bargaining between the public employer and the exclusive representative, except as otherwise specified in this section and

division (E) of section 4117.03 of the Revised Code.

(B) The conduct and grading of civil service examinations, the rating of candidates, the establishment of eligible lists from the examinations, and the original appointments from the eligible lists are not appropriate subjects for collective bargaining.

(C) Unless a public employer agrees otherwise in a collective bargaining agreement, nothing in Chapter 4117. of the Revised Code impairs the right and responsibility of each public employer to:

(1) Determine matters of inherent managerial policy which include, but are not limited to areas of discretion or policy such as the functions and programs of the public employer, standards of services, its overall budget, utilization of technology, and organizational structure;

(2) Direct, supervise, evaluate, or hire employees;

(3) Maintain and improve the efficiency and effectiveness of governmental operations;

(4) Determine the overall methods, process, means, or personnel by which governmental operations are to be conducted;

(5) Suspend, discipline, demote, or discharge for just cause, or lay off, transfer, assign, schedule, promote, or retain employees;

(6) Determine the adequacy of the work force;

(7) Determine the overall mission of the employer as a unit of government;

(8) Effectively manage the work force;

(9) Take actions to carry out the mission of the public employer as a governmental unit.

The employer is not required to bargain on subjects reserved to the management and direction of the governmental unit except as affect wages, hours, terms and conditions of employment, and the continuation, modification, or deletion of an existing provision of a collective bargaining agreement. A public employee or exclusive representative may raise a legitimate complaint or file a grievance based on the collective bargaining agreement.

SECTION 130.03. Section 611.03 of Am. Sub. H.B. 66 of the 126th General Assembly is hereby repealed.

SECTION 130.04. Existing sections 9.833, 9.90, 9.901, 3313.202, 3313.33, and 4117.03 of the Revised Code are hereby repealed.

SECTION 130.05. The Governor, the President of the Senate, and the Speaker of the House of Representatives each shall appoint one additional member to the School Employees Health Care Board created pursuant to section 9.901 of the Revised Code. The initial terms of these additional members as well as the terms of the three current members whose terms are scheduled to end in September 2007, shall be extended and shall end on December 31, 2008. The initial terms of the remaining six current members shall be extended and end on December 31, 2010. Thereafter, terms of office shall be as specified in section 9.901 of the Revised Code as it results from its amendment by this act.

SECTION 201.01. Except as otherwise provided in this act, all appropriation items in this act are appropriated out of any moneys in the state treasury to the credit of the designated fund that are not otherwise appropriated. For all appropriations made in this act, the amounts in the first column are for fiscal year 2008 and the amounts in the second column are for fiscal year 2009.

SECTION 203.10. ACC ACCOUNTANCY BOARD OF OHIO

General Services Fund Group

4J8 889-601	CPA Education Assistance	\$	325,000	\$	325,000
4K9 889-609	Operating Expenses	\$	1,092,246	\$	1,117,000
TOTAL GSF General Services Fund					
Group		\$	1,417,246	\$	1,442,000
TOTAL ALL BUDGET FUND GROUPS		\$	1,417,246	\$	1,442,000

SECTION 205.10. ADJ ADJUTANT GENERAL

General Revenue Fund

GRF 745-401	Ohio Military Reserve	\$	15,188	\$	15,188
GRF 745-404	Air National Guard	\$	2,246,005	\$	2,284,198
GRF 745-407	National Guard Benefits	\$	1,400,000	\$	1,400,000
GRF 745-409	Central Administration	\$	4,295,778	\$	4,460,069
GRF 745-499	Army National Guard	\$	5,064,836	\$	5,169,368
GRF 745-502	Ohio National Guard Unit	\$	102,973	\$	102,973
Fund					
TOTAL GRF General Revenue Fund		\$	13,124,780	\$	13,431,796

General Services Fund Group

534 745-612	Property	\$	534,304	\$	534,304
	Operations/Management				
536 745-620	Camp Perry/Buckeye Inn	\$	1,202,970	\$	1,202,970
	Operations				

537	745-604	Ohio National Guard Facility Maintenance	\$	269,826	\$	269,826
TOTAL GSF General Services Fund Group			\$	2,007,100	\$	2,007,100
Federal Special Revenue Fund Group						
3E8	745-628	Air National Guard Agreement	\$	14,100,000	\$	14,906,820
3R8	745-603	Counter Drug Operations	\$	25,000	\$	25,000
341	745-615	Air National Guard Base Security	\$	2,497,480	\$	2,729,939
342	745-616	Army National Guard Agreement	\$	10,146,178	\$	10,590,050
TOTAL FED Federal Special Revenue Fund Group			\$	26,768,658	\$	28,251,809
State Special Revenue Fund Group						
5U8	745-613	Community Match Armories	\$	220,000	\$	220,000
528	745-605	Marksmanship Activities	\$	128,600	\$	128,600
TOTAL SSR State Special Revenue Fund Group			\$	348,600	\$	348,600
TOTAL ALL BUDGET FUND GROUPS			\$	42,249,138	\$	44,039,305

NATIONAL GUARD BENEFITS

The foregoing appropriation item 745-407, National Guard Benefits, shall be used for purposes of sections 5919.31 and 5919.33 of the Revised Code, and for administrative costs of the associated programs.

For active duty members of the Ohio National Guard who died after October 7, 2001, while performing active duty, the death benefit, pursuant to section 5919.33 of the Revised Code, shall be paid to the beneficiary or beneficiaries designated on the member's Servicemembers' Group Life Insurance Policy.

STATE ACTIVE DUTY COSTS

Of the foregoing appropriation item 745-409, Central Administration, \$50,000 in each fiscal year shall be used for the purpose of paying expenses related to state active duty of members of the Ohio organized militia, in accordance with a proclamation of the Governor. Expenses include, but are not limited to, the cost of equipment, supplies, and services, as determined by the Adjutant General's Department.

Of the foregoing appropriation item 745-409, Central Administration, up to \$60,000 in each fiscal year of unspent and unencumbered funds remaining after meeting all other obligations of this appropriation shall be used for a grant to the American Red Cross Greater Columbus Chapter to be distributed equally to the Ohio chapters in existence on the effective date of this section. The funds from this grant shall be used for the Armed Forces Emergency Services program of the American Red Cross in Ohio to support members of the military and their families. Upon distribution of the funds, the American Red Cross Greater Columbus Chapter shall report to the Adjutant General on the actual distribution to the various chapters and any

administrative costs associated with the distribution.

SECTION 207.10. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES

General Revenue Fund

GRF 100-403	Public School Employee Benefits	\$	1,425,000	\$	1,425,000
GRF 100-404	CRP Procurement Program	\$	255,000	\$	255,000
GRF 100-405	Agency Audit Expenses	\$	400,000	\$	400,000
GRF 100-406	County & University Human Resources Services	\$	875,000	\$	875,000
GRF 100-410	Veterans' Records Conversion	\$	46,170	\$	46,171
GRF 100-415	OAKS Rental Payments	\$	14,162,000	\$	14,165,000
GRF 100-418	Web Sites and Business Gateway	\$	3,270,473	\$	3,270,083
GRF 100-419	IT Security Infrastructure	\$	1,500,000	\$	1,500,000
GRF 100-421	OAKS Project Implementation	\$	375,000	\$	375,000
GRF 100-433	State of Ohio Computer Center	\$	5,092,502	\$	5,007,502
GRF 100-439	Equal Opportunity Certification Programs	\$	750,236	\$	750,236
GRF 100-447	OBA - Building Rent Payments	\$	112,294,800	\$	106,476,400
GRF 100-448	OBA - Building Operating Payments	\$	26,457,000	\$	27,303,000
GRF 100-449	DAS - Building Operating Payments	\$	3,769,510	\$	3,834,871
GRF 100-451	Minority Affairs	\$	52,927	\$	52,927
GRF 100-734	Major Maintenance - State Bldgs	\$	42,000	\$	42,000
GRF 102-321	Construction Compliance	\$	1,167,099	\$	1,167,099
GRF 130-321	State Agency Support Services	\$	5,495,163	\$	5,855,163
TOTAL GRF	General Revenue Fund	\$	177,429,880	\$	172,800,452

General Services Fund Group

112 100-616	DAS Administration	\$	5,299,427	\$	5,299,427
115 100-632	Central Service Agency	\$	860,878	\$	928,403
117 100-644	General Services Division - Operating	\$	8,295,772	\$	8,540,772
122 100-637	Fleet Management	\$	2,182,968	\$	2,032,968
125 100-622	Human Resources Division - Operating	\$	19,890,614	\$	20,560,614
128 100-620	Collective Bargaining	\$	3,464,533	\$	3,662,534
130 100-606	Risk Management Reserve	\$	2,568,548	\$	2,568,548
131 100-639	State Architect's Office	\$	7,348,483	\$	7,544,164
132 100-631	DAS Building Management	\$	9,716,228	\$	10,166,228
133 100-607	IT Services Delivery	\$	92,539,887	\$	75,847,949
188 100-649	Equal Opportunity Division - Operating	\$	847,409	\$	884,650
201 100-653	General Services Resale Merchandise	\$	1,553,000	\$	1,553,000
210 100-612	State Printing	\$	5,681,421	\$	5,436,421

229	100-630	IT Governance	\$	17,108,546	\$	17,108,546
4N6	100-617	Major IT Purchases	\$	7,495,719	\$	7,495,719
4P3	100-603	DAS Information Services	\$	4,793,190	\$	4,958,218
427	100-602	Investment Recovery	\$	5,683,564	\$	5,683,564
5C2	100-605	MARCS Administration	\$	11,069,291	\$	11,069,291
5C3	100-608	Skilled Trades	\$	934,982	\$	934,982
5D7	100-621	Workforce Development	\$	70,000	\$	0
5EB	100-635	OAKS Support Organization	\$	19,132,671	\$	19,132,671
5L7	100-610	Professional Development	\$	3,900,000	\$	3,900,000
5V6	100-619	Employee Educational Development	\$	936,129	\$	936,129
5X3	100-634	Centralized Gateway Enhancement	\$	974,023	\$	974,023
TOTAL GSF General Services Fund Group			\$	232,347,283	\$	217,218,821
TOTAL ALL BUDGET FUND GROUPS			\$	409,777,163	\$	390,019,273

SECTION 207.10.10. PUBLIC SCHOOL EMPLOYEE BENEFITS

The foregoing appropriation item 100-403, Public School Employee Benefits, shall be used by the School Employees Health Care Board to hire staff to provide administrative support to the Board and other lawful uses of said fund as prescribed under section 9.901 of the Revised Code. This section succeeds Section 203.12.02 of Am. Sub. H.B. 66 of the 126th General Assembly.

SECTION 207.10.20. AGENCY AUDIT EXPENSES

The foregoing appropriation item 100-405, Agency Audit Expenses, shall be used for auditing expenses designated in division (A)(1) of section 117.13 of the Revised Code for those state agencies audited on a biennial basis.

SECTION 207.10.30. OAKS RENTAL PAYMENTS

The foregoing appropriation item 100-415, OAKS Rental Payments, shall be used for payments for the period from July 1, 2007, through June 30, 2009, pursuant to leases and agreements entered into under Chapter 125. of the Revised Code, as supplemented by Section 403.10 of Am. Sub. H.B. 530 of the 126th General Assembly with respect to financing the costs associated with the acquisition, development, installation, and implementation of the Ohio Administrative Knowledge System. If it is determined that additional appropriations are necessary for this purpose, the amounts are hereby appropriated.

SECTION 207.10.40. BUILDING RENT PAYMENTS

The foregoing appropriation item 100-447, OBA - Building Rent Payments, shall be used to meet all payments at the times they are required to be made during the period from July 1, 2007, to June 30, 2009, by the Department of Administrative Services to the Ohio Building Authority pursuant to leases and agreements under Chapter 152. of the Revised Code. These appropriations are the source of funds pledged for bond service charges on obligations issued pursuant to Chapter 152. of the Revised Code.

The foregoing appropriation item 100-448, OBA - Building Operating Payments, shall be used to meet all payments at the times that they are required to be made during the period from July 1, 2007, to June 30, 2009, by the Department of Administrative Services to the Ohio Building Authority pursuant to leases and agreements under Chapter 152. of the Revised Code, but limited to the aggregate amount of \$53,760,000.

The payments to the Ohio Building Authority are for the purpose of paying the expenses of agencies that occupy space in the various state facilities. The Department of Administrative Services may enter into leases and agreements with the Ohio Building Authority providing for the payment of these expenses. The Ohio Building Authority shall report to the Department of Administrative Services and the Office of Budget and Management not later than five months after the start of a fiscal year the actual expenses incurred by the Ohio Building Authority in operating the facilities and any balances remaining from payments and rentals received in the prior fiscal year. The Department of Administrative Services shall reduce subsequent payments by the amount of the balance reported to it by the Ohio Building Authority.

SECTION 207.10.50. DAS - BUILDING OPERATING PAYMENTS

The foregoing appropriation item 100-449, DAS - Building Operating Payments, shall be used to pay the rent expenses of veterans organizations pursuant to section 123.024 of the Revised Code in fiscal years 2008 and 2009.

The foregoing appropriation item, 100-449, DAS - Building Operating Payments, may be used to provide funding for the cost of property appraisals or building studies that the Department of Administrative Services may be required to obtain for property that is being sold by the state or property under consideration to be renovated or purchased by the state.

Notwithstanding section 125.28 of the Revised Code, the remaining portion of the appropriation may be used to pay the operating expenses of state facilities maintained by the Department of Administrative Services that are not billed to building tenants. These expenses may include, but are not limited to, the costs for vacant space and space undergoing renovation, and the rent expenses of tenants that are relocated due to building renovations. These payments shall be processed by the Department of Administrative Services through intrastate transfer vouchers and placed in the Building Management Fund (Fund 132).

SECTION 207.10.60. CENTRAL SERVICE AGENCY FUND

The Department of Administrative Services shall not allocate annual costs for maintaining an automated application for the professional licensing boards and for the costs of supporting licensing functions in excess of the amounts supported by licensing and registration fees established for fiscal year 2007. The charges shall be billed to the professional licensing boards and deposited via intrastate transfer vouchers to the credit of the Central Service Agency Fund (Fund 115).

SECTION 207.10.70. ELIMINATION OF THE VEHICLE LIABILITY FUND ASSETS

(A) Effective July 1, 2007, the Vehicle Liability Fund (Fund 127) is abolished and its functions, assets, and liabilities are transferred to the Risk Management Reserve Fund (Fund 130). The Risk Management Reserve Fund is thereupon and thereafter successor to, assumes the obligations of, and otherwise constitutes the continuation of the Vehicle Liability Fund.

Any business commenced but not completed with regard to the Vehicle Liability Fund on July 1, 2007, shall be completed with regard to the Risk Management Reserve Fund, in the same manner, and with the same effect, as if completed with regard to the Vehicle Liability Fund. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer and shall be administered with regard to the Risk Management Reserve Fund. All of the rules, orders, and determinations associated with the Vehicle Liability Fund continue in effect as rules, orders, and determinations associated with the Risk Management Reserve Fund, until modified or rescinded by the Director of Administrative Services. If necessary to ensure the integrity of the Administrative Code, the Director of the Legislative Service Commission shall renumber the rules relating to the Vehicle Liability Fund to reflect its transfer to the Risk Management

Reserve Fund.

(B) Employees paid from the Vehicle Liability Fund shall be transferred to the Risk Management Reserve Fund or dismissed. Employees paid from the Vehicle Liability Fund so dismissed cease to hold their positions of employment on July 1, 2007.

(C) No judicial or administrative action or proceeding by which the Vehicle Liability Fund is affected that is pending on July 1, 2007, is affected by the transfer of functions under division (A) of this section. The action or proceeding shall be prosecuted or defended on behalf of the Risk Management Reserve Fund and the Risk Management Reserve Fund upon application to the court or agency shall be substituted for the Vehicle Liability Fund as affected by the action or proceeding.

(D) On and after July 1, 2007, when the Vehicle Liability Fund is referred to in any statute, rule, contract, grant, or other document, the reference is hereby deemed to refer to the Risk Management Reserve Fund.

SECTION 207.10.80. TRANSFER OF VEHICLE LIABILITY FUND ASSETS

On and after July 1, 2007, notwithstanding any provision to the contrary, the Director of Budget and Management is authorized to take the actions and effectuate the budget changes made necessary by administrative reorganization, program transfers, the creation of new funds, and the consolidation of funds required for the transfer of the Vehicle Liability Fund Assets to the Risk Management Reserve Fund. The Director of Budget and Management may make any transfer of cash balances between funds. At the request of the Director of Budget and Management, the Director of Administrative Services shall certify to the Director of Budget and Management an estimate of the amount of the Vehicle Liability Fund cash balance to be transferred to the Risk Management Reserve Fund. The Director of Budget and Management may transfer the estimated amount when needed to make payments. Not more than thirty days after certifying the estimated amount, the Director of Administrative Services shall certify the final amount to the Director of Budget and Management. The Director of Budget and Management shall transfer the difference between any amount previously transferred and the certified final amount. The Director of Budget and Management may cancel encumbrances and re-establish encumbrances or parts of encumbrances of the Vehicle Liability Fund as needed in fiscal year 2008 in the Risk Management Reserve Fund for the same purposes. The appropriation authority necessary to re-establish such encumbrances in fiscal year 2008, as determined by the Director of Budget and Management,

in appropriation item 100-606, Risk Management Reserve, is hereby appropriated. When re-established encumbrances or parts of re-established encumbrances of the Vehicle Liability Fund are canceled, the Director of Budget and Management shall reduce the appropriation for appropriation item 100-606, Risk Management Reserve, by the amount of the encumbrances canceled. The amounts canceled are hereby authorized. Any fiscal year 2007 unencumbered or unallotted appropriation for appropriation item 100-627, Vehicle Liability Insurance, may be transferred to appropriation item 100-606, Risk Management Reserve, to be used for the same purposes, as determined by the Director of Budget and Management. The amounts transferred are hereby appropriated.

SECTION 207.10.90. COLLECTIVE BARGAINING ARBITRATION EXPENSES

With approval of the Director of Budget and Management, the Department of Administrative Services may seek reimbursement from state agencies for the actual costs and expenses the department incurs in the collective bargaining arbitration process. The reimbursements shall be processed through intrastate transfer vouchers and placed in the Collective Bargaining Fund (Fund 128).

SECTION 207.20.10. EQUAL OPPORTUNITY PROGRAM

The Department of Administrative Services, with the approval of the Director of Budget and Management, shall establish charges for recovering the costs of administering the activities supported by the State EEO Fund (Fund 188). These charges shall be deposited to the credit of the State EEO Fund (Fund 188) upon payment made by state agencies, state-supported or state-assisted institutions of higher education, and tax-supported agencies, municipal corporations, and other political subdivisions of the state, for services rendered.

SECTION 207.20.20. MERCHANDISE FOR RESALE

The foregoing appropriation item 100-653, General Services Resale Merchandise, shall be used to account for merchandise for resale, which is administered by the General Services Division. Deposits to the fund may comprise the cost of merchandise for resale and shipping fees.

SECTION 207.20.30. DAS INFORMATION SERVICES

There is hereby established in the State Treasury the DAS Information Services Fund. The foregoing appropriation item 100-603, DAS Information Services, shall be used to pay the costs of providing information systems and services in the Department of Administrative Services.

The Department of Administrative Services shall establish user charges for all information systems and services that are allowable in the statewide indirect cost allocation plan submitted annually to the United States Department of Health and Human Services. These charges shall comply with federal regulations and shall be deposited to the credit of the DAS Information Services Fund (Fund 4P3).

SECTION 207.20.40. INVESTMENT RECOVERY FUND

Notwithstanding division (B) of section 125.14 of the Revised Code, cash balances in the Investment Recovery Fund (Fund 427) may be used to support the operating expenses of the Federal Surplus Operating Program created in sections 125.84 to 125.90 of the Revised Code.

Notwithstanding division (B) of section 125.14 of the Revised Code, cash balances in the Investment Recovery Fund may be used to support the operating expenses of the Asset Management Services Program, including, but not limited to, the cost of establishing and maintaining procedures for inventory records for state property as described in section 125.16 of the Revised Code.

Of the foregoing appropriation item 100-602, Investment Recovery, up to \$2,271,209 in fiscal year 2008 and up to \$2,353,372 in fiscal year 2009 shall be used to pay the operating expenses of the State Surplus Property Program, the Surplus Federal Property Program, and the Asset Management Services Program under Chapter 125. of the Revised Code and this section. If additional appropriations are necessary for the operations of these programs, the Director of Administrative Services shall seek increased appropriations from the Controlling Board under section 131.35 of the Revised Code.

Of the foregoing appropriation item 100-602, Investment Recovery, \$3,412,355 in fiscal year 2008 and \$3,330,192 in fiscal year 2009 shall be used to transfer proceeds from the sale of surplus property from the Investment Recovery Fund to non-General Revenue Funds under division (A)(2) of section 125.14 of the Revised Code. If it is determined by the Director of Administrative Services that additional appropriations are necessary for the transfer of such sale proceeds, the Director of Administrative Services may request the Director of Budget and Management to increase the amounts. Such amounts are hereby

appropriated.

Notwithstanding division (B) of section 125.14 of the Revised Code, the Director of Budget and Management, at the request of the Director of Administrative Services, shall transfer up to \$500,000 of the amounts held for transfer to the General Revenue Fund from the Investment Recovery Fund to the State Architect's Fund (Fund 131) to provide operating cash.

SECTION 207.20.50. MULTI-AGENCY RADIO COMMUNICATIONS SYSTEM

Effective with the implementation of the Multi-Agency Radio Communications System, the State Chief Information Officer shall collect user fees from participants in the system. The State Chief Information Officer, with the advice of the Multi-Agency Radio Communications System Steering Committee and the Director of Budget and Management, shall determine the amount of the fees and the manner by which the fees shall be collected. Such user charges shall comply with the applicable cost principles issued by the federal Office of Management and Budget. All moneys from user charges and fees shall be deposited in the state treasury to the credit of the Multi-Agency Radio Communications System Administration Fund (Fund 5C2), which is hereby established in the state treasury. All interest income derived from the investment of the fund shall accrue to the fund.

SECTION 207.20.60. WORKFORCE DEVELOPMENT FUND

There is hereby established in the state treasury the Workforce Development Fund (Fund 5D7). The foregoing appropriation item 100-621, Workforce Development, shall be used to make payments from the fund. The fund shall be under the supervision of the Department of Administrative Services, which may adopt rules with regard to administration of the fund. The fund shall be used to pay the costs of any remaining obligations of the Workforce Development Program, in accordance with Article 37 of the contract between the State of Ohio and OCSEA/AFSCME, Local 11, abolished effective March 1, 2006. These costs include, but are not limited to, remaining grant obligations, payments for tuition reimbursement, contracted services and general overhead, and any settlement costs associated with the Statewide Cost Allocation Program (SWCAP). The program shall be administered in accordance with the contract. Revenues shall accrue to the fund as specified in the contract. The fund may be used to pay direct and indirect costs of the program that are attributable to staff,

consultants, and service providers. All income derived from the investment of the fund shall accrue to the fund.

If it is determined by the Director of Administrative Services that additional appropriation amounts are necessary, the Director of Administrative Services may request that the Director of Budget and Management increase such amounts. Such amounts are hereby appropriated.

SECTION 207.20.70. OAKS SUPPORT ORGANIZATION

The foregoing appropriation item 100-635, OAKS Support Organization, shall be used by the Office of Information Technology to support the operating costs associated with the implementation and maintenance of the state's enterprise resource planning system, OAKS, consistent with its responsibilities under this section and Chapters 125. and 126. of the Revised Code. The OAKS Support Organization shall operate and maintain the human capital management and financial management modules of the state's enterprise resource planning system to support statewide human resources and financial management activities administered by the Department of Administrative Services' human resources division and the Office of Budget and Management. The OAKS Support Organization shall recover the costs to establish, operate, and maintain the OAKS system through intrastate transfer voucher billings to the Department of Administrative Services and the Office of Budget and Management. Effective July 1, 2007, the Department of Administrative Services, with the approval of the Director of Budget and Management, shall include the recovery of the costs of administering the human capital management module of the OAKS System within the human resources services payroll rate. These revenues shall be deposited to the credit of the Human Resources Services Fund (Fund 125). Amounts deposited under this section are hereby appropriated to appropriation item 100-622, Human Resources Division-Operating. Not less than quarterly, the Department of Administrative Services shall process the intrastate transfer billings to transfer cash from the Human Resources Services Fund (Fund 125) to the OAKS Support Organization Fund (Fund 5EB) to pay for the OAKS Support Organization costs.

SECTION 207.20.80. PROFESSIONAL DEVELOPMENT FUND

The foregoing appropriation item 100-610, Professional Development, shall be used to make payments from the Professional Development Fund (Fund 5L7) under section 124.182 of the Revised Code.

SECTION 207.20.90. EMPLOYEE EDUCATIONAL DEVELOPMENT

There is hereby established in the state treasury the Employee Educational Development Fund (Fund 5V6). The foregoing appropriation item 100-619, Employee Educational Development, shall be used to make payments from the fund. The fund shall be used to pay the costs of the administration of educational programs per existing collective bargaining agreements with District 1199, the Health Care and Social Service Union; State Council of Professional Educators; Ohio Education Association and National Education Association; the Fraternal Order of Police Ohio Labor Council, Unit 2; and the Ohio State Troopers Association, Units 1 and 15. The fund shall be under the supervision of the Department of Administrative Services, which may adopt rules with regard to administration of the fund. The fund shall be administered in accordance with the applicable sections of the collective bargaining agreements between the State and the aforementioned unions. The Department of Administrative Services, with the approval of the Director of Budget and Management, shall establish charges for recovering the costs of administering the educational programs. Receipts for these charges shall be deposited into the Employee Educational Development Fund. All income derived from the investment of the funds shall accrue to the fund.

If it is determined by the Director of Administrative Services that additional appropriation amounts are necessary, the Director of Administrative Services may request that the Director of Budget and Management increase such amounts. Such amounts are hereby appropriated with the approval of the Director of Budget and Management.

SECTION 207.30.10. CENTRALIZED GATEWAY ENHANCEMENTS FUND

(A) As used in this section, "Ohio Business Gateway" refers to the internet-based system operated by the Office of Information Technology with the advice of the Ohio Business Gateway Steering Committee established under section 5703.57 of the Revised Code. The Ohio Business Gateway is established to provide businesses a central web site where various filings and payments are submitted on-line to government. The information is then distributed to the various government entities that interact with the business community.

(B) As used in this section:

(1) "State Portal" refers to the official web site of the state, operated by

the Office of Information Technology.

(2) "Shared Hosting Environment" refers to the computerized system operated by the Office of Information Technology for the purpose of providing capability for state agencies to host web sites.

(C) There is hereby created in the state treasury the Centralized Gateway Enhancements Fund (Fund 5X3). The foregoing appropriation item 100-634, Centralized Gateway Enhancements, shall be used by the Office of Information Technology to pay the costs of enhancing, expanding, and operating the infrastructure of the Ohio Business Gateway, State Portal, and Shared Hosting Environment. The State Chief Information Officer shall submit periodic spending plans to the Director of Budget and Management to justify operating transfers to the fund from the General Revenue Fund. Upon approval, the Director of Budget and Management shall transfer approved amounts to the fund, not to exceed the amount of the annual appropriation in each fiscal year. The spending plans may be based on the recommendations of the Ohio Business Gateway Steering Committee or its successor.

SECTION 207.30.20. MAJOR IT PURCHASES

The State Chief Information Officer shall compute the amount of revenue attributable to the amortization of all equipment purchases and capitalized systems from appropriation item 100-607, IT Service Delivery; appropriation item 100-617, Major IT Purchases; and appropriation item CAP-837, Major IT Purchases, which is recovered by the Office of Information Technology as part of the rates charged by the IT Service Delivery Fund (Fund 133) created in section 125.15 of the Revised Code. The Director of Budget and Management may transfer cash in an amount not to exceed the amount of amortization computed from the IT Service Delivery Fund (Fund 133) to the Major IT Purchases Fund (Fund 4N6).

SECTION 207.30.30. INFORMATION TECHNOLOGY ASSESSMENT

The State Chief Information Officer, with the approval of the Director of Budget and Management, may establish an information technology assessment for the purpose of recovering the cost of selected infrastructure and statewide programs. Such assessment shall comply with applicable cost principles issued by the federal Office of Management and Budget. The information technology assessment shall be charged to all organized bodies, offices, or agencies established by the laws of the state for the exercise of any function of state government except for the General Assembly, any

legislative agency, the Supreme Court, the other courts of record in Ohio, or any judicial agency, the Adjutant General, the Bureau of Workers' Compensation, and institutions administered by a board of trustees. Any state-entity exempted by this section may utilize the infrastructure or statewide program by participating in the information technology assessment. All charges for the information technology assessment shall be deposited to the credit of the IT Governance Fund (Fund 229).

SECTION 207.30.40. MULTI-AGENCY RADIO COMMUNICATION SYSTEM DEBT SERVICE PAYMENTS

The Director of Administrative Services, in consultation with the Multi-Agency Radio Communication System (MARCS) Steering Committee and the Director of Budget and Management, shall determine the share of debt service payments attributable to spending for MARCS components that are not specific to any one agency and that shall be charged to agencies supported by the motor fuel tax. Such share of debt service payments shall be calculated for MARCS capital disbursements made beginning July 1, 1997. Within thirty days of any payment made from appropriation item 100-447, OBA - Building Rent Payments, the Director of Administrative Services shall certify to the Director of Budget and Management the amount of this share. The Director of Budget and Management shall transfer such amounts to the General Revenue Fund from the State Highway Safety Fund (Fund 036) established in section 4501.06 of the Revised Code.

The State Chief Information Officer shall consider renting or leasing existing tower sites at reasonable or current market rates, so long as these existing sites are equipped with the technical capabilities to support the MARCS project.

SECTION 207.30.50. DIRECTOR'S DECLARATION OF PUBLIC EXIGENCY

Whenever the Director of Administrative Services declares a "public exigency," as provided in division (C) of section 123.15 of the Revised Code, the Director shall also notify the members of the Controlling Board.

SECTION 207.30.60. GENERAL SERVICE CHARGES

The Department of Administrative Services, with the approval of the Director of Budget and Management, shall establish charges for recovering

the costs of administering the programs in the General Services Fund (Fund 117) and the State Printing Fund (Fund 210).

SECTION 207.30.70. STATE ENERGY SERVICES PROGRAM

Within 30 days after the effective date of this section, or as soon possible thereafter, the Director of Administrative Services shall certify the remaining cash in the Federal Special Revenue Fund (Fund 307) to the Director of Budget and Management, who shall transfer that amount to the State Architect's Office (Fund 131). The cash shall be used to operate the state's energy services program.

Within thirty days after the effective date of this section, or as soon as possible thereafter, the Director of Administrative Services shall certify the remaining cash in the Energy Grants Fund (Fund 5A8) to the Director of Budget and Management, who shall transfer that amount to the State Architect's Office (Fund 131). The cash shall be used to operate the state's energy services program.

SECTION 207.30.80. FEDERAL GRANTS OGRIP

As soon as possible on or after July 1, 2007, the Director of Budget and Management may transfer cash in the amount of \$15,072.03 from the Federal Grants OGRIP Fund (Fund 3H6) to the General Revenue Fund.

SECTION 209.10. AAM COMMISSION ON AFRICAN AMERICAN MALES

General Revenue Fund

GRF 036-100	Personal Services	\$	235,091	\$	235,091
GRF 036-200	Maintenance	\$	29,000	\$	29,000
GRF 036-300	Equipment	\$	1,000	\$	1,000
GRF 036-502	Community Projects	\$	516,909	\$	1,016,909
TOTAL GRF General Revenue Fund		\$	782,000	\$	1,282,000

State Special Revenue Fund Group

4H3 036-601	Commission on African American Males - Gifts/Grants	\$	10,000	\$	10,000
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TOTAL SSR State Special Revenue Fund Group		\$	10,000	\$	10,000
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TOTAL ALL BUDGET FUND GROUPS		\$	792,000	\$	1,292,000
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CAAM STRATEGIC PLAN

The Commission on African American Males shall develop a strategic plan to accomplish the tasks put forth in section 4112.13 of the Revised Code.

On January 1, 2008, or as soon as possible thereafter, the Director of the Commission on African American Males shall submit a strategic plan for the use of \$500,000 in fiscal year 2008 and \$1,000,000 in fiscal year 2009 to the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives.

Not later than June 30, 2009, the Commission on African American Males shall submit a report on the impacts and outcomes of the strategic plan to the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives.

FUND TRANSFERS

(A) All moneys appropriated or reappropriated to the Ohio Commission on African-American Males for the performance of its duties, powers, obligations, and functions, and the exercise of rights, that are transferred by this act to the Ohio State University, to the extent of the remaining unexpended or unencumbered balance of the appropriations or reappropriations, whether obligated or unobligated, are hereby transferred, effective October 1, 2007, to the University for performing the duties, powers, obligations, and functions, and exercising the rights of the University in operating and overseeing the Commission.

(B) On and after October 1, 2007, 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 Board of Trustees of the Ohio State University 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 Board of Trustees 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 the fiscal year in the appropriate fund and appropriation line item for the same purpose and to the same vendor. As determined by the Director, the appropriation authority necessary to re-establish such encumbrances in the fiscal year in a different fund or appropriation line item

within an agency or between agencies is hereby appropriated by the General Assembly. The Director shall reduce each year's appropriation balances by the amount of the encumbrance canceled in their respective funds and appropriation line item. Any unencumbered or unallocated appropriation balances from the previous fiscal year may be transferred to the appropriate appropriation line item to be used for the same purposes, as determined by the Director.

SECTION 211.10. JCR JOINT COMMITTEE ON AGENCY RULE REVIEW

General Revenue Fund

GRF 029-321 Operating Expenses	\$	397,000	\$	403,000
TOTAL GRF General Revenue Fund	\$	397,000	\$	403,000
TOTAL ALL BUDGET FUND GROUPS	\$	397,000	\$	403,000

OPERATING

The Chief Administrative Officer of the House of Representatives and the Clerk of the Senate shall determine, by mutual agreement, which of them shall act as fiscal agent for the Joint Committee on Agency Rule Review. Members of the Committee shall be paid in accordance with section 101.35 of the Revised Code.

OPERATING EXPENSES

On July 1, 2007, or as soon as possible thereafter, the designated fiscal agent shall certify to the Director of Budget and Management the total fiscal year 2007 unencumbered appropriations in appropriation item 029-321, Operating Expenses. The designated fiscal agent may direct the Director of Budget and Management to transfer an amount not to exceed the total fiscal year 2007 unencumbered appropriations to fiscal year 2008 for use in appropriation item 029-321, Operating Expenses. Additional appropriation authority equal to the amount certified by the designated fiscal agent is hereby appropriated to appropriation item 029-321, Operating Expenses, in fiscal year 2008.

On July 1, 2008, or as soon as possible thereafter, the designated fiscal agent shall certify to the Director of Budget and Management the total fiscal year 2008 unencumbered appropriations in appropriation item 029-321, Operating Expenses. The designated fiscal agent may direct the Director of Budget and Management to transfer an amount not to exceed the total fiscal year 2008 unencumbered appropriations to fiscal year 2009 for use in appropriation item 029-321, Operating Expenses. Additional appropriation authority equal to the amount certified by the designated fiscal agent is hereby appropriated to appropriation item 029-321, Operating Expenses, in

fiscal year 2009.

SECTION 213.10. AGE DEPARTMENT OF AGING

General Revenue Fund

GRF 490-321	Operating Expenses	\$	2,637,571	\$	2,637,271
GRF 490-403	PASSPORT	\$	128,391,189	\$	158,196,465
GRF 490-406	Senior Olympics	\$	14,856	\$	14,856
GRF 490-409	Ohio Community Service Council Operations	\$	183,792	\$	183,792
GRF 490-410	Long-Term Care Ombudsman	\$	654,965	\$	654,965
GRF 490-411	Senior Community Services	\$	10,349,439	\$	10,349,439
GRF 490-412	Residential State Supplement	\$	9,156,771	\$	9,156,771
GRF 490-414	Alzheimers Respite	\$	4,131,594	\$	4,131,594
GRF 490-416	JCFS Community Options	\$	250,000	\$	250,000
GRF 490-421	PACE	\$	10,214,809	\$	10,214,809
GRF 490-422	Assisted Living Waiver	\$	12,554,940	\$	15,213,890
GRF 490-506	National Senior Service Corps	\$	335,296	\$	335,296
TOTAL GRF General Revenue Fund		\$	178,875,222	\$	211,339,148

General Services Fund Group

480 490-606	Senior Community Outreach and Education	\$	372,677	\$	372,677
TOTAL GSF General Services Fund Group		\$	372,677	\$	372,677

Federal Special Revenue Fund Group

3C4 490-607	PASSPORT	\$	301,767,486	\$	301,274,172
3C4 490-621	PACE-Federal	\$	14,586,135	\$	14,586,135
3C4 490-622	Assisted Living-Federal	\$	14,972,892	\$	21,810,442
3M4 490-612	Federal Independence Services	\$	62,406,819	\$	63,655,080
3R7 490-617	Ohio Community Service Council Programs	\$	8,870,000	\$	8,870,000
322 490-618	Federal Aging Grants	\$	10,000,000	\$	10,200,000
TOTAL FED Federal Special Revenue Fund Group		\$	412,603,332	\$	420,395,829

State Special Revenue Fund Group

4C4 490-609	Regional Long-Term Care Ombudsman Program	\$	935,000	\$	935,000
4J4 490-610	PASSPORT/Residential State Supplement	\$	33,491,930	\$	33,263,984
4U9 490-602	PASSPORT Fund	\$	4,424,969	\$	4,424,969
5AA 490-673	Ohio's Best Rx Administration	\$	1,184,154	\$	910,801
5BA 490-620	Ombudsman Support	\$	600,000	\$	600,000
5K9 490-613	Long Term Care Consumers Guide	\$	820,400	\$	820,400
5W1 490-616	Resident Services Coordinator Program	\$	330,000	\$	330,000
624 490-604	OCSC Community Support	\$	470,000	\$	470,000
TOTAL SSR State Special Revenue Fund Group		\$	42,256,453	\$	41,755,154
TOTAL ALL BUDGET FUND GROUPS		\$	634,107,684	\$	673,862,808

SECTION 213.20. PRE-ADMISSION REVIEW FOR NURSING FACILITY ADMISSION

Pursuant to an interagency agreement, the Department of Job and Family Services shall designate the Department of Aging to perform assessments under sections 173.42 and 5111.204 of the Revised Code. Of the foregoing appropriation item 490-403, PASSPORT, the Department of Aging may use not more than \$2,731,000 in fiscal year 2008 and \$2,813,000 in fiscal year 2009 to perform the assessments for persons not eligible for Medicaid under the department's interagency agreement with the Department of Job and Family Services and to assist individuals in planning for their long-term health care needs.

PASSPORT

Appropriation item 490-403, PASSPORT, and the amounts set aside for the PASSPORT Waiver Program in appropriation item 490-610, PASSPORT/Residential State Supplement, may be used to assess clients regardless of Medicaid eligibility.

The Director of Aging shall adopt rules under section 111.15 of the Revised Code governing the nonwaiver funded PASSPORT program, including client eligibility.

The Department of Aging shall administer the Medicaid waiver-funded PASSPORT Home Care Program as delegated by the Department of Job and Family Services in an interagency agreement. The foregoing appropriation item 490-403, PASSPORT, and the amounts set aside for the PASSPORT Waiver Program in appropriation item 490-610, PASSPORT/Residential State Supplement, shall be used to provide the required state match for federal Medicaid funds supporting the Medicaid Waiver-funded PASSPORT Home Care Program. Appropriation item 490-403, PASSPORT, and the amounts set aside for the PASSPORT Waiver Program in appropriation item 490-610, PASSPORT/Residential State Supplement, may also be used to support the Department of Aging's administrative costs associated with operating the PASSPORT program.

The foregoing appropriation item 490-607, PASSPORT, shall be used to provide the federal matching share for all PASSPORT program costs determined by the Department of Job and Family Services to be eligible for Medicaid reimbursement.

OHIO COMMUNITY SERVICE COUNCIL

The foregoing appropriation items 490-409, Ohio Community Service Council Operations, and 490-617, Ohio Community Service Council Programs, shall be used in accordance with section 121.40 of the Revised

Code.

LONG-TERM CARE OMBUDSMAN

The foregoing appropriation item 490-410, Long-Term Care Ombudsman, shall be used for a program to fund ombudsman program activities as authorized in sections 173.14 to 173.27 and section 173.99 of the Revised Code.

SENIOR COMMUNITY SERVICES

Of the foregoing appropriation item 490-411, Senior Community Services, \$10,299,439 in each fiscal year shall be used for services designated by the Department of Aging, including, but not limited to, home-delivered and congregate meals, transportation services, personal care services, respite services, adult day services, home repair, care coordination, and decision support systems. Service priority shall be given to low income, frail, and cognitively impaired persons 60 years of age and over. The department shall promote cost sharing by service recipients for those services funded with senior community services funds, including, when possible, sliding-fee scale payment systems based on the income of service recipients.

Of the foregoing appropriation item 490-411, Senior Community Services, \$50,000 in each fiscal year shall be allocated to the Eastlake Senior Center.

RESIDENTIAL STATE SUPPLEMENT

Under the Residential State Supplement Program, the amount used to determine whether a resident is eligible for payment and for determining the amount per month the eligible resident will receive shall be as follows:

(A) \$927 for a residential care facility, as defined in section 3721.01 of the Revised Code;

(B) \$927 for an adult group home, as defined in Chapter 3722. of the Revised Code;

(C) \$824 for an adult foster home, as defined in Chapter 173. of the Revised Code;

(D) \$824 for an adult family home, as defined in Chapter 3722. of the Revised Code;

(E) \$824 for an adult community alternative home, as defined in Chapter 3724. of the Revised Code;

(F) \$824 for an adult residential facility, as defined in Chapter 5119. of the Revised Code;

(G) \$618 for adult community mental health housing services, as defined in division (B)(5) of section 173.35 of the Revised Code.

The Departments of Aging and Job and Family Services shall reflect

these amounts in any applicable rules the departments adopt under section 173.35 of the Revised Code.

TRANSFER OF RESIDENTIAL STATE SUPPLEMENT APPROPRIATIONS

The Department of Aging may transfer cash by intrastate transfer vouchers from the foregoing appropriation items 490-412, Residential State Supplement, and 490-610, PASSPORT/Residential State Supplement, to the Department of Job and Family Services' Fund 4J5, Home and Community-Based Services for the Aged Fund. The funds shall be used to make benefit payments to Residential State Supplement recipients.

ALZHEIMERS RESPITE

The foregoing appropriation item 490-414, Alzheimers Respite, shall be used to fund only Alzheimer's disease services under section 173.04 of the Revised Code.

JCFS COMMUNITY OPTIONS

The foregoing appropriation item 490-416, JCFS Community Options, shall be used for noncapital expenses related to transportation services for the elderly that provide access to such things as healthcare services, congregate meals, socialization programs, and grocery shopping. The funds shall pass through and shall be administered by the Area Agencies on Aging. Agencies receiving funding from appropriation item 490-416, JCFS Community Options, shall coordinate services with other local service agencies. The appropriation shall be allocated to the following agencies:

- (A) \$80,000 in both fiscal years to Cincinnati Jewish Vocational Services;
- (B) \$70,000 in both fiscal years to Wexner Heritage Village;
- (C) \$20,000 in both fiscal years to Yassenoff Jewish Community Center;
- (D) \$80,000 in both fiscal years to Cleveland Jewish Community Center.

ALLOCATION OF PACE SLOTS

In order to effectively administer and manage growth within the PACE Program, the Director of Aging may, as the director deems appropriate and to the extent funding is available, allocate funds for the PACE Program between the PACE sites in Cleveland and Cincinnati.

OHIO'S BEST RX START-UP COSTS

An amount equal to the unencumbered balance in appropriation item 490-440, Ohio's Best Rx Start-up Costs, from fiscal year 2007 is hereby appropriated for fiscal year 2008 into appropriation item 490-440, Ohio's Best Rx Start-up Costs.

An amount equal to the remaining unencumbered balance in appropriation item 490-440, Ohio's Best Rx Start-Up Costs, from fiscal year 2008 is hereby appropriated for fiscal year 2009 into appropriation item 490-440, Ohio's Best Rx Start-Up Costs. The appropriation item 490-440, Ohio's Best Rx Start-Up Costs, shall be used by the Department of Aging to pay for the administrative and operational expenses of the Ohio's Best Rx Program in accordance with sections 173.71 to 173.91 of the Revised Code, including costs associated with the duties assigned by the department to the Ohio's Best Rx Program Administrator and for making payments to participating terminal distributors until sufficient cash exists to make payments from the accounts created in sections 173.85 and 173.86 of the Revised Code. Of appropriation item 490-440, Ohio's Best Rx Start-Up Costs, not more than \$750,000 in each fiscal year may be used by the department for administrative and operational costs, excluding outreach, that are not associated with the Ohio's Best Rx Program Administrator or the payments to participating terminal distributors.

EDUCATION AND TRAINING

The foregoing appropriation item 490-606, Senior Community Outreach and Education, may be used to provide training to workers in the field of aging pursuant to division (G) of section 173.02 of the Revised Code.

REGIONAL LONG-TERM CARE OMBUDSMAN PROGRAM

The foregoing appropriation item 490-609, Regional Long-Term Care Ombudsman Program, shall be used solely to pay the costs of operating the regional long-term care ombudsman programs designated by the Long-Term Care Ombudsman.

PASSPORT/RESIDENTIAL STATE SUPPLEMENT

Of the foregoing appropriation item 490-610, PASSPORT/Residential State Supplement, up to \$2,835,000 each fiscal year may be used to fund the Residential State Supplement Program. The remaining available funds shall be used to fund the PASSPORT program.

FEDERAL SUPPORTIVE SERVICES FUND

On July 1, 2007, as soon as possible thereafter, the Director of Budget and Management shall transfer all assets, liabilities, revenues, and obligations associated with the Federal Aging Nutrition Fund (Fund 3M3) to the Federal Supportive Services Fund (Fund 3M4). Upon the transfer, the Federal Aging Nutrition Fund (Fund 3M3) shall cease to exist. The Director of Budget and Management shall cancel any existing encumbrances against appropriation item 490-611, Federal Aging Nutrition Fund (Fund 3M3), and re-establish them against appropriation item 490-612, Federal Independence Services (Fund 3M4). The amounts of the re-established encumbrances are

hereby appropriated.

TRANSFER OF APPROPRIATIONS - FEDERAL INDEPENDENCE SERVICES AND FEDERAL AGING GRANTS

Upon written request of the Director of Aging, the Director of Budget and Management may transfer appropriation authority among appropriation items 490-612, Federal Independence Services, and 490-618, Federal Aging Grants, in amounts not to exceed 30 per cent of the appropriation from which the transfer is made. The Department of Aging shall report a transfer to the Controlling Board at the next regularly scheduled meeting of the board.

TRANSFER OF RESIDENT PROTECTION FUNDS

The Director of Budget and Management shall transfer \$600,000 per year in cash from Fund 4E3, Resident Protection Fund, in the Department of Job and Family Services, to Fund 5BA in the Department of Aging, to be used for the expansion of ombudsman services to enhance consumer involvement and person-centered care planning in nursing homes by the Office of the State Long-Term Care Ombudsman created by the Department of Aging under division (M) of section 173.01 of the Revised Code.

OHIO'S BEST RX ADMINISTRATION

The foregoing appropriation item 490-673, Ohio's Best Rx Administration, shall be used on an ongoing basis to cover expenses associated with the Ohio's Best Rx Program specified in section 173.86 of the Revised Code. If receipts to the fund exceed the appropriated amount, the Director of Aging may seek Controlling Board approval to increase the appropriation of this fund. Upon approval from the Controlling Board, the additional amounts are hereby appropriated.

SECTION 213.30. UNIFIED LONG-TERM CARE BUDGET WORKGROUP

(A) There is hereby created the Unified Long-Term Care Budget Workgroup. The Workgroup shall consist of the following members:

- (1) The Director of Aging;
- (2) Consumer advocates, representatives of the provider community, and state policy makers, appointed by the Governor;
- (3) Two members of the House of Representatives, one member from the majority party and one member from the minority party, appointed by the Speaker of the House of Representatives;
- (4) Two members of the Senate, one member from the majority party and one member from the minority party, appointed by the President of the Senate.

The Director of Aging shall serve as the chairperson of the Workgroup.

(B) The Workgroup shall develop a unified long-term care budget that facilitates the following:

(1) Providing a consumer a choice of services that meet the consumer's health care needs and improve the consumer's quality of life;

(2) Providing a continuum of services that meet the needs of a consumer throughout life;

(3) Consolidating policymaking authority and the associated budgets in a single entity to simplify the consumer's decision making and maximize the state's flexibility in meeting the consumer's needs;

(4) Assuring the state has a system that is cost effective and links disparate services across agencies and jurisdictions.

(C) The Workgroup shall submit a written implementation plan to the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, and the members of the Joint Legislative Committee on Medicaid Technology and Reform not later than June 1, 2008. The plan shall incorporate the following:

(1) Recommendations regarding the structure of the unified long-term care budget;

(2) A plan outlining how funds can be transferred among involved agencies in a fiscally neutral manner;

(3) Identification of the resources needed to implement the unified budget in a multiphase approach starting in fiscal year 2009;

(4) Success criteria and tools to measure progress against the success criteria.

The plan shall consider the recommendations of the Medicaid Administrative Study Council and the Ohio Commission to Reform Medicaid.

(D) In support of the Unified Long-Term Care Budget the following shall be established in the General Revenue Fund:

(1) In the Department of Aging, 490-423, Long-Term Care Budget - State;

(2) In the Department of Job and Family Services, 600-435, Long-Term Care Budget - State;

(3) In the Department of Mental Retardation and Developmental Disabilities, 322-406, Long-Term Care Budget - State;

(4) In the Department of Mental Health, 335-411, Long-Term Care Budget - State.

(E) On an annual basis, the Directors of Aging and Budget and

Management shall submit a written report to the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, and the members of the Joint Legislative Committee on Medicaid Technology and Reform describing the progress towards establishing, or if already established, the effectiveness of the unified long-term care budget.

(F) When the Governor creates the administration described in section 309.30.03 of this act for the Medicaid program, the Director of Budget and Management may do all of the following in support of the Workgroup's proposal:

(1) Transfer funds and appropriations currently appropriated to pay for Medicaid services to any appropriation item referenced in division (D) of this section;

(2) Transfer funds between appropriation items referenced in division (D) of this section;

(3) Develop a reporting mechanism to transparently show how the funds are being transferred and expended.

The Director shall obtain Controlling Board approval before transferring funds or appropriations under division (F) of this section.

(G) Before a proposal for a unified long-term care budget may be implemented, the Joint Legislative Committee on Medicaid Technology and Reform shall approve implementation of the proposal and submit the Committee's approval to the Governor.

SECTION 215.10. AGR DEPARTMENT OF AGRICULTURE

General Revenue Fund

GRF 700-321	Operating Expenses	\$	2,605,330	\$	2,605,330
GRF 700-401	Animal Disease Control	\$	3,574,506	\$	3,574,506
GRF 700-403	Dairy Division	\$	1,304,504	\$	1,304,504
GRF 700-404	Ohio Proud	\$	196,895	\$	196,895
GRF 700-405	Animal Damage Control	\$	60,000	\$	60,000
GRF 700-406	Consumer Analytical Lab	\$	953,906	\$	953,906
GRF 700-407	Food Safety	\$	865,100	\$	865,100
GRF 700-409	Farmland Preservation	\$	241,573	\$	241,573
GRF 700-410	Plant Industry	\$	350,000	\$	350,000
GRF 700-411	International Trade and Market Development	\$	617,524	\$	617,524
GRF 700-412	Weights and Measures	\$	1,300,000	\$	1,300,000
GRF 700-413	Gypsy Moth Prevention	\$	200,000	\$	200,000
GRF 700-415	Poultry Inspection	\$	400,000	\$	400,000
GRF 700-418	Livestock Regulation Program	\$	1,428,496	\$	1,428,496
GRF 700-424	Livestock Testing and Inspections	\$	115,946	\$	115,946
GRF 700-499	Meat Inspection Program -	\$	4,696,889	\$	4,696,889

	State Share			
GRF 700-501	County Agricultural Societies	\$	483,226 \$	483,226
GRF 700-503	Livestock Exhibition Fund	\$	62,500 \$	62,500
TOTAL GRF	General Revenue Fund	\$	19,456,395 \$	19,456,395
General Services Fund Group				
5DA 700-644	Laboratory Administration Support	\$	1,100,000 \$	1,100,000
TOTAL GSF	General Services Fund Group	\$	1,100,000 \$	1,100,000
Federal Special Revenue Fund Group				
3AB 700-641	Agricultural Easement	\$	2,000,000 \$	2,000,000
3J4 700-607	Indirect Cost	\$	600,000 \$	600,000
3R2 700-614	Federal Plant Industry	\$	4,800,000 \$	4,800,000
326 700-618	Meat Inspection Program - Federal Share	\$	4,960,000 \$	4,950,000
336 700-617	Ohio Farm Loan Revolving Fund	\$	44,679 \$	44,679
382 700-601	Cooperative Contracts	\$	3,700,000 \$	3,700,000
TOTAL FED	Federal Special Revenue Fund Group	\$	16,104,679 \$	16,094,679
State Special Revenue Fund Group				
4C9 700-605	Feed, Fertilizer, Seed, and Lime Inspection	\$	1,850,000 \$	1,850,000
4D2 700-609	Auction Education	\$	24,601 \$	24,601
4E4 700-606	Utility Radiological Safety	\$	73,059 \$	73,059
4P7 700-610	Food Safety Inspection	\$	858,096 \$	858,096
4R2 700-637	Dairy Industry Inspection	\$	1,500,000 \$	1,500,000
4T6 700-611	Poultry and Meat Inspection	\$	47,294 \$	47,294
4T7 700-613	International Trade and Market Development	\$	15,000 \$	15,000
494 700-612	Agricultural Commodity Marketing Program	\$	250,000 \$	250,000
496 700-626	Ohio Grape Industries	\$	850,000 \$	849,999
497 700-627	Commodity Handlers Regulatory Program	\$	500,000 \$	500,000
5B8 700-629	Auctioneers	\$	365,390 \$	365,390
5H2 700-608	Metrology Lab and Scale Certification	\$	427,526 \$	427,526
5L8 700-604	Livestock Management Program	\$	30,000 \$	30,000
578 700-620	Ride Inspection Fees	\$	1,000,000 \$	1,000,001
652 700-634	Animal and Consumer Analytical Laboratory	\$	3,000,000 \$	3,000,000
669 700-635	Pesticide Program	\$	2,800,000 \$	2,800,000
TOTAL SSR	State Special Revenue Fund Group	\$	13,590,966 \$	13,590,966
Clean Ohio Conservation Fund Group				
057 700-632	Clean Ohio Agricultural Easement	\$	149,000 \$	149,000
TOTAL CLF	Clean Ohio Conservation Fund Group	\$	149,000 \$	149,000
TOTAL ALL BUDGET FUND GROUPS		\$	50,401,040 \$	50,391,040

OHIO - ISRAEL AGRICULTURAL INITIATIVE

Of the foregoing General Revenue Fund appropriation item 700-411, International Trade and Market Development, \$100,000 shall be used in each fiscal year for the Ohio - Israel Agricultural Initiative.

COUNTY AGRICULTURAL SOCIETIES

The foregoing appropriation item 700-501, County Agricultural Societies, shall be used to reimburse county and independent agricultural societies for expenses related to Junior Fair activities.

LIVESTOCK EXHIBITION FUND

The foregoing appropriation item 700-503, Livestock Exhibition Fund, shall be used in accordance with section 901.42 of the Revised Code.

CORRECTIVE CASH TRANSFER TO ANIMAL HEALTH AND FOOD SAFETY FUND

On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management may transfer all cash from the Animal Industry Laboratory Fund (Fund 4V5) to the Laboratory Services Fund (Fund 652) to correct deposits that were mistakenly deposited to the Laboratory Services Fund (Fund 4V5).

SECTION 217.10. AIR QUALITY DEVELOPMENT AUTHORITY

General Revenue Fund

GRF 898-402	Coal Development Office	\$	565,097	\$	589,092
GRF 898-901	Coal R&D General Obligation Debt Service	\$	7,232,400	\$	8,192,500
TOTAL GRF General Revenue Fund		\$	7,797,497	\$	8,781,592

General Services Fund Group

SEG 898-608	Energy Strategy Development	\$	307,000	\$	307,000
TOTAL GSF General Services Fund		\$	307,000	\$	307,000

Agency Fund Group

4Z9 898-602	Small Business Ombudsman	\$	287,146	\$	294,290
5A0 898-603	Small Business Assistance	\$	71,087	\$	71,087
570 898-601	Operating Expenses	\$	255,000	\$	264,000
TOTAL AGY Agency Fund Group		\$	613,233	\$	629,377

Coal Research/Development Fund

046 898-604	Coal Research and Development Fund	\$	10,000,000	\$	10,000,000
TOTAL 046 Coal Research/Development Fund		\$	10,000,000	\$	10,000,000
TOTAL ALL BUDGET FUND GROUPS		\$	18,717,730	\$	19,717,969

COAL DEVELOPMENT OFFICE

The foregoing appropriation item GRF 898-402, Coal Development Office, shall be used for the administrative costs of the Coal Development Office.

COAL RESEARCH AND DEVELOPMENT GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item GRF 898-901, Coal R & D 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 during the period from July 1, 2007 to June 30, 2009 for obligations issued under sections 151.01 and 151.07 of the Revised Code.

SCIENCE AND TECHNOLOGY COLLABORATION

The Air Quality Development Authority shall work in close collaboration with the Department of Development, the Board of Regents, 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 those agencies may designate, to ensure implementation of a coherent state strategy with respect to science and technology.

To the extent permitted by law, the Air Quality Development Authority shall assure that coal research and development programs, proposals, and projects consider or incorporate appropriate collaborations with Third Frontier Project programs and grantees and with Alignment Programs and grantees.

"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; 235-508, Air Force Institute of Technology; 235-510, Ohio Supercomputer Center; 235-451, Eminent Scholars; 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 ideas and products 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.

As directed by the Third Frontier Commission, Alignment Program managers shall report to the Commission or to the Third Frontier Advisory Board on the contributions of their programs to achieving the objectives

stated in the preceding paragraph.

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. Each alignment program 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 Program funding shall identify their requirements for high-performance computing facilities and services, including both hardware and software, in all 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 its conclusion 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 Program 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.

CORRECTIVE CASH TRANSFER

On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management may transfer \$35,555.35 in cash from the General Revenue Fund (GRF) into the Coal Research and Development Bond Services Fund (Fund 076) to correct deposits that were mistakenly deposited into the General Revenue Fund (GRF).

SECTION 219.10. ADA DEPARTMENT OF ALCOHOL AND DRUG ADDICTION SERVICES

General Revenue Fund

GRF 038-321	Operating Expenses	\$	1,071,861	\$	1,071,861
GRF 038-401	Treatment Services	\$	38,661,063	\$	41,661,063
GRF 038-404	Prevention Services	\$	1,052,127	\$	1,552,127
TOTAL GRF General Revenue Fund		\$	40,785,051	\$	44,285,051

General Services Fund

5T9 038-616	Problem Gambling Services	\$	285,000	\$	285,000
TOTAL GSF General Services Fund Group		\$	285,000	\$	285,000

Federal Special Revenue Fund Group

3G3 038-603	Drug Free Schools	\$	3,500,000	\$	3,500,000
3G4 038-614	Substance Abuse Block Grant	\$	73,000,000	\$	73,000,000
3H8 038-609	Demonstration Grants	\$	7,093,075	\$	7,093,075
3J8 038-610	Medicaid	\$	46,000,000	\$	46,000,000
3N8 038-611	Administrative Reimbursement	\$	500,000	\$	500,000

TOTAL FED Federal Special Revenue Fund Group		\$	130,093,075	\$	130,093,075
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State Special Revenue Fund Group

475 038-621	Statewide Treatment and Prevention	\$	18,000,000	\$	18,000,000
5BR 038-406	Tobacco Use Prevention and Control Program	\$	205,000	\$	205,000
5DH 038-620	Fetal Alcohol Spectrum Disorder	\$	327,500	\$	327,500
689 038-604	Education and Conferences	\$	350,000	\$	350,000
TOTAL SSR State Special Revenue Fund Group		\$	18,882,500	\$	18,882,500
TOTAL ALL BUDGET FUND GROUPS		\$	190,045,626	\$	193,545,626

TREATMENT SERVICES

Of the foregoing appropriation item 038-401, Treatment Services, not more than \$8,190,000 shall be used by the Department of Alcohol and Drug Addiction Services for program grants for priority populations in each year of the biennium.

SUBSTANCE ABUSE SERVICES FOR FAMILIES OF AT RISK CHILDREN

Of the foregoing appropriation item 038-401, Treatment Services, \$4 million in each fiscal year shall be used to provide substance abuse services to families involved in the child welfare system under the requirements of Am. Sub. H.B. 484 of the 122nd General Assembly.

THERAPEUTIC COMMUNITIES

Of the foregoing appropriation item 038-401, Treatment Services, \$750,000 shall be used in each fiscal year for the Therapeutic Communities Program in the Department of Rehabilitation and Correction.

JUVENILE AFTERCARE PROGRAM

Of the foregoing appropriation item 038-401, Treatment Services, \$2,500,000 shall be used in fiscal year 2009 for the Juvenile Aftercare Program to provide community-based alcohol and other drug treatment to parolees from the Department of Youth Services.

Of the foregoing appropriation item 038-401, Treatment Services, \$5 million in each fiscal year shall be used for TANF-eligible expenses for substance abuse and treatment services to children or their families whose income is at or below 200 per cent of the federal poverty level.

PERFORMANCE AUDIT

The Auditor of State shall complete a performance audit of the Department of Alcohol and Drug Addiction Services. Upon completing the performance audit, the Auditor of State shall submit a report of the findings of the audit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Director of Alcohol and Drug Addiction Services. Expenses incurred by the Auditor of State to conduct the performance audit shall be reimbursed by the Department of Alcohol and Drug Addiction Services.

INTERNAL REVIEW

The Director of Alcohol and Drug Addiction Services shall consult with the Director of Budget and Management and representatives of local and county alcohol and drug addiction services agencies to conduct an internal review of policies and procedures to increase efficiency and identify and eliminate duplicative practices. Any savings identified as a result of the internal review for the performance audit conducted by the Auditor of State shall be used for community-based care.

The Director of Alcohol and Drug Addiction Services shall seek Controlling Board approval before expending any funds identified as a result of the internal review for the performance audit.

SECTION 221.10. ARC STATE BOARD OF EXAMINERS OF ARCHITECTS

General Services Fund Group

4K9 891-609 Operating Expenses	\$	638,110	\$	565,141
TOTAL GSF General Services Fund Group	\$	638,110	\$	565,141
TOTAL ALL BUDGET FUND GROUPS	\$	638,110	\$	565,141

SECTION 223.10. ART OHIO ARTS COUNCIL

General Revenue Fund

The above boxed and initialed text was disapproved.

Date: June 30, 2007

Ted Strickland
Ted Strickland, Governor

GRF 370-100	Personal Services	\$	1,798,235	\$	1,798,235
GRF 370-200	Maintenance	\$	459,746	\$	459,746
GRF 370-300	Equipment	\$	82,700	\$	82,700
GRF 370-502	State Program Subsidies	\$	10,147,480	\$	10,147,480
TOTAL GRF General Revenue Fund		\$	12,488,161	\$	12,488,161
General Services Fund Group					
4B7 370-603	Percent for Art Acquisitions	\$	86,366	\$	86,366
460 370-602	Management Expenses and Donations	\$	285,000	\$	285,000
TOTAL GSF General Services Fund Group		\$	371,366	\$	371,366
Federal Special Revenue Fund Group					
314 370-601	Federal Support	\$	800,000	\$	800,000
TOTAL FED Federal Special Revenue Fund Group		\$	800,000	\$	800,000
TOTAL ALL BUDGET FUND GROUPS		\$	13,659,527	\$	13,659,527

PROGRAM SUBSIDIES

A museum is not eligible to receive funds from appropriation item 370-502, State Program Subsidies, if \$8,000,000 or more in capital appropriations were appropriated by the state for the museum between January 1, 1986, and December 31, 2002.

