

## Executive

## In House Finance and Appropriations

## 1 DAS - 11 Space to be Leased

R.C. 123.01

Expands the powers of the Department of Administrative Services (DAS) by authorizing the department to lease any space, not just office space, for use by a state agency.

**Fiscal effect: Potential for increased lease revenues to DAS. If DAS is able to offer state agencies space for lease at below-market rates, the provision could also result in savings for state agencies.**

R.C. 123.01

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## 2 DAS - 13 State Equal Employment Opportunity Program

R.C. 124.04, Section 207.20.40

Requires DAS to administer a state equal employment opportunity program. Requires DAS, with the approval of the Director of Budget and Management, to establish charges for recovering the costs of administering the activities supported by GSF Fund 1880, State Equal Employment Opportunity. Requires charges to be deposited to the fund upon payment made by state agencies, municipal corporations, and other political subdivisions of the state, for services rendered.

**Fiscal effect: DAS already administers a state equal employment opportunity program. This provision codifies existing practice and would therefore have no fiscal effect.**

R.C. 124.04, Section 207.20.40

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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3 DAS - 2 Personnel Services Contracts

R.C. 124.07

Specifies that DAS's authority to enter into agreements with political subdivisions to provide them with merit program and other human resources services includes providing these services to counties and also services such as providing competitive examinations for persons in the classified civil service of subdivisions.

Requires that amounts DAS receives for providing these services be paid into GSF Fund 1250, Human Resources Services.

R.C. 124.07

Same as the Executive.

Same as the Executive.

4 DAS - 12 County Job Classification Plan Reimbursements

R.C. 124.14

Requires counties that do not have a county personnel department and that use county job classification plans established by DAS to pay a usage fee, with the fees being paid into GSF Fund 1250, Human Resources Services, and generally limits DAS's supervision of county personnel departments.

**Fiscal effect: Potential gain in revenue Fund 1250.**

R.C. 124.14

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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5 DAS - 4 Civil Service Examinations

R.C. 124.23

Provides that DAS is generally responsible for administering civil service examinations only for positions in the classified civil service of the state, excluding positions of employment with state-supported colleges and universities, counties, cities, city health districts, city, school districts, general health districts, and civil service townships.

**Fiscal effect: Potential savings since DAS would no longer administer civil service examinations on behalf of non-state agencies.**

R.C. 124.23

Same as the Executive.

**Fiscal effect: Same as the Executive.**

6 DAS - 3 Layoff Notice Statement of Rationale

R.C. 124.321

Eliminates the requirement that state appointing authorities must file a statement of rationale with DAS before sending out a layoff notice to those employees not paid by warrant of the Director of Budget and Management. Specifies that DAS rules governing employee layoffs apply only to employees in the state service.

**Fiscal effect: Potential minimal administrative cost savings to state agencies in eliminating this filing requirement.**

R.C. 124.321

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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7 DAS - 5 Layoff Retention Points and Displacement Rights

R.C. 124.324, 124.325

Requires the Director of DAS to verify the calculation of layoff retention points only for employees in the service of the state, which excludes positions of employment with state-supported colleges and universities, counties, cities, city health districts, city school districts, general health districts, and civil service townships.

Specifies that the Director's rules concerning layoff displacement rights and the calculation and assignment of layoff retention points for each affected employee apply only to employees in the service of the state.

No provision.

**Fiscal effect: Potential decrease in DAS's administrative costs.**

R.C. 124.324, 124.325

Same as the Executive.

Provides that a laid-off employee has the right to displace employees with fewer retention points within the classification, or classification series, and appointment type, rather than just within the classification or classification series as provided under existing law.

**Fiscal effect: Same as the Executive.**

8 DAS - 56 Civil Service Changes

(1) No provision.

R.C. 124.34, Section 803.30

(1) Requires that an applicant for a civil service examination be a United States citizen or have a valid permanent resident card, rather than be a United States citizen or have legally declared the intention of becoming a United States citizen as required under current law.

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(2) No provision.

(2) Requires that certain disciplinary actions--which under current law are tied to 40 or more, or 24 or more hours of work or pay--be instead tied to more than 40, or more than 24, hours of work or pay.

(3) No provision.

(3) Specifies that a person who holds a permanent position, rather than a certified position as provided under current law, in the classified service may be appointed to an unclassified position and retain the right to return to the classified position.

**Fiscal effect: None apparent.**

9 DAS - 55 Service-Connected Injury Leave

No provision.

**R.C. 124.381**

Provides to the following employees, including those ineligible for occupational injury leave provided under current law, salary continuation not to exceed 480 hours at their total rate of pay for injuries incurred during the performance of, and arising out of, state employment after an implementation date established in rules adopted by the Director of Administrative Services: (1) exempt employees, (2) legislative employees, (3) Supreme Court employees, (4) certain employees in the office of the Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General, and (5) employees in any position for which authority to determine compensation is given by law to another individual or entity.

**Fiscal effect: Increased cost to provide additional injury leave to specified employees.**

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10 DAS - 9 Health Care Spending Account Fund

R.C. 124.821

Codifies AGY Fund 8130, Health Care Spending Account Fund. Requires DAS to use the fund to make payments with regard to the participation of state employees in flexible spending accounts for certain nonreimbursed medical and dental expenses under section 125 of the Internal Revenue Code. Requires that investment earnings be retained in the fund.

**Fiscal effect: None. This provision codifies an existing fund and program administered by DAS.**

R.C. 124.821

Same as the Executive.

**Fiscal effect: Same as the Executive.**

11 DAS - 10 State Employee Educational Development Fund

R.C. 124.86

Authorizes DAS to establish and obtain OBM approval of charges sufficient only to cover state administrative costs for employee educational development programs undertaken pursuant to specific collective bargaining agreements and to deposit the proceeds in GSF Fund 5V60, Employee Development, which the provision codifies.

