

**As Reported by the Senate Insurance, Commerce and Labor
Committee**

124th General Assembly

Regular Session

2001-2002

Sub. H. B. No. 75

**REPRESENTATIVES Williams, Jones, Carey, Core, Hoops, Calvert, Allen,
D. Miller, Oakar, Faber, Evans, Buehrer, Barrett, R. Miller, Schmidt,
Womer Benjamin, Grendell, Coates, Setzer, Cirelli, Perry, Patton, Schaffer
SENATOR Nein**

A B I L L

To amend sections 4121.37, 4121.47, 4121.62, 4123.25, 1
and 4123.291 and to repeal section 4121.48 of the 2
Revised Code to make appropriations for the Bureau 3
of Workers' Compensation for the biennium beginning 4
July 1, 2001, and ending June 30, 2003, and to 5
provide authorization and conditions for the 6
operation of Bureau programs. 7

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

Section 1. That sections 4121.37, 4121.47, 4121.62, 4123.25, 8
and 4123.291 of the Revised Code be amended to read as follows: 9

Sec. 4121.37. The administrator of workers' compensation 10
having, by virtue of Section 35 of Article II, Ohio Constitution, 11
the expenditure of the fund therein created for the investigation 12
and prevention of industrial accidents and diseases, shall, with 13
the advice and consent of the workers' compensation oversight 14
commission, in the exercise of the administrator's authority and 15
in the performance of the administrator's duty, employ a 16

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superintendent and the necessary experts, engineers, 17
investigators, clerks, and stenographers for the efficient 18
operation of a division of safety and hygiene of the bureau of 19
workers' compensation, which is hereby created. 20

~~The general assembly hereby declares that in furtherance of 21
the authority granted to the administrator pursuant to Section 35 22
of Article II, Ohio Constitution, and to encourage public 23
employers to operate and maintain safe places of employment for 24
public employees of this state, the administrator, with the advice 25
and consent of the oversight commission, may transfer funds, 26
certified as provided in section 126.07 of the Revised Code, from 27
the safety and hygiene fund to the occupational safety loan fund 28
created in section 4121.48 of the Revised Code, for the purposes 29
of that section. 30~~

The administrator of workers' compensation, with the advice 31
and consent of the oversight commission, shall pay into the safety 32
and hygiene fund, which is hereby created in the state treasury, 33
the portion of the contributions paid by employers, calculated as 34
though all employers paid premiums based upon payroll, not to 35
exceed one per cent thereof in any year, as is necessary for the 36
payment of the salary of the superintendent of the division of 37
safety and hygiene and the compensation of the other employees of 38
the division of safety and hygiene, and the expenses of 39
investigations and researches for the prevention of industrial 40
accidents and diseases. All investment ~~earning~~ earnings of the 41
fund shall be credited to the fund. The administrator has the same 42
powers to invest any of the funds belonging to the fund as are 43
delegated to the administrator under section 4123.44 of the 44
Revised Code with respect to the state insurance fund. The 45
superintendent, under the direction of the administrator, with the 46
advice and consent of the oversight commission, shall conduct 47
investigations and researches for the prevention of industrial 48

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accidents and diseases, conduct loss prevention programs and 49
courses for employers, establish and administrate cooperative 50
programs with employers for the purchase of individual safety 51
equipment for employees, and print and distribute information as 52
may be of benefit to employers and employees. The administrator 53
shall pay from the safety and hygiene fund the salary of the 54
superintendent of the division of safety and hygiene, the 55
compensation of the other employees of the division of safety and 56
hygiene, the expenses necessary or incidental to investigations 57
and researches for the prevention of industrial accidents and 58
diseases, and the cost of printing and distributing such 59
information. 60

The superintendent, under the direction of the administrator, 61
shall prepare an annual report, addressed to the governor, on the 62
amount of the expenditures and the purposes for which they have 63
been made, and the results of the investigations and researches. 64
The administrator shall include the administrative costs, 65
salaries, and other expenses of the division of safety and hygiene 66
as a part of the budget of the bureau of workers' compensation 67
that is submitted to the director of budget and management and 68
shall identify those expenditures separately from other bureau 69
expenditures. 70

