

As Introduced

**128th General Assembly
Regular Session
2009-2010**

S. B. No. 52

Senator Grendell

—

A BILL

To amend sections 121.02, 121.03, 121.05, 121.06, 1
121.07, 121.11, 121.13, 121.15, and 121.17, to 2
enact new section 121.04 and to enact sections 3
117.103, 121.041, 121.042, 121.043, 121.044, 4
121.045, 121.046, 121.047, 121.048, and 121.049 5
and to repeal section 121.04 of the Revised Code 6
to reorganize the executive branch of state 7
government. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 121.02, 121.03, 121.05, 121.06, 9
121.07, 121.11, 121.13, 121.15, and 121.17 be amended and that new 10
section 121.04 and sections 117.103, 121.041, 121.042, 121.043, 11
121.044, 121.045, 121.046, 121.047, 121.048, and 121.049 of the 12
Revised Code be enacted to read as follows: 13

Sec. 117.103. The auditor of state shall conduct performance 14
audits to facilitate the effective and efficient operation of the 15
departments established under section 121.02, and their divisions 16
established under section 121.04 and 121.041 to 121.049, of the 17
Revised Code. 18

Sec. 121.02. (A) The following administrative departments and 19
their respective executive directors are hereby created: 20

(A)(1) The office of budget finance and management <u>operations</u> , which shall be administered by the <u>executive</u> director of budget finance and management <u>operations</u> ;	21 22 23
(B)(2) The department of commerce <u>business</u> , which shall be administered by the <u>executive</u> director of commerce <u>business</u> ;	24 25
(C) The department of administrative services , which shall be administered by the director of administrative services ;	26 27
(D)(3) The department of transportation <u>and infrastructure</u> , which shall be administered by the <u>executive</u> director of transportation <u>and infrastructure</u> ;	28 29 30
(E) The department of agriculture , which shall be administered by the director of agriculture ;	31 32
(F)(4) The department of natural resources <u>resource</u> <u>protection</u> , which shall be administered by the <u>executive</u> director of natural resources <u>resource protection</u> ;	33 34 35
(G)(5) The department of <u>public</u> health, which shall be administered by the <u>executive</u> director of <u>public</u> health;	36 37
(H)(6) The department of job and family services <u>human</u> <u>resource development</u> , which shall be administered by the <u>executive</u> director of job and family services <u>human resource development</u> ;	38 39 40
(I) Until July 1, 1997, the department of liquor control , which shall be administered by the director of liquor control ;	41 42
(J)(7) The department of public safety, which shall be administered by the <u>executive</u> director of public safety;	43 44
(K) The department of mental health , which shall be administered by the director of mental health ;	45 46
(L) The department of mental retardation and developmental disabilities , which shall be administered by the director of mental retardation and developmental disabilities ;	47 48 49

~~(M) The department of insurance, which shall be administered
by the superintendent of insurance as director thereof;~~ 50
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~~(N)(8) The department of development, which shall be
administered by the executive director of development;~~ 52
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~~(O) The department of youth services, which shall be
administered by the director of youth services;~~ 54
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~~(P)(9) The department of community and institutional
rehabilitation and correction, which shall be administered by the
executive director of community and institutional rehabilitation
and correction;~~ 56
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~~(Q) The environmental protection agency, which shall be
administered by the director of environmental protection;~~ 60
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~~(R) The department of aging, which shall be administered by
the director of aging;~~ 62
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~~(S)(10) The department of alcohol and drug addiction services
education, which shall be administered by the executive director
of alcohol and drug addiction services;~~ 64
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~~(T)(11) The department of veterans services, which shall be
administered by the executive director of veterans services.~~ 67
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~~(B) The executive director of each department shall exercise
the powers and perform the duties vested by law in ~~such~~ that
department.~~ 69
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Sec. 121.03. The following administrative department heads 72
shall be appointed by the governor, with the advice and consent of 73
the senate, ~~and~~ shall hold their offices during the term of the 74
appointing governor, and are subject to removal at the pleasure of 75
the governor. 76

(A) The executive director of ~~budget~~ finance and ~~management~~
operations;