SECTION 225.10. ATH ATHLETIC COMMISSION**General Services Fund Group**

4K9 175-609	Operating Expenses	\$	255,850	\$	255,850
TOTAL GSF General Services Fund Group		\$	255,850	\$	255,850
TOTAL ALL BUDGET FUND GROUPS		\$	255,850	\$	255,850

SECTION 227.10. AGO ATTORNEY GENERAL**General Revenue Fund**

GRF 055-321	Operating Expenses	\$	54,063,833	\$	54,007,332
GRF 055-411	County Sheriffs' Pay Supplement	\$	813,117	\$	842,134
GRF 055-415	County Prosecutors' Pay Supplement	\$	896,404	\$	923,888
TOTAL GRF General Revenue Fund		\$	55,773,354	\$	55,773,354

General Services Fund Group

106 055-612	General Reimbursement	\$	29,870,196	\$	29,870,196
195 055-660	Workers' Compensation Section	\$	8,002,720	\$	8,002,720
4Y7 055-608	Title Defect Rescission	\$	750,000	\$	750,000
4Z2 055-609	BCI Asset Forfeiture and Cost Reimbursement	\$	1,000,000	\$	1,000,000
418 055-615	Charitable Foundations	\$	6,919,850	\$	7,064,978
420 055-603	Attorney General Antitrust	\$	1,500,000	\$	1,500,000
421 055-617	Police Officers' Training Academy Fee	\$	2,000,000	\$	2,000,000
5A9 055-618	Telemarketing Fraud Enforcement	\$	7,500	\$	7,500

590	055-633	Peace Officer Private Security Fund	\$	98,370	\$	98,370
629	055-636	Corrupt Activity Investigation and Prosecution	\$	15,000	\$	15,000
631	055-637	Consumer Protection Enforcement	\$	2,500,000	\$	2,500,000
TOTAL GSF General Services Fund Group			\$	52,663,636	\$	52,808,764
Federal Special Revenue Fund Group						
3E5	055-638	Attorney General Pass-Through Funds	\$	2,850,000	\$	3,030,000
3R6	055-613	Attorney General Federal Funds	\$	4,870,000	\$	5,115,000
306	055-620	Medicaid Fraud Control	\$	3,139,500	\$	3,296,500
381	055-611	Civil Rights Legal Service	\$	402,540	\$	402,540
383	055-634	Crime Victims Assistance	\$	16,000,000	\$	16,000,000
TOTAL FED Federal Special Revenue Fund Group			\$	27,262,040	\$	27,844,040
State Special Revenue Fund Group						
4L6	055-606	DARE	\$	3,927,962	\$	3,927,962
402	055-616	Victims of Crime	\$	34,000,000	\$	34,000,000
419	055-623	Claims Section	\$	25,000,000	\$	25,000,000
659	055-641	Solid and Hazardous Waste Background Investigations	\$	621,159	\$	621,159
TOTAL SSR State Special Revenue Fund Group			\$	63,549,121	\$	63,549,121
Holding Account Redistribution Fund Group						
R04	055-631	General Holding Account	\$	1,000,000	\$	1,000,000
R05	055-632	Antitrust Settlements	\$	1,000	\$	1,000
R18	055-630	Consumer Frauds	\$	750,000	\$	750,000
R42	055-601	Organized Crime Commission Distributions	\$	25,025	\$	25,025
TOTAL 090 Holding Account Redistribution Fund Group			\$	1,776,025	\$	1,776,025
TOTAL ALL BUDGET FUND GROUPS			\$	201,024,176	\$	201,751,304

COUNTY SHERIFFS' PAY SUPPLEMENT

The foregoing appropriation item 055-411, County Sheriffs' Pay Supplement, shall be used for the purpose of supplementing the annual compensation of county sheriffs as required by section 325.06 of the Revised Code.

At the request of the Attorney General, the Director of Budget and Management may transfer appropriation authority from appropriation item 055-321, Operating Expenses, to appropriation item 055-411, County Sheriffs' Pay Supplement. Any appropriation authority so transferred to appropriation item 055-411, County Sheriffs' Pay Supplement, shall be used to supplement the annual compensation of county sheriffs as required by section 325.06 of the Revised Code.

COUNTY PROSECUTORS' PAY SUPPLEMENT

The foregoing appropriation item 055-415, County Prosecutors' Pay Supplement, shall be used for the purpose of supplementing the annual compensation of certain county prosecutors as required by section 325.111 of the Revised Code.

At the request of the Attorney General, the Director of Budget and Management may transfer appropriation authority from appropriation item 055-321, Operating Expenses, to appropriation item 055-415, County Prosecutors' Pay Supplement. Any appropriation authority so transferred to appropriation item 055-415, County Prosecutors' Pay Supplement, shall be used to supplement the annual compensation of county prosecutors as required by section 325.111 of the Revised Code.

WORKERS' COMPENSATION SECTION

The Workers' Compensation Section Fund (Fund 195) is entitled to receive payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission at the beginning of each quarter of each fiscal year to fund legal services to be provided to the Bureau of Workers' Compensation and the Ohio Industrial Commission during the ensuing quarter. The advance payment shall be subject to adjustment.

In addition, the Bureau of Workers' Compensation shall transfer payments at the beginning of each quarter for the support of the Workers' Compensation Fraud Unit.

All amounts shall be mutually agreed upon by the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission.

CORRUPT ACTIVITY INVESTIGATION AND PROSECUTION

The foregoing appropriation item 055-636, Corrupt Activity Investigation and Prosecution, shall be used as provided by division (D)(2) of section 2923.35 of the Revised Code to dispose of the proceeds, fines, and penalties credited to the Corrupt Activity Investigation and Prosecution Fund, which is created in division (D)(1)(b) of section 2923.35 of the Revised Code.

GENERAL HOLDING ACCOUNT

The foregoing appropriation item 055-631, General Holding Account, shall be used to distribute moneys under the terms of relevant court orders received from settlements in a variety of cases involving the Office of the Attorney General.

ATTORNEY GENERAL PASS-THROUGH FUNDS

The foregoing appropriation item 055-638, Attorney General Pass-Through Funds, shall be used to receive federal grant funds provided to the Attorney General by other state agencies, including, but not limited to, the Department of Youth Services and the Department of Public Safety.

ANTITRUST SETTLEMENTS

The foregoing appropriation item 055-632, Antitrust Settlements, shall be used to distribute court-ordered antitrust settlements in which the Office of Attorney General represents the state or a political subdivision under section 109.81 of the Revised Code.

CONSUMER FRAUDS

The foregoing appropriation item 055-630, Consumer Frauds, shall be used for distribution of moneys from court-ordered judgments against sellers in actions brought by the Office of Attorney General under sections 1334.08 and 4549.48 and division (B) of section 1345.07 of the Revised Code. These moneys shall be used to provide restitution to consumers victimized by the fraud that generated the court-ordered judgments.

ORGANIZED CRIME COMMISSION DISTRIBUTIONS

The foregoing appropriation item 055-601, Organized Crime Commission Distributions, shall be used by the Organized Crime Investigations Commission, as provided by section 177.011 of the Revised Code, to reimburse political subdivisions for the expenses the political subdivisions incur when their law enforcement officers participate in an organized crime task force.

BCI ASSET FORFEITURE AND COST REIMBURSEMENT

The Bureau of Criminal Identification and Investigation Asset Forfeiture and Cost Reimbursement Fund created by section 109.521 of the Revised Code is the same fund as the BCI Asset Forfeiture and Cost Reimbursement Fund created by the Controlling Board in January 1997.

FUND ADJUSTMENTS

On July 1, 2007, or as soon as practicable thereafter, the Director of Budget and Management shall transfer the cash balance in the Employment Services Fund (Fund 107) to the General Reimbursement Fund (Fund 106). The Director shall cancel any existing encumbrances against appropriation item 055-624, Employment Services, and re-establish them against appropriation item 055-612, General Reimbursement. The amounts of the re-established encumbrances are hereby appropriated. Upon completion of these transfers, the Employment Services Fund (Fund 107) is hereby abolished.

On July 1, 2007, or as soon as practicable thereafter, the Director of Budget and Management shall transfer the cash balance in the Crime Victims Compensation Fund (Fund 108) to the Reparations Fund (Fund 402). Upon completion of this transfer, the Crime Victims Compensation Fund (Fund 108) is hereby abolished.

SECTION 229.10. AUD AUDITOR OF STATE

General Revenue Fund

GRF 070-321	Operating Expenses	\$	31,469,552	\$	32,771,482
GRF 070-403	Fiscal Watch/Emergency Technical Assistance	\$	600,000	\$	600,000
TOTAL GRF General Revenue Fund		\$	32,069,552	\$	33,371,482

Auditor of State Fund Group

109 070-601	Public Audit Expense - Intra-State	\$	11,000,000	\$	11,000,000
422 070-601	Public Audit Expense - Local Government	\$	33,000,000	\$	34,000,000
584 070-603	Training Program	\$	181,250	\$	181,250
675 070-605	Uniform Accounting Network	\$	3,317,336	\$	3,317,336
TOTAL AUD Auditor of State Fund Group		\$	47,498,586	\$	48,498,586
TOTAL ALL BUDGET FUND GROUPS		\$	79,568,138	\$	81,870,068

FISCAL WATCH/EMERGENCY TECHNICAL ASSISTANCE

The foregoing appropriation item 070-403, Fiscal Watch/Emergency Technical Assistance, shall be used for expenses incurred by the Office of the Auditor of State in its role relating to fiscal watch or fiscal emergency activities under Chapters 118. and 3316. of the Revised Code. Expenses include, but are not limited to, the following: duties related to the determination or termination of fiscal watch or fiscal emergency of municipal corporations, counties, or townships as outlined in Chapter 118. of the Revised Code and of school districts as outlined in Chapter 3316. of the Revised Code; development of preliminary accounting reports; performance of annual forecasts; provision of performance audits; and supervisory, accounting, or auditing services for the mentioned public entities and school districts. The unencumbered balance of appropriation item 070-403, Fiscal Watch/Emergency Technical Assistance, at the end of fiscal year 2008 is transferred to fiscal year 2009 for use under the same appropriation item.

UNIFORM ACCOUNTING NETWORK/TECHNOLOGY
IMPROVEMENTS FUND TRANSFER

Upon the request of the Auditor of State, and subject to approval from the Controlling Board, effective July 1, 2007, or as soon thereafter as possible, the Director of Budget and Management shall transfer the appropriation balance in GRF appropriation item 070-406, Uniform Accounting Network/Technology Improvements Fund, to GRF appropriation item 070-321, Operating Expenses. The Director shall cancel any existing encumbrances against GRF appropriation item 070-406, Uniform Accounting Network/Technology Improvement Fund, and

re-establish them against GRF appropriation item 070-321, Operating Expenses. The amounts of the re-established encumbrances are hereby appropriated.

SECTION 231.10. BRB BOARD OF BARBER EXAMINERS

General Services Fund Group

4K9 877-609	Operating Expenses	\$	608,045	\$	628,264
TOTAL GSF General Services Fund					
Group		\$	608,045	\$	628,264
TOTAL ALL BUDGET FUND GROUPS					

SECTION 233.10. OBM OFFICE OF BUDGET AND MANAGEMENT

General Revenue Fund

GRF 042-321	Budget Development and Implementation	\$	2,026,011	\$	2,128,284
GRF 042-410	National Association Dues	\$	28,700	\$	29,561
GRF 042-412	Audit of Auditor of State	\$	60,460	\$	60,460
GRF 042-413	Payment Issuance	\$	1,191,802	\$	1,150,192
GRF 042-416	Medicaid Agency Transition	\$	0	\$	1,500,000
TOTAL GRF General Revenue Fund					

General Services Fund Group

105 042-603	State Accounting and Budgeting	\$	12,115,134	\$	12,742,551
TOTAL GSF General Services Fund Group					

Federal Special Revenue Fund Group

3CM 042-606	Medicaid Agency Transition	\$	0	\$	1,500,000
TOTAL FED Federal Special Revenue Fund					

Group

State Special Revenue Fund Group

5N4 042-602	OAKS Project Implementation	\$	2,200,725	\$	2,132,168
TOTAL SSR State Special Revenue Fund					

Group

Agency Fund Group

5EH 042-604	Forgery Recovery	\$	35,000	\$	35,000
TOTAL AGY Agency Fund Group					
TOTAL ALL BUDGET FUND GROUPS					

AUDIT COSTS

Of the foregoing appropriation item 042-603, State Accounting and Budgeting, not more than \$435,000 in fiscal year 2008 and \$445,000 in fiscal year 2009 shall be used to pay for centralized audit costs associated with either Single Audit Schedules or financial statements prepared in conformance with generally accepted accounting principles for the state.

SECTION 233.20. OAKS SUPPORT ORGANIZATION

The OAKS Support Organization shall operate and maintain the financial management module of the state's enterprise resource planning system to support the activities of the Office of Budget and Management. The OAKS Support Organization shall recover the costs to establish and maintain the enterprise resource planning system through billings to the Office of Budget and Management.

Effective July 1, 2007, the Office of Budget Management shall include the recovery of costs to administer the financial module of the OAKS System in the accounting and budgeting services payroll rate. These revenues shall be deposited to the credit of the Accounting and Budgeting Services Fund (Fund 105). Amounts deposited under this section are hereby appropriated to appropriation item 042-603, State Accounting and Budgeting. Not less than quarterly, the Office of Budget and Management shall process the intrastate transfer voucher billings to transfer the Accounting and Budgeting Services Fund (Fund 105) to the OAKS Support Organization Fund (Fund 5EB), to pay for the OAKS Support Organization Costs.

TRANSFER BALANCE OF CONTINUOUS RECEIPTS FUND

On or before July 31, 2007, the unencumbered cash balance in the Continuous Receipts Fund (Fund R06) shall be transferred to the Forgery Recovery Fund (Fund 5EH).

SECTION 235.10. CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD

General Revenue Fund

GRF 874-100	Personal Services	\$	2,057,000	\$	2,057,000
GRF 874-320	Maintenance and Equipment	\$	1,085,837	\$	1,080,837
TOTAL GRF General Revenue Fund		\$	3,142,837	\$	3,137,837

General Services Fund Group

4G5 874-603	Capitol Square Education Center and Arts	\$	15,000	\$	15,000
4S7 874-602	Statehouse Gift Shop/Events	\$	650,484	\$	650,484
TOTAL GSF General Services Fund Group		\$	665,484	\$	665,484

Underground Parking Garage

208 874-601	Underground Parking Garage Operations	\$	2,706,993	\$	2,706,993
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TOTAL UPG Underground Parking

Garage		\$	2,706,993	\$	2,706,993
TOTAL ALL BUDGET FUND GROUPS		\$	6,515,314	\$	6,510,314

SECTION 237.10. SCR STATE BOARD OF CAREER COLLEGES AND SCHOOLS

General Services Fund Group

4K9 233-601 Operating Expenses	\$	552,300	\$	572,700
TOTAL GSF General Services Fund Group	\$	552,300	\$	572,700
TOTAL ALL BUDGET FUND GROUPS	\$	552,300	\$	572,700

SECTION 239.10. CDP CHEMICAL DEPENDENCY PROFESSIONALS BOARD

General Services Fund Group

4K9 930-609 Operating Expenses	\$	530,864	\$	551,146
TOTAL GSF General Services Fund Group	\$	530,864	\$	551,146
TOTAL ALL BUDGET FUND GROUPS	\$	530,864	\$	551,146

SECTION 241.10. CHR STATE CHIROPRACTIC BOARD

General Services Fund Group

4K9 878-609 Operating Expenses	\$	607,445	\$	621,621
TOTAL GSF General Services Fund Group	\$	607,445	\$	621,621
TOTAL ALL BUDGET FUND GROUPS	\$	607,445	\$	621,621

SECTION 243.10. CIV OHIO CIVIL RIGHTS COMMISSION

General Revenue Fund

GRF 876-321 Operating Expenses	\$	7,415,134	\$	7,097,134
TOTAL GRF General Revenue Fund	\$	7,415,134	\$	7,097,134

Federal Special Revenue Fund Group

334 876-601 Investigations	\$	3,965,507	\$	4,602,185
TOTAL FED Federal Special Revenue Fund Group	\$	3,965,507	\$	4,602,185

State Special Revenue Fund Group

217 876-604 Operations Support	\$	60,000	\$	60,000
TOTAL SSR State Special Revenue Fund Group	\$	60,000	\$	60,000
TOTAL ALL BUDGET FUND GROUPS	\$	11,440,641	\$	11,759,319

OPERATING EXPENSES

Of the foregoing appropriation item 876-321, Operating Expenses, at least \$318,000 in fiscal year 2008 is to be used to purchase computer and information technology equipment.

SECTION 245.10. COM DEPARTMENT OF COMMERCE

General Revenue Fund

GRF 800-410	Labor and Worker Safety	\$	2,132,396	\$	2,132,396
Total GRF General Revenue Fund		\$	2,132,396	\$	2,132,396
General Services Fund Group					
163 800-620	Division of Administration	\$	4,323,037	\$	4,413,037
163 800-637	Information Technology	\$	6,650,150	\$	6,780,963
5F1 800-635	Small Government Fire Departments	\$	300,000	\$	300,000
543 800-602	Unclaimed Funds-Operating	\$	7,880,468	\$	8,049,937
543 800-625	Unclaimed Funds-Claims	\$	70,000,000	\$	75,000,000
TOTAL GSF General Services Fund Group		\$	89,153,655	\$	94,543,937
Federal Special Revenue Fund Group					
348 800-622	Underground Storage Tanks	\$	195,008	\$	195,008
348 800-624	Leaking Underground Storage Tanks	\$	1,850,000	\$	1,850,000
TOTAL FED Federal Special Revenue Fund Group		\$	2,045,008	\$	2,045,008
State Special Revenue Fund Group					
4B2 800-631	Real Estate Appraisal Recovery	\$	35,000	\$	35,000
4H9 800-608	Cemeteries	\$	273,465	\$	273,465
4X2 800-619	Financial Institutions	\$	2,474,414	\$	2,523,918
5K7 800-621	Penalty Enforcement	\$	50,000	\$	50,000
544 800-612	Banks	\$	6,516,507	\$	6,703,253
545 800-613	Savings Institutions	\$	2,244,370	\$	2,286,616
546 800-610	Fire Marshal	\$	13,104,393	\$	13,579,150
546 800-639	Fire Department Grants	\$	1,647,140	\$	1,647,140
546 800-640	Homeland Security Grants	\$	10,000	\$	10,000
547 800-603	Real Estate Education/Research	\$	250,000	\$	250,000
548 800-611	Real Estate Recovery	\$	50,000	\$	50,000
549 800-614	Real Estate	\$	3,480,038	\$	3,574,171
550 800-617	Securities	\$	4,312,453	\$	4,473,094
552 800-604	Credit Union	\$	3,521,037	\$	3,627,390
553 800-607	Consumer Finance	\$	5,800,445	\$	5,800,445
556 800-615	Industrial Compliance	\$	25,033,908	\$	25,570,011
6A4 800-630	Real Estate Appraiser-Operating	\$	664,006	\$	664,006
653 800-629	UST Registration/Permit Fee	\$	1,512,512	\$	1,467,160
TOTAL SSR State Special Revenue Fund Group		\$	70,979,688	\$	72,584,819
Liquor Control Fund Group					
043 800-601	Merchandising	\$	440,499,979	\$	464,027,015
043 800-627	Liquor Control Operating	\$	15,980,724	\$	16,334,583
043 800-633	Development Assistance Debt Service	\$	33,678,800	\$	38,616,800
043 800-636	Revitalization Debt Service	\$	12,620,900	\$	15,683,300
TOTAL LCF Liquor Control Fund Group		\$	502,780,403	\$	534,661,698
TOTAL ALL BUDGET FUND GROUPS		\$	667,091,150	\$	705,967,858

SMALL GOVERNMENT FIRE DEPARTMENTS

Notwithstanding section 3737.17 of the Revised Code, the foregoing appropriation item 800-635, Small Government Fire Departments, may be

used to provide loans to private fire departments.

UNCLAIMED FUNDS PAYMENTS

The foregoing appropriation item 800-625, Unclaimed Funds-Claims, shall be used to pay claims under section 169.08 of the Revised Code. If it is determined that additional amounts are necessary, the amounts are hereby appropriated.

UNCLAIMED FUNDS TRANSFERS

Notwithstanding division (A) of section 169.05 of the Revised Code, prior to June 30, 2008, and upon the request of the Director of Budget and Management, the Director of Commerce shall transfer to the General Revenue Fund up to \$29,275,000 of unclaimed funds that have been reported by holders of unclaimed funds under section 169.05 of the Revised Code, irrespective of the allocation of the unclaimed funds under that section.

Notwithstanding division (A) of section 169.05 of the Revised Code, prior to June 30, 2009, and upon the request of the Director of Budget and Management, the Director of Commerce shall transfer to the General Revenue Fund up to \$29,275,000 of unclaimed funds that have been reported by holders of unclaimed funds under section 169.05 of the Revised Code, irrespective of the allocation of the unclaimed funds under that section.

CASH TRANSFER TO GENERAL REVENUE FUND

Notwithstanding any other law to the contrary, the Director of Budget and Management shall transfer up to \$5,700,000 in cash in fiscal year 2008 and up to \$5,800,000 in cash in fiscal year 2009 from the State Fire Marshal Fund (Fund 546) to the General Revenue Fund.

FIRE DEPARTMENT GRANTS

Of the foregoing appropriation item 800-639, Fire Department Grants, up to \$760,000 in each fiscal year shall be used to make annual grants to volunteer fire departments of up to \$10,000, or up to \$25,000 if the volunteer fire department provides service for an area affected by a natural disaster. The grant program shall be administered by the Fire Marshal under the Department of Commerce. The Fire Marshal shall adopt rules as are necessary for the administration and operation of the grant program.

Of the foregoing appropriation item 800-639, Fire Department Grants, up to \$687,140 in each fiscal year shall be used as full or partial reimbursement to local units of government and fire departments for the cost of firefighter training and equipment or gear. Under rules that the department shall adopt, a local unit of government or fire department may apply to the department for a grant to cover all documented costs that are

incurred to provide firefighter training and equipment or gear. The department shall make grants within the limits of the funding provided, with priority given to fire departments that serve small villages and townships.

Of the foregoing appropriation item 800-639, Fire Department Grants, up to \$200,000 in each fiscal year shall be used to make grants to fire departments to assist in the conversion of existing data systems to the NFIRS 5 electronic fire reporting system. Under rules that the department shall adopt, awards shall have a maximum of \$50,000 per fire department and shall be based on a point system that includes factors such as consideration of the fire department's information technology and operating budgets, population and area served, number of incidents, data conversion and implementation methods, and readiness.

CASH TRANSFER TO REAL ESTATE OPERATING FUND

At the request of the Director of Commerce, the Director of Budget and Management may transfer up to \$100,000 in cash from the Real Estate Recovery Fund (Fund 548) and up to \$350,000 in cash from the Real Estate Appraiser Recovery Fund (Fund 4B2) to the Real Estate Operating Fund (Fund 549) during fiscal years 2008-2009.

INCREASED APPROPRIATION AUTHORITY - MERCHANDISING

The foregoing appropriation item 800-601, Merchandising, shall be used under section 4301.12 of the Revised Code. If it is determined that additional amounts are necessary, the amounts are hereby appropriated.

DEVELOPMENT ASSISTANCE DEBT SERVICE

The foregoing appropriation item 800-633, Development Assistance Debt Service, shall be used to pay debt service and related financing costs at the times they are required to be made during the period from July 1, 2007, to June 30, 2009, for bond service charges on obligations issued under Chapter 166. of the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated, subject to the limitations set forth in section 166.11 of the Revised Code. An appropriation for this purpose is not required, but is made in this form and in this act for record purposes only.

REVITALIZATION DEBT SERVICE

The foregoing appropriation item 800-636, Revitalization Debt Service, shall be used to pay debt service and related financing costs under sections 151.01 and 151.40 of the Revised Code during the period from July 1, 2007, to June 30, 2009. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated. The General Assembly acknowledges the priority of the pledge of a portion of receipts from that source to obligations issued and to be issued under

Chapter 166. of the Revised Code.

ADMINISTRATIVE ASSESSMENTS

Notwithstanding any other provision of law to the contrary, Fund 163, Division of Administration, is entitled to receive assessments from all operating funds of the department in accordance with procedures prescribed by the Director of Commerce and approved by the Director of Budget and Management.

SECTION 247.10. OCC OFFICE OF CONSUMERS' COUNSEL

General Services Fund Group

5F5 053-601 Operating Expenses	\$	8,498,070	\$	8,498,070
TOTAL GSF General Services Fund Group	\$	8,498,070	\$	8,498,070
TOTAL ALL BUDGET FUND GROUPS	\$	8,498,070	\$	8,498,070

SECTION 249.10. CEB CONTROLLING BOARD

General Revenue Fund

GRF 911-404 Mandate Assistance	\$	650,000	\$	650,000
GRF 911-441 Ballot Advertising Costs	\$	300,000	\$	300,000
TOTAL GRF General Revenue Fund	\$	950,000	\$	950,000
TOTAL ALL BUDGET FUND GROUPS	\$	950,000	\$	950,000

DISASTER SERVICES FUND TRANSFERS TO THE EMERGENCY PURPOSES/CONTINGENCIES APPROPRIATION LINE ITEM

Notwithstanding any other provision of law to the contrary, the Director of Budget and Management may, with Controlling Board approval, transfer up to \$4,000,000 in cash, in each of fiscal years 2008 and 2009, from the Disaster Services Fund (Fund 5E2) to the General Revenue Fund. Upon completion of the transfer, the Director of Budget and Management shall appropriate the transferred amount to appropriation item 911-401, Emergency Purposes/Contingencies. The Controlling Board may, at the request of any state agency or the Director of Budget and Management, transfer all or part of the appropriation in appropriation item 911-401, Emergency Purposes/Contingencies, for the purpose of providing disaster and emergency situation aid to state agencies and political subdivisions in the event of disasters and emergency situations or for the other purposes noted in this section, including, but not limited to, costs related to the disturbance that occurred on April 11, 1993, at the Southern Ohio Correctional Facility in Lucasville, Ohio.

FEDERAL SHARE

In transferring appropriations to or from appropriation items that have federal shares identified in this act, the Controlling Board shall add or subtract corresponding amounts of federal matching funds at the percentages

indicated by the state and federal division of the appropriations in this act. Such changes are hereby appropriated.

DISASTER ASSISTANCE

Pursuant to requests submitted by the Department of Public Safety, the Controlling Board may approve transfers from appropriation item 911-401, Emergency Purposes/Contingencies, to Department of Public Safety appropriation items to provide funding for assistance to political subdivisions and individuals made necessary by natural disasters or emergencies. Such transfers may be requested and approved prior to or following the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.

DISASTER SERVICES

Pursuant to requests submitted by the Department of Public Safety, the Controlling Board may approve transfers from the Disaster Services Fund (5E2) to a Department of Public Safety fund and appropriation item to provide for assistance to political subdivisions made necessary by natural disasters or emergencies. These transfers may be requested and approved prior to the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance. The Emergency Management Agency of the Department of Public Safety shall use the funding to fund the State Disaster Relief Program for disasters that have been declared by the Governor, and the State Individual Assistance Program for disasters that have been declared by the Governor and the federal Small Business Administration. The Ohio Emergency Management Agency shall publish and make available application packets outlining procedures for the State Disaster Relief Program and the State Individual Assistance Program.

The Disaster Services Fund (5E2) shall be used by the Controlling Board, pursuant to requests submitted by state agencies, to transfer cash and appropriation authority to any fund and appropriation item for the payment of state agency disaster relief program expenses for disasters declared by the Governor, if the Director of Budget and Management determines that sufficient funds exist.

The unencumbered balance of the Disaster Services Fund (5E2) at the end of fiscal year 2008 is transferred to fiscal year 2009 for use for the same purposes as in fiscal year 2009.

SOUTHERN OHIO CORRECTIONAL FACILITY COST

The Division of Criminal Justice Services in the Department of Public Safety and the Public Defender Commission may each request, upon approval of the Director of Budget and Management, additional funds from appropriation item 911-401, Emergency Purposes/Contingencies, for costs

related to the disturbance that occurred on April 11, 1993, at the Southern Ohio Correctional Facility in Lucasville, Ohio.

MANDATE ASSISTANCE

(A) The foregoing appropriation item 911-404, Mandate Assistance, shall be used to provide financial assistance to local units of government and school districts for the cost of the following two state mandates:

(1) The cost to county prosecutors for prosecuting certain felonies that occur on the grounds of state institutions operated by the Department of Rehabilitation and Correction and the Department of Youth Services;

(2) The cost to school districts of in-service training for child abuse detection.

(B) The Division of Criminal Justice Services in the Department of Public Safety and the Department of Education may prepare and submit to the Controlling Board one or more requests to transfer appropriations from appropriation item 911-404, Mandate Assistance. The state agencies charged with this administrative responsibility are listed below, as well as the estimated annual amounts that may be used for each program of state financial assistance.

PROGRAM	ADMINISTERING AGENCY	ESTIMATED ANNUAL AMOUNT
Prosecution Costs	Division of Criminal Justice Services	\$150,000
Child Abuse Detection Training Costs	Department of Education	\$500,000

(C) Subject to the total amount appropriated in each fiscal year for appropriation item 911-404, Mandate Assistance, the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education may request from the Controlling Board that amounts smaller or larger than these estimated annual amounts be transferred to each program.

(D) In addition to making the initial transfers requested by the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education, the Controlling Board may transfer appropriations received by a state agency under this section back to appropriation item 911-404, Mandate Assistance, or to the other program of state financial assistance identified under this section.

(E) It is expected that not all costs incurred by local units of government and school districts under each of the two programs of state financial assistance identified in this section will be fully reimbursed by the state. Reimbursement levels may vary by program and shall be based on: the

relationship between the appropriation transfers requested by the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education and provided by the Controlling Board for each of the programs; the rules and procedures established for each program by the administering state agency; and the actual costs incurred by local units of government and school districts.

(F) Each of these programs of state financial assistance shall be carried out as follows:

(1) PROSECUTION COSTS

(a) Appropriations may be transferred to the Division of Criminal Justice Services in the Department of Public Safety to cover local prosecution costs for aggravated murder, murder, felonies of the first degree, and felonies of the second degree that occur on the grounds of institutions operated by the Department of Rehabilitation and Correction and the Department of Youth Services.

(b) Upon a delinquency filing in juvenile court or the return of an indictment for aggravated murder, murder, or any felony of the first or second degree that was committed at a Department of Youth Services or a Department of Rehabilitation and Correction institution, the affected county may, in accordance with rules that the Division of Criminal Justice Services in the Department of Public Safety shall adopt, apply to the Division of Criminal Justice Services for a grant to cover all documented costs that are incurred by the county prosecutor's office.

(c) Twice each year, the Division of Criminal Justice Services in the Department of Public Safety shall designate counties to receive grants from those counties that have submitted one or more applications in compliance with the rules that have been adopted by the Division of Criminal Justice Services for the receipt of such grants. In each year's first round of grant awards, if sufficient appropriations have been made, up to a total of \$100,000 may be awarded. In each year's second round of grant awards, the remaining appropriations available for this purpose may be awarded.

(d) If for a given round of grants there are insufficient appropriations to make grant awards to all the eligible counties, the first priority shall be given to counties with cases involving aggravated murder and murder; second priority shall be given to counties with cases involving a felony of the first degree; and third priority shall be given to counties with cases involving a felony of the second degree. Within these priorities, the grant awards shall be based on the order in which the applications were received, except that applications for cases involving a felony of the first or second degree shall not be considered in more than two consecutive rounds of grant

awards.

(2) CHILD ABUSE DETECTION TRAINING COSTS

Appropriations may be transferred to the Department of Education for disbursement to local school districts as full or partial reimbursement for the cost of providing in-service training for child abuse detection. In accordance with rules that the department shall adopt, a local school district may apply to the department for a grant to cover all documented costs that are incurred to provide in-service training for child abuse detection. The department shall make grants within the limits of the funding provided.

(G) Any moneys allocated within appropriation item 911-404, Mandate Assistance, not fully utilized may, upon application of the Ohio Public Defender Commission, and with the approval of the Controlling Board, be disbursed to boards of county commissioners to provide additional reimbursement for the costs incurred by counties in providing defense to indigent defendants pursuant to Chapter 120. of the Revised Code. Application for the unutilized funds shall be made by the Ohio Public Defender Commission at the first June meeting of the Controlling Board.

The amount to be disbursed to each county shall be allocated proportionately on the basis of the total amount of reimbursement paid to each county as a percentage of the amount of reimbursement paid to all of the counties during the most recent state fiscal year for which data is available and as calculated by the Ohio Public Defender Commission.

BALLOT ADVERTISING COSTS

Pursuant to requests submitted by the Ohio Ballot Board, the Controlling Board shall approve transfers from the foregoing appropriation item 911-441, Ballot Advertising Costs, to an Ohio Ballot Board appropriation item in order to reimburse county boards of elections for the cost of public notices associated with statewide ballot initiatives.

SECTION 251.10. COS STATE BOARD OF COSMETOLOGY

General Services Fund Group

4K9 879-609 Operating Expenses	\$	3,533,679	\$	3,533,679
TOTAL GSF General Services Fund				
Group	\$	3,533,679	\$	3,533,679
TOTAL ALL BUDGET FUND GROUPS	\$	3,533,679	\$	3,533,679

SECTION 253.10. CSW COUNSELOR, SOCIAL WORKER, AND MARRIAGE AND FAMILY THERAPIST BOARD

General Services Fund Group

4K9 899-609 Operating Expenses	\$	1,124,267	\$	1,179,774
TOTAL GSF General Services Fund				

Group	\$	1,124,267	\$	1,179,774
TOTAL ALL BUDGET FUND GROUPS	\$	1,124,267	\$	1,179,774

SECTION 255.10. CLA COURT OF CLAIMS

General Revenue Fund

GRF 015-321	Operating Expenses	\$	2,758,681	\$	2,841,441
TOTAL GRF	General Revenue Fund	\$	2,758,681	\$	2,841,441

State Special Revenue Fund Group

5K2 015-603	CLA Victims of Crime	\$	1,582,684	\$	1,582,684
TOTAL SSR	State Special Revenue Fund Group	\$	1,582,684	\$	1,582,684
TOTAL ALL BUDGET FUND GROUPS		\$	4,341,365	\$	4,424,125

SECTION 257.10. AFC OHIO CULTURAL FACILITIES COMMISSION

General Revenue Fund

GRF 371-321	Operating Expenses	\$	176,136	\$	176,136
GRF 371-401	Lease Rental Payments	\$	36,604,600	\$	37,455,500
TOTAL GRF	General Revenue Fund	\$	36,780,736	\$	37,631,636

State Special Revenue Fund Group

4T8 371-601	Riffe Theatre Equipment Maintenance	\$	81,000	\$	81,000
4T8 371-603	Project Administration Services	\$	1,302,866	\$	1,302,866
TOTAL SSR	State Special Revenue Group	\$	1,383,866	\$	1,383,866
TOTAL ALL BUDGET FUND GROUPS		\$	38,164,602	\$	39,015,502

LEASE RENTAL PAYMENTS

The foregoing appropriation item 371-401, Lease Rental Payments, shall be used to meet all payments from the Ohio Cultural Facilities Commissions to the Treasurer of State during the period from July 1, 2007, to June 30, 2009, under the primary leases and agreements for those arts and sports facilities made under Chapters 152. and 154. of the Revised Code. This appropriation is the source of funds pledged for bond service charges on related obligations issued pursuant to Chapters 152. and 154. of the Revised Code.

OPERATING EXPENSES

The foregoing appropriation item 371-321, Operating Expenses, shall be used by the Ohio Cultural Facilities Commission to carry out its responsibilities under this section and Chapter 3383. of the Revised Code.

By the tenth day following each calendar quarter in each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall determine the amount of cash from interest earnings to be transferred from the Cultural and Sports Facilities Building Fund (Fund 030) to the Cultural

Facilities Commission Administration Fund (Fund 4T8).

As soon as possible after each bond issuance made on behalf of the Cultural Facilities Commission, the Director of Budget and Management shall determine the amount of cash from any premium paid on each issuance that is available to be transferred after all issuance costs have been paid from the Cultural and Sports Facilities Building Fund (Fund 030) to the Cultural Facilities Commission Administration Fund (Fund 4T8).

CAPITAL DONATIONS FUND CERTIFICATIONS AND APPROPRIATIONS

The Executive Director of the Cultural Facilities Commission shall certify to the Director of Budget and Management the amount of cash receipts and related investment income, irrevocable letters of credit from a bank, or certification of the availability of funds that have been received from a county or a municipal corporation for deposit into the Capital Donations Fund (Fund 5A1) and are related to an anticipated project. These amounts are hereby appropriated to appropriation item CAP-702, Capital Donations. Prior to certifying these amounts to the Director, the Executive Director shall make a written agreement with the participating entity on the necessary cash flows required for the anticipated construction or equipment acquisition project.

SECTION 259.10. DEN STATE DENTAL BOARD

General Services Fund Group

4K9 880-609 Operating Expenses	\$	1,437,392	\$	1,528,749
TOTAL GSF General Services Fund Group	\$	1,437,392	\$	1,528,749
TOTAL ALL BUDGET FUND GROUPS	\$	1,437,392	\$	1,528,749

SECTION 261.10. BDP BOARD OF DEPOSIT

General Services Fund Group

4M2 974-601 Board of Deposit	\$	1,676,000	\$	1,676,000
TOTAL GSF General Services Fund Group	\$	1,676,000	\$	1,676,000
TOTAL ALL BUDGET FUND GROUPS	\$	1,676,000	\$	1,676,000

BOARD OF DEPOSIT EXPENSE FUND

Upon receiving certification of expenses from the Treasurer of State, the Director of Budget and Management shall transfer cash from the Investment Earnings Redistribution Fund (Fund 608) to the Board of Deposit Expense Fund (Fund 4M2). The latter fund shall be used to pay for banking charges and fees required for the operation of the State of Ohio Regular Account.

SECTION 263.10. DEV DEPARTMENT OF DEVELOPMENT

General Revenue Fund

GRF 195-401	Thomas Edison Program	\$	19,404,838	\$	17,978,483
GRF 195-404	Small Business Development	\$	1,740,722	\$	1,792,944
GRF 195-405	Minority Business Development Division	\$	1,580,291	\$	1,627,700
GRF 195-407	Travel and Tourism	\$	1,800,000	\$	1,800,000
GRF 195-410	Defense Conversion Assistance	\$	5,000,000	\$	0
GRF 195-412	Rapid Outreach Grants	\$	10,750,000	\$	10,000,000
GRF 195-415	Economic Development Division and Regional Offices	\$	5,894,975	\$	6,071,824
GRF 195-416	Governor's Office of Appalachia	\$	4,746,043	\$	4,746,043
GRF 195-422	Third Frontier Action Fund	\$	18,790,000	\$	16,790,000
GRF 195-426	Clean Ohio Implementation	\$	300,000	\$	309,000
GRF 195-432	International Trade	\$	4,650,501	\$	4,650,501
GRF 195-434	Investment in Training Grants	\$	12,227,500	\$	12,594,325
GRF 195-436	Labor/Management Cooperation	\$	836,225	\$	836,225
GRF 195-497	CDBG Operating Match	\$	1,072,184	\$	1,072,184
GRF 195-498	State Match Energy	\$	96,820	\$	96,820
GRF 195-501	Appalachian Local Development Districts	\$	391,482	\$	391,482
GRF 195-502	Appalachian Regional Commission Dues	\$	254,208	\$	254,208
GRF 195-507	Travel and Tourism Grants	\$	1,130,000	\$	1,115,000
GRF 195-516	Shovel Ready Sites	\$	1,000,000	\$	1,000,000
GRF 195-520	Ohio Main Street Program	\$	750,000	\$	250,000
GRF 195-521	Discover Ohio!	\$	7,182,845	\$	8,182,845
GRF 195-905	Third Frontier Research & Development General Obligation Debt Service	\$	14,349,500	\$	24,523,400
GRF 195-912	Job Ready Site Development General Obligation Debt Service	\$	4,359,400	\$	8,232,500
TOTAL GRF General Revenue Fund		\$	118,307,534	\$	124,315,484

General Services Fund Group

135 195-684	Supportive Services	\$	11,699,404	\$	11,321,444
5AD 195-667	Investment in Training Expansion	\$	2,000,000	\$	0
5AD 195-668	Workforce Guarantee Program	\$	1,000,000	\$	0
5AD 195-677	Economic Development Contingency	\$	5,000,000	\$	24,400,000
5W5 195-690	Travel and Tourism Cooperative Projects	\$	350,000	\$	350,000
5W6 195-691	International Trade Cooperative Projects	\$	300,000	\$	300,000
685 195-636	Direct Cost Recovery Expenditures	\$	800,000	\$	800,000

TOTAL GSF General Services Fund

Group	\$	21,149,404	\$	37,171,444
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Federal Special Revenue Fund Group

3AE 195-643	Workforce Development Initiatives	\$	5,839,900	\$	5,860,000
3BJ 195-685	TANF Heating Assistance	\$	45,000,000	\$	15,000,000
3K8 195-613	Community Development Block Grant	\$	65,000,000	\$	65,000,000
3K9 195-611	Home Energy Assistance Block Grant	\$	110,000,000	\$	110,000,000
3K9 195-614	HEAP Weatherization	\$	22,000,000	\$	22,000,000
3L0 195-612	Community Services Block Grant	\$	25,235,000	\$	25,235,000
3V1 195-601	HOME Program	\$	40,000,000	\$	40,000,000
308 195-602	Appalachian Regional Commission	\$	475,000	\$	475,000
308 195-603	Housing and Urban Development	\$	6,000,000	\$	6,000,000
308 195-605	Federal Projects	\$	27,000,000	\$	27,000,000
308 195-609	Small Business Administration	\$	4,296,381	\$	4,396,381
308 195-618	Energy Federal Grants	\$	3,400,000	\$	3,400,000
335 195-610	Energy Conservation and Emerging Technology	\$	2,200,000	\$	2,200,000

TOTAL FED Federal Special Revenue

Fund Group	\$	356,446,281	\$	326,566,381
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State Special Revenue Fund Group

4F2 195-639	State Special Projects	\$	518,393	\$	518,393
4F2 195-676	Marketing Initiatives	\$	5,000,000	\$	1,000,000
4S0 195-630	Tax Incentive Programs	\$	650,800	\$	650,800
4W1 195-646	Minority Business Enterprise Loan	\$	2,580,597	\$	2,580,597
444 195-607	Water and Sewer Commission Loans	\$	523,775	\$	523,775
450 195-624	Minority Business Bonding Program Administration	\$	53,967	\$	53,967
451 195-625	Economic Development Financing Operating	\$	3,233,311	\$	3,233,311
5AR 195-674	Industrial Site Improvements	\$	4,500,000	\$	4,500,000
5CG 195-679	Alternative Fuel Transportation	\$	1,500,000	\$	1,000,000
5DU 195-689	Energy Projects	\$	840,000	\$	840,000
5M4 195-659	Low Income Energy Assistance	\$	245,000,000	\$	245,000,000
5M5 195-660	Advanced Energy Programs	\$	17,000,000	\$	17,000,000
5X1 195-651	Exempt Facility Inspection	\$	25,000	\$	25,000
611 195-631	Water and Sewer Administration	\$	15,713	\$	15,713
617 195-654	Volume Cap Administration	\$	200,000	\$	200,000
646 195-638	Low- and Moderate- Income Housing Trust Fund	\$	53,000,000	\$	53,000,000

TOTAL SSR State Special Revenue

Fund Group	\$	334,641,556	\$	330,141,556
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Facilities Establishment Fund Group

009	195-664	Innovation Ohio	\$	50,000,000	\$	50,000,000
010	195-665	Research and Development	\$	50,000,000	\$	50,000,000
037	195-615	Facilities Establishment	\$	110,000,000	\$	110,000,000
4Z6	195-647	Rural Industrial Park Loan	\$	3,000,000	\$	3,000,000
5D2	195-650	Urban Redevelopment Loans	\$	5,475,000	\$	5,475,000
5S8	195-627	Rural Development Initiative	\$	3,000,000	\$	3,000,000
5S9	195-628	Capital Access Loan Program	\$	3,000,000	\$	3,000,000
TOTAL 037 Facilities Establishment Fund Group			\$	224,475,000	\$	224,475,000

Clean Ohio Revitalization Fund

003	195-663	Clean Ohio Operating	\$	625,000	\$	550,000
TOTAL 003 Clean Ohio Revitalization Fund			\$	625,000	\$	550,000

Third Frontier Research & Development Fund Group

011	195-686	Third Frontier Operating	\$	1,932,056	\$	1,932,056
011	195-687	Third Frontier Research & Development Projects	\$	94,000,000	\$	72,000,000
014	195-692	Research & Development Taxable Bond Projects	\$	28,000,000	\$	28,000,000
TOTAL 011 Third Frontier Research & Development Fund Group			\$	123,932,056	\$	101,932,056

Job Ready Site Development Fund Group

012	195-688	Job Ready Site Operating	\$	1,246,155	\$	1,246,155
TOTAL 012 Job Ready Site Development Fund Group			\$	1,246,155	\$	1,246,155
TOTAL ALL BUDGET FUND GROUPS			\$	1,180,822,986	\$	1,146,398,076

SECTION 263.10.10. THOMAS EDISON PROGRAM

The foregoing appropriation item 195-401, Thomas Edison Program, shall be used for the purposes of sections 122.28 to 122.38 of the Revised Code in order to provide funds for cooperative public and private efforts in technological innovation to promote the development and transfer of technology by and to Ohio businesses that will lead to the creation of jobs. Of the foregoing appropriation item 195-401, Thomas Edison Program, not more than ten per cent in each fiscal year shall be used for operating expenditures in administering the programs of the Technology Division.

Of the foregoing appropriation item 195-401, Thomas Edison Program, \$2,000,000 in fiscal year 2008 shall be used by Development Projects, Inc., for technology commercialization.

SECTION 263.10.20. SMALL BUSINESS DEVELOPMENT

The foregoing appropriation item 195-404, Small Business Development, shall be used to ensure that the unique needs and concerns of small businesses are addressed.

The foregoing appropriation item 195-404, Small Business Development, may be used to provide grants to local organizations to support the operation of Small Business Development Centers and other local economic development activity promoting small business, including the 1st Stop Business Connection, and for the cost of administering the small business development center program. The centers shall provide technical, financial, and management consultation for small business and shall facilitate access to state and federal programs. These funds shall be used as matching funds for grants from the United States Small Business Administration and other federal agencies, pursuant to Public Law No. 96-302 (1980) as amended by Public Law No. 98-395 (1984), and regulations and policy guidelines for the programs under this law.

MINORITY BUSINESS DEVELOPMENT DIVISION

Of the foregoing appropriation item 195-405, Minority Business Development Division, up to \$1,060,000 but not less than \$954,000 in each fiscal year shall be used to fund minority contractors and business assistance organizations. The Minority Business Development Division shall determine which cities need minority contractors and business assistance organizations by utilizing United States Census Bureau data and zip codes to locate the highest concentrations of minority businesses. The Minority Business Development Division also shall determine the numbers of minority contractors and business assistance organizations necessary and the amount of funding to be provided each. In addition, the Minority Business Development Division shall continue to plan and implement business conferences.

SECTION 263.10.30. RAPID OUTREACH GRANTS

The foregoing appropriation item 195-412, Rapid Outreach Grants, shall be used as an incentive for attracting and retaining business opportunities for the state. Any such business opportunity, whether new, expanding, or relocating in Ohio, is eligible for funding. The project must create or retain a significant number of jobs for Ohioans. Grant awards may be considered only when (1) the project's viability hinges on an award of funds from appropriation item 195-412, Rapid Outreach Grants; (2) all other public or private sources of financing have been considered; or (3) the funds act as a catalyst for the infusion into the project of other financing sources.

The department's primary goal shall be to award funds to political subdivisions of the state for off-site infrastructure improvements. In order to meet the particular needs of economic development in a region, the department may elect to award funds directly to a business for on-site

infrastructure improvements. "Infrastructure improvements" mean improvements to water system facilities, sewer and sewage treatment facilities, electric or gas service facilities, fiber optic facilities, rail facilities, site preparation, and parking facilities. The Director of Development may recommend the funds be used in an alternative manner when considered appropriate to meet an extraordinary economic development opportunity or need.

The foregoing appropriation item 195-412, Rapid Outreach Grants, may be expended only after the submission of a request to the Controlling Board by the Department of Development outlining the planned use of the funds, and the subsequent approval of the request by the Controlling Board.

The foregoing appropriation item 195-412, Rapid Outreach Grants, may be used for, but is not limited to, construction, rehabilitation, and acquisition projects for rail freight assistance as requested by the Department of Transportation. The Director of Transportation shall submit the proposed projects to the Director of Development for an evaluation of potential economic benefit.

SECTION 263.10.40. ECONOMIC DEVELOPMENT DIVISION AND REGIONAL OFFICES

The foregoing appropriation item 195-415, Economic Development Division and Regional Offices, shall be used for the operating expenses of the Economic Development Division and the regional economic development offices and for grants for cooperative economic development ventures.

SECTION 263.10.50. GOVERNOR'S OFFICE OF APPALACHIA

The foregoing appropriation item 195-416, Governor's Office of Appalachia, shall be used for the administrative costs of planning and liaison activities for the Governor's Office of Appalachia, and to provide financial assistance to projects in Ohio's Appalachian counties.

Of the foregoing appropriation item 195-416, Governor's Office of Appalachia, up to \$250,000 each fiscal year shall be used to match federal funds from the Appalachian Regional Commission to provide job training to impact the Appalachian Region.

Of the foregoing appropriation item 195-416, Governor's Office of Appalachia, up to \$4,246,043 in each fiscal year shall be used in conjunction with other federal and state funds to provide financial assistance to projects in Ohio's Appalachian counties in order to further the goals of the

Appalachian Regional Commission. The projects and project sponsors shall meet Appalachian Regional Commission eligibility requirements. Grants shall be administered by the Department of Development.

SECTION 263.10.60. THIRD FRONTIER ACTION FUND

The foregoing appropriation item 195-422, Third Frontier Action Fund, shall be used to make grants under sections 184.01 and 184.02 of the Revised Code. Prior to the release of funds from appropriation item 195-422, Third Frontier Action Fund, each grant award shall be recommended for funding by the Third Frontier Commission and obtain approval from the Controlling Board.

Of the foregoing appropriation item 195-422, Third Frontier Action Fund, not more than six per cent in each fiscal year shall be used for operating expenditures in administering the program.

In addition to the six per cent for operating expenditures, an additional administrative amount, not to exceed \$1,500,000 within the biennium, shall be available for proposal evaluation, research and analyses, and marketing efforts considered necessary to receive and disseminate information about science and technology-related opportunities in the state.

Of the foregoing appropriation item 195-422, Third Frontier Action Fund, \$2,000,000 in fiscal year 2008 shall be used by Development Projects, Inc., for business and job creation resulting from Third Frontier investments.

SCIENCE AND TECHNOLOGY COLLABORATION

The Department of Development shall work in close collaboration with the Board of Regents, 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; 235-508, Air Force Institute of Technology; 235-510, Ohio Supercomputer Center; 235-451, Eminent Scholars; 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; 195-435, Biomedical Research and

Technology Transfer Trust; 195-687, Third Frontier Research & Development Projects; CAP-068, Third Frontier Project; and 195-692, Research & Development Taxable Bond Projects.

Consistent with the recommendations of the Governor's Commission on Higher Education and the Economy, Alignment Programs shall be managed and administered in accordance with the following objectives: (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. As directed by the Third Frontier Commission, Alignment Program managers shall report to the Commission or the Third Frontier Advisory Board regarding the contributions of their programs to achieving these objectives.

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 with respect to 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 expenditures of state funds. Each Alignment Program shall provide an annual report to the Third Frontier Commission that discusses existing, planned, or possible collaborations between programs and between recipients of grant funding related to technology, development, commercialization, and the support of Ohio's economic development. The annual review conducted 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 all 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 263.10.70. INTERNATIONAL TRADE

The foregoing appropriation item 195-432, International Trade, shall be used to operate and to maintain Ohio's out-of-state trade offices.

The Director of Development may enter into contracts with foreign nationals to staff foreign offices. The contracts may be paid in local currency or United States currency and shall be exempt from section 127.16 of the Revised Code. The director also may establish foreign currency accounts under section 122.05 of the Revised Code for the payment of expenses related to the operation and maintenance of the foreign trade offices.

The foregoing appropriation item 195-432, International Trade, shall be used to fund the International Trade Division and to assist Ohio manufacturers and agricultural producers in exporting to foreign countries in conjunction with the Department of Agriculture.

Of the foregoing appropriation item 195-432, International Trade, up to \$35,000 may be used to purchase gifts for representatives of foreign governments or dignitaries of foreign countries.

SECTION 263.10.80. OHIO INVESTMENT IN TRAINING PROGRAM

The foregoing appropriation items 195-434, Investment in Training Grants, and 195-667, Investment in Training Expansion, shall be used to promote training through grants for the reimbursement of eligible training expenses.

Of the foregoing appropriation item 195-434, Investment in Training Grants, \$300,000 in each fiscal year shall be used for the Re-Tooling for Success Program at Washington State Community College.

SECTION 263.10.90. CDBG OPERATING MATCH

The foregoing appropriation item 195-497, CDBG Operating Match, shall be used to provide matching funds as requested by the United States Department of Housing and Urban Development to administer the federally funded Community Development Block Grant (CDBG) program.

STATE OPERATING MATCH

The foregoing appropriation item 195-498, State Match Energy, shall be used to provide matching funds as required by the United States Department of Energy to administer the federally funded State Energy Plan.

SECTION 263.10.95. DEFENSE CONVERSION ASSISTANCE

Of the foregoing appropriation item 195-410, Defense Conversion Assistance, \$5,000,000 in fiscal year 2008 shall be used by Development Projects, Inc., for the creation of new jobs to leverage and support mission gains at Wright-Patterson Air Force Base in defense intelligence, aerospace research, and related areas from successful base realignment and closure efforts.

SECTION 263.10.97. STATE FILM BUREAU

There is hereby created the State Film Bureau. The mission of the Bureau shall be to promote media production in the state and to help the industry optimize its production experience in the state, including enhancing local economies through increased employment and tax revenues and ensuring an accurate portrayal of Ohio. The Bureau shall serve as an informational clearinghouse and provide technical assistance to the media production industry and business entities engaged in media production in the state. The Bureau shall promote Ohio as the ideal site for media production and help those in the industry benefit from their experience in the state.

The primary objective of the Bureau shall be to encourage development of a strong capital base for electronic media production in order to achieve an independent, self-supporting industry in Ohio. Other objectives shall include:

(A) Attracting private investment for the electronic media production industry;

(B) Developing a tax infrastructure that encourages private investment; and

(C) Encouraging increased employment opportunities within this sector and increased competition with other states.

The State Film Bureau shall conduct a study of Ohio's media production industry and make recommendations that lead to job growth in that industry.

The study shall identify and benchmark Ohio's current and potential capabilities for growth in the sectors and sub-sectors of commercial, industrial, education, and entertainment media. The Bureau shall prepare a comprehensive report of its findings, along with recommendations for private sector and public policy initiatives that can lead to the future growth of the media production industry in Ohio, increased job opportunities, and the enhancement of Ohio's image as a desirable place to do business.

SECTION 263.20.10. TRAVEL AND TOURISM GRANTS

The foregoing appropriation item 195-507, Travel and Tourism Grants, shall be used to provide grants to local organizations to support various local travel and tourism events in Ohio.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$50,000 in each fiscal year shall be used for the Cleveland Film Bureau.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$50,000 in each fiscal year shall be used for the Cincinnati Film Bureau.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$500,000 in each fiscal year shall be used for grants to The International Center for the Preservation of Wild Animals.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$50,000 in each fiscal year shall be used for the Greater Cleveland Sports Commission.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$50,000 in each fiscal year shall be used for the Greater Columbus Sports Commission.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$50,000 in fiscal year 2008 shall be used for the Ohio Alliance of Science Centers.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$100,000 in each fiscal year shall be used for the Harbor Heritage Society/Great Lakes Science Center in support of operations of the Steamship William G. Mather Maritime Museum, and \$100,000 in each fiscal year shall be used for the Great Lakes Historical Society.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$35,000 in fiscal year 2009 shall be used for the Ohio Junior Angus Association to assist with costs associated with hosting the Eastern Regional Junior Angus Show in June 2009.

Of the foregoing appropriation item 195-507, Travel and Tourism

Grants, \$60,000 in each fiscal year shall be used for the Ohio River Trails program.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$60,000 in each fiscal year shall be used to support the outdoor drama "Tecumseh!"

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$25,000 in each fiscal year shall be used for Ohio's Appalachian Country.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$25,000 in each fiscal year shall be used for the Garst Museum.

Of the foregoing appropriation item 195-507, Travel and Tourism Grants, \$10,000 in each fiscal year shall be used for the Pro Football Hall of Fame Festival.

SECTION 263.10.12. SHOVEL READY SITES

The foregoing appropriation item 195-516, Shovel Ready Sites, shall be used for Development Projects, Inc., for advanced technical intelligence centers, the Springfield Port Authority, and other qualifying projects under section 122.083 of the Revised Code.

SECTION 263.20.13. OHIO MAIN STREET PROGRAM

Of the foregoing appropriation item 195-520, Ohio Main Street Program, \$500,000 in fiscal year 2008 shall be used for the rebuilding and revitalization of downtown Wauseon following the April 14, 2007, fire in that community. Such funds shall be used by the mayor of Wauseon or the mayor's designee to provide grants and matching grants to owners or their successors whose buildings and property were damaged or destroyed by the fire. Such grants shall only be used to supplement investments of owners or successors who are rebuilding in the downtown location of the fire.

SECTION 263.20.16. DISCOVER OHIO!

The foregoing appropriation item 195-521, Discover Ohio!, shall be used by the Division of Travel and Tourism in the Department of Development for marketing and promoting Ohio as a tourism destination and for nonpersonnel costs associated with operating such programs.

SECTION 263.20.20. THIRD FRONTIER RESEARCH & DEVELOPMENT GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 195-905, Third Frontier Research & Development General Obligation Debt Service, shall be used to pay all debt service and related financing costs during the period from July 1, 2007, to June 30, 2009, on obligations issued for research and development purposes under sections 151.01 and 151.10 of the Revised Code.

JOB READY SITE DEVELOPMENT GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 195-912, Job Ready Site Development General Obligation Debt Service, shall be used to pay all debt service and related financing costs during the period from July 1, 2007, to June 30, 2009, on obligations issued for job ready site development purposes under sections 151.01 and 151.11 of the Revised Code.

SECTION 263.20.30. SUPPORTIVE SERVICES

The Director of Development may assess divisions of the department for the cost of central service operations. An assessment shall be based on a plan submitted to and approved by the Office of Budget and Management by August 1, 2007, and shall contain the characteristics of administrative ease and uniform application.

A division's payments shall be credited to the Supportive Services Fund (Fund 135) using an intrastate transfer voucher.

Of the foregoing appropriation item 195-684, Supportive Services, \$50,000 in fiscal year 2008 and \$35,000 in fiscal year 2009 shall be used for Crawford County to hire a local economic development coordinator.

WORKFORCE GUARANTEE PROGRAM

The foregoing appropriation item 195-668, Workforce Guarantee Program, shall be used for the Workforce Guarantee Program.

Benefited employers must create at least 20 high-paying, full-time jobs over a one-year period and must demonstrate prior to the commitment of state funds that the availability of those skilled workers is a major factor in the employer's decision to locate or expand in Ohio. Customized training activities are eligible for funding through the Workforce Guarantee Program.

The Director of Development, under Chapter 119. of the Revised Code, shall adopt, and may amend or rescind, rules the Director finds necessary for the implementation and successful operation of the Workforce Guarantee Program.

ECONOMIC DEVELOPMENT CONTINGENCY

Of the foregoing appropriation item 195-677, Economic Development Contingency, up to \$19,400,000 shall be used by the Third Frontier

Commission in fiscal year 2009 for biomedical research and technology transfer purposes under sections 184.01 to 184.03 of the Revised Code.

Of the foregoing appropriation item 195-677, Economic Development Contingency, \$1,500,000 in fiscal year 2008 shall be used for Cleveland Hopkins International Airport projects to support increased service and expand the existing hub, as defined in 49 U.S.C. 40102, Infrastructure.

DIRECT COST RECOVERY EXPENDITURES

The foregoing appropriation item 195-636, Direct Cost Recovery Expenditures, shall be used for conference and subscription fees and other reimbursable costs. Revenues to the General Reimbursement Fund (Fund 685) shall consist of fees and other moneys charged for conferences, subscriptions, and other administrative costs that are not central service costs.

SECTION 263.20.40. HEAP WEATHERIZATION

Fifteen per cent of the federal funds received by the state for the Home Energy Assistance Block Grant shall be deposited in appropriation item 195-614, HEAP Weatherization (Fund 3K9), and shall be used to provide home weatherization services in the state.

The Department of Development shall seek, and if approved shall implement, a federal waiver to increase the percentage of the Home Energy Block Grant that may be used for weatherization to at least sixteen and one-half per cent in fiscal year 2008 and at least seventeen and one-half per cent in fiscal year 2009. Upon approval of the federal waiver, the Director of Development shall seek Controlling Board approval to adjust appropriation items 195-611, Home Energy Assistance Block Grant, and 195-614, HEAP Weatherization, as needed to implement the federal waiver.

STATE SPECIAL PROJECTS

The foregoing fund, Fund 4F2, State Special Projects Fund, shall be used for the deposit of private-sector funds from utility companies and for the deposit of other miscellaneous state funds. Private-sector moneys shall be used to (1) pay the expenses of verifying the income-eligibility of HEAP applicants, (2) market economic development opportunities in the state, and (3) leverage additional federal funds. State funds shall be used to match federal housing grants for the homeless and to market economic development opportunities in the state.

SECTION 263.20.50. TAX INCENTIVE PROGRAMS OPERATING

On July 1, 2007, or as soon thereafter as possible, the Director of

Budget and Management shall transfer the cash balance in the Job Creation Tax Credit Operating Fund (Fund 4S1) to the Tax Incentive Programs Operating Fund (Fund 4S0). The Director shall cancel any existing encumbrances against appropriation item 195-634, Job Creation Tax Credit Operating (Fund 4S1), and re-establish them against appropriation item 195-630, Tax Incentive Programs Operating (Fund 4S0). The amounts of the re-established encumbrances are hereby appropriated.

SECTION 263.20.53. MINORITY BUSINESS DEVELOPMENT ORGANIZATIONS

Notwithstanding Chapter 122. of the Revised Code and any other law to the contrary, of the foregoing appropriation item 195-646, Minority Business Enterprise Loan, \$300,000 in each fiscal year shall be used to award grants of \$150,000 each to two minority business development organizations in the state. The grants shall be awarded through a competitive process and shall be used for efforts to build capacity and long term sustainability.

SECTION 263.20.60. MINORITY BUSINESS ENTERPRISE LOAN

All repayments from the Minority Development Financing Advisory Board Loan Program and the Ohio Mini-Loan Guarantee Program shall be deposited in the State Treasury to the credit of the Minority Business Enterprise Loan Fund (Fund 4W1).

All operating costs of administering the Minority Business Enterprise Loan Fund shall be paid from the Minority Business Enterprise Loan Fund (Fund 4W1).

MINORITY BUSINESS BONDING FUND

Notwithstanding Chapters 122., 169., and 175. of the Revised Code and other provisions of Am. Sub. H.B. 283 of the 123rd General Assembly, the Director of Development may, upon the recommendation of the Minority Development Financing Advisory Board, pledge up to \$10,000,000 in the FY 2008-2009 biennium of unclaimed funds administered by the Director of Commerce and allocated to the Minority Business Bonding Program under section 169.05 of the Revised Code. The transfer of any cash by the Director of Budget and Management from the Department of Commerce's Unclaimed Funds Fund (Fund 543) to the Department of Development's Minority Business Bonding Fund (Fund 449) shall occur, if requested by the Director of Development, only if such funds are needed for payment of losses arising from the Minority Business Bonding Program, and only after proceeds of

the initial transfer of \$2,700,000 by the Controlling Board to the Minority Business Bonding Program has been used for that purpose. Moneys transferred by the Director of Budget and Management from the Department of Commerce for this purpose may be moneys in custodial funds held by the Treasurer of State. If expenditures are required for payment of losses arising from the Minority Business Bonding Program, such expenditures shall be made from appropriation item 195-623, Minority Business Bonding Contingency in the Minority Business Bonding Fund, and such amounts are appropriated.

SECTION 263.20.70. ECONOMIC DEVELOPMENT FINANCING OPERATING

The foregoing appropriation item 195-625, Economic Development Financing Operating, shall be used for the operating expenses of financial assistance programs authorized under Chapter 166. of the Revised Code and under sections 122.43 and 122.45 of the Revised Code.

ALTERNATIVE FUEL TRANSPORTATION

The foregoing appropriation item 195-679, Alternative Fuel Transportation, shall be used by the Director of Development to make grants under the Alternative Fuel Transportation Grant Fund Program in accordance with section 122.075 of the Revised Code, and for administrative costs associated with the program.