The superintendent shall be a competent person with at least 71
five years' experience in industrial accident or disease 72
prevention work. The superintendent and up to six positions in the 73
division of safety and hygiene as the administrator, with the 74
advice and consent of the oversight commission, designates are in 75
the unclassified civil service of the state as long as the 76
administrator, with the advice and consent of the oversight 77
commission, determines the positions subordinate to the 78
superintendent are primarily and distinctively administrative, 79
managerial, or professional in character. All other full-time 80

employees of the division of safety and hygiene are in the 81
classified civil service of the state. 82

Sec. 4121.47. (A) No employer shall violate a specific safety 83
rule adopted by the administrator of workers' compensation 84
pursuant to section 4121.13 of the Revised Code or an act of the 85
general assembly to protect the lives, health, and safety of 86
employees pursuant to Section 35 of Article II, Ohio Constitution. 87
Chapter 4167. of the Revised Code and rules and standards adopted 88
thereunder are not the rules or enactment referred to in this 89
division and shall not be considered as such for purposes of this 90
section. 91

(B) If a staff hearing officer, in the course of ~~his~~ the 92
staff hearing officer's determination of a claim for an additional 93
award under Section 35 of Article II, Ohio Constitution, finds the 94
employer guilty of violating division (A) of this section, ~~he~~ the 95
staff hearing officer shall, in addition to any award paid to the 96
claimant, issue an order to the employer to correct the violation 97
within the period of time ~~he~~ the staff hearing officer fixes. For 98
any violation occurring within twenty-four months of the last 99
violation, the staff hearing officer shall assess against the 100
employer a civil penalty in an amount ~~he~~ the staff hearing officer 101
determines up to a maximum of fifty thousand dollars for each 102
violation. In fixing the exact penalty, the staff hearing officer 103
shall base ~~his~~ the decision upon the size of the employer as 104
measured by the number of employees, assets, and earnings of the 105
employer. 106

(C) An employer dissatisfied with the imposition of a civil 107
penalty pursuant to division (B) of this section may appeal the 108
staff hearing officer's decision, if the commission refuses to 109
hear the appeal under division (E) of section 4123.511 of the 110
Revised Code, or a decision of the commission, if the commission 111

hears the appeal under that division, to a court of common pleas 112
pursuant to the Rules of Civil Procedure. An appeal operates to 113
stay the payment of the fine pending the appeal. 114

(D) The administrator shall deposit all penalties collected 115
pursuant to this section in the ~~occupational safety loan program~~ 116
safety and hygiene fund established pursuant to section ~~4121.48~~ 117
4121.37 of the Revised Code. 118

Sec. 4121.62. (A) The authority granted to the administrator 119
of workers' compensation pursuant to sections 4121.61 to 4121.69 120
of the Revised Code includes the authority to do all of the 121
following: 122

(1) Contract with any public or private person for the 123
rendition of rehabilitation services; 124

(2) Take actions and utilize money in the state insurance 125
fund as necessary to obtain federal funds and assistance in the 126
maximum amounts and most advantageous proportions and terms 127
possible; 128

(3) Conduct rehabilitation educational programs for employers 129
and employees; 130

(4) Establish within the bureau of workers' compensation a 131
rehabilitation division under the supervision of a director of 132
rehabilitation appointed by and responsible to the administrator. 133

(B) The director of the division established is in the 134
unclassified civil service of the state. The appointing authority 135
may designate up to three positions at each facility under the 136
jurisdiction of the division, and up to six positions in the 137
division which are part of the director's immediate staff as being 138
in the unclassified service of the state as long as the 139
administrator determines that the positions are primarily and 140
distinctively administrative, managerial, or professional. All 141

other full-time employees of the division are in the classified
civil service.

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(C) The administrator shall establish fees for use of
services offered by the division of rehabilitation, including,
without limitation, the expense of providing rehabilitation
services, counseling, and training. The administrator shall adopt
rules, in accordance with Chapter 119. of the Revised Code, which
establish the specific services the division offers and the amount
of the fee for those services, which amount shall be based upon
the actual cost of the division providing the services to the
employer and employee.

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(D) Nothing in sections 4121.61 to 4121.69 of the Revised
Code shall be interpreted to grant authority to the administrator
to require a claimant to utilize a public provider of
rehabilitation services, counseling, or training.

