



COMPARISON DOCUMENT

Amended Substitute House Bill 16

128th General Assembly

Ohio Industrial Commission Appropriations Bill

(FY 2010 – FY 2011)

and

Interim Main Operating Appropriations Bill

for the

July 1 – July 7, 2009 Period

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Legislative Service Commission

July 10, 2009

Executive

As Passed by the House

As Passed by the Senate

As Enacted

1 OBM - 48 Mandatory Cost-Savings Days for Exempt Employees

(1) No provision.

(1) No provision.

R.C. 124.18, 124.15, 124.181, 124.34, 124.392, 126.05

(1) 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 Mandatory Cost Savings Days.

R.C. 124.18, 124.15, 124.181, 124.34, 124.392, 126.05

(1) Same as the Senate.

(2) No provision.

(2) No provision.

(2) Requires the Director of DAS, in consultation with the Director of OBM, to establish mandatory or voluntary cost savings days with provisions that fulltime 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) require 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 notify the Director of DAS in writing on or before July 1, 2009, and (c) authorize the Director of DAS, after June 30,

(2) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(3) No provision.	(3) No provision.	2011, to implement mandatory cost savings days for exempt employees if the Governor declares a fiscal emergency. (3) Requires that part-time employees receive four hours of holiday pay, rather than on a pro-rated basis as required by current law (excepting FY2010 and FY2011, as provided under section 124.392).	(3) Same as the Senate.
(4) No provision.	(4) No provision.	(4) Provides that employees need not be in active pay status on the scheduled work day immediately preceding a holiday in order to be paid for the holiday if the employee is participating in a voluntary or mandatory cost savings day on that work day.	(4) Same as the Senate.
(5) No provision.	(5) No provision.	(5) 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.	(5) Same as the Senate.
(6) No provision.	(6) No provision.	(6) Eliminates pay supplements for intermittent employees.	(6) Same as the Senate.
(7) No provision.	(7) No provision.	(7) 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.	(7) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
2 OBM - 47 Supplementing Disability Leave Payments with Compensatory Time			
No provision.	No provision.	R.C. 124.385 Allows employees who are paid by warrant of the Director of Budget and Management to use available balances of compensatory time, in addition to sick leave, personal leave, or vacation leave, to supplement their disability leave payments to reach up to 100% of their base rate of pay.	R.C. 124.385 Same as the Senate.
3 OBM - 49 Cost Savings Fund			
No provision.	No provision.	R.C. 124.392 Creates the Cost Savings Fund in the state treasury. Requires savings accrued through employee participation in the mandatory cost savings program to be allocated to the Fund. Allows the fund to be used to pay employees who participated in the program or in these days. Requires that investment earnings of the fund be credited to it.	R.C. 124.392 Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

4 OBM - 51 Seven-Day Interim Budget Measures

(1) No provision.

(1) No provision.

Sections: 315, 320, 325, 330, 335, 340, 350, 360, 370, 375, 380, 385, 390, 395, 400, 405, 410, 415, 420, 425, and 430

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(1) Makes appropriations to all agencies, offices, boards, and commissions for the period from July 1, 2009 through July 7, 2009, in amounts equal to the following: (a) for GRF item 200550, Foundation Funding, 100% of spending levels in the second foundation payment made in June 2009; for GRF appropriation item 235501, State Share of Instruction, 1/12 of spending levels for FY 2009; for GRF appropriation item 600525, Medicaid, an amount necessary to pay for Medicaid expenses; and for all other GRF items, 70% of 1/52 of each item's adjusted spending levels for FY 2009. Makes appropriations to legislative and judicial branches and their respective agencies for the period from July 1, 2009 through July 7, 2009, in amounts equal to 70% of 1/52 of those agencies' FY 2009 adjusted spending levels. Appropriates additional amounts that are necessary to pay the wages, benefits, and other payroll related expenses of state employees for this period.

(1) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(2) No provision.	(2) No provision.	(2) Authorizes transfers from the Budget Stabilization Fund in FY 2009 to help balance GRF revenues with GRF current expenses in FY 2009.	(2) Same as the Senate.
(3) No provision.	(3) No provision.	(3) Makes debt service appropriations for the FY 2010-FY2011 biennium.	(3) Same as the Senate.
(4) No provision.	(4) No provision.	(4) Allows, during the FY 2010-FY 2011 biennium, the negative cash balance of the GRF to exceed 10% of the total GRF revenue in the preceding fiscal year.	(4) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
5 OIC - 2 Quality Assurance Committee and Peer Review Committee Confidentiality			
(1) No provision.	(1) No provision.	<p>R.C. 2305.24, 2305.25</p> <p>(1) Makes confidential and for use by the committee and the committee members only in the exercise of the proper functions of the committee any information, data, reports, or records made available to a quality assurance committee of the Industrial Commission that is responsible for reviewing the professional qualifications and the performance of providers conducting medical examinations or file reviews for the Commission.</p>	<p>R.C. 2305.24, 2305.25</p> <p>(1) Same as the Senate.</p>
(2) No provision.	(2) No provision.	<p>(2) Includes in the definition of "peer review committee" a peer review committee of the Industrial Commission that is responsible for reviewing the professional qualifications and the performance of providers conducting medical examinations or file reviews for the Commission, thereby providing this entity with the confidentiality and liability protections given to other peer review committees under current law.</p>	(2) Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

6 OIC - 4 Industrial Commission Nominating Council Composition

(1) No provision.

(1) No provision.

R.C. 4121.04, Section 210

(1) Adds two members to the Industrial Commission Nominating Council, one of whom is a small business representative recommended by the National Federation of Independent Businesses and one of whom is a representative from the Ohio Association for Justice, thereby expanding the Council from 10 to 12 persons.

R.C. 4121.04, Section 210

(1) Same as the Senate.

(2) No provision.

(2) No provision.

(2) Requires the Governor to choose the new members of the Council from a list of two names selected respectively by each organization; requires the Governor to appoint these two new members not later than 14 days after the provision's effective date; requires these two new members to take office not later than 90 days after the provision's effective date.

(2) Same as the Senate.

(2) No provision.

(3) No provision.

(3) Designates specifically the Ohio Self-Insurers' Association, the Ohio Manufacturers' Association, the Ohio Council of Retail Merchants, the Ohio Chamber of Commerce, and the National Federation of Independent Business as the organizations from which the Governor must nominate members of the Council to represent businesses, as opposed to the more general designation of "organizations representing self-insuring employers,

(3) Same as the Senate.

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manufacturers, retail merchants, and chambers of commerce" in current law.

7 OIC - 3 Appeals from Staff Hearing Officers

No provision.

No provision.

R.C. 4123.511

Changes the time period in which the Industrial Commission or the designated staff hearing officer must issue an order if the Commission or designated staff hearing officer determines not to hear an appeal from 14 days after the filing of the notice of appeal to 14 days after the expiration of the period in which an appeal of the order of the staff hearing officer may be filed.

R.C. 4123.511

Same as the Senate.

8 OIC - 1 Rent - William Green Building

Section: 201

Requires that Fund 5W30 appropriation item 845402, Rent - William Green Building, be used for rent and operating expenses for the space occupied by the Industrial Commission in the William Green Building.

Section: 201

Same as the Executive.

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Same as the Executive.

Section: 201

Same as the Executive.