Of the foregoing appropriation item 195-679, Alternative Fuel Transportation, up to \$1,000,000 in each fiscal year shall be used to encourage retail gas stations to provide E85 and B20 (or higher) fuel to customers in accordance with section 122.075 of the Revised Code.

LOW INCOME ENERGY ASSISTANCE

The foregoing appropriation item 195-659, Low Income Energy Assistance, shall be used to provide payments to regulated electric utility companies for low-income customers enrolled in Percentage of Income Payment Plan (PIPP) electric accounts, to fund targeted energy efficiency and customer education services to PIPP customers, and to cover the department's administrative costs related to Universal Service Fund Programs. If it is determined that additional appropriations are necessary to provide payments to regulated utility companies for low income customers enrolled in PIPP electric accounts, such appropriations are subject to approval by the Controlling Board upon the submission of a request by the Department of Development.

ADVANCED ENERGY FUND

The foregoing appropriation item 195-660, Advanced Energy Programs,

shall be used to provide financial assistance to customers for eligible advanced energy projects for residential, commercial and industrial business, local government, educational institution, nonprofit, and agriculture customers, and to pay for the program's administrative costs as provided in the Revised Code and rules adopted by the Director of Development.

Of the foregoing appropriation item 195-660, Advanced Energy Programs, up to \$1,500,000 over the biennium shall be used for methane digester projects in certified territories of electric distribution utilities and elsewhere throughout the state.

Of the foregoing appropriation item 195-660, Advanced Energy Programs, up to \$250,000 in each fiscal year shall be used for grants to school districts under section 3327.17 of the Revised Code.

By July 1, 2007, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$90,485 in cash from the Advanced Energy Fund (Fund 5M5) to the General Revenue Fund for use by the Division of Geological Survey in the Department of Natural Resources. The amount of the transfer is hereby appropriated in GRF appropriation item 728-321, Division of Geological Survey.

By July 1, 2008, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$64,557 in cash from the Advanced Energy Fund (Fund 5M5) to the General Revenue Fund for use by the Division of Geological Survey in the Department of Natural Resources. The amount of the transfer is hereby appropriated in GRF appropriation item 728-321, Division of Geological Survey.

TRANSFER FROM THE ADVANCED ENERGY FUND TO THE INDUSTRIAL SITE IMPROVEMENTS FUND

Notwithstanding Chapters 122. and 4928. of the Revised Code and any other law to the contrary, the Director of Budget and Management shall transfer \$4,500,000 in cash in fiscal year 2008 and \$4,500,000 in cash in fiscal year 2009 from the Advanced Energy Fund (Fund 5M5) to the Industrial Site Improvements Fund (Fund 5AR).

Moneys in Fund 5AR, Industrial Site Improvements, shall be used by the Director of Development to make grants to eligible counties for the improvement of commercial or industrial areas within those counties under section 122.951 of the Revised Code.

GLOBAL ANALYST SETTLEMENT AGREEMENTS PAYMENTS

All payments received by the state pursuant to a series of settlements with ten brokerage firms reached with the United States Securities and Exchange Commission, the National Association of Securities Dealers, the

New York Stock Exchange, the New York Attorney General, and other state regulators (henceforth referred to as the "Global Analysts Settlement Agreements"), shall be deposited into the state treasury to the credit of the Economic Development Contingency Fund (Fund 5Y6), which is hereby created in the state treasury. The fund shall be used by the Director of Development to support economic development projects for which appropriations would not otherwise be available, and shall be subject to the submission of a request to the Controlling Board by the Director outlining the planned use of the funds, and the subsequent approval of the request by the Controlling Board.

VOLUME CAP ADMINISTRATION

The foregoing appropriation item 195-654, Volume Cap Administration, shall be used for expenses related to the administration of the Volume Cap Program. Revenues received by the Volume Cap Administration Fund (Fund 617) shall consist of application fees, forfeited deposits, and interest earned from the custodial account held by the Treasurer of State.

INNOVATION OHIO LOAN FUND

The foregoing appropriation item 195-664, Innovation Ohio, shall be used to provide for innovation Ohio purposes, including loan guarantees and loans under Chapter 166. and particularly sections 166.12 to 166.16 of the Revised Code.

RESEARCH AND DEVELOPMENT

The foregoing appropriation item 195-665, Research and Development, shall be used to provide for research and development purposes, including loans, under Chapter 166. and particularly sections 166.17 to 166.21 of the Revised Code.

SECTION 263.20.75. TRANSFER FROM THE LOW- AND MODERATE-INCOME HOUSING TRUST FUND TO THE RESIDENTIAL STATE SUPPLEMENT FUND

Notwithstanding Chapter 175. of the Revised Code and any other law to the contrary, the Director of Budget and Management shall transfer \$1,500,000 cash in fiscal year 2008 and \$1,500,000 cash in fiscal year 2009 from the Low- and Moderate-Income Housing Trust Fund (Fund 646) in the Department of Development to the Residential State Supplement Fund (Fund 5CH) in the Department of Mental Health.

SECTION 263.20.80. FACILITIES ESTABLISHMENT FUND

The foregoing appropriation item 195-615, Facilities Establishment

(Fund 037), shall be used for the purposes of the Facilities Establishment Fund under Chapter 166. of the Revised Code.

Notwithstanding Chapter 166. of the Revised Code, an amount not to exceed \$1,800,000 in cash each fiscal year may be transferred from the Facilities Establishment Fund (Fund 037) to the Economic Development Financing Operating Fund (Fund 451). The transfer is subject to Controlling Board approval under division (B) of section 166.03 of the Revised Code.

Notwithstanding Chapter 166. of the Revised Code, an amount not to exceed \$5,475,000 in cash each fiscal year may be transferred during the biennium from the Facilities Establishment Fund (Fund 037) to the Urban Redevelopment Loans Fund (Fund 5D2) for the purpose of removing barriers to urban core redevelopment. The Director of Development shall develop program guidelines for the transfer and release of funds, including, but not limited to, the completion of all appropriate environmental assessments before state assistance is committed to a project. The transfers shall be subject to approval by the Controlling Board upon the submission of a request by the Department of Development.

Notwithstanding Chapter 166. of the Revised Code, an amount not to exceed \$3,000,000 in cash each fiscal year may be transferred from the Facilities Establishment Fund (Fund 037) to the Rural Industrial Park Loan Fund (Fund 4Z6). The transfer is subject to Controlling Board approval under section 166.03 of the Revised Code.

Notwithstanding Chapter 166. of the Revised Code, of the foregoing appropriation item 195-615, Facilities Establishment, \$1,500,000 in fiscal year 2008 shall be used for business development by any current or future port authority located in Clark County.

Notwithstanding Chapter 166. of the Revised Code, on July 1, 2007, or as soon as possible thereafter, the Director of Budget and Management, at the request of the Director of Development, shall transfer \$5,719,325 cash from the Facilities Establishment Fund (Fund 037) to the General Revenue Fund. Of the amount to be transferred, \$5,352,500 in fiscal year 2008 is hereby appropriated in appropriation item 195-412, Rapid Outreach Grants, and \$366,825 in fiscal year 2008 is hereby appropriated in appropriation item 195-434, Investment in Training Grants.

Notwithstanding Chapter 166. of the Revised Code, on July 1, 2008, or as soon as possible thereafter, the Director of Budget and Management, at the request of the Director of Development, shall transfer \$6,102,500 cash from the Facilities Establishment Fund (Fund 037) to the General Revenue Fund. The amount transferred is hereby appropriated in appropriation item 195-412, Rapid Outreach Grants, for fiscal year 2009.

Notwithstanding Chapter 166. of the Revised Code, on the first day of July of each year of the biennium, or as soon as possible thereafter, the Director of Budget and Management, at the request of the Director of Development, shall transfer \$4,275,000 cash from the Facilities Establishment Fund (Fund 037) to the Job Development Initiatives Fund (Fund 5AD). The amount transferred is hereby appropriated in each fiscal year in appropriation item 195-677, Economic Development Contingency.

Notwithstanding Chapter 166. of the Revised Code, of the foregoing appropriation item 195-615, Facilities Establishment, \$1,500,000 in fiscal year 2008 shall be used for the City of Toledo's Marina District Development project. Disbursement of funds for this purpose shall not take precedence over any existing obligations from the Facilities Establishment Fund or any other provision in this section.

ALTERNATIVE FUEL TRANSPORTATION GRANT FUND

Notwithstanding Chapter 166. of the Revised Code, an amount not to exceed \$1,000,000 in cash each fiscal year shall be transferred from moneys in the Facilities Establishment Fund (Fund 037) to the Alternative Fuel Transportation Grant Fund (Fund 5CG) in the Department of Development.

RURAL DEVELOPMENT INITIATIVE FUND

(A)(1) The Rural Development Initiative Fund (Fund 5S8) is entitled to receive moneys from the Facilities Establishment Fund (Fund 037). The Director of Development may make grants from the Rural Development Initiative Fund as specified in division (A)(2) of this section to eligible applicants in Appalachian counties and in rural counties in the state that are designated as distressed under section 122.25 of the Revised Code. Preference shall be given to eligible applicants located in Appalachian counties designated as distressed by the federal Appalachian Regional Commission. The Rural Development Initiative Fund (Fund 5S8) shall cease to exist after June 30, 2009. All moneys remaining in the Fund after that date shall revert to the Facilities Establishment Fund (Fund 037).

(2) The Director of Development shall make grants from the Rural Development Initiative Fund (Fund 5S8) only to eligible applicants who also qualify for and receive funding under the Rural Industrial Park Loan Program as specified in sections 122.23 to 122.27 of the Revised Code. Eligible applicants shall use the grants for the purposes specified in section 122.24 of the Revised Code. All projects supported by grants from the fund are subject to Chapter 4115. of the Revised Code as specified in division (E) of section 166.02 of the Revised Code. The Director shall develop program guidelines for the transfer and release of funds. The release of grant moneys to an eligible applicant is subject to Controlling Board approval.

(B) Notwithstanding Chapter 166. of the Revised Code, the Director of Budget and Management may transfer an amount not to exceed \$3,000,000 in cash each fiscal year on an as-needed basis at the request of the Director of Development from the Facilities Establishment Fund (Fund 037) to the Rural Development Initiative Fund (Fund 5S8). The transfer is subject to Controlling Board approval under section 166.03 of the Revised Code.

CAPITAL ACCESS LOAN PROGRAM

The foregoing appropriation item 195-628, Capital Access Loan Program, shall be used for operating, program, and administrative expenses of the program. Funds of the Capital Access Loan Program shall be used to assist participating financial institutions in making program loans to eligible businesses that face barriers in accessing working capital and obtaining fixed-asset financing.

Notwithstanding Chapter 166. of the Revised Code, the Director of Budget and Management may transfer an amount not to exceed \$3,000,000 in cash each fiscal year on an as-needed basis at the request of the Director of Development from the Facilities Establishment Fund (Fund 037) to the Capital Access Loan Program Fund (Fund 5S9). The transfer is subject to Controlling Board approval under section 166.03 of the Revised Code.

SECTION 263.20.90. CLEAN OHIO OPERATING EXPENSES

The foregoing appropriation item 195-663, Clean Ohio Operating, shall be used by the Department of Development in administering sections 122.65 to 122.658 of the Revised Code.

THIRD FRONTIER OPERATING

The foregoing appropriation item 195-686, Third Frontier Operating, shall be used for operating expenses incurred by the Department of Development in administering sections 184.10 to 184.20 of the Revised Code.

THIRD FRONTIER RESEARCH & DEVELOPMENT PROJECTS AND RESEARCH & DEVELOPMENT TAXABLE BOND PROJECTS

The foregoing appropriation items 195-687, Third Frontier Research & Development Projects, and 195-692, Research & Development Taxable Bond Projects, shall be used by the Department of Development to fund selected projects pursuant to sections 184.10 to 184.20 of the Revised Code. These projects are designated as costs of research and development projects to which the proceeds of the Third Frontier Research and Development Fund (Fund 011) and the Research & Development Taxable Bond Project Fund (Fund 014) are to be applied. JS

Of the foregoing appropriation items 195-687, Third Frontier Research

The above boxed and initialed text was
disapproved.

Date: June 30, 2007

Ed Strickland

and Development Projects, and 195-692, Research & Development Taxable Bond Projects, up to \$8,600,000 in fiscal year 2008, shall be used by the Office of Information Technology, in partnership with the Ohio Supercomputer Center's OSCnet, to acquire the equipment and services necessary to migrate state agencies' network to the existing OSCnet network backbone. This state network shall be known as the NextGen Network.

The proposal for the NextGen Network shall be subject to the process for rating and ranking of projects by the Third Frontier Commission pursuant to Chapter 184. of the Revised Code. The proposal shall compete among other proposals and be merit-selected based upon existing criteria for all Third Frontier-eligible projects. If selected by the Third Frontier Commission, funding for the NextGen Network shall be subject to approval by the Controlling Board.

Notwithstanding sections 184.10 to 184.20 of the Revised Code, up to \$20,000,000 in fiscal year 2009 from the total of the amounts in appropriation items 195-687, Third Frontier Research & Development Projects, and 195-692, Research & Development Taxable Bond Projects, shall be used to fund the Ohio Research Scholars Program in the Board of Regents pursuant to sections 3333.60 to 3333.70 of the Revised Code.

Notwithstanding sections 184.10 to 184.20 of the Revised Code, at the direction of the Director of Budget and Management up to \$18,000,000 in each fiscal year from appropriation item 195-687, Third Frontier Research & Development Projects, and appropriation item 195-692, Research & Development Taxable Bond Projects, shall be used to fund the Research Incentive Program in the Board of Regents.

On or before June 30, 2008, any unencumbered balances of the foregoing appropriation items 195-687, Third Frontier Research & Development Projects, and 195-692, Research & Development Taxable Bond Projects, for fiscal year 2008 are hereby appropriated for the same purposes for fiscal year 2009.

AUTHORITY TO ISSUE AND SELL ORIGINAL OBLIGATIONS

The Ohio Public Facilities Commission, upon request of the Department of Development, is hereby authorized to issue and sell, in accordance with Section 2p of Article VIII, Ohio Constitution, and particularly sections 151.01 and 151.10 of the Revised Code, original obligations of the State of Ohio in an aggregate amount not to exceed \$150,000,000. The authorized obligations shall be issued and sold from time to time and in amounts necessary to ensure sufficient moneys to the credit of the Third Frontier Research & Development Fund (Fund 011) to pay costs of research and development projects.

The above boxed and initialed text was disapproved.

Date: June 30 2007

Ted Strickland

Ted Strickland, Governor

JOB READY SITE OPERATING

The foregoing appropriation item 195-688, Job Ready Site Operating, shall be used for operating expenses incurred by the Department of Development in administering sections 122.085 to 122.0820 of the Revised Code. Operating expenses include, but are not limited to, certain expenses of the District Public Works Integrating Committees, audit and accountability activities, and costs associated with formal certifications verifying that site infrastructure is in place and is functional.

SECTION 263.20.95. THIRD FRONTIER BIOMEDICAL RESEARCH AND COMMERCIALIZATION PROGRAM

The General Assembly and the Governor recognize the role that the biomedical industry has in job creation, innovation, and economic development throughout Ohio. It is the intent of the General Assembly, the Governor, the Director of Development and the Director of Budget and Management to work together to continue to provide comprehensive state support for the biomedical industry as a whole through the Third Frontier Biomedical Research and Commercialization Program.

SECTION 263.30.10. UNCLAIMED FUNDS TRANSFER

(A) Notwithstanding division (A) of section 169.05 of the Revised Code, upon the request of the Director of Budget and Management, the Director of Commerce, prior to June 30, 2008, shall transfer to the Job Development Initiatives Fund (Fund 5AD) an amount not to exceed \$5,000,000 in cash of the unclaimed funds that have been reported by the holders of unclaimed funds under section 169.05 of the Revised Code, regardless of the allocation of the unclaimed funds described under that section.

Notwithstanding division (A) of section 169.05 of the Revised Code, upon the request of the Director of Budget and Management, the Director of Commerce, prior to June 30, 2009, shall transfer to the Job Development Initiatives Fund (Fund 5AD) an amount not to exceed \$24,400,000 in cash of the unclaimed funds that have been reported by the holders of unclaimed funds under section 169.05 of the Revised Code, regardless of the allocation of the unclaimed funds described under that section.

(B) Notwithstanding division (A) of section 169.05 of the Revised Code, upon the request of the Director of Budget and Management, the Director of Commerce, prior to June 30, 2008, shall transfer to the State Special Projects Fund (Fund 4F2) an amount not to exceed \$2,500,000 of

the unclaimed funds that have been reported by the holders of unclaimed funds under section 169.05 of the Revised Code, regardless of the allocation of the unclaimed funds described under that section.

Notwithstanding division (A) of section 169.05 of the Revised Code, upon the request of the Director of Budget and Management, the Director of Commerce, prior to June 30, 2009, shall transfer to the State Special Projects Fund (Fund 4F2) an amount not to exceed \$2,500,000 in cash of the unclaimed funds that have been reported by the holders of unclaimed funds under section 169.05 of the Revised Code, regardless of the allocation of the unclaimed funds described under that section.

SECTION 263.30.20. WORKFORCE DEVELOPMENT

The Director of Development and the Director of Job and Family Services may enter into one or more interagency agreements between the two departments, hire staff, transfer staff, assign duties to staff, enter into contracts, transfer assets, and take other actions the directors consider necessary to provide services and assistance as necessary to integrate workforce development into a larger economic development strategy, to implement the recommendations of the Workforce Policy Board, and to perform activities related to the transition of the administration of employment programs identified by the board. Subject to the approval of the Director of Budget and Management, the Department of Development and the Department of Job and Family Services may expend funds to support the recommendations of the Workforce Policy Board in the area of integration of employment functions as described in this paragraph and to provide implementation and transition activities from the appropriations to those departments.

SECTION 263.30.30. COMMISSION ON THE FUTURE OF HEALTH CARE EDUCATION AND PHYSICIAN RETENTION IN NW OH

(A) Whereas, There is a physician shortage, particularly in certain specialties, that is predicted to worsen within the next decade; and

Whereas, This shortage may worsen as a result of, among other factors, fewer than ten per cent of new graduates from the University of Toledo who choose to continue their training in northwest Ohio; and

Whereas, Many of the problems confronting physician training at the graduate medical education level are already manifest in northwest Ohio; and

Whereas, It is prudent to examine the physician shortage using

northwest Ohio as a microcosm for the entire state of Ohio; now therefore be it

Resolved by the Ohio General Assembly that there is hereby created the Commission on the Future of Health Care Education and Physician Retention in NW OH.

(B) The Commission shall be composed of the following members:

(1) Six representatives of health care providers in northwest Ohio, none of whom shall be from the same organization;

(2) Six representatives of the health care profession in northwest Ohio, composed of the following individuals:

(a) One from the College of Medicine at the University of Toledo;

(b) One from the northwest Ohio chapter of the Ohio Nurses Association;

(c) One from the Academy of Medicine of Toledo and Lucas County;

(d) One from the Northwest Ohio Pediatric Society;

(e) One geriatric medicine physician; and

(f) One osteopathic physician affiliated with Ohio University College of Osteopathic Medicine.

(3) Three representatives from northwest Ohio business and labor organizations, composed of the following individuals:

(a) One from the Toledo Area Regional Chamber of Commerce;

(b) One from the labor community of northwest Ohio; and

(c) One from the health insurance industry.

(4) Three representatives of health care consumers in northwest Ohio, none of whom shall be currently employed or affiliated with a health system or health insurer.

(5) Nine representatives of state and local government, composed of the following individuals:

(a) Two members of the Ohio House of Representatives, one from the minority party and one from the majority party;

(b) Two members of the Ohio Senate, one from the minority party and one from the majority party;

(c) One township trustee of northwest Ohio;

(d) Two representatives of northwest Ohio municipal corporations, only one of whom shall be from the City of Toledo;

(e) Two representatives of county commissioners, only one of whom shall be from Lucas County.

(C) Members of the committee shall be appointed as follows:

(1) For those members described in divisions (B)(1) and (2) of this section, two each by the Governor, the Speaker of the House of

Representatives, and the President of the Senate;

(2) For those members described in divisions (B)(3) and (4) of this section, one each by the Governor, the Speaker of the House of Representatives, and the President of the Senate;

(3) For those members described in division (B)(5), three each by the Governor, the Speaker of the House of Representatives, and the President of the Senate.

(D) Members of the Commission shall be appointed not later than 30 days after the effective date of this section and shall first meet not later than 30 days after all appointments have been made. At its first meeting, the commission shall elect from among its members who are members of the Senate and House of Representatives a chairperson and vice-chairperson.

Members of the commission shall serve without compensation, but may solicit on behalf of the Commission public and private funds to defray any costs of the Commission. The Commission shall meet at the call of the chairperson to conduct its official business. A majority of members shall constitute a quorum and a quorum shall be necessary to conduct any activities of the Commission.

(E) The Toledo Community Foundation or a similar organization shall provide meeting space and administrative support for the Commission. The Ohio Board of Regents shall serve as a resource to the Commission.

(F) The Commission shall prepare a report that examines and makes recommendations regarding the graduate medical education system in northwest Ohio, including:

(1) Ways to increase the number and retention of medical graduates in northwest Ohio;

(2) The status of the health care workforce in northwest Ohio;

(3) The role of the University of Toledo in the health care education of the surrounding region;

(4) Potential changes in federal and state statutes and rules regarding Medicaid support of graduate medical education; and

(5) Policy initiatives that the Governor and General Assembly may consider to strengthen graduate medical education opportunities and physician retention in northwest Ohio.

(G) The Commission shall, not later than nine months after the effective date of this section, submit to the Governor and General Assembly the report and recommendations prepared under division (F) of this section. On submission of the report, the Commission shall cease to exist.

SECTION 265.10. OBD OHIO BOARD OF DIETETICS

General Services Fund Group

4K9 860-609 Operating Expenses	\$	342,501	\$	348,964
TOTAL GSF General Services Fund Group	\$	342,501	\$	348,964
TOTAL ALL BUDGET FUND GROUPS	\$	342,501	\$	348,964

**SECTION 267.10. CDR COMMISSION ON DISPUTE RESOLUTION
AND CONFLICT MANAGEMENT**

General Revenue Fund

GRF 145-401 Commission Operations	\$	455,123	\$	460,000
TOTAL GRF General Revenue Fund	\$	455,123	\$	460,000

General Services Fund Group

4B6 145-601 Dispute Resolution Programs	\$	140,000	\$	140,000
TOTAL GSF General Services Fund Group	\$	140,000	\$	140,000
TOTAL ALL BUDGET FUND GROUPS	\$	595,123	\$	600,000

SECTION 269.10. EDU DEPARTMENT OF EDUCATION

General Revenue Fund

GRF 200-100 Personal Services	\$	11,533,494	\$	12,110,169
GRF 200-320 Maintenance and Equipment	\$	4,549,479	\$	4,778,203
GRF 200-408 Early Childhood Education	\$	31,002,195	\$	36,502,195
GRF 200-410 Educator Training	\$	19,628,817	\$	20,628,817
GRF 200-416 Career-Technical Education Match	\$	2,233,195	\$	2,233,195
GRF 200-420 Computer/Application/Network Development	\$	5,536,362	\$	5,793,700
GRF 200-421 Alternative Education Programs	\$	14,910,665	\$	13,110,665
GRF 200-422 School Management Assistance	\$	3,360,572	\$	3,375,572
GRF 200-424 Policy Analysis	\$	556,687	\$	556,687
GRF 200-425 Tech Prep Consortia Support	\$	2,069,217	\$	2,069,217
GRF 200-426 Ohio Educational Computer Network	\$	30,446,197	\$	30,446,197
GRF 200-427 Academic Standards	\$	7,197,730	\$	7,197,730
GRF 200-431 School Improvement Initiatives	\$	21,589,235	\$	21,924,235
GRF 200-433 Literacy Improvement-Professional Development	\$	15,515,000	\$	15,515,000
GRF 200-437 Student Assessment	\$	77,150,819	\$	76,187,144
GRF 200-439 Accountability/Report Cards	\$	7,096,040	\$	8,223,540
GRF 200-442 Child Care Licensing	\$	1,302,495	\$	1,302,495
GRF 200-446 Education Management Information System	\$	16,110,510	\$	16,586,082
GRF 200-447 GED Testing	\$	1,544,360	\$	1,544,360
GRF 200-448 Educator Preparation	\$	1,301,000	\$	1,301,000
GRF 200-455 Community Schools	\$	1,533,661	\$	1,533,661
GRF 200-457 STEM Initiatives	\$	10,000,000	\$	10,000,000

GRF 200-502	Pupil Transportation	\$	424,783,117	\$	429,030,948
GRF 200-503	Bus Purchase Allowance	\$	14,000,000	\$	14,000,000
GRF 200-505	School Lunch Match	\$	8,998,025	\$	8,998,025
GRF 200-509	Adult Literacy Education	\$	8,669,738	\$	8,669,738
GRF 200-511	Auxiliary Services	\$	131,740,457	\$	135,692,670
GRF 200-514	Postsecondary Adult Career-Technical Education	\$	19,481,875	\$	19,481,875
GRF 200-521	Gifted Pupil Program	\$	47,608,030	\$	48,008,613
GRF 200-532	Nonpublic Administrative Cost Reimbursement	\$	59,810,517	\$	61,604,832
GRF 200-536	Ohio Core Support	\$	7,700,000	\$	15,125,000
GRF 200-540	Special Education Enhancements	\$	138,869,945	\$	140,006,839
GRF 200-545	Career-Technical Education Enhancements	\$	9,298,651	\$	9,373,926
GRF 200-550	Foundation Funding	\$	5,761,699,328	\$	6,034,943,246
GRF 200-566	Literacy Improvement-Classroom Grants	\$	12,062,336	\$	12,062,336
GRF 200-578	Violence Prevention and School Safety	\$	1,218,555	\$	1,218,555
GRF 200-901	Property Tax Allocation - Education	\$	794,583,404	\$	850,868,654
GRF 200-906	Tangible Tax Exemption - Education	\$	21,415,244	\$	10,707,622
TOTAL GRF General Revenue Fund		\$	7,748,106,952	\$	8,092,712,743
General Services Fund Group					
138 200-606	Computer Services-Operational Support	\$	7,600,091	\$	7,600,091
4D1 200-602	Ohio Prevention/Education Resource Center	\$	832,000	\$	832,000
4L2 200-681	Teacher Certification and Licensure	\$	5,966,032	\$	6,323,994
452 200-638	Miscellaneous Educational Services	\$	273,166	\$	279,992
5H3 200-687	School District Solvency Assistance	\$	18,000,000	\$	18,000,000
596 200-656	Ohio Career Information System	\$	529,761	\$	529,761
TOTAL GSF General Services Fund Group		\$	33,201,050	\$	33,565,838
Federal Special Revenue Fund Group					
3AF 200-603	Schools Medicaid Administrative Claims	\$	486,000	\$	639,000
3BK 200-628	Longitudinal Data Systems	\$	1,795,570	\$	307,050
3BV 200-636	Character Education	\$	700,000	\$	700,000
3CF 200-644	Foreign Language Assistance	\$	85,000	\$	285,000
3CG 200-646	Teacher Incentive Fund	\$	6,552,263	\$	3,994,338
3C5 200-661	Early Childhood Education	\$	18,989,779	\$	18,989,779
3D1 200-664	Drug Free Schools	\$	13,347,966	\$	13,347,966
3D2 200-667	Honors Scholarship Program	\$	6,573,968	\$	6,665,000
3H9 200-605	Head Start Collaboration Project	\$	275,000	\$	275,000

3L6	200-617	Federal School Lunch	\$	244,714,211	\$	249,903,970
3L7	200-618	Federal School Breakfast	\$	63,927,606	\$	69,041,814
3L8	200-619	Child/Adult Food Programs	\$	69,280,946	\$	70,691,653
3L9	200-621	Career-Technical Education Basic Grant	\$	48,029,701	\$	48,029,701
3M0	200-623	ESEA Title 1A	\$	415,000,000	\$	420,000,000
3M1	200-678	Innovative Education	\$	5,369,100	\$	5,363,706
3M2	200-680	Individuals with Disabilities Education Act	\$	500,000,000	\$	405,000,000
3S2	200-641	Education Technology	\$	10,000,000	\$	5,000,000
3T4	200-613	Public Charter Schools	\$	13,850,827	\$	14,212,922
3Y2	200-688	21st Century Community Learning Centers	\$	30,681,554	\$	30,681,554
3Y4	200-632	Reading First	\$	35,215,798	\$	31,215,798
3Y6	200-635	Improving Teacher Quality	\$	102,692,685	\$	102,698,246
3Y7	200-689	English Language Acquisition	\$	8,000,000	\$	8,000,000
3Y8	200-639	Rural and Low Income Technical Assistance	\$	1,500,000	\$	1,500,000
3Z2	200-690	State Assessments	\$	12,883,799	\$	12,883,799
3Z3	200-645	Consolidated Federal Grant Administration	\$	8,500,000	\$	8,500,000
309	200-601	Educationally Disadvantaged Programs	\$	12,750,000	\$	8,750,000
366	200-604	Adult Basic Education	\$	19,425,000	\$	20,396,250
367	200-607	School Food Services	\$	5,849,748	\$	6,088,737
368	200-614	Veterans' Training	\$	710,373	\$	745,892
369	200-616	Career-Technical Education Federal Enhancement	\$	5,000,000	\$	5,000,000
370	200-624	Education of Exceptional Children	\$	1,811,520	\$	575,454
374	200-647	Troops to Teachers	\$	100,000	\$	100,000
378	200-660	Learn and Serve	\$	1,561,954	\$	1,561,954
TOTAL FED Federal Special Revenue Fund Group			\$	1,665,660,368	\$	1,571,144,583
State Special Revenue Fund Group						
4R7	200-695	Indirect Operational Support	\$	5,449,748	\$	5,810,464
4V7	200-633	Interagency Operational Support	\$	392,100	\$	376,423
454	200-610	Guidance and Testing	\$	400,000	\$	400,000
455	200-608	Commodity Foods	\$	24,000,000	\$	24,000,000
5BB	200-696	State Action for Education Leadership	\$	1,250,000	\$	1,250,000
5BJ	200-626	Half-Mill Maintenance Equalization	\$	10,700,000	\$	10,700,000
5U2	200-685	National Education Statistics	\$	300,000	\$	300,000
5W2	200-663	Early Learning Initiative	\$	2,200,000	\$	2,200,000
598	200-659	Auxiliary Services Reimbursement	\$	1,328,910	\$	1,328,910
620	200-615	Educational Improvement Grants	\$	3,000,000	\$	3,000,000
TOTAL SSR State Special Revenue Fund Group			\$	49,020,758	\$	49,365,797
Lottery Profits Education Fund Group						

017	200-612	Foundation Funding	\$	666,198,000	\$	667,900,000
017	200-682	Lease Rental Payment	\$	22,702,000	\$	0
		Reimbursement				
TOTAL LPE Lottery Profits						
		Education Fund Group	\$	688,900,000	\$	667,900,000
Revenue Distribution Fund Group						
047	200-909	School District Property Tax	\$	611,596,856	\$	763,316,819
		Replacement-Business				
053	200-900	School District Property Tax	\$	91,123,523	\$	91,123,523
		Replacement-Utility				
TOTAL RDF Revenue Distribution						
		Fund Group	\$	702,720,379	\$	854,440,342
TOTAL ALL BUDGET FUND GROUPS			\$	10,887,609,507	\$	11,269,129,303

SECTION 269.10.10. PERSONAL SERVICES

The foregoing appropriation item 200-100, Personal Services, may be used to pay fees for the Department's membership in the Education Commission of the States, an interstate nonprofit, nonpartisan organization that supports states with the development of education policy.

Of the foregoing appropriation item 200-100, Personal Services, up to \$25,000 may be expended in each fiscal year for the State Board of Education to pay for outside professionals to help inform the Board on topics of education policy.

SECTION 269.10.20. EARLY CHILDHOOD EDUCATION

The Department of Education shall distribute the foregoing appropriation item 200-408, Early Childhood Education, to pay the costs of early childhood education programs.

(A) As used in this section:

(1) "Provider" means a city, local, exempted village, or joint vocational school district, or an educational service center.

(2) In the case of a city, local, or exempted village school district, "new eligible provider" means a district that is eligible for poverty-based assistance under section 3317.029 of the Revised Code.

(3) "Eligible child" means a child who is at least three years of age, is not of the age to be eligible for kindergarten, and whose family earns not more than two hundred per cent of the federal poverty guidelines.

(B) In each fiscal year, up to two per cent of the total appropriation may be used by the Department for program support and technical assistance. The Department shall distribute the remainder of the appropriation in each fiscal year to serve eligible children.

(C) The Department shall provide an annual report to the Governor, the

Speaker of the House of Representatives, and the President of the Senate and post the report to the Department's web site, regarding early childhood education programs operated under this section and the early learning program guidelines for school readiness.

(D) After setting aside the amounts to make payments due from the previous fiscal year, in fiscal year 2008, the Department shall distribute funds first to recipients of funds for early childhood education programs under Section 206.09.06 of Am. Sub. H.B. 66 of the 126th General Assembly in the previous fiscal year and the balance to new eligible providers of early childhood education programs under this section. However, the total amount of funds distributed in fiscal year 2008 to all providers that received funds for early childhood education programs in fiscal year 2007 shall not exceed \$18,622,151, unless the number of new eligible providers that notifies the Department of their interest in establishing early childhood education programs is insufficient to expend all available funding. In that case, the Department may direct available funding to providers that received funds for early childhood education programs in fiscal year 2007 for purposes of program expansion, improvement, or special projects to promote quality and innovation.

After setting aside the amounts to make payments due from the previous fiscal year, in fiscal year 2009, the Department shall distribute funds first to providers of early childhood education programs under this section in the previous fiscal year and the balance to new eligible providers. However, the total amount of funds distributed in fiscal year 2009 to all providers that received funds for early childhood education programs in fiscal year 2007 shall not exceed \$18,622,151, unless the number of providers that received funding in fiscal year 2008 and new eligible providers that notify the Department of their interest in establishing early childhood education programs is insufficient to expend all available funding. In that case, the Department may direct available funding to providers that received funds for early childhood education programs in fiscal year 2007 or 2008 for purposes of program expansion, improvement, or special projects to promote quality and innovation.

In each of fiscal years 2008 and 2009, if funding is insufficient to serve all new eligible providers that notify the Department of their interest in establishing early childhood education programs, the Department shall determine which of those providers will receive funds using a selection process that first gives preference to providers that, as of March 15, 2007, did not offer early childhood education programs, but that had offered early childhood education programs or public preschool programs for some time

after June 30, 2000, and second to providers that demonstrate a need for early childhood education programs, as determined by the Department. Demonstration of need shall include having higher rates of eligible children to be served.

Awards under this section shall be distributed on a per-pupil basis, and in accordance with division (H) of this section. The Department may adjust the per-pupil amount so that the per-pupil amount multiplied by the number of eligible children enrolled and receiving services, as defined by the Department, reported on the first day of December or the first business day following that date equals the amount allocated under this section.

(E) Costs for developing and administering an early childhood education program may not exceed fifteen per cent of the total approved costs of the program.

All providers shall maintain such fiscal control and accounting procedures as may be necessary to ensure the disbursement of, and accounting for, these funds. The control of funds provided in this program, and title to property obtained therefrom, shall be under the authority of the approved provider for purposes provided in the program unless, as described in division (J) of this section, the program waives its right for funding or a program's funding is eliminated or reduced due to its inability to meet financial or early learning program guidelines for school readiness. The approved provider shall administer and use such property and funds for the purposes specified.

(F) The Department may examine a provider's financial and program records. If the financial practices of the program are not in accordance with standard accounting principles or do not meet financial standards outlined under division (E) of this section, or if the program fails to substantially meet the early learning program guidelines for school readiness or exhibits below average performance as measured against the guidelines, the early childhood education program shall propose and implement a corrective action plan that has been approved by the Department. The approved corrective action plan shall be signed by the chief executive officer and the executive of the official governing body of the provider. The corrective action plan shall include a schedule for monitoring by the Department. Such monitoring may include monthly reports, inspections, a timeline for correction of deficiencies, and technical assistance to be provided by the Department or obtained by the early childhood education program. The Department may withhold funding pending corrective action. If an early childhood education program fails to satisfactorily complete a corrective action plan, the Department may deny expansion funding to the program or

withdraw all or part of the funding to the program and establish a new eligible provider through a selection process established by the Department.

(G) Each early childhood education program shall do all of the following:

(1) Meet teacher qualification requirements prescribed by section 3301.311 of the Revised Code;

(2) Align curriculum to the early learning content standards;

(3) Meet any assessment requirements prescribed by section 3301.0715 of the Revised Code that are applicable to the program;

(4) Require teachers, except teachers enrolled and working to obtain a degree pursuant to section 3301.311 of the Revised Code, to attend a minimum of twenty hours every two years of professional development as prescribed by the Department regarding the implementation of early learning program guidelines for school readiness;

(5) Document and report child progress;

(6) Meet and report compliance with the early learning program guidelines for school readiness;

(7) Participate in early language and literacy classroom observation evaluation studies.

(H) This division applies only to early childhood education programs established on or after March 15, 2007.

Per-pupil funding for programs subject to this division shall be sufficient to provide eligible children with services for one-half of the statewide average length of the school day, as determined by the Department, for one hundred eighty-two days each school year. Nothing in this section shall be construed to prohibit program providers from utilizing other funds to serve eligible children in programs that exceed the statewide average length of the school day or that exceed one hundred eighty-two days in a school year.

(I) Each provider shall develop a sliding fee scale based on family incomes and shall charge families who earn more than the federal poverty guidelines for the early childhood education program.

(J) If an early childhood education program voluntarily waives its right for funding, or has its funding eliminated for not meeting financial standards or the early learning program guidelines for school readiness, the provider shall transfer control of title to property, equipment, and remaining supplies obtained through the program to providers designated by the Department and return any unexpended funds to the Department along with any reports prescribed by the Department. The funding made available from a program that waives its right for funding or has its funding eliminated or reduced

may be used by the Department for new grant awards or expansion grants. The Department may award new grants or expansion grants to eligible providers who apply. The eligible providers who apply must do so in accordance with the selection process established by the Department.

(K) As used in this section, "early learning program guidelines for school readiness" means the guidelines established by the Department pursuant to division (C)(3) of Section 206.09.54 of Am. Sub. H.B. 66 of the 126th General Assembly.

SECTION 269.10.30. EDUCATOR TRAINING

The foregoing appropriation item 200-410, Educator Training, shall be used to fund professional development programs in Ohio. The Department of Education shall, when possible, incorporate cultural competency as a component of professional development and actively promote the development of cultural competency in the operation of its professional development programs. As used in this section, "cultural competency" has the meaning specified by the Educator Standards Board under section 3319.61 of the Revised Code.

Of the foregoing appropriation item 200-410, Educator Training, up to \$9,250,000 in fiscal year 2008 and up to \$10,250,000 in fiscal year 2009 shall be used by the Department of Education to provide grants to pay \$2,225 of the application fee in order to assist teachers from public and chartered nonpublic schools applying for the first time to the National Board for Professional Teaching Standards for professional teaching certificates or licenses that the board offers. These moneys shall be used to pay up to the first 400 applications in each fiscal year received by the Department. This set aside shall also be used to recognize and reward teachers who become certified by the National Board for Professional Teaching Standards under section 3319.55 of the Revised Code. Up to \$300,000 in each fiscal year of this set aside may be used by the Department to pay for costs associated with activities to support candidates through the application and certification process. Up to \$39,500 of this set aside in each fiscal year may be used to support the application fee for candidates participating in the Take One program for beginning teachers in years two and three.

Of the foregoing appropriation item 200-410, Educator Training, up to \$9,515,817 in each fiscal year shall be allocated for entry year teacher and principal programs. These funds shall be used to support mentoring services and performance assessments of beginning teachers and principals in school districts and chartered nonpublic schools.

Of the foregoing appropriation item 200-410, Educator Training, up to

\$200,000 in each fiscal year shall be used to provide technical assistance and grants for districts to develop local knowledge/skills-based compensation systems. Each district receiving grants shall issue an annual report to the Department of Education detailing the use of the funds and the impact of the system developed by the district.

Of the foregoing appropriation item 200-410, Educator Training, up to \$350,000 in each fiscal year shall be used for training and professional development of school administrators, school treasurers, and school business officials.

Of the foregoing appropriation item 200-410, Educator Training, up to \$63,000 in each fiscal year shall be used to support the Ohio University Leadership Program.

Of the foregoing appropriation item 200-410, Educator Training, \$250,000 in each fiscal year shall be used to support the Ohio School Leadership Institute.

SECTION 269.10.40. CAREER-TECHNICAL EDUCATION MATCH

The foregoing appropriation item 200-416, Career-Technical Education Match, shall be used by the Department of Education to provide vocational administration matching funds under 20 U.S.C. 2311.

COMPUTER/APPLICATION/NETWORK DEVELOPMENT

The foregoing appropriation item 200-420, Computer/Application/Network Development, shall be used to support the development and implementation of information technology solutions designed to improve the performance and services of the Department of Education. Funds may be used for personnel, maintenance, and equipment costs related to the development and implementation of these technical system projects. Implementation of these systems shall allow the Department to provide greater levels of assistance to school districts and to provide more timely information to the public, including school districts, administrators, and legislators. Funds may also be used to support data-driven decision-making and differentiated instruction, as well as to communicate academic content standards and curriculum models to schools through web-based applications.

SECTION 269.10.50. ALTERNATIVE EDUCATION PROGRAMS

Of the foregoing appropriation item 200-421, Alternative Education Programs, up to \$6,227,310 in each fiscal year shall be used for the renewal of successful implementation grants and for competitive matching grants to

the 21 urban school districts as defined in division (O) of section 3317.02 of the Revised Code as it existed prior to July 1, 1998, and up to \$6,161,074 in each fiscal year shall be used for the renewal of successful implementation grants and for competitive matching grants to rural and suburban school districts for alternative educational programs for existing and new at-risk and delinquent youth. Programs shall be focused on youth in one or more of the following categories: those who have been expelled or suspended, those who have dropped out of school or who are at risk of dropping out of school, those who are habitually truant or disruptive, or those on probation or on parole from a Department of Youth Services facility. Grants shall be awarded according to the criteria established by the Alternative Education Advisory Council in 1999. Grants shall be awarded only to programs in which the grant will not serve as the program's primary source of funding. These grants shall be administered by the Department of Education.

The Department of Education may waive compliance with any minimum education standard established under section 3301.07 of the Revised Code for any alternative school that receives a grant under this section on the grounds that the waiver will enable the program to more effectively educate students enrolled in the alternative school.

Of the foregoing appropriation item 200-421, Alternative Education Programs, up to \$272,281 in each fiscal year may be used for program administration, monitoring, technical assistance, support, research, and evaluation. Any unexpended balance may be used to provide additional matching grants to urban, suburban, or rural school districts as outlined above.

Of the foregoing appropriation item 200-421, Alternative Education Programs, \$100,000 in each fiscal year shall be used to support the Toledo Tech Academy. Of this amount, \$25,000 in each fiscal year shall be used by the Toledo Tech Academy to enhance and establish For Inspiration and Recognition in Science and Technology programs. (F.I.R.S.T.)

Of the foregoing appropriation item 200-421, Alternative Education Programs, \$2,000,000 in fiscal year 2008 shall be used to support Improved Solutions for Urban Students (ISUS).

Of the foregoing appropriation item 200-421, Alternative Education Programs, \$100,000 in each fiscal year shall be provided to the Cincinnati Arts and Technology Center to increase program support for high-risk teens and unemployed urban adults.

Of the foregoing appropriation item 200-421, Alternative Education Programs, \$50,000 in fiscal year 2008 and \$250,000 in fiscal year 2009 shall be used for the administration of the Special Education Scholarship Pilot

**The above boxed and initialed text was
disapproved.**

Date: June 30, 2007

Ted Strickland
Ted Strickland, Governor

Program established under section 3310.52 of the Revised Code. *JS*

SECTION 269.10.60. SCHOOL MANAGEMENT ASSISTANCE

Of the foregoing appropriation item 200-422, School Management Assistance, up to \$1,715,000 in each fiscal year shall be used by the Auditor of State in consultation with the Department of Education for expenses incurred in the Auditor of State's role relating to fiscal caution, fiscal watch, and fiscal emergency activities as defined in Chapter 3316. of the Revised Code and may also be used to conduct performance audits with priority given to districts in fiscal distress. Expenses include duties related to the completion of performance audits for school districts that the Superintendent of Public Instruction determines are employing fiscal practices or experiencing budgetary conditions that could produce a state of fiscal watch or fiscal emergency.

Of the foregoing appropriation item 200-422, School Management Assistance, up to \$250,000 in each fiscal year shall be used by the Department of Education to work with school districts and entities that serve school districts to develop and deploy analytical tools that allow districts and other stakeholders to analyze more thoroughly district spending patterns in order to promote more effective and efficient use of resources. Quarterly updates of the progress for implementation of these tools shall be provided to the Governor, and the Department shall give due diligence to implementing these tools in the shortest reasonable timeline.

The remainder of foregoing appropriation item 200-422, School Management Assistance, shall be used by the Department of Education to provide fiscal technical assistance and inservice education for school district management personnel and to administer, monitor, and implement the fiscal watch and fiscal emergency provisions under Chapter 3316. of the Revised Code.

SECTION 269.10.70. POLICY ANALYSIS

The foregoing appropriation item 200-424, Policy Analysis, shall be used by the Department of Education to support a system of administrative, statistical, and legislative education information to be used for policy analysis. Staff supported by this appropriation shall administer the development of reports, analyses, and briefings to inform education policymakers of current trends in education practice, efficient and effective use of resources, and evaluation of programs to improve education results. The database shall be kept current at all times. These research efforts shall

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Date: June 30, 2007

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be used to supply information and analysis of data to the General Assembly and other state policymakers, including the Office of Budget and Management and the Legislative Service Commission.

The Department of Education may use funding from this appropriation item to purchase or contract for the development of software systems or contract for policy studies that will assist in the provision and analysis of policy-related information. Funding from this appropriation item also may be used to monitor and enhance quality assurance for research-based policy analysis and program evaluation to enhance the effective use of education information to inform education policymakers.

TECH PREP CONSORTIA SUPPORT

The foregoing appropriation item 200-425, Tech Prep Consortia Support, shall be used by the Department of Education to support state-level activities designed to support, promote, and expand tech prep programs. Use of these funds shall include, but not be limited to, administration of grants, program evaluation, professional development, curriculum development, assessment development, program promotion, communications, and statewide coordination of tech prep consortia.

SECTION 269.10.80. OHIO EDUCATIONAL COMPUTER NETWORK

The foregoing appropriation item 200-426, Ohio Educational Computer Network, shall be used by the Department of Education to maintain a system of information technology throughout Ohio and to provide technical assistance for such a system in support of the State Education Technology Plan under section 3301.07 of the Revised Code.

Of the foregoing appropriation item 200-426, Ohio Educational Computer Network, up to \$18,136,691 in each fiscal year shall be used by the Department of Education to support connection of all public school buildings and participating chartered nonpublic schools to the state's education network, to each other, and to the Internet. In each fiscal year the Department of Education shall use these funds to assist information technology centers or school districts with the operational costs associated with this connectivity. The Department of Education shall develop a formula and guidelines for the distribution of these funds to information technology centers or individual school districts. As used in this section, "public school building" means a school building of any city, local, exempted village, or joint vocational school district, any community school established under Chapter 3314. of the Revised Code, any educational service center building used for instructional purposes, the Ohio School for the Deaf and the Ohio School for the Blind, or high schools chartered by the Ohio Department of

Youth Services and high schools operated by Ohio Department of Rehabilitation and Corrections' Ohio Central School System.

Of the foregoing appropriation item 200-426, Ohio Educational Computer Network, up to \$2,469,223 in each fiscal year shall be used for the Union Catalog and InfOhio Network and to support the provision of electronic resources with priority given to resources that support the teaching of state academic content standards in all public schools. Consideration shall be given by the Department of Education to coordinating the allocation of these moneys with the efforts of Libraries Connect Ohio, whose members include OhioLINK, the Ohio Public Information Network, and the State Library of Ohio.

Of the foregoing appropriation item 200-426, Ohio Educational Computer Network, up to \$8,338,468 in each fiscal year shall be used, through a formula and guidelines devised by the Department, to subsidize the activities of designated information technology centers, as defined by State Board of Education rules, to provide school districts and chartered nonpublic schools with computer-based student and teacher instructional and administrative information services, including approved computerized financial accounting, and to ensure the effective operation of local automated administrative and instructional systems.

The remainder of appropriation item 200-426, Ohio Educational Computer Network, shall be used to support development, maintenance, and operation of a network of uniform and compatible computer-based information and instructional systems. This technical assistance shall include, but not be restricted to, development and maintenance of adequate computer software systems to support network activities. In order to improve the efficiency of network activities, the Department and information technology centers may jointly purchase equipment, materials, and services from funds provided under this appropriation for use by the network and, when considered practical by the Department, may utilize the services of appropriate state purchasing agencies.

SECTION 269.10.90. ACADEMIC STANDARDS

Of the foregoing appropriation item 200-427, Academic Standards, \$150,000 in each fiscal year shall be used by the Department in combination with funding earmarked for this purpose in the Board of Regents' budget under appropriation item 235-321, Operating Expenses. Such funding shall be used to support Ohio's Partnership for Continued Learning at the direction of the Office of the Governor. Ohio's Partnership for Continued Learning replaces and broadens the former Joint Council of the Department

of Education and the Board of Regents. The Partnership 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 Governor, or the Governor's designee, shall serve as the chairperson.

Of the foregoing appropriation item 200-427, Academic Standards, \$1,000,000 in each fiscal year shall be used for Project Lead the Way leadership and management oversight and initial and continuing support of Project Lead the Way workforce development programs in participating school districts.

Of the foregoing appropriation item 200-427, Academic Standards, \$50,000 in each fiscal year shall be provided to the Art Academy of Cincinnati to support technology needs for the annual operation of its undergraduate, graduate, and noncredit programs and for administrative staff support.

The remainder of appropriation item 200-427, Academic Standards, shall be used by the Department of Education to develop, revise, and communicate to school districts academic content standards and curriculum models. The Department may also use the remainder to develop program models that demonstrate how the academic content standards can be implemented in high school classrooms and to offer online continuing education courses. The Department of Education may also use the remainder to support the coordination of Physical Education standards.

SECTION 269.20.10. SCHOOL IMPROVEMENT INITIATIVES

Of the foregoing appropriation item 200-431, School Improvement Initiatives, \$450,000 in each fiscal year shall be used for Ohio's Rural Appalachian Leadership Development Initiative.

Of the foregoing appropriation item 200-431, School Improvement Initiatives, up to \$601,165 in each fiscal year shall be used by the Department of Education to support educational media centers to provide Ohio public schools with instructional resources and services, with priority given to resources and services aligned with state academic content standards.

Of the foregoing appropriation item 200-431, School Improvement Initiatives, up to \$10,387,835 in each fiscal year shall be used to support districts in the development and implementation of their continuous improvement plans as required in section 3302.04 of the Revised Code and to provide technical assistance and support in accordance with Title I of the "No Child Left Behind Act of 2001," 115 Stat. 1425, 20 U.S.C. 6317. This

funding shall serve as a supplement to the funds provided under division (K) of section 3317.029 of the Revised Code, which represents state support for school improvement initiatives that assist school districts in closing the achievement gap.

Of the foregoing appropriation item 200-431, School Improvement Initiatives, up to \$236,250 in each fiscal year shall be used to reduce the dropout rate by addressing the academic and social problems of inner-city students through Project GRAD.

Of the foregoing appropriation item 200-431, School Improvement Initiatives, up to \$7,988,985 in fiscal year 2008 and up to \$8,323,985 in fiscal year 2009 shall be used to redesign high schools and improve urban schools. This funding may be used for a pilot program in partnership with nonprofit groups with expertise in converting existing large urban high schools into small, personalized high schools. Districts eligible for such pilot funding include the Urban 21 high schools, as defined in division (O) of section 3317.02 of the Revised Code as it existed prior to July 1, 1998. The funding may also be used for administrative costs to redesign high schools and improve urban schools and in conjunction with funding provided in the Board of Regents' budget under appropriation item 235-434, College Readiness and Access, to create early college high schools, which are small, autonomous schools that blend high school and college into a coherent educational program. The funds for early college high schools shall be distributed according to guidelines established by the Department of Education and the Board of Regents.

Of the foregoing appropriation item 200-431, School Improvement Initiatives, up to \$75,000 in each fiscal year shall be provided to Southern State Community College for the Pilot Post-Secondary Enrollment Options Program with Miami Trace High School.

Of the foregoing appropriation item 200-431, School Improvement Initiatives, \$1,000,000 in each fiscal year shall be used to support Jobs for Ohio Graduates (JOG). The Department of Education shall require a two-to-one match of local funding to state funding before releasing these funds to JOG.

Of the foregoing appropriation item 200-431, School Improvement Initiatives, up to \$600,000 in each fiscal year shall be used by the Department of Education to support start-up costs for gaining business and industry credentialing program accreditation and to support the development of a data collection system across the numerous industry test providers. Funds shall also be used to help subsidize the cost of student participation in industry assessments, provide research on industry assessments for

alignment to industry-established content standards, provide professional development opportunities for educators, and prepare schools and adult centers to organize for credential alignment and delivery.

Of the foregoing appropriation item 200-431, School Improvement Initiatives, \$250,000 in each fiscal year shall be used to support Amer-I-Can.

SECTION 269.20.20. LITERACY IMPROVEMENT-PROFESSIONAL DEVELOPMENT

Of the foregoing appropriation item 200-433, Literacy Improvement-Professional Development, up to \$9,290,000 in each fiscal year shall be used for educator training in literacy for classroom teachers, administrators, and literacy specialists.

Of the foregoing appropriation item 200-433, Literacy Improvement-Professional Development, up to \$5,000,000 in each fiscal year shall be used to support literacy professional development partnerships between the Department of Education, higher education institutions, literacy networks, and school districts.

Of the foregoing appropriation item 200-433, Literacy Improvement - Professional Development, \$900,000 in each fiscal year shall be used by the Department of Education to fund the Reading Recovery Training Network, to cover the cost of release time for the teacher trainers, and to provide grants to districts to implement other reading improvement programs on a pilot basis. Funds from this set-aside also may be used to conduct evaluations of the impact and effectiveness of Reading Recovery and other reading improvement programs.

Of the foregoing appropriation item 200-433, Literacy Improvement-Professional Development, \$100,000 in each fiscal year shall be provided to the Contemporary Arts Center for art education for children and a children's museum.

The remainder of appropriation item 200-433, Literacy Improvement-Professional Development, shall be used by the Department of Education to provide administrative support of literacy professional development programs. Upon approval of the Controlling Board, the Department may also use the remainder to contract with an external evaluator on the effectiveness of literacy professional development initiatives in the academic achievement of students.

STUDENT ASSESSMENT

Of the foregoing appropriation item 200-437, Student Assessment, up to \$207,364 in fiscal year 2008 and up to \$212,486 in fiscal year 2009 may be

The above boxed and initialed text was disapproved.

Date:

June 30 2007

Ted Strickland

Ted Strickland, Governor

used to support the assessments required under section 3301.0715 of the Revised Code.

The remainder of appropriation item 200-437, Student Assessment, shall be used to develop, field test, print, distribute, score, report results, and support other associated costs for the tests required under sections 3301.0710 and 3301.0711 of the Revised Code and for similar purposes as required by section 3301.27 of the Revised Code. If funds remain in this appropriation after these purposes have been fulfilled, the Department may use the remainder of the appropriation to develop end-of-course exams.

SECTION 269.20.30. ACCOUNTABILITY/REPORT CARDS

Of the foregoing appropriation item 200-439, Accountability/Report Cards, up to \$3,028,540 in each fiscal year shall be used to train district and regional specialists and district educators in the use of the value-added progress dimension and in the use of data as it relates to improving student achievement. This funding shall be used in consultation with a credible nonprofit organization with expertise in value-added progress dimensions.

The remainder of appropriation item 200-439, Accountability/Report Cards, shall be used by the Department to incorporate a statewide pilot value-added progress dimension into performance ratings for school districts and for the development of an accountability system that includes the preparation and distribution of school report cards under section 3302.03 of the Revised Code.

CHILD CARE LICENSING

The foregoing appropriation item 200-442, Child Care Licensing, shall be used by the Department of Education to license and to inspect preschool and school-age child care programs under sections 3301.52 to 3301.59 of the Revised Code.

SECTION 269.20.40. EDUCATION MANAGEMENT INFORMATION SYSTEM

The foregoing appropriation item 200-446, Education Management Information System, shall be used by the Department of Education to improve the Education Management Information System (EMIS).

Of the foregoing appropriation item 200-446, Education Management Information System, up to \$1,338,620 in fiscal year 2008 and up to \$1,372,085 in fiscal year 2009 shall be distributed to designated information technology centers for costs relating to processing, storing, and transferring data for the effective operation of the EMIS. These costs may include, but

are not limited to, personnel, hardware, software development, communications connectivity, professional development, and support services, and to provide services to participate in the State Education Technology Plan pursuant to section 3301.07 of the Revised Code.

Of the foregoing appropriation item 200-446, Education Management Information System, up to \$8,256,569 in fiscal year 2008 and up to \$8,462,984 in fiscal year 2009 shall be distributed on a per-pupil basis to school districts, community schools established under Chapter 3314. of the Revised Code, educational service centers, joint vocational school districts, and any other education entity that reports data through EMIS. From this funding, each school district or community school established under Chapter 3314. of the Revised Code with enrollment greater than 100 students and each vocational school district shall receive a minimum of \$5,000 in each fiscal year. Each school district or community school established under Chapter 3314. of the Revised Code with enrollment between one and one hundred and each educational service center and each county board of MR/DD that submits data through EMIS shall receive \$3,000 in each fiscal year. This subsidy shall be used for costs relating to reporting, processing, storing, transferring, and exchanging data necessary to meet requirements of the Department of Education's data system.

The remainder of appropriation item 200-446, Education Management Information System, shall be used to develop and support a common core of data definitions and standards as adopted by the Education Management Information System Advisory Board, including the ongoing development and maintenance of the data dictionary and data warehouse. In addition, such funds shall be used to support the development and implementation of data standards and the design, development, and implementation of a new data exchange system.

Any provider of software meeting the standards approved by the Education Management Information System Advisory Board shall be designated as an approved vendor and may enter into contracts with local school districts, community schools, information technology centers, or other educational entities for the purpose of collecting and managing data required under Ohio's education management information system (EMIS) laws. On an annual basis, the Department of Education shall convene an advisory group of school districts, community schools, and other education-related entities to review the Education Management Information System data definitions and data format standards. The advisory group shall recommend changes and enhancements based upon surveys of its members, education agencies in other states, and current industry practices, to reflect

best practices, align with federal initiatives, and meet the needs of school districts.

School districts and community schools not implementing a common and uniform set of data definitions and data format standards for Education Management Information System purposes shall have all EMIS funding withheld until they are in compliance.

SECTION 269.20.50. GED TESTING

The foregoing appropriation item 200-447, GED Testing, shall be used to provide General Educational Development (GED) testing at no cost to applicants, under rules adopted by the State Board of Education. The Department of Education shall reimburse school districts and community schools, created under Chapter 3314. of the Revised Code, for a portion of the costs incurred in providing summer instructional or intervention services to students who have not graduated because of their inability to pass one or more parts of the state's Ohio Graduation Test or ninth grade proficiency test. School districts shall also provide such services to students who are residents of the district under section 3313.64 of the Revised Code, but who are enrolled in chartered, nonpublic schools. The services shall be provided in the public school, in nonpublic schools, in public centers, or in mobile units located on or off the nonpublic school premises. No school district shall provide summer instructional or intervention services to nonpublic school students as authorized by this section unless such services are available to students attending the public schools within the district. No school district shall provide services for use in religious courses, devotional exercises, religious training, or any other religious activity. Chartered, nonpublic schools shall pay for any unreimbursed costs incurred by school districts for providing summer instruction or intervention services to students enrolled in chartered, nonpublic schools. School districts may provide these services to students directly or contract with postsecondary or nonprofit community-based institutions in providing instruction.

SECTION 269.20.60. EDUCATOR PREPARATION

The foregoing appropriation item 200-448, Educator Preparation, may be used by the Department to support the Educator Standards Board under section 3319.61 of the Revised Code as it develops and recommends to the State Board of Education standards for educator training and standards for teacher and other school leadership positions. Any remaining funds may be used by the Department to develop alternative preparation programs for

school leaders.

SECTION 269.20.70. COMMUNITY SCHOOLS

Of the foregoing appropriation item 200-455, Community Schools, up to \$1,308,661 in each fiscal year may be used by the Department of Education for additional services and responsibilities under section 3314.11 of the Revised Code.

Of the foregoing appropriation item 200-455, Community Schools, up to \$225,000 in each fiscal year may be used by the Department of Education for developing and conducting training sessions for sponsors and prospective sponsors of community schools as prescribed in division (A)(1) of section 3314.015 of the Revised Code. In developing the training sessions, the Department shall collect and disseminate examples of best practices used by sponsors of independent charter schools in Ohio and other states.

STEM INITIATIVES

Of the foregoing appropriation item 200-457, STEM Initiatives, up to \$3,000,000 in each fiscal year shall be provided as grants to STEM schools.

Of the foregoing appropriation item 200-457, STEM Initiatives, up to \$3,283,000 in each fiscal year shall be used to support STEM Programs of Excellence.

Of the foregoing appropriation item 200-457, STEM Initiatives, \$350,000 in each fiscal year shall be used to support the Young Buckeye STEM Scholars After School and Summer Program designed by the Ohio Academy of Science.

Of the foregoing appropriation item 200-457, STEM Initiatives, up to \$2,600,000 in each fiscal year shall be used for mathematics initiatives that include, but are not limited to, intensive teacher professional development institutes that focus on classroom implementation of the mathematics standards.

Of the foregoing appropriation item 200-457, STEM Initiatives, \$200,000 in each fiscal year may be used to support the Ohio Resource Center for Math and Science.

Of the foregoing appropriation item 200-457, STEM Initiatives, up to \$282,000 in each fiscal year shall be used for the JASON Expedition project that provides statewide access to JASON Expedition content. Funds shall be used to provide professional development training for teachers participating in the project, statewide management, and a seventy-five per cent subsidy for statewide licensing of JASON Expedition content with priority given to content aligned with state academic content standards for approximately

90,000 middle school students statewide.

Of the foregoing appropriation item 200-457, STEM Initiatives, \$285,000 in each fiscal year shall be used for science initiatives that include, but are not limited to, the Ohio Science Institute (OSCI).

SECTION 269.20.80. PUPIL TRANSPORTATION

Of the foregoing appropriation item 200-502, Pupil Transportation, up to \$830,624 in fiscal year 2008 and up to \$838,930 in fiscal year 2009 may be used by the Department of Education for training prospective and experienced school bus drivers in accordance with training programs prescribed by the Department. Up to \$59,870,514 in fiscal year 2008 and up to \$60,469,220 in fiscal year 2009 may be used by the Department of Education for special education transportation reimbursements to school districts and county MR/DD boards for transportation operating costs as provided in division (J) of section 3317.024 of the Revised Code. The remainder of appropriation item 200-502, Pupil Transportation, shall be used for the state reimbursement of public school districts' costs in transporting pupils to and from the school they attend in accordance with the district's policy, State Board of Education standards, and the Revised Code.

Notwithstanding the distribution formula outlined in division (D) of section 3317.022 of the Revised Code, each school district shall receive an additional one per cent in state funding for transportation in fiscal year 2008 over what was received in fiscal year 2007, and the local share of transportation costs that is used in the calculation of the charge-off supplement under section 3317.0216 of the Revised Code and the excess cost supplement under division (F) of section 3317.022 of the Revised Code for each school district in fiscal year 2008 shall be increased by one per cent from that used in calculations in fiscal year 2007.

Notwithstanding the distribution formula outlined in division (D) of section 3317.022 of the Revised Code, each school district shall receive an additional one per cent in state funding for transportation in fiscal year 2009 over what was received in fiscal year 2008, and the local share of transportation costs that is used in the calculation of the charge-off supplement under section 3317.0216 of the Revised Code and the excess cost supplement under division (F) of section 3317.022 of the Revised Code for each school district in fiscal year 2009 shall be increased by one per cent from that used in calculations in fiscal year 2008.

School districts not receiving state funding for transportation in fiscal year 2005 under division (D) of section 3317.022 of the Revised Code shall not receive state funding for transportation in fiscal year 2008 or fiscal year

2009.