**Fiscal effect: None, as GSF Fund 5V60 and the programs it supports already exist.**

R.C. 124.86

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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12 DAS - 7 Dependent Care Spending Account Fund

R.C. 124.882

Codifies AGY Fund 8090, Dependent Care Spending Account. Requires DAS to use money in the fund to make payments for state employees who use flexible spending accounts for work-related dependent care expenses under section 125 of the Internal Revenue Code. Requires investment earnings on money in the fund to be credited to the fund.

**Fiscal effect: None, as the fund and the program it supports already exist.**

R.C. 124.882

Same as the Executive.

**Fiscal effect: Same as the Executive.**

13 DAS - 52 State Payroll, Expenditure, and Tax Credit Website

(1) No provision.

(2) No provision.

R.C. 125.20, Sections 207.10, 207.10.45

(1) Requires the Director of Administrative Services, within 180 days after the effective date of the amendment, to establish a single internet web site through which the following can be accessed: a database containing each state employee's year-to-date gross pay and pay from the most recent pay period, a database containing agency expenditures for goods and services, and a database containing tax credits granted to business entities; requires each database to contain searchable fields through which details about the subject of the database can be accessed.

(2) Requires that \$900,000 in FY2010 and \$200,000 in FY2011 of GRF appropriation item 100418, Websites and Business Gateway, be used to develop and maintain the web site required under section 125.20 of the Revised Code.

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## 14 DAS - 14 Central Service Agency Consolidation Initiative

R.C. 125.22, 207.10.90

(1) No provision.

(2) Requires that the Central Service Agency (CSA) of DAS, in consultation with the Office of Budget and Management (OBM), review the support services CSA performs for the specified state agencies, the fiscal conditions of those agencies, and make recommendations on how support services can be further consolidated to achieve administrative cost savings and efficiencies.

(3) Adds the following boards and commissions to the list of entities for which CSA is authorized to perform support services: State Medical Board, State Board of Pharmacy, State Medical Transportation Board, Ohio Athletic Commission, Board of Motor Vehicle Collision Repair, Manufactured Homes Commission, Board of Orthotics, Prosthetics, and Pedorthics, and State Board of Career Colleges and Schools.

(4) Authorizes CSA to initiate or deny personnel or fiscal actions for the specified state agencies if doing so would result in administrative cost savings and efficiencies.

R.C. 125.22, Section 207.10.90

(1) Requires, on or before June 30, 2010, CSA, in conjunction with the individual boards and commissions for which CSA provides support, to develop and implement specific service level agreements to provide that support.

(2) Same as the Executive, but removes the requirement that CSA consult with OBM in carrying out this specific provision.

(3) Same as the Executive.

(4) Replaces the Executive provision with a provision that authorizes CSA to initiate or deny services to a board or commission only if those services are addressed in the board or commission's service agreement, subject to the terms and conditions of the agreement; allows CSA in writing to deny personnel or fiscal actions that are contrary to Ohio law or policy and requires such law or policy to be stated in the denial.

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(6) Specifies that the bill must not be interpreted as a grant of authority to CSA to supersede or replace the boards or commissions in the performance of their respective statutory duties, or to appoint, remove, or demote the executive directors of the boards or commissions.

(5) Authorizes CSA to require specified state agencies to enter into agreements to share office equipment, space, or other assets to the extent that such agreements would create efficiencies or savings.

(7) Authorizes OBM to take actions made necessary by administrative reorganization for the purpose of cost savings and efficiencies.

(8) No provision.

(9) No provision.

(10) No provision.

**Fiscal effect: Potential cost savings for the affected boards through the consolidation of administrative services under CSA. A portion of these savings will be offset by expected increased operating costs at CSA and the cost of conducting a review of the affected boards. (See also DAS-23, Central Service Consolidation Initiative, for related uncodified law.)**

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(6) Same as the Executive, but specifies that the bill is to be interpreted as focusing on functions that are not evident to the licensees, registrants, or customers of the boards and commissions, so as to not interfere with the protection of the public.

(5) Same as the Executive, but subjects this authority to the service level agreements and replaces rental, lease, and contractual expenses with human resources, fiscal, or information technology expenses.

(7) Same as the Executive.

(8) Requires CSA to document all services in the service level agreements signed by CSA and the boards and commissions, and to develop a resolution process for settling any disagreements.

(9) Allows a service level agreement to require the transfer of the board's or commission's employees and assets and to share office equipment, space, or other assets if such an agreement would create efficiencies or savings in human resources, fiscal, or information technology expenses.

(10) Requires the Department of Administrative Services to ensure the service level agreements are properly implemented.

**Fiscal effect: Same as the Executive.**

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15 DAS - 43 OAKS Support Organization Fund

R.C. 126.24

Changes the purpose of the GSF Fund 5EB0, OAKS Support Organization, from paying the operating expenses of the state's enterprise resource planning system to paying the operating expenses incurred by providing information technology services in support of the system.

Fiscal effect: None.

No provision.

16 DAS - 39 Corrective Cash Transfer

R.C. 207.30.90

Transfers \$7,768 in cash from the GSF Fund 1130, Unemployment Compensation, to GSF Fund 1330, Information Technology, correcting a deposit made to the wrong fund. Abolishes Fund 1130 upon the completion of the transfer.

R.C. 207.30.90

Same as the Executive.

17 DAS - 58 Collective Bargaining for Care Providers

(1) No provision.

(2) No provision.

R.C. 4113.81, 4113.82 - 4113.86

(1) Allows independent home care providers and independent child care providers to form and be represented by a representative organization for the purposes of collective bargaining and the reconciliation of grievances.

