Pamela Goshay *Legislative Service Commission*

Bill Analysis

Sub. H.B. 568*

125th General Assembly
(As Reported by H. State Government)

Rep. White

BILL SUMMARY

- Implements the report of the Sunset Review Committee by abolishing, retaining, and changing the names of various agencies evaluated by the Committee.
- Reestablishes the Sunset Review Committee but postpones its operation until the 128th General Assembly.
- Terminates the Sunset Review Law on December 31, 2010.
- Declares an emergency.

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CONTENT AND OPERATION

Background and Overview

Sub. H.B. 548 of the 123rd General Assembly created from January 1, 2001, until December 31, 2004, the Sunset Review Committee to carry out a review of those state boards, commissions, councils, committees, and other entities to which the Sunset Review Law applies and to determine whether those entities (or their functions) should be abolished, terminated, transferred, or continued.[1] Under the provisions of that act, the Committee was to consider and evaluate each state "agency" and recommend, in bill form, the amendment, repeal, or continuation of the statutes creating and empowering the agency. Also, under the provisions of that act, if an agency falling under the Committee's review jurisdiction is not renewed, the agency expires on December 31, 2004.

Sub. H.B. 568 of the 125th General Assembly implements the report of the Sunset Review Committee by abolishing, retaining, and changing the names of various agencies evaluated by the Committee during 2003 and 2004. It also reestablishes the Sunset Review Committee with functions identical to those it has exercised under current law, but postpones its operation until the 128th General Assembly (2009-2010). On December 31, 2010--i.e., following the reestablished Committee's conclusion of its functions--the bill proposes the repeal of the Sunset Review Law (Section 6 of the bill).

The Sunset Review Law

Agency expiration and renewal

Current law. Under current law, an "agency" (see "***Definitions***," below) created *after* January 1, 2001, must be considered to have been created on the preceding December 31 and expires no later than four years after the date of its considered creation, unless it is renewed in accordance with the Sunset Review Law's procedures. One exception is that, if such an agency is actually created on

[1] *The Sunset Review Law is sections 101.82 to 101.87 of the Revised Code. It currently is scheduled to be repealed on December 31, 2004, for the most part, but the bill would change the expiration date for the entire law to December 31, 2010. (Sections 5 and 6 of the bill.)*

December 31, it is deemed to be created on that date and expires no later than four years from that date, unless it is renewed in accordance with the Sunset Review Law's procedures. Current law also provides that an agency *in existence on* January 1, 2001, *expires on December 31, 2004*, or (assuming its renewal before that date) expires on December 31 of the fourth year after the year in which it was most recently renewed, unless it is renewed in accordance with the Sunset Review Law's procedures. (R.C. 101.83(A).)

If the General Assembly does not *renew or transfer* (see "***Definitions***," below) an agency, the agency expires on the expiration date explained above, and the Auditor of State is prohibited from authorizing the expenditure of any moneys for the agency on or after the expiration date. Under the Sunset Review Law's renewal procedures, an agency may be renewed by passage of a bill that continues the statutes creating and empowering the agency, that amends or repeals those statutes, or that enacts new statutes, to improve agency usefulness, performance, or effectiveness. (R.C. 101.83(B) and (D).)

Changes proposed by the bill. The bill maintains the operative aspects of the provisions of current law described above with the exception that, instead of focusing on agencies in existence on or created after January 1, 2001, the bill (1) substitutes references to agencies created after *January 1, 2005*, and focuses on their four-year lives (unless renewed) and (2) specifies that an agency in existence on January 1, 2005, expires on *December 31, 2010*, unless it is renewed in accordance with the Sunset Review Law's procedures (R.C. 101.83(A)).

Sunset Review Committee: structure and future operation

Background law. Under continuing law, the Sunset Review Committee is composed of nine members: three Senate members appointed by the President of the Senate, three House of Representatives members appointed by the Speaker of the House of Representatives, and three individuals appointed by the Governor with the advice and consent of the Senate. No more than two of the three members appointed by each of these officials may be members of the same political party. Currently, appointments must be made within 15 days after the commencement of the first regular session of each General Assembly. (R.C. 101.84(A).)