SECTION 269.20.83. Not later than December 31, 2008, the Department of Education shall complete a study and submit to the General Assembly in accordance with section 101.68 of the Revised Code a report of findings regarding, and legislative and other recommendations for enhancing regional collaboration among school districts, educational service centers, community schools, and nonpublic schools in the provision of pupil transportation. The study shall include the role of educational service centers in providing pupil transportation. In conducting the study, the Department shall consult with the state regional alliance advisory board created by section 3312.11 of the Revised Code.

SECTION 269.20.90. BUS PURCHASE ALLOWANCE

The foregoing appropriation item 200-503, Bus Purchase Allowance, shall be distributed to school districts, educational service centers, and county MR/DD boards pursuant to rules adopted under section 3317.07 of the Revised Code. Up to 28 per cent of the amount appropriated may be used to reimburse school districts and educational service centers for the purchase of buses to transport students with disabilities and nonpublic school students and to county MR/DD boards, the Ohio School for the Deaf, and the Ohio School for the Blind for the purchase of buses to transport students with disabilities.

SCHOOL LUNCH MATCH

The foregoing appropriation item 200-505, School Lunch Match, shall be used to provide matching funds to obtain federal funds for the school lunch program.

SECTION 269.30.10. ADULT LITERACY EDUCATION

The foregoing appropriation item 200-509, Adult Literacy Education, shall be used to support adult basic and literacy education instructional programs and the State Literacy Resource Center Program.

Of the foregoing appropriation item 200-509, Adult Literacy Education, up to \$488,037 in each fiscal year shall be used for the support and operation of the State Literacy Resource Center.

Of the foregoing appropriation item 200-509, Adult Literacy Education, up to \$175,000 in each fiscal year shall be used for state reimbursement to school districts for adult high school continuing education programs under

section 3313.531 of the Revised Code or for costs associated with awarding adult high school diplomas under section 3313.611 of the Revised Code.

Of the foregoing appropriation item 200-509, Adult Literacy Education, \$130,000 in each fiscal year shall be used to support initiatives for English as a Second Language programs. Funding shall be distributed as follows: \$60,000 in each fiscal year for Jewish Community Federation of Cleveland, \$25,000 in each fiscal year for Yassenoff Jewish Community Center of Columbus, \$30,000 in each fiscal year for Jewish Family Services of Cincinnati, and \$15,000 in each fiscal year for Jewish Family Services of Dayton.

The remainder of the appropriation shall be used to continue to satisfy the state match and maintenance of effort requirements for the support and operation of the Department of Education-administered instructional grant program for adult basic and literacy education in accordance with the Department's state plan for adult basic and literacy education as approved by the State Board of Education and the Secretary of the United States Department of Education.

SECTION 269.30.20. AUXILIARY SERVICES

The foregoing appropriation item 200-511, Auxiliary Services, shall be used by the Department of Education for the purpose of implementing section 3317.06 of the Revised Code. Of the appropriation, up to \$2,060,000 in fiscal year 2008 and up to \$2,121,800 in fiscal year 2009 may be used for payment of the Post-Secondary Enrollment Options Program for nonpublic students. Notwithstanding section 3365.10 of the Revised Code, the Department, in accordance with Chapter 119. of the Revised Code, shall adopt rules governing the distribution method for these funds.

POSTSECONDARY ADULT CAREER-TECHNICAL EDUCATION

Of the foregoing appropriation item 200-514, Postsecondary Adult Career-Technical Education, \$40,000 in each fiscal year shall be used for statewide coordination of the activities of the Ohio Young Farmers.

The remainder of appropriation item 200-514, Postsecondary Adult Career-Technical Education, shall be used by the State Board of Education to provide postsecondary adult career-technical education under sections 3313.52 and 3313.53 of the Revised Code.

SECTION 269.30.30. GIFTED PUPIL PROGRAM

The foregoing appropriation item 200-521, Gifted Pupil Program, shall be used for gifted education units not to exceed 1,110 in each fiscal year

under division (L) of section 3317.024 and division (F) of section 3317.05 of the Revised Code.

Of the foregoing appropriation item 200-521, Gifted Pupil Program, up to \$4,747,000 in fiscal year 2008 and up to \$4,794,470 in fiscal year 2009 may be used as an additional supplement for identifying gifted students under Chapter 3324. of the Revised Code.

Of the foregoing appropriation item 200-521, Gifted Pupil Program, the Department of Education may expend up to \$1,015,858 in fiscal year 2008 and up to \$1,026,017 in fiscal year 2009 for the Summer Honors Institute, including funding for the Martin Essex Program, which shall be awarded through a request for proposals process.

NONPUBLIC ADMINISTRATIVE COST REIMBURSEMENT

The foregoing appropriation item 200-532, Nonpublic Administrative Cost Reimbursement, shall be used by the Department of Education for the purpose of implementing section 3317.063 of the Revised Code.

SECTION 269.30.40. OHIO CORE SUPPORT

The foregoing appropriation item 200-536, Ohio Core Support, shall be used to support implementation of the Ohio Core Program, which requires establishment of a rigorous high school curriculum for Ohio's high school students. The Department of Education and the Board of Regents shall jointly plan and work collaboratively to guide implementation of the Ohio Core Program and to administer funding to eligible school districts, fiscal agents, individuals, and programs as determined under this section. The Department of Education and the Board of Regents shall jointly agree to the awarding and expenditure of funds appropriated in this section.

Of the foregoing appropriation item 200-536, Ohio Core Support, up to \$2,600,000 in fiscal year 2008 and up to \$3,000,000 in fiscal year 2009 shall be used to support the participation of teachers licensed in Ohio and mid-career professionals not currently employed by a school district or chartered nonpublic school or licensed to teach at the primary or secondary education levels in a twelve-month intensive training program that leads to teacher licensure in a laboratory-based science, advanced mathematics, or foreign language field at the secondary education level and employment with an Ohio school district school designated by the Department of Education as a hard to staff school.

Of the foregoing appropriation item 200-536, Ohio Core Support, up to \$1,500,000 in fiscal year 2008 and up to \$2,100,000 in fiscal year 2009 shall be used to support alternative teacher licensure programs developed by educational service centers in partnership with institutions of higher

education. Participants shall be teachers licensed in Ohio and mid-career professionals not currently employed by a school district or chartered nonpublic school or licensed to teach at the primary or secondary education levels. Programs shall support teacher licensure in a laboratory-based science, advanced mathematics, or foreign language field at the secondary education level and employment with an Ohio school district school designated by the Department of Education as a hard to staff school. The programs shall be consistent with the State Board of Education's alternative licensure requirements.

Of the foregoing appropriation item 200-536, Ohio Core Support, up to \$3,600,000 in each fiscal year shall be distributed to school districts, and to public fiscal agents on behalf of chartered nonpublic schools, to be used to obtain contracted instruction with institutions of higher education in advanced mathematics, laboratory-based science, or foreign language for public and chartered nonpublic high school students that results in dual high school and college credit. Costs shall be based upon reasonable expenses that institutions of higher education could incur for faculty, supplies, and other associated costs.

Of the foregoing appropriation item 200-536, Ohio Core Support, up to \$5,675,000 in fiscal year 2009 shall be distributed to public school districts for supplemental post-secondary enrollment option participation. The Partnership for Continued Learning shall make program recommendations by October 31, 2007, to the Department of Education and the Board of Regents to remove school district barriers to participation and improve the quality of course offerings, ensuring that credit earned at institutions of higher education will apply toward high school graduation requirements and associate or baccalaureate degree requirements. Eligibility requirements and grant amounts awarded to school districts in fiscal year 2009 for the program shall be determined by criteria established by the Department of Education in collaboration with the Board of Regents and the Partnership for Continued Learning.

Of the foregoing appropriation item 200-536, Ohio Core Support, \$750,000 in fiscal year 2009 shall be used for Advanced Placement (AP) Summer Institutes for one hundred fifty English, social studies, and foreign language teachers and six hundred science and mathematics teachers.

SECTION 269.30.50. SPECIAL EDUCATION ENHANCEMENTS

Of the foregoing appropriation item 200-540, Special Education Enhancements, up to \$2,906,875 in each fiscal year shall be used for home instruction for children with disabilities; up to \$1,462,500 in each fiscal year

shall be used for parent mentoring programs; and up to \$2,783,396 in each fiscal year may be used for school psychology interns.

Of the foregoing appropriation item 200-540, Special Education Enhancements, \$750,000 in each fiscal year shall be used for the Out of School Initiative of Sinclair Community College.

Of the foregoing appropriation item 200-540, Special Education Enhancements, \$200,000 shall be used for a preschool special education pilot program in Bowling Green City School District.

Of the foregoing appropriation item 200-540, Special Education Enhancements, \$200,000 in each fiscal year shall be used to support the Bellefaire Jewish Children's Bureau.

Of the foregoing appropriation item 200-540, Special Education Enhancements, up to \$82,707,558 in fiscal year 2008 and up to \$83,371,505 in fiscal year 2009 shall be distributed by the Department of Education to county boards of mental retardation and developmental disabilities, educational service centers, and school districts for preschool special education units and preschool supervisory units under section 3317.052 of the Revised Code. To the greatest extent possible, the Department of Education shall allocate these units to school districts and educational service centers.

The Department may reimburse county MR/DD boards, educational service centers, and school districts for services provided by instructional assistants, related services as defined in rule 3301-51-11 of the Administrative Code, physical therapy services provided by a licensed physical therapist or physical therapist assistant under the supervision of a licensed physical therapist as required under Chapter 4755. of the Revised Code and Chapter 4755-27 of the Administrative Code and occupational therapy services provided by a licensed occupational therapist or occupational therapy assistant under the supervision of a licensed occupational therapist as required under Chapter 4755. of the Revised Code and Chapter 4755-7 of the Administrative Code. Nothing in this section authorizes occupational therapy assistants or physical therapist assistants to generate or manage their own caseloads.

The Department of Education shall require school districts, educational service centers, and county MR/DD boards serving preschool children with disabilities to document child progress using research-based indicators prescribed by the Department and report results annually. The reporting dates and method shall be determined by the Department.

Of the foregoing appropriation item 200-540, Special Education Enhancements, \$650,000 in each fiscal year shall be used for the

Collaborative Language and Literacy Instruction Project.

Of the foregoing appropriation item 200-540, Special Education Enhancements, \$325,000 in each fiscal year shall be used by the Ohio Center for Autism and Low Incidence to contract with the Delaware-Union Educational Service Center for the provision of autism transition services.

Of the foregoing appropriation item 200-540, Special Education Enhancements, \$75,000 in each fiscal year shall be used for Leaf Lake/Geauga Educational Assistance Funding.

Of the foregoing appropriation item 200-540, Special Education Enhancements, \$650,000 in each fiscal year shall be used to support Project More for one-to-one reading mentoring.

The remainder of appropriation item 200-540, Special Education Enhancements, shall be used to fund special education and related services at county boards of mental retardation and developmental disabilities for eligible students under section 3317.20 of the Revised Code and at institutions for eligible students under section 3317.201 of the Revised Code.

SECTION 269.30.60. CAREER-TECHNICAL EDUCATION
ENHANCEMENTS

Of the foregoing appropriation item 200-545, Career-Technical Education Enhancements, up to \$2,509,152 in fiscal year 2008 and up to \$2,584,427 in fiscal year 2009 shall be used to fund career-technical education units at institutions.

Of the foregoing appropriation item 200-545, Career-Technical Education Enhancements, up to \$2,621,507 in each fiscal year shall be used by the Department of Education to fund competitive grants to tech prep consortia that expand the number of students enrolled in tech prep programs. These grant funds shall be used to directly support expanded tech prep programs, including equipment, provided to students enrolled in school districts, including joint vocational school districts, and affiliated higher education institutions.

Of the foregoing appropriation item 200-545, Career-Technical Education Enhancements, up to \$3,401,000 in each fiscal year shall be used by the Department of Education to support existing High Schools That Work (HSTW) sites, develop and support new sites, fund technical assistance, and support regional centers and middle school programs. The purpose of HSTW is to combine challenging academic courses and modern career-technical studies to raise the academic achievement of students. HSTW provides intensive technical assistance, focused staff development,

targeted assessment services, and ongoing communications and networking opportunities.

Of the foregoing appropriation item 200-545, Career-Technical Education Enhancements, up to \$466,992 in each fiscal year shall be allocated for the Ohio Career Information System (OCIS) and used for the dissemination of career information data to public schools, libraries, rehabilitation centers, two- and four-year colleges and universities, and other governmental units.

Of the foregoing appropriation item 200-545, Career-Technical Education Enhancements, up to \$300,000 in each fiscal year shall be used by the Department of Education to enable students in agricultural programs to enroll in a fifth quarter of instruction based on the agricultural education model of delivering work-based learning through supervised agricultural experience. The Department of Education shall determine eligibility criteria and the reporting process for the Agriculture 5th Quarter Project and shall fund as many programs as possible given the set aside.

SECTION 269.30.70. FOUNDATION FUNDING

The foregoing appropriation item 200-550, Foundation Funding, includes \$75,000,000 in each fiscal year for the state education aid offset due to the change in public utility valuation as a result of Am. Sub. S.B. 3 and Am. Sub. S.B. 287, both of the 123rd General Assembly. This amount represents the total state education aid offset due to the valuation change for school districts and joint vocational school districts from all relevant appropriation line item sources. Upon certification by the Department of Education, in consultation with the Department of Taxation, to the Director of Budget and Management of the actual state aid offset, the cash transfer from Fund 053, appropriation item 200-900, School District Property Tax Replacement - Utility, shall be decreased or increased by the Director of Budget and Management to match the certification in accordance with section 5727.84 of the Revised Code.

The foregoing appropriation item 200-550, Foundation Funding, includes \$58,000,000 in fiscal year 2008 and \$145,000,000 in fiscal year 2009 for the state education aid offset because of the changes in tangible personal property valuation as a result of Am. Sub. H.B. 66 of the 126th General Assembly. This amount represents the total state education aid offset because of the valuation change for school districts and joint vocational school districts from all relevant appropriation item sources. Upon certification by the Department of Education of the actual state education aid offset to the Director of Budget and Management, the cash

transfer from Fund 047, appropriation item 200-909, School District Property Tax Replacement - Business, shall be decreased or increased by the Director of Budget and Management to match the certification in accordance with section 5751.21 of the Revised Code.

Of the foregoing appropriation item 200-550, Foundation Funding, up to \$425,000 shall be expended in each fiscal year for court payments under section 2151.357 of the Revised Code; an amount shall be available in each fiscal year to fund up to 225 full-time equivalent approved GRADS teacher grants under division (N) of section 3317.024 of the Revised Code; an amount shall be available in each fiscal year to make payments to school districts under division (A)(3) of section 3317.022 of the Revised Code; an amount shall be available in each fiscal year to make payments to school districts under division (F) of section 3317.022 of the Revised Code; and up to \$30,000,000 in each fiscal year shall be reserved for payments under sections 3317.026, 3317.027, and 3317.028 of the Revised Code except that the Controlling Board may increase the \$30,000,000 amount if presented with such a request from the Department of Education.

Of the foregoing appropriation item 200-550, Foundation Funding, up to \$19,770,000 in fiscal year 2008 and up to \$20,545,200 in fiscal year 2009 shall be used to provide additional state aid to school districts for special education students under division (C)(3) of section 3317.022 of the Revised Code, except that the Controlling Board may increase these amounts if presented with such a request from the Department of Education at the final meeting of the fiscal year; up to \$2,000,000 in each fiscal year shall be reserved for Youth Services tuition payments under section 3317.024 of the Revised Code; and up to \$52,000,000 in each fiscal year shall be reserved to fund the state reimbursement of educational service centers under section 3317.11 of the Revised Code and the section of this act entitled "EDUCATIONAL SERVICE CENTERS FUNDING." An amount shall be available for special education weighted funding under division (C)(1) of section 3317.022 and division (D)(1) of section 3317.16 of the Revised Code.

Of the foregoing appropriation item 200-550, Foundation Funding, an amount shall be available in each fiscal year to be used by the Department of Education for transitional aid for school districts and joint vocational school districts. Funds shall be distributed under the sections of this act entitled "TRANSITIONAL AID FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL DISTRICTS" and "TRANSITIONAL AID FOR JOINT VOCATIONAL SCHOOL DISTRICTS."

Of the foregoing appropriation item 200-550, Foundation Funding, up to

\$1,000,000 in each fiscal year shall be used by the Department of Education for a program to pay for educational services for youth who have been assigned by a juvenile court or other authorized agency to any of the facilities described in division (A) of the section of this act entitled "PRIVATE TREATMENT FACILITY PROJECT."

Of the foregoing appropriation item 200-550, Foundation Funding, up to \$3,700,000 in each fiscal year shall be used for school breakfast programs. Of this amount, up to \$900,000 shall be used in each fiscal year by the Department of Education to contract with the Children's Hunger Alliance to expand access to child nutrition programs consistent with the organization's continued ability to meet specified performance measures as detailed in the contract. Of this amount, the Children's Hunger Alliance shall use at least \$150,000 in each fiscal year to subcontract with an appropriate organization or organizations to expand summer food participation in underserved areas of the state, consistent with those organizations' continued ability to meet specified performance measures as detailed in the subcontracts. The remainder of the appropriation shall be used to partially reimburse school buildings within school districts that are required to have a school breakfast program under section 3313.813 of the Revised Code, at a rate decided by the Department.

Of the foregoing appropriation item 200-550, Foundation Funding, up to \$8,686,000 in fiscal year 2008 and up to \$8,722,860 in fiscal year 2009 shall be used to operate the school choice program in the Cleveland Municipal School District under sections 3313.974 to 3313.979 of the Revised Code.

Of the portion of the funds distributed to the Cleveland Municipal School District under this section, up to \$11,901,887 in each fiscal year shall be used to operate the school choice program in the Cleveland Municipal School District under sections 3313.974 to 3313.979 of the Revised Code.

Of the foregoing appropriation item 200-550, Foundation Funding, \$3,312,165 in each fiscal year shall be used in conjunction with funding appropriated under appropriation item 200-431, School Improvement Initiatives, to help support districts in the development and implementation of their continuous improvements plans and provide technical assistance and support in accordance with Title I of the No Child Left Behind Act of 2001.

The remaining portion of appropriation item 200-550, Foundation Funding, shall be expended for the public schools of city, local, exempted village, and joint vocational school districts, including base-cost funding, special education speech service enhancement funding, career-technical education weight funding, career-technical education associated service funding, teacher training and experience funding, charge-off supplement,

and excess cost supplement under sections 3317.022, 3317.023, 3317.0216, and 3317.16 of the Revised Code.

Appropriation items 200-502, Pupil Transportation, 200-521, Gifted Pupil Program, 200-540, Special Education Enhancements, and 200-550, Foundation Funding, other than specific set-asides, are collectively used in each fiscal year to pay state formula aid obligations for school districts and joint vocational school districts under Chapter 3317. of the Revised Code. The first priority of these appropriation items, with the exception of specific set-asides, is to fund state formula aid obligations under Chapter 3317. of the Revised Code. It may be necessary to reallocate funds among these appropriation items or use excess funds from other general revenue fund appropriation items in the Department of Education's budget in each fiscal year, in order to meet state formula aid obligations. If it is determined that it is necessary to transfer funds among these appropriation items or to transfer funds from other General Revenue Fund appropriations in the Department of Education's budget to meet state formula aid obligations, the Department of Education shall seek approval from the Controlling Board to transfer funds as needed.

SECTION 269.30.80. TRANSITIONAL AID FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL DISTRICTS

(A) The Department of Education shall distribute funds within appropriation item 200-550, Foundation Funding, for transitional aid in each fiscal year to each qualifying city, local, and exempted village school district.

For fiscal years 2008 and 2009, the Department shall pay transitional aid to each city, local, or exempted village school district that experiences any decrease in its SF-3 funding for the current fiscal year from its transitional aid guarantee base for the current fiscal year. The amount of the transitional aid payment shall equal the difference between the district's SF-3 funding for the current fiscal year and its transitional aid guarantee base for the current fiscal year.

(B)(1) Subject to divisions (B)(3) and (C) of this section, the transitional aid guarantee base for each city, local, and exempted village school district for fiscal year 2008 equals the sum of the following as computed for fiscal year 2007, as reconciled by the Department:

(a) Base-cost funding under division (A) of section 3317.022 of the Revised Code;

(b) Special education and related services additional weighted funding under division (C)(1) of section 3317.022 of the Revised Code;

(c) Speech services funding under division (C)(4) of section 3317.022 of the Revised Code;

(d) Vocational education additional weighted funding under division (E) of section 3317.022 of the Revised Code;

(e) GRADS funding under division (N) of section 3317.024 of the Revised Code;

(f) Adjustments for classroom teachers and educational service personnel under divisions (B), (C), and (D) of section 3317.023 of the Revised Code;

(g) Poverty-Based Assistance under section 3317.029 of the Revised Code;

(h) Gifted education units under division (L) of section 3317.024 and section 3317.05 of the Revised Code;

(i) Transportation under Section 206.09.21 of Am. Sub. H.B. 66 of the 126th General Assembly, as subsequently amended;

(j) The excess cost supplement under division (F) of section 3317.022 of the Revised Code;

(k) Parity aid under section 3317.0217 of the Revised Code;

(l) The reappraisal guarantee under division (C) of section 3317.04 of the Revised Code;

(m) The charge-off supplement under section 3317.0216 of the Revised Code;

(n) Transitional aid under Section 206.09.39 of Am. Sub. H.B. 66 of the 126th General Assembly, as subsequently amended.

(2) Subject to divisions (B)(3) and (C) of this section, the transitional aid guarantee base for each city, local, and exempted village school district for fiscal year 2009 equals the sum of the following as computed for fiscal year 2008, as reconciled by the Department:

(a) Base-cost funding under division (A) of section 3317.022 of the Revised Code;

(b) Special education and related services additional weighted funding under division (C)(1) of section 3317.022 of the Revised Code;

(c) Speech services funding under division (C)(4) of section 3317.022 of the Revised Code;

(d) Vocational education additional weighted funding under division (E) of section 3317.022 of the Revised Code;

(e) GRADS funding under division (N) of section 3317.024 of the Revised Code;

(f) Adjustments for classroom teachers and educational service personnel under divisions (B), (C), and (D) of section 3317.023 of the

Revised Code;

(g) Gifted education units under division (L) of section 3317.024 and section 3317.05 of the Revised Code;

(h) Transportation under the section of this act entitled "PUPIL TRANSPORTATION";

(i) The excess cost supplement under division (F) of section 3317.022 of the Revised Code;

(j) The charge-off supplement under section 3317.0216 of the Revised Code;

(k) Transitional aid under this section.

(3) The SF-3 funding for each fiscal year for each district is the sum of the amounts specified in divisions (B)(2)(a) to (k) of this section less any general revenue fund spending reductions ordered by the Governor under section 126.05 of the Revised Code.

(C)(1) Notwithstanding any other provision of law to the contrary, only for purposes of this section, for any computation or computed value for previous fiscal years, the Department of Education shall substitute "ADM value" for "formula ADM," as the latter term was defined in law in effect for the fiscal year for which the previous computations were made.

(2) As used in division (C) of this section, "ADM value" means the number of students reported by the entity providing educational services to those students, as follows:

(a) In the case of students receiving educational services from a city, exempted village, or local school district, the number reported under division (B) of section 3317.03 of the Revised Code;

(b) In the case of students receiving educational services from a joint vocational school district, the number reported under division (D)(2) of section 3317.03 of the Revised Code;

(c) In the case of students receiving services from a community school, the number reported by the community school's governing authority under division (B)(2) of section 3314.08 of the Revised Code;

(d) In the case of scholarship students receiving services from a chartered nonpublic school under a scholarship program pursuant to Chapter 3310. of the Revised Code, the number of such students reported by the nonpublic school in accordance with reporting requirements adopted by the Department for purposes of that program.

SECTION 269.30.90. TRANSITIONAL AID FOR JOINT VOCATIONAL SCHOOL DISTRICTS

(A) The Department of Education shall distribute funds within

appropriation item 200-550, Foundation Funding, for transitional aid in each fiscal year to each joint vocational school district that experiences a decrease in its joint vocational funding for the current fiscal year from the previous fiscal year. The Department shall distribute to each such district transitional aid in an amount equal to the decrease in the district's joint vocational funding from the previous fiscal year.

(B)(1) Subject to divisions (B)(2) and (3) of this section, a district's joint vocational funding equals the sum of the following:

(a) Base-cost funding under division (B) of section 3317.16 of the Revised Code;

(b) Special education and related services additional weighted funding under division (D)(1) of section 3317.16 of the Revised Code;

(c) Speech services funding under division (D)(2) of section 3317.16 of the Revised Code;

(d) Vocational education additional weighted funding under division (C) of section 3317.16 of the Revised Code;

(e) GRADS funding under division (N) of section 3317.024 of the Revised Code.

(2) For purposes of calculating transitional aid for fiscal year 2008, a district's fiscal year 2007 joint vocational funding is the sum of the amounts described in divisions (B)(1)(a) to (e) of this section, plus any transitional aid computed for the district under Section 206.09.42 of Am. Sub. H.B. 66 of the 126th General Assembly, as subsequently amended, as reconciled by the Department. For purposes of calculating transitional aid for fiscal year 2009, a district's fiscal year 2008 joint vocational funding is the sum of the amounts described in divisions (B)(1)(a) to (e) of this section, plus any transitional aid computed for the district under this section, as reconciled by the Department.

(3) The joint vocational funding for each fiscal year for each district is the sum of the amounts specified in divisions (B)(1)(a) to (e) and (B)(2) of this section less any general revenue fund spending reductions ordered by the Governor under section 126.05 of the Revised Code.

SECTION 269.40.10. LITERACY IMPROVEMENT-CLASSROOM GRANTS

The foregoing appropriation item 200-566, Literacy Improvement-Classroom Grants, shall be disbursed by the Department of Education to provide reading improvement grants to public schools in city, local, and exempted village school districts; community schools; and educational service centers serving kindergarten through twelfth grade

students to help struggling students improve their reading skills, improve reading outcomes in low-performing schools, and help close achievement gaps.

VIOLENCE PREVENTION AND SCHOOL SAFETY

Of the foregoing appropriation item 200-578, Violence Prevention and School Safety, up to \$224,250 in each fiscal year shall be used to fund a safe school center to provide resources for parents and for school and law enforcement personnel.

The remainder of the appropriation shall be distributed based on guidelines developed by the Department of Education to enhance school safety. The guidelines shall provide a list of research-based best practices and programs from which local grantees shall select based on local needs. These practices shall include, but not be limited to, school resource officers and safe and drug free school coordinators and social-emotional development programs.

SECTION 269.40.20. PROPERTY TAX ALLOCATION - EDUCATION

The Superintendent of Public Instruction shall not request, and the Controlling Board shall not approve, the transfer of funds from appropriation item 200-901, Property Tax Allocation - Education, to any other appropriation item.

The appropriation item 200-901, Property Tax Allocation - Education, is appropriated to pay for the state's costs incurred because of the homestead exemption and the property tax rollback. In cooperation with the Department of Taxation, the Department of Education shall distribute these funds directly to the appropriate school districts of the state, notwithstanding sections 321.24 and 323.156 of the Revised Code, which provide for payment of the homestead exemption and property tax rollback by the Tax Commissioner to the appropriate county treasurer and the subsequent redistribution of these funds to the appropriate local taxing districts by the county auditor.

Appropriation item 200-906, Tangible Tax Exemption - Education, is 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. In cooperation with the Department of Taxation, the Department of Education 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 school districts located in the county, notwithstanding section 321.24 of the Revised Code insofar as it 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. Pursuant to division (G) of section 321.24 of the Revised Code, the county auditor shall distribute the amount paid by the Department of Education among the appropriate school districts.

Upon receipt of these amounts, each school 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 200-901, Property Tax Allocation - Education, for the homestead exemption and the property tax rollback payments, and 200-906, Tangible Tax Exemption - Education, for the \$10,000 tangible personal property tax exemption payments, which are determined to be necessary for these purposes, are hereby appropriated.

SECTION 269.40.30. TEACHER CERTIFICATION AND LICENSURE

The foregoing appropriation item 200-681, Teacher Certification and Licensure, shall be used by the Department of Education in each year of the biennium to administer and support teacher certification and licensure activities.

SCHOOL DISTRICT SOLVENCY ASSISTANCE

Of the foregoing appropriation item 200-687, School District Solvency Assistance, \$9,000,000 in each fiscal year shall be allocated to the School District Shared Resource Account and \$9,000,000 in each fiscal year shall be allocated to the Catastrophic Expenditures Account. These funds shall be used to provide assistance and grants to school districts to enable them to remain solvent under section 3316.20 of the Revised Code. Assistance and grants shall be subject to approval by the Controlling Board. Any required reimbursements from school districts for solvency assistance shall be made to the appropriate account in the School District Solvency Assistance Fund (Fund 5H3).

Notwithstanding any provision of law to the contrary, upon the request of the Superintendent of Public Instruction, the Director of Budget and Management may make transfers to the School District Solvency Assistance Fund (Fund 5H3) from any Department of Education-administered fund or the General Revenue Fund to maintain sufficient cash balances in the School District Solvency Assistance Fund (Fund 5H3) in fiscal years 2008 and 2009. Any funds transferred are hereby appropriated. The transferred funds

may be used by the Department of Education to provide assistance and grants to school districts to enable them to remain solvent and to pay unforeseeable expenses of a temporary or emergency nature that the school district is unable to pay from existing resources. The Director of Budget and Management shall notify the members of the Controlling Board of any such transfers.

SECTION 269.40.40. READING FIRST

The foregoing appropriation item 200-632, Reading First, shall be used by school districts to administer federal diagnostic tests as well as other functions permitted by federal statute. Notwithstanding section 3301.079 of the Revised Code, federal diagnostic tests may be recognized as meeting the state diagnostic testing requirements outlined in section 3301.079 of the Revised Code.

HALF-MILL MAINTENANCE EQUALIZATION

The foregoing appropriation item 200-626, Half-Mill Maintenance Equalization, shall be used to make payments pursuant to section 3318.18 of the Revised Code.

SECTION 269.40.50. START-UP FUNDS

Funds appropriated for the purpose of providing start-up grants to Title IV-A Head Start and Title IV-A Head Start Plus agencies in fiscal year 2004 and fiscal year 2005 for the provision of services to children eligible for Title IV-A services under the Title IV-A Head Start or Title IV-A Head Start Plus programs shall be reimbursed to the General Revenue Fund as follows:

(A) If, for fiscal year 2008, an entity that was a Title IV-A Head Start or Title IV-A Head Start Plus agency will not be an early learning agency or early learning provider, the entity shall repay the entire amount of the start-up grant it received in fiscal year 2004 and fiscal year 2005 not later than June 30, 2009, in accordance with a payment schedule agreed to by the Department of Education.

(B) If an entity that was a Title IV-A Head Start or Title IV-A Head Start Plus agency in fiscal year 2004 or fiscal year 2005 will be an early learning agency or early learning provider in fiscal year 2008 and fiscal year 2009, the entity shall be allowed to retain any amount of the start-up grant it received.

(C) Within ninety days after the effective date of this section, the Title IV-A Head Start agencies, Title IV-A Head Start Plus agencies, and the

Department of Education shall determine the repayment schedule for amounts owed under division (A) of this section. These amounts shall be paid to the state not later than June 30, 2009.

(D) If an entity that was a Title IV-A Head Start or Title IV-A Head Start Plus agency in fiscal year 2004 or fiscal year 2005 owed the state any portion of the start-up grant amount during fiscal year 2006 or fiscal year 2007 but failed to repay the entire amount of the obligation by June 30, 2007, the entity shall be given an extension for repayment through June 30, 2009, before any amounts remaining due and payable to the state are referred to the Attorney General for collection under section 131.02 of the Revised Code.

(E) Any Title IV-A Head Start or Title IV-A Head Start Plus start-up grants that are retained by early learning agencies or early learning providers pursuant to this section shall be reimbursed to the General Revenue Fund when the early learning program ceases or is no longer funded from Title IV-A or if an early learning agency's or early learning provider's participation in the early learning program ceases or is terminated.

SECTION 269.40.60. AUXILIARY SERVICES REIMBURSEMENT

Notwithstanding section 3317.064 of the Revised Code, if the unobligated cash balance is sufficient, the Treasurer of State shall transfer \$1,500,000 in fiscal year 2008 within thirty days after the effective date of this section, and \$1,500,000 in fiscal year 2009 by August 1, 2008, from the Auxiliary Services Personnel Unemployment Compensation Fund to the Department of Education's Auxiliary Services Reimbursement Fund (Fund 598).

SECTION 269.40.70. LOTTERY PROFITS EDUCATION FUND

Appropriation item 200-612, Foundation Funding (Fund 017), shall be used in conjunction with appropriation item 200-550, Foundation Funding (GRF), to provide payments to school districts under Chapter 3317. of the Revised Code.

The Department of Education, with the approval of the Director of Budget and Management, shall determine the monthly distribution schedules of appropriation item 200-550, Foundation Funding (GRF), and appropriation item 200-612, Foundation Funding (Fund 017). If adjustments to the monthly distribution schedule are necessary, the Department of Education shall make such adjustments with the approval of the Director of Budget and Management.

The Director of Budget and Management shall transfer via intrastate transfer voucher the amount appropriated under the Lottery Profits Education Fund for appropriation item 200-682, Lease Rental Payment Reimbursement, to the General Revenue Fund on a schedule determined by the director. These funds shall support the appropriation item 230-428, Lease Rental Payments (GRF), of the School Facilities Commission.

SECTION 269.40.80. LOTTERY PROFITS EDUCATION RESERVE FUND

(A) There is hereby created the Lottery Profits Education Reserve Fund (Fund 018) in the State Treasury. Investment earnings of the Lottery Profits Education Reserve Fund shall be credited to the fund. The Superintendent of Public Instruction may certify cash balances exceeding \$75,000,000 in the Lottery Profits Education Reserve Fund (Fund 018) to the Director of Budget and Management in June of any given fiscal year. Prior to making the certification, the Superintendent of Public Instruction shall determine whether the funds above the \$75,000,000 threshold are needed to help pay for foundation program obligations for that fiscal year under Chapter 3317. of the Revised Code. If those funds are needed for the foundation program, the Superintendent of Public Instruction shall notify and consult with the Director of Budget and Management to determine the amount that may be transferred to the Public School Building Fund (Fund 021). Upon this determination, the Director of Budget and Management shall transfer the amount from the Lottery Profits Education Reserve Fund (Fund 018) to the Public School Building Fund (Fund 021). The amount transferred is hereby appropriated to appropriation item CAP-622, Public School Buildings.

For fiscal years 2008 and 2009, notwithstanding any provisions of law to the contrary, amounts necessary to make loans authorized by sections 3317.0210, 3317.0211, and 3317.62 of the Revised Code are hereby appropriated to the Lottery Profits Education Reserve Fund (Fund 018). Loan repayments from loans made in previous years shall be deposited to the fund.

(B) On July 15, 2007, or as soon as possible thereafter, the Director of the Ohio Lottery Commission shall certify to the Director of Budget and Management the amount by which lottery profit transfers received by the Lottery Profits Education Fund (Fund 017) exceeded \$637,900,000 in fiscal year 2007. The Director of Budget and Management may transfer the amount so certified, plus the cash balance in Fund 017, to the Lottery Profits Education Reserve Fund (Fund 018).

(C) On July 15, 2008, or as soon as possible thereafter, the Director of

the Ohio Lottery Commission shall certify to the Director of Budget and Management the amount by which lottery profit transfers received by the Lottery Profits Education Fund (Fund 017) exceeded \$657,900,000 in fiscal year 2008. The Director of Budget and Management may transfer the amount so certified, plus the cash balance in Fund 017, to the Lottery Profits Education Reserve Fund (Fund 018).

(D) Any amounts transferred under division (B) or (C) of this section may be made available by the Controlling Board in fiscal years 2008 or 2009, at the request of the Superintendent of Public Instruction, to provide assistance and grants to school districts to enable them to remain solvent and to pay unforeseeable expenses of a temporary or emergency nature that they are unable to pay from existing resources under section 3316.20 of the Revised Code, and to provide payments to school districts under Chapter 3317. of the Revised Code.

SECTION 269.40.90. GENERAL REVENUE FUND TRANSFERS TO SCHOOL DISTRICT PROPERTY TAX REPLACEMENT - BUSINESS (FUND 047)

Notwithstanding any provision of law to the contrary, in fiscal year 2008 and fiscal year 2009 the Director of Budget and Management may make temporary transfers between the General Revenue Fund and the School District Property Tax Replacement – Business Fund (Fund 047) in the Department of Education to ensure sufficient balances in the School District Property Tax Replacement - Business Fund (Fund 047) and to replenish the General Revenue Fund for such transfers.

SECTION 269.50.10. SCHOOL DISTRICT PROPERTY TAX REPLACEMENT - BUSINESS

The foregoing appropriation item, 200-909, School District Property Tax Replacement – Business, in Fund 047, shall be used by the Department of Education, in consultation with the Department of Taxation, to make payments to school districts and joint vocational school districts under section 5751.21 of the Revised Code. If it is determined by the Director of Budget and Management that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

SCHOOL DISTRICT PROPERTY TAX REPLACEMENT - UTILITY

The foregoing appropriation item 200-900, School District Property Tax Replacement-Utility, in Fund 053, shall be used by the Department of Education, in consultation with the Department of Taxation, to make

payments to school districts and joint vocational school districts under section 5727.85 of the Revised Code.

DISTRIBUTION FORMULAS

The Department of Education shall report the following to the Director of Budget and Management and the Legislative Service Commission:

(A) Changes in formulas for distributing state appropriations, including administratively defined formula factors;

(B) Discretionary changes in formulas for distributing federal appropriations;

(C) Federally mandated changes in formulas for distributing federal appropriations.

Any such changes shall be reported two weeks prior to the effective date of the change.

SECTION 269.50.30. EDUCATIONAL SERVICE CENTERS FUNDING

(A) As used in this section:

(1) "Internet- or computer-based community school" has the same meaning as in section 3314.02 of the Revised Code.

(2) "Service center ADM" has the same meaning as in section 3317.11 of the Revised Code.

(B) Notwithstanding division (F) of section 3317.11 of the Revised Code, no funds shall be provided under that division to an educational service center in either fiscal year for any pupils of a city or exempted village school district unless an agreement to provide services under section 3313.843 of the Revised Code was entered into by January 1, 1997, except that funds shall be provided to an educational service center for any pupils of a city school district if the agreement to provide services was entered into within one year of the date upon which such district changed from a local school district to a city school district.

(C) Notwithstanding any provision of the Revised Code to the contrary, an educational service center that sponsors a community school under Chapter 3314. of the Revised Code in either fiscal year may include the students of that community school in its service center ADM for purposes of state funding under division (F) of section 3317.11 of the Revised Code, unless the community school is an Internet- or computer-based community school. A service center shall include the community school students in its service center ADM only to the extent that the students are not already so included, and only in accordance with guidelines issued by the Department of Education. If the students of a community school sponsored by an educational service center are included in the service center ADM of another

educational service center, those students shall be removed from the service center ADM of the other educational service center and added to the service center ADM of the community school's sponsoring service center. The General Assembly authorizes this procedure as an incentive for educational service centers to take over sponsorship of community schools from the State Board of Education as the State Board's sponsorship is phased out in accordance with Sub. H.B. 364 of the 124th General Assembly. No student of an Internet- or computer-based community school shall be counted in the service center ADM of any educational service center. The Department shall pay educational service centers under division (F) of section 3317.11 of the Revised Code for community school students included in their service center ADMs under this division only if sufficient funds earmarked within appropriation item 200-550, Foundation Funding, for payments under that division remain after first paying for students attributable to their local and client school districts, in accordance with divisions (B) and (D) of this section.

(D) If insufficient funds are earmarked within appropriation item 200-550, Foundation Funding, for payments under division (F) of section 3317.11 of the Revised Code and division (C) of this section in fiscal year 2008 or fiscal year 2009, the Department shall prioritize the distribution of the earmarked funds as follows:

(1) The Department shall first distribute to each educational service center the per-student amount specified in division (F) of section 3317.11 of the Revised Code for each student in its service center ADM attributable to the local school districts within the service center's territory.

(2) The Department shall distribute the remaining funds in each fiscal year to each educational service center for the students in its service center ADM attributable to each city and exempted village school district that had entered into an agreement with an educational service center for that fiscal year under section 3313.843 of the Revised Code by January 1, 1997, up to the per-student amount specified in division (F) of section 3317.11 of the Revised Code. If insufficient funds remain to pay each service center the full amount specified in division (F) of that section for each such student, the Department shall distribute the remaining funds to each service center proportionally, on a per-student basis for each such student, unless that proportional per-student amount exceeds the amount specified in division (F)(1) of that section. In that case, the Department shall distribute the per-student amount specified in division (F)(1) of that section to each service center for each such student and shall distribute the remainder proportionally, on a per-student basis for each such student, to the

multi-county service centers described in division (F)(2) of that section.

(3) If the Department has paid each service center under divisions (D)(1) and (2) of this section, the full amount specified in division (F) of section 3317.11 of the Revised Code for each student attributable to its local school districts and its client school districts described in division (D)(2) of this section the Department shall distribute any remaining funds proportionally, on a per-student basis, to each service center that sponsors a community school, other than an Internet- or computer-based community school, for the students included in the service center ADM under division (C) of this section. These payments shall not exceed per student the amount specified in division (F) of section 3317.11 of the Revised Code.

* SECTION 269.50.40. For the school year commencing July 1, 2007, or the school year commencing July 1, 2008, or both, the Superintendent of Public Instruction may waive for the board of education of any school district the ratio of teachers to pupils in kindergarten through fourth grade required under paragraph (A)(3) of rule 3301-35-05 of the Administrative Code if the following conditions apply:

(A) The board of education requests the waiver.

(B) After the Department of Education conducts an on-site evaluation of the district related to meeting the required ratio, the board of education demonstrates to the satisfaction of the Superintendent of Public Instruction that providing the facilities necessary to meet the required ratio during the district's regular school hours with pupils in attendance would impose an extreme hardship on the district.

(C) The board of education provides assurances that are satisfactory to the Superintendent of Public Instruction that the board will act in good faith to meet the required ratio as soon as possible.

SECTION 269.50.50. PRIVATE TREATMENT FACILITY PROJECT

(A) As used in this section:

(1) The following are "participating residential treatment centers":

(a) Private residential treatment facilities that have entered into a contract with the Department of Youth Services to provide services to children placed at the facility by the Department and which, in fiscal year 2008 or fiscal year 2009 or both, the Department pays through appropriation item 470-401, Care and Custody;

(b) Abraxas, in Shelby;

(c) Paint Creek, in Bainbridge;

(d) Act One, in Akron;

(e) Friars Club, in Cincinnati.

(2) "Education program" means an elementary or secondary education program or a special education program and related services.

(3) "Served child" means any child receiving an education program pursuant to division (B) of this section.

(4) "School district responsible for tuition" means a city, exempted village, or local school district that, if tuition payment for a child by a school district is required under law that existed in fiscal year 1998, is the school district required to pay that tuition.

(5) "Residential child" means a child who resides in a participating residential treatment center and who is receiving an educational program under division (B) of this section.

(B) A youth who is a resident of the state and has been assigned by a juvenile court or other authorized agency to a residential treatment facility specified in division (A) of this section shall be enrolled in an approved educational program located in or near the facility. Approval of the educational program shall be contingent upon compliance with the criteria established for such programs by the Department of Education. The educational program shall be provided by a school district or educational service center, or by the residential facility itself. Maximum flexibility shall be given to the residential treatment facility to determine the provider. In the event that a voluntary agreement cannot be reached and the residential facility does not choose to provide the educational program, the educational service center in the county in which the facility is located shall provide the educational program at the treatment center to children under twenty-two years of age residing in the treatment center.

(C) Any school district responsible for tuition for a residential child shall, notwithstanding any conflicting provision of the Revised Code regarding tuition payment, pay tuition for the child for fiscal year 2008 and fiscal year 2009 to the education program provider and in the amount specified in this division. If there is no school district responsible for tuition for a residential child and if the participating residential treatment center to which the child is assigned is located in the city, exempted village, or local school district that, if the child were not a resident of that treatment center, would be the school district where the child is entitled to attend school under sections 3313.64 and 3313.65 of the Revised Code, that school district, notwithstanding any conflicting provision of the Revised Code, shall pay tuition for the child for fiscal year 2008 and fiscal year 2009 under this division unless that school district is providing the educational program to

the child under division (B) of this section.

A tuition payment under this division shall be made to the school district, educational service center, or residential treatment facility providing the educational program to the child.

The amount of tuition paid shall be:

(1) The amount of tuition determined for the district under division (A) of section 3317.08 of the Revised Code;

(2) In addition, for any student receiving special education pursuant to an individualized education program as defined in section 3323.01 of the Revised Code, a payment for excess costs. This payment shall equal the actual cost to the school district, educational service center, or residential treatment facility of providing special education and related services to the student pursuant to the student's individualized education program, minus the tuition paid for the child under division (C)(1) of this section.

A school district paying tuition under this division shall not include the child for whom tuition is paid in the district's average daily membership certified under division (A) of section 3317.03 of the Revised Code.

(D) In each of fiscal years 2008 and 2009, the Department of Education shall reimburse, from appropriations made for the purpose, a school district, educational service center, or residential treatment facility, whichever is providing the service, that has demonstrated that it is in compliance with the funding criteria for each served child for whom a school district must pay tuition under division (C) of this section. The amount of the reimbursement shall be the formula amount specified in section 3317.022 of the Revised Code, except that the department shall proportionately reduce this reimbursement if sufficient funds are not available to pay this amount to all qualified providers.

(E) Funds provided to a school district, educational service center, or residential treatment facility under this section shall be used to supplement, not supplant, funds from other public sources for which the school district, service center, or residential treatment facility is entitled or eligible.

(F) The Department of Education shall track the utilization of funds provided to school districts, educational service centers, and residential treatment facilities under this section and monitor the effect of the funding on the educational programs they provide in participating residential treatment facilities. The department shall monitor the programs for educational accountability.

SECTION 269.50.60. SCHOOL DISTRICT PARTICIPATION IN
NATIONAL ASSESSMENT OF EDUCATION PROGRESS

The General Assembly intends for the Superintendent of Public Instruction to provide for school district participation in the administration of the National Assessment of Education Progress in accordance with section 3301.27 of the Revised Code. Each school and school district selected for participation by the Superintendent of Public Instruction shall participate.

SECTION 269.50.70. DEPARTMENT OF EDUCATION
APPROPRIATION TRANSFERS FOR STUDENT ASSESSMENT

In fiscal year 2008 and fiscal year 2009, if the Superintendent of Public Instruction determines that additional funds are needed to fully fund the requirements of Am. Sub. H.B. 3 of the 125th General Assembly and this act for assessments of student performance, the Superintendent of Public Instruction may recommend the reallocation of unspent and unencumbered appropriations within the Department of Education to the General Revenue Fund appropriation item 200-437, Student Assessment, to the Director of Budget and Management. If the Director of Budget and Management determines that such a reallocation is required, the Director of Budget and Management may transfer unspent and unencumbered funds within the Department of Education as necessary to appropriation item 200-437, Student Assessment. If these unspent and unencumbered funds are not sufficient to fully fund the assessment requirements in fiscal year 2008 or fiscal year 2009, the Superintendent of Public Instruction may request that the Controlling Board transfer up to \$9,000,000 cash from the Lottery Profits Education Reserve Fund (Fund 018) to the General Revenue Fund and appropriate these transferred funds to appropriation item 200-437, Student Assessment.

SECTION 269.50.80. (A) As used in this section:

(1) "IEP" has the same meaning as in section 3323.01 of the Revised Code.

(2) "SBH student" means a student receiving special education and related services for severe behavior disabilities pursuant to an IEP.

(B) This section applies only to a community school established under Chapter 3314. of the Revised Code that in each of fiscal years 2008 and 2009 enrolls a number of SBH students equal to at least fifty per cent of the total number of students enrolled in the school in the applicable fiscal year.

(C) In addition to any payments made under section 3314.08 of the Revised Code, in each of fiscal years 2008 and 2009, the Department of

Education shall pay to a community school to which this section applies a subsidy equal to the difference between the aggregate amount calculated and paid in that fiscal year to the community school for special education and related services additional weighted costs for the SBH students enrolled in the school and the aggregate amount that would have been calculated for the school for special education and related services additional weighted costs for those same students in fiscal year 2001. If the difference is a negative number, the amount of the subsidy shall be zero.

(D) The amount of any subsidy paid to a community school under this section shall not be deducted from the school district in which any of the students enrolled in the community school are entitled to attend school under section 3313.64 or 3313.65 of the Revised Code. The amount of any subsidy paid to a community school under this section shall be paid from funds appropriated to the Department of Education in appropriation item 200-550, Foundation Funding.

SECTION 269.50.90. EARMARK ACCOUNTABILITY

At the request of the Superintendent of Public Instruction, any entity that receives a budget earmark under the Department of Education shall submit annually to the chairpersons of the committees of the House of Representatives and the Senate primarily concerned with education and to the Department of Education a report that includes a description of the services supported by the funds, a description of the results achieved by those services, an analysis of the effectiveness of the program, and an opinion as to the program's applicability to other school districts. For an earmarked entity that received state funds from an earmark in the prior fiscal year, no funds shall be provided by the Department of Education to an earmarked entity for a fiscal year until its report for the prior fiscal year has been submitted.

SECTION 269.60.10. No community school established under Chapter 3314. of the Revised Code that was not open for operation as of May 1, 2005, shall operate from a home, as defined in section 3313.64 of the Revised Code.

SECTION 269.60.15. (A) As used in this section:

(1) "Big eight school district" has the same meaning as in section 3314.02 of the Revised Code.

(2) "Early college high school" means a high school that provides students with a personalized learning plan based on an accelerated curriculum combining high school and college-level coursework.

(B) Any early college high school that is operated by a big eight school district in partnership with a private university may operate as a new start-up community school under Chapter 3314. of the Revised Code beginning in the 2007-2008 school year, if all of the following conditions are met:

(1) The governing authority and sponsor of the school enter into a contract in accordance with section 3314.03 of the Revised Code and, notwithstanding division (D) of section 3314.02 of the Revised Code, both parties adopt and sign the contract by July 9, 2007.

(2) Notwithstanding division (A) of section 3314.016 of the Revised Code, the school's governing authority enters into a contract with the private university under which the university will be the school's operator.

(3) The school provides the same educational program the school provided while part of the big eight school district.

SECTION 269.60.30. PLAN TO MOVE ADULT EDUCATION PROGRAMS TO BOARD OF REGENTS

The Board of Regents shall work collaboratively with the Department of Education to identify adult career-technical education programs that shall be transferred to the Board of Regents. The Chancellor of the Board of Regents shall work in consultation with the Department and the various identified programs to develop a plan by July 1, 2008, for the transfer that benefits adult learners by preserving points of access, increasing opportunities, maintaining affordability, and creating a system of uniform quality with the ability to earn credit. The transfer shall be completed by January 1, 2009. The purpose of this programmatic transfer is to better align and maximize the strength and flexibility of the full array of Ohio adult workforce education assets to improve the overall quality of adult education and training program course and training offerings in order to increase the skills and improve the employment prospects of adults.

On or after January 1, 2009, notwithstanding any provision of law to the contrary, the Director of Budget and Management may take the actions described in this section made necessary by the movement of adult career-technical education programs from the Department of Education to the Board of Regents. These actions may include budget changes made necessary by administrative reorganization, program transfers, the creation of new funds, the creation of new appropriation items, and the consolidation of funds. The Director may transfer cash balances between funds as needed.

At the request of the Director, the Superintendent of Public Instruction 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 to the Board of Regents when needed to make payments. Not more than thirty days after certifying the estimated amount, the Superintendent of Public Instruction shall certify the final amount to the Director. The Director then 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 the appropriate fund and appropriation item for the same purpose and to the same vendor. The funds necessary to re-establish those encumbrances in a different fund or appropriation item within or between the Board of Regents and the Department of Education are hereby appropriated. 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 2008 unencumbered or unallocated appropriation balances may be transferred to the appropriate item to be used for the same purposes, as determined by the Director.

SECTION 269.60.33. The State Board of Education shall initiate rulemaking procedures for the rules for the Special Education Scholarship Pilot Program, required under section 3310.63 of the Revised Code, as enacted by this act, so that those rules are in effect by January 31, 2008.

SECTION 269.60.36. The Department of Education shall conduct a formative evaluation of the Special Education Scholarship Pilot Program established under sections 3310.51 to 3310.63 of the Revised Code, using both quantitative and qualitative analyses, and shall report its findings to the General Assembly not later than December 31, 2010. In conducting the evaluation, the Department shall to the extent possible gather comments from parents who have been awarded scholarships under the program, school district officials, representatives of registered private providers, educators, and representatives of educational organizations for inclusion in the report required under this section.

SECTION 269.60.60. UNAUDITABLE COMMUNITY SCHOOL

(A) If the Auditor of State or a public accountant, pursuant to section 117.41 of the Revised Code, declares a community school established under

The above boxed and initialed text was disapproved.

Date: June 30, 2007

Ted Strickland
Ted Strickland, Governor

Chapter 3314. of the Revised Code to be unauditale, the Auditor of State shall provide written notification of that declaration to the school, the school's sponsor, and the Department of Education. The Auditor of State also shall post the notification on the Auditor of State's web site.

(B) Notwithstanding any provision to the contrary in Chapter 3314. of the Revised Code or any other provision of law, a sponsor of a community school that is notified by the Auditor of State under division (A) of this section that a community school it sponsors is unauditale shall not enter into contracts with any additional community schools under section 3314.03 of the Revised Code until the Auditor of State or a public accountant has completed a financial audit of that school.

(C) Not later than forty-five days after receiving notification by the Auditor of State under division (A) of this section that a community school is unauditale, the sponsor of the school shall provide a written response to the Auditor of State. The response shall include the following:

(1) An overview of the process the sponsor will use to review and understand the circumstances that led to the community school becoming unauditale;

(2) A plan for providing the Auditor of State with the documentation necessary to complete an audit of the community school and for ensuring that all financial documents are available in the future;

(3) The actions the sponsor will take to ensure that the plan described in division (C)(2) of this section is implemented.

(D) If a community school fails to make reasonable efforts and continuing progress to bring its accounts, records, files, or reports into an auditable condition within ninety days after being declared unauditale, the Auditor of State, in addition to requesting legal action under sections 117.41 and 117.42 of the Revised Code, shall notify the Department of the school's failure. If the Auditor of State or a public accountant subsequently is able to complete a financial audit of the school, the Auditor of State shall notify the Department that the audit has been completed.

(E) Notwithstanding any provision to the contrary in Chapter 3314. of the Revised Code or any other provision of law, upon notification by the Auditor of State under division (D) of this section that a community school has failed to make reasonable efforts and continuing progress to bring its accounts, records, files, or reports into an auditable condition following a declaration that the school is unauditale, the Department shall immediately cease all payments to the school under Chapter 3314. of the Revised Code and any other provision of law. Upon subsequent notification from the Auditor of State under that division that the Auditor of State or a public

accountant was able to complete a financial audit of the community school, the Department shall release all funds withheld from the school under this section.

SECTION 269.60.70. Notwithstanding division (B) of section 3317.01 of the Revised Code, no joint vocational school district shall be denied state payments for fiscal year 2008 because the school district's career center was open for instruction during fiscal year 2007 for fewer days than required by sections 3313.48, 3313.481, and 3317.01 of the Revised Code, if the number of days the career center was closed in the 2006-2007 school year in excess of the number of days it is permitted to be closed for a public calamity under division (B) of section 3317.01 of the Revised Code does not exceed the number of days in May 2007 in which the district closed the career center due to fire damage and cancelled instruction to prepare alternate facilities for instruction.

SECTION 269.60.80. Not later than October 31, 2007, each school district, community school established under Chapter 3314. of the Revised Code, and chartered nonpublic school shall report to the Department of Education, in a manner prescribed by the Department, the number of minutes per week and the number of classes per week of physical education provided to students in each of grades kindergarten through eight in the 2006-2007 school year and scheduled to be provided to students in each of those grades in the 2007-2008 school year.

SECTION 269.60.90. If a school district erroneously reported data to the Education Management Information System established under section 3301.0714 of the Revised Code that showed a zero per cent graduation rate for the 2005-2006 school year for the district or any building in the district and the district notified the Department of Education of the error not later than June 30, 2007, the Department shall allow the district to report a corrected graduation rate for that school year and shall include the corrected graduation rate on the August 2007 report card issued for the district and any affected building under section 3302.03 of the Revised Code.

SECTION 269.70.10. (A) Notwithstanding section 3313.41 of the Revised Code, a school district board of education may sell real property that it owns in its corporate capacity directly to a community action agency that operates

an early childhood education program within the territory of the school district, in lieu of offering the property for sale at public auction as provided in division (A) of that section, in lieu of offering the property for sale to an entity listed in division (C) of that section, or in lieu of offering the property for sale to a community school as provided in division (G) of that section, as long as all of the following conditions are satisfied:

(1) The district is a "local" school district as described in section 3311.03 of the Revised Code.

(2) The district is a countywide school district in that the district comprises most of the territory of one county and most of the district's territory lies in one county.

(3) The district is abandoning the property because it is acquiring new facilities through one or more state-assisted classroom facilities programs under Chapter 3318. of the Revised Code.

(4) The property is suitable for use by the community action agency for its early childhood education program and for other operations of the agency.

(5) The sale is completed on or before February 29, 2008.

(B) As used in this section, "community action agency" has the same meaning as in section 122.66 of the Revised Code.

SECTION 271.10. ELC OHIO ELECTIONS COMMISSION

General Revenue Fund

GRF 051-321	Operating Expenses	\$	411,623	\$	423,975
TOTAL GRF General Revenue Fund		\$	411,623	\$	423,975

General Services Fund Group

4P2 051-601	Ohio Elections				
	Commission Fund	\$	255,000	\$	255,000
TOTAL GSF General Services Fund Group		\$	255,000	\$	255,000
TOTAL ALL BUDGET FUND GROUPS		\$	666,623	\$	678,975

SECTION 273.10. FUN STATE BOARD OF EMBALMERS AND FUNERAL DIRECTORS

General Services Fund Group

4K9 881-609	Operating Expenses	\$	628,641	\$	646,602
TOTAL GSF General Services					
Fund Group		\$	628,641	\$	646,602
TOTAL ALL BUDGET FUND GROUPS		\$	628,641	\$	646,602

SECTION 275.10. PAY EMPLOYEE BENEFITS FUNDS

Accrued Leave Liability Fund Group

806	995-666	Accrued Leave Fund	\$	69,584,560	\$	76,038,787
807	995-667	Disability Fund	\$	40,104,713	\$	39,309,838
TOTAL ALF Accrued Leave Liability						
Fund Group			\$	109,689,273	\$	115,348,625
Agency Fund Group						
124	995-673	Payroll Deductions	\$	2,125,000,000	\$	2,175,000,000
808	995-668	State Employee Health Benefit Fund	\$	499,240,000	\$	550,922,742
809	995-669	Dependent Care Spending Account	\$	2,969,635	\$	2,969,635
810	995-670	Life Insurance Investment Fund	\$	2,113,589	\$	2,229,834
811	995-671	Parental Leave Benefit Fund	\$	3,994,806	\$	4,234,495
813	995-672	Health Care Spending Account	\$	12,000,000	\$	12,000,000
TOTAL AGY Agency Fund Group			\$	2,645,318,030	\$	2,747,356,706
TOTAL ALL BUDGET FUND GROUPS			\$	2,755,007,303	\$	2,862,705,331

ACCRUED LEAVE LIABILITY FUND

The foregoing appropriation item 995-666, Accrued Leave Fund, shall be used to make payments from the Accrued Leave Liability Fund (Fund 806), pursuant to section 125.211 of the Revised Code. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are appropriated.

STATE EMPLOYEE DISABILITY LEAVE BENEFIT FUND

The foregoing appropriation item 995-667, Disability Fund, shall be used to make payments from the State Employee Disability Leave Benefit Fund (Fund 807), pursuant to section 124.83 of the Revised Code. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are appropriated.

PAYROLL WITHHOLDING FUND

The foregoing appropriation item 995-673, Payroll Deductions, shall be used to make payments from the Payroll Withholding Fund (Fund 124). If it is determined by the Director of Budget and Management that additional appropriation amounts are necessary, such amounts are hereby appropriated.

STATE EMPLOYEE HEALTH BENEFIT FUND

The foregoing appropriation item 995-668, State Employee Health Benefit Fund, shall be used to make payments from the State Employee Health Benefit Fund (Fund 808), pursuant to section 124.87 of the Revised Code. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are appropriated.

DEPENDENT CARE SPENDING ACCOUNT

The foregoing appropriation item 995-669, Dependent Care Spending Account, shall be used to make payments from the Dependent Care Spending Account (Fund 809) to employees eligible for dependent care

expenses. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are appropriated.

LIFE INSURANCE INVESTMENT FUND

The foregoing appropriation item 995-670, Life Insurance Investment Fund, shall be used to make payments from the Life Insurance Investment Fund (Fund 810) for the costs and expenses of the state's life insurance benefit program pursuant to section 125.212 of the Revised Code. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are appropriated.

PARENTAL LEAVE BENEFIT FUND

The foregoing appropriation item 995-671, Parental Leave Benefit Fund, shall be used to make payments from the Parental Leave Benefit Fund (Fund 811) to employees eligible for parental leave benefits pursuant to section 124.137 of the Revised Code. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are appropriated.

HEALTH CARE SPENDING ACCOUNT

There is hereby established in the State Treasury the Health Care Spending Account Fund (Fund 813). The foregoing appropriation item 995-672, Health Care Spending Account, shall be used to make payments from the fund. The fund shall be under the supervision of the Department of Administrative Services and shall be used to make payments pursuant to state employees' participation in a flexible spending account for non-reimbursed health care expenses and pursuant to Section 125 of the Internal Revenue Code. All income derived from the investment of the fund shall accrue to the fund. If it is determined by the Director of Administrative Services that additional appropriation amounts are necessary, the Director of Administrative Services may request that the Director of Budget and Management increase such amounts. Such amounts are hereby appropriated.

At the request of the Director of Administrative Services, the Director of Budget and Management shall transfer up to \$145,000 from the General Revenue Fund to the Health Care Spending Account Fund during fiscal years 2008 and 2009. This cash shall be transferred as needed to provide adequate cash flow for the Health Care Spending Account Fund during fiscal year 2008 and fiscal year 2009. If funds are available at the end of fiscal years 2008 and 2009, the Director of Budget and Management shall transfer cash up to the amount previously transferred in the respective year, plus interest income, back from the Health Care Spending Account (Fund 813) to the General Revenue Fund.