(2) Defines "independent home care provider" as any person who either provides home services under a Medicaid waiver component or through a state Medicaid plan amendment, with certain exclusions; defines

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( 3) No provision.

"independent child care provider" as a child care provider categorized under the child care law.

(3) Specifies that a representative organization may become the exclusive representative of all of the providers in an appropriate bargaining unit via either an impartial election or by filing a request with the State Employment Relations Board (SERB); outlines procedures for both methods.

(4) No provision.

(4) Requires that, with regard to care providers, all matters pertaining to conditions of employment that are within the control of the state, as well as any modification to an existing collective bargaining agreement, be subject to collective bargaining.

(5) No provision.

(5) Prohibits the collective bargaining rights provided in the amendment from altering the unique relations between providers and recipients of care, particularly in the ability of a recipient of care to choose their provider and the ability of the state to take appropriate disciplinary action under state or federal law.

(6) No provision.

(6) Grants SERB the authority to investigate, hold hearings, make determinations, and issue complaints regarding unfair labor practices with regard to care providers.

**Fiscal effect: None, as the bill codifies existing practice as required in Executive Orders 2007 - 23s and 2008 - 02s.**

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18 DAS - 45 Firefighter Collective Bargaining

R.C. 4117.01

Specifies that, for the purposes of collective bargaining rights, a township, regardless of its population count, is considered a public employer with respect to permanent, full-time, paid members of its fire department.

**Fiscal effect: Townships that currently do not engage in collective bargaining with firefighters may have to engage in collective bargaining with certain firefighters.**

R.C. 4117.01

Same as the Executive.

19 DAS - 44 MARCS Administration Fund

R.C. 4501.29

Requires DAS to collect user fees from subscribers to the MARCS system. Requires DAS, with the advice of the MARCS Steering Committee and the consent of the OBM, to determine the amount of the user fees and the manner by which the fees must be collected. Creates the GSF Fund 5C20, MARCS Administration, in codified law.

Requires investment earnings of the fund be credited to the fund.

**Fiscal effect: None, as the fund and the program which it supports already exist.**

R.C. 4501.29

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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20 DAS - 51 School Employees Health Care Board

No provision.

**Sections: 207.10.05, 207.10**

Requires that GRF appropriation item 100403, School Employees Health Care Board, be used to provide administrative support to the School Employees Health Care Board as it carries out its duties under section 9.901 of the Revised Code.

**Fiscal effect: None, as the bill maintains the current status of the SEHCB, rather than transferring it to the Department of Education as proposed by the Executive.**

21 DAS - 16 Agency Audit Expenses

**Section: 207.10.10**

Requires that GRF appropriation item 100405, Agency Audit Expenses, be used for a auditing expenses designated in section 117.13 of the Revised Code for those state agencies audited on a biennial basis.

**Section: 207.10.10**

Same as the Executive.

22 DAS - 17 Oaks Rental Payments

**Section: 207.10.20**

Requires that GRF appropriation item 100415, OAKS Rental Payments, be used for financing the costs associated with the acquisition, development, installation, and implementation of the Ohio Administrative Knowledge System (OAKS), and appropriates additional amounts if needed.

**Section: 207.10.20**

Same as the Executive.

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23      DAS - 18      STARS System

**Section: 207.10.30**

Authorizes DAS, in conjunction with the Department of Taxation, to acquire the State Taxation Accounting and Revenue System (STARS) pursuant to Chapter 125 of the Revised Code, including the application software and implementation and installation of the system.

**Fiscal effect: GRF appropriation item 100416, STARS Lease Rental Payments, appropriates \$4,977,600 in FY 2010 and \$7,638,500 in FY 2011 for this purpose.**

**Section: 207.10.30**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

24      DAS - 19      STARS Lease Rental Payments

**Section: 207.10.40**

Requires that GRF appropriation item 100416, STARS Lease Rental Payments, be used for financing costs associated with the acquisition, development, installation, and implementation of STARS. Appropriates additional amounts if needed.

**Section: 207.10.40**

Same as the Executive.

25      DAS - 20      Building Rent Payments

**Section: 207.10.50**

(1) Requires GRF appropriation item 100447, OBA - Building Rent Payments, to be used to meet all payments at the times they are required to be made during the period from July 1, 2009, to June 30, 2011, by DAS to the Ohio Building Authority (OBA) pursuant to leases and agreements under Chapter 152. of the Revised Code.

**Section: 207.10.50**

(1) Same as the Executive.

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(2) Requires GRF appropriation item 100448, OBA - Building Operating Payments, to be used to meet all payments at the times that they are required to be made during the period from July 1, 2010, to June 30, 2011, by DAS to OBA pursuant to leases and agreements under Chapter 152. of the Revised Code, but limited to the aggregate amount of \$51,206,000.

(3) Specifies that payments to OBA are for the expenses of agencies that occupy space in the various state facilities, and that DAS may enter into leases and agreements with the OBA providing for the payment of these expenses. Requires OBA to report to DAS and OBM not later than five months after the start of a fiscal year the actual expenses incurred by the OBA in operating the facilities and any balances remaining from payments and rentals received in the prior fiscal year. Requires DAS to reduce subsequent payments by the amount of the balance reported to it by OBA.

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(2) Same as the Executive.

(3) Same as the Executive.