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~~(E) There is hereby established in the state treasury the
Camera center fund. The fund shall consist of all fees the
administrator charges persons for the use of the services of the
Camera center and all rent the center receives from its tenants.
The fund shall be used solely to pay for the provision of
rehabilitation services and expenses of the Camera center. All
investment earnings of the fund shall be credited to the fund.~~

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Sec. 4123.25. (A) No employer shall knowingly misrepresent to
the bureau of workers' compensation the amount or classification
of payroll upon which the premium under this chapter is based.
Whoever violates this division shall be liable to the state in an
amount determined by the administrator of workers' compensation
for not more than ten times the amount of the difference in
between the premium paid and the amount the employer should have
paid. The liability to the state under this division ~~shall~~ may be
enforced in a civil action in the name of the state, and all sums

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collected under this division shall be paid into the state 173
insurance fund. 174

(B) No self-insuring employer shall knowingly misrepresent 175
the amount of paid compensation paid by such employer for purposes 176
of the assessments provided under this chapter and Chapter 4121. 177
of the Revised Code as required by section 4123.35 of the Revised 178
Code. Whoever violates this division is liable to the state in an 179
amount ~~assessed~~ determined by the self-insuring employers 180
evaluation board pursuant to division (C) of section 4123.352 of 181
the Revised Code or for an amount the board determines that is not 182
more than ten times the amount of the difference between the 183
assessment paid and the amount of the assessment that should have 184
been paid ~~along with any other penalty as determined by the board.~~ 185
The liability to the state under this division may be enforced in 186
a civil action in the name of the state and all sums collected 187
under this division shall be paid into the self-insurance 188
assessment fund created pursuant to division (K) of section 189
4123.35 of the Revised Code. 190

(C) The administrator of workers' compensation, with the 191
advice and consent of the workers' compensation oversight 192
commission, shall adopt rules establishing criteria for 193
determining both of the following: 194

(1) The amount of the penalty assessed against an employer 195
for a violation of division (A) of this section; 196

(2) Acts or omissions that do not constitute a violation of 197
division (A) or (B) of this section. 198

Sec. 4123.291. (A) An adjudicating committee appointed by the 199
administrator of workers' compensation to hear any matter 200
specified in divisions (B)(1) to (6) of this section shall hear 201
the matter within sixty days of the date on which an employer 202
files the request, protest, or petition. An employer desiring to 203

file a request, protest, or petition regarding any matter 204
specified in divisions (B)(1) to (6) of this section shall file 205
the request, protest, or petition to the adjudicating committee on 206
or before twenty-four months after the administrator sends notice 207
of the determination about which the employer is filing the 208
request, protest, or petition. 209

(B) An employer who is adversely affected by a decision of an 210
adjudicating committee appointed by the administrator may appeal 211
the decision of the committee to the administrator or ~~his~~ the 212
administrator's designee. The employer shall file the appeal in 213
writing within thirty days after the employer receives the 214
decision of the adjudicating committee. The administrator or ~~his~~ 215
the designee shall hear the appeal and hold a hearing, provided 216
that the decision of the adjudicating committee relates to one of 217
the following: 218

(1) An employer request for a waiver of a default in the 219
payment of premiums pursuant to section 4123.37 of the Revised 220
Code; 221

(2) An employer request for the settlement of liability as a 222
noncomplying employer under section 4123.75 of the Revised Code; 223

(3) An employer petition objecting to the assessment of a 224
premium pursuant to section 4123.37 of the Revised Code and the 225
rules adopted pursuant to that section; 226

(4) An employer request for the abatement of penalties 227
assessed pursuant to section 4123.32 of the Revised Code and the 228
rules adopted pursuant to that section; 229

(5) An employer protest relating to an audit finding or a 230
determination of a manual classification, experience rating, or 231
transfer or combination of risk experience; 232

(6) Any decision relating to any other risk premium matter 233
under Chapters 4121., 4123., and 4131. of the Revised Code. 234

Section 2. That existing sections 4121.37, 4121.47, 4121.62, 235
4123.25, and 4123.291 and section 4121.48 of the Revised Code are 236
hereby repealed. 237