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(B) The <u>executive</u> director of commerce <u>business</u> ;	79
(C) The <u>executive</u> director of transportation <u>and</u> <u>infrastructure</u> ;	80 81
(D) The director of agriculture;	82
(E) The <u>executive</u> director of job and family services <u>human</u> <u>resource development</u> ;	83 84
(F) Until July 1, 1997, the director of liquor control;	85
(G) (E) The <u>executive</u> director of public safety;	86
(H) The superintendent of insurance;	87
(I) (F) The <u>executive</u> director of development;	88
(J) The tax commissioner;	89
(K) The director of administrative services;	90
(L) (G) The <u>executive</u> director of natural resources <u>resource</u> <u>protection</u> ;	91 92
(M) The director of mental health;	93
(N) The director of mental retardation and developmental disabilities;	94 95
(O) (H) The <u>executive</u> director of <u>public</u> health;	96
(P) The director of youth services;	97
(Q) (I) The <u>executive</u> director of <u>community and institutional</u> <u>rehabilitation and correction</u> ;	98 99
(R) The director of environmental protection;	100
(S) The director of aging;	101
(T) The director of alcohol and drug addiction services;	102
(U) The administrator of workers' compensation who meets the qualifications required under division (A) of section 4121.121 of the Revised Code;	103 104 105

~~(V)~~(J) The executive director of veterans services who meets 106
the qualifications required under section 5902.01 of the Revised 107
Code. 108

Sec. 121.04. The department of education consists of the 109
following divisions, with each headed by the chief of that 110
division: 111

(A) A division of primary and secondary education responsible 112
for all of the following: 113

(1) Curriculum and assessment; 114

(2) Teacher development, and student, family, and community 115
programs; 116

(3) Nonpublic and alternative schools; 117

(4) Policy and accountability; and 118

(5) Coordination of lifelong learning. 119

(B) A division of higher education for four-year colleges and 120
universities responsible for all of the following: 121

(1) Curriculum and assessment; 122

(2) Professor development, and student, family, and community 123
programs; 124

(3) Policy and higher education development; 125

(4) Investigations and school compliance; and 126

(5) The higher education-Ohio business compact as it relates 127
to four-year colleges and universities. 128

(C) A division of higher education for two-year colleges 129
responsible for all of the following: 130

(1) Curriculum and assessment; 131

(2) Professor development, and student, family, and community 132

<u>programs;</u>	133
<u>(3) Policy and higher education development;</u>	134
<u>(4) Investigations and school compliance;</u>	135
<u>(5) The higher education-Ohio business compact as it relates</u> <u>to two-year colleges; and</u>	136 137
<u>(6) Adult education.</u>	138
<u>(D) A division of education finance responsible for all of</u> <u>the following:</u>	139 140
<u>(1) Public school and higher education finance and fiscal</u> <u>planning;</u>	141 142
<u>(2) Student financial assistance programs;</u>	143
<u>(3) The Ohio tuition trust authority; and</u>	144
<u>(4) Federal programs and grant management.</u>	145
<u>(E) A division of education technology responsible for all of</u> <u>the following:</u>	146 147
<u>(1) Educational telecommunications programming and facility</u> <u>management;</u>	148 149
<u>(2) Network operations; and</u>	150
<u>(3) Technology applications.</u>	151
<u>(F) A division of cultural resources responsible for all of</u> <u>the following:</u>	152 153
<u>(1) The state library of Ohio and the archives of the Ohio</u> <u>historical society;</u>	154 155
<u>(2) The state historic preservation office;</u>	156
<u>(3) Historical site and facility maintenance; and</u>	157
<u>(4) Arts programs and grants.</u>	158
<u>Sec. 121.041.</u> The department of public safety consists of the	159

<u>following divisions, with each headed by the chief of that</u>	160
<u>division:</u>	161
<u>(A) A division of uniformed services responsible for all of</u>	162
<u>the following:</u>	163
<u>(1) The state highway patrol;</u>	164
<u>(2) The office of the state fire marshal;</u>	165
<u>(3) Executive security;</u>	166
<u>(4) Training programs for the uniformed services;</u>	167
<u>(5) The multi-agency radio communications system; and</u>	168
<u>(6) Hazardous materials programs.</u>	169
<u>(B) A division of public safety services responsible for all</u>	170
<u>of the following:</u>	171
<u>(1) The bureau of motor vehicles;</u>	172
<u>(2) Certification and continuing education of emergency</u>	173
<u>medical service professionals;</u>	174
<u>(3) Fire and liquor control research laboratories;</u>	175
<u>(4) Crash repair investigation;</u>	176
<u>(5) Criminal justice services;</u>	177
<u>(6) Youth safety programs;</u>	178
<u>(7) The Ohio emergency management agency;</u>	179
<u>(8) Security guard and private investigator licensing; and</u>	180
<u>(9) Policy and technology.</u>	181
<u>(C) A division of homeland security and emergency management</u>	182
<u>responsible for all of the following:</u>	183
<u>(1) The Ohio national guard;</u>	184
<u>(2) Homeland security;</u>	185
<u>(3) Capitol square, as defined in section 105.41 of the</u>	186