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26      DAS - 21      DAS - Building Operating Payments

**Section: 207.10.60**

Requires GRF appropriation item 100449, DAS - Building Operating Payments, to be used to pay the rent expenses of veterans' organizations. Allows for the appropriation to be used to pay for property appraisals or building studies that DAS may be required to obtain for property that is being bought, sold, or renovated. Allows the appropriation to be used to pay the operating expenses of state facilities maintained by DAS that are not billed to building tenants, notwithstanding section 125.28 of the Revised Code. Specifies that expenses may include the costs for vacant space and space undergoing renovation, and the rent expenses of tenants that are relocated due to building renovations. Requires payments to be processed by DAS through ISTVs and placed in GSF Fund 1320, Building Management. Allows DAS to use money in Fund 1320 to support utility costs at the State of Ohio Computer Center that exceed the available appropriation in GRF appropriation item 100433, State of Ohio Computer Center.

**Section: 207.10.60**

Same as the Executive.

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27 DAS - 22 Central Service Agency Fund

**Section: 207.10.70**

Requires that GSF Fund 1150, Central Service Agency, appropriation item 100632, Central Service Agency, be used to make purchases as necessary to support the board licensing functions. Requires DAS to establish charges and bill the boards as applicable for carrying out these functions, the total of which is not to be greater than \$363,678 in each fiscal year of the biennium.

**Section: 207.10.70**

Same as the Executive.

28 DAS - 23 Central Service Consolidation Initiative

**Section: 207.10.80**

Earmarks \$308,230 in FY2010 and \$235,230 in FY2011 of GRF appropriation item 130321, State Agency Support Services, be used for the Central Service Agency Consolidation Initiative. (See also DAS-14, Central Service Agency Consolidation Initiative.)

**Section: 207.10.80**

Same as the Executive.

29 DAS - 24 General Service Charges

**Section: 207.20.10**

Requires DAS, with the approval of the Director of Budget and Management, to establish charges for recovering the costs of administering the programs funded by GSF Fund 1170, General Services, and GSF Fund 2100, State Printing.

Appropriates any additional amounts necessary in GSF Fund 1170 appropriation item General Services Division-Operating to pay for consulting and administrative costs

**Section: 207.20.10**

Same as the Executive.

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related to lower pricing, but only upon the approval of the Director of OBM.

30      DAS - 25      Collective Bargaining Arbitration Expenses

**Section: 207.20.20**

Authorizes DAS to seek reimbursement from state agencies for the actual costs and expenses DAS incurs in the collective bargaining arbitration process. Requires the reimbursements to be processed through intrastate transfer vouchers and credited to GSF Fund 1280, Collective Bargaining.

**Fiscal effect: Increased revenue to the Collective Bargaining Fund (Fund 1280); increased costs to those state agencies that use collective bargainitn arbitration services.**

**Section: 207.20.20**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

31      DAS - 6      NextGen Broadband Network

**Sections: 207.20.30, 259.30.80, 610.10, 610.11**

(1) Reappropriates the unexpended, unencumbered amounts of GSF Fund 1330 appropriation item 100607, IT Services Delivery that were allocated for implementation of NextGen Network in FY 2008 and FY 2009 for the same purpose in FY 2010 and FY 2011.

(2) Reappropriates the unexpended, unencumbered amounts of Department of Development's Third Frontier Fund 7011 appropriation item 195687, Third Frontier Research and Development projects, and Fund 7014 appropriation item 195692, Research and Development Taxable Bond Projects, that were allocated for implementation of the NextGen Network in FY 2008 and FY 2009 for the same purpose in FY 2010 and FY 2011.

**Sections: 207.20.30, 259.30.80, 610.10, 610.11**

(1) Same as the Executive.

(2) Same as the Executive.

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(3) Reappropriates the unexpended, unencumbered amounts of capital appropriation item C23506, Third Frontier Project, which were previously allocated to implement the NextGen Network in FY 2008, for the same purpose in FY 2009 and FY 2010.

(3) Same as the Executive.

**32 DAS - 27 Merchandise Resale Fund**

**Section: 207.20.50**

Transfers the cash balance, functions, assets, and liabilities of the Merchandise Resale Fund (Fund 2010) to the State Printing Fund (Fund 2100) on July 1, 2009 or as soon as possible thereafter. Abolishes Fund 2010 after the transfer.

**Section: 207.20.50**

Same as the Executive.

**33 DAS - 28 Leveraged Enterprise Purchase Program**

**Section: 207.20.60**

Allows DAS to use GSF Fund 2290, appropriation item 100640, Leveraged Enterprise Purchases, to operate a leveraged Enterprise Purchases Program to make enterprise-wide technology purchases. Authorizes DAS to recover the cost of operating such a program from all participating government entities and deposit such revenues into the GSF Fund 2290, IT Governance.

**Fiscal effect: Potential savings to state agencies that make technology purchases through DAS procurement contracts.**

**Section: 207.20.60**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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34 DAS - 29 Information Technology Assessment

Section: 207.20.70

Authorizes DAS to establish an information technology assessment for the purpose of recovering the cost of selected infrastructure and statewide programs. Exempts legislative and judicial agencies, as well as the Bureau of Workers' Compensation and the Adjutant General, from the charge. Requires that all revenue attributable to the charge be deposited in GSF Fund 2290, IT Governance.

Section: 207.20.70

Same as the Executive.

35 DAS - 30 Investment Recovery Fund

Section: 207.20.80

(1) Authorizes DAS to use cash balances in the GSF Fund 4270, Investment Recovery, to support the operating expenses of the Federal Surplus Operating Program.

(2) Authorizes DAS to use cash balances in Fund 4270 to support the operating expenses of the Asset Management Services Program.

(3) Earmarks \$2,093,564 in FY 2010 and \$2,107,388 in FY 2011 of GSF Fund 4270 appropriation item 100602, Investment Recovery, to pay the operating expenses of the State Surplus Property Program, the Surplus Federal Property, Property Program, and the Asset Management Services Program. Authorizes DAS to seek additional appropriations via Controlling Board.