Changes proposed by the bill. The bill continues the Sunset Review Committee with the previously described membership but specifies that it will *function* in calendar years *2009* and *2010*. Accordingly, the members of the Committee must be appointed within 15 days after the commencement of the first regular session of the *128th General Assembly*, and the Committee must meet not later than 30 days after the first day of the first regular session of the 128th

General Assembly and throughout that General Assembly to perform its statutorily specified organizational and operational functions. (R.C. 101.84 and 101.85.)

Agency reviews

Current law. Current law requires the Sunset Review Committee, not later than 12 months prior to the date on which an agency in existence on January 1, 2001, is scheduled to expire, to hold hearings to receive the testimony of the public and of the chief executive officer of the agency and otherwise to consider and evaluate the agency's usefulness, performance, and effectiveness (R.C. 101.86(A)). It also required the Committee, not later than 60 days after its first meeting in 2001, to schedule the review of each agency in existence on January 1, 2001, and to send a copy of the schedule for each calendar year to each agency to be reviewed that year and to the Director of the Legislative Service Commission (LSC). The LSC Director was required to publish each annual schedule of review in the Ohio Administrative Code and in the Register of Ohio. (R.C. 101.85(A) and (B).)

Changes proposed by the bill. The bill maintains the operative aspects of the provisions of current law described above, except that (1) the Committee is required to schedule for review each agency in existence on *January 1, 2009*, not later than 60 days after its first meeting in that year, (2) the Committee must send its schedules for review for calendar years 2009 and 2010 to affected agencies and the LSC Director, and (3) instead of not later than 12 months prior to the date on which an agency is scheduled to expire, the Committee must hold hearings on and evaluate an agency in existence on January 1, 2009, *not later than six months* prior to the date on which it is scheduled to expire. (R.C. 101.85(A) and (B) and 101.86(A).) The bill also continues (without substantive amendment) other provisions of the Sunset Review Law dealing with the Committee's organization (its officers, quorum, etc.), with the Committee's preparation of a report of its findings and recommendations for an agency's (or its functions) abolition, termination, transfer, or continuation (including its presentation to the General Assembly of implementing recommendations "in bill form"), and with agency responsibilities in connection with their reviews (R.C. 101.85 and 101.86; R.C. 101.87--not in the bill).

Definitions

Current law includes the following definitions for the Sunset Review Law, which the bill does not change (R.C. 101.82--not in the bill):

(1) "Agency" generally means any board, commission, committee, or council, or any other similar state public body required to be established pursuant to state statutes for the exercise of any function of state government and to which

members are appointed or elected. "Agency" does not include the following: (a) the General Assembly or any commission, committee, or other body composed entirely of members of the General Assembly, (b) any court, (c) any public body created by or directly pursuant to the Ohio Constitution, (d) the board of trustees of any institution of higher education financially supported in whole or in part by the state, (e) any public body that has the authority to issue bonds or notes or that has issued bonds or notes that have not been fully repaid, (f) the Public Utilities Commission of Ohio, (g) the Consumers' Council Governing Board, (h) the Ohio Board of Regents, (i) any state board or commission that has the authority to issue any final adjudicatory order that may be appealed to a court of common pleas under the Administrative Procedure Act, (j) any board of elections, (k) the Board of Directors of the Ohio Insurance Guaranty Association, (l) the Board of Governors of the Ohio Fair Plan Underwriting Association, (m) the Ohio Public Employees Deferred Compensation Board, (n) the Ohio Retirement Study Council, (o) the Board of Trustees of the Ohio Police and Fire Pension Fund, (p) the Public Employees Retirement Board, (q) the School Employees Retirement Board, (r) the State Highway Patrol Retirement Board, (s) the State Teachers Retirement Board, and (t) the Industrial Commission.

(2) "Abolish" means to repeal the statutes creating and empowering any agency, remove its personnel, and transfer its records to the Department of Administrative Services pursuant to the State Records Program Law.

(3) "Terminate" means to amend or repeal the statues creating and empowering an agency, remove its personnel, and reassign its functions and records to another agency or officer designated by the General Assembly.

(4) "Transfer" means to amend the statutes creating and empowering an agency so that its functions, records, and personnel are conveyed to another agency or officer.

(5) "Renew" means to continue an agency, and may include amendment of the statutes creating and empowering the agency, or recommendations for changes in agency operation or personnel.