Section 3. (A) The Administrator of Workers' Compensation, 238
with the advice and consent of the Workers' Compensation Oversight 239
Commission, may adopt rules that identify specified medical 240
conditions that have a historical record of being allowed whenever 241
included in a claim. The Administrator shall designate the rules 242
to be effective only until three years after the effective date of 243
this section. The Administrator, for a period of three years after 244
the effective date of this section, may grant immediate allowance 245
of any medical condition identified in those rules upon the filing 246
of a claim involving that medical condition and may make immediate 247
payment of medical bills for any medical condition identified in 248
those rules that is included in a claim. If an employer contests 249
the allowance of a claim involving any medical condition 250
identified in those rules, and the claim is disallowed, payment 251
for the medical condition included in that claim shall be charged 252
to and paid from the surplus fund created under section 4123.34 of 253
the Revised Code. 254

(B) The Administrator shall establish a pilot program to 255
determine the effectiveness of implementing division (A) of this 256
section. 257

Section 4. The Administrator of Workers' Compensation shall 258
submit a series of reports to the Workers' Compensation Oversight 259
Commission, the Office of Budget and Management, the Legislative 260
Service Commission, and the General Assembly semiannually during 261
the 2001-2003 biennium, beginning on or before October 1, 2001, 262
containing information relative to all of the following: 263

(A) The premium cost per worker, which reports the average 264

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annual cost a state fund employer pays to provide workers'	265
compensation coverage for its employees. The premium cost per	266
worker is calculated by adding together an employer's total	267
amounts of premiums and assessments paid during a calendar year	268
and dividing that sum by the employer's average number of workers.	269
(B) The claims cost per worker, which reports the average	270
annual benefit cost paid for each worker who is employed by a	271
state fund employer during the preceding twelve months. The claims	272
cost per worker is calculated by dividing an employer's total	273
claim expenses paid during the preceding twelve months by the	274
employer's average number of workers.	275
(C) The administrative cost per claim, which reports the	276
average annual administrative expense a state fund employer pays	277
to process a claim. The administrative cost per claim is	278
calculated by dividing an employer's total amount of	279
administrative expenses incurred during the preceding twelve	280
months by the total number of claims the employer processed.	281
(D) The direct loss ratio, which measures the relationship	282
between an employer's revenues and workers' compensation benefits	283
paid to an injured worker during the preceding twelve months;	284
(E) The rate of return generated by investments of the Bureau	285
of Workers' Compensation;	286
(F) The customer service index, which accounts for various	287
statistical measures reflecting the bureau's customer service	288
levels;	289
(G) The Health Partnership Program performance index, which	290
measures the effectiveness of managed care organizations working	291
for the bureau and reflects the quality of care, customer	292
satisfaction, and cost of care provided by the managed care	293
organizations;	294
(H) The rate of injury in the state per 1,000 workers;	295

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(I) The average and median number of days the bureau takes to adjudicate an injured worker's medical bill fee; 296
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(J) The return-to-work rate of state fund employers' injured workers who do not receive workers' compensation benefits for at least ninety days following their injury, which reports the number of injured workers who returned to work as a percentage of total injuries; 298
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(K) The average number of days it takes for an employer or injured worker to report an injury to the bureau, which is calculated by taking the average number of days between the date of injury and the date the claim was filed with the bureau; 303
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(L) The percentage of indemnity claims adjudicated by the bureau within fourteen days of the injury. 307
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Section 5. All items in this section are appropriated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2002, and those in the second column are for fiscal year 2003. 309
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BWC BUREAU OF WORKERS' COMPENSATION 314

FND	ALI	ALI TITLE		FY 2002		FY 2003	
		Workers' Compensation Fund Group					316
023	855-401	William Green Lease	\$	17,570,700	\$	18,174,700	317
		Payments to OBA					
023	855-407	Claims, Risk & Medical Management	\$	133,919,528	\$	141,539,537	318
023	855-408	Fraud Prevention	\$	10,698,376	\$	11,713,797	319
023	855-409	Administrative Services	\$	117,121,527	\$	119,884,053	320
023	855-410	Attorney General Payments	\$	4,078,273	\$	4,314,644	321
4Y6	855-612	J.L. Camera Center	\$	500,000	\$	0	322

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		Operating				
822	855-606	Coal Workers' Fund	\$	86,465	\$	91,894
823	855-608	Marine Industry	\$	50,755	\$	53,952
825	855-605	Disabled Workers	\$	668,280	\$	693,764
		Relief Fund				
826	855-609	Safety & Hygiene	\$	18,888,294	\$	20,130,820
		Operating				
		TOTAL WCF Workers' Compensation				327
		Fund Group	\$	303,582,198	\$	316,597,161
		TOTAL ALL BUDGET FUND GROUPS	\$	303,582,198	\$	316,597,161

