



JOHN R. KASICH
GOVERNOR
STATE OF OHIO

Executive Order 2011-22K

The Emergency Amendment or Adoption of Rules 3770:2-2-01, 3770:2-3-01, 3770:2-3-02, 3770:2-3-03, 3770:2-4-01, 3770:2-4-02, 3770:2-4-03, 3770:2-4-04, 3770:2-4-05, 3770:2-5-01, 3770:2-5-02, 3770:2-5-03, 3770:2-5-04, 3770:2-5-05, 3770:2-11-01 and 3770:2-12-01 of the Ohio Administrative Code by the Ohio Lottery Commission

WHEREAS, lottery revenues are an important component of the State's contribution to primary and secondary education programs and infrastructure. In fiscal year 2011 alone, the Ohio Lottery Commission contributed \$738.8 million to the Lottery Profits Education Fund.

WHEREAS, the implementation of Video Lottery Terminals (VLTs) at the earliest opportunity will increase revenue to the Lottery Profits Education Fund, spur economic development, and generate employment and resultant revenue to State and local governments.

WHEREAS, the Ohio Lottery Commission wishes to immediately amend or adopt rules pertaining to VLTs in order to (1) capture revenue for the State, (2) advance economic development in the State, and (3) generate employment opportunities for the welfare of the citizens of the State which would otherwise be foregone.

WHEREAS, Sections 3770.03 and 3770.21 of the Ohio Revised Code authorize the Ohio Lottery Commission to promulgate rules in accordance with Chapter 119 of the Ohio Revised Code for the implementation of VLTs.

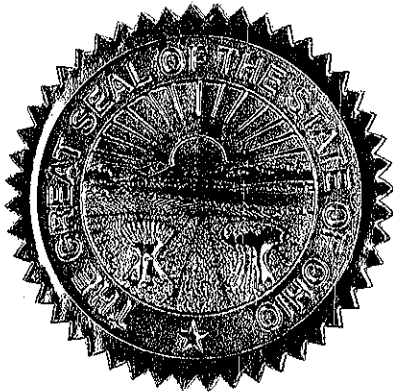
WHEREAS, Section 119.03(F) of the Ohio Revised Code authorizes the Governor, on the request of a state agency, to suspend the normal rule making procedures with respect to specific rules when an emergency exists necessitating the immediate adoption, amendment, or rescission of such rules. When such a determination is made, the agency may immediately adopt, amend, or rescind such rules, but the rules are only valid for ninety (90) days.

WHEREAS, the Ohio Lottery Commission has requested a determination whether an emergency exists that requires the immediate amendment or adoption of Rules 3770:2-2-01, 3770:2-3-01, 3770:2-3-02, 3770:2-3-03, 3770:2-4-01, 3770:2-4-02, 3770:2-4-03, 3770:2-4-04, 3770:2-4-05, 3770:2-5-01, 3770:2-5-02, 3770:2-5-03, 3770:2-5-04, 3770:2-5-05, 3770:2-11-01 and 3770:2-12-01 of the Ohio Administrative Code in order for the Ohio Lottery Commission, pursuant to Sections 3770.03 and 3770.21 of the Ohio Revised Code, to immediately amend or adopt rules necessary to implement VLTs.

NOW THEREFORE, I, John R. Kasich, Governor of the State of Ohio, have determined, upon the request of the Ohio Lottery Commission, that an emergency exists requiring the immediate amendment or adoption of Rules 3770:2-2-01, 3770:2-3-01, 3770:2-3-02, 3770:2-3-03, 3770:2-4-01, 3770:2-4-02, 3770:2-4-03, 3770:2-4-04, 3770:2-4-05, 3770:2-5-01, 3770:2-5-02, 3770:2-5-03, 3770:2-5-04, 3770:2-5-05, 3770:2-11-01 and 3770:2-12-01 of the Ohio Administrative Code by the Ohio Lottery Commission. Further, I hereby order that the procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to the amendment or adoption of such specified rules be suspended and the Ohio Lottery Commission be permitted to immediately amend or adopt these rules by electronically filing them with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review.

Further, I hereby order that this Executive Order be filed in electronic form with the Ohio Lottery Commission, the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review.

I signed this Executive Order on October 14, 2011 in Columbus, Ohio, and it will expire at the end of the ninetieth day it is in effect.

A handwritten signature in black ink, appearing to read "John R. Kasich".

John R. Kasich, Governor

ATTEST:

Jon Husted, Secretary of State