Abolition of specific agencies

In implementing the Sunset Review Committee's report of recommendations, the bill abolishes the following agencies:

AGENCY	REVISED CODE SECTIONS OR UNCODIFIED LAW SECTIONS TO BE AMENDED OR REPEALED[2]
Advisory Committee of the State Veterinary Medical Licensing Board	R.C. 4741.03(D)(3)
Appalachian Public Facilities Task Force	Section 3, Am. H.B. 280, 121st General Assembly
Citizen's Advisory Councils (Dept. of Mental Health)	R.C. 340.02, 5119.81, and 5119.82
Community MR/DD Trust Fund Advisory Council	R.C. 5123.352 and 5123.353
Executive Committee of the Ohio Bicentennial Commission	R.C. 149.32; Section 3, Am. S.B. 208, 120th General Assembly
Health Care Advisory Committee	R.C. 4121.443 and 4755.481
Health Care Quality Advisory Council	R.C. 4121.442
Highway, Bridge, and Overpass Vandal Fence Task Force	Section 6, Am. Sub. S.B. 163, 124th General Assembly
Interagency Recycling Market Development Workgroup	R.C. 1502.04, 1502.05, 1502.10, 1502.11, and 1502.12
Joint Underwriting Association for Medical Malpractice Insurance and its Board of Governors	R.C. 2505.02, 3929.482(A), 3929.682, 3929.71, 3929.72, 3929.721, 3929.73, 3929.75, 3929.76, 3929.77, 3929.78, 3929.79, 3929.80, 3929.81, 3929.82, 3929.83, 3929.84, 3929.85, 3931.01, 3955.05, 3960.06, and 4731.143
Midwest Interstate Passenger Rail Compact Commission (Ohio members)	R.C. 4981.36 and 4981.361
Ohio Benefit Systems Data Linkage Committee	R.C. 125.24
Ohio Bicentennial Commission	R.C. 149.32

[2] *Outright repealed Revised Code sections and outright repealed uncodified law sections are listed in Sections 2, 7, and 8 of the bill.*

AGENCY	REVISED CODE SECTIONS OR UNCODIFIED LAW SECTIONS TO BE AMENDED OR REPEALED[2]
Ohio Low-Level Radioactive Waste Facility Development Authority and the License Review Board	R.C. 3747.02, 3747.04, 3747.05, 3747.06, 3747.061, 3747.07, 3747.08, 3747.09, 3747.10, 3747.11, 3747.12, 3747.13, 3747.14, 3747.15, 3747.16, 3747.17, 3747.18, 3747.19, 3747.20, 3747.21, 3747.22, 3748.01, 3748.02, 3748.04, 3748.05, 3748.09, 3748.16, and 4117.01
Ohio Natural Areas Council	R.C. 1501.04, 1517.02, 1517.03, 1517.04, 1517.05, 1517.23, 1518.01, and 1518.03
Property Revitalization Board	R.C. 3746.04, 3746.08, 3746.09, and 3746.35
Select Commission on Pyrotechnics	Section 3, Sub. H.B. 508, 119th General Assembly
Set Aside Review Board	R.C. 123.151, 164.07, 3354.161, 3355.121, 3357.161, 3358.10, 4582.12, and 4981.03[3]

[3] *In connection with the abolition of the Set Aside Review Board, the bill repeals several provisions of current section 123.151(C) to (G) that relate to the percentages of state public improvement contracts or subcontracts that generally are required to be set aside for bidding only by, or generally are to be awarded to, minority business enterprises certified by the Equal Employment Opportunity Coordinator of the Department of Administrative Services. The bill also removes a criminal penalty associated with misrepresentation of an entity as a minority business enterprise for purposes of obtaining such a contract or subcontract (R.C. 123.151(I)). In* Associated Gen. Contrs. of Ohio v. Drabik *(6th Cir. 2000), 214 F.3d 730, the United States Court of Appeals for the 6th Circuit held that the percentage requirements of section 123.151(C) were not narrowly tailored to meet a compelling government interest by remedying past racial discrimination and were violative of the Equal Protection Clause of the 14th Amendment to the United States Constitution and, thus, unconstitutional. Various amendments in sections 164.07 (local capital improvement projects), 3358.10 (state community college districts), 4582.12 (port authorities), and 4981.03 (Ohio Rail Development Commission), as well as the outright repeals of sections 3354.161 (community college districts), 3355.121 (university branch districts), and 3357.161 (technical college districts), by the bill relate to the removal of the unconstitutional percentage requirements mentioned above.*