WILLIAM GREEN LEASE PAYMENTS 330

The foregoing appropriation item 855-401, William Green Lease 331
 Payments to OBA, shall be used for lease payments to the Ohio 332
 Building Authority, and these appropriations shall be used to meet 333
 all payments at the times they are required to be made during the 334
 period from July 1, 2001, to June 30, 2003, by the Bureau of 335
 Workers' Compensation to the Ohio Building Authority pursuant to 336
 leases and agreements made under Chapter 152. of the Revised Code 337
 and Section 6 of Am. Sub. H.B. 743 of the 118th General Assembly. 338
 Of the amounts received in Fund 023, appropriation item 855-401, 339
 up to \$35,745,400 shall be restricted for lease rental payments to 340
 the Ohio Building Authority. If it is determined that additional 341
 appropriations are necessary for such purpose, such amounts are 342
 hereby appropriated. 343

Notwithstanding any other provision of law to the contrary, 344
 all tenants of the William Green Building not funded by the 345
 Workers' Compensation Fund (Fund 023) shall pay their fair share 346
 of the costs of lease payments to the Workers' Compensation Fund 347
 (Fund 023) by intrastate transfer voucher. 348

WORKERS' COMPENSATION FRAUD UNIT 349

The Workers' Compensation Section Fund (Fund 195) shall 350
 receive payments from the Bureau of Workers' Compensation at the 351

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beginning of each quarter of each fiscal year to fund expenses of
the Workers' Compensation Fraud Unit of the Attorney General's
Office. Of the foregoing appropriation item 855-410, Attorney
General Payments, \$751,694 in fiscal year 2002 and \$773,151 in
fiscal year 2003 shall be used to provide these payments.

CAMERA CENTER

The Camera Center Fund (Fund 4Y6) created in division (F) of
section 4121.62 of the Revised Code shall receive revenues raised
by the fees the Camera Center charges for its services and rent
paid by tenants of the Center's facilities. The foregoing
appropriation item 855-612, J.L. Camera Center Operating, shall be
used for expenses related to the closing of the center. On January
1, 2002, or as soon thereafter as possible, the Director of Budget
and Management shall transfer the cash balance in the Camera
Center Fund (Fund 4Y6) to the Administrative Fund (Fund 023). The
director shall cancel any existing encumbrances against
appropriation items 855-611, J.L. Camera Center Rent, and 855-612,
J.L. Camera Center Operating, and reestablish them against
appropriation item 855-409, Administrative Services (Fund 023).
These amounts are hereby appropriated.

The Bureau of Workers' Compensation shall not consider
appropriations made to the Camera Center Fund (Fund 4Y6) when
establishing administrative cost rates.

SAFETY AND HYGIENE

Notwithstanding section 4121.37 of the Revised Code, the
Administrator of Workers' Compensation shall transfer moneys from
the State Insurance Fund so that appropriation item 855-609,
Safety and Hygiene Operating, is provided \$18,888,294 in fiscal
year 2002 and \$20,130,820 in fiscal year 2003.

OCCUPATIONAL SAFETY LOAN FUND

Not later than January 1, 2002, the Administrator of Workers'

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Compensation shall transfer the cash balance in the Occupational
Safety Loan Fund established in former section 4121.48 of the
Revised Code to the Safety and Hygiene Fund (Fund 826) created in
section 4121.37 of the Revised Code.

BALANCES

Notwithstanding any provision of law to the contrary, the
Director of Budget and Management shall make any transfers of cash
balances between funds made necessary by the creation of new funds
or the consolidation of funds as authorized by the General
Assembly. Within the first five days after the effective date of
this section, the administering agency head shall certify to the
director an estimate of the amount of the cash balance to be
transferred to the receiving fund. The director may transfer the
estimated amount when needed to make payments. Within thirty days
after the effective date of this section, the administering agency
head shall certify the final amount to the director. The director
shall transfer the difference between any estimated amount
previously transferred and such certified final amount.