<u>Revised Code, and other building security;</u>	187
<u>(4) Aircraft security;</u>	188
<u>(5) Disaster response planning;</u>	189
<u>(6) First responder oversight and protection;</u>	190
<u>(7) Terrorist awareness and prevention;</u>	191
<u>(8) Family and innovative readiness training; and</u>	192
<u>(9) Agriculture resource and public water protection.</u>	193
<u>(D) A division of grants and disbursements responsible for</u>	194
<u>both of the following:</u>	195
<u>(1) Homeland security and criminal justice services grant</u>	196
<u>management; and</u>	197
<u>(2) Administration of all safety-related disbursements.</u>	198
<u>(E) A division of prevention and enforcement responsible for</u>	199
<u>all of the following:</u>	200
<u>(1) Enforcement and investigation of violations of liquor</u>	201
<u>control, tobacco, insurance, and food stamp fraud laws;</u>	202
<u>(2) A vice unit;</u>	203
<u>(3) Criminal activity prevention; and</u>	204
<u>(4) Drug force task management.</u>	205
<u>Sec. 121.042. The department of public health consists of the</u>	206
<u>following divisions, with each headed by the chief of that</u>	207
<u>division:</u>	208
<u>(A) A division of health and well-being responsible for all</u>	209
<u>of the following:</u>	210
<u>(1) Family and community health services and programs;</u>	211
<u>(2) Disease prevention;</u>	212
<u>(3) State employee health services;</u>	213

<u>(4) Minority health affairs;</u>	214
<u>(5) Alcohol and drug addiction treatment and rehabilitation services;</u>	215 216
<u>(6) Addiction prevention and intervention services;</u>	217
<u>(7) State-operated hospital services;</u>	218
<u>(8) Mental health inpatient services;</u>	219
<u>(9) Health support services; and</u>	220
<u>(10) Health policy and accountability.</u>	221
<u>(B) A division of community care support services responsible for all of the following:</u>	222 223
<u>(1) Local mental health and mental retardation and developmental disabilities programs;</u>	224 225
<u>(2) Support for mental retardation and developmental disabilities developmental centers; and</u>	226 227
<u>(3) Elder community care, including PASSPORT.</u>	228
<u>(C) A division of medicaid services responsible for all of the following:</u>	229 230
<u>(1) Medicaid disbursements;</u>	231
<u>(2) Medicaid provider services;</u>	232
<u>(3) Medicaid revenue administration;</u>	233
<u>(4) Medicaid fraud, waste, and abuse prevention; and</u>	234
<u>(5) Federal-state matching.</u>	235
<u>(D) A division of medical professional and state healthcare system regulation responsible for certification, licensing, investigations, inspections, enforcement, adjudications, continuing education, training, and examinations relating to all of the following bodies or facilities:</u>	236 237 238 239 240

<u>(1) Ohio medical transportation board;</u>	241
<u>(2) Ohio board of dietetics;</u>	242
<u>(3) State medical board;</u>	243
<u>(4) Board of nursing;</u>	244
<u>(5) Ohio optical dispensers board;</u>	245
<u>(6) State board of optometry;</u>	246
<u>(7) State board of pharmacy;</u>	247
<u>(8) State board of psychology;</u>	248
<u>(9) Chemical dependency professionals board;</u>	249
<u>(10) Counselor, social worker, and marriage and family therapist counselors board;</u>	250 251
<u>(11) Ohio occupational therapy, physical therapy, and athletic trainers board;</u>	252 253
<u>(12) State board of orthotics, prosthetics, and pedorthics;</u>	254
<u>(13) State veterinary medical licensing board;</u>	255
<u>(14) State chiropractic board;</u>	256
<u>(15) State dental board;</u>	257
<u>(16) Board of speech-language pathology and audiology;</u>	258
<u>(17) Hearing aid dealers and fitters licensing board;</u>	259
<u>(18) Board of examiners of nursing home administrators;</u>	260
<u>(19) Ohio respiratory care board; and</u>	261
<u>(20) Public health facilities, addiction treatment facilities, and mental health facilities.</u>	262 263
<u>Sec. 121.043.</u> <u>The department of transportation and infrastructure consists of the following divisions, with each headed by the chief of that division:</u>	264 265 266