The bill does not affect, however, the provisions of current section 125.081 that relate to the percentage of purchases that generally must be set aside for minority business enterprises in connection with state purchases of supplies or services by competitive selection. The Ohio Supreme Court has found these provisions to be constitutional in

AGENCY	REVISED CODE SECTIONS OR UNCODIFIED LAW SECTIONS TO BE AMENDED OR REPEALED[2]
State Board of Library Examiners	R.C. 3375.47
Subcommittee to Protect Public Health Care Workers from Exposure Incidents of the Public Employment Risk Reduction Advisory Commission	R.C. 4167.09, 4167.25, 4167.26, and 4167.27
Submerged Lands Advisory Council	R.C. 149.56, 1506.30, 1506.34, 1506.35, and 1506.37
Task Force to Advise the General Assembly on the Development and Evaluation of Caseworker Assessment Education and Training Programs, Assessment Standards and Criteria, and Other Programs or Initiatives That May Better Assist Foster and Adoptive Parents in Dealing with Children with Behavioral Problems	Section 6, Sub. S.B. 27, 124th General Assembly
Task Forces of the Interagency Recycling Market Development Workgroup	R.C. 1502.10
Technical and Advisory Councils or Boards (Department of Development)	R.C. 122.011, 122.09, and 122.133
Welfare Oversight Council	R.C. 5101.93
Wright-Dunbar State Heritage Commission	R.C. 149.321 and 149.322

Abolition-related changes

In connection with its abolition of the previously listed agencies, the bill makes a few changes to current law to facilitate the continuation of certain functions by other governmental entities or officials.

Interagency Recycling Market Development Workgroup

Under current law, the Interagency Recycling Market Development Workgroup with the assistance of the Recycling and Litter Prevention Advisory Council was required to prepare and approve the initial Ohio recycling market

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Ritchey Produce Co., Inc. v. Ohio Dept. of Adm. Serv. *(1999), 85 Ohio St.3d 194. But see criticism in* Drabik, supra.

development plan not later than December 31, 1994, and must prepare and approve a revised plan not later than December 31 every subsequent two years. The bill repeals the Interagency Recycling Market Development Workgroup and specifies (1) that the Chief of Recycling and Litter Prevention in the Department of Natural Resources instead must *prepare*, with the assistance of the Recycling and Litter Prevention Advisory Council, a revised plan every two years and (2) that the Director of Natural Resources has the responsibility of *approving* that plan. (R.C. 1502.11(A).)

Ohio Low-Level Radioactive Waste Facility Development Authority

Under current law, the Governor, with the advice and consent of the Senate, must appoint the Ohio member of the Midwest Interstate Low-Level Radioactive Waste Commission. The representative of this state must not cast an affirmative vote on certain specified matters before the Commission without the prior approval of a majority of the members of the Board of Directors of the Ohio Low-Level Radioactive Waste Facility Development Authority. The bill repeals the Authority and specifies that the representative of this state instead must not cast an affirmative vote on certain specified matters before the Commission without the Governor's prior approval. (R.C. 3747.02(C).)

Health Care Quality Advisory Council

Current law provides that the Health Care Quality Advisory Council must develop standards for the qualification of health care plans of the Ohio Workers' Compensation Qualified Health Plan System to provide medical, surgical, nursing, drug, hospital, and rehabilitation services and supplies to an employee for an injury or occupational disease that is compensable under the Workers' Compensation Laws, the Public Works Relief Compensation Law, or the Separate Compensation Funds Law. The bill repeals the Health Care Quality Advisory Council and specifies that instead the Administrator of Workers' Compensation must develop the standards for qualification. (R.C. 4121.442(A).)

Agency name and other related changes

In implementing the Sunset Review Committee's report of recommendations, the bill makes the following agency name changes:

CURRENT AGENCY NAME	NEW NAME	REVISED CODE SECTIONS AMENDED
Martha Kinney Cooper Ohioana Library Association	Ohioana Library Association, Martha Kinney Cooper Memorial	R.C. 3375.61 and 3375.62
Ohio Arts and Sports Facilities Commission	Ohio Cultural Facilities Commission	R.C. 307.674, 3383.01, 3383.02, 3382.03, 3383.04, 3383.05, 3383.06, 3383.07, 3383.08, and 3383.09
State Planning Council	Ohio Developmental Disabilities Council	R.C. 5123.35

In addition to changing the name of the Ohio Arts and Sports Facilities Commission to the Ohio Cultural Facilities Commission, the bill generally replaces the term "arts" in the Commission's statutes with the term "culture" or "cultural." These replacements do not appear to substantively change the Commission's authority or functions. (R.C. 3383.01 to 3383.09.)