(4) Requires that \$3,590,000 in FY 2010 and \$3,576,176 in FY 2011 of GSF Fund 4270 appropriation item 100602, Investment Recovery, be used to transfer proceeds from the sale of surplus property from Fund 4270 to non-

Section: 207.20.80

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

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General Revenue Funds under Section 125.14 of the Revised Code. Appropriates any additional amounts approved by the Director of OBM.

**36 DAS - 31 DAS Information Services**

**Section: 207.20.90**

Establishes Fund 4P30, DAS Information Services Fund, and requires that appropriation item 100603, DAS Information Services, be used to provide information systems and services in DAS. Requires DAS to establish all user charges allowable in the statewide indirect cost allocation plan, and deposit all such charges in this fund.

**Section: 207.20.90**

Same as the Executive.

**37 DAS - 32 Administrative Hearings**

**Section: 207.30.10**

- (1) Creates GSF Fund 5DQ0, Administrative Hearings, to pay operating costs associated with a centralized administrative Hearing Office in DAS. Requires that Fund 5DQ0 appropriation item 100638, Administrative Hearings, be used to make payments from the fund.
- (2) Requires DAS, with the approval of OBM, to establish user charges to recover the costs of providing adjudicatory services and deposit such collected charges in Fund 5DQ0.
- (3) Requires DAS to submit a spending plan to OBM to justify operating charges to agencies and transfers to Fund 5DQ0. Limits the total amount to be transferred to the fund for the creation of an Office of Administrative Hearings to \$200,000.

**Section: 207.30.10**

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.

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(4) Requires that any cash balance in Fund 5DQ0 be returned to the agencies from which funds were originally transferred according to a plan submitted by the Director of DAS to the Director of OBM when DAS submits its budget request for the FY 2012-FY 2013 biennium.

(4) Same as the Executive.

**38 DAS - 33 OAKS Support Organization**

**Section: 207.30.20**

(1) Requires that GSF Fund 5EB0 appropriation item 100635, OAKS Support Organization, 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.

(1) No provision.

(2) Requires DAS to develop a cost allocation plan including: (a) up to \$9,610,874 in FY 2010 and \$9,733,416 in FY 2011 from OBM via ISTV, and (b) amounts from DAS's Human Resources Division via ISTV, and (c) other DAS Services Funds via ISTV.

(2) No provision.

(3) Allows the Director of DAS to request that the Director of OBM transfer cash from other funds used by DAS to GSF Fund 5EB0, OAKS Support Organization, in lieu of ISTV billings. Requires that these amounts, whether made by ISTV billings or cash transfers, not be in excess of the limits under the federal indirect cost allocation plan.

(3) No provision.

(4) Requires DAS's Human Resources Division to operate and maintain the human capital management module of OAKS and include in the human resources payroll rate the estimated costs of maintaining the module. Requires that such revenues be deposited in GSF Fund 1250, Human Resources, and transferred not less than quarterly to Fund

(4) No provision.

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5EB0.

39 DAS - 34 Transfer to OAKS Support Organization Fund

**Section: 207.30.30**

Authorizes OBM to transfer \$1,317,922.16 in cash from the GSF Fund 1330, IT Services Delivery to GSF Fund 5EB0, OAKS Support Organization, to correct an ISTV deposited mistakenly in Fund 1330.

**Section: 207.30.30**

Same as the Executive.

40 DAS - 35 Professional Development Fund

**Section: 207.30.40**

Requires that the GSF Fund 5L70, Professional Development appropriation item 100610, Professional Development, be used to pay the costs of administering educational programs for state employees who are exempt from collective bargaining coverage.

**Section: 207.30.40**

Same as the Executive.

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**41 DAS - 36 Employee Educational Development**

**Section: 207.30.50**

Requires that GSF Fund 5V60 appropriation item 100619, Employee Educational Development, be used to pay for educational programs under 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. Appropriates additional amounts upon the request of the Director of DAS and approval of the Director of OBM.

**Section: 207.30.50**

Same as the Executive.

**42 DAS - 37 Centralized Gateway Enhancement Fund**

**Section: 207.30.60**

Creates the Centralized Gateway Enhancements Fund (Fund 5X30) and requires related appropriation item 100634, Centralized Gateway Enhancements, to be used to pay the costs of expanding, enhancing, and operating the infrastructure of the Ohio Business Gateway, State Portal, and Shared Hosting Environment.

**Section: 207.30.60**

Same as the Executive.

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43 DAS - 38 Major IT Purchases

Section: 207.30.70

Requires the Director of DAS to compute the amount of revenue attributable to amortization of all equipment purchases and capitalized systems from (1) GSF Fund 1330 appropriation item 100607, (2) IT Services Delivery, (3) GSF Fund 4N6 appropriation item 100617, Major IT Purchases, and (4) appropriation item C10014, Major Computer Purchases, which is recovered as part of the rates charged by the IT Service Delivery Fund. Allows the Director of OBM to transfer cash in an amount not to exceed the amount amortization computed from Fund 1330 to GSF Fund 4N60.

**Fiscal effect: Allows Fund 4N60 to be used to make infrequent, large-scale technology purchases which would otherwise have to be made by sharply increasing computer services user rates during the fiscal year.**

Section: 207.30.70

Same as the Executive.

**Fiscal effect: Same as the Executive.**

44 DAS - 15 Cash Transfers From the Major IT Purchase Fund

Section: 207.30.80

Allows for the following transfers from GSF Fund 4N60, IT Purchases, upon the approval of the Director of OBM:

(1) Up to \$2,800,000 in each fiscal year of the biennium to GSF Fund 1310, State Architect, to support the OAKS Capital Improvements Module and other costs of the State Architect's Office that are not directly related to capital projects managed by the State Architect.