<u>(A) A division of system maintenance responsible for all</u>	267
<u>activities related to the general maintenance and upkeep of the</u>	268
<u>state's transportation system, and materials management.</u>	269
<u>(B) A division of system regulation responsible for all</u>	270
<u>transportation system regulatory activities.</u>	271
<u>(C) A division of system design and construction responsible</u>	272
<u>for all of the following:</u>	273
<u>(1) Roadway and traffic, geotechnical, and structural</u>	274
<u>engineering;</u>	275
<u>(2) System design and construction;</u>	276
<u>(3) Transportation planning and research;</u>	277
<u>(4) Local transportation improvement programs;</u>	278
<u>(5) Service procurement; and</u>	279
<u>(6) Contract administration.</u>	280
<u>(D) A division of public transportation responsible for all</u>	281
<u>of the following:</u>	282
<u>(1) State transit authorities;</u>	283
<u>(2) Rail transportation and the Ohio rail development</u>	284
<u>commission;</u>	285
<u>(3) Aviation activities; and</u>	286
<u>(4) Turnpike activities.</u>	287
<u>(E) A division of infrastructure financing and revenue</u>	288
<u>distribution responsible for all of the following:</u>	289
<u>(1) Financing of state building improvements and</u>	290
<u>acquisitions;</u>	291
<u>(2) Financing of public improvements relating to water and</u>	292
<u>sewer construction, transportation systems, primary and secondary</u>	293
<u>education, higher education, and underground storage facilities;</u>	294

<u>(3) Other infrastructure revenue distribution.</u>	295
<u>Sec. 121.044. The department of finance and operations</u>	296
<u>consists of the following divisions, with each headed by the chief</u>	297
<u>of that division:</u>	298
<u>(A) A general services division responsible for all of the</u>	299
<u>following:</u>	300
<u>(1) Procurement services;</u>	301
<u>(2) Fleet and mail services;</u>	302
<u>(3) Risk management services;</u>	303
<u>(4) Contract compliance; and</u>	304
<u>(5) Telecommunications.</u>	305
<u>(B) A human resources division responsible for all of the</u>	306
<u>following relating to state employees:</u>	307
<u>(1) Classification and compensation;</u>	308
<u>(2) Benefits administration, including benefits for members</u>	309
<u>of the Ohio national guard;</u>	310
<u>(3) Professional development and training;</u>	311
<u>(4) Equal opportunity services;</u>	312
<u>(5) Quality service programs;</u>	313
<u>(6) Collective bargaining management;</u>	314
<u>(7) The state personnel board of review; and</u>	315
<u>(8) The state employment relations board.</u>	316
<u>(C) A facilities and maintenance division responsible for all</u>	317
<u>of the following:</u>	318
<u>(1) State property and facility maintenance;</u>	319
<u>(2) Real estate leasing;</u>	320

<u>(3) Building operations permitting;</u>	321
<u>(4) Architecture and engineering services; and</u>	322
<u>(5) The operation of capitol square, the Ohio expositions center, and the Ohio state fair.</u>	323 324
<u>(D) An information technology division responsible for all of the following:</u>	325 326
<u>(1) Enterprise network security;</u>	327
<u>(2) Ohio data networks;</u>	328
<u>(3) Veterans' affairs records systems;</u>	329
<u>(4) A state technology program; and</u>	330
<u>(5) The Ohio business gateway, as defined in section 718.051 of the Revised Code.</u>	331 332
<u>(E) A division of financial operations responsible for all of the following:</u>	333 334
<u>(1) Accounting operations and processing;</u>	335
<u>(2) Budget analysis;</u>	336
<u>(3) Economic forecasting and revenue estimation;</u>	337
<u>(4) A statewide cost allocation plan;</u>	338
<u>(5) Financial planning;</u>	339
<u>(6) State debt issuance and debt service management; and</u>	340
<u>(7) The state controlling board.</u>	341
<u>(F) A division of revenue administration responsible for all of the following:</u>	342 343
<u>(1) Tax collection, administration, and processing;</u>	344
<u>(2) Tax policy development;</u>	345
<u>(3) Revenue distribution, including property tax relief distribution;</u>	346 347