SECTION 277.10. ERB STATE EMPLOYMENT RELATIONS BOARD

General Revenue Fund

GRF 125-321	Operating Expenses	\$	3,218,803	\$	3,355,602
TOTAL GRF General Revenue Fund		\$	3,218,803	\$	3,355,602

General Services Fund Group

572 125-603	Training and Publications	\$	75,541	\$	75,541
TOTAL GSF General Services					
Fund Group		\$	75,541	\$	75,541
TOTAL ALL BUDGET FUND GROUPS		\$	3,294,344	\$	3,431,143

SECTION 279.10. ENG STATE BOARD OF ENGINEERS AND SURVEYORS

General Services Fund Group

4K9 892-609	Operating Expenses	\$	1,058,881	\$	1,058,881
TOTAL GSF General Services					
Fund Group		\$	1,058,881	\$	1,058,881
TOTAL ALL BUDGET FUND GROUPS		\$	1,058,881	\$	1,058,881

SECTION 281.10. EPA ENVIRONMENTAL PROTECTION AGENCY

General Services Fund Group

199 715-602	Laboratory Services	\$	1,158,574	\$	1,173,574
219 715-604	Central Support Indirect	\$	16,474,276	\$	17,000,962
4A1 715-640	Operating Expenses	\$	3,369,731	\$	3,369,731
TOTAL GSF General Services					
Fund Group		\$	21,002,581	\$	21,544,267

Federal Special Revenue Fund Group

3BU 715-684	Water Quality Protection	\$	6,515,000	\$	6,310,000
3F2 715-630	Revolving Loan Fund - Operating	\$	563,536	\$	775,600
3F3 715-632	Federally Supported Cleanup and Response	\$	2,550,000	\$	2,550,000
3F5 715-641	Nonpoint Source Pollution Management	\$	7,550,000	\$	7,595,000
3K4 715-634	DOD Monitoring and Oversight	\$	858,250	\$	898,825
3N4 715-657	DOE Monitoring and Oversight	\$	1,071,678	\$	1,110,270
3T3 715-669	Drinking Water SRF	\$	2,843,923	\$	2,977,998
3V7 715-606	Agencywide Grants	\$	500,000	\$	500,000
353 715-612	Public Water Supply	\$	3,388,619	\$	3,388,618
354 715-614	Hazardous Waste Management - Federal	\$	4,203,891	\$	4,203,891
357 715-619	Air Pollution Control - Federal	\$	6,823,949	\$	6,823,950
362 715-605	Underground Injection Control - Federal	\$	111,874	\$	111,874

TOTAL FED Federal Special Revenue

Fund Group		\$	36,980,720	\$	37,246,026
State Special Revenue Fund Group					
4J0 715-638	Underground Injection Control	\$	458,418	\$	458,418
4K2 715-648	Clean Air - Non Title V	\$	3,690,821	\$	4,066,558
4K3 715-649	Solid Waste	\$	13,932,845	\$	14,282,845
4K4 715-650	Surface Water Protection	\$	12,685,000	\$	13,815,000
4K5 715-651	Drinking Water Protection	\$	8,169,553	\$	8,867,732
4P5 715-654	Cozart Landfill	\$	149,728	\$	149,728
4R5 715-656	Scrap Tire Management	\$	6,000,000	\$	6,000,000
4R9 715-658	Voluntary Action Program	\$	1,032,098	\$	1,032,098
4T3 715-659	Clean Air - Title V Permit Program	\$	18,924,098	\$	18,833,584
4U7 715-660	Construction & Demolition Debris	\$	881,561	\$	881,561
5BC 715-617	Clean Ohio	\$	741,646	\$	741,646
5BC 715-622	Local Air Pollution Control	\$	1,026,369	\$	1,026,369
5BC 715-624	Surface Water	\$	8,797,413	\$	8,797,413
5BC 715-667	Groundwater	\$	1,093,741	\$	1,093,741
5BC 715-672	Air Pollution Control	\$	5,199,290	\$	5,199,290
5BC 715-673	Drinking Water	\$	2,550,250	\$	2,550,250
5BC 715-675	Hazardous Waste	\$	100,847	\$	100,847
5BC 715-676	Assistance and Prevention	\$	700,302	\$	700,302
5BC 715-677	Laboratory	\$	1,216,333	\$	1,216,333
5BC 715-678	Corrective Actions	\$	1,179,775	\$	1,179,775
5BT 715-679	C&DD Groundwater Monitoring	\$	571,560	\$	693,267
5BY 715-681	Auto Emissions Test	\$	14,817,105	\$	15,057,814
5CD 715-682	Clean Diesel School Buses	\$	600,000	\$	600,000
5DW 715-683	Automotive Mercury Switch Program	\$	60,000	\$	60,000
5H4 715-664	Groundwater Support	\$	2,503,933	\$	2,715,340
5N2 715-613	Dredge and Fill	\$	30,000	\$	30,000
500 715-608	Immediate Removal Special Account	\$	557,257	\$	573,903
503 715-621	Hazardous Waste Facility Management	\$	11,711,473	\$	12,200,240
505 715-623	Hazardous Waste Cleanup	\$	13,333,179	\$	14,147,498
505 715-674	Clean Ohio Environmental Review	\$	109,725	\$	109,725
541 715-670	Site Specific Cleanup	\$	34,650	\$	34,650
542 715-671	Risk Management Reporting	\$	146,188	\$	146,188
592 715-627	Anti Tampering Settlement	\$	9,707	\$	9,707
6A1 715-645	Environmental Education	\$	1,500,000	\$	1,500,000
602 715-626	Motor Vehicle Inspection and Maintenance	\$	157,697	\$	128,876
644 715-631	ER Radiological Safety	\$	286,114	\$	286,114
660 715-629	Infectious Waste Management	\$	100,000	\$	100,000
676 715-642	Water Pollution Control Loan Administration	\$	4,964,625	\$	4,964,625
678 715-635	Air Toxic Release	\$	210,622	\$	210,622
679 715-636	Emergency Planning	\$	2,628,647	\$	2,628,647
696 715-643	Air Pollution Control Administration	\$	750,000	\$	750,000

699 715-644	Water Pollution Control Administration	\$	750,000	\$	750,000
TOTAL SSR State Special Revenue Fund Group		\$	144,362,570	\$	148,690,706
Clean Ohio Conservation Fund Group					
5S1 715-607	Clean Ohio - Operating	\$	208,174	\$	208,174
TOTAL CLF Clean Ohio Conservation Fund Group		\$	208,174	\$	208,174
TOTAL ALL BUDGET FUND GROUPS		\$	202,554,045	\$	207,689,173

AUTOMOBILE EMISSIONS TESTING PROGRAM OPERATION AND OVERSIGHT

On July 1, 2007, or as soon as possible thereafter, if the Governor issues an executive order under division (A) of section 3704.14 of the Revised Code, the Director of Budget and Management shall transfer \$14,817,105 for use in fiscal year 2008 from the General Revenue Fund to the Auto Emissions Test Fund (Fund 5BY). On July 1, 2008, or as soon as possible thereafter, if the Governor issues a subsequent executive order under division (A) of section 3704.14 of the Revised Code, the Director of Budget and Management shall transfer \$15,057,814 for use in fiscal year 2009 from the General Revenue Fund to the Auto Emissions Test Fund (Fund 5BY).

The Ohio Environmental Protection Agency (EPA) shall use the foregoing appropriation item 715-681, Auto Emissions Test, in the Auto Emissions Test Fund (Fund 5BY), for the operation, and Ohio EPA's costs for oversight, of the auto emissions testing program. For purposes of continuing testing beyond December 31, 2007, the Governor, annually and by executive order, may extend an existing contract with the contractor who is implementing the testing program pursuant to section 3704.14 of the Revised Code for a period of one year.

The funds identified in this section shall not be used (1) to pay for the testing costs of any dealers to provide certificates for vehicles being purchased by individuals who reside in areas where the E-Check program is operated or (2) to pay for more than one passing or three total free tests for any vehicle in a three-hundred-sixty-five-day period. When state funds may not be used to pay for testing costs, the cost of testing and retesting paid by an individual or a business for any vehicle shall cover the cost of the test. Testing and other fees charged by the contractor shall be submitted to and approved by the Director of Environmental Protection.

WATER QUALITY PROTECTION FUND

On July 1, 2007, or as soon thereafter as possible, the Director of Environmental Protection shall certify to the Director of Budget and Management the cash balance in Fund 3F4, Water Quality Management. The Director of Budget and Management shall transfer the amount certified

The above boxed and initialed text was disapproved.

Date: June 30, 2007

Fred Strickland
Governor

from Fund 3F4 to Fund 3BU, Water Quality Protection. Any existing encumbrances in appropriation item 715-633, Water Quality Management (Fund 3F4), shall be cancelled and re-established against appropriation item 715-684, Water Quality Protection (Fund 3BU). The amounts of the re-established encumbrances are hereby appropriated, and Fund 3F4 is abolished.

On July 1, 2007, or as soon thereafter as possible, the Director of Environmental Protection shall certify to the Director of Budget and Management the cash balance in Fund 3J1, Urban Stormwater. The Director of Budget and Management shall transfer the amount certified from Fund 3J1 to Fund 3BU, Water Quality Protection. Any existing encumbrances in appropriation item 715-620, Urban Stormwater (Fund 3J1), shall be cancelled and re-established against appropriation item 715-684, Water Quality Protection (Fund 3BU). The amounts of the re-established encumbrances are hereby appropriated, and Fund 3J1 is abolished.

On July 1, 2007, or as soon thereafter as possible, the Director of Environmental Protection shall certify to the Director of Budget and Management the cash balance in Fund 3J5, Maumee River. The Director of Budget and Management shall transfer the amount certified from Fund 3J5 to Fund 3BU, Water Quality Protection. Any existing encumbrances in appropriation item 715-615, Maumee River (Fund 3J5), shall be cancelled and re-established against appropriation item 715-684, Water Quality Protection (Fund 3BU). The amounts of the re-established encumbrances are hereby appropriated, and Fund 3J5 is abolished.

On July 1, 2007, or as soon thereafter as possible, the Director of Environmental Protection shall certify to the Director of Budget and Management the cash balance in Fund 3K2, Clean Water Act 106 (Fund 3K2). The Director of Budget and Management shall transfer the amount certified from Fund 3K2 to Fund 3BU, Water Quality Protection. Any existing encumbrances in appropriation item 715-628, Clean Water Act 106, shall be cancelled and re-established against appropriation item 715-684, Water Quality Protection (Fund 3BU). The amounts of the re-established encumbrances are hereby appropriated, and Fund 3K2 is abolished.

On July 1, 2007, or as soon thereafter as possible, the Director of Environmental Protection shall certify to the Director of Budget and Management the cash balance in Fund 3K6, Remedial Action Plan. The Director of Budget and Management shall transfer the amount certified from Fund 3K6 to Fund 3BU, Water Quality Protection. Any existing encumbrances in appropriation item 715-639, Remedial Action Plan (Fund 3K6), shall be cancelled and re-established against appropriation item

715-684, Water Quality Protection (Fund 3BU). The amounts of the re-established encumbrances are hereby appropriated, and Fund 3K6 is abolished.

On July 1, 2007, or as soon thereafter as possible, the Director of Environmental Protection shall certify to the Director of Budget and Management the cash balance in Fund 352, Wastewater Pollution. The Director of Budget and Management shall transfer the amount certified from Fund 352 to Fund 3BU, Water Quality Protection. Any existing encumbrances in appropriation item 715-611, Wastewater Pollution (Fund 352), shall be cancelled and re-established against appropriation item 715-684, Water Quality Protection (Fund 3BU). The amounts of the re-established encumbrances are hereby appropriated, and Fund 352 is abolished.

On July 1, 2007, or as soon thereafter as possible, the Director of Environmental Protection shall certify to the Director of Budget and Management the cash balance in Fund 358, 205-J Federal Planning. The Director of Budget and Management shall transfer the amount certified from Fund 358 to Fund 3BU, Water Quality Protection. Any existing encumbrances in appropriation item 715-625, 205-J Federal Planning (Fund 358), shall be cancelled and re-established against appropriation item 715-684, Water Quality Protection (Fund 3BU). The amounts of the re-established encumbrances are hereby appropriated, and Fund 358 is abolished.

AREAWIDE PLANNING AGENCIES

The Director of the Environmental Protection Agency shall use the foregoing appropriation item 715-624, Surface Water, to contract with areawide planning agencies in an amount not to exceed \$75,000 per agency per fiscal year for areawide water quality management and planning activities in accordance with Section 208 of the Federal Clean Water Act, 33 U.S.C. 1288.

CASH TRANSFER FOR AUTOMOTIVE MERCURY SWITCH PROGRAM

Upon the request of the Director of Environmental Protection, the Director of Budget and Management shall transfer up to \$60,000 in cash from the Environmental Protection Fund (Fund 5BC) to the Automotive Mercury Switch Program Fund (Fund 5DW), in each year of the fiscal years 2008-2009 biennium.

SECTION 283.10. EBR ENVIRONMENTAL REVIEW APPEALS COMMISSION

The above boxed and initialed text was disapproved.

Date: June 30 2007

Ted Strickland

Ted Strickland, Governor

General Revenue Fund

GRF 172-321	Operating Expenses	\$	483,859	\$	487,000
TOTAL GRF General Revenue Fund		\$	483,859	\$	487,000
TOTAL ALL BUDGET FUND GROUPS		\$	483,859	\$	487,000

SECTION 285.10. ETC ETECH OHIO**General Revenue Fund**

GRF 935-321	Operations	\$	6,830,918	\$	6,830,921
GRF 935-401	Statehouse News Bureau	\$	244,400	\$	244,400
GRF 935-402	Ohio Government	\$	716,417	\$	716,417
	Telecommunications Services				
GRF 935-403	Technical Operations	\$	3,597,390	\$	3,597,390
GRF 935-404	Telecommunications	\$	4,632,413	\$	4,632,413
	Operating Subsidy				
GRF 935-406	Technical and Instructional	\$	6,285,351	\$	6,272,351
	Professional Development				
GRF 935-539	Educational Technology	\$	4,139,551	\$	4,139,551
TOTAL GRF General Revenue Fund		\$	26,446,440	\$	26,433,443

General Services Fund Group

4F3 935-603	Affiliate Services	\$	1,000,000	\$	1,000,000
4T2 935-605	Government	\$	25,000	\$	25,000
	Television/Telecommunications				
	Operating				
5D4 935-640	Conference/Special Purposes	\$	1,821,817	\$	1,821,817
TOTAL GSF General Services Fund Group		\$	2,846,817	\$	2,846,817

Federal Special Revenue Fund Group

3S3 935-606	Enhancing Education	\$	589,363	\$	589,363
	Technology				
TOTAL FED Federal Special Revenue Fund Group		\$	589,363	\$	589,363

State Special Revenue Fund Group

4W9 935-630	Telecommunity	\$	25,000	\$	25,000
4X1 935-634	Distance Learning	\$	50,000	\$	50,000
5T3 935-607	Gates Foundation Grants	\$	200,000	\$	200,000
TOTAL SSR State Special Revenue Fund Group		\$	275,000	\$	275,000
TOTAL ALL BUDGET FUND GROUPS		\$	30,157,620	\$	30,144,623

SECTION 285.30. TELECOMMUNICATIONS**STATEHOUSE NEWS BUREAU**

The foregoing appropriation item 935-401, Statehouse News Bureau, shall be used solely to support the operations of the Ohio Statehouse News Bureau.

OHIO GOVERNMENT TELECOMMUNICATIONS STUDIO

The foregoing appropriation item 935-402, Ohio Government Telecommunications Services, shall be used solely to support the operations

of Ohio Government Telecommunications Services.

TECHNICAL OPERATIONS

The foregoing appropriation item 935-403, Technical Operations, shall be used by eTech Ohio to pay expenses of eTech Ohio's network infrastructure, which includes the television and radio transmission infrastructure and infrastructure that shall link all public K-12 classrooms to each other and the Internet, and provide access to voice, video, and data educational resources for students and teachers.

TELECOMMUNICATIONS OPERATING SUBSIDY

Of the foregoing appropriation item 935-404, Telecommunications Operating Subsidy, \$45,000 in each fiscal year shall be used to contract for dial-up newspaper reading services for the blind and physically handicapped. The contract shall be awarded subject to Controlling Board approval, through a competitive bidding process.

Of the foregoing appropriation item 935-404, Telecommunications Operating Subsidy, \$1,000,000 in each fiscal year shall be used to support the conversion of Ohio's public educational television stations from analog to federally mandated digital broadcasting technology.

Funds appropriated to support the conversion to digital technology shall be distributed by eTech Ohio to the Ohio educational television stations according to a formula agreed to by the stations.

The remainder of appropriation item 935-404, Telecommunications Operating Subsidy, shall be distributed by eTech Ohio to Ohio's qualified public educational television stations, radio reading services, and educational radio stations to support their operations. The funds shall be distributed pursuant to an allocation formula used by the Ohio Educational Telecommunications Network Commission unless and until a substitute formula is developed by eTech Ohio in consultation with Ohio's qualified public educational television stations, radio reading services, and educational radio stations.

SECTION 285.40. TECHNICAL AND INSTRUCTIONAL PROFESSIONAL DEVELOPMENT

The foregoing appropriation item 935-406, Technical and Instructional Professional Development, shall be used by eTech Ohio to make grants or provide services to qualifying public schools, including the State School for the Blind, the State School for the Deaf, and the Department of Youth Services, for the provision of hardware, software, telecommunications services, and staff development to support educational uses of technology in the classroom.

The above boxed and initialed text was disapproved.

Date: June 30, 2007

Ted Strickland

Ted Strickland, Governor

Of the foregoing appropriation item 935-406, Technical and Instructional Professional Development, up to \$200,000 in each fiscal year shall be used by eTech Ohio to provide competitive professional development grants to school districts. Grant proposals shall focus on developing innovative programs that enhance the abilities of teachers to use innovative methods for integrating technology to implement state academic content standards in classroom lessons. Grant requirements and awards shall be approved by eTech Ohio, with priority given to school districts designated in academic emergency, academic watch, or continuous improvement. eTech Ohio shall develop a web site to share information learned through these programs with school districts statewide. The web site shall be linked with the Ohio Department of Education's Instructional Management System.

Of the foregoing appropriation item 935-406, Technical and Instructional Professional Development, up to \$1,260,000 in each fiscal year shall be allocated equally among the 12 Ohio educational television stations and used with the advice and approval of eTech Ohio. Funds shall be used for the production of interactive instructional programming series with priority given to resources aligned with state academic content standards in consultation with the Ohio Department of Education and for teleconferences to support eTech Ohio. The programming shall be targeted to the needs of the poorest two hundred school districts as determined by the district's adjusted valuation per pupil as defined in former section 3317.0213 of the Revised Code as that section existed prior to June 30, 2005.

The remainder of appropriation item 935-406, Technical and Instructional Professional Development, shall be used by eTech Ohio for professional development for teachers and administrators for the use of educational technology. eTech Ohio may make grants to provide technical assistance and professional development on the use of educational technology to school districts.

Eligible recipients of grants include regional training centers, educational service centers, information technology centers, educational technology centers, institutions of higher education, public television stations, special education resource centers, area media centers, or other nonprofit educational organizations. In addition, services provided through these grants may include use of private entities subcontracting through the grant recipient.

Grants shall be made to entities on a contractual basis with eTech Ohio. Contracts shall include provisions that demonstrate how services will benefit technology use in the public schools, and in particular how services will

support eTech Ohio's efforts to integrate technology in the public schools. Contracts shall specify the scope of assistance being offered and the potential number of professionals who will be served. Contracting entities may be awarded more than one grant at a time. Grants shall be awarded in a manner consistent with the goals and priorities of eTech Ohio. Special emphasis in the award of grants shall be placed on collaborative efforts among service providers.

Application for grants from appropriation item 935-406, Technical and Instructional Professional Development, shall be consistent with a school district's technology plan that shall meet the minimum specifications for school district technology plans as prescribed by eTech Ohio. Funds allocated through these grants may be combined with funds received through other state or federal grants for technology so long as the school district's technology plan specifies the use of these funds.

SECTION 285.50. EDUCATIONAL TECHNOLOGY

The foregoing appropriation item 935-539, Educational Technology, shall be used to provide funding to suppliers of information services to school districts for the provision of hardware, software, and staff development in support of educational uses of technology in the classroom as prescribed by the State Plan for Technology pursuant to section 3301.07 of the Revised Code, and to support assistive technology for children and youth with disabilities.

eTech Ohio shall contract with educational television to provide Ohio public schools with instructional resources and services with priority given to resources and services aligned with state academic content standards and such resources and services shall be based upon the advice and approval of eTech Ohio, based on a formula used by the Ohio SchoolNet Commission unless and until a substitute formula is developed by eTech Ohio in consultation with Ohio's educational technology agencies and noncommercial educational television stations.

Resources may include, but not be limited to, the following: prerecorded video materials (including videotape, laser discs, and CD-ROM discs); computer software for student use or student access to electronic communication, databases, spreadsheet, and word processing capability; live student courses or courses delivered electronically; automated media systems; and instructional and professional development materials for teachers. eTech Ohio shall collaborate with public television stations and cooperate with education technology agencies in the acquisition, development, and delivery of these educational resources to ensure

high-quality and educational soundness at the lowest possible cost. Delivery of these resources may utilize a variety of technologies with a preference given to a high speed integrated network that can transport video, voice, data, and graphics simultaneously.

Services shall include presentations and technical assistance that will help students and teachers integrate educational materials that support curriculum objectives, match specific learning styles, and are appropriate for individual interests and ability levels.

The instructional resources and services shall be made available for purchase by chartered nonpublic schools or by school districts for the benefit of pupils attending chartered nonpublic schools.

eTech Ohio shall monitor the developments of technology, coordinate with the Office of Information Technology, and assure the most effective and highest quality operation of eTech Ohio networks. All efforts may be aligned with the State's ongoing efforts to coordinate appropriate network operations through the Office of Information Technology and through the Third Frontier Network.

SECTION 285.55. (A) The Governor is hereby authorized to execute deeds or leases in the name of the state, granting or leasing all of the state's right, title, and interest in eighteen parcels on which stand eTech Ohio towers, the parcels being particularly described as follows:

Akron/Nimisila

Situated in the Township of Green, County of Summit, State of Ohio being part of the Southwest Quarter Section Eighteen (18) of Township Twelve North (T-12-N), Range Nine West (R-9-W), more particularly bounded and described as follows:

Commencing at the Point of Intersection of the centerline of South Main Street (County Highway 50) with the centerline of Caston Road (County Highway 224); thence South 49° 07' 20" East along and with the centerline of said Caston Road a distance of 394.15 feet to an iron pin; thence continuing South 49° 07' 20" East a distance of 300 feet to an iron pin at a PI of the centerline of said Caston Road; thence South 38° 05' 26" East a distance of 138.82 feet to an iron pin at the True Place of Beginning of the parcel of land hereinafter described:

Thence, South 50° 22' 26" East a distance of 50 feet to an iron pin;

Thence, South 9° 37' 34" West a distance of 591.62 feet to an iron pin;

Thence, South 69° 37' 34" West a distance of 50 feet to an iron pin;

Thence, North 49° 22' 19" West a distance of 558.17 feet to an iron pin;

Thence, North 9° 37' 34" East a distance of 50 feet to an iron pin;

Thence, North $67^{\circ} 37' 34''$ East a distance of 558.17 feet to the True Place of Beginning, containing 4.38 acres, to be the same more or less, according to survey by Justin A Seiler, Registered Surveyor #4421, on March 20, 1974, but subject to all legal highways.

Butler

County of Richland in the State of Ohio, and bounded and described as follows: Situated in the Township of Jefferson, County of Richland, State of Ohio and being a part of the Southeast Quarter of the Southeast Quarter Section Twenty-three (23) of Township Nineteen (19), Range Eighteen (18), more particularly bounded and described as follows:

Commencing at the Southeast Corner of said Southeast Quarter Section 23; thence Northerly along and with the East Line of said Quarter a distance of 80 Rods to the Northeast corner of said Southeast Quarter of the Southeast Quarter Section 23; thence Westerly parallel with the South Line of said Quarter a distance of 202.5 feet to the True Place of Beginning;

THENCE, continuing Westerly parallel with said South Line a distance of 688 feet to an iron pin;

THENCE, Southerly with an interior angle of 90° a distance of 763 feet to an iron pin;

THENCE, Easterly with an interior angle of 90° a distance of 688 feet to an iron pin;

THENCE, Northerly with an interior angle of 90° a distance of 763 feet to the True Place of Beginning, containing 12.05 acres, be the same more or less, according to survey by Justin A. Seiler, Registered Surveyor #4421, on March 12, 1974.

Carey

Being a tract of land in Section 28, Range 13E, Township 15, Crawford Township, Wyandot County, State of Ohio which is further described as follows:

Beginning at a point on the north line of Section 28 which line is also the center line of County Road 25 (also known as Tyson Road) which point is South $89^{\circ} 53' 11''$ East long the said north line of Section 28, a distance of two hundred sixty-one and ninety hundredths (261.90) feet from the northwest corner of said Section 28 said corner also being the intersection of the center line of County Road 97 and said County Road 25;

Thence, along the said north line of Section 28 North $89^{\circ} 53' 30''$ East, a distance of four hundred thirty-one and seventy-one hundredths (431.71) feet to a point;

Thence, South $3^{\circ} 42' 00''$ West, a distance of twenty and four hundredths (20.04) feet to a concrete monument;

Thence, continuing South 3° 42' 00" West, a distance of seven hundred sixty-nine and fifty-four hundredths (769.54) feet to a concrete monument;
Thence, North 62° 09' 49" West, a distance of five hundred ninety-five and four hundredths (595.04) feet to a concrete monument;
Thence, North 4° 53' 19" West, a distance of four hundred thirty-six and seventy-five hundredths (436.75) feet to a concrete monument;
Thence, North 73° 29' 57" East, a distance of one hundred ninety and fifty-four hundredths (190.54) feet to a concrete monument;
Thence, North 0° 06' 30" West, a distance of twenty and no hundredths (20.00) feet to the point of beginning.

Carmel Church

Township of Bloomfield, in the County of Jackson, and State of Ohio.

Being a tract of land in the Southeast Quarter of Section 35 in Range 17W, Township 8N, Bloomfield Township, Jackson County, Ohio which is further described as follows:

Beginning at a point in the center line of Township Road 144 which point is located by the following two (2) courses from the northwest corner of the said Southeast Quarter of Section 35;

(1) South 4° 24 feet West along the west line of the said Southeast Quarter of Section 35, a distance of one hundred thirty-one and four tenths (131.4) feet to a point in the said center line of Township Road 144;

(2) South 65° 11 feet East along the said center line of Township Road 144, a distance of five hundred eighty-five and no hundredths (585.00) feet to said beginning point;

Thence, South 4° 24 feet West, a distance of thirty-two and one hundredth (32.01) feet to a concrete monument;

thence, continuing South 4° 24 feet West, a distance of six hundred forty-two and forty hundredths (642.40) feet to a concrete monument;

thence, continuing South 4° 24 feet West, a distance of thirty-two and two hundredths (32.02) feet to a point in the County Road 46;

thence, North 73° 56 feet East being in County Road 46, a distance of one thousand eleven and forty-nine hundredths (1,011.49) feet to a point in the aforementioned center line of Township Road 144;

thence, North 65° 11 feet West along the said center line of County Road 144, a distance of one thousand eleven and seventeen hundredths (1,011.17) feet to the point of the beginning.

This tract contains seven and six hundred eight-two thousandths (7.682) acres, more or less.

Celina

TRACT ONE

Being a parcel of land situated in Jefferson Township, Mercer County, Ohio in the northeast quarter of the northeast quarter of Section 4, Township 6 South, Range 3 East. Being more particularly described as follows:

Commencing for reference at a 5/8 inch iron bar at the northeast corner of said section 4

Thence, south 00° 50' 10" west, along the east line of said section 4 and the centerline of Dibble Road, a distance of thirty (30.00) feet to the south line of the Norfolk and Western Railroad Right-of Way. Said point being the place of beginning for the parcel to be described herein

Thence, continuing south 00° 50' 10" west along the last described line, a distance of two hundred thirty-eight and 50/100 (238.50) feet to a point

Thence, north 89° 05' 33" west, a distance of two hundred sixty-seven and 91/100 (267.91) feet to a point

Thence, north 00° 50' 10" east, a distance of two hundred thirty-eight and 51/100 (238.50) feet to the south line of the aforementioned Norfolk the Western Railroad right-of-way

Thence, south 89° 05' 33" east, along said south right-of-way, a distance of two hundred sixty-seven and 91/100 (267.91) feet to the place of beginning
Containing 1.467 acres of land more or less.

TRACT TWO

Being a parcel of land situated in Jefferson Township, Mercer County, Ohio in the northwest quarter of the northeast quarter of Section 3, Township 6 South, Range 3 East. Being more particularly described as follows:

Commencing for reference at a 5/8 inch iron bar at the northwest corner of said section 3

Thence, south 00° 50' 10" west, along the east line of said section 3 and the centerline of Dibble Road, a distance of fifty (50.00) feet to the south line of the Norfolk and Western Railroad Right-of-Way. Said point being the place of beginning for the parcel to be described herein

Thence, continuing south 00° 50' 10" west along the last described line, a distance of Five Hundred eighty-two and 50/100 (582.50) feet to a point

Thence, north 89° 05' 33" east, a distance of three hundred sixty-seven and 91/100 (367.91) feet to a point

Thence, north 00° 50' 10" east, a distance of five hundred eighty-two and 50/100 (582.50) feet to the south line of the aforementioned Norfolk and Western Railroad right-of-way

Thence, north 89° 05' 33" west, along said south right-of-way, a distance of three hundred sixty-seven and 91/100 (367.91) feet to the place of beginning
Containing 4.920 acres of land more or less.

College Corner/Oxford

Situate in the State of Ohio, Butler County, Oxford Township, being a part of Section 5, Range 1 East, Township 5 North, Congress Lands West of the Miami, also being a parcel out of those lands conveyed to Miami University by Deed of Record in Deed Book 965, Page 42, Recorder's Office, Butler County, Ohio and being a lease for a radio broadcasting antenna tower and the necessary guy and anchor structures, more particularly described as follows:

Beginning for reference at the northwest corner of Section 5, Range 1 East, Township 5 North, Congress Lands West of the Miami, said point also being at the intersection of Jones Road and Taylor Road and in the Preble-Butler County Line; thence leaving said County Line, said Jones road and with the centerline of said Taylor Road and the west line of said Section 5, South $00^{\circ} 05'$ West 3619.2 feet to a point, said point being the northwesterly corner of the 14.01 acre tract as conveyed in said Deed Book 695, Page 42; thence leaving the centerline of said Taylor Road and the west line of said Section 5 and with a northerly line of said 14.01 acre parcel South $89^{\circ} 55'$ East 356.8 feet to a point; thence leaving the northerly line of said 14.01 acre parcel and crossing said 14.01 acre parcel South $00^{\circ} 05'$ West 40.00 feet to a point; thence continuing across said 14.01 acre parcel North $87^{\circ} 53'$ East 386.5 feet to the center of an existing antenna tower and the True Point of Beginning of the herein described leases, said tower also having geographic coordinates of North Latitude $39^{\circ} 31' 37''$ and West Longitude $84^{\circ} 47' 36''$.

Parcel A: Being a circular area of fifty (50.00) foot radius centered on the aforescribed antenna tower and containing 7854 square feet, more or less.

Parcel B: Beginning at a point which bears North $27^{\circ} 53'$ East, a distance of fifty (50.00) feet from the aforescribed antenna tower and at a point on the circumference of the aforescribed circle; thence with the centerline of a twenty (20.00) foot wide easement, being ten (10.00) feet on each side of said centerline

North $27^{\circ} 53'$ East 300.00 feet to the terminus of said Lease B and containing 6006.7 square feet, more or less.

Parcel C: Beginning at a point which bears South $32^{\circ} 07'$ East a distance of fifty (50.00) feet from the aforescribed antenna tower and at a point on the circumference of the aforescribed circle; thence with the centerline of a twenty (20.00) foot wide easement, being ten (10.00) feet on each side of said centerline

South $32^{\circ} 07'$ East 293.00 feet to the terminus of said Lease C and containing 5866.7 square feet, more or less

Parcel D: Beginning at a point which bears South $87^{\circ} 53'$ West a distance of

fifty (50.00) feet from the aforescribed antenna tower and at a point on the circumference of the aforescribed circle; thence with the centerline of a twenty (20.00) foot wide easement, being ten (10.00) feet on each side of said centerline

South 87° 53' West 300.00 feet to the terminus of said Lease D and containing 6006.7 square feet, more or less.

The aforescribed four lease parcels containing a total of 25734.1 square feet or 0.591 acres, more or less

Ashtabula

Located in Sheffield Township, Ashtabula County, State of Ohio and being part of Lot 2, Township 12, Range 2 and more particularly described as follows:

Beginning at the intersection of the centerline of Plymouth Ridge Road and the centerline of Wright Street said intersection also being the Southwest corner of Steven Raydek property;

Thence North along the said centerline of Wright Street a distance of 1,782.0 feet to a point;

Thence Easterly with an interior angle of 90° 00 minutes along the Westerly projection of the East guy line a distance of 180.0 feet to the center of the tower.

Fairborn/Wright State

Being a tract of land situated on Wright State University campus, City of Fairborn, Green County, State of Ohio, and being bounded and more particularly described as follows:

Beginning at a point being at P.K. nail located in the centerline of Colonel Glenn Highway, and the point being referred to as station 104+00; thence North (13°-17'-57") East a distance of 1933.55 feet to an iron pin being the true point of beginning; thence North (44°-08'-37") West a distance of 49.04 feet to an iron pin; thence North (45°-51'-23") East a distance of 70.95 feet to an iron pin; thence South (44°-08'-37") a distance of 49.04 feet to an iron pin; thence South (45°-51'-23") West a distance of 70.95 feet to an iron pin being the true point of beginning containing 0.080 acres more or less subject however to all easements of record.

Lancaster

Situated in the state of Ohio, County of Fairfield, Township of Hocking and further described as follows:

Being a site 100' in length, east and west, by 50' in width, north and south, within which area a base for a broadcasting tower, a generator pad and a tank foundation are to be constructed, said tower to be located approximately 184 feet north of the southwest corner of building No. 2.004

and approximately 132 feet east of the fence along the easterly side of Jackson Road, also, together with existing guy wires and an access road running from Jackson Road, thence due east to the west line of the above described site.

London

Roberts Mill Road on certain lands belonging to the State of Ohio, known as London Prison Farm.

Loudonville

Located in Washington Township, Holmes County, State of Ohio and in the East Half of the northwest Quarter of Section 5, Township 19, Range 15 and more particularly described as follows:

Beginning at the intersection of the centerline of Township Road 32 and the west line of the east half of the northwest quarter of Section 5, said west line also being the Grantor's westerly property line.

Thence easterly along the said centerline a distance of 270.8 feet to a point; Thence Southerly along the North Guy line projected a distance of 660.25 feet to the center of the Tower, said center of the Tower being 314 feet, more or less, easterly of the said West line of the East Half of the northwest Quarter of Section 5.

The total area of occupancy, including the tower base, building and guy line areas shall not exceed 1.0 acre.

Mansfield

Situate in the State of Ohio, County of Richland, Washington Township, being a part of the Northwest Quarter (1/4) of Section 11, Township 20 North, Range 18 West, also being a parcel out of those lands conveyed to James Edward Procker by Deed of Record in Deed Book 585, Page 578, Records Office, Richland County, Ohio and being more particularly described as follows:

Beginning for Reference at the intersection of the centerline of the Mansfield-Washington Road (C.H. 301) and the southeast line of James Procker's 15 acre parcel as described in said Deed Book 585, Page 578, Recorder's Office, Richland County, Ohio and in the Northeast Quarter (1/4) of said Section 11; thence leaving said Mansfield-Washington Road and with the southeast line of said James Procker South 47° 59' 08" West 968.22 feet to a point on the East line of Northwest Quarter (1/4) of said Section 11; thence leaving the East line of said Northwest Quarter (1/4) of said Section 11 and across the lands of said James Procker and the Northwest Quarter (1/4) of said Section 11 North 64° 11' 46" West 1186.56 feet to a point, the center of an existing radio transmission tower; thence North 09° 01' 06" West 13.00 feet to the Reference Point of Beginning of the four (4)

hereinafter described easements, said Point of Beginning being half (1/2) way towards another existing radio transmission tower, 26.00 feet northerly from the first transmission tower.

Lease No. 1 Circular Area

Being a Circle having a 75.00 foot Radius, centered upon The Reference Point of Beginning as described above, said Reference Point being True Point of Beginning for this circular area and lying half (1/2) way between two existing Radio Transmission Towers and containing 17,671 square feet, more or less.

Lease No. 2 Guy and Anchor Area (Northerly)

Beginning for Reference at the aforementioned Reference Point of Beginning at a point half (1/2) way between two existing Radio Transmitting Towers: thence North 09° 50' 08" East 75.00 feet to a point on the circumference of the 75.00 foot radius circle described in Lease No. 1 above and the True Point of Beginning of the following described parcel; thence along the centerline of a 18.00 foot wide strip, 9 foot on each side of the following described line and parallel with the northerly guy of the southerly Radio Transmitting Tower,

North 09° 50' 08" East 237.14 feet to the terminus of Lease No. 2 and containing 4269 square feet, more or less.

Lease No. 3 Guy and Anchor Area (Southeasterly)

Beginning for Reference at the aforementioned Reference Point of Beginning at a point half (1/2) way between two existing Radio Transmitting Towers; thence South 50° 09' 52" East 75.00 feet to a point on the circumference of the 75.00 foot radius circle described in Lease No. 1 above and the True Point of Beginning of the following described parcel; thence along the centerline of a 27.00 foot wide strip, 13.50 feet on each side of the following described line and parallel with the southeasterly guy of the southerly Radio Transmitting Tower,

South 50° 09' 52" East 217.93 feet to the terminus of Lease No. 3 and containing 5884 square feet, more or less.

Lease No. 4 Guy and Anchor Area (southwesterly)

Beginning for Reference at the aforementioned Reference Point of Beginning at a point half (1/2) way between two existing Radio Transmitting Towers; thence South 69° 50' 08" West 75.00 feet to a point on the circumference of the 75.00 foot radius circle described in Lease No. 1 above and the True Point of Beginning of the following described line and parallel with the southwesterly guy of the southerly Radio Transmitting Tower.

South 69° 50' 08" West 240.84 feet to the terminus of Lease No. 4 and

containing 10,356 square feet, more or less.

Maplewood

The following described Real Estate, situate in the Township of Jackson in the County of Shelby and State of Ohio.

Being part of the southeast quarter of the southeast quarter of Section 29, Town 7 South, Range 7 East, Jackson Township, Shelby County, Ohio, and more particularly described as follows:

Commencing at the stone at the Southeast corner of the Southeast quarter of Section 29, Jackson Township, (stone being in the center on the Wones Road and State Route 119); thence in a westerly direction along the center of the State Route 119, 971.58 feet to a Railroad Spike, this being the PLACE OF BEGINNING. Thence continuing in a westerly direction along the center of State Route 119, 340.80 feet to a Railroad Spike on the West line of the Southeast Quarter of the Southeast Quarter of Section 29, Jackson Township; thence in a Northerly direction with an internal angle of 89 degrees 25 minutes along the West line of the Southeast Quarter of the Southeast Quarter of Section 29, Jackson Township, 1142.38 feet to a Railroad Tie corner post; thence in an Easterly direction with an internal angle of 90 degrees 40 minutes 339.50 feet to an iron pipe; thence in a Southerly direction with an internal angle of 89 degrees 22 minutes, 1143.63 feet to the Railroad Spike in the center of State Route 119, which was the PLACE OF BEGINNING.

The above described tract of land contains 8.92 areas more or less, subject to all legal highways and easements of record. Being part of the same premises conveyed by deed recorded in Volume 196, Page 132 of the Deed Records of Shelby County, Ohio.

ALSO, Situate in the Township of Jackson in the County of Shelby and State of Ohio.

The following described tract of land is part of the southeast quarter of southeast quarter of Section 29 - T7S - R7E, Jackson Township, Shelby County, Ohio and is more particularly described as follows.

Commencing at a stone at the southeast corner of southeast quarter of Section 29 Jackson Township. (Stone being in the center on Wones Road and State Route 119).

Thence in a westerly direction along center line of S. R. 119, 777.46' to first railroad spike. Continuing in westerly direction along center line of S.R. 119, 194.12' to second railroad spike.

Thence in a northerly direction with internal angle of 89°, 27', 495 ft. to I.P. (set stake). This being place of beginning.

Thence in a northerly direction 634.08' to an iron pipe (post).

Thence in an easterly direction with internal angle of $90^{\circ} - 18'$, 194.11' to an iron pipe.

Thence in a southerly direction with internal angle of $89^{\circ} - 42'$, 633.33' to a point (set stake).

Thence in a westerly direction with internal angle of $90^{\circ} - 33'$, 194.115' to I.P. which was place of beginning.

Millersburg

Being a part of a 35.47 acre parcel of land, known as lot #24 in the 1st quarter Township, Township 9, Range 8, Monroe Township, Holmes County, Ohio. Being more particularly described as follows:

Being a plot approximately 30' X 20' (approximately 600 square feet), located in the northwest corner of the property with center of tower base to be located approximately 500' south of north property line and 152' east of West property line.

Thompson

Begin part of a 16 acre parcel of land situated in Thompson Township, Geauga County, Ohio, and known as Lot #20 as described in Deed #272-290. Being more particularly described as follows:

Being a triangular land area measuring fifty (50) feet southwest to north by fifty (50) feet southeast to north by fifty (50) feet west to east to be situated at the northwest corner of the aforementioned 16 acre parcel. Also being an additional rectangular land area measuring from the southwest corner of the aforementioned land area south 21 feet then east by 35 feet then north by 21 feet thus returning to the southeast corner of the aforementioned land area.

Warrensville Heights

$41^{\circ} 26' 48''\text{N}$

$81^{\circ} 30' 20''\text{W}$

Wilberforce (CSU)

Situate in the State of Ohio, Greene County, Xenia Township and the Village of Wilberforce and being a part of those lands conveyed from Central State University to the Ohio Educational Broadcasting Network Commission by a Transfer of Jurisdiction, dated September 18, 1974, and being two (2) easements more particularly described as follows:

Tract No. 1. Steam Tunnel serving Lane Hall (Guy and Anchor Block)

Being an eight foot (8.0') wide easement, four feet (4.0') on each side of the following described centerline; Beginning for Reference at approximate station 11+60 as shown on Drawing No. G-1, Sheet 3 of 35, Section No. G-5, Titled Project No. 255-88-059, UTILITY TUNNEL LOOP, Phase 1, Central State University and prepared by Fosdick and Hilmer, Inc., Consulting Engineers and THP Limited of Cincinnati, Ohio; thence with the

centerline of the Steam Tunnel serving said Lane Hall, South 31° East 30.0 feet more or less; thence South $48^{\circ} 30'$ East 84.3 feet, more or less, to the True Point of Beginning of the herein described easement; thence continuing with the centerline of said Steam Tunnel

South $48^{\circ} 30'$ East 17.4 feet, more or less, to the terminus of the herein described easement.

Tract No. 2. Steam Tunnel G-5 Serving the Cosby Center for Mass Communication (antenna site)

Being a five foot (5.0') wide easement, two and one-half feet (2.5') on each side of the following described centerline; Beginning for Reference at a northerly corner of the Cosby Center for Mass Communication; thence with a northwesterly wall of said Cosby Center South 41° West 67.4 feet, more or less, to the True Point of Beginning of the herein described easement and on the centerline of said Steam Tunnel as shown on Drawing No. G-1, Sheet 3 of 35, Section No. G-5, Titled Project No. 255-88-059, UTILITY TUNNEL LOOP, Phase 1, Central State University and prepared by Fosdick and Hilmer, Inc. and THP Limited of Cincinnati, Ohio; thence with the centerline of said Steam Tunnel.

North 49° West 4.6 feet, more or less; thence

North 41° East 23.3 feet, more or less, to the terminus of the herein described easement.

Wooster

Being a tract of land in Section 15, Range 13W, Township 16N, Wooster Township, Wayne County, State of Ohio which is further described as follows:

Beginning for a point at a concrete monument which point is located by the following two (2) courses from the southeast corner of Section 15:-

(1) North $0^{\circ} 03' 45''$ East, a distance of one thousand one hundred fifty-five and twenty hundredths (1,155.20) feet to a point in the centerline of Hayden Road;

(2) North $58^{\circ} 15' 15''$ West, a distance of four hundred eighty-three and eighty-six hundredths (483.86) feet to the said point of beginning.

Thence, North $89^{\circ} 28' 57''$ West, a distance of five hundred seventy and no hundredths (570.00) feet to a concrete monument;

Thence, North $0^{\circ} 31' 03''$ East, a distance of six hundred fifty-eight and eighteen hundredths (658.18) feet to a concrete monument;

Thence, South $89^{\circ} 28' 57''$ East, a distance of five hundred seventy and no hundredths (570.00) feet to a concrete monument;

Thence, South $0^{\circ} 31' 03''$ West, a distance of six hundred fifty eight and eighteen hundredths (658.18) feet to the point of beginning.

This tract contains eight and sixty-one hundredths (8.61) acres, more or less.

(B) All rights, privileges, ownership, and control of the towers shall be transferred from eTech Ohio to the Office of Information Technology (OIT) by July 1, 2007. Where the land upon which the towers are located is leased by eTech Ohio, eTech Ohio shall relinquish its right on any such lease and OIT shall be substituted as the lessee of the premises by July 1, 2007, under the same terms, provisions, and conditions as specified in each lease agreement, subject to the lessor's consent. Where the land upon which the towers are located is owned by eTech Ohio, all rights, privileges, ownership and control of the land shall be transferred to OIT by July 1, 2007. The transfers and assignments of the eighteen tower site designations are subject to eTech Ohio's continued right to use the towers and the premises on which the towers are located for transmission and broadcasting; to OIT policies and procedures; and to completion of any legal surveys of the premises deemed necessary by the Office of Real Estate Services.

(C) Renewable leases and deeds to implement this section shall be prepared by the Auditor of State with the assistance of the Attorney General, executed by the Governor, countersigned by the Secretary of State, sealed with the Great State of Ohio, and presented for recording in the Office of the Auditor of State. Each deed or lease shall be delivered to the original grantor or lessor of each property for recording in the office of the appropriate county recorder.

SECTION 285.60. TELECOMMUNITY

The foregoing appropriation item 935-630, Telecommunity, shall be distributed by eTech Ohio on a grant basis to eligible school districts to establish "distance learning" through interactive video technologies in the school district. Per agreements with eight Ohio local telephone companies ALLTEL Ohio, CENTURY Telephone of Ohio, Chillicothe Telephone Company, Cincinnati Bell Telephone Company, Orwell Telephone Company, Sprint North Central Telephone, VERIZON, and Western Reserve Telephone Company, school districts are eligible for funds if they are within one of the listed telephone company service areas. Funds to administer the program shall be expended by eTech Ohio up to the amount specified in agreements with the listed telephone companies.

Within thirty days after the effective date of this section, the Director of Budget and Management shall transfer to Fund 4W9 in the State Special Revenue Fund Group any investment earnings from moneys paid by any telephone company as part of any settlement agreement between the listed companies and the Public Utilities Commission in fiscal years 1996 and

beyond.

DISTANCE LEARNING

The foregoing appropriation item 935-634, Distance Learning, shall be distributed by eTech Ohio on a grant basis to eligible school districts to establish "distance learning" in the school district. Per the agreement with Ameritech, school districts are eligible for funds if they are within an Ameritech service area. Funds to administer the program shall be expended by eTech Ohio up to the amount specified in the agreement with Ameritech.

Within thirty days after the effective date of this section, the Director of Budget and Management shall transfer to Fund 4X1 in the State Special Revenue Fund Group any investment earnings from moneys paid by any telephone company as part of a settlement agreement between the company and the Public Utilities Commission in fiscal year 1995.

GATES FOUNDATION GRANTS

The foregoing appropriation item 935-607, Gates Foundation Grants, shall be used by eTech Ohio to provide professional development to school district principals, superintendents, and other administrative staff for the use of education technology.

SECTION 287.10. ETH OHIO ETHICS COMMISSION

General Revenue Fund

GRF 146-321	Operating Expenses	\$	1,863,028	\$	1,967,275
TOTAL GRF General Revenue Fund		\$	1,863,028	\$	1,967,275

General Services Fund Group

4M6 146-601	Operating Expenses	\$	527,543	\$	477,543
TOTAL GSF General Services Fund Group		\$	527,543	\$	477,543
TOTAL ALL BUDGET FUND GROUPS		\$	2,390,571	\$	2,444,818

SECTION 289.10. EXP OHIO EXPOSITIONS COMMISSION

General Revenue Fund

GRF 723-403	Junior Fair Subsidy	\$	400,000	\$	400,000
TOTAL GRF General Revenue Fund		\$	400,000	\$	400,000

State Special Revenue Fund Group

4N2 723-602	Ohio State Fair Harness Racing	\$	520,000	\$	520,000
506 723-601	Operating Expenses	\$	13,643,315	\$	13,643,315
640 723-603	State Fair Reserve	\$	125,337	\$	0
TOTAL SSR State Special Revenue Fund Group		\$	14,288,652	\$	14,163,315
TOTAL ALL BUDGET FUND GROUPS		\$	14,688,652	\$	14,563,315

STATE FAIR RESERVE

The foregoing appropriation item 723-603, State Fair Reserve, shall

serve as a budget reserve fund for the Ohio Expositions Commission in the event of a significant decline in attendance because of inclement weather or extraordinary circumstances during the Ohio State Fair resulting in a loss of revenue. The State Fair Reserve Fund (Fund 640) may be used by the Ohio Expositions Commission to pay bills resulting from the Ohio State Fair only if all the following criteria are met:

(A) Admission revenues for the 2007 Ohio State Fair are less than \$2,025,000 or the admission revenues for the 2008 Ohio State Fair are less than \$2,065,000 because of inclement weather or extraordinary circumstances. These amounts are ninety per cent of the projected revenues for each year.

(B) The Ohio Expositions Commission declares a state of fiscal exigency and requests release of funds from the Director of Budget and Management.

(C) The Director of Budget and Management releases the funds. The Director of Budget and Management may approve or disapprove the request for release of funds, may increase or decrease the amount of release, and may place conditions as the Director considers necessary on the use of the released funds. The Director of Budget and Management may transfer the appropriation from fiscal year 2008 to fiscal year 2009 as needed.

In the event that the Ohio Expositions Commission faces a temporary cash shortage that will preclude it from meeting current obligations, the Commission may request the Director of Budget and Management to approve use of the State Fair Reserve Fund (Fund 640) to meet those obligations. The request shall include a plan describing how the Commission will eliminate the cash shortage. If the Director of Budget and Management approves the expenditures, the Commission shall reimburse the State Fair Reserve Fund (Fund 640) by the thirtieth day of June of that same fiscal year through an intrastate transfer voucher. The amount reimbursed is hereby appropriated.

SECTION 291.10. GOV OFFICE OF THE GOVERNOR

General Revenue Fund

GRF 040-321	Operating Expenses	\$	3,754,045	\$	3,754,045
GRF 040-403	Federal Relations	\$	435,443	\$	435,443
GRF 040-408	Office of Veterans' Affairs	\$	287,000	\$	298,000
TOTAL GRF General Revenue Fund		\$	4,476,488	\$	4,487,488

General Services Fund Group

5AK 040-607	Federal Relations	\$	365,149	\$	365,149
TOTAL GSF General Services Fund Group		\$	365,149	\$	365,149
TOTAL ALL BUDGET FUND GROUPS		\$	4,841,637	\$	4,852,637

FEDERAL RELATIONS

A portion of the foregoing appropriation items 040-403, Federal Relations, and 040-607, Federal Relations, may be used to support Ohio's membership in national or regional associations.

The Office of the Governor may charge any state agency of the executive branch using an intrastate transfer voucher such amounts necessary to defray the costs incurred for the conduct of federal relations associated with issues that can be attributed to the agency. Amounts collected shall be deposited to the Office of the Governor Federal Relations Fund (Fund 5AK).

SECTION 293.10. DOH DEPARTMENT OF HEALTH

General Revenue Fund

GRF 440-407	Animal Borne Disease and Prevention	\$	2,327,101	\$	2,327,101
GRF 440-412	Cancer Incidence Surveillance System	\$	1,002,619	\$	1,002,619
GRF 440-413	Local Health Department Support	\$	3,786,794	\$	3,786,794
GRF 440-416	Child and Family Health Services	\$	9,522,874	\$	9,622,874
GRF 440-418	Immunizations	\$	9,400,615	\$	9,400,615
GRF 440-425	Abstinence and Adoption Education	\$	500,000	\$	500,000
GRF 440-431	Free Clinic Liability Insurance	\$	250,000	\$	250,000
GRF 440-437	Healthy Ohio	\$	1,502,618	\$	2,855,553
GRF 440-438	Breast and Cervical Cancer Screening	\$	2,500,000	\$	2,500,000
GRF 440-444	AIDS Prevention and Treatment	\$	7,158,127	\$	7,158,127
GRF 440-446	Infectious Disease Prevention	\$	200,000	\$	200,000
GRF 440-451	Lab and Public Health Prevention Programs	\$	6,085,250	\$	6,085,250
GRF 440-452	Child and Family Health Services Match	\$	1,024,017	\$	1,024,017
GRF 440-453	Health Care Quality Assurance	\$	10,253,728	\$	10,253,728
GRF 440-454	Local Environmental Health	\$	889,752	\$	889,752
GRF 440-459	Help Me Grow	\$	10,923,397	\$	14,041,847
GRF 440-505	Medically Handicapped Children	\$	10,791,784	\$	10,791,784
GRF 440-507	Targeted Health Care Services Over 21	\$	1,681,023	\$	1,681,023
GRF 440-511	Uncompensated Care and Emergency Medical Assistance	\$	0	\$	3,500,000
TOTAL GRF General Revenue Fund		\$	79,799,699	\$	87,871,084
General Services Fund Group					

142	440-646	Agency Health Services	\$	3,461,915	\$	3,461,915
211	440-613	Central Support Indirect Costs	\$	28,884,707	\$	28,884,707
473	440-622	Lab Operating Expenses	\$	4,954,045	\$	4,954,045
683	440-633	Employee Assistance Program	\$	1,208,214	\$	1,208,214
698	440-634	Nurse Aide Training	\$	170,000	\$	170,000

TOTAL GSF General Services

Fund Group		\$	38,678,881	\$	38,678,881
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Federal Special Revenue Fund Group

320	440-601	Maternal Child Health Block Grant	\$	30,666,635	\$	30,666,635
387	440-602	Preventive Health Block Grant	\$	7,826,659	\$	7,826,659
389	440-604	Women, Infants, and Children	\$	230,077,451	\$	230,077,451
391	440-606	Medicaid/Medicare	\$	24,850,959	\$	24,850,959
392	440-618	Federal Public Health Programs	\$	136,778,215	\$	136,778,215

TOTAL FED Federal Special Revenue

Fund Group		\$	430,199,919	\$	430,199,919
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State Special Revenue Fund Group

4D6	440-608	Genetics Services	\$	3,317,000	\$	3,317,000
4F9	440-610	Sickle Cell Disease Control	\$	1,035,344	\$	1,035,344
4G0	440-636	Heirloom Birth Certificate	\$	5,000	\$	5,000
4G0	440-637	Birth Certificate Surcharge	\$	5,000	\$	5,000
4L3	440-609	Miscellaneous Expenses	\$	446,468	\$	446,468
4T4	440-603	Child Highway Safety	\$	233,894	\$	233,894
4V6	440-641	Save Our Sight	\$	1,767,994	\$	1,767,994
470	440-647	Fee Supported Programs	\$	27,996,243	\$	25,905,140
471	440-619	Certificate of Need	\$	869,000	\$	898,000
477	440-627	Medically Handicapped Children Audit	\$	3,693,016	\$	3,693,016
5B5	440-616	Quality, Monitoring, and Inspection	\$	838,479	\$	838,479
5CB	440-640	Poison Control Centers	\$	150,000	\$	150,000
5CN	440-645	Choose Life	\$	75,000	\$	75,000
5C0	440-615	Alcohol Testing and Permit	\$	1,455,405	\$	1,455,405
5D6	440-620	Second Chance Trust	\$	1,054,951	\$	1,054,951
5EC	440-650	Health Emergency	\$	15,312,500	\$	0
5ED	440-651	Smoke Free Indoor Air	\$	800,000	\$	800,000
5G4	440-639	Adoption Services	\$	20,000	\$	20,000
5L1	440-623	Nursing Facility Technical Assistance Program	\$	664,282	\$	698,595
610	440-626	Radiation Emergency Response	\$	850,000	\$	850,000
666	440-607	Medically Handicapped Children - County Assessments	\$	14,320,687	\$	14,320,687

TOTAL SSR State Special Revenue

Fund Group		\$	74,910,263	\$	57,569,973
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Holding Account Redistribution Fund Group

R14	440-631	Vital Statistics	\$	70,000	\$	70,000
R48	440-625	Refunds, Grants Reconciliation, and Audit Settlements	\$	20,000	\$	20,000

TOTAL 090 Holding Account			
Redistribution Fund Group	\$	90,000	\$ 90,000
TOTAL ALL BUDGET FUND GROUPS	\$	623,678,762	\$ 614,409,857

SECTION 293.20. CHILD AND FAMILY HEALTH SERVICES

Of the foregoing appropriation item 440-416, Child and Family Health Services, not more than \$1,700,000 in each fiscal year shall be used for women's health services.

Of the foregoing appropriation item 440-416, Child and Family Health Services, not more than \$270,000 shall be used in each fiscal year for the OPTIONS dental care access program.

Of the foregoing appropriation item 440-416, Child and Family Health Services, \$1,900,000 in fiscal year 2008 and \$2,150,000 in fiscal year 2009 shall be used by federally qualified health centers and federally designated look-alikes to provide services to uninsured low-income persons.

Of the foregoing appropriation item 440-416, Child and Family Health Services, \$10,000 in each fiscal year shall be allocated to the Jewish Family Services in Cleveland, \$10,000 in each fiscal year shall be allocated to the Jewish Family Services in Cincinnati, \$10,000 shall be allocated in each fiscal year to the Jewish Family Services in Columbus, and \$10,000 in each fiscal year shall be allocated to the Wexner Heritage Village in Columbus for interpreters for health care.

Of the foregoing appropriation item 440-416, Child and Family Health Services, \$10,000 in each fiscal year shall be provided to the Jewish Family Services in Dayton, \$5,000 in each fiscal year shall be provided to the Jewish Community Center in Akron, \$5,000 in each fiscal year shall be provided to the Jewish Community Center in Sylvania, \$2,500 in each fiscal year shall be provided to the Jewish Community Center in Youngstown, and \$2,500 in each fiscal year shall be provided to the Jewish Community Center in Canton.

Of the foregoing appropriation item 440-416, Child and Family Health Services, \$16,667 in each fiscal year shall be allocated to the Yassenoff Jewish Community Center, \$16,667 in each fiscal year shall be allocated to the Jewish Community Center in Cincinnati, and \$16,666 in each fiscal year shall be allocated to the Jewish Community Center in Cleveland for children's health and nutrition camp programs.

Of the foregoing appropriation item 440-416, Child and Family Health Services, \$16,666 in each fiscal year shall be allocated to the Athens Community Center.

Of the foregoing appropriation item 400-416, Child and Family Health

Services, \$25,000 in each fiscal year shall be allocated to the Wellness Community of Greater Columbus to provide support services for people with cancer, their families, and caregivers.

Of the foregoing appropriation item 440-416, Child and Family Health Services, \$100,000 in each fiscal year shall be allocated to the Compdrug Teen Dating Violence Prevention Project in Franklin County.

SECTION 293.25. COLLEGE PREGNANCY AND PARENTING OFFICES PILOT PROGRAM

(A) As used in this section, "institution of higher education" means a public or private university or college in this state, including a community college or state community college.

(B) The Director of Health shall conduct a pilot program in fiscal year 2009 for the purpose of awarding grants to up to four institutions of higher education to establish and operate on a selected institution's campus an office that provides support to students who are pregnant or who are the parents or legal guardians of one or more minors. Planning for the pilot program shall commence in fiscal year 2008.

(C) An institution of higher education may apply for a grant by completing and submitting an application form supplied by the Director. The Director may require the institution to submit additional information after the Director has reviewed the application.

(D) Before awarding a grant, the Director shall secure a written agreement in which the proposed grantee commits to doing all of the following:

(1) Locating the office described in division (B) of this section on the campus of the institution.

(2) Assessing the institution's performance in both of the following areas:

(a) Offering health insurance plans to students that include coverage for prenatal and postpartum care and riders for the coverage of additional family members;

(b) Providing services or items that meet the needs of students who are pregnant or who are the parents or legal guardians of one or more minors, including family housing, child care, flexible or alternative academic scheduling, education concerning responsible parenting and healthy marriages, maternity and infant clothing, formula and baby food, and baby furniture.

(3) Identifying and establishing programs with public and private service providers located on campus and in the local community that are

qualified to meet the needs described in division (D)(2)(b) of this section.

(4) Assisting students in locating and obtaining services that meet the needs described in division (D)(2)(b) of this section.

(5) Providing, on the request of an individual student, referrals for prenatal care and delivery, infant or foster care, or adoption. The office shall make referrals only to persons or governmental entities that primarily serve parents, prospective parents awaiting adoption, pregnant women who plan to parent or place a child for adoption, or married couples or couples that plan on marrying in order to provide a supportive environment for each other and one or more minors.

(6) Providing, by a date determined by the Director, a written report to the Director that itemizes the office's expenditures during the fiscal year and meets the format or form established by the Director under division (E) of this section.

(7) Providing, after the Director's review of the report described in division (D)(6) of this section, any additional information requested by the Director.

(E) The Director shall establish a format or form for the written report that must be provided by an institution under division (D)(6) of this section. In establishing the format or form, the Director shall identify specific performance criteria the institution must address in the report.

(F) The Director may adopt any rules necessary to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code.

(G) Of the foregoing appropriation item 440-416, Child and Family Health Services, \$50,000 in fiscal year 2009 shall be used to make grants for the pilot program described in this section.

SECTION 293.27. As used in this section, "federally qualified health center" means a health center that receives a federal public health services grant under the "Public Health Services Act," 117 Stat. 2020, 42 U.S.C. 254b, as amended, or another health center designated by the U.S. Health Resources and Services Administration as a federally qualified health center.

The Department of Health may establish a pilot program to place two federally qualified health centers within or adjacent to hospital emergency departments. One health center shall be located in or adjacent to a hospital located in an urban area and one health center shall be located in or adjacent to a hospital located in a rural area. If the Department establishes the pilot program, not later than one year after the health centers become operational,

the hospital and the health centers shall prepare and submit a report to the Governor and the General Assembly regarding the number of patients that received care at the health centers for nonemergency conditions rather than receiving care at the emergency department.

If the Department does not establish the pilot program not later than one year after the effective date of this section, the Department shall submit a report to the Governor and the General Assembly explaining why it did not do so.

SECTION 293.30. ABSTINENCE AND ADOPTION EDUCATION

The foregoing appropriation item 440-425, Abstinence and Adoption Education, shall be used for abstinence and adoption education. The Director of Health shall develop guidelines for the establishment of abstinence and adoption education programs for teenagers with the purpose of decreasing unplanned pregnancies and abortion. The guidelines shall be developed pursuant to Title V of the "Social Security Act," 42 U.S.C. 510, and shall include, but are not limited to, advertising campaigns and direct training in schools and other locations.

HEALTHY OHIO

The Department of Health shall distribute \$902,618 in fiscal year 2008 and \$2,055,553 in fiscal year 2009 in appropriation item 440-437, Healthy Ohio, in accordance with the section of this act entitled "HEALTHY OHIO ASSESSMENT."

Of the foregoing appropriation item 440-437, Healthy Ohio, \$100,000 in each fiscal year shall be allocated to the Center for Closing Health Gaps to help with disparities in minority health.

Of the foregoing appropriation item 440-437, Healthy Ohio, \$500,000 in each fiscal year shall be used to support evidence-based programs for diabetes management and prevention, utilizing proven behavior change strategies leading to improved levels of routine physical activity and healthy eating habits. The program shall provide screening for diabetes, and for those determined to be at highest risk for diabetes, education on diabetes, diabetes management, physical activity and eating habits, and opportunities for monitored physical activity for adults and families. Grants shall be provided to, but not limited to, the Ohio YMCA State Alliance in collaboration with other community organizations. Each program shall include post program measurements, including, but not limited to, blood sugar testing, participant satisfaction surveys, and participant retention.

Of the foregoing appropriation item 440-437, Healthy Ohio, \$200,000 in fiscal year 2009 shall be used for the purchase of pneumococcal

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vaccinations for children.

*JS***BREAST AND CERVICAL CANCER SCREENING**

The foregoing appropriation item 440-438, Breast and Cervical Cancer Screening, may be used for breast and cervical cancer screenings and services as permitted under the National Breast and Cervical Cancer Early Detection Project.

HIV/AIDS PREVENTION/TREATMENT

Of the foregoing appropriation item 440-444, AIDS Prevention and Treatment, not more than \$6.7 million in each fiscal year shall be used to assist persons with HIV/AIDS in acquiring HIV-related medications.

INFECTIOUS DISEASE PREVENTION

The foregoing appropriation item 440-446, Infectious Disease Prevention, shall be used for the purchase of drugs for sexually transmitted diseases.

HELP ME GROW

Of the foregoing appropriation item 440-459, Help Me Grow, \$10,423,397 in fiscal year 2008 and \$13,741,847 in fiscal year 2009 shall be used by the Department of Health to distribute subsidies to counties to implement the Help Me Grow Program. Appropriation item 440-459, Help Me Grow, may be used in conjunction with Temporary Assistance for Needy Families from the Department of Job and Family Services, Early Intervention funding from the Department of Mental Retardation and Developmental Disabilities, and in conjunction with other early childhood funds and services to promote the optimal development of young children. Local contracts shall be developed between local departments of job and family services and family and children first councils for the administration of TANF funding for the Help Me Grow Program. The Department of Health shall enter into an interagency agreement with the Department of Education, Department of Mental Retardation and Developmental Disabilities, Department of Job and Family Services, and Department of Mental Health to ensure that all early childhood programs and initiatives are coordinated and school linked.

Of the foregoing appropriation item 440-459, Help Me Grow, \$500,000 in fiscal year 2008 and \$300,000 in fiscal year 2009 shall be used for the establishment of the Autism Diagnosis Education Pilot Program. Not later than December 31, 2008, the Director of Health shall compile and submit to the Governor and the General Assembly a written report describing the action taken under the Autism Diagnosis Education Pilot Program since the effective date of this section. Not later than December 31, 2009, the Director shall compile and submit to the Governor and the General Assembly a

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written report describing the action taken under the Pilot Program since December 31, 2008.

