



JOHN R. KASICH
GOVERNOR
STATE OF OHIO

Executive Order 2012-18K

The Emergency Adoption of Rules 901:1-2-01 through 901:1-2-09
of the Ohio Administrative Code by the Ohio Department of Agriculture

WHEREAS, Section 935.17 of the Ohio Revised Code requires the Director of Agriculture to adopt rules for the care and housing of registered dangerous wild animals.

WHEREAS, Section 935.17 of the Ohio Revised Code requires the Director of Agriculture to adopt the above-mentioned rules within ninety (90) days of the September 5, 2012 effective date of Section 935.17.

WHEREAS, Section 935.04(C) of the Ohio Revised Code requires current Ohio owners of registered dangerous wild animals to comply with the rules on the care and housing of registered dangerous wild animals ninety (90) days from the adoption of these emergency rules.

WHEREAS, my Administration is committed to providing those affected Ohio residents in possession of dangerous wild animals as much notice as possible of the rules with which they will be required to comply.

WHEREAS, the Dangerous and Restricted Animals Advisory Board created pursuant to Section 935.26 of the Ohio Revised Code met on October 31, 2012 to review, consider and recommend to the Director of Agriculture the temporary standards for care and housing of dangerous wild animals included in these emergency rules.

WHEREAS, my Administration is committed to providing those affected Ohio residents the appropriate time to consider the care and housing standards, the cost involved in providing safe enclosures and humane care, their individual ability to implement those standards, and the time necessary to ensure total compliance with those standards prior to the statutory deadline.

WHEREAS, adoption of the above-mentioned rules on or before December 4, 2012 by the Ohio Department of Agriculture will ensure compliance with the requirements of Revised Code Section 935.17, and will afford affected Ohio residents appropriate time to familiarize themselves with the temporary care and housing standards for dangerous wild animals and to comply with those standards in accordance with the statutory timeframe.

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 such adoption, amendment or rescission is only valid for ninety (90) days.

WHEREAS, in view of the requirements of Ohio Revised Code Sections 935.17 and 935.04(C) and the above policies, the Ohio Department of Agriculture has requested a determination

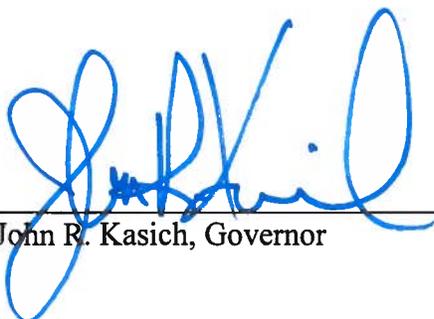
that an emergency exists that requires the immediate adoption of Rules 901:1-2-01 through 901:1-2-09 of the Ohio Administrative Code in order to satisfy the statutory timeframe in Section 935.17 and for the Ohio Department of Agriculture, pursuant to that statute, to immediately establish the rules for the temporary standards of care and housing which owners of dangerous wild animals will be required to meet ninety (90) days after the implementation of these emergency rules.

NOW THEREFORE, I, John R. Kasich, Governor of the State of Ohio, by virtue of the authority vested in me by the Constitution and the laws of the State of Ohio do hereby order and direct that:

- 1) An emergency exists requiring the immediate adoption of Rules 901:1-2-01 through 901:1-2-09 of the Ohio Administrative Code to allow the new temporary standards of care and housing for dangerous wild animals to go into effect on or before December 4, 2012 as required by Section 935.17 of the Ohio Revised Code;
- 2) The procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to adoption of the rules shall be suspended and the Ohio Department of Agriculture be permitted to adopt these rules immediately by electronically filing them with the Secretary of State, the Director of the Legislative Services Commission, and the Joint Committee on Agency Rule Review;
- 3) The adoption of these emergency rules shall constitute adoption of the rules specified in Section 935.04(C) of the Ohio Revised Code and that the owners of registered dangerous wild animals will have ninety (90) days from the adoption of these emergency rules to come into full compliance with the temporary care and housing standards for registered dangerous wild animals; and
- 4) Further, this Executive Order shall be filed in electronic form with the Ohio Department of Agriculture, the Secretary of State, the Director of the Legislative Services Commission, and the Joint Committee on Agency Rule Review.

I signed this Executive Order on November 27, 2012, in Columbus, Ohio, and it will expire at the end of the ninetieth day it is in effect.





John R. Kasich, Governor

ATTEST:

Jon Husted, Secretary of State