<u>(4) Unemployment tax administration;</u>	348
<u>(5) The state lottery commission;</u>	349
<u>(6) The board of tax appeals; and</u>	350
<u>(7) Unclaimed funds.</u>	351
<u>Sec. 121.045. The department of human resource development</u>	352
<u>consists of the following divisions, with each headed by the chief</u>	353
<u>of that division:</u>	354
<u>(A) An employment services division responsible for all of</u>	355
<u>the following:</u>	356
<u>(1) All state and federal employee training programs;</u>	357
<u>(2) Workforce development programs;</u>	358
<u>(3) Job placement services;</u>	359
<u>(4) Employer services;</u>	360
<u>(5) Labor market projections;</u>	361
<u>(6) Unemployment compensation programs;</u>	362
<u>(7) Worker safety programs; and</u>	363
<u>(8) Wage and hour compliance.</u>	364
<u>(B) A rehabilitation services division responsible for all of</u>	365
<u>the following:</u>	366
<u>(1) Vocational rehabilitation programs;</u>	367
<u>(2) Job placement programs for the mentally retarded and</u>	368
<u>developmentally disabled;</u>	369
<u>(3) Services for the visually impaired;</u>	370
<u>(4) Disabled employee training programs;</u>	371
<u>(5) Compliance and assistance programs under the federal</u>	372
<u>Americans with Disabilities Act; and</u>	373

<u>(6) Other disability determination and assistance programs.</u>	374
<u>(C) A children and family services division responsible for all of the following:</u>	375
<u>(1) Child services programs, including adoption, child care, child support, foster care, healthy-start, healthy families, child protection services, kinship, and child care service provider programs;</u>	376
<u>(2) Housing services;</u>	377
<u>(3) Family services, including family violence prevention;</u>	378
<u>(4) Elder rights programs, including counseling on legal rights and end-of-life decisions; and</u>	379
<u>(5) Children first and family first programs.</u>	380
<u>(D) A human rights division responsible for all of the following bodies:</u>	381
<u>(1) Commission on African-American males;</u>	382
<u>(2) Commission on Hispanic-Latino affairs;</u>	383
<u>(3) Ohio civil rights commission;</u>	384
<u>(4) Legal rights service commission; and</u>	385
<u>(5) Ohio ethics commission.</u>	386
<u>Sec. 121.046.</u> <u>The department of community and institutional rehabilitation consists of the following divisions, with each headed by the chief of that division:</u>	387
<u>(A) A division of corrections officer administration responsible for all of the following:</u>	388
<u>(1) Adult correction and youth correction officers;</u>	389
<u>(2) Wardens;</u>	390
<u>(3) Employee relations and labor relations programs;</u>	391
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<u>(4) Equal employment opportunity compliance programs;</u>	401
<u>(5) Training and assessment;</u>	402
<u>(6) Classification;</u>	403
<u>(7) Professional education;</u>	404
<u>(8) Security threat groups; and</u>	405
<u>(9) Special tactics and response teams.</u>	406
<u>(B) A division of correctional support services responsible</u>	407
<u>for all of the following:</u>	408
<u>(1) Health, safety, and religious services;</u>	409
<u>(2) Correctional health care and a corrections medical</u>	410
<u>center;</u>	411
<u>(3) Recovery and psychiatric treatment services;</u>	412
<u>(4) Food and library services;</u>	413
<u>(5) An office of mental health forensic services;</u>	414
<u>(6) The Ohio penal industries program and the agriculture</u>	415
<u>program related to it;</u>	416
<u>(7) Records management;</u>	417
<u>(8) Business operations; and</u>	418
<u>(9) Youth and continuing education programs.</u>	419
<u>(C) A division of correctional facilities maintenance</u>	420
<u>responsible for facilities construction, activation, and</u>	421
<u>maintenance activities.</u>	422
<u>(D) A division of parole and community services responsible</u>	423
<u>for all of the following:</u>	424
<u>(1) Adult detention services;</u>	425
<u>(2) A bureau of community sanctions;</u>	426
<u>(3) An office of victim services;</u>	427