Renewal of specific agencies

Agencies falling under the review jurisdiction of the Sunset Review Committee expire if not renewed by December 31, 2004, or otherwise within the statutorily prescribed period. In implementing the Committee's report of recommendations, the bill renews the agencies listed below pursuant to the Sunset Review Law's procedures, and specifies that these agencies will expire on December 31, 2010, unless they are again renewed by legislation (Section 4 of the bill):

AGENCY NAME	REVISED CODE SECTION OR UNCODIFIED LAW SECTION AUTHORITY
Administrator, Interstate Compact on Mental Health	R.C. 5119.50
Administrator, Interstate Compact on Placement of Children	R.C. 5103.20
Advisory Board of Governor's Office of Faith-Based and Community Initiatives	R.C. 107.12
Advisory Boards to the EPA for Air Pollution	R.C. 121.13

AGENCY NAME	REVISED CODE SECTION OR UNCODIFIED LAW SECTION AUTHORITY
Advisory Boards to the EPA for Water Pollution	R.C. 121.13
Advisory Committee of the State Veterinary Medical Licensing Board	R.C. 4741.03 (D)(3)
Advisory Committee on Livestock Exhibitions	R.C. 901.71
Advisory Council on Amusement Ride Safety	R.C. 1711.51
Advisory Board of Directors for Prison Labor	R.C. 5145.162
Advisory Council for Each Wild, Scenic, or Recreational River Area	R.C. 1517.18
Advisory Councils or Boards for State Departments	R.C. 107.18 or 121.13
Advisory Group to the Ohio Water Resources Council	R.C. 1521.19(C)
Alzheimer's Disease Task Force	R.C. 173.04(F)
AMBER Alert Advisory Committee	R.C. 5502.521
Apprenticeship Council	R.C. 4139.02
Armory Board of Control	R.C. 5911.09
Automated Title Processing Board	R.C. 4505.09(C)(1)
Banking Commission	R.C. 1123.01
Board of Directors of the Ohio Health Reinsurance Program	R.C. 3924.08
Board of Voting Machine Examiners	R.C. 3506.05(B)
Board of Tax Appeals	R.C. 5703.02
Brain Injury Advisory Committee	R.C. 3304.231
Capitol Square Review and Advisory Board	R.C. 105.41
Child Support Guideline Advisory Council	R.C. 3119.024
Children's Trust Fund Board	R.C. 3109.15
Citizens Advisory Committee (BMV)	R.C. 4501.025

AGENCY NAME	REVISED CODE SECTION OR UNCODIFIED LAW SECTION AUTHORITY
Citizen's Advisory Councils (Dept. of Mental Retardation and Developmental Disabilities)	R.C. 5123.092
Clean Ohio Trail Advisory Board	R.C. 1519.06
Coastal Resources Advisory Council	R.C. 1506.12
Commission on African-American Males	R.C. 4112.12
Commission on Hispanic-Latino Affairs	R.C. 121.31
Commission on Minority Health	R.C. 3701.78
Committee on Prescriptive Governance	R.C. 4723.49
Commodity Advisory Commission	R.C. 926.32
Community Mental Retardation and Developmental Disabilities Trust Fund Advisory Council	R.C. 5123.353
Community Oversight Council	R.C. 3311.77
Compassionate Care Task Force	Section 3, Am. Sub. H.B. 474, 124th General Assembly
Consumer Advisory Committee to the Rehabilitation Services Commission	R.C. 3304.24
Continuing Education Committee (for Sheriffs)	R.C. 109.80
Controlling Board	R.C. 127.12
Coordinating Committee, Agricultural Commodity Marketing Programs	R.C. 924.14
Council on Alcohol and Drug Addiction Services	R.C. 3793.09
Council on Unreclaimed Strip Mined Lands	R.C. 1513.29
Council to Advise on the Establishment and Implementation of the Birth Defects Information System	R.C. 3705.34
County Sheriffs' Standard Car-Marking and Uniform Commission	R.C. 311.25
Credit Union Council	R.C. 1733.329