TARGETED HEALTH CARE SERVICES OVER 21

In each fiscal year, of the foregoing appropriation item 440-507, Targeted Health Care Services Over 21, \$731,023 shall be used to administer the cystic fibrosis program and implement the Hemophilia Insurance Premium Payment Program. These funds also may be used, to the extent that funding is available, to provide up to 18 in-patient hospital days for participants in the cystic fibrosis program. The Department shall expend all of these earmarked funds.

Of the foregoing appropriation item 440-507, Targeted Health Care Services Over 21, \$900,000 in each fiscal year shall be used to provide essential medications and to pay the copayments for drugs approved by the Department of Health and covered by Medicare Part D that are dispensed to Bureau for Children with Medical Handicaps (BCMh) participants for the cystic fibrosis program. These funds also may be used, to the extent that funding is available, to provide up to 18 in-patient hospital days for participants in the cystic fibrosis program. The Department shall expend all of these earmarked funds.

UNCOMPENSATED CARE AND EMERGENCY MEDICAL

The foregoing appropriation item 440-511, Uncompensated Care and Emergency Medical Assistance, shall be used to fund programs that provide health care without ability to pay. This is not an entitlement program and services are offered only to the extent that funding is available.

MATERNAL CHILD HEALTH BLOCK GRANT

Of the foregoing appropriation item 440-601, Maternal Child Health Block Grant (Fund 320), \$2,091,299 shall be used in each fiscal year for the purposes of abstinence and adoption education. The Director of Health shall develop guidelines for the establishment of abstinence and adoption education programs for teenagers with the purpose of decreasing unplanned pregnancies and abortion. The guidelines shall be developed under Title V of the "Social Security Act," 42 U.S.C. 510, and shall include, but are not limited to, advertising campaigns and direct training in schools and other locations.

GENETICS SERVICES

The foregoing appropriation item 440-608, Genetics Services (Fund 4D6), shall be used by the Department of Health to administer programs authorized by sections 3701.501 and 3701.502 of the Revised Code. None of these funds shall be used to counsel or refer for abortion, except in the case of a medical emergency.

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FEE SUPPORTED PROGRAMS

Of the foregoing appropriation item 440-647, Fee Supported Programs (Fund 470), \$50,000 in fiscal year 2008 shall be used by the Department to enter into a contract to make hospital performance information available on a web site as required in section 3727.391 of the Revised Code. H
H

MEDICALLY HANDICAPPED CHILDREN AUDIT

The Medically Handicapped Children Audit Fund (Fund 477) shall receive revenue from audits of hospitals and recoveries from third-party payers. Moneys may be expended for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payers and for encouraging Medically Handicapped Children's Program recipients to apply for third-party benefits. Moneys also may be expended for payments for diagnostic and treatment services on behalf of medically handicapped children, as defined in division (A) of section 3701.022 of the Revised Code, and Ohio residents who are twenty-one or more years of age and who are suffering from cystic fibrosis or hemophilia. Moneys may also be expended for administrative expenses incurred in operating the Medically Handicapped Children's Program.

TRANSFER FROM STATE FIRE MARSHAL'S FUND (FUND 546)
TO THE POISON CONTROL FUND (FUND 5CB) IN THE
DEPARTMENT OF HEALTH

Notwithstanding section 3737.71 of the Revised Code, on July 1, 2007, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$150,000 cash from the State Fire Marshal's Fund (Fund 546) in the Department of Commerce to the Poison Control Fund (Fund 5CB) in the Department of Health. Notwithstanding section 3737.71 of the Revised Code, on July 1, 2008, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$150,000 cash from the State Fire Marshal's Fund (Fund 546) in the Department of Commerce to the Poison Control Fund (Fund 5CB) in the Department of Health.

POISON CONTROL CENTERS

Of the foregoing appropriation item 440-640, Poison Control Centers, in each fiscal year, the poison control centers in the municipal corporations of Cleveland, Cincinnati, and Columbus shall each receive an allocation of \$50,000.

SEWAGE TREATMENT SYSTEM INNOVATION

Any revenues deposited to the credit of the Sewage Treatment System Innovation Fund (Fund 5CJ) in accordance with Section 120.02 of this act are hereby appropriated to appropriation item 440-654, Sewage Treatment System Innovation, in the fiscal year in which the revenues are received. On

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July 1, 2008, or as soon as possible thereafter, the Department of Health shall certify to the Director of Budget and Management the total fiscal year 2008 unencumbered appropriations in appropriation item 440-654, Sewage Treatment System Innovation. The Department of Health may direct the Director of Budget and Management to transfer an amount not to exceed the total fiscal year 2008 unencumbered appropriations to fiscal year 2009 for use in appropriation item 440-654, Sewage Treatment System Innovation. Additional appropriation authority equal to the amount certified by the Department of Health is hereby appropriated to appropriation item 440-654, Sewage Treatment System Innovation, in fiscal year 2009.

CASH TRANSFER FROM LIQUOR CONTROL FUND TO ALCOHOL TESTING AND PERMIT FUND

The Director of Budget and Management, pursuant to a plan submitted by the Department of Health, or as otherwise determined by the Director of Budget and Management, shall set a schedule to transfer cash from the Liquor Control Fund (Fund 043) to the Alcohol Testing and Permit Fund (Fund 5C0) to meet the operating needs of the Alcohol Testing and Permit program.

The Director of Budget and Management shall transfer to the Alcohol Testing and Permit Fund (Fund 5C0) from the Liquor Control Fund (Fund 043) created in section 4301.12 of the Revised Code such amounts at such times as determined by the transfer schedule.

MEDICALLY HANDICAPPED CHILDREN - COUNTY ASSESSMENTS

The foregoing appropriation item 440-607, Medically Handicapped Children - County Assessments (Fund 666), shall be used to make payments under division (E) of section 3701.023 of the Revised Code.

SECTION 293.35. HEALTHY OHIO ASSESSMENT

(A)(1) The Department of Health, through the Healthy Ohio program, shall develop an assessment template for use by the Department and the Departments of Job and Family Services, Aging, Alcohol and Drug Addiction Services, Mental Retardation and Developmental Disabilities, and Mental Health. The assessment template shall assist the agencies to assess current practices and offer recommendations for improvements in the following areas:

(a) Specific interventions provided to improve outcomes measured on an individual basis, including measures taken to identify those in need of care, coordinate their care, and provide direct service interventions.

(b) Cost of the care provided per individual served each fiscal year,

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including administrative and infrastructure costs;

(c) How money is tied to specific work completion with a basis for positive impact and positive outcomes and steps each department is making to ensure the people most at-risk receive the interventions;

(d) Strategies used in each department to eliminate service duplication, especially in the area of care coordination.

(2) Each department listed in division (A)(1) of this section shall conduct an assessment of itself using the assessment template. Not later than January 1, 2008, each department shall submit the results of its assessment to the Healthy Ohio program in the Department of Health.

(B) When developing the assessment template, the Department of Health shall consult with associations representing health care providers, business interests, consumer advocates, insurance companies, and other interested parties affected by improved outcomes funding models.

(C) The Department of Health shall organize and produce a summary report of the assessments conducted under division (A)(2) of this section. The report shall be submitted to the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate.

The Department shall submit its summary report of the assessments not later than February 1, 2008.

(D) The Department, through the Healthy Ohio program, shall initiate pilot programs throughout the state. The pilot programs shall provide financial support to entities that provide care coordination services to individuals who are at risk for catastrophic and expensive health conditions, as determined by the Department.

In providing the financial support, the Department shall select entities committed to demonstrating the following achievements:

- (1) Eliminating service duplication among entities;
- (2) Ensuring positive outcomes for individuals by confirming an individual's connection to evidence-based interventions;
- (3) Improving focus on at-risk individuals.

Entities participating in the Healthy Ohio pilot programs shall submit written progress reports to the Department in intervals determined by the Department. Financial support shall be provided to participating entities only on a showing of improved outcomes and decreased duplication of services, as determined by the Department.

Care coordination service providers who participate in federal or state programs are eligible to participate in the pilot programs, to the extent permitted by state and federal law.

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disapproved.

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SECTION 293.40. NURSING FACILITY TECHNICAL ASSISTANCE PROGRAM

The Director of Budget and Management shall transfer, on July 1, 2007, or as soon as possible thereafter, cash from Fund 4E3, Resident Protection Fund, in the Ohio Department of Job and Family Services, to Fund 5L1, Nursing Facility Technical Assistance Program Fund, in the Ohio Department of Health, to be used under section 3721.026 of the Revised Code. The transfers shall equal \$410,111 in fiscal year 2008 and \$698,595 in fiscal year 2009.

CASH TRANSFER FROM FEDERAL PUBLIC HEALTH PROGRAMS FUND TO AGENCY HEALTH SERVICES FUND

As soon as possible on or after July 1, 2007, the Director of Health shall certify to the Director of Budget and Management the amount of cash to be transferred from the Federal Public Health Programs Fund (Fund 392) to the Agency Health Services Fund (Fund 142) to meet the operating needs of the Vital Statistics Program. The Director of Budget and Management shall transfer the amount certified.

SECTION 295.10. HEF HIGHER EDUCATIONAL FACILITY COMMISSION

Agency Fund Group

461 372-601 Operating Expenses	\$	16,819	\$	16,819
TOTAL AGY Agency Fund Group	\$	16,819	\$	16,819
TOTAL ALL BUDGET FUND GROUPS	\$	16,819	\$	16,819

SECTION 297.10. SPA COMMISSION ON HISPANIC/LATINO AFFAIRS

General Revenue Fund

GRF 148-100 Personal Services	\$	160,121	\$	167,156
GRF 148-200 Maintenance	\$	40,000	\$	40,000
GRF 148-402 Community Projects	\$	500,000	\$	500,000
TOTAL GRF General Revenue Fund	\$	700,121	\$	707,156

General Services Fund Group

601 148-602 Gifts and Miscellaneous	\$	20,000	\$	20,000
TOTAL GSF General Services				
Fund Group	\$	20,000	\$	20,000
TOTAL ALL BUDGET FUND GROUPS	\$	720,121	\$	727,156

SECTION 299.10. OHS OHIO HISTORICAL SOCIETY

General Revenue Fund

GRF 360-501	Operating Subsidy	\$	3,649,244	\$	3,649,252
GRF 360-502	Site and Museum Operations	\$	8,501,781	\$	8,501,788
GRF 360-504	Ohio Preservation Office	\$	417,516	\$	415,381
GRF 360-505	National Afro-American Museum	\$	754,884	\$	754,884
GRF 360-506	Hayes Presidential Center	\$	514,323	\$	514,323
GRF 360-508	State Historical Grants	\$	853,000	\$	775,000
TOTAL GRF General Revenue Fund			14,690,748		14,610,628
TOTAL ALL BUDGET FUND GROUPS			14,690,748		14,610,628

SUBSIDY APPROPRIATION

Upon approval by the Director of Budget and Management, the foregoing appropriation items shall be released to the Ohio Historical Society in quarterly amounts that in total do not exceed the annual appropriations. The funds and fiscal records of the society for fiscal years 2008 and 2009 shall be examined by independent certified public accountants approved by the Auditor of State, and a copy of the audited financial statements shall be filed with the Office of Budget and Management. The society shall prepare and submit to the Office of Budget and Management the following:

(A) An estimated operating budget for each fiscal year of the biennium. The operating budget shall be submitted at or near the beginning of each calendar year.

(B) Financial reports, indicating actual receipts and expenditures for the fiscal year to date. These reports shall be filed at least semiannually during the fiscal biennium.

The foregoing appropriations shall be considered to be the contractual consideration provided by the state to support the state's offer to contract with the Ohio Historical Society under section 149.30 of the Revised Code.

STATE ARCHIVES

Of the foregoing appropriation item 360-501, Operating Subsidy, \$300,000 in each fiscal year shall be used for the State Archives, Library, and Artifact Collections program.

HAYES PRESIDENTIAL CENTER

If a United States government agency, including, but not limited to, the National Park Service, chooses to take over the operations or maintenance of the Hayes Presidential Center, in whole or in part, the Ohio Historical Society shall make arrangements with the National Park Service or other United States government agency for the efficient transfer of operations or maintenance.

HISTORICAL GRANTS

Of the foregoing appropriation item 360-508, State Historical Grants, \$60,000 in fiscal year 2008 shall be distributed to the Paul Laurence Dunbar

Home, \$75,000 in each fiscal year shall be distributed to the Center for Holocaust and Humanity Education located at the Hebrew Union College-Jewish Institute of Religion in Cincinnati, \$350,000 in each fiscal year shall be distributed to the Western Reserve Historical Society, \$350,000 in each fiscal year shall be distributed to the Cincinnati Museum Center, and up to \$18,000 in fiscal year 2008 shall be distributed to the Muskingum River Underground Railroad Historic Marker Project.

PROCESSING FEES

The Ohio Historical Society shall not charge or retain an administrative, service, or processing fee for distributing money that the General Assembly appropriates to the Society for grants or subsidies that the Society provides to other entities for their site-related programs.

SECTION 301.10. REP OHIO HOUSE OF REPRESENTATIVES

General Revenue Fund

GRF 025-321	Operating Expenses	\$	20,574,568	\$	20,574,568
TOTAL GRF General Revenue Fund		\$	20,574,568	\$	20,574,568

General Services Fund Group

103 025-601	House Reimbursement	\$	1,433,664	\$	1,433,664
4A4 025-602	Miscellaneous Sales	\$	37,849	\$	37,849
TOTAL GSF General Services Fund Group		\$	1,471,513	\$	1,471,513
TOTAL ALL BUDGET FUND GROUPS		\$	22,046,081	\$	22,046,081

OPERATING EXPENSES

On July 1, 2007, or as soon as possible thereafter, the Chief Administrative Officer of the House of Representatives shall certify to the Director of Budget and Management the total fiscal year 2007 unencumbered appropriations in appropriation item 025-321, Operating Expenses. The Chief Administrative Officer may direct the Director of Budget and Management to transfer an amount not to exceed the total fiscal year 2007 unencumbered appropriations to fiscal year 2008 for use within appropriation item 025-321, Operating Expenses. Additional appropriation authority equal to the amount certified by the Chief Administrative Officer is hereby appropriated to appropriation item 025-321, Operating Expenses, in fiscal year 2008.

On July 1, 2008, or as soon as possible thereafter, the Chief Administrative Officer of the House of Representatives shall certify to the Director of Budget and Management the total fiscal year 2008 unencumbered appropriations in appropriation item 025-321, Operating Expenses. The Chief Administrative Officer may direct the Director of Budget and Management to transfer an amount not to exceed the total fiscal

year 2008 unencumbered appropriations to fiscal year 2009 for use within appropriation item 025-321, Operating Expenses. Additional appropriation authority equal to the amount certified by the Chief Administrative Officer is hereby appropriated to appropriation item 025-321, Operating Expenses, in fiscal year 2009.

SECTION 303.10. HFA OHIO HOUSING FINANCE AGENCY

Agency Fund Group

5AZ 997-601	Housing Finance Agency	\$	9,750,953	\$	10,237,491
	Personal Services				
TOTAL AGY Agency Fund Group		\$	9,750,953	\$	10,237,491
TOTAL ALL BUDGET FUND GROUPS		\$	9,750,953	\$	10,237,491

SECTION 305.10. IGO OFFICE OF THE INSPECTOR GENERAL

General Revenue Fund

GRF 965-321	Operating Expenses	\$	1,367,372	\$	1,437,901
TOTAL GRF General Revenue Fund		\$	1,367,372	\$	1,437,901

General Services Fund Group

4Z3 965-602	Special Investigations	\$	425,000	\$	425,000
TOTAL GSF General Services Fund Group		\$	425,000	\$	425,000
TOTAL ALL BUDGET FUND GROUPS		\$	1,792,372	\$	1,862,901

SECTION 307.10. INS DEPARTMENT OF INSURANCE

Federal Special Revenue Fund Group

3U5 820-602	OSHIIP Operating Grant	\$	1,100,000	\$	1,100,000
TOTAL FED Federal Special Revenue Fund Group		\$	1,100,000	\$	1,100,000

State Special Revenue Fund Group

554 820-601	Operating Expenses - OSHIIP	\$	553,750	\$	569,269
554 820-606	Operating Expenses	\$	23,350,236	\$	23,802,797
555 820-605	Examination	\$	7,639,581	\$	7,868,768
TOTAL SSR State Special Revenue Fund Group		\$	31,543,567	\$	32,240,834
TOTAL ALL BUDGET FUND GROUPS		\$	32,643,567	\$	33,340,834

MARKET CONDUCT EXAMINATION

When conducting a market conduct examination of any insurer doing business in this state, the Superintendent of Insurance may assess the costs of the examination against the insurer. The superintendent may enter into consent agreements to impose administrative assessments or fines for conduct discovered that may be violations of statutes or rules administered by the superintendent. All costs, assessments, or fines collected shall be deposited to the credit of the Department of Insurance Operating Fund (Fund 554).

EXAMINATIONS OF DOMESTIC FRATERNAL BENEFIT SOCIETIES

The Director of Budget and Management, at the request of the Superintendent of Insurance, may transfer funds from the Department of Insurance Operating Fund (Fund 554), established by section 3901.021 of the Revised Code, to the Superintendent's Examination Fund (Fund 555), established by section 3901.071 of the Revised Code, only for expenses incurred in examining domestic fraternal benefit societies as required by section 3921.28 of the Revised Code.

TRANSFER FROM FUND 554 TO GENERAL REVENUE FUND

Not later than the thirty-first day of July each fiscal year, the Director of Budget and Management shall transfer \$5,000,000 from the Department of Insurance Operating Fund to the General Revenue Fund.

SECTION 309.10. JFS DEPARTMENT OF JOB AND FAMILY SERVICES

General Revenue Fund

GRF600-321	Support Services				
	State	\$	50,785,978	\$	52,571,413
	Federal	\$	10,460,286	\$	11,290,237
	Support Services Total	\$	61,246,264	\$	63,861,650
GRF600-410	TANF State	\$	267,619,061	\$	267,619,061
GRF600-413	Child Care Match/Maintenance of Effort	\$	84,120,596	\$	84,120,596
GRF600-416	Computer Projects				
	State	\$	115,383,181	\$	116,419,033
	Federal	\$	21,488,920	\$	21,192,117
	Computer Projects Total	\$	136,872,101	\$	137,611,150
GRF600-417	Medicaid Provider Audits	\$	2,000,000	\$	2,000,000
GRF600-420	Child Support Administration	\$	8,541,446	\$	10,641,446
GRF600-421	Office of Family Stability	\$	4,614,932	\$	4,614,932
GRF600-423	Office of Children and Families	\$	5,650,000	\$	5,900,000
GRF600-425	Office of Ohio Health Plans				
	State	\$	22,500,000	\$	22,500,000
	Federal	\$	23,324,848	\$	23,418,368
	Office of Ohio Health Plans Total	\$	45,824,848	\$	45,918,368
GRF600-502	Administration - Local	\$	34,014,103	\$	34,014,103
GRF600-511	Disability Financial Assistance	\$	22,128,480	\$	25,335,908
GRF600-512	Non-TANF Disaster Assistance	\$	1,000,000	\$	1,000,000
GRF600-521	Entitlement Administration - Local	\$	130,000,000	\$	130,000,000
GRF600-523	Children and Families Services	\$	78,115,135	\$	78,115,135
GRF600-525	Health Care/Medicaid				
	State	\$	3,371,917,993	\$	3,603,598,928
	Federal	\$	5,173,236,576	\$	5,736,989,273

	Health Care Total	\$	8,545,154,569	\$	9,340,588,201
GRF600-526	Medicare Part D	\$	254,397,401	\$	271,854,640
GRF600-528	Adoption Services				
	State	\$	37,520,466	\$	43,978,301
	Federal	\$	41,304,043	\$	49,196,065
	Adoption Services Total	\$	78,824,509	\$	93,174,366
GRF600-529	Capital Compensation Program	\$	7,000,000	\$	0
GRF600-534	Adult Protective Services	\$	500,000	\$	500,000
TOTAL GRF General Revenue Fund					
	State	\$	4,497,808,772	\$	4,754,783,496
	Federal	\$	5,269,814,673	\$	5,842,086,060
	GRF Total	\$	9,767,623,445	\$	10,596,869,556
General Services Fund Group					
4A8 600-658	Child Support Collections	\$	26,680,794	\$	26,680,794
4R4 600-665	BCII Services/Fees	\$	36,974	\$	36,974
5BG 600-653	Managed Care Assessment	\$	210,655,034	\$	222,667,304
5C9 600-671	Medicaid Program Support	\$	80,120,048	\$	80,120,048
5DL 600-639	Medicaid Revenue and Collections	\$	51,966,785	\$	56,296,844
5N1 600-677	County Technologies	\$	1,000,000	\$	1,000,000
5P5 600-692	Health Care Services	\$	93,000,000	\$	62,000,000
613 600-645	Training Activities	\$	135,000	\$	135,000
TOTAL GSF General Services Fund Group					
		\$	463,594,635	\$	448,936,964
Federal Special Revenue Fund Group					
3AW 600-675	Faith Based Initiatives	\$	1,000,000	\$	1,000,000
3A2 600-641	Emergency Food Distribution	\$	2,900,000	\$	3,500,000
3D3 600-648	Children's Trust Fund Federal	\$	2,040,524	\$	2,040,524
3F0 600-623	Health Care Federal	\$	1,209,188,383	\$	1,211,196,561
3F0 600-650	Hospital Care Assurance Match	\$	343,239,047	\$	343,239,047
3G5 600-655	Interagency Reimbursement	\$	1,469,763,073	\$	1,513,855,965
3H7 600-617	Child Care Federal	\$	207,269,463	\$	200,167,593
3N0 600-628	IV-E Foster Care Maintenance	\$	153,963,142	\$	153,963,142
3S5 600-622	Child Support Projects	\$	534,050	\$	534,050
3V0 600-688	Workforce Investment Act	\$	232,568,453	\$	233,082,144
3V4 600-678	Federal Unemployment Programs	\$	147,411,858	\$	152,843,414
3V4 600-679	Unemployment Compensation Review Commission - Federal	\$	3,092,890	\$	3,191,862
3V6 600-689	TANF Block Grant	\$	1,037,739,200	\$	1,085,861,099
3W3 600-659	TANF/Title XX Transfer	\$	10,081,377	\$	6,672,366
327 600-606	Child Welfare	\$	48,514,502	\$	47,947,309
331 600-686	Federal Operating	\$	53,963,318	\$	56,263,225
384 600-610	Food Stamps and State Administration	\$	160,237,060	\$	153,147,118
385 600-614	Refugee Services	\$	10,196,547	\$	11,057,826
395 600-616	Special Activities/Child and Family Services	\$	5,723,131	\$	5,717,151
396 600-620	Social Services Block Grant	\$	114,479,464	\$	114,474,085
396 600-651	Second Harvest Food Banks	\$	5,500,000	\$	5,500,000
397 600-626	Child Support	\$	303,661,307	\$	303,538,962
398 600-627	Adoption Maintenance/	\$	318,172,168	\$	317,483,676

Administration				
TOTAL FED Federal Special Revenue				
Fund Group		\$	5,841,238,957	\$ 5,926,277,119
State Special Revenue Fund Group				
198 600-647	Children's Trust Fund	\$	6,788,522	\$ 6,788,522
4A9 600-607	Unemployment Compensation	\$	12,273,062	\$ 12,188,996
	Administration Fund			
4A9 600-694	Unemployment Compensation	\$	1,726,938	\$ 1,811,004
	Review Commission			
4E3 600-605	Nursing Home Assessments	\$	4,759,914	\$ 4,759,914
4E7 600-604	Child and Family Services	\$	300,000	\$ 300,000
	Collections			
4J5 600-613	Nursing Facility Bed	\$	34,613,984	\$ 34,613,984
	Assessments			
4J5 600-618	Residential State Supplement	\$	15,700,000	\$ 15,700,000
	Payments			
4K1 600-621	ICF/MR Bed Assessments	\$	19,332,437	\$ 19,332,437
4R3 600-687	Banking Fees	\$	800,000	\$ 800,000
4Z1 600-625	HealthCare Compliance	\$	10,000,000	\$ 10,000,000
5DB 600-637	Military Injury Grants	\$	2,000,000	\$ 2,000,000
5ES 600-630	Food Assistance	\$	500,000	\$ 500,000
5F2 600-667	Building Consolidation	\$	250,000	\$ 250,000
5F3 600-668	Building Consolidation	\$	1,000,000	\$ 1,000,000
5Q9 600-619	Supplemental Inpatient	\$	56,125,998	\$ 56,125,998
	Hospital Payments			
5R2 600-608	Medicaid-Nursing Facilities	\$	175,000,000	\$ 175,000,000
5S3 600-629	MR/DD Medicaid	\$	1,620,960	\$ 1,620,960
	Administration and Oversight			
5U3 600-654	Health Care Services	\$	9,867,284	\$ 12,000,349
	Administration			
5U6 600-663	Children and Family Support	\$	4,928,718	\$ 4,928,718
5Z9 600-672	TANF Quality Control	\$	520,971	\$ 546,254
	Reinvestments			
651 600-649	Hospital Care Assurance	\$	231,893,404	\$ 231,893,404
	Program Fund			
TOTAL SSR State Special Revenue				
Fund Group		\$	590,002,192	\$ 592,160,540
Agency Fund Group				
192 600-646	Support Intercept - Federal	\$	110,000,000	\$ 110,000,000
5B6 600-601	Food Stamp Intercept	\$	2,000,000	\$ 2,000,000
583 600-642	Support Intercept - State	\$	16,000,000	\$ 16,000,000
TOTAL AGY Agency Fund Group			\$ 128,000,000	\$ 128,000,000
Holding Account Redistribution Fund Group				
R12 600-643	Refunds and Audit	\$	3,600,000	\$ 3,600,000
	Settlements			
R13 600-644	Forgery Collections	\$	10,000	\$ 10,000
TOTAL 090 Holding Account Redistribution			\$ 3,610,000	\$ 3,610,000
Fund Group				
TOTAL ALL BUDGET FUND GROUPS			\$ 16,794,069,229	\$ 17,695,854,179

SECTION 309.20. SUPPORT SERVICES

SECTION 309.20.10. GOVERNOR'S OFFICE OF FAITH-BASED AND COMMUNITY INITIATIVES

Of the foregoing appropriation item 600-321, Support Services, up to \$312,500 per fiscal year may be used to support the activities of the Governor's Office of Faith-Based and Community Initiatives.

SECTION 309.20.15. OPERATIONS INDUSTRIALIZATION CENTERS

Of the foregoing appropriation item 600-321, Support Services, \$75,000 in each fiscal year shall be provided to the Operations Industrialization Centers of Clark County.

SECTION 309.20.30. AGENCY FUND GROUP

The Agency Fund Group and Holding Account Redistribution Fund Group shall be used to hold revenues until the appropriate fund is determined or until the revenues are directed to the appropriate governmental agency other than the Department of Job and Family Services. If it is determined that additional appropriation authority is necessary, such amounts are hereby appropriated.

SECTION 309.30. MEDICAID

SECTION 309.30.03. EXECUTIVE MEDICAID ADMINISTRATION

(A) The Governor shall create an administration to manage all Medicaid policies and functions and promote the efficient and effective delivery of health care. The responsibilities of this body shall include implementation of recommendations of the Ohio Medicaid Administrative Study Council, except its recommendation for the creation of a separate Medicaid department. In addition, the administration created by this section shall do the following:

(1) Set up a governance structure that includes information technology, strategy and planning, program integrity, resource organization, local government relations, and unified budgeting;

(2) Hire an executive director who shall report directly to the Governor.

(B) Division (A) of this section does not authorize the Governor to replace the Department of Job and Family Services as the single state

agency to supervise the administration of the Medicaid program.

SECTION 309.30.05. ELECTRONIC MEDICAID APPLICATIONS

The Department of Job and Family Services shall assist county departments of job and family services to develop and obtain electronic databases and other necessary systems through a competitive process to comply with section 5111.017 of the Revised Code.

SECTION 309.30.10. HEALTH CARE/MEDICAID

The foregoing appropriation item 600-525, Health Care/Medicaid, shall not be limited by section 131.33 of the Revised Code.

SECTION 309.30.13. CHILDREN'S HOSPITALS

(A) As used in this section:

"Children's hospital" means a hospital that primarily serves patients eighteen years of age and younger and is excluded from Medicare prospective payment in accordance with 42 C.F.R. 412.23(d).

"Medicaid inpatient cost-to-charge ratio" means the historic Medicaid inpatient cost-to-charge ratio applicable to a hospital as described in rules adopted by the Director of Job and Family Services in paragraph (B)(2) of rule 5101:3-2-22 of the Administrative Code.

(B) Notwithstanding paragraph (C)(5) of rule 5101:3-2-07.9 of the Administrative Code and except as provided in division (C) of this section, the Director of Job and Family Services shall pay a children's hospital that meets the criteria in paragraphs (E)(1) and (2) of rule 5101:3-2-07.9 of the Administrative Code, for each cost outlier claim made in fiscal years 2008 and 2009, an amount that is the product of the hospital's allowable charges and the hospital's Medicaid inpatient cost-to-charge ratio.

(C) The Director of Job and Family Services shall cease paying a children's hospital for a cost outlier claim under the methodology in division (B) of this section and revert to paying the hospital for such a claim according to methodology in paragraph (A)(6) or (C)(5) of rule 5101:3-2-07.9 of the Administrative Code, as applicable, when the difference between the total amount the Director has paid according to the methodology in division (B) of this section for such claims and the total amount the Director would have paid according to the methodology in paragraph (A)(6) or (C)(5) of rule 5101:3-2-07.9 of the Administrative Code, as the applicable paragraph existed on June 30, 2007, for such claims,

The above boxed and initialed text was disapproved.

Date: June 30 2007

Ted Strickland

Ted Strickland, Governor

exceeds the sum of the state funds and corresponding federal match earmarked in division (F) of this section for the applicable fiscal year.

(D) The Director of Job and Family Services shall make supplemental Medicaid payments to hospitals for inpatient services under a program modeled after the program the Department of Job and Family Services was required to create for fiscal years 2006 and 2007 in Section 206.66.79 of Am. Sub. H.B. 66 of the 126th General Assembly if the difference between the total amount the Director has paid according to the methodology in division (B) of this section for cost outlier claims and the total amount the Director would have paid according to the methodology in paragraph (A)(6) or (C)(5) of rule 5101:3-2-07.9 of the Administrative Code for such claims, as the applicable paragraph existed on June 30, 2007, does not require the expenditure of all state and federal funds earmarked in division (F) of this section for the applicable fiscal year.

(E) The Director of Job and Family Services shall not adopt, amend, or rescind any rules that would result in decreasing the amount paid to children's hospitals under division (B) of this section for cost outlier claims.

(F) Of the foregoing appropriation item, 600-525, Health Care/Medicaid, up to \$6 million (state share) in each fiscal year plus the corresponding federal match, if available, shall be used by the Department to pay the amounts described in division (B) of this section.

SECTION 309.30.16. MEDICAID RESERVE FUND

The Medicaid Reserve Fund is hereby created in the state treasury.

Not later than July 31, 2007, or as soon as possible thereafter, the Director of Budget and Management shall transfer, for fiscal year 2008, \$120,000,000 in cash from the General Revenue Fund to the Medicaid Reserve Fund.

If at any time during fiscal year 2008 the Director of Budget and Management determines that additional appropriations are needed in appropriation item 600-525, Health Care/Medicaid, to fund the Medicaid Program, the Director of Budget and Management may submit a request to the Controlling Board to transfer cash from the Medicaid Reserve Fund. The request shall state the reasons for the transfer and the additional amounts being requested. The request shall be submitted at a regularly scheduled meeting of the Controlling Board. If the Controlling Board approves the transfer, the Director of Budget and Management shall transfer the approved amount of cash from the Medicaid Reserve Fund to the General Revenue Fund and increase the state share of appropriations in appropriation item 600-525, Health Care/Medicaid, and adjust the federal share accordingly.

The above boxed and initialed text was disapproved.

Date: June 30, 2007

Ted Strickland
Ted Strickland, Governor

Any such transfers and adjustments are hereby appropriated.

At the end of fiscal year 2008, the Director of Budget and Management shall transfer from the Medicaid Reserve Fund all the cash balance in excess of any transfers approved by the Controlling Board to the credit of the General Revenue Fund. The Director of Budget and Management shall make transfers to the Budget Stabilization Fund or the Income Tax Reduction Fund in accordance with section 131.44 of the Revised Code. *JS*

Not later than July 31, 2008, or as soon as possible thereafter, the Director of Budget and Management shall transfer, for fiscal year 2009, \$205,000,000 in cash from the General Revenue Fund to the Medicaid Reserve Fund.

If at any time during fiscal year 2009 the Director of Budget and Management determines that additional appropriations are needed in appropriation item 600-525, Health Care/Medicaid, to fund the Medicaid Program, the Director of Budget and Management may submit a request to the Controlling Board to transfer cash from the Medicaid Reserve Fund. The request shall state the reasons for the transfer and the additional amounts being requested. The request shall be submitted at a regularly scheduled meeting of the Controlling Board. If the Controlling Board approves the transfer, the Director of Budget and Management shall transfer the approved amount of cash from the Medicaid Reserve Fund to the General Revenue Fund and increase the state share of appropriations in appropriation item 600-525, Health Care/Medicaid, and adjust the federal share accordingly. Any such transfers and adjustments are hereby appropriated. *JS*

At the end of fiscal year 2009, the Director of Budget and Management shall transfer from the Medicaid Reserve Fund all the cash balance in excess of any transfers approved by the Controlling Board to the credit of the General Revenue Fund. The Director of Budget and Management shall make transfers to the Budget Stabilization Fund and the Income Tax Reduction Fund in accordance with section 131.44 of the Revised Code. *JS*

SECTION 309.30.18. MEDICAID PROVIDER AUDITS

Of the foregoing appropriation item 600-417, Medicaid Provider Audits, \$2,000,000 each fiscal year shall be used by the Auditor of State, in consultation with the Department of Job and Family Services, to perform audits of providers of Medicaid services as defined in section 117.10 of the Revised Code. *JS*

SECTION 309.30.20. FISCAL YEAR 2008 MEDICAID
The above boxed and initialed text was disapproved.

Date: June 30, 2007

Ted Strickland
Ted Strickland, Governor

REIMBURSEMENT SYSTEM FOR NURSING FACILITIES

(A) As used in this section:

"Franchise permit fee," "Medicaid days," "nursing facility," and "provider" have the same meanings as in section 5111.20 of the Revised Code.

"Nursing facility services" means nursing facility services covered by the Medicaid program that a nursing facility provides to a resident of the nursing facility who is a Medicaid recipient eligible for Medicaid-covered nursing facility services.

(B) Except as otherwise provided by this section, the provider of a nursing facility that has a valid Medicaid provider agreement on June 30, 2007, and a valid Medicaid provider agreement during fiscal year 2008 shall be paid, for nursing facility services the nursing facility provides during fiscal year 2008, the rate calculated for the nursing facility under sections 5111.20 to 5111.33 of the Revised Code with the following adjustments:

(1) The cost per case mix-unit calculated under section 5111.231 of the Revised Code, the rate for ancillary and support costs calculated under section 5111.24 of the Revised Code, the rate for capital costs calculated under section 5111.25 of the Revised Code, and the rate for tax costs calculated under section 5111.242 of the Revised Code shall each be adjusted as follows:

(a) Increase the cost and rates so calculated by two per cent;

(b) Increase the cost and rates determined under division (B)(1)(a) of this section by two per cent;

(c) Increase the cost and rates determined under division (B)(1)(b) of this section by one per cent.

(2) The mean payment used in the calculation of the quality incentive payment made under section 5111.244 of the Revised Code shall be, weighted by Medicaid days, three dollars and three cents per Medicaid day.

(C) If the rate determined for a nursing facility under division (B) of this section for nursing facility services provided during fiscal year 2008 is more than one hundred two and seventy-five hundredths per cent of the rate the provider is paid for nursing facility services the nursing facility provides on June 30, 2007, the Department of Job and Family Services shall reduce the nursing facility's fiscal year 2008 rate so that the rate is not more than one hundred two and seventy-five hundredths per cent of the nursing facility's rate for June 30, 2007. If the rate determined for a nursing facility under division (B) of this section for nursing facility services provided during fiscal year 2008 is less than the rate the provider is paid for nursing facility services the nursing facility provides on June 30, 2007, the Department shall

increase the nursing facility's fiscal year 2008 rate so that the rate is not less than the nursing facility's rate for June 30, 2007.

(D) If the United States Centers for Medicare and Medicaid Services requires that the franchise permit fee be reduced or eliminated, the Department of Job and Family Services shall reduce the amount it pays providers of nursing facility services under this section as necessary to reflect the loss to the state of the revenue and federal financial participation generated from the franchise permit fee.

(E) The Department of Job and Family Services shall follow this section in determining the rate to be paid to the provider of a nursing facility that has a valid Medicaid provider agreement on June 30, 2007, and a valid Medicaid provider agreement during fiscal year 2008 notwithstanding anything to the contrary in sections 5111.20 to 5111.33 of the Revised Code.

SECTION 309.30.30. FISCAL YEAR 2009 MEDICAID
REIMBURSEMENT SYSTEM FOR NURSING FACILITIES

(A) As used in this section:

"Franchise permit fee," "Medicaid days," "nursing facility," and "provider" have the same meanings as in section 5111.20 of the Revised Code.

"Nursing facility services" means nursing facility services covered by the Medicaid program that a nursing facility provides to a resident of the nursing facility who is a Medicaid recipient eligible for Medicaid-covered nursing facility services.

(B) Except as otherwise provided by this section, the provider of a nursing facility that has a valid Medicaid provider agreement on June 30, 2008, and a valid Medicaid provider agreement during fiscal year 2009 shall be paid, for nursing facility services the nursing facility provides during fiscal year 2009, the rate calculated for the nursing facility under sections 5111.20 to 5111.33 of the Revised Code with the following adjustments:

(1) The cost per case mix-unit calculated under section 5111.231 of the Revised Code, the rate for ancillary and support costs calculated under section 5111.24 of the Revised Code, the rate for capital costs calculated under section 5111.25 of the Revised Code, and the rate for tax costs calculated under section 5111.242 of the Revised Code shall each be adjusted as follows:

- (a) Increase the cost and rates so calculated by two per cent;
- (b) Increase the cost and rates determined under division (B)(1)(a) of this section by two per cent;
- (c) Increase the cost and rates determined under division (B)(1)(b) of

this section by one per cent.

(2) The mean payment used in the calculation of the quality incentive payment made under section 5111.244 of the Revised Code shall be, weighted by Medicaid days, three dollars and three cents per Medicaid day.

(C) If the rate determined for a nursing facility under division (B) of this section for nursing facility services provided during fiscal year 2009 is more than one hundred two and seventy-five hundredths per cent of the rate the provider is paid for nursing facility services the nursing facility provides on June 30, 2008, the Department of Job and Family Services shall reduce the nursing facility's fiscal year 2009 rate so that the rate is not more than one hundred two and seventy-five hundredths per cent of the nursing facility's rate for June 30, 2008. If the rate determined for a nursing facility under division (B) of this section for nursing facility services provided during fiscal year 2009 is less than the rate the provider is paid for nursing facility services the nursing facility provides on June 30, 2008, the Department shall increase the nursing facility's fiscal year 2009 rate so that the rate is not less than the nursing facility's rate for June 30, 2008.

(D) If the United States Centers for Medicare and Medicaid Services requires that the franchise permit fee be reduced or eliminated, the Department of Job and Family Services shall reduce the amount it pays providers of nursing facility services under this section as necessary to reflect the loss to the state of the revenue and federal financial participation generated from the franchise permit fee.

(E) The Department of Job and Family Services shall follow this section in determining the rate to be paid to the provider of a nursing facility that has a valid Medicaid provider agreement on June 30, 2008, and a valid Medicaid provider agreement during fiscal year 2009 notwithstanding anything to the contrary in sections 5111.20 to 5111.33 of the Revised Code.

SECTION 309.30.40. FISCAL YEARS 2008 AND 2009 MEDICAID REIMBURSEMENT SYSTEM FOR ICFs/MR

(A) As used in this section:

"Intermediate care facility for the mentally retarded" has the same meaning as in section 5111.20 of the Revised Code.

"Medicaid days" means all days during which a resident who is a Medicaid recipient occupies a bed in an intermediate care facility for the mentally retarded that is included in the facility's Medicaid-certified capacity. Therapeutic or hospital leave days for which payment is made under section 5111.33 of the Revised Code are considered Medicaid days proportionate to the percentage of the intermediate care facility for the

mentally retarded's per resident per day rate paid for those days.

"Per diem rate" means the per diem rate calculated pursuant to sections 5111.20 to 5111.33 of the Revised Code.

(B) Notwithstanding sections 5111.20 to 5111.33 of the Revised Code, rates paid to intermediate care facilities for the mentally retarded under the Medicaid program shall be subject to the following limitations:

(1) For fiscal year 2008, the mean total per diem rate for all intermediate care facilities for the mentally retarded in the state, weighted by May 2007 Medicaid days and calculated as of July 1, 2007, shall not exceed \$266.14.

(2) For fiscal year 2009, the mean total per diem rate for all intermediate care facilities for the mentally retarded in the state, weighted by May 2008 Medicaid days and calculated as of July 1, 2008, shall not exceed \$271.46.

(3) If the mean total per diem rate for all intermediate care facilities for the mentally retarded in the state for fiscal year 2008 or 2009, weighted by Medicaid days as specified in division (B)(1) or (2) of this section, as appropriate, and calculated as of the first day of July of the calendar year in which the fiscal year begins, exceeds the amount specified in division (B)(1) or (2) of this section, as applicable, the Department of Job and Family Services shall reduce the total per diem rate for each intermediate care facility for the mentally retarded in the state by a percentage that is equal to the percentage by which the mean total per diem rate exceeds the amount specified in division (B)(1) or (2) of this section for that fiscal year.

(4) Subsequent to any reduction required by division (B)(3) of this section, the rate of an intermediate care facility for the mentally retarded shall not be subject to any adjustments authorized by sections 5111.20 to 5111.33 of the Revised Code during the remainder of the year.

SECTION 309.30.41. ADDITIONAL COMPENSATION FOR NURSING FACILITY CAPITAL COSTS

The foregoing appropriation item 600-529, Capital Compensation Program, shall be used to make payments to nursing facilities under the section of this act entitled "FISCAL YEARS 2008 AND 2009 PAYMENTS TO CERTAIN NURSING FACILITIES."

The unencumbered balance of appropriation item 600-529, Capital Compensation Program, at the end of fiscal year 2008 is hereby appropriated to fiscal year 2009 for use under the same appropriation item.

SECTION 309.30.42. FISCAL YEARS 2008 AND 2009 PAYMENTS TO CERTAIN NURSING FACILITIES

(A) As used in this section:

"Capital costs," "cost of ownership," and "renovation" have the same meanings as in section 5111.20 of the Revised Code as that section existed on June 30, 2005.

"Change of operator" has the same meaning as in section 5111.65 of the Revised Code.

"Inpatient days," "Medicaid days," and "nursing facility" have the same meanings as in section 5111.20 of the Revised Code.

"Reviewable activity" has the same meaning as in section 3702.51 of the Revised Code.

(B) The following qualify for per diem payments under this section:

(1) A nursing facility to which both of the following apply:

(a) Both of the following occurred during fiscal year 2006, 2007, or 2008:

(i) The facility obtained certification as a nursing facility from the Director of Health.

(ii) The facility began participating in the Medicaid program.

(b) An application for a certificate of need for the nursing facility was filed with the Director of Health before June 15, 2005.

(2) A nursing facility to which all of the following apply:

(a) The nursing facility does not qualify for a payment pursuant to division (B)(1) of this section.

(b) The nursing facility, before June 30, 2008, completed a capital project for which a certificate of need was filed with the Director of Health before June 15, 2005, and for which at least one of the following occurred before July 1, 2005, or, if the capital project is undertaken to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the capital project were delivered;

(ii) Preparations for the physical site of the capital project, including, if applicable, excavation, began;

(iii) Actual work on the capital project began.

(c) The costs of the capital project are not fully reflected in the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate on June 30, 2005.

(d) The nursing facility files a three-month projected capital cost report with the Director of Job and Family Services not later than ninety days after the later of March 30, 2006, or the date the capital project is completed.

(3) A nursing facility that, before June 30, 2008, completed an activity to which all of the following apply:

(a) A request was filed with the Director of Health before July 1, 2005, for a determination of whether the activity is a reviewable activity and the Director determined that the activity is not a reviewable activity.

(b) At least one of the following occurred before July 1, 2005, or, if the nursing facility undertakes the activity to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the activity were delivered.

(ii) Preparations for the physical site of the activity, including, if applicable, excavation, began.

(iii) Actual work on the activity began.

(c) The costs of the activity are not fully reflected in the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate on June 30, 2005.

(d) The nursing facility files a three-month projected capital cost report with the Director of Job and Family Services not later than ninety days after the later of March 30, 2006, or the date the activity is completed.

(4) A nursing facility that, before June 30, 2008, completed a renovation to which all of the following apply:

(a) The Director of Job and Family Services approved the renovation before July 1, 2005.

(b) At least one of the following occurred before July 1, 2005, or, if the nursing facility undertakes the renovation to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the renovation were delivered.

(ii) Preparations for the physical site of the renovation, including, if applicable, excavation, began.

(iii) Actual work on the renovation began.

(c) The costs of the renovation are not fully reflected in the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate on June 30, 2005.

(d) The nursing facility files a three-month projected capital cost report with the Director of Job and Family Services not later than ninety days after the later of March 30, 2006, or the date the renovation is completed.

(C) If a nursing facility qualifies for per diem payments pursuant to division (B)(1) of this section for fiscal year 2008, the nursing facility's per diem payments under this section for fiscal year 2008 shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate determined under Section 309.30.20

of this act and the lesser of the following:

(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was eighty per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

(D) If a nursing facility qualifies for per diem payments pursuant to division (B)(1) of this section for fiscal year 2009, the nursing facility's per diem payments under this section for fiscal year 2009 shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate determined under Section 309.30.30 of this act and the lesser of the following:

(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was eighty per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

(E) The per diem payments paid for fiscal year 2008 to a nursing facility that qualifies for the payments pursuant to division (B)(2) or (3) of this section shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate determined under Section 309.30.20 of this act and the lesser of the following:

(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

(F) The per diem payments paid for fiscal year 2009 to a nursing facility

that qualifies for the payments pursuant to division (B)(2) or (3) of this section shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate determined under Section 309.30.30 of this act and the lesser of the following:

(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

(G) The per diem payments paid to a nursing facility that qualifies for the payments pursuant to division (B)(4) of this section shall equal eighty-five per cent of the nursing facility's capital costs for the renovation as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent.

(H) All of the following apply to the per diem payments made under this section:

(1) All nursing facilities' eligibility for the payments shall cease at the earlier of the following:

(a) July 1, 2009;

(b) The date that the total amount of the payments equals seven million dollars.

(2) The payments made for the last quarter that the payments are made may be reduced proportionately as necessary to avoid spending more than seven million dollars under this section.

(3) The per diem payments shall be made for quarterly periods by multiplying the per diem determined for a nursing facility by the number of Medicaid days the nursing facility has for the quarter the payment is made.

(4) Any per diem payments to be made to a nursing facility for a quarter ending before July 2008 shall be made not later than September 30, 2008.

(5) Any per diem payments to be made to a nursing facility for a quarter beginning after June 2008 shall be made not later than three months after the last day of the quarter for which the payments are made.

(6) A change of operator shall not cause the payments to a nursing

facility to cease.

(7) The payments shall only be made to a nursing facility for the quarters during fiscal years 2008 and 2009 for which the nursing facility has a valid Medicaid provider agreement.

(8) The payments shall be in addition to a nursing facility's Medicaid reimbursement per diem rate calculated under Section 309.30.20 or 309.30.30 of this act.

(I) The Director of Job and Family Services shall monitor, on a quarterly basis, the per diem payments made to nursing facilities under this section to ensure that not more than a total of seven million dollars is spent under this section.

(J) The determinations that the Director of Job and Family Services makes under this section are not subject to appeal under Chapter 119. of the Revised Code.

(K) The Director of Job and Family Services may adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this section. The Director's failure to adopt the rules does not affect the requirement that the per diem payments be made under this section.

SECTION 309.30.45. INCREASE IN MEDICAID RATES FOR PASSPORT AND CHOICES SERVICES

(A) As used in this section:

"Choices program" means the home and community-based services Medicaid waiver component, as defined in section 5111.851 of the Revised Code, that is known as the Choices program and administered by the Department of Aging.

"PASSPORT program" means the program created under section 173.40 of the Revised Code.

(B) The Director of Job and Family Services shall amend the rules adopted under section 5111.85 of the Revised Code as necessary to accomplish the following:

(1) Increase, for fiscal year 2008, the Medicaid reimbursement rates for services provided under the PASSPORT program and services provided under the choices program to rates that result in an amount that is three per cent higher than the amount resulting from the rates in effect June 30, 2007.

(2) Increase, for fiscal year 2009, the Medicaid reimbursement rates for services provided under the PASSPORT program and services provided under the choices program to rates that result in an amount that is three per cent higher than the amount resulting from the rates in effect June 30, 2008.

SECTION 309.30.50. HOME FIRST PROGRAM

(A) On a quarterly basis, on receipt of the certified expenditures related to section 173.401 of the Revised Code, the Director of Budget and Management shall do all of the following for fiscal years 2008 and 2009:

(1) Transfer the state share of the amount of the actual expenditures from GRF appropriation item 600-525, Health Care/Medicaid, to GRF appropriation item 490-403, PASSPORT;

(2) Increase the appropriation in Ohio Department of Aging Fund 3C4, appropriation item 490-607, PASSPORT, by the federal share of the amount of the actual expenditures;

(3) Increase the appropriation in JFS Fund 3G5, appropriation item 600-655, Interagency Reimbursement, by the federal share of the amount of the actual expenditures.

The funds that the Director of Budget and Management transfers and increases under this division are hereby appropriated.

(B) The individuals placed in the PASSPORT program pursuant to this section shall be in addition to the individuals placed in the PASSPORT program during fiscal years 2008 and 2009 based on the amount of money that is in GRF appropriation item 490-403, PASSPORT; Fund 4J4, appropriation item 490-610, PASSPORT/Residential State Supplement; Fund 4U9, appropriation item 490-602, PASSPORT Fund; and Fund 3C4, appropriation item 490-607, PASSPORT, before any transfers to GRF appropriation item 490-403, PASSPORT, and Fund 3C4, appropriation item 490-607, PASSPORT, are made under this section.

SECTION 309.30.53. RESIDENTIAL STATE SUPPLEMENT TRANSFER

On a quarterly basis, on receipt of the certified residential state supplement costs related to section 173.351 of the Revised Code, the Director of Budget and Management shall do the following:

(A) Transfer the state share of the amount of the estimated costs from GRF appropriation item 600-525, Health Care/Medicaid, to GRF appropriation item 490-412, Residential State Supplement;

(B) The Department of Aging may transfer cash by intrastate transfer vouchers from the foregoing appropriation item 490-412, Residential State Supplement, and 490-610, PASSPORT/Residential State Supplement, to the Department of Job and Family Services Fund 4J5, Home and Community-Based Services for the Aged Fund. The funds shall be used to

make benefit payments to Residential State Supplement recipients.

The funds that the Director of Budget and Management transfers and increases under this division are hereby appropriated.

SECTION 309.30.60. MEDICAID COVERAGE OF CHIROPRACTIC SERVICES

(A) As used in this section, "adult Medicaid recipient" means a Medicaid recipient twenty-two years of age or older.

(B) For the period beginning January 1, 2008, and ending June 30, 2009, and subject to division (C) of this section, the Medicaid Program shall cover chiropractic services for adult Medicaid recipients in an amount, duration, and scope specified in rules that the Director of Job and Family Services shall adopt under section 5111.02 of the Revised Code.

(C) The Medicaid Program's coverage of chiropractic services under this section shall be limited to fifteen visits per adult Medicaid recipient per fiscal year.

SECTION 309.30.70. MONEY FOLLOWS THE PERSON

(A) Subject to division (B) of this section, the Director of Budget and Management may do any of the following in support of any home and community-based services waiver program:

(1) Create new funds and account appropriation items to support and track funds associated with a unified long-term care budget;

(2) Transfer funds among affected agencies and adjust corresponding appropriation levels;

(3) Develop a reporting mechanism to show clearly how the funds are being transferred and expended.

(B) Before an action may be taken under division (A) of this section, the Director shall present the proposed action to the Controlling Board. The Controlling Board shall review the proposed action and either approve or disapprove the action. The Director shall not implement the proposed action unless the action is approved by the Controlling Board.

SECTION 309.30.90. MEDICAID ELIGIBILITY FOR PREGNANT WOMEN

The Director of Job and Family Services shall, not later than ninety days after the effective date of this section, submit to the United States Secretary of Health and Human Services an amendment to the state Medicaid plan to

increase to two hundred per cent of the federal poverty guidelines the income limit specified in division (A)(2) of section 5111.014 of the Revised Code. The increase shall be implemented not earlier than January 1, 2008.

*** SECTION 309.30.95. MEDICAID BUY-IN ADVISORY COUNCIL**

The Director of Job and Family Services shall call the Medicaid Buy-In Advisory Council established under section 5111.708 of the Revised Code to meet for the first time not later than sixty days after the effective date of this section.

SECTION 309.31.10. MEDICARE PART D

The foregoing appropriation item 600-526, Medicare Part D, may be used by the Department of Job and Family Services for the implementation and operation of the Medicare Part D requirements contained in the "Medicare Prescription Drug, Improvement, and Modernization Act of 2003," Pub. L. No. 108-173, as amended. Upon the request of the Department of Job and Family Services, the Director of Budget and Management may increase the state share of appropriations in either appropriation item 600-525, Health Care/Medicaid, or appropriation item 600-526, Medicare Part D, with a corresponding decrease in the state share of the other appropriation item to allow the Department of Job and Family Services to implement and operate the new Medicare Part D requirements. If the state share of appropriation item 600-525, Health Care/Medicaid, is adjusted, the Director of Budget and Management shall adjust the federal share accordingly.

SECTION 309.31.13. INCREASE IN FISCAL YEAR 2008 DISPENSING FEE FOR MULTIPLE SOURCE DRUGS

(A) As used in this section, "multiple source drug" has the same meaning as in 42 U.S.C. 1396r-8(k)(7).

(B) Not later than thirty days after the effective date of the regulation that the United States Secretary of Health and Human Services must promulgate under Section 6001(c)(3) of the "Deficit Reduction Act of 2005," Pub. L. No. 109-171, the Director of Job and Family Services shall analyze the fiscal impact that the federal upper reimbursement limits established under 42 U.S.C. 1396r-8(e)(4), as amended by section 6001 of the "Deficit Reduction Act of 2005," will have on pharmacists in fiscal year 2008. The fiscal impact analysis shall include a projection of the revenue a

pharmacist is expected to lose during fiscal year 2008 from each unit of multiple source drug dispensed to a Medicaid recipient.

(C) Notwithstanding section 5111.071 of the Revised Code, and subject to division (D) of this section, the Director shall, not later than ten days after completing the analysis required by division (B) of this section, increase the dispensing fee to be paid to pharmacists with a valid Medicaid provider agreement for dispensing a multiple source drug to a Medicaid recipient in fiscal year 2008. The amount of the increase shall be determined in a manner that compensates pharmacists for the loss of revenue the Director projects, under division (B) of this section, that pharmacists, on average, will incur during fiscal year 2008.

(D) The total amount the Director expends under division (C) of this section to pay the increase in the dispensing fee in fiscal year 2008 shall not exceed the total savings that the Medicaid program is projected to save in that year as a result of the changes to the federal upper reimbursement limits established in 42 U.S.C. 1396r-8(e)(4) that were enacted by section 6001 of the "Deficit Reduction Act of 2005."

SECTION 309.31.16. INCREASE IN FISCAL YEAR 2009 DISPENSING FEE FOR MULTIPLE SOURCE DRUGS

(A) As used in this section, "multiple source drug" has the same meaning as in 42 U.S.C. 1396r-8(k)(7).

(B) Not later than March 15, 2008, the Director of Job and Family Services shall analyze the fiscal impact that the federal upper reimbursement limits established under 42 U.S.C. 1396r-8(e)(4), as amended by section 6001 of the "Deficit Reduction Act of 2005," Pub. L. No. 109-171, will have on pharmacists in fiscal year 2009. The fiscal impact analysis shall include a projection of the revenue a pharmacist is expected to lose during fiscal year 2009 from each unit of multiple source drug dispensed to a Medicaid recipient.

(C) Notwithstanding section 5111.071 of the Revised Code and subject to division (D) of this section, the Director shall, not later than ten days after completing the analysis required under division (B) of this section, increase the dispensing fee to be paid to pharmacists with a valid Medicaid provider agreement for dispensing a multiple source drug to a Medicaid recipient in fiscal year 2009. The amount of the increase shall be determined in a manner that compensates pharmacists for the loss of revenue the Director projects, under division (B) of this section, that pharmacists, on average, will incur during fiscal year 2009.

(D) The total amount the Director expends under division (C) of this

section to pay the increase in the dispensing fee in fiscal year 2009 shall not exceed the total savings that the Medicaid program is projected to save in that fiscal year as a result of the changes to the federal upper reimbursement limits established in 42 U.S.C. 1396r-8(e)(4) that were enacted by section 6001 of the "Deficit Reduction Act of 2005."

SECTION 309.31.20. RESIDENT PROTECTION FUND

If the Director of Budget and Management determines that the Resident Protection Fund created in section 5111.62 of the Revised Code has a cash balance, less encumbrances and appropriations, of more than \$2,000,000, the Department of Job and Family Services or its designee may issue a competitive request for grant proposals to support projects that will benefit the residents of nursing facilities that have been found to have deficiencies. The directors of Job and Family Services, Health, and Aging or their designees shall determine priority categories for funding, make awards, and determine which of the three agencies should administer each grant. Based on these determinations, the Director of Budget and Management may transfer cash and appropriations matching the amount of each award to the appropriate agency. Any such transfers are hereby appropriated.

SECTION 309.31.30. OHIO ACCESS SUCCESS PROJECT

Notwithstanding any limitations in sections 3721.51 and 3721.56 of the Revised Code, in each fiscal year, cash from Fund 4J5, Home and Community-Based Services for the Aged, in excess of the amounts needed for the transfers may be used by the Department of Job and Family Services for the following purposes: (A) up to \$1.0 million in each fiscal year to fund the state share of audits of nursing facilities and intermediate care facilities for the mentally retarded; and (B) up to \$350,000 in each fiscal year to provide one-time transitional benefits under the Ohio Access Success Project that the Director of Job and Family Services may establish under section 5111.97 of the Revised Code.

SECTION 309.31.40. TRANSFER OF FUNDS TO THE DEPARTMENT OF AGING

The Department of Job and Family Services shall transfer, through intrastate transfer vouchers, cash from Fund 4J5, Home and Community-Based Services for the Aged, to Fund 4J4, PASSPORT, in the Department of Aging. The sum of the transfers shall be \$33,263,984 in each

fiscal year. The transfer may occur on a quarterly basis or on a schedule developed and agreed to by both departments.

SECTION 309.31.50. PROVIDER FRANCHISE FEE OFFSETS

(A) At least quarterly, the Director of Job and Family Services shall certify to the Director of Budget and Management both of the following:

(1) The amount of offsets withheld under section 3721.541 of the Revised Code from payments made from the General Revenue Fund.

(2) The amount of offsets withheld under section 5112.341 of the Revised Code from payments made from the General Revenue Fund.

(B) The Director of Budget and Management may transfer cash from the General Revenue Fund to all of the following:

(1) Fund 4J5, Home and Community Based Services/Aged Fund, or Fund 5R2, Nursing Facility Stabilization Fund, in accordance with sections 3721.56 and 3721.561 of the Revised Code;

(2) Fund 4K1, ICF/MR Bed Assessments.

(C) Amounts transferred pursuant to this section are hereby appropriated.

SECTION 309.31.60. TRANSFER OF FUNDS TO THE DEPARTMENT OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

The Department of Job and Family Services shall transfer, through intrastate transfer vouchers, cash from Fund 4K1, ICF/MR Bed Assessments, to Fund 4K8, Home and Community-Based Services, in the Department of Mental Retardation and Developmental Disabilities. The amount transferred shall equal \$12,000,000 in each fiscal year. The transfer may occur on a quarterly basis or on a schedule developed and agreed to by both departments.

SECTION 309.31.70. FUNDING FOR TRANSITION WAIVER SERVICES

Notwithstanding any limitations contained in sections 5112.31 and 5112.37 of the Revised Code, in each fiscal year, cash from Fund 4K1, ICF/MR Bed Assessments, in excess of the amounts needed for transfers to Fund 4K8, Home and Community-Based Services, in the Department of Mental Retardation and Developmental Disabilities, may be used by the Department of Job and Family Services to cover costs of care provided to

participants in a waiver with an ICF/MR level of care requirement administered by the Department of Job and Family Services.

SECTION 309.31.80. PAYMENTS FROM THE DEPARTMENT OF EDUCATION FOR MEDICAID SERVICES

At the request of the Director of Job and Family Services, the Director of Budget and Management may increase the appropriation in appropriation item 600-639, Medicaid Revenue and Collections, by the amounts paid to the department pursuant to section 3317.023 of the Revised Code.

SECTION 309.31.90. HOSPITAL CARE ASSURANCE MATCH

Appropriation item 600-650, Hospital Care Assurance Match, shall be used by the Department of Job and Family Services solely for distributing funds to hospitals under section 5112.08 of the Revised Code.

SECTION 309.32.10. HEALTH CARE SERVICES ADMINISTRATION FUND

Of the amount received by the Department of Job and Family Services during fiscal year 2008 and fiscal year 2009 from the first installment of assessments paid under section 5112.06 of the Revised Code and intergovernmental transfers made under section 5112.07 of the Revised Code, the Director of Job and Family Services shall deposit \$350,000 in each fiscal year into the state treasury to the credit of the Health Care Services Administration Fund (Fund 5U3).

SECTION 309.32.20. MEDICAID PROGRAM SUPPORT FUND - STATE

The foregoing appropriation item 600-671, Medicaid Program Support, shall be used by the Department of Job and Family Services to pay for Medicaid services and contracts. The Department may also deposit to Fund 5C9 revenues received from other state agencies for Medicaid services under the terms of interagency agreements between the Department and other state agencies, and all funds the Department recovers because the benefits a person received under the disability medical assistance program established in section 5115.10 of the Revised Code were determined to be covered by the Medicaid Program established under Chapter 5111. of the Revised Code.

SECTION 309.32.30. TRANSFERS OF IMD/DSH CASH TO THE DEPARTMENT OF MENTAL HEALTH

The Department of Job and Family Services shall transfer, through intrastate transfer voucher, cash from Fund 5C9, Medicaid Program Support, to the Department of Mental Health's Fund 4X5, OhioCare, in accordance with an interagency agreement that delegates authority from the Department of Job and Family Services to the Department of Mental Health to administer specified Medicaid services.

SECTION 309.32.40. PRESCRIPTION DRUG REBATE FUND

The foregoing appropriation item 600-692, Health Care Services, shall be used by the Department of Job and Family Services to pay for Medicaid services and contracts.

SECTION 309.32.50. DISABILITY DETERMINATION PROCESS

Based on the recommendations made by the Disability Determination Consolidation Study Council, the Rehabilitation Services Commission and the Department of Job and Family Services shall work together to reduce the duplication of activities performed by each agency and develop a systems interface so that medical information for mutual clients may be transferred between the agencies.

SECTION 309.32.60. PRIMARY CARE ALTERNATIVE TREATMENT PROGRAM

The Director of Job and Family Services, not later than January 1, 2008, shall submit a report to the General Assembly on the Primary Alternative Care Treatment Program. The report shall compare the average monthly medical costs of current participants in the program with the average monthly costs of those individuals prior to participation in the program. Not later than January 1, 2009, the Director shall submit an additional report on the total cost savings achieved through the program.

SECTION 309.32.70. PHARMACEUTICAL REPORT

The Director of Job and Family Services, not later than one year after the effective date of this section, shall submit a report to the General Assembly on the effect of Medicare Part D and the care management system

established under section 5111.16 of the Revised Code on the Supplemental Drug Rebate Program established under section 5111.081 of the Revised Code. The report shall evaluate the changing cost of pharmaceuticals for which supplemental rebates are made under the Supplemental Drug Rebate Program as a result of the high volume of drug purchases being transferred to Medicare Part D. The report shall include a review of the use of generic drugs by Medicaid recipients and cost savings to be achieved by increasing the use of generic drugs.