<u>(4) Offender re-entry programs;</u>	428
<u>(5) Quality and community partnerships;</u>	429
<u>(6) A best practices institute;</u>	430
<u>(7) Interstate compact investigations;</u>	431
<u>(8) Offender supervision special services;</u>	432
<u>(9) Youth volunteer programs;</u>	433
<u>(10) Alcohol and drug addiction alternative treatment programs; and</u>	434 435
<u>(11) Therapeutic community programs.</u>	436
<u>Sec. 121.047. The department of business consists of the following divisions, with each headed by the chief of that division:</u>	437 438 439
<u>(A) A division of licensing responsible for licensing, enforcement, adjudication, investigations, continuing education, and examinations relating to all of the following bodies:</u>	440 441 442
<u>(1) Accountancy board;</u>	443
<u>(2) Ohio athletic commission;</u>	444
<u>(3) State board of examiners of architects;</u>	445
<u>(4) Barber board;</u>	446
<u>(5) State board of cosmetology;</u>	447
<u>(6) Board of embalmers and funeral directors;</u>	448
<u>(7) State board of registration for professional engineers and surveyors;</u>	449 450
<u>(8) Liquor control commission;</u>	451
<u>(9) Board of motor vehicle collision repair registration; and</u>	452
<u>(10) State racing commission.</u>	453

<u>(B) A division of financial institutions and securities</u>	454
<u>coordination responsible for both of the following:</u>	455
<u>(1) Chartering, licensing, and regulating financial</u>	456
<u>institutions; and</u>	457
<u>(2) Licensing and regulation relating to securities.</u>	458
<u>(C) A division of building and real estate coordination</u>	459
<u>responsible for all of the following:</u>	460
<u>(1) Licenses, permits, and inspections relating to building</u>	461
<u>and real estate, including amusement rides;</u>	462
<u>(2) Compliance with building codes; and</u>	463
<u>(3) The state board of building appeals.</u>	464
<u>(D) A division of insurance responsible for all of the</u>	465
<u>following:</u>	466
<u>(1) Consumer services;</u>	467
<u>(2) Financial regulation services;</u>	468
<u>(3) Life and health insurance and property and casualty</u>	469
<u>insurance;</u>	470
<u>(4) Liquidation of insurance companies;</u>	471
<u>(5) Licensing of insurance agents;</u>	472
<u>(6) Regulation and enforcement of insurance laws; and</u>	473
<u>(7) Strategic planning and market forecasting.</u>	474
<u>Sec. 121.048. The department of resource protection consists</u>	475
<u>of the following divisions, with each headed by the chief of that</u>	476
<u>division:</u>	477
<u>(A) A division of land responsible for all of the following:</u>	478
<u>(1) Mineral resources management;</u>	479
<u>(2) Parks and recreation;</u>	480

<u>(3) Off-road trails;</u>	481
<u>(4) Forestry;</u>	482
<u>(5) Natural areas and preserves;</u>	483
<u>(6) Wildlife;</u>	484
<u>(7) Farmland preservation;</u>	485
<u>(8) Specialty crop support;</u>	486
<u>(9) County agricultural societies and awards; and</u>	487
<u>(10) The plant industry.</u>	488
<u>(B) A waste and water division responsible for all of the</u>	489
<u>following:</u>	490
<u>(1) Shoreline preservation;</u>	491
<u>(2) Coastal management;</u>	492
<u>(3) Submerged lands;</u>	493
<u>(4) Hazardous waste management and cleanup;</u>	494
<u>(5) Solid waste management;</u>	495
<u>(6) The Ohio Lake Erie commission; and</u>	496
<u>(7) The burr oak water plant.</u>	497
<u>(C) A resource quality assurance division responsible for all</u>	498
<u>of the following:</u>	499
<u>(1) Licensing and permitting;</u>	500
<u>(2) Inspection and investigation;</u>	501
<u>(3) Enforcement and adjudication;</u>	502
<u>(4) Food and drug safety;</u>	503
<u>(5) Consumer analytical laboratories;</u>	504
<u>(6) Emergency and remedial response activities;</u>	505
<u>(7) Utility radiological safety;</u>	506

<u>(8) Engineering activities;</u>	507
<u>(9) Wildlife and watercraft officers;</u>	508
<u>(10) The Ohio air quality development authority;</u>	509
<u>(11) The Ohio water development authority; and</u>	510
<u>(12) The environmental review appeals commission.</u>	511
<u>(D) A division of public awareness responsible for all of the</u>	512
<u>following:</u>	513
<u>(1) Resource conservation activities;</u>	514
<u>(2) Science advisory programs;</u>	515
<u>(3) Recycling and litter prevention programs;</u>	516
<u>(4) Pollution prevention programs;</u>	517
<u>(5) Natural resources publications;</u>	518
<u>(6) Resource information services;</u>	519
<u>(7) Geologic information services; and</u>	520
<u>(8) Clean Ohio operating programs.</u>	521
<u>(E) A division of grants and disbursements responsible for</u>	522
<u>administering and disbursing federal and state environmental and</u>	523
<u>agricultural grants.</u>	524
<u>Sec. 121.049. The department of development consists of the</u>	525
<u>following divisions, with each headed by the chief of that</u>	526
<u>division:</u>	527
<u>(A) A division of small business development;</u>	528
<u>(B) A division of job ready sites;</u>	529
<u>(C) A division of film, travel, and tourism;</u>	530
<u>(D) A division of international trade; and</u>	531
<u>(E) A division of grants and disbursements.</u>	532