Section: 207.30.80

Adjusts the transfers as follows:

(1) Same as the Executive.

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(2) Up to \$1,097,412 in FY 2010 and up to \$1,111,575 in FY 2011 to the GSF Fund 1120, Director's Office, to support operating expenses of the Accountability and Results Initiative.

(2) Decreases the amount that can be transferred to \$457,647 in FY2010 and \$471,630 in FY2011.

(3) Up to \$4,000,000 in FY 2010 and up to \$1,000,000 in FY 2011 to the GSF Fund 5EB0, OAKS Support Organization, for OAKS operating costs not billed to GSF Fund 1050, Accounting and Budgeting, which is used by OBM, to GSF Fund 1250, Human Resources Services, which is used by DAS, or paid from other DAS's funds.

(3) Same as the Executive.

(4) No provision.

(4) Authorizes OBM to transfer \$589,627 in each fiscal year from the Major IT Purchases Fund (Fund 4N60) to the GRF.

(5) Appropriates these approved transfer amounts to the following GSF line items: 100639, State Architect's Office in FY 2010 and FY 2011; 100616, DAS Administration, in FY 2010 and FY 2011; and 100635, OAKS Support Organization, in FY 2010 only.

(5) Same as the Executive, but specifies that only the non-GRF transfers are appropriated.

**45 DAS - 40 MARCS Debt Service Payments**

**Section: 207.40.10**

(1) Requires the Director of DAS, with advice from the MARCS Steering Committee, to determine the amount of debt service payments attributable to spending for MARCS components that are not specific to any one agency, and that are charged to agencies supported by the Motor Fuel Tax.

**Section: 207.40.10**

(1) Same as the Executive.

(2) Requires that such debt service payments be calculated for MARCS capital disbursements made beginning July 1, 1997. Within thirty days of any payment

(2) Same as the Executive.

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made from appropriation item 100447, OBA - Building Rent Payments, requires the Director of DAS to certify to the Director of OBM the amount of this share. Requires the Director of OBM to transfer these amounts to the GRF from the State Highway Safety Fund 7036.

(3) Requires DAS to consider renting or leasing existing tower sites at reasonable market rates, so long as the existing sites are equipped with the technical capabilities to support the MARCS project.

(3) Same as the Executive.

**46 DAS - 8 Accountability and Results**

**Section: 207.40.20**

Creates the Accountability and Results Fund (Fund 5GD0) to pay for the Results and Accountability Initiative. Identifies the following potential funding sources: gifts, grants, devises, bequests, and other financial contributions made to DAS. Requires that all investment earnings of the fund be credited to the fund.

**Section: 207.40.20**

Same as the Executive.

**47 DAS - 41 Declaration of Public Exigency**

**Section: 207.40.30**

Requires the Director of DAS to notify the members of the Controlling Board whenever the Director declares public exigency pursuant to R.C. 125.15.

**Section: 207.40.30**

Same as the Executive.

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48 DAS - 66 Equal Employment Opportunity Transfer

No provision.

**Section: 207.40.40**

Requires the Director of the Office of Budget and Management, in each fiscal year, to transfer \$500,000 in cash from the GRF to the State Equal Employment Opportunity Fund (Fund 1880).

49 DAS - 42 Lease Payments to OPFC, OBA, and Treasurer of State

**Section: 518.20**

Appropriations additional amounts, if necessary, for the purpose of making lease payments pursuant to leases and agreements relating to bonds and notes issued by the Ohio Building Authority or the Treasurer of State, or previously, by the Ohio Public Facilities Commission, pursuant to the Ohio Constitution and acts of the General Assembly.

**Section: 518.20**

Same as the Executive.

50 DAS - 50 Fiscal Stabilization Funds and Buy Ohio

No provision.

**Section: 701.40**

States the General Assembly's intent that all funds appropriated or otherwise made available by the state for fiscal stabilization or recovery purposes or by the American Recovery and Reinvestment Act of 2009 be used, to the extent possible, in accordance with the preferences established in the state's Buy Ohio Law.

No provision.

Requires the Director of Administrative Services to publish on the internet information identifying a person who requests or obtains a waiver of the Buy Ohio preferences and the product or service with regard to which the waiver

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was requested or obtained.

**Fiscal effect: Increased cost to the GRF to develop and maintain website that publishes Buy Ohio waiver information.**

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## 51 OBM - 12 Pay Reduction Strategies

R.C. 124.152, 124.18, 124.19, 124.34, 124.392, 126.05, Section 741.10

(1) Reduces the compensation of certain full-time and permanent part-time state employees during the FY 2010-FY 2011 biennium by 4%, 4.5%, or 5%. Returns the pay for these employees to the FY 2009 level at the beginning of FY 2012.

(2) Authorizes the Governor to declare a fiscal emergency if the Governor ascertains that the available revenue and balances for any fund or across any funds will in all probability be less than appropriations for the year, and to issue such orders as are necessary to the Director of OBM to reduce expenditures, or to the Director of DAS to implement various personnel actions, including but not limited to furloughs.

(3) Requires the Director of DAS, in consultation with the Director of OBM, to establish mandatory or voluntary furlough programs for any employee paid by warrant of the Director of OBM as necessary to reduce state expenditures in the event of a fiscal emergency declared by the Governor. Specifies that (a) reductions in pay made as the result of a furlough are not modifications or reductions in pay that an employee in the classified civil service can appeal to the State Personnel Board of Review and (b) an employee need not be in active pay status the day preceding a holiday to receive holiday pay, as current law requires, if the employee is furloughed on that day.