SECTION 309.40. FAMILY STABILITY

SECTION 309.40.10. WAIVER OF FOOD STAMP WORK REQUIREMENTS

Pursuant to 7 U.S.C. 2015(o)(4)(A)(i), the Department of Job and Family Services shall request that the United States Secretary of Agriculture waive the applicability of the work requirement of 7 U.S.C. 2015(o)(2) during fiscal years 2008 and 2009 to food stamp benefit recipients who reside in a county of this state that the Department determines has an unemployment rate of over 10 per cent or does not have a sufficient number of jobs to provide employment for the recipients.

SECTION 309.40.20. FOOD STAMPS TRANSFER

On July 1, 2007, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$1,000,000 in cash from Fund 384, Food Stamp Program, to Fund 5ES, Food Assistance.

SECTION 309.40.30. OHIO ASSOCIATION OF SECOND HARVEST FOOD BANKS

As used in this section, "federal poverty guidelines" has the same meaning as in section 5101.46 of the Revised Code.

Notwithstanding section 5101.46 of the Revised Code, the Department of Job and Family Services shall provide \$5,500,000 in each fiscal year from the foregoing appropriation item 600-651, Second Harvest Food Banks, and \$1,000,000 in each fiscal year from the foregoing appropriation item 600-659, TANF/Title XX Transfer (Fund 3W3), to the Ohio Association of Second Harvest Food Banks. The Department shall enter into a grant agreement with the Ohio Association of Second Harvest Food Banks to allow for the purchase of food and personal care products and the

distribution of those products to agencies participating in the emergency food distribution program. Notwithstanding section 5101.46 of the Revised Code, the grant may permit the Ohio Association of Second Harvest Food Banks to use up to 5 per cent of the annual funding for administrative costs. As soon as possible after entering into a grant agreement at the beginning of each fiscal year, the Department may advance grant funds to the grantee under section 5101.10 of the Revised Code and in accordance with federal law.

Prior to entering into the grant agreement, the Ohio Association of Second Harvest Food Banks shall submit to the Department for approval a plan for the distribution of the food and personal care products to local food distribution agencies. If the plan meets the requirements and conditions established by the Department, the plan shall be incorporated into the grant agreement. The grant agreement shall also require the Ohio Association of Second Harvest Food Banks to ensure that local agencies will limit participation of individuals and families who receive any of the food and personal care products purchased with these funds to those who have an income at or below 200 per cent of the federal poverty guidelines. The Department and the Ohio Association of Second Harvest Food Banks shall agree on reporting requirements to be incorporated into the grant agreement, including a statement of expected performance outcomes from the Ohio Association of Second Harvest Food Banks and a requirement for their evaluation of their success in achieving those outcomes.

SECTION 309.40.33. CHILD SUPPORT COLLECTIONS/TANF MOE

The foregoing appropriation item 600-658, Child Support Collections, shall be used by the Department of Job and Family Services to meet the TANF maintenance of effort requirements of 42 U.S.C. 609(a)(7). When the state is assured that it will meet the maintenance of effort requirement, the Department of Job and Family Services may use funds from appropriation item 600-658, Child Support Collections, to support child support activities.

SECTION 309.40.40. TANF INITIATIVES

The Department of Job and Family Services, in accordance with sections 5101.80 and 5101.801 of the Revised Code, shall take the steps necessary, through interagency agreement, adoption of rules, or otherwise as determined by the Department, to implement and administer the Title IV-A programs identified in this section.

KINSHIP PERMANENCY INCENTIVE PROGRAM

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$10 million per fiscal year shall be used to support the activities of the Kinship Permanency Incentive Program created under section 5101.802 of the Revised Code.

The Department of Job and Family Services shall prepare reports concerning both of the following:

(A) Stability and permanency outcomes for children for whom incentive payments are made under the Kinship Permanency Incentive Program;

(B) The total amount of payments made under the Program, patterns of expenditures made per child under the Program, and cost savings realized through the Program from placement with kinship caregivers rather than other out-of-home placements.

The Department shall submit a report to the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate not later than December 31, 2008, and December 31, 2010.

OHIO ALLIANCE OF BOYS AND GIRLS CLUBS

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$2,000,000 in each fiscal year shall be used to reimburse the Ohio Alliance of Boys and Girls Clubs pursuant to section 5101.801 of the Revised Code to provide after-school programs that protect at-risk children and enable youth to become responsible adults. The Ohio Alliance of Boys and Girls Clubs shall provide nutritional meals, snacks, and educational, youth development, and career development services to TANF eligible children participating in programs and activities operated by eligible Boys and Girls Clubs.

The Department of Job and Family Services and the Ohio Alliance of Boys and Girls Clubs shall agree on reporting requirements to be incorporated into the grant agreement.

SUMMER AND AFTER-SCHOOL PROGRAMS

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$10,000,000 in each fiscal year shall be used for summer and after-school programs and services for TANF eligible youth served through community-based organizations, faith-based organizations, and schools pursuant to section 5101.801 of the Revised Code to provide academic support not available during the regular school day, nutrition, transportation, youth development activities, drug and violence prevention programs, counseling programs, technology education, and character education programs. Any moneys from the federal TANF Block Grant used for this purpose shall be provided on a reimbursement basis.

CHILDREN'S HUNGER ALLIANCE

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$1,000,000 in each fiscal year shall be reimbursed to the Children's Hunger Alliance pursuant to section 5101.801 of the Revised Code for Child Nutrition Program outreach efforts.

SCHOOL READINESS ENRICHMENT

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$6,500,000 in each fiscal year shall be used for TANF eligible activities pursuant to section 5101.801 of the Revised Code to provide intervention services to prepare children for kindergarten. Any moneys from the federal TANF Block Grant used for this purpose shall be provided on a reimbursement basis.

FOOD BANKS

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$1,500,000 in each fiscal year shall be used to reimburse the Ohio network of food banks pursuant to section 5101.801 of the Revised Code for purchases and distribution of food products.

GOVERNOR'S OFFICE OF FAITH-BASED AND COMMUNITY INITIATIVES

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$13,000,000 in each fiscal year shall be used to reimburse the Governor's Office for Faith-Based and Community Initiatives pursuant to section 5101.801 of the Revised Code for projects designed to serve the state's most vulnerable citizens.

ADOPTION PROMOTION

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$5,000,000 in each fiscal year shall be used for TANF eligible activities pursuant to section 5101.801 of the Revised Code to provide additional support for initiatives aimed at increasing the number of adoptions including recruiting, promoting, and supporting adoptive families.

INDEPENDENT LIVING INITIATIVES

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$2,500,000 in each fiscal year shall be used for TANF eligible activities pursuant to section 5101.801 of the Revised Code to support the independent living initiative, including life skills training and work supports for older children in foster care and those who have recently aged out of foster care.

CLOSING THE ACHIEVEMENT GAP

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$10,000,000 in each fiscal year shall be used for TANF eligible

activities pursuant to section 5101.801 of the Revised Code to provide intervention services aimed at improving the African-American male graduation rate. Any moneys from the federal TANF Block Grant used for this purpose shall be provided on a reimbursement basis.

FREESTORE FOODBANK - BARIS PROGRAM

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$800,000 in fiscal year 2008 shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, the Freestore Foodbank for continuation of the Benefits Acquisition Results in Self Sufficiency (BARIS) project. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

FAMILY SERVICE OF THE CINCINNATI AREA

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$50,000 in fiscal year 2008 shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, Family Service of the Cincinnati Area for the International Family Resource Center program. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

PARENT MENTORS

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$250,000 in fiscal year 2008 shall be used to reimburse the Department of Education pursuant to section 5101.801 of the Revised Code for providing funding for an additional ten parent mentors. This additional support for parent mentors shall be aimed at increasing support for parents with children who have special needs, thereby reducing stress on the family and encouraging the maintenance of two parent families. Such funding shall be in addition to that which is provided for parent mentoring programs in GRF appropriation item 200-540, Special Education Enhancements, in the Department of Education.

ACCOUNTABILITY AND CREDIBILITY TOGETHER

Of the foregoing appropriation item 600-689, TANF Block Grant, up to \$2,000,000 in fiscal year 2008 shall be reimbursed to Accountability and Credibility Together (ACT) to continue its welfare diversion program to TANF eligible individuals pursuant to section 5101.801 of the Revised Code. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for

reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

AMERICAN ACADEMY OF PEDIATRICS

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$200,000 in fiscal year 2008 shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, the American Academy of Pediatrics for the Reach Out and Read program. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

HOME WEATHERIZATION

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$500,000 in each fiscal year shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, the Corporation for Ohio Appalachian Development for home weatherization.

PROVIDENCE HOUSE

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$100,000 in fiscal year 2008 shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, the Providence House for providing crisis intervention services for children who are at risk of abuse and neglect.

BUTLER COUNTY SUCCESS PLAN

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$100,000 in fiscal year 2008 shall be used to provide reimbursement, in accordance with section 5101.801 of the Revised Code, for the Butler County Success Plan.

AMERICAN RED CROSS-GREATER CLEVELAND CHAPTER AND THE BEREA CHILDREN'S HOME AND FAMILY SERVICES

Of the foregoing appropriation item 600-689, TANF Block Grant, up to \$2,063,000 in fiscal year 2008 shall be used to reimburse the American Red Cross-Greater Cleveland Chapter and the Berea Children's Home and Family Services in accordance with section 5101.801 of the Revised Code, for enrolling TANF eligible individuals in the Northeast Ohio Nurse Assistant Training Program, which will lead to employment opportunities in the healthcare field in a ten-county region. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

CENTER FOR FAMILIES AND CHILDREN RAPART YOUTH FELLOWSHIP PROGRAM

Of the foregoing appropriation item 600-689, TANF Block Grant, up to \$492,256 in fiscal year 2008 shall be used to reimburse the Center for Families and Children RapArt Youth Fellowship Program in accordance with section 5101.801 of the Revised Code for providing an after-school program that supports at-risk young adults and enables youth to become responsible adults. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

TALBERT HOUSE

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$200,000 in fiscal year 2008 shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, the Talbert House for providing TANF eligible non-medical behavioral health services. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

TANF EDUCATIONAL AWARDS PROGRAM

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$2,000,000 in each fiscal year shall be used to reimburse the Ohio Board of Regents pursuant to section 5101.801 of the Revised Code for initiatives addressing postsecondary tuition and educational expenses not covered by other grant programs that target low-income students.

CHABAD HOUSE

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$250,000 in fiscal year 2008 shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, the Chabad House for the Friendship Circle program. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

COURT CLINIC FORENSIC SERVICES

Of the foregoing appropriation 600-689, TANF Block Grant (Fund 3V6), up to \$200,000 in fiscal year 2008 shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, Court Clinic Forensic Services for establishment of an intense program of education, job training, and job placement to divert women from local jails and state prisons and to reduce recidivism. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009.

The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

BIG BROTHERS BIG SISTERS

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$1,000,000 in fiscal year 2008 shall be used to reimburse Big Brothers Big Sisters of Central Ohio, in accordance with section 5101.801 of the Revised Code, for child mentoring services. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

WECO HOME PROGRAM

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$2,000,000 in fiscal year 2008 shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, WECO Fund, Inc., for an individual development account program that helps participants purchase homes. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

ECONOMIC AND COMMUNITY DEVELOPMENT INSTITUTE

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$650,000 in each fiscal year shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, the Economic and Community Development Institute for matching funds provided to TANF eligible individuals through an individual development accounts program.

EARLY CHILDHOOD EDUCATION PILOT

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$50,000 in each fiscal year shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, the Alliance Early Childhood Education Pilot Project.

OHIO COUNCIL OF URBAN LEAGUES

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$1,000,000 in fiscal year 2008 shall be used to reimburse the Ohio Council of Urban Leagues, in accordance with section 5101.801 of the Revised Code, for career development programs that provide opportunities for eligible individuals to develop a career path in a desired employment area. Any amount of this earmark that remains unspent at the end of fiscal year 2008 may be transferred to fiscal year 2009. The opportunity for reimbursement for the purposes for which this earmark is intended shall expire June 30, 2009.

A CULTURAL EXCHANGE

Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$200,000 in fiscal year 2008 shall be used to reimburse, in accordance with section 5101.801 of the Revised Code, A Cultural Exchange for continuation of the TANF demonstration project, Bank on Book: Investing in our Families.

HOME ENERGY ASSISTANCE PROGRAM

The Department of Job and Family Services shall transfer, through intrastate transfer voucher, \$45,000,000 in cash in fiscal year 2008 and \$15,000,000 in fiscal year 2009 from Fund 3V6, TANF Block Grant, to Fund 3BJ, TANF Heating Assistance, in the Department of Development, in accordance with an interagency agreement. The Departments of Job and Family Services and Development shall enter into an interagency agreement for providing reimbursement to the Department of Development to administer the Title IV-A funded Home Energy Assistance Program (HEAP), which provides assistance with home energy fuel costs to needy families with children.

If the Department of Development receives approval for a federal waiver to increase the percentage of the Home Energy Block Grant that may be used for weatherization to sixteen and one-half per cent in fiscal year 2008 and seventeen and one-half per cent in fiscal year 2009, the Department of Job and Family Services shall increase the amount of reimbursement to the Department of Development from Fund 3V6, TANF Block Grant, for the Title IV-A funded Home Energy Assistance Program by an amount equal to the additional amounts used for weatherization under the federal waiver.

The directors of Job and Family Services and Development shall seek Controlling Board approval to adjust the appropriations for appropriation item 600-689, TANF Block Grant, in the Department of Job and Family Services and appropriation item 195-685, TANF Heating Assistance, in the Department of Development, as needed to carry out the purposes described in the preceding paragraph.

SECTION 309.40.49. OHIO WORKS FIRST DOMESTIC VIOLENCE RULES

The Director of Job and Family Services shall adopt the initial rules under divisions (A)(14), (15), and (16) of section 5107.05 of the Revised Code not later than January 1, 2008.

SECTION 309.40.60. EARLY LEARNING INITIATIVE

(A) As used in this section:

(1) "Title IV-A services" means benefits and services that are allowable under Title IV-A of the "Social Security Act," as specified in 42 U.S.C. 604(a), except that they shall not be benefits and services included in the term "assistance" as defined in 45 C.F.R. 260.31(a) and shall be benefits and services that are excluded from the definition of the term "assistance" under 45 C.F.R. 260.31(b).

(2) "Title IV-A funds" means funds provided under the temporary assistance for needy families block grant established by Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended.

(3) "Eligible child" means a child who is at least three years of age but not of compulsory school age or enrolled in kindergarten, is eligible for Title IV-A services, and whose family income at the time of application does not exceed one hundred eighty-five per cent of the federal poverty line in fiscal year 2008 or two hundred per cent of the federal poverty line in fiscal year 2009.

(4) "Early learning program" means a program for eligible children that is funded with Title IV-A funds and provides Title IV-A services, according to the purposes listed in 45 C.F.R. 260.20(c), that are early learning services, as defined by pursuant to division (D)(1) of this section.

(5) "Early learning provider" means an entity that is receiving Title IV-A funds to operate an early learning program.

(6) "Early learning agency" means an early learning provider or an entity that has entered into an agreement with an early learning provider requiring the early learning provider to operate an early learning program on behalf of the entity.

(7) "Federal poverty line" has the same meaning as in section 5104.01 of the Revised Code.

(8) "Of compulsory school age" has the same meaning as in section 3321.01 of the Revised Code.

(B) The Early Learning Initiative is hereby established. The Department of Education and the Department of Job and Family Services shall administer the Initiative in accordance with sections 5101.80 and 5101.801 of the Revised Code. The Initiative shall provide early learning services to eligible children. Early learning programs may provide early learning services on a full-day basis, a part-day basis, or both a full-day and part-day basis.

(C) The Department of Job and Family Services shall do both of the

following:

(1) Reimburse early learning agencies for Title IV-A services provided to eligible children according to the terms of the contract and the rules adopted under division (C)(2) of this section;

(2) In consultation with the Department of Education, adopt rules in accordance with Chapter 119. of the Revised Code to implement the Early Learning Initiative. The rules shall include all of the following:

(a) Provisions regarding the establishment of co-payments for families of eligible children whose family income is more than one hundred sixty-five per cent of the federal poverty line but equal to or less than the maximum amount of family income authorized for an eligible child as defined in division (A)(3) of this section;

(b) An exemption from co-payment requirements for families whose family income is equal to or less than one hundred sixty-five per cent of the federal poverty line;

(c) A definition of "enrollment" for the purpose of compensating early learning agencies;

(d) Provisions that establish compensation rates for early learning agencies based on the enrollment of eligible children.

(D) The Department of Education shall do all of the following:

(1) Define the early learning services that will be provided to eligible children through the Early Learning Initiative;

(2) In consultation with the Department of Job and Family Services, develop an application form and criteria for the selection of early learning agencies. The criteria shall require an early learning agency, or each early learning provider with which the agency has entered into an agreement for the operation of an early learning program on the agency's behalf, to be licensed or certified by the Department of Education under sections 3301.52 to 3301.59 of the Revised Code or by the Department of Job and Family Services under Chapter 5104. of the Revised Code;

(3) Establish early learning program guidelines for school readiness to assess the operation of early learning programs.

(E) Any entity that seeks to be an early learning agency shall apply to the Department of Education by a deadline established by the Department. The Department of Education shall select entities that meet the criteria established under division (D)(2) of this section to be early learning agencies. Upon selection of an entity to be an early learning agency, the Department of Education shall designate the number of eligible children the agency may enroll. The Department of Education shall notify the Department of Job and Family Services of the number so designated.

(F) The Department of Education and the Department of Job and Family Services shall enter into a contract with each early learning agency selected under division (E) of this section. The requirements of section 127.16 of the Revised Code do not apply to contracts entered into under this section. The contract shall outline the terms and conditions applicable to the provision of Title IV-A services for eligible children and shall include at least the following:

(1) The respective duties of the early learning agency, the Department of Education, and the Department of Job and Family Services;

(2) Requirements applicable to the allowable use of and accountability for Title IV-A compensation paid under the contract;

(3) Reporting requirements, including a requirement that the early learning provider inform the Department of Education when the provider learns that a kindergarten eligible child will not be enrolled in kindergarten;

(4) The compensation schedule payable under the contract;

(5) Audit requirements;

(6) Provisions for suspending, modifying, or terminating the contract.

(G) If an early learning agency, or an early learning provider operating an early learning program on the agency's behalf, substantially fails to meet the early learning program guidelines for school readiness or exhibits substandard performance, as determined by the Department of Education, the agency shall develop and implement a corrective action plan. The Department of Education shall approve the corrective action plan prior to implementation.

(H) If an early learning agency fails to implement a corrective action plan under division (G) of this section, the Department of Education may direct the Department of Job and Family Services to either withhold funding or request that the Department of Job and Family Services suspend or terminate the contract with the agency.

(I) Each early learning program shall do all of the following:

(1) Meet teacher qualification requirements prescribed by section 3301.311 of the Revised Code;

(2) Align curriculum to the early learning content standards;

(3) Meet any assessment requirements prescribed by section 3301.0715 of the Revised Code that apply to the program;

(4) Require teachers, except teachers enrolled and working to obtain a degree pursuant to section 3301.311 of the Revised Code, to attend a minimum of twenty hours per biennium of professional development as prescribed by the Department of Education regarding the implementation of early learning program guidelines for school readiness;

(5) Document and report child progress;

(6) Meet and report compliance with the early learning program guidelines for school success;

(7) Participate in early language and literacy classroom observation evaluation studies.

(J) Each county Department of Job and Family Services shall determine eligibility for Title IV-A services for children seeking to enroll in an early learning program within fifteen days after receipt of a completed application in accordance with rules adopted under this section.

(K) The provision of early learning services in an early learning program shall not prohibit or otherwise prevent an individual from obtaining certificates for payment under division (C) of section 5104.32 of the Revised Code.

(L) Notwithstanding section 126.07 of the Revised Code:

(1) Any fiscal year 2008 contract executed prior to July 1, 2007, between the Departments of Job and Family Services and Education and an early learning agency that was not an early learning agency as of June 30, 2007, shall be deemed to be effective as of July 1, 2007, upon issuance of a state purchase order, even if the purchase order is approved at some later date.

(2) Any fiscal year 2008 contract executed between the Departments of Job and Family Services and Education and an early learning agency that had a valid contract for early learning services on June 30, 2007, shall be deemed to be effective as of July 1, 2007, upon the issuance of a state purchase order, even if the purchase order is approved at some later date.

(3) Any fiscal year 2009 contract executed prior to July 1, 2008, between the Departments of Job and Family Services and Education and an early learning agency that was not an early learning agency as of June 30, 2008, shall be deemed to be effective as of July 1, 2008, upon issuance of a state purchase order, even if the purchase order is approved at some later date.

(4) Any fiscal year 2009 contract executed between the Departments of Job and Family Services and Education and an early learning agency that had a valid contract for early learning services on June 30, 2008, shall be deemed to be effective as of July 1, 2008, upon the issuance of a state purchase order, even if the purchase order is approved at some later date.

(M) Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$125,256,000 shall be used in each fiscal year to compensate early learning agencies under this section. The Departments of Job and Family Services and Education shall contract for up to 12,000

enrollment slots for eligible children in each fiscal year through the Early Learning Initiative.

(N) Of the foregoing appropriation item 600-689, TANF Block Grant (Fund 3V6), up to \$800,000 in each fiscal year may be used by the Department of Job and Family Services for administration of the Early Learning Initiative.

(O) Up to \$2,200,000 in each fiscal year may be used by the Department of Education to perform administrative functions for the Early Learning Initiative. The Department of Job and Family Services shall transfer, through intrastate transfer vouchers, cash from Fund 3V6, TANF Block Grant, to Fund 5W2, Early Learning Initiative, in the Department of Education. The amount transferred shall not exceed \$2,200,000 in fiscal year 2008 and \$2,200,000 in fiscal year 2009. The transfer shall occur on a reimbursement basis on a schedule developed and agreed to by both departments.

SECTION 309.50. CHILDREN AND FAMILIES

SECTION 309.50.03. FOSTER CARE REFORM

Of the foregoing appropriation item 600-423, Office of Children and Families, \$1,300,000 in each fiscal year shall be used to pay for foster care audit workers and related administrative expenses for state staff.

Of the foregoing appropriation item 600-523, Children and Families Services, \$9,100,000 in each fiscal year shall be provided to counties for foster care related expenses, including, but not limited to, upfront services, counseling, intake workers, foster care staff, case workers, and trainers.

SECTION 309.50.06. ADULT PROTECTIVE SERVICES

The foregoing appropriation item 600-534, Adult Protective Services, shall be distributed to counties for the provision of services to adults who are in need of protective services. The Department of Job and Family Services shall adopt rules in accordance with Chapter 119. of the Revised Code to establish a formula for distribution of the moneys to the counties, including a requirement that counties put forth a maintenance of effort to be eligible for these moneys ensuring that these moneys are in addition to dollars currently spent on adult protective service efforts and not used to replace other sources of funding.

SECTION 309.50.10. CHILD WELFARE TRAINING INITIATIVE

In each fiscal year, the Department of Job and Family Services shall grant \$50,000 from appropriation item 600-528, Adoption Services, and \$150,000 from appropriation item 600-606, Child Welfare (Fund 327), to the National Center for Adoption Law and Policy to fund a multi-disciplinary child welfare training initiative. The Department of Job and Family Services shall coordinate with the National Center for Adoption Law and Policy to determine the focus of the training provided each year.

ADOPTION LAWSITE INITIATIVE

In each fiscal year, the Department of Job and Family Services shall grant \$37,500 from appropriation item 600-528, Adoption Services, and \$112,500 from appropriation item 600-606, Child Welfare (Fund 327), to the National Center for Adoption Law and Policy to fund expansion of the Adoption LawSite Initiative.

SECTION 309.50.20. CHILDREN'S TRUST FUND

Notwithstanding sections 3109.13 to 3109.18 of the Revised Code, in each fiscal year, the Director of Budget and Management shall transfer \$1,500,000 cash from the Children's Trust Fund (Fund 198) in the Department of Job and Family Services to the Partnerships for Success Fund (Fund 5BH) in the Department of Youth Services.

SECTION 309.50.50. VISITING NURSE ASSOCIATION - READY SENIORS

Notwithstanding section 5101.46 of the Revised Code and prior to allocations for administration and training, of the foregoing appropriation item 600-620, Social Services Block Grant, up to \$250,000 in each fiscal year shall be reimbursed to the Visiting Nurses Association of Cleveland, pursuant to a grant agreement entered into by the Visiting Nurses Association of Cleveland and the Department of Job and Family Services, for costs of expanding the Ready Seniors software program that are allowable under state and federal law governing the use of the Block Grant.

SECTION 309.50.60. CHILD PLACEMENT LEVEL OF CARE TOOL PILOT

(A) Contingent upon the availability of funding, the Ohio Department of Job and Family Services shall implement and oversee use of a Child

Placement Level of Care Tool on a pilot basis. The Department shall implement the pilot program in Cuyahoga County and not more than nine additional counties selected by the Department. The pilot program shall be developed with the participating counties and must be acceptable to all participating counties. A selected county must agree to participate in the pilot program.

(B) The pilot program shall begin not later than July 1, 2008, and end not later than December 31, 2009. The length of the program shall not include any time expended in preparation for implementation or any post-pilot program evaluation activity.

(C)(1) In accordance with sections 125.01 to 125.11 of the Revised Code, the Ohio Department of Job and Family Services shall provide for an independent evaluation of the pilot program to rate the program's success in the following areas:

- (a) Placement stability, length of stay, and other outcomes for children;
- (b) Cost;
- (c) Worker satisfaction;
- (d) Any other criteria the Department determines will be useful in the consideration of statewide implementation.

(2) The evaluation design shall include:

- (a) A comparison of data to historical outcomes or control counties;
- (b) A retrospective data review of Cuyahoga County's use of the tool;
- (c) A prospective data evaluation in each of the pilot counties.

(D) The Ohio Department of Mental Health shall conduct a study of the children placed using the Child Placement Level of Care Tool, which shall run concurrent with the Ohio Department of Job and Family Services Child Placement Level of Care Tool pilot program. This study shall use both the Child Placement Level of Care Tool and the Ohio Scales in a simultaneous collection of information about children at the time a placement decision is made. Simultaneous data collection using the Ohio Scales and the Placement Level of Care Tool shall be coordinated through collaboration between the Ohio Department of Mental Health and the independent evaluator designated under division (C) of this section to ensure study design integrity and cost efficiency.

Based on this data collection from the Ohio Scales and the Child Placement Level of Care Tool, the study shall focus on analyzing any correlations between the initial placement outcomes and initial scores of problem severity and behavioral health functioning. Through a data sharing agreement with the independent evaluator designated in division (C) of this section, the Department of Mental Health shall also analyze data from

subsequent administrations of the Ohio Scales Tool and changes in placement level of care for any correlations. Upon completion of the study, the Ohio Department of Mental Health shall send a copy of the results of the study to the independent evaluator designated under division (C) of this section.

(E) The independent evaluator designated under division (C) of this section shall send a copy of the evaluator's initial evaluation of the Child Placement Level of Care Tool, the Ohio Department of Mental Health's calibration study designated under division (D) of this section, and the continuity of care analysis designated under division (D) of this section to the Ohio Department of Job and Family Services.

(F) The Ohio Department of Job and Family Services may adopt rules in accordance with Chapter 119. of the Revised Code as necessary to carry out the purposes of this section. The Department shall seek maximum federal financial participation to support the pilot and the evaluation.

(G) Notwithstanding division (E) of section 5101.141 of the Revised Code, the Department of Job and Family Services shall use up to \$1,000,000 of appropriation item 600-663, Children and Family Support, over the biennium to implement the Child Placement Level of Care Tool pilot program described in this section and to contract for the independent evaluation of the pilot program.

(H) As used in this section:

(1) "Child Placement Level of Care Tool" means an assessment tool to be developed by the participating counties to assess a child's placement needs when a child must be removed from the child's own home and cannot be placed with a relative or kin not certified as a foster caregiver that includes assessing a child's behavior, history, psychological state, and the involvement of service systems.

(2) "Ohio Scales Tool" means the Ohio Youth Problems, Functioning, ROLES, and Marker Scales (Ohio Scales, Worker Form) used by the Ohio Department of Mental Health to measure outcomes for youth ages five to eighteen.

SECTION 309.50.70. OHIO BENEFIT BANK

Of the foregoing appropriation item 600-659, TANF/Title XX, up to \$299,276 in fiscal year 2008 and up to \$472,366 in fiscal year 2009 shall be used by the Governor's Office of Faith-Based and Community Initiatives to support the Ohio Benefit Bank, a web-enabled, counselor-assisted, program for low- and moderate-income Ohioans.

SECTION 309.50.80. EARLY CARE AND EDUCATION

Before July 1, 2008, the departments of Job and Family Services and Education shall develop a fiscal model bringing together early care and education programs under one funding system that will provide all children with access to affordable quality care and education.

SECTION 309.70. WORKFORCE DEVELOPMENT**SECTION 309.70.10. TRANSFER TO THE MILITARY INJURY RELIEF FUND**

In each year of the biennium, the Director of Job and Family Services shall certify to the Director of Budget and Management the total amount of incentive grants deposited into Fund 331, Federal Operating, on behalf of state and county employees and other individuals, entities, and persons with exemplary service to veterans under an approved employment service delivery program defined in the "Jobs for Veterans Act," 116 Stat. 2033 (2002), as approved by the United States Department of Labor. The Director of Budget and Management shall transfer cash equal to the amount certified by the Director of Job and Family Services from Fund 331 to Fund 5DB, Military Injury Relief Fund. The transferred funds shall be used to support grants to eligible individuals under section 5101.98 of the Revised Code and rules adopted in accordance with that section.

SECTION 309.70.20. WORKFORCE DEVELOPMENT GRANT AGREEMENT

The Department of Job and Family Services may use appropriations from appropriation item 600-688, Workforce Investment Act, to provide financial assistance for workforce development activities included in a grant agreement entered into by the department in accordance with section 5101.20 of the Revised Code.

OHIO STATE APPRENTICESHIP COUNCIL

Of the foregoing appropriation item 600-688, Workforce Investment Act, up to \$1,900,000 in fiscal year 2008 and up to \$2,200,000 in fiscal year 2009 may be used to support the activities of the Ohio State Apprenticeship Council.

YOUTH EMPLOYMENT PROGRAMS

Of the foregoing appropriation item 600-688, Workforce Investment

Act, up to \$6,000,000 over the biennium shall be used for competitive grants to eight major urban centers and four other locations, at least two of which are rural, to provide strategies and programs that meet the needs of at-risk youth. The program shall target youth who have disengaged from the education system and youthful offenders who will be returning to their communities. Eligible grant applications include governmental units, workforce investment boards, and not-for-profit and for-profit entities. Grant funds may be used for youth wages and benefits, supervisory costs, training and support costs, and infrastructure expenses. Grant funds may not be used for construction or renovation of facilities.

THIRD FRONTIER INTERNSHIP PROGRAM

Of the foregoing appropriation item 600-688, Workforce Investment Act, \$1,500,000 in each fiscal year shall be used to support the Third Frontier Internship program.

NURSE EDUCATION ASSISTANCE

Of the foregoing appropriation item 600-688, Workforce Investment Act, \$700,000 in each fiscal year shall be used to support the Nurse Education Assistance program described in division (C)(1)(a) of section 3333.28 of the Revised Code.

SECTION 309.80. UNEMPLOYMENT COMPENSATION

SECTION 309.80.10. EMPLOYER SURCHARGE

The surcharge and the interest on the surcharge amounts due for calendar years 1988, 1989, and 1990 as required by Am. Sub. H.B. 171 of the 117th General Assembly, Am. Sub. H.B. 111 of the 118th General Assembly, and section 4141.251 of the Revised Code as it existed prior to its repeal by Sub. H.B. 478 of the 122nd General Assembly, again shall be assessed and collected by, accounted for, and made available to the Department of Job and Family Services in the same manner as set forth in section 4141.251 of the Revised Code as it existed prior to its repeal by Sub. H.B. 478 of the 122nd General Assembly, notwithstanding the repeal of the surcharge for calendar years after 1990, pursuant to Sub. H.B. 478 of the 122nd General Assembly, except that amounts received by the Director on or after July 1, 2001, shall be deposited into the Unemployment Compensation Special Administrative Fund (Fund 4A9) established pursuant to section 4141.11 of the Revised Code.

SECTION 309.80.20. FEDERAL UNEMPLOYMENT PROGRAMS

All unexpended funds remaining at the end of fiscal year 2007 that were appropriated and made available to the state under section 903(d) of the Social Security Act, as amended, in the foregoing appropriation item 600-678, Federal Unemployment Programs (Fund 3V4), are hereby appropriated to the Department of Job and Family Services. Upon the request of the Director of Job and Family Services, the Director of Budget and Management may increase the appropriation for fiscal year 2008 by the amount remaining unspent from the fiscal year 2007 appropriation and may increase the appropriation for fiscal year 2009 by the amount remaining unspent from the fiscal year 2008 appropriation. The appropriation shall be used under the direction of the Department of Job and Family Services to pay for administrative activities for the Unemployment Insurance Program, employment services, and other allowable expenditures under section 903(d) of the Social Security Act, as amended.

The amounts obligated pursuant to this section shall not exceed at any time the amount by which the aggregate of the amounts transferred to the account of the state under section 903(d) of the Social Security Act, as amended, exceeds the aggregate of the amounts obligated for administration and paid out for benefits and required by law to be charged against the amounts transferred to the account of the state.

SECTION 311.10. JCO JUDICIAL CONFERENCE OF OHIO

General Revenue Fund

GRF 018-321	Operating Expenses	\$	985,710	\$	1,015,281
TOTAL GRF General Revenue Fund		\$	985,710	\$	1,015,281

General Services Fund Group

403 018-601	Ohio Jury Instructions	\$	350,000	\$	350,000
TOTAL GSF General Services Fund Group		\$	350,000	\$	350,000
TOTAL ALL BUDGET FUND GROUPS		\$	1,335,710	\$	1,365,281

STATE COUNCIL OF UNIFORM STATE LAWS

Notwithstanding section 105.26 of the Revised Code, of the foregoing appropriation item 018-321, Operating Expenses, up to \$71,000 in fiscal year 2008 and up to \$73,000 in fiscal year 2009 may be used to pay the expenses of the State Council of Uniform State Laws, including membership dues to the National Conference of Commissioners on Uniform State Laws.

OHIO JURY INSTRUCTIONS FUND

The Ohio Jury Instructions Fund (Fund 403) shall consist of grants, royalties, dues, conference fees, bequests, devises, and other gifts received

for the purpose of supporting costs incurred by the Judicial Conference of Ohio in dispensing educational and informational data to the state's judicial system. Fund 403 shall be used by the Judicial Conference of Ohio to pay expenses incurred in dispensing educational and informational data to the state's judicial system. All moneys accruing to Fund 403 in excess of \$350,000 in fiscal year 2008 and in excess of \$350,000 in fiscal year 2009 are hereby appropriated for the purposes authorized.

No money in the Ohio Jury Instructions Fund shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board.

SECTION 313.10. JSC THE JUDICIARY/SUPREME COURT

General Revenue Fund

GRF 005-321	Operating Expenses - Judiciary/Supreme Court	\$	127,778,192	\$	133,144,970
GRF 005-401	State Criminal Sentencing Council	\$	331,500	\$	336,770
GRF 005-406	Law-Related Education	\$	229,290	\$	236,172
GRF 005-409	Ohio Courts Technology Initiative	\$	4,000,000	\$	6,500,000
GRF 005-502	Legal Education Opportunity	\$	250,000	\$	350,000
TOTAL GRF General Revenue Fund		\$	132,588,982	\$	140,567,912

General Services Fund Group

672 005-601	Continuing Judicial Education	\$	136,000	\$	140,000
TOTAL GSF General Services Fund Group		\$	136,000	\$	140,000

Federal Special Revenue Fund Group

3J0 005-603	Federal Grants	\$	1,518,491	\$	1,467,693
TOTAL FED Federal Special Revenue Fund Group		\$	1,518,491	\$	1,467,693

State Special Revenue Fund Group

4C8 005-605	Attorney Services	\$	3,841,416	\$	3,936,058
5T8 005-609	Grants and Awards	\$	100,000	\$	100,000
6A8 005-606	Supreme Court Admissions	\$	1,496,633	\$	1,541,532
TOTAL SSR State Special Revenue Fund Group		\$	5,438,049	\$	5,577,590

TOTAL ALL BUDGET FUND GROUPS		\$	139,681,522	\$	147,753,195
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LAW-RELATED EDUCATION

The foregoing appropriation item 005-406, Law-Related Education, shall be distributed directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs.

OHIO COURTS TECHNOLOGY INITIATIVE

The foregoing appropriation item 005-409, Ohio Courts Technology

Initiative, shall be used to fund an initiative by the Supreme Court to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners through the creation of an Ohio Courts Network, the delivery of technology services to courts throughout the state, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel, and the creation and operation of the Commission on Technology and the Courts by the Supreme Court for the promulgation of statewide rules, policies, and uniform standards, and to aid in the orderly adoption and comprehensive use of technology in Ohio courts.

LEGAL EDUCATION OPPORTUNITY

The foregoing appropriation item 005-502, Legal Education Opportunity, shall be used to fund activities undertaken at the direction of the Chief Justice of the Supreme Court for purposes of introducing minority, low-income, and educationally disadvantaged Ohio students to the legal system and providing educational opportunities to those same students who are preparing for college and interested in the pursuit of a legal career. The foregoing appropriation item 005-502, Legal Education Opportunity, may be used by the Supreme Court, in cooperation with other entities, to establish and provide programs, courses, and activities consistent with the purposes set forth in this paragraph and to pay the associated administrative costs.

CONTINUING JUDICIAL EDUCATION

The Continuing Judicial Education Fund (Fund 672) shall consist of fees paid by judges and court personnel for attending continuing education courses and other gifts and grants received for the purpose of continuing judicial education. The foregoing appropriation item 005-601, Continuing Judicial Education, shall be used to pay expenses for continuing education courses for judges and court personnel. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

No money in the Continuing Judicial Education Fund shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. Interest earned on moneys in the Continuing Judicial Education Fund shall be credited to the fund.

FEDERAL GRANTS

The Federal Grants Fund (Fund 3J0) shall consist of grants and other moneys awarded to the Supreme Court (The Judiciary) by the United States Government or other entities that receive the moneys directly from the United States Government and distribute those moneys to the Supreme

Court (The Judiciary). The foregoing appropriation item 005-603, Federal Grants, shall be used in a manner consistent with the purpose of the grant or award. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

No money in the Federal Grants Fund shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. However, interest earned on moneys in the Federal Grants Fund shall be credited or transferred to the General Revenue Fund.

ATTORNEY SERVICES

The Attorney Services Fund (Fund 4C8), formerly known as the Attorney Registration Fund, shall consist of moneys received by the Supreme Court (The Judiciary) pursuant to the Rules for the Government of the Bar of Ohio. In addition to funding other activities considered appropriate by the Supreme Court, the foregoing appropriation item 005-605, Attorney Services, may be used to compensate employees and to fund appropriate activities of the following offices established by the Supreme Court: the Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

No moneys in the Attorney Services Fund shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. Interest earned on moneys in the Attorney Services Fund shall be credited to the fund.

GRANTS AND AWARDS

The Grants and Awards Fund (Fund 5T8) shall consist of grants and other moneys awarded to the Supreme Court (The Judiciary) by the State Justice Institute, the Division of Criminal Justice Services, or other entities. The foregoing appropriation item 005-609, Grants and Awards, shall be used in a manner consistent with the purpose of the grant or award. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

No moneys in the Grants and Awards Fund shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. However, interest earned on moneys in the Grants and Awards Fund shall be credited or transferred to the General Revenue Fund.

SUPREME COURT ADMISSIONS

The foregoing appropriation item 005-606, Supreme Court Admissions, shall be used to compensate Supreme Court employees who are primarily responsible for administering the attorney admissions program under the Rules for the Government of the Bar of Ohio, and to fund any other activities considered appropriate by the court. Moneys shall be deposited into the Supreme Court Admissions Fund (Fund 6A8) under the Supreme Court Rules for the Government of the Bar of Ohio. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

No moneys in the Supreme Court Admissions Fund shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. Interest earned on moneys in the Supreme Court Admissions Fund shall be credited to the fund.

FUND ELIMINATION

Effective July 1, 2007, or as soon as practicable thereafter, the Director of Budget and Management shall transfer the cash balance in the Commission on Continuing Legal Education Fund (Fund 643) to the Attorney Services Fund (Fund 4C8). The director shall cancel any existing encumbrances against appropriation item 005-607, Commission on Continuing Legal Education, and re-establish them against appropriation item 005-605, Attorney Services. The amounts of the re-established encumbrances are hereby appropriated. Upon completion of these transfers, the Commission on Continuing Legal Education Fund (Fund 643) is hereby abolished.

TRANSFER OF UNENCUMBERED GRF APPROPRIATION AUTHORITY FOR INDIGENT DEFENSE

On July 1, 2008, or as soon as practicable thereafter, the Administrative Director of the Supreme Court shall certify to the Director of Budget and Management the total fiscal year 2008 unencumbered appropriations in appropriation item 005-321, Operating Expenses - Judiciary/Supreme Court. The Director of Budget and Management shall transfer that certified amount of unencumbered fiscal year 2008 appropriations to fiscal year 2009 for use within the Ohio Public Defender Commission's appropriation item 019-501, County Reimbursement. The amount certified and transferred is hereby appropriated to the Ohio Public Defender Commission's appropriation item 019-501, County Reimbursement, in fiscal year 2009.

SECTION 315.10. LEC LAKE ERIE COMMISSION

State Special Revenue Fund Group

4C0 780-601	Lake Erie Protection Fund	\$	450,000	\$	450,000
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5D8 780-602 Lake Erie Resources Fund	\$	387,000	\$	388,000
TOTAL SSR State Special Revenue				
Fund Group	\$	837,000	\$	838,000
TOTAL ALL BUDGET FUND GROUPS	\$	837,000	\$	838,000

CASH TRANSFER

Not later than the thirtieth day of November of each fiscal year, the Executive Director of the Ohio Lake Erie Office, with the approval of the Lake Erie Commission, shall certify to the Director of Budget and Management the cash balance in the Lake Erie Resources Fund (Fund 5D8) in excess of amounts needed to meet operating expenses of the Lake Erie Office. The Lake Erie Office may request the Director of Budget and Management to transfer up to the certified amount from the Lake Erie Resources Fund (Fund 5D8) to the Lake Erie Protection Fund (Fund 4C0). The Director of Budget and Management may transfer the requested amount, or the Director may transfer a different amount up to the certified amount. Cash transferred shall be used for the purposes described in division (A) of section 1506.23 of the Revised Code. The amount transferred by the director is hereby appropriated to the foregoing appropriation item 780-601, Lake Erie Protection Fund, which shall be increased by the amount transferred.

SECTION 317.10. LRS LEGAL RIGHTS SERVICE**General Revenue Fund**

GRF 054-321 Support Services	\$	198,075	\$	198,075
GRF 054-401 Ombudsman	\$	291,247	\$	291,247
TOTAL GRF General Revenue Fund	\$	489,322	\$	489,322

General Services Fund Group

5M0 054-610 Program Support	\$	81,352	\$	81,352
TOTAL GSF General Services				
Fund Group	\$	81,352	\$	81,352

Federal Special Revenue Fund Group

3AG 054-613 Protection and Advocacy - Voter Accessibility	\$	115,000	\$	115,000
3B8 054-603 Protection and Advocacy - Mentally Ill	\$	1,089,999	\$	1,089,999
3CA 054-615 Work Incentives Planning and Assistance	\$	355,000	\$	355,000
3N3 054-606 Protection and Advocacy - Individual Rights	\$	560,000	\$	560,000
3N9 054-607 Assistive Technology	\$	160,000	\$	160,000
3R9 054-604 Family Support Collaborative	\$	55,000	\$	55,000
3R9 054-616 Developmental Disability Publications	\$	130,000	\$	130,000
3T2 054-609 Client Assistance Program	\$	435,000	\$	435,000
3X1 054-611 Protection and Advocacy for Beneficiaries of Social	\$	235,001	\$	235,001

	Security			
3Z6	054-612	Traumatic Brain Injury	\$	70,000 \$ 70,000
305	054-602	Protection and Advocacy - Developmentally Disabled	\$	1,500,000 \$ 1,500,000
TOTAL FED Federal Special Revenue				
	Fund Group		\$	4,705,000 \$ 4,705,000
State Special Revenue Fund Group				
5AE	054-614	Grants and Contracts	\$	100,000 \$ 100,000
TOTAL SSR State Special Revenue Fund			\$	100,000 \$ 100,000
Group				
TOTAL ALL BUDGET FUND GROUPS			\$	5,375,674 \$ 5,375,674

SECTION 319.10. JLE JOINT LEGISLATIVE ETHICS COMMITTEE

General Revenue Fund

GRF	028-321	Legislative Ethics Committee	\$	550,000 \$ 550,000
TOTAL GRF General Revenue Fund			\$	550,000 \$ 550,000

General Services Fund Group

4G7028-601	Joint Legislative Ethics Committee	\$	100,000 \$ 100,000
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TOTAL GSF General Services			\$	100,000 \$ 100,000
Fund Group				

TOTAL ALL BUDGET FUND GROUPS			\$	650,000 \$ 650,000
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SECTION 321.10. LSC LEGISLATIVE SERVICE COMMISSION

General Revenue Fund

GRF	035-321	Operating Expenses	\$	14,917,700 \$ 14,917,700
GRF	035-402	Legislative Interns	\$	1,022,120 \$ 1,022,120
GRF	035-405	Correctional Institution Inspection Committee	\$	438,900 \$ 438,900

GRF	035-409	National Associations	\$	460,560 \$ 460,560
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GRF	035-410	Legislative Information Systems	\$	3,661,250 \$ 3,661,250
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TOTAL GRF General Revenue Fund			\$	20,500,530 \$ 20,500,530
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General Services Fund Group

4F6	035-603	Legislative Budget Services	\$	154,025 \$ 154,025
410	035-601	Sale of Publications	\$	25,250 \$ 25,250

5EF	035-607	House and Senate Telephone Usage	\$	30,000 \$ 30,000
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TOTAL GSF General Services			\$	209,275 \$ 209,275
Fund Group				

TOTAL ALL BUDGET FUND GROUPS			\$	20,709,805 \$ 20,709,805
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JOINT LEGISLATIVE COMMITTEE ON MEDICAID
TECHNOLOGY AND REFORM

Of the foregoing appropriation item 035-321, Operating Expenses, \$100,000 in each fiscal year shall be used for costs associated with

employing an executive director for the Joint Legislative Committee on Medicaid Technology and Reform as authorized by division (C) of section 101.391 of the Revised Code.

SECTION 323.10. LIB STATE LIBRARY BOARD

General Revenue Fund

GRF 350-321	Operating Expenses	\$	6,298,677	\$	6,298,677
GRF 350-400	Ohio Public Library Information Network	\$	4,330,000	\$	4,330,000
GRF 350-401	Ohioana Rental Payments	\$	124,816	\$	124,816
GRF 350-501	Library for the Blind-Cincinnati	\$	535,615	\$	535,615
GRF 350-502	Regional Library Systems	\$	1,010,441	\$	1,010,441
GRF 350-503	Library for the Blind-Cleveland	\$	805,642	\$	805,642
TOTAL GRF General Revenue Fund		\$	13,105,191	\$	13,105,191

General Services Fund Group

139 350-602	Intra-Agency Service Charges	\$	9,000	\$	9,000
4S4 350-604	Ohio Public Library Information Network Technology	\$	3,000,000	\$	3,000,000
459 350-602	Library Service Charges	\$	2,708,092	\$	2,708,092
TOTAL GSF General Services Fund Group		\$	5,717,092	\$	5,717,092

Federal Special Revenue Fund Group

313 350-601	LSTA Federal	\$	5,691,792	\$	5,691,792
TOTAL FED Federal Special Revenue Fund Group		\$	5,691,792	\$	5,691,792
TOTAL ALL BUDGET FUND GROUPS		\$	24,514,075	\$	24,514,075

OHIOANA RENTAL PAYMENTS

The foregoing appropriation item 350-401, Ohioana Rental Payments, shall be used to pay the rental expenses of the Martha Kinney Cooper Ohioana Library Association pursuant to section 3375.61 of the Revised Code.

LIBRARY FOR THE BLIND-CINCINNATI

The foregoing appropriation item 350-501, Library for the Blind-Cincinnati, shall be used for the Talking Book program, which assists the blind and disabled.

REGIONAL LIBRARY SYSTEMS

The foregoing appropriation item 350-502, Regional Library Systems, shall be used to support regional library systems eligible for funding under sections 3375.83 and 3375.90 of the Revised Code.

LIBRARY FOR THE BLIND-CLEVELAND

The foregoing appropriation item 350-503, Library for the Blind-Cleveland, shall be used for the Talking Book program, which assists

the blind and disabled.

OHIO PUBLIC LIBRARY INFORMATION NETWORK

The foregoing appropriation items 350-604, Ohio Public Library Information Network Technology, and 350-400, Ohio Public Library Information Network, shall be used for an information telecommunications network linking public libraries in the state and such others as may be certified as participants by the Ohio Public Library Information Network Board.

The Ohio Public Library Information Network Board shall consist of eleven members appointed by the State Library Board from among the staff of public libraries and past and present members of boards of trustees of public libraries, based on the recommendations of the Ohio library community. The Ohio Public Library Information Network Board, in consultation with the State Library, shall develop a plan of operations for the network. The board may make decisions regarding use of the foregoing appropriation items 350-400, Ohio Public Library Information Network, and 350-604, Ohio Public Library Information Network Technology, may receive and expend grants to carry out the operations of the network in accordance with state law and the authority to appoint and fix the compensation of a director and necessary staff. The State Library shall be the fiscal agent for the network and shall have fiscal accountability for the expenditure of funds. The Ohio Public Library Information Network Board members shall be reimbursed for actual travel and necessary expenses incurred in carrying out their responsibilities.

In order to limit access to obscene and illegal materials through internet use at Ohio Public Library Information Network (OPLIN) terminals, local libraries with OPLIN computer terminals shall adopt policies that control access to obscene and illegal materials. These policies may include use of technological systems to select or block certain internet access. The OPLIN shall condition provision of its funds, goods, and services on compliance with these policies. The OPLIN Board shall also adopt and communicate specific recommendations to local libraries on methods to control such improper usage. These methods may include each library implementing a written policy controlling such improper use of library terminals and requirements for parental involvement or written authorization for juvenile internet usage.

Of the foregoing appropriation item 350-400, Ohio Public Library Information Network, up to \$100,000 in each fiscal year shall be used to help local libraries purchase or maintain filters to screen out obscene and illegal internet materials.

The OPLIN Board shall research and assist or advise local libraries with regard to emerging technologies and methods that may be effective means to control access to obscene and illegal materials. The OPLIN Executive Director shall biannually provide written reports to the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate on any steps being taken by OPLIN and public libraries in the state to limit and control such improper usage as well as information on technological, legal, and law enforcement trends nationally and internationally affecting this area of public access and service.

The Ohio Public Library Information Network, INFOhio, and OhioLINK shall, to the extent feasible, coordinate and cooperate in their purchase or other acquisition of the use of electronic databases for their respective users and shall contribute funds in an equitable manner to such effort.

SECTION 325.10. LCO LIQUOR CONTROL COMMISSION

Liquor Control Fund Group

043 970-321	Operating Expenses	\$	743.093	\$	772.524
TOTAL LCF Liquor Control Fund Group		\$	743.093	\$	772.524
TOTAL ALL BUDGET FUND GROUPS		\$	743.093	\$	772.524

SECTION 327.10. LOT STATE LOTTERY COMMISSION

General Services Fund Group

231 950-604	Charitable Gaming Oversight	\$	2,253,000	\$	2,378,000
TOTAL GSF General Services Fund Group		\$	2,253,000	\$	2,378,000

State Lottery Fund Group

044 950-100	Personal Services	\$	25,945,116	\$	27,085,265
044 950-200	Maintenance	\$	18,748,274	\$	18,693,328
044 950-300	Equipment	\$	2,554,500	\$	2,446,500
044 950-402	Advertising Contracts	\$	21,250,000	\$	21,250,000
044 950-403	Gaming Contracts	\$	50,419,360	\$	51,250,704
044 950-500	Problem Gambling Subsidy	\$	335,000	\$	335,000
044 950-601	Direct Prize Payments	\$	147,716,286	\$	147,716,286
871 950-602	Annuity Prizes	\$	151,724,305	\$	151,724,305
TOTAL SLF State Lottery Fund Group		\$	418,692,841	\$	420,501,388
TOTAL ALL BUDGET FUND GROUPS		\$	420,945,841	\$	422,879,388

OPERATING EXPENSES

Notwithstanding sections 127.14 and 131.35 of the Revised Code, the Controlling Board may, at the request of the State Lottery Commission, authorize additional appropriations for operating expenses of the State Lottery Commission from the State Lottery Fund up to a maximum of 15

per cent of anticipated total revenue accruing from the sale of lottery tickets.

DIRECT PRIZE PAYMENTS

Any amounts, in addition to the amounts appropriated in appropriation item 950-601, Direct Prize Payments, that the Director of the State Lottery Commission determines to be necessary to fund prizes, bonuses, and commissions are hereby appropriated.

ANNUITY PRIZES

With the approval of the Office of Budget and Management, the State Lottery Commission shall transfer cash from the State Lottery Fund Group (Fund 044) to the Deferred Prizes Trust Fund (Fund 871) in an amount sufficient to fund deferred prizes. The Treasurer of State, from time to time, shall credit the Deferred Prizes Trust Fund (Fund 871) the pro rata share of interest earned by the Treasurer of State on invested balances.

Any amounts, in addition to the amounts appropriated in appropriation item 950-602, Annuity Prizes, that the Director of the State Lottery Commission determines to be necessary to fund deferred prizes and interest earnings are hereby appropriated.

TRANSFERS TO THE LOTTERY PROFITS EDUCATION FUND

The Ohio Lottery Commission shall transfer an amount greater than or equal to \$657,900,000 in fiscal year 2008 and \$667,900,000 in fiscal year 2009 to the Lottery Profits Education Fund. Transfers from the Commission to the Lottery Profits Education Fund shall represent the estimated net income from operations for the Commission in fiscal year 2008 and fiscal year 2009. Transfers by the Commission to the Lottery Profits Education Fund shall be administered as the statutes direct.

SECTION 329.10. MHC MANUFACTURED HOMES COMMISSION

General Services Fund Group

4K9 996-609 Operating Expenses	\$	418,122	\$	434,671
TOTAL GSF General Services				
Fund Group	\$	418,122	\$	434,671
TOTAL ALL BUDGET FUND GROUPS	\$	418,122	\$	434,671

SECTION 331.10. MED STATE MEDICAL BOARD

General Services Fund Group

5C6 883-609 Operating Expenses	\$	7,883,145	\$	8,225,945
TOTAL GSF General Services				
Fund Group	\$	7,883,145	\$	8,225,945
TOTAL ALL BUDGET FUND GROUPS	\$	7,883,145	\$	8,225,945

SECTION 333.10. AMB MEDICAL TRANSPORTATION BOARD

General Services Fund Group

4K9 915-604	Operating Expenses	\$	471,450	\$	473,450
TOTAL GSF General Services					
Fund Group		\$	471,450	\$	473,450
TOTAL ALL BUDGET FUND GROUPS					
		\$	471,450	\$	473,450

CASH TRANSFER TO OCCUPATIONAL LICENSING AND REGULATORY FUND (FUND 4K9)

Effective July 1, 2007, or as soon as practicable thereafter, the Director of Budget and Management may transfer the cash balance in the Ohio Medical Transportation Trust Fund (Fund 4N1), created in division (B) of section 4766.05 of the Revised Code, to the Occupational Licensing and Regulatory Fund (Fund 4K9), created in section 4743.05 of the Revised Code. The director shall cancel any existing encumbrances against appropriation item 915-601, Operating Expenses, and re-establish them against appropriation item 915-604, Operating Expenses. The amounts of the re-established encumbrances are hereby appropriated. Upon completion of these transfers, the Ohio Medical Transportation Trust Fund (Fund 4N1) is hereby abolished.

SECTION 335.10. DMH DEPARTMENT OF MENTAL HEALTH

General Services Fund Group

151 336-601	Office of Support Services	\$	134,060,000	\$	148,998,000
TOTAL General Services Fund Group					
		\$	134,060,000	\$	148,998,000

Division of Mental Health--

Psychiatric Services to Correctional Facilities

General Revenue Fund

GRF 332-401	Forensic Services	\$	4,338,858	\$	4,338,858
TOTAL GRF General Revenue Fund					
		\$	4,338,858	\$	4,338,858

SECTION 335.10.10. FORENSIC SERVICES

The foregoing appropriation item 332-401, Forensic Services, shall be used to provide psychiatric services to courts of common pleas. The appropriation shall be allocated through community mental health boards to certified community agencies and shall be distributed according to the criteria delineated in rule 5122:32-01 of the Administrative Code. These community forensic funds may also be used to provide forensic training to community mental health boards and to forensic psychiatry residency programs in hospitals operated by the Department of Mental Health and to

provide evaluations of patients of forensic status in facilities operated by the Department of Mental Health prior to conditional release to the community.

In addition, appropriation item 332-401, Forensic Services, may be used to support projects involving mental health, substance abuse, courts, and law enforcement to identify and develop appropriate alternative services to incarceration for nonviolent mentally ill offenders, and to provide specialized re-entry services to offenders leaving prisons and jails. Funds may also be utilized to provide forensic monitoring and tracking in addition to community programs serving persons of forensic status on conditional release or probation.

SECTION 335.20. Division of Mental Health--
Administration and Statewide Programs

General Revenue Fund

GRF 333-321	Central Administration	\$	23,750,000	\$	23,750,000
GRF 333-402	Resident Trainees	\$	1,364,919	\$	1,364,919
GRF 333-403	Pre-Admission Screening Expenses	\$	650,135	\$	650,135
GRF 333-415	Lease-Rental Payments	\$	23,767,400	\$	20,504,500
GRF 333-416	Research Program Evaluation	\$	1,001,551	\$	1,001,551
TOTAL GRF General Revenue Fund		\$	50,534,005	\$	47,271,105

General Services Fund Group

149 333-609	Central Office Operating	\$	1,200,000	\$	1,200,000
TOTAL General Services Fund Group		\$	1,200,000	\$	1,200,000

Federal Special Revenue Fund Group

3A6 333-608	Community & Hospital Services	\$	140,000	\$	140,000
3A7 333-612	Social Services Block Grant	\$	25,000	\$	25,000
3A8 333-613	Federal Grant - Administration	\$	4,888,105	\$	4,888,105
3A9 333-614	Mental Health Block Grant - Administration	\$	748,470	\$	748,470
3B1 333-635	Community Medicaid Expansion	\$	13,691,682	\$	13,691,682
324 333-605	Medicaid/Medicare	\$	154,500	\$	154,500
TOTAL Federal Special Revenue Fund Group		\$	19,647,757	\$	19,647,757

State Special Revenue Fund Group

232 333-621	Family and Children First Administration	\$	625,000	\$	625,000
4X5 333-607	Behavioral Health Medicaid Services	\$	3,000,634	\$	3,000,634
485 333-632	Mental Health Operating	\$	134,233	\$	134,233
5V2 333-611	Non-Federal Miscellaneous	\$	580,000	\$	560,000
TOTAL State Special Revenue Fund Group		\$	4,339,867	\$	4,319,867
TOTAL ALL BUDGET FUND GROUPS		\$	75,721,629	\$	72,438,729

SECTION 335.20.10. RESIDENCY TRAINEESHIP PROGRAMS

The foregoing appropriation item 333-402, Resident Trainees, shall be used to fund training agreements entered into by the Department of Mental Health for the development of curricula and the provision of training programs to support public mental health services.

SECTION 335.20.20. PRE-ADMISSION SCREENING EXPENSES

The foregoing appropriation item 333-403, Pre-Admission Screening Expenses, shall be used to pay for costs to ensure that uniform statewide methods for pre-admission screening are in place to perform assessments for persons who have severe mental illness and are referred for long-term Medicaid certified nursing facility placement. Pre-admission screening includes the following activities: pre-admission assessment, consideration of continued stay requests, discharge planning and referral, and adjudication of appeals and grievance procedures.

SECTION 335.20.30. LEASE-RENTAL PAYMENTS

The foregoing appropriation item 333-415, Lease-Rental Payments, shall be used to meet all payments during the period from July 1, 2007, to June 30, 2009, by the Department of Mental Health under leases and agreements made under section 154.20 of the Revised Code. These appropriations are the source of funds pledged for bond service charges on obligations issued pursuant to Chapter 154. of the Revised Code.

SECTION 335.20.40. BEHAVIORAL HEALTH MEDICAID SERVICES

The Department of Mental Health shall administer specified Medicaid Services as delegated by the Department of Job and Family Services in an interagency agreement. The foregoing appropriation item 333-607, Behavioral Health Medicaid Services, may be used to make payments for free-standing psychiatric hospital inpatient services as defined in an interagency agreement with the Department of Job and Family Services.

SECTION 335.20.50. PERFORMANCE AUDIT

The Auditor of State shall complete a performance audit of the Department of Mental Health. Upon completing the performance audit, the Auditor of State shall submit a report of the findings of the audit to the

The above boxed and initialed text was disapproved.

Date: June 30, 2007

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Governor, the President of the Senate, the Speaker of the House of Representatives, and the Director of Mental Health. Expenses incurred by the Auditor of State to conduct the performance audit shall be reimbursed by the Department of Mental Health.

SECTION 335.20.60. INTERNAL REVIEW

The Director of Mental Health shall consult with the Director of Budget and Management and representatives of local and county mental health services agencies to conduct an internal review of policies and procedures to increase efficiency and identify and eliminate duplicative practices. Any savings identified as a result of the internal review or the performance audit conducted by the Auditor of State shall be used for community-based care.

The Director of Mental Health shall seek Controlling Board approval before expending any funds identified as a result of the internal review or the performance audit.

SECTION 335.30. DIVISION OF MENTAL HEALTH - HOSPITALS

General Revenue Fund

GRF 334-408	Community and Hospital	\$	400,324,545	\$	400,324,545
	Mental Health Services				
GRF 334-506	Court Costs	\$	976,652	\$	976,652
TOTAL GRF	General Revenue Fund	\$	401,301,197	\$	401,301,197

General Services Fund Group

149 334-609	Hospital - Operating Expenses	\$	33,800,000	\$	33,800,000
150 334-620	Special Education	\$	120,930	\$	120,930
TOTAL GSF	General Services				
Fund Group		\$	33,920,930	\$	33,920,930

Federal Special Revenue Fund Group

3A6 334-608	Subsidy for Federal Grants	\$	586,224	\$	586,224
3A8 334-613	Federal Letter of Credit	\$	200,000	\$	200,000
3B0 334-617	Adult Basic and Literary	\$	182,334	\$	182,334
	Education				
3B1 334-635	Hospital Medicaid Expansion	\$	2,000,000	\$	2,000,000
324 334-605	Medicaid/Medicare	\$	34,500,000	\$	50,500,000
TOTAL FED	Federal Special Revenue				
Fund Group		\$	37,468,558	\$	53,468,558

State Special Revenue Fund Group

485 334-632	Mental Health Operating	\$	3,100,000	\$	3,100,000
692 334-636	Community Mental Health	\$	80,000	\$	80,000
	Board Risk Fund				
TOTAL SSR	State Special Revenue				
Fund Group		\$	3,180,000	\$	3,180,000
TOTAL ALL BUDGET FUND GROUPS		\$	475,870,685	\$	491,870,685

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SECTION 335.30.20. COMMUNITY MENTAL HEALTH BOARD RISK FUND

The foregoing appropriation item 334-636, Community Mental Health Board Risk Fund, shall be used to make payments under section 5119.62 of the Revised Code.