~~Sec. 121.05. Except as otherwise provided in this section, in~~ 533
~~each department, there (A) There shall be an assistant executive~~ 534
~~director for each department who is designated by the executive~~ 535
~~director of that department. In the department of health, there~~ 536
~~shall be two assistant directors, each of whom shall be designated~~ 537
~~by the director of health. In the department of transportation,~~ 538
~~there shall be an assistant director for business management, an~~ 539
~~assistant director for field operations, and an assistant director~~ 540
~~for transportation policy, each of whom shall be designated by the~~ 541
~~director of transportation. In the department of insurance, the~~ 542
~~deputy superintendent of insurance shall be the assistant~~ 543
~~director. In the department of administrative services, there~~ 544
~~shall be two assistant directors, each of whom shall be designated~~ 545
~~by the director of administrative services. In the department of~~ 546
~~commerce, there shall be two assistant directors, each of whom~~ 547
~~shall be designated by the director of commerce. In the department~~ 548
~~of job and family services, there may be up to two assistant~~ 549
~~directors, each of whom shall be designated by the director of job~~ 550
~~and family services. In each department with an assistant~~ 551
~~director, the The assistant executive director shall act as~~ 552
~~executive director in the absence or disability of the executive~~ 553
~~director and also shall act as executive director when the~~ 554
~~position of executive director is vacant, except that in the~~ 555
~~department of transportation, the department of health, the~~ 556
~~department of commerce, the department of administrative services,~~ 557
~~and the department of job and family services, the director shall~~ 558
~~designate which assistant director shall act as director in the~~ 559
~~director's absence. In each department without an assistant~~ 560
~~director, the director shall designate a deputy director to act as~~ 561
~~director in the absence or disability of the director.~~ 562

A (B) An executive director may designate any of the 563
executive director's assistant executive directors or a deputy 564

executive director to serve in the executive director's place as a 565
member of any board, committee, authority, or commission of which 566
the executive director is, by law, a member. The designee, when 567
present, shall be counted in determining whether a quorum is 568
present at any meeting. The designee may vote and participate in 569
all proceedings and actions of the board, committee, authority, or 570
commission, provided that the designee shall not execute or cause 571
a facsimile of the designee's signature to be placed on any 572
obligation, or execute any trust agreement or indenture. The 573
designation shall be in writing, executed by the designating 574
executive director, filed with the secretary of the board, 575
committee, authority, or commission, and ~~shall~~ be in effect until 576
withdrawn or superseded by a new designation. 577

Sec. 121.06. The officers mentioned in sections 121.04, 578
121.041 to 121.049, and 121.05 of the Revised Code shall be 579
appointed by the executive director of the department in which 580
their offices or divisions are ~~respectively~~ created, and shall 581
hold office during the pleasure of ~~such~~ the executive director. 582

Sec. 121.07. (A) ~~Except as otherwise provided in this~~ 583
~~division, the~~ The officers mentioned in sections 121.04, 121.041 584
to 121.049, and 121.05 of the Revised Code and the offices and 585
divisions they administer shall be under the direction, 586
supervision, and control of the executive directors of their 587
respective departments, and those officers shall perform ~~such the~~ 588
duties ~~as the~~ their respective executive directors prescribe. ~~In~~ 589
~~performing or exercising any of the examination or regulatory~~ 590
~~functions, powers, or duties vested by Title XI, Chapters 1733.~~ 591
~~and 1761., and sections 1315.01 to 1315.18 of the Revised Code in~~ 592
~~the superintendent of financial institutions, the superintendent~~ 593
~~of financial institutions and the division of financial~~ 594
~~institutions are independent of and are not subject to the control~~ 595

~~of the department or the director of commerce.~~ 596

(B) ~~With the approval of the governor, the~~ The executive 597
director of each department shall ~~establish divisions within the~~ 598
~~department, and~~ distribute the work of the department among ~~such~~ 599
the divisions. ~~Each officer created by section 121.04 of the~~ 600
~~Revised Code shall be the head of such a division.~~ 601