To implement funding changes as described above pertaining to
prior year encumbrance balances and commensurate appropriation
authority, in fiscal year 2002 the Director of Budget and
Management may cancel encumbrances outstanding on June 30, 2001,
and reestablish such prior year encumbrances or parts of
encumbrances as needed in fiscal year 2002 in the appropriate fund
or appropriation item as authorized in this act for the same
purpose and to the same vendor. As determined by the director, the
appropriation authority necessary to reestablish such prior year
encumbrances in fiscal year 2000 in a different fund or
appropriation item within an agency or between agencies is
authorized. The director shall reduce each prior year's
appropriation authority by the amount of the encumbrances canceled
in their respective funds and appropriation items.

VOCATIONAL REHABILITATION 415

The Bureau of Workers' Compensation and the Rehabilitation 416
Services Commission shall enter into an interagency agreement for 417
the provision of vocational rehabilitation services and staff to 418
mutually eligible clients. The bureau shall provide \$554,033 in 419
fiscal year 2002 and \$570,654 in fiscal year 2003 from the State 420
Insurance Fund to fund vocational rehabilitation services and 421
staff in accordance with the interagency agreement. 422

FUND BALANCE 423

Any unencumbered cash balance in excess of \$45,000,000 in the 424
Workers' Compensation Fund (Fund 023) on the thirtieth day of June 425
of each fiscal year shall be used to reduce the administrative 426
cost rate charged to employers to cover appropriations for Bureau 427
of Workers' Compensation and Industrial Commission operations. 428

Section 6. LAW GENERALLY APPLICABLE TO APPROPRIATIONS 429

Law contained in the main operating appropriations act of the 430
124th General Assembly that applies generally to the 431
appropriations made in that act also applies generally to the 432
appropriations made in this act. 433

Section 7. The codified sections of law amended in this act, 434
and the items of law of which the codified sections of law amended 435
in this act are composed, are subject to the referendum. 436
Therefore, under Ohio Constitution, Article II, Section 1c and 437
section 1.471 of the Revised Code, the codified sections of law 438
amended by this act, and the items of law of which the codified 439
sections of law as amended by this act are composed, take effect 440
on the ninety-first day after this act is filed with the Secretary 441
of State. If, however, a referendum petition is filed against any 442
such codified section of law as amended by this act, or against 443
any item of law of which any such codified section of law as 444

amended by this act is composed, the codified section of law as 445
amended, or item of law, unless rejected at the referendum, takes 446
effect at the earliest time permitted by law. 447

Section 8. The repeal by this act of a codified section of 448
law is subject to the referendum. Therefore, under Ohio 449
Constitution, Article II, Section 1c and section 1.471 of the 450
Revised Code, the repeal takes effect on the ninety-first day 451
after this act is filed with the Secretary of State. If, however, 452
a referendum petition is filed against the repeal, the repeal, 453
unless rejected at the referendum, takes effect at the earliest 454
time permitted by law. 455

Section 9. Section 4121.62 of the Revised Code, as amended by 456
this act, is subject to the referendum and takes effect January 1, 457
2002. 458

This section is subject to the referendum, together with 459
section 4121.62 of the Revised Code as amended by this act. 460

Section 10. The uncodified sections of law enacted in this 461
act, and the items of law of which the uncodified sections of law 462
enacted in this act are composed, are not subject to the 463
referendum. Therefore, under Ohio Constitution, Article II, 464
Section 1d and section 1.471 of the Revised Code, the uncodified 465
sections of law enacted in this act, and the items of law of which 466
the uncodified sections of law enacted in this act are composed, 467
go into immediate effect when this act becomes law. 468

Section 11. If the amendment in this act of a codified 469
section of law is subject to the referendum, the corresponding 470
indications in the amending and existing repeal clauses commanding 471
the amendment also are subject to the referendum, along with the 472

amendment. 473

Section 12. An item, other than an amending or repealing 474
clause, that composes the whole or part of an uncodified section 475
contained in this act has no effect after June 30, 2003, unless 476
its context clearly indicates otherwise. 477

Section 13. If any item of law that constitutes the whole or 478
part of a codified or uncodified section of law contained in this 479
act, or if any application of any item of law that constitutes the 480
whole or part of a codified or uncodified section of law contained 481
in this act, is held invalid, the invalidity does not affect other 482
items of law or applications of items of law that can be given 483
effect without the invalid item of law or application. To this 484
end, the items of law of which the codified and uncodified 485
sections contained in this act are composed, and their 486
applications, are independent and severable. 487