AGENCY NAME	REVISED CODE SECTION OR UNCODIFIED LAW SECTION AUTHORITY
Criminal Sentencing Advisory Committee	R.C. 181.22
Day-Care Advisory Council	R.C. 5104.08
Dentist Loan Repayment Advisory Board	R.C. 3702.92
Development Financing Advisory Council	R.C. 122.40
Education Commission of the States (Interstate Compact for Education)	R.C. 3301.48
Electrical Safety Inspector Advisory Committee	R.C. 3783.08
Emergency Response Commission	R.C. 3750.02
Engineering Experiment Station Advisory Committee	R.C. 3335.27
Environmental Education Council	R.C. 3745.21
Environmental Review Appeals Commission	R.C. 3745.02
EPA Advisory Boards or Councils	R.C. 121.13
Farmland Preservation Advisory Board	R.C. 901.23
Financial Planning & Supervision Commission for Municipal Corporation, County, or Township	R.C. 118.05
Financial Planning & Supervision Commission for School District	R.C. 3316.05
Forestry Advisory Council	R.C. 1503.40
Governance Authority for a State University or College	R.C. 3345.75
Governor's Advisory Council on Physical Fitness, Wellness, & Sports	R.C. 3701.77
Governor's Council on People with Disabilities	R.C. 3303.41
Governor's Residence Advisory Commission	R.C. 107.40
Great Lakes Commission (Great Lakes Basin Compact)	R.C. 6161.01
Gubernatorial Transition Committee	R.C. 107.29

AGENCY NAME	REVISED CODE SECTION OR UNCODIFIED LAW SECTION AUTHORITY
Head Start Partnership Study Council	Section 41.35, Am. Sub. H.B. 95, 125th General Assembly
Hemophilia Advisory Subcommittee	R.C. 3701.0210
Housing Trust Fund Advisory Committee	R.C. 175.25
Industrial Commission Nominating Council	R.C. 4121.04
Industrial Technology and Enterprise Advisory Council	R.C. 122.29
Infant Hearing Screening Subcommittee	R.C. 3701.507
Insurance Agent Education Advisory Council	R.C. 3905.483
Interagency Council on Hispanic/Latino Affairs	R.C. 121.32(J)
Interstate Mining Commission (Interstate Mining Compact)	R.C. 1514.30
Interstate Rail Passenger Advisory Council	R.C. 4981.35
Joint Council on MR/DD	R.C. 101.37
Joint Select Committee on Volume Cap	R.C. 133.021
Labor-Management Government Advisory Council	R.C. 4121.70
Legal Rights Service Commission	R.C. 5123.60
Legislative Task Force on Redistricting, Reapportionment, and Demographic Research	R.C. 103.51
Maternal and Child Health Council	R.C. 3701.025
Medically Handicapped Children's Medical Advisory Council	R.C. 3701.025
Military Activation Task Force	R.C. 5902.15
Milk Sanitation Board	R.C. 917.03
Mine Subsidence Insurance Governing Board	R.C. 3929.51
Minority Development Financing Board	R.C. 122.72

AGENCY NAME	REVISED CODE SECTION OR UNCODIFIED LAW SECTION AUTHORITY
Multi-Agency Radio Communications Systems Steering Committee	Section 21, Am. Sub. H.B. 790, 120th General Assembly
Multidisciplinary Council	R.C. 3746.03
Muskingum River Advisory Council	R.C. 1501.25
National Museum of Afro-American History and Culture Planning Committee	R.C. 149.303
Nursing Facility Reimbursement Study Council	R.C. 5111.34
Ohio Advisory Council for the Aging	R.C. 173.03
Ohio Aerospace & Defense Advisory Council	R.C. 122.98
Ohio Arts Council	R.C. 3379.02
Ohio Business Gateway Steering Committee	R.C. 5703.57
Ohio Cemetery Dispute Resolution Commission	R.C. 4767.05
Ohio Civil Rights Commission Advisory Agencies and Conciliation Councils	R.C. 4112.04(B)
Ohio Commercial Insurance Joint Underwriting Association Board of Governors	R.C. 3930.03
Ohio Commercial Market Assistance Plan Executive Committee	R.C. 3930.02
Ohio Commission on Dispute Resolution and Conflict Management	R.C. 179.02
Ohio Commission to Reform Medicaid	Section 59.29, Am. Sub. H.B. 95, 125th General Assembly
Ohio Community Service Council	R.C. 121.40
Ohio Council for Interstate Adult Offender Supervision	R.C. 5149.22
Ohio Cultural Facilities Commission	R.C. 3383.02
Ohio Developmental Disabilities Council	R.C. 5123.35
Ohio Educational Telecommunications Network Commission	R.C. 3353.02