R.C. 124.15, 124.152, 124.18, 124.183, 124.34, 124.382, 124.385, 124.386, 124.392, 126.05, Section 741.10

(1) No provision.

(2) Same as the Executive, but changes the furloughs programs referenced in the executive budget to mandatory cost savings days.

(3) Replaces the executive provisions with provisions that (a) require, during each fiscal year of the biennium, that all full-time exempt employees participate in a total of 80 hours of mandatory cost savings through a loss of pay or holiday pay and that all part-time employees not receive holiday pay, (b) requires participation in the cost savings program for all employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless those officials choose to exempt the office's employees and notifies the Director of DAS in writing on or before July 1, 2009, and (c) authorize the Director of DAS, after June 30, 2011, to implement mandatory cost savings days for exempt employees if the Governor declares a

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(4) Authorizes the Governor, during the FY 2010-FY 2011 biennium, to impose a moratorium on the receipt of holiday pay on any holiday by employees paid by warrant of the Director of OBM, if the Governor declares a fiscal emergency. Provides that employees required to work on a holiday by their appointing authority be paid at their regular rate of pay. Exempts employees of the judicial and legislative branches and the Secretary of State, Auditor of State, Treasurer of State, and Attorney General from the moratorium on the receipt of holiday pay.

(5) Directs the Office of Collective Bargaining within DAS to negotiate with the respective state collective bargaining units various payroll reduction strategies through the collective bargaining process prior to July 1, 2009, including, but not limited to, reductions in pay for FY 2010 and FY 2011 and an increase in a state employee's share of dental, vision, and life insurance benefits during those fiscal years, to achieve savings of between \$170 million and \$200 million for each fiscal year. Authorizes the Director of OBM to transfer cash from non-GRF funds to the GRF to carry out the provisions above.

(6) No provision.

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fiscal emergency.

(4) Replaces the executive provisions with provisions that (a) require that part-time employees receive four hours of holiday pay, rather than on a pro-rated basis as required by current law and (b) change certain conditions governing the payment of holiday pay for state employees that relate to whether the employee worked the day immediately before or after the holiday.

(5) Same as the Executive.

(6) Imposes moratoria, from December 2009 through December 2011, on the accrual of personal leave by employees paid by warrant of the Director of OBM and on the annual conversion of accrued but unused personal leave. Provides that the moratoria apply to employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless those officials decide to exempt the office's employees and so notifies the Director of DAS in writing on or before July 1, 2009.

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(7) No provision.

(7) Places a general moratorium on annual step advancements for state employees from June 21, 2009, through June 20, 2011, and provides that intermittent employees are not eligible for step advancements.

(8) No provision.

(8) Requires that state employees be paid at the employee's regular rate of pay for any hours of compensatory time in excess of maximum amounts specified in existing law if the employee has not used the compensatory time within 365 days after it is granted, rather than within 180 days as provided by current law.

(9) No provision.

(9) Allows an employee paid by warrant of the Director of Budget and Management to use the employee's available compensatory leave balance to supplement disability leave payments.

(10) No provision.

(10) Grants in August 2011 to a state employee paid by warrant of the Director of Budget and Management a one-time pay supplement equivalent to 16 hours if the employee is a part-time employee, or equivalent to 32 hours or half the hours of personal leave hours the employee lost as a result of the moratoria on the annual credit and payment of personal leave in effect from December 2009 until December 2011, if the employee is a full-time employee; does not grant the pay supplement described above to employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless these employees were subject to these moratoria and the elected officials noted above decide to participate in the pay supplement.

(11) No provision.

(11) Grants in July 2011 to a state employee paid by warrant of the Director of Budget and Management a one-time credit of sick leave equal to 16 hours if the employee

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is a part-time employee, or 32 hours, or one-half of the personal leave hours the employee lost as a result of the moratoria on the crediting and annual payment of personal leave in effect from December 2009 until December 2011, if the employee is a full-time employee; does not grant the sick leave credit described above to employees of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General unless these employees were subject to the moratoria on the accrual and annual payment of personal leave in effect from December 2009 until December 2011 and the Secretary of State, Auditor of State, Treasurer of State, or Attorney General decides to participate in the credit.

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**Fiscal effect: Decrease in payroll expenditures. In order to achieve the savings described above, the executive budget proposes to reduce exempt employee compensation by up to 5% based on a graduated scale, and by comparable amounts or concessions from employees subject to collective bargaining agreements. According to OBM, employees earning \$125,000 or more would be subject to a 6% reduction. Additionally, the executive proposes to lower the amount of the dental, vision, and life insurance premiums paid by the state from 100% to 90%, to use furloughs when appropriate, and to increase the mandatory early retirement incentive trigger. All of these options may be used in varying degrees.**

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**Fiscal effect: Same as the Executive, but, according to DAS estimates, provides savings to the state during the FY 2010-FY 2011 biennium of approximately \$143.7 million from the cost savings days, approximately \$30 million per year from the freeze on step movement, and approximately \$18.1 million per year from the moratoria on personal leave accrual and conversion, for a total of approximately \$191.8 million in annual savings. In addition, increasing the period after which employees must be paid for unused compensatory time will likely reduce payments for state agencies for unused compensatory time, as employees will have a greater period of time in which to use compensatory time.**

**Substantial one-time increase in FY 2012 to provide pay supplements to part-time and full-time employees. As of March 2009, there were 55,950 full-time and 1,640 part-time employees working for executive branch agencies, and 2,628 full-time and 120 part-time employees working for the Attorney General, Treasurer, Secretary of State, or Auditor of State. Likely increase in costs during FY 2012 to provide sick leave credit to the specified part-time and full-time employees.**

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52 OBM - 17 OAKS Support

Section: 229.10

(1) Requires the Director of OBM to operate and maintain the financial management module of the state's enterprise resource planning system, referred to as the Ohio Administrative Knowledge System (OAKS). Requires the Director of OBM to include in the accounting and budgeting services payroll rate the recovery of estimated costs of the information technology services provided by the Office of Information Technology (OIT) in DAS in support of the financial management module of OAKS, up to \$9,610,874 in FY 2010 and up to \$9,733,416 in FY 2011.