SECTION 335.40. DIVISION OF MENTAL HEALTH - COMMUNITY SUPPORT SERVICES

General Revenue Fund

GRF 335-404	Behavioral Health Services-Children	\$	8,076,153	\$	8,711,153
GRF 335-405	Family & Children First	\$	2,260,000	\$	2,260,000
GRF 335-419	Community Medication Subsidy	\$	9,959,798	\$	9,959,798
GRF 335-505	Local Mental Health Systems of Care	\$	104,187,868	\$	104,187,868
TOTAL GRF General Revenue Fund		\$	124,483,819	\$	125,118,819

General Services Fund Group

4P9 335-604	Community Mental Health Projects	\$	250,000	\$	250,000
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TOTAL GSF General Services Fund Group

\$	250,000	\$	250,000
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Federal Special Revenue Fund Group

3A6 335-608	Federal Miscellaneous	\$	2,178,699	\$	2,178,699
3A7 335-612	Social Services Block Grant	\$	8,657,288	\$	8,657,288
3A8 335-613	Federal Grant - Community Mental Health Board Subsidy	\$	2,595,040	\$	2,595,040
3A9 335-614	Mental Health Block Grant	\$	14,969,400	\$	14,969,400
3B1 335-635	Community Medicaid Expansion	\$	299,614,455	\$	316,699,716

TOTAL FED Federal Special Revenue Fund Group

\$	328,014,882	\$	345,100,143
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State Special Revenue Fund Group

5AU 335-615	Behavioral Healthcare	\$	6,690,000	\$	6,690,000
632 335-616	Community Capital Replacement	\$	350,000	\$	350,000
5CH 335-622	Residential Support Service	\$	1,500,000	\$	1,500,000
TOTAL SSR State Special Revenue Fund Group		\$	8,540,000	\$	8,540,000

TOTAL ALL BUDGET FUND GROUPS

\$	461,288,701	\$	479,008,962
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DEPARTMENT TOTAL

\$	580,657,879	\$	578,029,979
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DEPARTMENT TOTAL

\$	169,430,930	\$	184,368,930
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DEPARTMENT TOTAL

FEDERAL SPECIAL REVENUE

\$	385,131,197	\$	418,216,458
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FUND GROUP

DEPARTMENT TOTAL			
STATE SPECIAL REVENUE FUND GROUP	\$	16,059,867	\$ 16,039,867
DEPARTMENT TOTAL			
TOTAL DEPARTMENT OF MENTAL HEALTH	\$	1,151,279,873	\$ 1,196,655,234

SECTION 335.40.10. BEHAVIORAL HEALTH SERVICES - CHILDREN

The foregoing appropriation item 335-404, Behavioral Health Services-Children, shall be used to provide behavioral health services for children and their families. Behavioral health services include mental health and alcohol and other drug treatment services and other necessary supports.

Of the foregoing appropriation item 335-404, Behavioral Health Services-Children, an amount up to \$4.5 million in fiscal year 2008 and \$5.5 million in fiscal year 2009 shall be distributed to local Alcohol, Drug Addiction, and Mental Health Boards; Community Mental Health Boards; and Alcohol and Drug Addiction Boards, based upon a distribution formula and guidance defined by a team of state and local stakeholders appointed by the Ohio Family and Children First Cabinet Council. This team shall include, but not be limited to, all of the following:

(A) At least one representative from each of the Departments of Alcohol and Drug Addiction Services, Mental Health, Education, Health, Job and Family Services, Mental Retardation and Developmental Disabilities, and the Department of Youth Services;

(B) At least one person representing local public children's services agencies;

(C) At least one person representing juvenile courts;

(D) At least one person representing local Alcohol, Drug Addiction, and Mental Health Boards; Community Mental Health Boards; and Alcohol and Drug Addiction Boards;

(E) At least one person representing local Family and Children First Council Coordinators;

(F) At least one family representative.

Funds may be used to support the following services and activities as determined by local Alcohol, Drug Addiction, and Mental Health Boards; Community Mental Health Boards; and Alcohol and Drug Addiction Boards and local family and children first councils and aligned with county service coordination mechanism as described in division (C) of section 121.37 of the Revised Code:

(A) Mental health services provided by the Ohio Department of Mental Health certified agencies and alcohol and other drug services provided by

Department of Alcohol and Drug Addiction Services certified agencies;

(B) Services and supports for children and their families that further the implementation of their individual service plans;

(C) Treatment services in out-of-home settings, including residential facilities, when other alternatives are not available or feasible;

(D) Administrative support for efforts associated with this initiative;

(E) These funds shall not be used to supplant existing efforts.

Of the foregoing appropriation item 335-404, Behavioral Health Services-Children, an amount up to \$1.0 million in fiscal year 2008 and \$1.0 million in fiscal year 2009 shall be used to support projects, as determined by the Ohio Family and Children First Cabinet Council, in select areas around the state to focus on improving behavioral health juvenile justice services.

Of the foregoing appropriation item 335-405, Family & Children First, an amount up to \$500,000 in fiscal year 2008 and \$500,000 in fiscal year 2009 shall be used for children for whom the primary focus of treatment is not a mental health or alcohol or drug addiction disorder and require services or supports to assist those needs through the County Family and Children First Council.

Of the foregoing appropriation item 335-404, Behavioral Health Services – Children, an amount up to \$500,000 in each fiscal year shall be used to provide behavioral health treatment services for children from birth to age seven.

SECTION 335.40.15. BEHAVIORAL HEALTH PILOT PROGRAM IN SPECIFIED COUNTIES

(A) As used in this section:

(1) "Local boards" means all of the following, collectively:

(a) The Clermont County Mental Health & Recovery Board;

(b) The Heartland East Collaborative, which is comprised of the Ashtabula Mental Health & Recovery Board; the Columbiana County Mental Health & Recovery Board; the Mental Health & Recovery Board of Portage County; the Alcohol & Drug Addiction Services Board of Stark County; the Stark County Community Mental Health Board; and the Mental Health & Recovery Board of Wayne and Holmes Counties;

(c) The Alcohol, Drug and Mental Health Board of Franklin County;

(d) The Geauga County Board of Mental Health and Recovery Services;

(e) The Mental Health, Drug and Alcohol Services Board of Logan and Champaign Counties;

(f) The Mental Health & Recovery Services Board of Lucas County;

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(g) The Gallia-Jackson-Meigs Board of Alcohol, Drug Addiction and Mental Health Services;

(h) The Mental Health and Recovery Services Board of Richland County.

(2) "Large county local boards" means the Alcohol, Drug and Mental Health Board of Franklin County and the Mental Health & Recovery Services Board of Lucas County.

(3) "Medicaid managed care plan" means a health insuring corporation under contract with the Department of Job and Family Services pursuant to section 5111.17 of the Revised Code.

(4) "Mid-size county local boards" means the Mental Health and Recovery Services Board of Richland County and the Clermont County Mental Health & Recovery Board.

(5) "Selected local boards" means the local boards selected pursuant to division (B) of this section to participate in the behavioral health pilot program.

(6) "Small county local boards" means the Geauga County Board of Mental Health and Recovery Services; the Mental Health, Drug and Alcohol Services Board of Logan and Champaign Counties; and the Gallia-Jackson-Meigs Board of Alcohol, Drug Addiction and Mental Health Services.

(B) The local boards and the Departments of Mental Health, Alcohol and Drug Addiction Services, and Job and Family Services shall select one large county local board, one mid-size county local board, and one small local board to participate with the Heartland East Collaborative in a behavioral health pilot program to be developed and operating not later than October 1, 2007, that serves the counties of the selected local boards and the counties served by the Heartland East Collaborative. The purpose of the program is to test a model of a system of care for community behavioral health services delivered to individuals described in division (E) of this section. The pilot program shall cease to operate on June 30, 2009.

(C) The model tested by the pilot program shall propose to do all of the following:

- (1) Provide clinically appropriate and timely behavioral health services;
- (2) Provide improved access to a full continuum of behavioral health care to Medicaid recipients and individuals who are not Medicaid recipients;
- (3) Improve the quality of behavioral health services provided;
- (4) Improve accountability for behavioral health services provided through measurement of outcomes;
- (5) Control costs to assure financial viability;

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- (6) Consider all public funds administered through the boards;
- (7) Coordinate with Medicaid managed care plans operating in the counties in which the pilot is operated.
- (8) Have the ability to be replicated in all regions of the state.
- (D) The pilot program may include the following elements:
- (1) Development of defined behavioral health service packages;
- (2) Guidelines to ensure that behavioral health service types and amounts match individual needs;
- (3) Identification and tracking of outcomes;
- (4) A process for care coordination and utilization review and management;
- (5) Performance standards for provider participation.
- (E) The pilot program shall target the following individuals:
- (1) Adults who reside in the counties served by the selected local boards and have been diagnosed as suffering from one or more serious mental illnesses;
- (2) Adults who reside in the counties served by the selected local boards and have been diagnosed as suffering from alcoholism or drug addiction, or both;
- (3) Adults who reside in the counties served by the selected local boards and have been diagnosed as suffering from at least one of the conditions described in division (E)(1) of this section and at least one of the conditions described in division (E)(2) of this section, who have been identified as having a high risk for frequent utilization of behavioral health services, and who currently receive services from the public behavioral health system.

To the extent determined appropriate by the advisory committee that must be convened under division (G) of this section, the pilot program may target adults who reside in the counties served by the selected local boards and have been identified as having a high risk for frequent utilization of behavioral health services, regardless of diagnosis.

(F) The selected local boards, the Departments of Mental Health, Alcohol and Drug Addiction Services, and Job and Family Services, and the Medicaid managed care plans operating in the counties in which the pilot is operated shall conduct an interim and final evaluation of the pilot program. A report summarizing the findings of the interim evaluation shall be submitted to the Governor, the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Directors of Mental Health, Alcohol and Drug Addiction Services, and Job and Family Services not later than January 30, 2009. A report summarizing the findings of the final evaluation shall be submitted to the Governor, the

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Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Directors of Mental Health, Alcohol and Drug Addiction Services, and Job and Family Services not later than September 1, 2009.

(G) The selected local boards, Departments of Mental Health, Alcohol and Drug Addiction Services, and Job and Family Services, and Medicaid managed care plans operating in the counties in which the pilot is operated shall convene an advisory committee to consult the selected local boards and the Departments of Mental Health, Alcohol and Drug Addiction Services, and Job and Family Services in the development and operation of the pilot program. Members of the advisory committee shall represent consumers, advocacy groups, and providers of alcohol and drug addiction or mental health services.

On submission of the report summarizing the results of the final evaluation of the pilot program, the advisory committee shall cease to exist.

SECTION 335.40.20. COMMUNITY MEDICATION SUBSIDY

The foregoing appropriation item 335-419, Community Medication Subsidy, shall be used to provide subsidized support for psychotropic medication needs of indigent citizens in the community to reduce unnecessary hospitalization because of lack of medication and to provide subsidized support for methadone costs.

SECTION 335.40.30. LOCAL MENTAL HEALTH SYSTEMS OF CARE

The foregoing appropriation item 335-505, Local Mental Health Systems of Care, shall be used for mental health services provided by community mental health boards in accordance with a community mental health plan submitted under section 340.03 of the Revised Code and as approved by the Department of Mental Health.

Of the foregoing appropriation item 334-505, Local Mental Health Systems of Care, not less than \$37,058,917 in fiscal year 2008 and not less than \$37,058,917 in fiscal year 2009 shall be distributed by the Department of Mental Health on a per capita basis to community mental health boards.

Of the foregoing appropriation item 335-505, Local Mental Health Systems of Care, \$10,000 in each fiscal year shall be allocated to The Gathering Place in Athens.

Of the foregoing appropriation 335-505, Local Mental Health Systems of Care, \$150,000 in each fiscal year shall be used to fund family and

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consumer education and support.

SECTION 335.40.40. RESIDENTIAL STATE SUPPLEMENT

The foregoing appropriation item 335-622, Residential State Supplement, shall be used to provide subsidized support for licensed adult care facilities that serve individuals with mental illness.

SECTION 337.10. DMR DEPARTMENT OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

SECTION 337.20. GENERAL ADMINISTRATION AND STATEWIDE SERVICES

General Revenue Fund

GRF 320-321	Central Administration	\$	9,638,610	\$	9,638,610
GRF 320-412	Protective Services	\$	2,792,322	\$	2,792,322
GRF 320-415	Lease-Rental Payments	\$	23,767,400	\$	20,504,500
TOTAL GRF General Revenue Fund		\$	36,198,332	\$	32,935,432

General Services Fund Group

4B5 320-640	Training and Service Development	\$	100,000	\$	100,000
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TOTAL GSF General Services

Fund Group	\$	100,000	\$	100,000
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Federal Special Revenue Fund Group

3A5 320-613	DD Council	\$	2,705,004	\$	2,743,630
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TOTAL FED Federal Special Revenue

Fund Group	\$	2,705,004	\$	2,743,630
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State Special Revenue Fund Group

5S2 590-622	Medicaid	\$	11,003,855	\$	11,472,335
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Administration &

Oversight

TOTAL SSR State Special Revenue

Fund Group	\$	11,003,855	\$	11,472,335
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TOTAL ALL GENERAL

ADMINISTRATION

AND STATEWIDE SERVICES

BUDGET FUND GROUPS	\$	50,007,191	\$	47,251,397
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SECTION 337.20.10. LEASE-RENTAL PAYMENTS

The foregoing appropriation item 320-415, Lease-Rental Payments, shall be used to meet all payments at the time they are required to be made

during the period from July 1, 2007, to June 30, 2009, by the Department of Mental Retardation and Developmental Disabilities under leases and agreements made under section 154.20 of the Revised Code. These appropriations are the source of funds pledged for bond service charges or obligations issued pursuant to Chapter 154. of the Revised Code.

SECTION 337.20.20. MR/DD FUTURES STUDY COMMITTEE

(A) There is hereby created the MR/DD Futures Study Committee. The Committee shall consist of the following:

(1) One member who is an individual eligible to receive services from a county board of mental retardation and developmental disabilities, appointed by the Governor;

(2) One member who is an immediate family member of an individual eligible to receive services from a county board of mental retardation and developmental disabilities, appointed by the Governor;

(3) Two members who are members of the House of Representatives, appointed by the Speaker of the House of Representatives as follows:

(a) One member from the majority party;

(b) One member from the minority party.

(4) Two members who are members of the Senate, appointed by the President of the Senate as follows:

(a) One member from the majority party;

(b) One member from the minority party.

(5) Four members of statewide advocacy organizations for individuals with mental retardation or other developmental disabilities, appointed as follows:

(a) One member by the Board of Trustees of the Arc of Ohio;

(b) One member by the Board of Directors of the Ohio League for the Mentally Retarded;

(c) One member by the Board of People First of Ohio;

(d) One member by the governing board of an organization designated by the Director of Mental Retardation and Developmental Disabilities;

(6) One member appointed by the Board of Directors of the Ohio Self-Determination Association;

(7) One member appointed by the governing authority of the Ohio Superintendents of County Boards of Mental Retardation and Developmental Disabilities Association;

(8) Two members appointed by the Board of Trustees of the Ohio Association of County Boards of Mental Retardation and Developmental Disabilities;

(9) One member appointed by the Board of Trustees of the County Commissioners' Association of Ohio;

(10) Two members appointed by the Board of Trustees of the Ohio Provider Resource Association;

(11) One member appointed by the Board of Directors of the Ohio Health Care Association;

(12) The Director of Job and Family Services or the Director's designee;

(13) Two members appointed by the Governor who are representatives of statewide labor organizations representing public employees;

(14) The Director of Mental Retardation and Developmental Disabilities, who shall serve as the committee's chairperson.

(B) The Governor shall not appoint an individual under division (A)(1) or (2) of this section if the individual is an employee of the state, an employee or member of a county board of mental retardation and developmental disabilities, or an employee or a governing board member of a provider of services to an individual with mental retardation and developmental disabilities.

(C) Members of the Committee shall be appointed not later than thirty days after the effective date of this section. Members of the Committee shall serve without compensation, except to the extent that serving on the committee is considered part of their regular employment duties. The Department of Mental Retardation and Developmental Disabilities may reimburse members of the Committee for their reasonable travel expenses.

(D) The Committee shall meet at times and locations determined by the chairperson to do all of the following:

(1) Review the effectiveness, efficiency, and sustainability of current uses of funding for the state's mental retardation and developmental disabilities system;

(2) Propose alternatives for effectively funding the nonfederal share of Medicaid expenditures for home and community-based services for individuals with mental retardation and other developmental disabilities, including the amendments by this act to sections 5123.047, 5123.048, 5123.0414, 5126.059, 5126.0510, 5126.0511, and 5126.0512 of the Revised Code.

(3) Identify the potential for reducing administrative costs in the state's mental retardation and developmental disabilities system;

(4) Propose alternatives for effectively balancing revenues available to the state and the county boards of mental retardation and developmental disabilities to fulfill their responsibilities for funding, planning, and monitoring the delivery of mental retardation and developmental disability

services;

(5) Examine the efficiency and effectiveness of the current system of separate and concurrent mental retardation and developmental disabilities accreditation, licensure, certification, quality assurance, and quality improvement activities and propose changes to improve that system;

(6) Recommend steps necessary to assure the long term financial sustainability of mental retardation and developmental disability services to meet current and future needs while affording counties the ability to make local decisions about the priority uses of local tax levy funding;

(7) Determine the feasibility and potential benefits of regional planning approaches to meet specialized and intensive service needs;

(8) Propose improvements needed and action steps to fully realize the principle of self-determination by individuals with mental retardation and other developmental disabilities;

(9) Evaluate the effectiveness and equity of the state's mental retardation and developmental disabilities systems' uses of waiting and service substitution lists, priority populations, and having separate acuity instruments that vary by service setting;

(10) Review other matters the Director of Mental Retardation and Developmental Disabilities considers appropriate for evaluations.

(E) The Committee shall not transact business unless a quorum is present. A majority of the Committee members constitutes a quorum.

(F) Not later than March 30, 2008, the Committee shall submit a report on its actions and recommendations to the Governor and General Assembly. The Committee shall cease to exist on submission of the report.

SECTION 337.30. COMMUNITY SERVICES

General Revenue Fund

GRF 322-413	Residential and Support Services	\$	6,753,881	\$	6,753,881
GRF 322-416	Medicaid Waiver - State Match	\$	109,551,380	\$	109,551,380
GRF 322-451	Family Support Services	\$	6,938,898	\$	6,938,898
GRF 322-501	County Boards Subsidies	\$	87,270,048	\$	87,270,048
GRF 322-503	Tax Equity	\$	14,000,000	\$	14,000,000
GRF 322-504	Martin Settlement	\$	6,159,766	\$	29,036,451
TOTAL GRF General Revenue Fund		\$	230,673,973	\$	253,550,658

General Services Fund Group

488 322-603	Provider Audit Refunds	\$	10,000	\$	10,000
5MO 322-628	Martin Settlement	\$	150,000	\$	0
TOTAL GSF General Services Fund Group		\$	160,000	\$	10,000

Federal Special Revenue Fund Group

3G6 322-639	Medicaid Waiver - Federal	\$	456,311,171	\$	506,618,829
3M7 322-650	CAFS Medicaid	\$	4,278,713	\$	0
325 322-612	Community Social Service Programs	\$	11,186,114	\$	11,164,639
TOTAL FED Federal Special Revenue Fund Group					
		\$	471,775,998	\$	517,783,468
State Special Revenue Fund Group					
4K8 322-604	Medicaid Waiver - State Match	\$	12,000,000	\$	12,000,000
5DJ 322-625	Targeted Case Management Match	\$	11,082,857	\$	11,470,757
5DJ 322-626	Targeted Case Management Services	\$	27,548,737	\$	28,512,943
5EV 322-627	Program Fees	\$	20,000	\$	20,000
5H0 322-619	Medicaid Repayment	\$	10,000	\$	10,000
5Z1 322-624	County Board Waiver Match	\$	116,000,000	\$	126,000,000
TOTAL SSR State Special Revenue Fund Group					
		\$	166,661,594	\$	178,013,700
TOTAL ALL COMMUNITY SERVICES BUDGET FUND GROUPS					
		\$	869,271,565	\$	949,357,826

SECTION 337.30.10. RESIDENTIAL AND SUPPORT SERVICES

The Department of Mental Retardation and Developmental Disabilities may designate a portion of appropriation item 322-413, Residential and Support Services, for Sermak Class Services used to implement the requirements of the agreement settling the condecree in *Sermak v. Manuel*, Case No. c-2-80-220, United States District Court for the Southern District of Ohio, Eastern Division.

SECTION 337.30.20. OTHER RESIDENTIAL AND SUPPORT SERVICE PROGRAMS

Notwithstanding Chapters 5123. and 5126. of the Revised Code, the Department of Mental Retardation and Developmental Disabilities may develop residential and support service programs funded by appropriation item 322-413, Residential and Support Services, and the appropriation for supported living in appropriation item 322-501, County Board Subsidy, that enable persons with mental retardation and developmental disabilities to live in the community. Notwithstanding Chapter 5121. and section 5123.122 of the Revised Code, the Department may waive the support collection requirements of those statutes for persons in community programs developed by the Department under this section. The Department shall adopt rules under Chapter 119. of the Revised Code or may use existing rules for the implementation of these programs.

SECTION 337.30.30. MEDICAID WAIVER - STATE MATCH (GRF)

Except as otherwise provided in section 5123.0416 of the Revised Code, the purposes for which the foregoing appropriation item 322-416, Medicaid Waiver - State Match, shall be used include the following:

(A) Home and community-based waiver services under Title XIX of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended.

(B) To pay the nonfederal share of the cost of one or more new intermediate care facility for the mentally retarded certified beds, if the Director of Mental Retardation and Developmental Disabilities is required by this act to transfer to the Director of Job and Family Services funds to pay such nonfederal share.

Except as otherwise provided in section 5123.0416 of the Revised Code, the Department of Mental Retardation and Developmental Disabilities may designate a portion of appropriation item 322-416, Medicaid Waiver - State Match, to county boards of mental retardation and developmental disabilities that have greater need for various residential and support services because of a low percentage of residential and support services development in comparison to the number of individuals with mental retardation or developmental disabilities in the county.

SECTION 337.30.40. STATE SUBSIDY TO COUNTY MR/DD BOARDS

Except as otherwise provided in Section 337.40.30 of this act, the Department of Mental Retardation and Developmental Disabilities shall use the foregoing appropriation item 322-501, County Boards Subsidy, to pay each county board of mental retardation and developmental disabilities in each fiscal year of the biennium an amount that is equal to the amount such board received in fiscal year 2007 from former appropriation items 322-417, Supported Living; 322-452, Service and Support Administration; and 322-501, County Boards Subsidies.

Except as otherwise provided in section 5126.0511 of the Revised Code, county boards shall use the subsidy for early childhood services and adult services provided under section 5126.05 of the Revised Code, service and support administration provided under section 5126.15 of the Revised Code, and supported living as defined in section 5126.01 of the Revised Code.

In the event that the appropriation in appropriation item 322-501, County Board Subsidy, for fiscal year 2008 or fiscal year 2009 is greater than the subsidy paid by the Department for fiscal year 2007 from former

appropriation items 332-417, Supported Living; 322-452, Services and Support Administration; and 322-501, County Boards Subsidies, the Department and county boards shall develop a formula for allocating the additional appropriation to each county board to support priorities determined by the Department and county boards.

The Department shall distribute this subsidy to county boards in quarterly installments of equal amounts. The installments shall be made not later than the thirtieth day of September, the thirty-first day of December, the thirty-first day of March, and thirtieth day of June.

The Department also may use the foregoing appropriation item 322-501, County Boards Subsidy, to pay the nonfederal share of the cost of one or more new intermediate care facility for the mentally retarded certified beds, if the Director of Mental Retardation and Developmental Disabilities is required by this act to transfer to the Director of Job and Family Services funds to pay such nonfederal share.

SECTION 337.30.43. TAX EQUITY

Notwithstanding section 5126.18 of the Revised Code, if a county board of mental retardation and developmental disabilities received a tax equity payment in fiscal year 2007, but would not receive such a payment in fiscal years 2008 and 2009, the Department of Mental Retardation and Developmental Disabilities shall use the foregoing appropriation item 322-503, Tax Equity, to pay each such board in each fiscal year of the biennium an amount that is equal to the tax equity payment the board received in fiscal year 2007 or \$25,000, whichever is less. The Department shall use the remainder of the appropriation item to make tax equity payments in accordance with section 5126.18 of the Revised Code.

SECTION 337.30.45. MARTIN CONSENT ORDER COMPLIANCE

To comply with the Martin Consent Order, on July 1, 2007, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$150,000 in cash from the General Revenue Fund to the Program Income Fund (FUND 5MO).

SECTION 337.30.50. MEDICAID WAIVER - STATE MATCH (FUND 4K8)

The foregoing appropriation item 322-604, Medicaid Waiver - State Match (Fund 4K8), shall be used as state matching funds for the home and

community-based waivers.

SECTION 337.30.60. TARGETED CASE MANAGEMENT SERVICES

County boards of mental retardation and developmental disabilities shall pay the nonfederal portion of targeted case management costs to the Department of Mental Retardation and Developmental Disabilities. The Director of Mental Retardation and Developmental Disabilities shall withhold any amount owed to the Department from subsequent disbursements from any appropriation item or money otherwise due to a nonpaying county.

The Departments of Mental Retardation and Developmental Disabilities and Job and Family Services may enter into an interagency agreement under which the Department of Mental Retardation and Developmental Disabilities shall pay the Department of Job and Family Services the nonfederal portion of the cost of targeted case management services paid by county boards and the Department of Job and Family Services shall pay the total cost of targeted case management claims.

SECTION 337.30.70. TRANSFER TO PROGRAM FEE FUND

On July 1, 2007, or as soon as possible thereafter, the Director of Mental Retardation and Developmental Disabilities shall certify to the Director of Budget and Management the amount of cash that has been deposited into Fund 4B5, Conference/Training, pursuant to sections 5123.19 and 5126.25 of the Revised Code, less the amount that has been expended from Fund 4B5 to operate the Certification and Registration Program established under section 5126.25 of the Revised Code and to license and inspect residential facilities as outlined in section 5123.19 of the Revised Code. The certified amount shall not include amounts deposited into Fund 4B5 for training and conferences conducted by the Department of Mental Retardation and Developmental Disabilities. Upon receipt of the certification, the Director of Budget and Management shall transfer cash equal to the amount certified and all associated liabilities and obligations to Fund 5EV, Program Fee Fund, in the Department of Mental Retardation and Developmental Disabilities.

SECTION 337.30.80. DEVELOPMENTAL CENTER BILLING FOR SERVICES

Developmental centers of the Department of Mental Retardation and

Developmental Disabilities may provide services to persons with mental retardation or developmental disabilities living in the community or to providers of services to these persons. The Department may develop a method for recovery of all costs associated with the provisions of these services.

SECTION 337.40. RESIDENTIAL FACILITIES

General Revenue Fund

GRF 323-321	Developmental Center and Residential Facilities Operation Expenses	\$	102,796,851	\$	102,796,851
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TOTAL GRF General Revenue Fund		\$	102,796,851	\$	102,796,851
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General Services Fund Group

152 323-609	Developmental Center and Residential Operating Services	\$	912,177	\$	912,177
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TOTAL GSF General Services Fund Group		\$	912,177	\$	912,177
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Federal Special Revenue Fund Group

3A4 323-605	Developmental Center and Residential Facility Services and Support	\$	136,299,536	\$	137,555,308
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TOTAL FED Federal Special Revenue Fund Group		\$	136,299,536	\$	137,555,308
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State Special Revenue Fund Group

221 322-620	Supplement Service Trust	\$	150,000	\$	150,000
489 323-632	Developmental Center Direct Care Support	\$	14,543,764	\$	14,671,616

TOTAL SSR State Special Revenue Fund Group		\$	14,693,764	\$	14,821,616
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TOTAL ALL RESIDENTIAL FACILITIES

BUDGET FUND GROUPS		\$	254,702,328	\$	256,085,952
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DEPARTMENT TOTAL

GENERAL REVENUE FUND		\$	369,669,156	\$	389,282,941
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DEPARTMENT TOTAL

GENERAL SERVICES FUND GROUP		\$	1,172,177	\$	1,022,177
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DEPARTMENT TOTAL

FEDERAL SPECIAL REVENUE FUND		\$	610,780,538	\$	658,082,406
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GROUP

DEPARTMENT TOTAL

STATE SPECIAL REVENUE FUND GROUP		\$	192,359,213	\$	204,307,651
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TOTAL DEPARTMENT OF MENTAL

RETARDATION AND DEVELOPMENTAL

DISABILITIES		\$	1,173,981,084	\$	1,252,695,175
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SECTION 337.40.10. TRANSFER OF FUNDS FOR DEVELOPMENTAL CENTER PHARMACY PROGRAMS

The Department of Mental Retardation and Developmental Disabilities shall pay the Department of Job and Family Services quarterly, through intrastate transfer voucher, the nonfederal share of Medicaid prescription drug claim costs for all developmental centers paid by the Department of Job and Family Services.

SECTION 337.40.15. GALLIPOLIS DEVELOPMENTAL CENTER PILOT PROGRAM

The Director of Mental Retardation and Developmental Disabilities shall establish, as part of the Individual Options Medicaid Waiver program, a pilot program to be operated during calendar year 2009 under which the Gallipolis Developmental Center provides home and community-based services under the Individual Options Medicaid waiver program to not more than ten individuals at one time. Money shall be expended on the pilot program beginning in the first half of calendar year 2009.

The pilot program shall be operated in a manner consistent with the terms of the consent order filed March 5, 2007, in *Martin v. Strickland*, Case No. 89-CV-00362, in the United States District Court for the Southern District of Ohio, Eastern Division. The pilot program also shall be operated in accordance with the federal Medicaid waiver authorizing the Individual Options Medicaid waiver program. Only individuals eligible for the Individual Options Medicaid waiver program who volunteer to receive home and community-based services under the Individual Options Medicaid waiver program from the Gallipolis Developmental Center may participate in the pilot program. The Director of Mental Retardation and Developmental Disabilities and the Director of Job and Family Services shall provide the Gallipolis Developmental Center technical assistance the Center needs regarding the pilot program.

All expenses the Gallipolis Developmental Center incurs in participating in the pilot program shall be paid from the Medicaid payments the Center receives for providing home and community-based services under the program.

The Director of Mental Retardation and Developmental Disabilities shall conduct an evaluation of the pilot program, including an evaluation of the quality and effectiveness of the home and community-based services the Gallipolis Developmental Center provides under the pilot program. The Director shall submit a report of the evaluation to the Governor and the General Assembly not later than April 1, 2010. The Director shall include in the report recommendations for or against permitting the Gallipolis Developmental Center to continue to provide home and community-based

services under the Individual Options Medicaid waiver program and permitting other developmental centers to begin to provide these services.

SECTION 337.40.20. NONFEDERAL MATCH FOR ACTIVE TREATMENT SERVICES

Any county funds received by the Department from county boards for active treatment shall be deposited in Fund 489, Mental Retardation Operating.

SECTION 337.40.30. NONFEDERAL SHARE OF NEW ICF/MR BEDS

(A) As used in this section, "intermediate care facility for the mentally retarded" has the same meaning as in section 5111.20 of the Revised Code.

(B) If one or more new beds obtain certification as an intermediate care facility for the mentally retarded bed on or after July 1, 2007, the Director of Mental Retardation and Developmental Disabilities shall transfer funds to the Department of Job and Family Services to pay the nonfederal share of the cost under the Medicaid Program for those beds. Except as otherwise provided in section 5123.0416 of the Revised Code, the Director shall use only the following funds for the transfer:

(1) Funds appropriated to the Department of Mental Retardation and Developmental Disabilities in appropriation item 322-416, Medicaid Waiver - State Match;

(2) Funds appropriated to the Department in appropriation item 322-501, County Boards Subsidies.

(C) If the beds are located in a county served by a county board of mental retardation and developmental disabilities that initiates or supports the beds' certification, the funds that the Director transfers under division (B) of this section shall be funds that the Director has allocated to the county board serving the county in which the beds are located unless the amount of the allocation is insufficient to pay the entire nonfederal share of the cost under the Medicaid Program for those beds. If the allocation is insufficient, the Director shall use as much of such funds allocated to other counties as is needed to make up the difference.

SECTION 339.10. MIH COMMISSION ON MINORITY HEALTH

General Revenue Fund

GRF 149-321	Operating Expenses	\$	550,211	\$	561,216
GRF 149-501	Minority Health Grants	\$	670,965	\$	1,670,965
GRF 149-502	Lupus Program	\$	136,126	\$	136,126

TOTAL GRF General Revenue Fund	\$	1,357,302	\$	2,368,307
Federal Special Revenue Fund Group				
3J9 149-602 Federal Grants	\$	457,486	\$	320,297
TOTAL FED Federal Special Revenue Fund Group	\$	457,486	\$	320,297
State Special Revenue Fund Group				
4C2 149-601 Minority Health Conference	\$	150,000	\$	150,000
TOTAL SSR State Special Revenue Fund Group	\$	150,000	\$	150,000
TOTAL ALL BUDGET FUND GROUPS	\$	1,964,788	\$	2,838,604

SECTION 341.10. CRB MOTOR VEHICLE COLLISION REPAIR REGISTRATION BOARD

General Service Fund Group

4K9 865-601 Operating Expenses	\$	334,995	\$	334,995
TOTAL GSF General Services Fund Group	\$	334,995	\$	334,995
TOTAL ALL BUDGET FUND GROUPS	\$	334,995	\$	334,995

CASH TRANSFER TO OCCUPATIONAL LICENSING AND REGULATORY FUND (FUND 4K9)

Effective July 1, 2007, or as soon as possible thereafter, the Director of Budget and Management may transfer the cash balance in the Motor Vehicle Collision Repair Registration Fund (Fund 5H9), created in division (A) of section 4775.08 of the Revised Code, to the Occupational Licensing and Regulatory Fund (Fund 4K9), created in section 4743.05 of the Revised Code. The Director may cancel any existing encumbrances against appropriation item 865-609, Operating Expenses – CRB, in Fund 5H9, and re-establish them against appropriation item 865-601, Operating Expenses, in Fund 4K9. The amounts of the re-established encumbrances are hereby appropriated. The Motor Vehicle Collision Repair Registration Fund (Fund 5H9), created in division (A) of section 4775.08 of the Revised Code, is hereby abolished.

SECTION 343.10. DNR DEPARTMENT OF NATURAL RESOURCES

General Revenue Fund

GRF 725-401 Wildlife-GRF Central Support	\$	2,705,950	\$	2,800,930
GRF 725-404 Fountain Square Rental Payments - OBA	\$	1,094,900	\$	1,081,200
GRF 725-407 Conservation Reserve Enhancement Program	\$	1,000,000	\$	1,000,000
GRF 725-413 Lease Rental Payments	\$	19,589,400	\$	18,316,200
GRF 725-423 Stream and Ground Water Gauging	\$	311,910	\$	311,910
GRF 725-425 Wildlife License Reimbursement	\$	500,000	\$	400,000

GRF 725-456	Canal Lands	\$	332,859	\$	332,859
GRF 725-502	Soil and Water Districts	\$	12,237,420	\$	12,895,791
GRF 725-903	Natural Resources General Obligation Debt Service	\$	24,713,800	\$	25,723,000
GRF 727-321	Division of Forestry	\$	8,541,511	\$	8,541,511
GRF 728-321	Division of Geological Survey	\$	1,799,222	\$	1,825,150
GRF 729-321	Office of Information Technology	\$	440,895	\$	440,895
GRF 730-321	Division of Parks and Recreation	\$	39,874,841	\$	39,874,841
GRF 733-321	Division of Water	\$	3,207,619	\$	3,257,619
GRF 736-321	Division of Engineering	\$	3,118,703	\$	3,118,703
GRF 737-321	Division of Soil and Water	\$	4,074,788	\$	4,074,788
GRF 738-321	Division of Real Estate and Land Management	\$	2,291,874	\$	2,291,874
GRF 741-321	Division of Natural Areas and Preserves	\$	3,220,000	\$	3,050,000
GRF 744-321	Division of Mineral Resources Management	\$	3,068,167	\$	3,068,167
TOTAL GRF General Revenue Fund		\$	132,123,859	\$	132,405,438
General Services Fund Group					
155 725-601	Departmental Projects	\$	2,259,402	\$	2,260,021
157 725-651	Central Support Indirect	\$	6,228,950	\$	6,528,675
204 725-687	Information Services	\$	4,676,627	\$	4,676,627
207 725-690	Real Estate Services	\$	64,000	\$	64,000
223 725-665	Law Enforcement Administration	\$	2,230,485	\$	2,358,307
227 725-406	Parks Projects Personnel	\$	110,000	\$	110,000
4D5 725-618	Recycled Materials	\$	50,000	\$	50,000
4S9 725-622	NatureWorks Personnel	\$	525,000	\$	525,000
4X8 725-662	Water Resources Council	\$	125,000	\$	125,000
430 725-671	Canal Lands	\$	1,150,082	\$	1,150,082
508 725-684	Natural Resources Publications	\$	148,527	\$	148,280
510 725-631	Maintenance - State-owned Residences	\$	353,611	\$	303,611
516 725-620	Water Management	\$	2,913,618	\$	2,931,513
635 725-664	Fountain Square Facilities Management	\$	3,609,835	\$	3,640,398
697 725-670	Submerged Lands	\$	751,342	\$	772,011
TOTAL GSF General Services Fund Group		\$	25,196,479	\$	25,643,525
Federal Special Revenue Fund Group					
3B3 725-640	Federal Forest Pass-Thru	\$	225,000	\$	225,000
3B4 725-641	Federal Flood Pass-Thru	\$	490,000	\$	490,000
3B5 725-645	Federal Abandoned Mine Lands	\$	14,307,664	\$	14,307,667
3B6 725-653	Federal Land and Water Conservation Grants	\$	2,000,000	\$	2,000,000
3B7 725-654	Reclamation - Regulatory	\$	2,107,291	\$	2,107,292
3P0 725-630	Natural Areas and Preserves - Federal	\$	215,000	\$	215,000
3P1 725-632	Geological Survey - Federal	\$	655,000	\$	720,000

3P2	725-642	Oil and Gas-Federal	\$	226,961	\$	234,509
3P3	725-650	Coastal Management - Federal	\$	2,643,323	\$	1,691,237
3P4	725-660	Water - Federal	\$	316,304	\$	316,734
3R5	725-673	Acid Mine Drainage Abatement/Treatment	\$	1,999,998	\$	2,025,001
3Z5	725-657	REALM-Federal	\$	1,850,000	\$	1,850,000
332	725-669	Federal Mine Safety Grant	\$	258,102	\$	258,102
TOTAL FED Federal Special Revenue						
Fund Group			\$	27,294,643	\$	26,440,542

State Special Revenue Fund Group

4J2	725-628	Injection Well Review	\$	67,578	\$	68,933
4M7	725-631	Wildfire Suppression	\$	70,000	\$	0
4M7	725-686	Wildfire Suppression	\$	100,000	\$	100,000
4U6	725-668	Scenic Rivers Protection	\$	407,100	\$	407,100
5BV	725-683	Soil and Water Districts	\$	1,850,000	\$	1,850,000
5B3	725-674	Mining Regulation	\$	28,850	\$	28,850
5K1	725-626	Urban Forestry Grant	\$	10,000	\$	12,000
5P2	725-634	Wildlife Boater Angler Administration	\$	3,500,000	\$	3,500,000
509	725-602	State Forest	\$	5,070,946	\$	5,211,924
511	725-646	Ohio Geological Mapping	\$	815,179	\$	724,310
512	725-605	State Parks Operations	\$	27,314,288	\$	27,314,288
512	725-680	Parks Facilities Maintenance	\$	2,576,240	\$	2,576,240
514	725-606	Lake Erie Shoreline	\$	917,113	\$	757,113
518	725-643	Oil and Gas Permit Fees	\$	2,574,378	\$	2,586,568
518	725-677	Oil and Gas Well Plugging	\$	800,000	\$	800,000
521	725-627	Off-Road Vehicle Trails	\$	198,490	\$	143,490
522	725-656	Natural Areas and Preserves	\$	1,550,670	\$	1,550,670
526	725-610	Strip Mining Administration Fee	\$	1,932,491	\$	1,903,871
527	725-637	Surface Mining Administration	\$	1,852,842	\$	1,946,591
529	725-639	Unreclaimed Land Fund	\$	2,892,516	\$	2,024,257
531	725-648	Reclamation Forfeiture	\$	2,062,234	\$	2,062,237
532	725-644	Litter Control and Recycling	\$	6,280,681	\$	6,280,681
586	725-633	Scrap Tire Program	\$	1,000,000	\$	1,000,000
615	725-661	Dam Safety	\$	548,223	\$	595,416
TOTAL SSR State Special Revenue						
Fund Group			\$	64,419,819	\$	63,444,539

Clean Ohio Conservation Fund Group

061	725-405	Clean Ohio Operating	\$	155,000	\$	155,000
TOTAL CLF Clean Ohio Conservation Fund			\$	155,000	\$	155,000
Group						

Wildlife Fund Group

015	740-401	Division of Wildlife Conservation	\$	53,706,000	\$	54,906,000
815	725-636	Cooperative Management Projects	\$	120,449	\$	120,449
816	725-649	Wetlands Habitat	\$	966,885	\$	966,885
817	725-655	Wildlife Conservation Checkoff Fund	\$	5,000,000	\$	5,000,000
818	725-629	Cooperative Fisheries Research	\$	1,500,000	\$	1,500,000

819	725-685	Ohio River Management	\$	128,584	\$	128,584
TOTAL WLF Wildlife Fund Group			\$	61,421,918	\$	62,621,918
Waterways Safety Fund Group						
086	725-414	Waterways Improvement	\$	3,925,075	\$	4,062,452
086	725-418	Buoy Placement	\$	52,182	\$	52,182
086	725-501	Waterway Safety Grants	\$	137,867	\$	137,867
086	725-506	Watercraft Marine Patrol	\$	576,153	\$	576,153
086	725-513	Watercraft Educational Grants	\$	366,643	\$	366,643
086	739-401	Division of Watercraft	\$	19,626,681	\$	20,166,681
5AW	725-682	Watercraft Revolving Loans	\$	1,000,000	\$	1,000,000
TOTAL WSF Waterways Safety Fund Group			\$	25,684,601	\$	26,361,978
Holding Account Redistribution Fund Group						
R17	725-659	Performance Cash Bond Refunds	\$	279,263	\$	279,263
R43	725-624	Forestry	\$	1,950,188	\$	2,007,977
TOTAL 090 Holding Account Redistribution Fund Group			\$	2,229,451	\$	2,287,240
Accrued Leave Liability Fund Group						
4M8	725-675	FOP Contract	\$	20,844	\$	20,844
TOTAL ALF Accrued Leave Liability Fund Group			\$	20,844	\$	20,844
TOTAL ALL BUDGET FUND GROUPS			\$	338,546,614	\$	339,381,024

SECTION 343.20. CENTRAL SUPPORT INDIRECT

With the exception of the Division of Wildlife, whose direct and indirect central support charges shall be paid out of the General Revenue Fund from the foregoing appropriation item 725-401, Wildlife-GRF Central Support, the Department of Natural Resources, with approval of the Director of Budget and Management, shall utilize a methodology for determining each division's payments into the Central Support Indirect Fund (Fund 157). The methodology used shall contain the characteristics of administrative ease and uniform application in compliance with federal grant requirements. It may include direct cost charges for specific services provided. Payments to the Central Support Indirect Fund (Fund 157) shall be made using an intrastate transfer voucher.

SECTION 343.30. FOUNTAIN SQUARE

The foregoing appropriation item 725-404, Fountain Square Rental Payments - OBA, shall be used by the Department of Natural Resources to meet all payments required to be made to the Ohio Building Authority during the period from July 1, 2007, to June 30, 2009, pursuant to leases and agreements with the Ohio Building Authority under section 152.42 of the Revised Code. These appropriations are the source of funds pledged for

bond service charges on obligations issued pursuant to Chapter 152. of the Revised Code.

The Director of Natural Resources, using intrastate transfer vouchers, shall make payments to the General Revenue Fund from funds other than the General Revenue Fund to reimburse the General Revenue Fund for the other funds' shares of the lease rental payments to the Ohio Building Authority. The transfers from the non-General Revenue funds shall be made within 10 days of the payment to the Ohio Building Authority for the actual amounts necessary to fulfill the leases and agreements pursuant to section 152.241 of the Revised Code.

The foregoing appropriation item 725-664, Fountain Square Facilities Management (Fund 635), shall be used for payment of repairs, renovation, utilities, property management, and building maintenance expenses for the Fountain Square Complex. Cash transferred by intrastate transfer vouchers from various department funds and rental income received by the Department of Natural Resources shall be deposited into the Fountain Square Facilities Management Fund (Fund 635).

LEASE RENTAL PAYMENTS

The foregoing appropriation item 725-413, 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, 2007, to June 30, 2009, by the Department of Natural Resources pursuant to leases and agreements made under section 154.22 of the Revised Code. These appropriations are the source of funds pledged for bond service charges or obligations issued pursuant to Chapter 154. of the Revised Code.

NATURAL RESOURCES GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 725-903, Natural Resources General Obligation Debt Service, shall be used to pay all debt service and related financing costs during the period July 1, 2007, to June 30, 2009, on obligations issued under sections 151.01 and 151.05 of the Revised Code.

SECTION 343.33. SPECIAL NEEDS PARK AND PLAY AREA

Of the foregoing GRF appropriation item 741-321, Division of Natural Areas and Preserves, \$170,000 in fiscal year 2008 shall be used by the City of Stow for the construction of a special needs play area and park facility.

SECTION 343.40. 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 725-683, Soil and Water Districts, \$220,000 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, \$125,000 in each fiscal year shall be used for the Indian Lake Watershed in Logan County.

Of the foregoing appropriation item 725-683, Soil and Water Districts, \$100,000 in each fiscal year shall be used as state matching dollars for soil

and water quality improvements utilizing best management practices in the Grand Lake St. Marys watershed.

Of the foregoing appropriation item 725-502, Soil and Water Districts, \$50,000 in each fiscal year shall be used for the Conservation Action Project.

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.

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.

WATERWAYS IMPROVEMENTS

Of the foregoing appropriation item 725-414, Waterways Improvement, \$50,000 in each fiscal year shall be used for dredging operations at Fairport Harbor.

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

The above boxed and initialed text was disapproved.

Date: June 30, 2007

Ted Strickland
Ted Strickland, Governor

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 \$1,000,000 in fiscal year 2008 and not to exceed \$1,000,000 in fiscal year 2009 so certified from the Waterways Safety Fund (Fund 086) to the Watercraft Revolving Loans Fund (Fund 5AW). The moneys shall be used pursuant to sections 1547.721 to 1547.726 of the Revised Code.

PARKS CAPITAL EXPENSES FUND

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.

CAPITAL EXPENSES FUND

The Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by the Department of Natural Resources for each project. Based on the estimates, the Director of Budget and Management may release appropriations from appropriation item CAP-753, Project Planning, within the Ohio Parks and Natural Resources Fund (Fund 031) to pay for design, planning, and engineering costs incurred by the Department of Natural Resources for the projects. Upon release of the appropriations by the Director of Budget and Management, the Department of Natural Resources shall pay for these expenses from the Capital Expenses Fund (Fund 4S9), and shall be reimbursed by the Ohio Parks and Natural Resources Fund (Fund 031) using an intrastate voucher.

FUND CONSOLIDATION

On July 1, 2007, or as soon thereafter as possible, the Director of Budget and Management shall transfer the cash balance as certified by the Director of Natural Resources from the Federal Forestry Fund (Fund 328) to the State Forest Fund (Fund 509). The Director shall cancel any remaining

outstanding encumbrances against appropriation item 725-603, Forestry-Federal, and re-establish them against appropriation item 725-602, State Forest. The amounts of any encumbrances canceled and re-established are hereby appropriated.

On July 1, 2007, or as soon thereafter as possible, the Director of Budget and Management shall transfer the cash balance as certified by the Director of Natural Resources from the REALM Support Services Fund (Fund 206) to the Fountain Square Facilities Management Fund (Fund 635). The Director shall cancel any remaining outstanding encumbrances against appropriation item 725-689, REALM Support Services, and re-establish them against appropriation item 725-664, Fountain Square Facilities Management. The amounts of any encumbrances canceled and re-established are hereby appropriated.

STATE PARK OPERATING

All proceeds from insurance companies and any other sources for the replacement and construction of the Lake Hope Lodge and its appurtenances shall be deposited into the State Park Operating Fund (Fund 512).

SECTION 345.10. 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
5AC 884-602	Nurse Education Grant	\$	1,450,000	\$	1,450,000
	Program				
TOTAL GSF General Services					
Fund Group		\$	7,116,280	\$	7,116,280
TOTAL ALL BUDGET FUND GROUPS		\$	7,116,280	\$	7,116,280

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 347.10. PYT OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD

General Services Fund Group

4K9 890-609	Operating Expenses	\$	892,241	\$	963,984
TOTAL GSF General Services Fund Group		\$	892,241	\$	963,984
TOTAL ALL BUDGET FUND GROUPS		\$	892,241	\$	963,984

SECTION 349.10. OLA OHIOANA LIBRARY ASSOCIATION

General Revenue Fund

Am. Sub. H. B. No. 119

4225

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

SECTION 351.10. ODB OHIO OPTICAL DISPENSERS BOARD

General Services Fund Group

4K9 894-609 Operating Expenses	\$	333,656	\$	345,324
TOTAL GSF General Services				
Fund Group	\$	333,656	\$	345,324
TOTAL ALL BUDGET FUND GROUPS	\$	333,656	\$	345,324

SECTION 353.10. OPT STATE BOARD OF OPTOMETRY

General Services Fund Group

4K9 885-609 Operating Expenses	\$	344,571	\$	351,071
TOTAL GSF General Services				
Fund Group	\$	344,571	\$	351,071
TOTAL ALL BUDGET FUND GROUPS	\$	344,571	\$	351,071

SECTION 355.10. OPP STATE BOARD OF ORTHOTICS, PROSTHETICS, AND PEDORTHICS

General Services Fund Group

4K9973-609 Operating Expenses	\$	111,300	\$	116,260
TOTAL GSF General Services				
Fund Group	\$	111,300	\$	116,260
TOTAL ALL BUDGET FUND GROUPS	\$	111,300	\$	116,260

SECTION 357.10. PBR STATE PERSONNEL BOARD OF REVIEW

General Revenue Fund

GRF 124-321 Operating	\$	1,148,181	\$	1,201,643
TOTAL GRF General Revenue Fund	\$	1,148,181	\$	1,201,643

General Services Fund Group

636 124-601 Records and Reporting Support	\$	15,000	\$	15,000
TOTAL GSF General Services				
Fund Group	\$	15,000	\$	15,000
TOTAL ALL BUDGET FUND GROUPS	\$	1,163,181	\$	1,216,643

SECTION 359.10. UST PETROLEUM UNDERGROUND STORAGE TANK

Agency Fund Group

691 810-632	PUSTRCB Staff	\$	1,116,658	\$	1,169,181
TOTAL AGY Agency Fund Group		\$	1,116,658	\$	1,169,181
TOTAL ALL BUDGET FUND GROUPS		\$	1,116,658	\$	1,169,181

SECTION 361.10. PRX STATE BOARD OF PHARMACY

General Services Fund Group

4A5 887-605	Drug Law Enforcement	\$	75,550	\$	75,550
4K9 887-609	Operating Expenses	\$	4,874,572	\$	5,251,032
TOTAL GSF General Services Fund Group		\$	4,950,122	\$	5,326,582

Federal Special Revenue Fund Group

3BC 887-604	Dangerous Drugs Database	\$	558,531	\$	491,405
TOTAL FED Federal Special Revenue Fund Group		\$	558,531	\$	491,405
TOTAL ALL BUDGET FUND GROUPS		\$	5,508,653	\$	5,817,987

SECTION 363.10. PSY STATE BOARD OF PSYCHOLOGY

General Services Fund Group

4K9 882-609	Operating Expenses	\$	586,565	\$	586,565
TOTAL GSF General Services Fund Group		\$	586,565	\$	586,565
TOTAL ALL BUDGET FUND GROUPS		\$	586,565	\$	586,565

SECTION 365.10. PUB OHIO PUBLIC DEFENDER COMMISSION

General Revenue Fund

GRF 019-321	Public Defender Administration	\$	1,287,404	\$	1,315,150
GRF 019-401	State Legal Defense Services	\$	5,914,023	\$	6,120,592
GRF 019-403	Multi-County: State Share	\$	766,402	\$	762,727
GRF 019-404	Trumbull County - State Share	\$	244,816	\$	243,650
GRF 019-405	Training Account	\$	31,324	\$	31,324
GRF 019-501	County Reimbursement	\$	29,834,251	\$	29,572,857
TOTAL GRF General Revenue Fund		\$	38,078,220	\$	38,046,300

General Services Fund Group

101 019-602	Inmate Legal Assistance	\$	33,338	\$	34,638
407 019-604	County Representation	\$	219,800	\$	227,500
408 019-605	Client Payments	\$	611,537	\$	476,760
5CX 019-617	Civil Case Filing Fee	\$	409,237	\$	598,400
TOTAL GSF General Services Fund Group		\$	1,273,912	\$	1,337,298

Federal Special Revenue Fund Group

3S8 019-608	Federal Representation	\$	350,948	\$	364,917
TOTAL FED Federal Special Revenue Fund Group		\$	350,948	\$	364,917

State Special Revenue Fund Group

4C7 019-601	Multi-County: County Share	\$	2,181,300	\$	2,288,200
4X7 019-610	Trumbull County - County Share	\$	696,800	\$	731,000

574 019-606 Civil Legal Aid	\$	40,000,000	\$	40,000,000
TOTAL SSR State Special Revenue				
Fund Group	\$	42,878,100	\$	43,019,200
TOTAL ALL BUDGET FUND GROUPS	\$	82,581,180	\$	82,767,715

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 367.10. DHS DEPARTMENT OF PUBLIC SAFETY**General Revenue Fund**

GRF 763-403 Operating Expenses - EMA	\$	4,164,697	\$	4,164,697
GRF 768-424 Operating Expenses - CJS	\$	814,478	\$	814,478
GRF 769-321 Food Stamp Trafficking Enforcement Operations	\$	752,000	\$	752,000
TOTAL GRF General Revenue Fund	\$	5,731,175	\$	5,731,175

General Services Fund Group

5ET 768-625 Drug Law Enforcement	\$	800,000	\$	800,000
TOTAL GSF General Services Fund Group	\$	800,000	\$	800,000

State Special Revenue Fund Group

5CC 768-607 Public Safety Services	\$	125,000	\$	125,000
5EX 768-690 Disaster Preparedness	\$	350,000	\$	350,000
TOTAL SSR State Special Revenue Fund Group	\$	475,000	\$	475,000

Tobacco Master Settlement Agreement Fund Group

L87 767-406 Under-Age Tobacco Use Enforcement	\$	0	\$	375,000
TOTAL TSF Tobacco Master Settlement	\$	0	\$	375,000

Agreement Fund Group

TOTAL ALL BUDGET FUND GROUPS	\$	7,006,175	\$	7,381,175
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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.

STATE FIRE MARSHAL FUND CASH TRANSFERS

Notwithstanding section 3737.71 of the Revised Code, on July 1, 2007, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$125,000 in cash from the State Fire Marshal Fund (Fund 546) in the Department of Commerce to the Public Safety Services Fund (Fund 5CC) in the Department of Public Safety.

Notwithstanding section 3737.71 of the Revised Code, on July 1, 2008, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$125,000 in cash from the State Fire Marshal Fund (Fund 546) in the Department of Commerce to the Public Safety Services Fund (Fund 5CC) in the Department of Public Safety.

SOUTHERN OHIO DRUG TASK FORCE

The foregoing appropriation item 768-607, Public Safety Services, shall be distributed by the Division of Criminal Justice Services in the Department of Public Safety directly to the Southern Ohio Drug Task Force.

EMA DISASTER PREPAREDNESS AND RESPONSE GRANT

Of the foregoing appropriation item 768-690, Disaster Preparedness, \$275,000 in fiscal year 2008 and \$350,000 in fiscal year 2009 shall be used for a grant to the American Red Cross Greater Columbus Chapter for implementation of programs to assist in disaster preparedness and response throughout Ohio. The American Red Cross Greater Columbus Chapter shall develop a funding plan that includes programmatic, infrastructure, and administrative costs. Moneys shall be released to the American Red Cross Greater Columbus Chapter not more than 45 days after submission of the plan to the Ohio Emergency Management Agency. Of the foregoing appropriation item 768-690, Disaster Preparedness, \$75,000 in fiscal year 2008 shall be used for the Fire and Emergency Services Regionalization Project of Berea and Olmstead Falls.

CASH TRANSFER TO THE DRUG LAW ENFORCEMENT FUND

Notwithstanding any other provision of law to the contrary, on the first of July in each of 2007 and 2008, or as soon as practicable thereafter in each of those years, the Director of Budget and Management shall transfer \$800,000 in cash from the Charitable Foundations Fund (Fund 418) to the

Drug Law Enforcement Fund (Fund 5ET).

The foregoing appropriation item 768-625, Drug Law Enforcement, shall be used by the Division of Criminal Justice Services of the Department of Public Safety for the purpose of awarding grants to local law enforcement agencies and local law enforcement task forces with regard to the enforcement of state drug laws and other state laws related to illegal drug activity.

SECTION 369.10. PUC PUBLIC UTILITIES COMMISSION OF OHIO

General Services Fund Group

5F6	870-622	Utility and Railroad Regulation	\$	32,820,027	\$	33,804,627
5F6	870-624	NARUC/NRRI Subsidy	\$	158,000	\$	158,000
5F6	870-625	Motor Transportation Regulation	\$	4,635,413	\$	4,772,765

TOTAL GSF General Services

Fund Group	\$	37,613,440	\$	38,735,392
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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	\$	597,959
350	870-608	Motor Carrier Safety	\$	7,137,534	\$	7,351,660

TOTAL FED Federal Special Revenue

Fund Group	\$	8,035,491	\$	8,249,619
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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 9-1-1 Administration	\$	26,875,000	\$	13,375,000
559	870-605	Public Utilities Territorial Administration	\$	4,000	\$	4,000
560	870-607	Public Utilities Investigations	\$	100,000	\$	100,000
561	870-606	Power Siting Board	\$	404,651	\$	404,652
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	\$	30,983,686	\$	17,483,687
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Agency Fund Group

4G4	870-616	Base State Registration Program	\$	2,000,000	\$	0
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TOTAL AGY Agency Fund Group	\$	2,000,000	\$	0
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TOTAL ALL BUDGET FUND GROUPS	\$	78,632,617	\$	64,468,698
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COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS PROJECT

The fund created by section 4923.26 of the Revised Code is the same fund, with a new name, as the Commercial Vehicle Information Systems and Networks Fund (Fund 3V3).

ENHANCED AND WIRELESS ENHANCED 9-1-1

The foregoing appropriation item 870-623, Wireless 9-1-1 Administration, shall be used pursuant to section 4931.63 of the Revised Code.

TELECOMMUNICATIONS RELAY SERVICE FUNDING

The Telecommunications Relay Service Fund is hereby created in the state treasury. The vendor selected to provide telecommunications relay service in Ohio, as required by 47 C.F.R. 64.601, shall submit an invoice to the Public Utilities Commission by January 31, 2009, for costs it has incurred in providing the service during calendar year 2008. The Public Utilities Commission shall notify the Director of Budget and Management of the amount invoiced, and the Director of Budget and Management shall transfer that amount from the Public Utilities Fund (Fund 5F6) to the Telecommunications Relay Service Fund on or before February 28, 2009. The amount transferred shall be used to pay the telecommunications relay service vendor the amount invoiced. This amount is hereby appropriated.

SECTION 371.10. PWC PUBLIC WORKS COMMISSION

General Revenue Fund

GRF 150-904	Conservation General	\$	14,847,200	\$	19,779,200
	Obligation Debt Service				
GRF 150-907	State Capital Improvements	\$	177,513,600	\$	188,696,300
	General Obligation Debt				
	Service				

TOTAL GRF General Revenue Fund	\$	192,360,800	\$	208,475,500
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Clean Ohio Conservation Fund Group

056 150-403	Clean Ohio Operating	\$	301,537	\$	311,509
	Expenses				

TOTAL 056 Clean Ohio Conservation Fund	\$	301,537	\$	311,509
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Group				
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TOTAL ALL BUDGET FUND GROUPS	\$	192,662,337	\$	208,787,009
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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 during the period from July 1, 2007, through June 30, 2009, at the times they are required to be made for obligations issued under sections 151.01 and 151.09 of the Revised Code.

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 during the period from July 1, 2007, to June 30, 2009, at the times they are required to be made for obligations issued under sections 151.01 and 151.08 of the Revised Code.

REIMBURSEMENT TO THE GENERAL REVENUE FUND

(A) On or before July 15, 2009, 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 fiscal year 2008-2009 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 July 15, 2009, 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 373.10. RAC STATE RACING COMMISSION

State Special Revenue Fund Group

5C4	875-607	Simulcast Horse Racing Purse	\$	16,000,000	\$	16,000,000
562	875-601	Thoroughbred Race Fund	\$	3,100,000	\$	3,100,000
563	875-602	Standardbred Development Fund	\$	2,600,000	\$	2,600,000
564	875-603	Quarterhorse Development Fund	\$	1,000	\$	1,000
565	875-604	Racing Commission Operating	\$	4,487,599	\$	4,487,599

TOTAL SSR State Special Revenue Fund Group	\$	26,188,599	\$	26,188,599
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Holding Account Redistribution Fund Group

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	\$	26,401,499	\$	26,401,499

SECTION 375.10. BOR BOARD OF REGENTS

General Revenue Fund

GRF 235-321	Operating Expenses	\$	3,141,351	\$	3,141,351
GRF 235-401	Lease Rental Payments	\$	203,177,900	\$	136,017,500
GRF 235-402	Sea Grants	\$	300,000	\$	300,000
GRF 235-406	Articulation and Transfer	\$	2,900,000	\$	2,900,000
GRF 235-408	Midwest Higher Education Compact	\$	95,000	\$	95,000
GRF 235-409	Information System	\$	1,175,172	\$	1,175,172
GRF 235-414	State Grants and Scholarship Administration	\$	1,707,881	\$	1,707,881
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	\$	66,585,769	\$	66,585,769
GRF 235-420	Success Challenge	\$	53,653,973	\$	53,653,973
GRF 235-428	Appalachian New Economy Partnership	\$	1,176,068	\$	1,176,068
GRF 235-433	Economic Growth Challenge	\$	17,186,194	\$	17,186,194
GRF 235-434	College Readiness and Access	\$	12,655,425	\$	12,655,425
GRF 235-435	Teacher Improvement Initiatives	\$	4,797,506	\$	11,297,506
GRF 235-436	AccelerateOhio	\$	1,250,000	\$	2,500,000
GRF 235-438	Choose Ohio First Scholarship	\$	50,000,000	\$	50,000,000
GRF 235-439	Ohio Research Scholars	\$	30,000,000	\$	0
GRF 235-451	Eminent Scholars	\$	0	\$	1,000,000
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	\$	1,678,877,952	\$	1,842,965,747
GRF 235-502	Student Support Services	\$	795,790	\$	795,790
GRF 235-503	Ohio Instructional Grants	\$	42,533,966	\$	18,315,568
GRF 235-504	War Orphans Scholarships	\$	4,812,321	\$	4,812,321
GRF 235-507	OhioLINK	\$	7,387,824	\$	7,387,824
GRF 235-508	Air Force Institute of Technology	\$	2,050,345	\$	2,050,345
GRF 235-510	Ohio Supercomputer Center	\$	4,271,195	\$	4,271,195
GRF 235-511	Cooperative Extension Service	\$	26,273,260	\$	26,273,260
GRF 235-513	Ohio University Voinovich Center	\$	669,082	\$	669,082
GRF 235-514	Central State Supplement	\$	11,756,414	\$	12,109,106
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	\$	2,502,323	\$	2,577,393
GRF 235-521	The Ohio State University John Glenn School of Public Affairs	\$	619,082	\$	619,082
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	\$	38,485,376	\$	38,485,376
GRF 235-535	Ohio Agricultural Research and Development Center	\$	37,174,292	\$	37,174,292
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	University of 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	\$	100,000	\$	100,000
GRF 235-547	School of International Business	\$	450,000	\$	650,000
GRF 235-552	Capital Component	\$	19,306,442	\$	19,306,442
GRF 235-553	Dayton Area Graduate Studies Institute	\$	2,931,599	\$	2,931,599
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	\$	461,047	\$	461,047
GRF 235-561	Bowling Green State University Canadian Studies Center	\$	100,015	\$	100,015
GRF 235-563	Ohio College Opportunity Grant	\$	139,974,954	\$	151,113,781
GRF 235-567	Central State University Speed to Scale	\$	4,400,000	\$	3,800,000
GRF 235-571	James A. Rhodes Scholarship	\$	10,000,000	\$	0
GRF 235-572	The Ohio State University Clinic Support	\$	1,277,019	\$	1,277,019
GRF 235-573	Ohio Humanities Council	\$	25,000	\$	25,000
GRF 235-583	Urban University Program	\$	5,825,937	\$	5,825,937
GRF 235-587	Rural University Projects	\$	1,159,889	\$	1,159,889
GRF 235-596	Hazardous Materials Program	\$	360,435	\$	360,435
GRF 235-599	National Guard Scholarship Program	\$	16,611,063	\$	16,611,063
GRF 235-909	Higher Education General Obligation Debt Service	\$	172,722,400	\$	208,747,200
TOTAL GRF General Revenue Fund		\$	2,773,258,537	\$	2,861,908,923
General Services Fund Group					