AGENCY NAME	REVISED CODE SECTION OR UNCODIFIED LAW SECTION AUTHORITY
Ohio Ethics Commission	R.C. 102.05
Ohio Expositions Commission	R.C. 991.02
Ohio Family and Children First Cabinet Council	R.C. 121.37
Ohio Geology Advisory Council	R.C. 1505.11
Ohio Grape Industries Committee	R.C. 924.51
Ohio Hepatitis C Advisory Commission	R.C. 3701.92
Ohio Historic Site Preservation Advisory Board	R.C. 149.301
Ohio Historical Society Board of Trustees	R.C. 149.30
Ohio Judicial Conference	R.C. 105.91
Ohio Lake Erie Commission	R.C. 1506.21
Ohio Medical Malpractice Commission	Section 4, Am. Sub. S.B. 281, 124th General Assembly, and Section 3, Am. Sub. S.B. 86, 125th General Assembly
Ohio Medical Quality Foundation	R.C. 3701.89
Ohio Parks and Recreation Council	R.C. 1541.40
Ohio Peace Officer Training Commission	R.C. 109.71
Ohio Public Defender Commission	R.C. 120.01
Ohio Public Library Information Network Board	Section 69, Am. Sub. H.B. 117, 121st General Assembly, as amended by Am. H.B. 284, 121st General Assembly
Ohio Public Works Commission	R.C. 164.02
Ohio Quarter Horse Development Commission	R.C. 3769.086
Ohio SchoolNet Commission	R.C. 3301.80
Ohio Small Government Capital Improvements Commission	R.C. 164.02
Ohio Soil and Water Conservation Commission	R.C. 1515.02

AGENCY NAME	REVISED CODE SECTION OR UNCODIFIED LAW SECTION AUTHORITY
Ohio Standardbred Development Commission	R.C. 3769.085
Ohio Steel Industry Advisory Council	R.C. 122.97
Ohio Teacher Education and Licensure Advisory Council	R.C. 3319.28(D)
Ohio Thoroughbred Racing Advisory Committee	R.C. 3769.084
Ohio Tuition Trust Authority	R.C. 3334.03
Ohio University College of Osteopathic Medicine Advisory Committee	R.C. 3337.10
Ohio Vendors Representative Committee	R.C. 3304.34
Ohio War Orphans Scholarship Board	R.C. 5910.02
Ohio Water Advisory Council	R.C. 1521.031
Ohio Water Resources Council	R.C. 1521.19
Ohioana Library Association, Martha Kinney Cooper Memorial	R.C. 3375.62
Oil and Gas Commission	R.C. 1509.35
Operating Committee, Agricultural Commodity Marketing Programs	R.C. 924.07
Organized Crime Investigations Commission	R.C. 177.01
Parole Board	R.C. 5149.10
Pharmacy and Therapeutics Committee of the Dept. of Job and Family Services	R.C. 5111.81
Physician Loan Repayment Advisory Board	R.C. 3702.81
Power Siting Board	R.C. 4906.02
Prequalification Review Board	R.C. 5525.07
Private Water Systems Advisory Council	R.C. 3701.346
Public Employment Risk Reduction Advisory Commission	R.C. 4167.02
Public Health Council	R.C. 3701.33