(1) No provision.

(2) Requires such cost recovery revenue to be deposited into the Accounting and Budgeting Fund (Fund 1050) and paid at least quarterly to the OAKS Support Organization Fund (Fund 5EB0) by intrastate transfer vouchers in accordance with the budget and cost allocation plan approved by the Director of OBM for each fiscal year.

(2) No provision.

(3) Allows the Director of DAS to offset this proportional allocation with intrastate transfer voucher billings to or cash transfers from other funds used by DAS to support costs paid from Fund 5EB0.

(3) No provision.

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53      DEV - 57      Alternative fuel definitions

No provision.

R.C.      122.075, 125.831

Adds compressed air to the definition of "alternative fuel" for the purposes of the Department of Development's Alternative Fuel Transportation Grant Program and for vehicles purchased by the state for use by state agencies.

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Other Education Provisions

54      EDU - 95      School Employees Health Care Board

**Section: 265.60.90**

Transfers the School Employees Health Care Board and any unexpended and unencumbered appropriations or reappropriations for the Board from DAS to ODE. Requires the transfer to take effect on July 1, 2009, or as soon as possible thereafter. Requires the Director of Budget and Management to make budget changes made necessary by the transfer.

**Fiscal effect: Increased expenditures of ODE presumably offset by transfer of appropriations from DAS.**

No provision.

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## 55      PAY - 9      Changes in Annual Vacation Leave for Certain State Employees

(1) No provision.

**R.C.      124.134, Section 803.30**

(1) Reduces by one year the amount of service required of the following state employees before they accrue specific amounts of vacation leave, effective August 30, 2009: (a) exempt employees, (b) legislative employees, (c) Supreme Court employees, (d) certain employees in the office of the Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General, and (e) employees in any position for which authority to determine compensation is given by law to an individual or entity other than the Director of Administrative Services.

(2) No provision.

(2) Provides that employees may begin using their vacation leave upon completing their initial probationary period.

(3) No provision.

(3) Requires the Director of DAS to determine an additional, prorated amount of vacation leave for employees who are in their fourth, ninth, fourteenth, nineteenth, or twenty-fourth year of service to receive as a result of the transition occurring on that date. Requires the additional, prorated amount to be such that the affected employees are not harmed as a result of the transition, and to be added to the vacation leave balances of the affected employees on August 30, 2009.

**Fiscal effect: No net effect on wage costs, but there would likely be an increase in vacation leave usage for the specified employees. Likely increase in payments made from ALF Fund 8060, Accrued Leave Fund, for vacation leave cash conversion for those employees leaving state service.**

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56      PAY - 11      Life Insurance for Municipal and County Judges

(2) No provision.

(2) No provision.

R.C.      124.81

(1) Requires the Department of Administrative Services to obtain group life insurance coverage for all municipal and county court judges.

(2) Provides that on and after the effective date of the life insurance coverage for municipal and county court judges, these judges are ineligible for life insurance coverage from any county or other political subdivision.

**Fiscal effect: Substantial Increase in expenditures from AGY Fund 8100, Life Insurance Investment Fund, to pay for the cost of providing life insurance to county and municipal judges.**

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57 BOR - 73 Energy Conservation Measures

R.C. 156.01, 156.02, 156.03, 156.04, 3345.61, 3345.62, 3345.63, 3345.64, 3345.66

No provision.

(1) Permits a state-assisted institution of higher education to implement certain water conservation measures in addition to the energy conservation measures permitted in current law, and provides authority to issue notes to finance those measures. Specifies that energy or water conservation measures should result in energy, water, or wastewater cost savings, operating costs savings, and avoided capital costs.

No provision.

(2) Reduces the amount of contract costs that must be paid within two years after the purchase of a conservation contract from one-tenth to one-fifteenth of those costs. Specifies that the remaining balance of conservation contract costs must be paid within 15 years.

No provision.

(3) Extends the payment period for cogeneration system contracts from 5 years to 15 years. Extends the payment period for other conservation contracts from 10 to 15 years.

**Fiscal effect: Potential decrease in operating and capital expenses for institutions that elect to implement water saving measures.**

Executive

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Local Government Provisions

58 MIS - 9 Reverse Internet Auctions

No provision.

**R.C. 9.314, 9.317**

Prohibits the state and political subdivisions from using internet reverse auctions to purchase supplies or services if the contract concerns the design, construction, alteration, repair, reconstruction, or demolition of a building, highway, road, street, alley, drainage system, water system, waterworks, ditch, sewer, sewage disposal plant, or any other structure or works of any kind.

**Fiscal effect: A reverse internet auction is a purchasing process in which vendors or contractors submit competitive bids to provide goods and services; to the extent that this process is used, prohibiting such auctions could possibly increase the cost of procuring those services specified in the bill.**

59 MIS - 11 Court Employee Collective Bargaining Exemption

No provision.

**R.C. 4117.01**

Removes the exemption for employees and officers of the court and employees of the clerks of courts who perform a judicial function from the Public Employee Collective Bargaining Law, effectively allowing these employees to collectively bargain.

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**Fiscal effect: Potential increase in costs for the Office of Collective Bargaining to engage in collective bargaining if eligible judicial employees choose to form a representative organization; possible increase in payroll and benefit expenditures if collective bargaining agreements enhance employee benefits.**

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