



MIKE DEWINE
GOVERNOR
STATE OF OHIO

Executive Order 2020-25D

Implementing Cost Savings Measures and the Emergency Amendment of Rule 123:1-34-11 of the Ohio Administrative Code by the Department of Administrative Services to Implement Mandatory Cost Savings for Exempt Personnel

WHEREAS, on March 9, 2020, I declared a State of Emergency in Executive Order 2020-01D regarding the community spread of COVID-19 in the State of Ohio; and

WHEREAS, in addition to a series of Executive Orders, the Ohio Department of Health Director has issued a series of special orders under Section 3701.13 of the Ohio Revised Code to prevent the spread of COVID-19 and to protect life, health, and welfare of Ohioans; and

WHEREAS, at my direction State agencies implemented several budgetary controls including but not limited to a freeze on State travel, hiring, and agency contracts unrelated to the State's response to the COVID-19 pandemic; and

WHEREAS, pursuant to Executive Order 2020-19D, a fiscal emergency exists, and State agencies made reductions to fiscal year 2020 expenditures by approximately \$775 million across General Revenue Fund appropriations and in amounts necessary in other appropriations to align expenditures with available cash balances and continue to implement spending control strategies in fiscal year 2021; and

WHEREAS, revenue estimates for fiscal year 2021 reflect a \$2.43 billion shortfall in the General Revenue Fund when compared to enacted appropriations; and

WHEREAS, the COVID-19 pandemic is anticipated to continue to negatively impact State revenue such that available revenue receipts and balances in the General Revenue Fund and other funds in the State treasury will likely, and in all probability, be less than appropriations for fiscal year 2021; and

WHEREAS, on June 1, 2020, the Directors of Budget and Management and Administrative Services issued a budgetary control memorandum to begin implementing necessary personnel cost savings measures; and

WHEREAS, Section 124.392 of the Ohio Revised Code authorizes the Department of Administrative Services to promulgate rules relating to the implementation of mandatory cost savings programs; and

WHEREAS, Section 119.03 (G) 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 one hundred and twenty (120) days; and

WHEREAS, the Department of Administrative Services has requested a determination whether an emergency exists that requires the amendment of rule 123:1-34-11 on an emergency basis and that would therefore permit the Department of Administrative Services, pursuant to Section 124.392 of the Ohio Revised Code, to make immediate and necessary changes to the rule.

NOW THEREFORE, I, Mike DeWine, Governor of the State of Ohio, by virtue of the power and authority vested in me by the Constitution and laws of this State; in order to implement cost savings measures and cost savings days for exempt employees to balance the State budget, do hereby confirm a fiscal emergency pursuant to Executive Order 2020-19D continues and order all State agencies, departments, offices, institutions, boards and commissions to implement cost savings measures as determined by the Directors of Budget and Management and Administrative Services.


Further, I have determined, upon the request of the Department of Administrative Services, that an emergency exists requiring the immediate amendment of rule 123:1-34-11 of the Ohio Administrative Code.

I hereby order that the procedures prescribed by section 119.03 of the Ohio Revised Code with respect to the amendment of the specified rule be suspended and that the Department of Administrative Services be permitted to amend the rule immediately by filing it electronically with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review ("JCARR").

Furthermore, I hereby order that this Executive Order be filed in electronic form with the Department of Administrative Services, the Secretary of State, the Director of the Legislative Service Commission and JCARR.

Nothing in this Order shall be construed to rescind or replace any cost savings measures and spending control strategies implemented by the Directors of Budget and Management and Administrative Services according to their statutory authority and Executive Order 2020-19D.

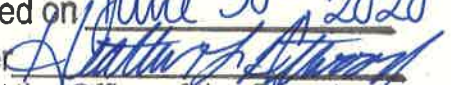
I signed this Executive Order on June 25, 2020, in Columbus, Ohio, and it shall take effect immediately and remain in full force until June 30, 2021 unless rescinded by me before that date. The emergency amendment of rule 123:1-34-11 of the Ohio Administrative Code will expire one hundred and twenty (120) days from the effective date of the emergency rule, or upon the adoption of the rule through the normal JCARR process, whichever is sooner.


Mike DeWine, Governor

ATTEST:


Frank LaRose, Secretary of State



Filed on June 30th 2020
Per 
In the Office of the Secretary
of State at Columbus, OH
FRANK LaROSE
Secretary of State