AGENCY NAME	REVISED CODE SECTION OR UNCODIFIED LAW SECTION AUTHORITY
Public Utilities Commission Nominating Council	R.C. 4901.021
Public Utility Property Tax Study Committee	R.C. 5727.85
Radiation Advisory Council	R.C. 3748.20
Reclamation Commission	R.C. 1513.05
Recreation and Resources Commission	R.C. 1501.04
Recycling and Litter Prevention Advisory Council	R.C. 1502.04
Rehabilitation Services Commission Consumer Advisory Committee	R.C. 3304.24
Release Authority of Department of Youth Services	R.C. 5139.50
Savings & Loans Associations & Savings Banks Board	R.C. 1181.16
Schools and Ministerial Lands Divestiture Committee	R.C. 501.041
Second Chance Trust Fund Advisory Committee	R.C. 2108.17
Self-Insuring Employers Evaluation Board	R.C. 4123.352
Services Committee of the Workers' Compensation System	R.C. 4121.06
Small Business Stationary Source Technical and Environmental Compliance Assistance Council	R.C. 3704.19
Solid Waste Management Advisory Council	R.C. 3734.51
State Agency Coordinating Group	R.C. 1521.19
State Board of Deposit	R.C. 135.02
State Board of Emergency Medical Services Subcommittees	R.C. 4765.04
State Council of Uniform State Laws	R.C. 105.21

AGENCY NAME	REVISED CODE SECTION OR UNCODIFIED LAW SECTION AUTHORITY
State Committee for the Purchase of Products and Services Provided by Persons with Severe Disabilities	R.C. 4115.32
State Criminal Sentencing Commission	R.C. 181.21
State Employment Relations Board	R.C. 4117.32
State Fire Commission	R.C. 3737.81
State Racing Commission	R.C. 3769.02
State Victims Assistance Advisory Committee	R.C. 109.91
Student Tuition Recovery Authority	R.C. 3332.081
Tax Credit Authority	R.C. 122.17
Technical Advisory Committee to Assist the Director of the Ohio Coal Development Office	R.C. 1551.35
Technical Advisory Council on Oil and Gas	R.C. 1509.38
Transportation Review Advisory Council	R.C. 5512.07
Unemployment Compensation Review Commission	R.C. 4141.06
Unemployment Compensation Advisory Council	R.C. 4141.08
Utility Radiological Safety Board	R.C. 4937.02
Vehicle Management Commission	R.C. 125.833
Veterans Advisory Committee	R.C. 5902.02(K)
Volunteer Fire Fighters' Dependents Fund Boards (Private and Public)	R.C. 146.02
Water and Sewer Commission	R.C. 1525.11(C)
Waterways Safety Council	R.C. 1547.73
Wildlife Council	R.C. 1531.03
Workers' Compensation System Oversight Commission	R.C. 4121.12
Workers' Compensation Oversight Commission Nominating Committee	R.C. 4121.123

Sunset Review Committee statutes repealed

The bill repeals on December 31, 2010, all statutes related to the Sunset Review Committee's structure, functions, and authority. This outright repeal coincides with the time when the Committee is required to have finished its duties during the 128th General Assembly. (R.C. 101.82, 101.83, 101.84, 101.85, 101.86, and 101.87; Sections 5 and 6 of the bill.)

Legislative statements of intent

The bill contains a statement that, in enacting the bill, it is the General Assembly's intent to implement the report of the Sunset Review Committee that was created by Sub. H.B. 548 of the 123rd General Assembly. The report is declared to be implemented in part as follows (Section 9(A)):

(1) By the abolishment in the bill, through amendments to relevant codified sections of law and through outright repeals of codified or uncodified sections of law, of several agencies that were subject to the Committee's jurisdiction;

(2) By the continuation, through the amendment or enactment of codified or uncodified sections of law, of the existence of numerous agencies, that were subject to the Committee's jurisdiction.

The General Assembly also declares its intent to abolish the Department of Health's Citizen's Advisory Council and the Environmental Protection Agency's Public Response Group. These entities were subject to the Committee's jurisdiction, and the Committee declared that they should be abolished, but the bill declares that no express codified or uncodified source of law for them was found to exist by the General Assembly. (Section 9(B).)

The General Assembly further declares its intention to continue the existence of the five entities listed below, if they have not expired by operation of law prior to and are in existence on the bill's effective date. These entities were subject to the Committee's jurisdiction, and the Committee declared they should be continued in existence, but the bill declares that no express codified or uncodified source of law for them was found to exist by the General Assembly:

- Assistance Council;
- Interdepartmental Cluster for Services to Youth;
- Jobs for Ohio's Graduates Board of Trustees;
- Ohio Oil and Gas Energy Education Program;

- Ohio Science and Technology Council.

Effective date

The bill is an emergency measure, but its codified and uncodified law provisions generally take effect on December 30, 2004 (Sections 10 and 12).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	10-21-04	pp. 2173-2174
Reported, H. State Gov't	---	---

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