~~With the approval of the governor, the director of each~~ 602
~~department may consolidate any two or more of the offices created~~ 603
~~in the department by section 121.04 of the Revised Code, or reduce~~ 604
~~the number of or create new divisions therein.~~ 605

The listed in sections 121.04 and 121.041 to 121.049 of the 606
Revised Code in accordance with those sections and any other 607
applicable provision of law. The executive director of each 608
department may prescribe rules for the government of the 609
department, the conduct of its employees, the performance of its 610
business, and the custody, use, and preservation of the records, 611
papers, books, documents, and property pertaining ~~thereto~~ to the 612
department. 613

Sec. 121.11. (A) Each officer whose executive director 614
position or whose office or division is created by sections 615
121.02, 121.04, 121.041 to 121.049, and 121.05 of the Revised 616
Code, before entering upon the officer's duties ~~of office,~~ shall 617
take and subscribe an oath of office as provided by law and give 618
bond, conditioned according to law, with security to be approved 619
by the governor in the penal sum, not less than ten thousand 620
dollars, fixed by the governor. The department of ~~administrative~~ 621
~~services~~ finance and operations may procure from any duly 622
authorized corporate surety a blanket bond covering the officers 623
described in those sections and any other officers the governor 624
designates. The bond and oath of the officers described in those 625
sections shall be filed in the office of the secretary of state. 626

(B) The executive director of each department, with the approval of the governor, may require any ~~chief of a division, or any~~ officer or employee in the executive director's department, to give bond in the amount the governor prescribes. The bond or bonds may, in the discretion of the executive director, be individual, schedule, or blanket bonds.

(C) The premium on any bond required or authorized by this section may be paid from the state treasury.

Sec. 121.13. The executive director of each department ~~may~~, with the approval of the governor, may establish and appoint advisory boards to aid in the conduct of the work of ~~his~~ the executive director's department or any division thereof of the department. ~~Such~~ The advisory boards shall exercise no administrative function, and their members shall receive no compensation, ~~but~~ may receive their actual and necessary expenses.

Sec. 121.15. The executive director of each department ~~shall~~, with the approval of the governor, shall maintain a central office at a location in the state that the executive director finds necessary for the efficient performance of the department. The central office of a department shall not be relocated from Columbus to another location in this state until the executive director of the department has conducted a cost-benefit analysis of the relocation and provided a copy of the analysis to the governor, the speaker of the house of representatives, and the president of the senate and the relocation has been approved by an act of the general assembly.

The executive director of each department ~~may~~, with the approval of the governor, may establish and maintain, at places other than the location of the central office, branch offices for

the conduct of any one or more functions of the department. 657

No relocation of departments or employees of departments from 658
one location in this state to another shall be carried out that 659
will result in an increase in the total number of employees of all 660
departments or an increase in the total number of employees in any 661
department that is relocated. This section does not prevent a 662
department from increasing the number of its employees to meet the 663
demands of its workload or for any other reason arising from 664
circumstances unrelated to the department's relocation. 665

Sec. 121.17. Under the direction of the governor, the 666
executive directors of departments shall devise a practical and 667
working basis for ~~co-operation~~ cooperation and ~~co-ordination~~ 668
coordination of work and for the elimination of duplication and 669
overlapping functions. They shall ~~co-operate~~ cooperate with each 670
other in the employment of services and the use of quarters and 671
equipment. The executive director of any department may empower or 672
require an employee of another department, subject to the consent 673
of the superior officer of the employee, to perform any duty ~~which~~ 674
~~he~~ that the executive director might require of ~~his~~ the director's 675
own subordinates. 676

Section 2. That existing sections 121.02, 121.03, 121.05, 677
121.06, 121.07, 121.11, 121.13, 121.15, and 121.17 of the Revised 678
Code are hereby repealed. 679

Section 3. That section 121.04 of the Revised Code is hereby 680
repealed. 681

Section 4. Sections 1, 2, and 3 of this act take effect on 682
January 1, 2011. Prior to that effective date, the General 683
Assembly shall enact legislation that amends, repeals, and enacts 684
the sections of the Revised Code that are necessary to implement 685
this act and to provide for orderly transfer of the duties and 686

functions of the several executive departments and public bodies	687
of state government to the departments that are created by the	688
amendment of this act to section 121.02 of the Revised Code and	689
whose responsibilities are delineated by the enactment by this act	690
of sections 121.04 and 121.041 to 121.049 of the Revised Code, as	691
enacted by this act.	692