



Ohio Legislative Service Commission

Bill Analysis

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H.B. 120

128th General Assembly
(As Introduced)

Reps. Batchelder, J. Adams, Amstutz, Bacon, Baker, Balderson, Blair, Bupp, Burke, Combs, Daniels, Derickson, Evans, Gardner, Grossman, Hottinger, Huffman, Jones, Jordan, Lehner, Maag, Martin, McClain, McGregor, Mecklenborg, Morgan, Ruhl, Sears, Snitchler, Stebelton, Uecker, Wachtmann, Zehringer

BILL SUMMARY

- Establishes the Legislative Budget Committee and the Legislative Budget Office of the Legislative Service Commission and specifies their powers and duties.

CONTENT AND OPERATION

Creation and responsibilities of the Legislative Budget Office

The bill creates the Legislative Budget Office (LBO) of the Legislative Service Commission (LSC) and places it under the direction of the Legislative Budget Committee (LBC) (see below). The LBO must be administered by a Legislative Budget Officer who is appointed by the LBC. The Legislative Budget Officer must report directly to the LBC. (R.C. 103.36(A).)

The LBO must employ professional staff and clerical personnel as are necessary for its operations. The Legislative Budget Officer is responsible for recruiting, hiring, dismissing, and supervising the staff of the LBO. Professional staff are expected to develop specialized knowledge in particular areas of governmental services and may be called upon to provide research and other information in that specialty to any member of the General Assembly. (R.C. 103.36(B).) The bill states that the General Assembly intends that all individuals currently serving as fiscal staff of the LSC serve as employees of the LBO (Section 3).

The LBO must provide financial oversight and continuous monitoring of state finances to the General Assembly. In addition to any other duties specified in the Revised Code, the Budget Office must provide the following services to the LBC:

- Analyze and make reports to the LBC concerning the state budget, state revenues and expenditures, and the organization and functions of the state, its departments, agencies, and subdivisions.
- Review, as appropriate, compliance by state agencies with legislative intent as established through the appropriation process and inform the LBC of deviations from legislative intent.
- Advise the LBC of any potential problems or issues arising with regards to state finances, and raise any questions regarding fiscal actions taken by the Governor or a state agency, both on the LBO's own initiative and on request.
- Annually collect the reports required by current law on the charging of fees by licensing boards and commissions and prepare a report evaluating the extent to which these boards and commissions are financially self-supporting. The LBO must submit this report, on or before each December 31, to the House Speaker, the Senate President, the House and Senate Minority Leaders, and the chairpersons and ranking minority members of the Finance Committees of both houses.
- Perform any other tasks related to state finance as requested by a member of the LBC. (R.C. 103.36(C) and 4743.01.)

Creation of the Legislative Budget Committee

The bill creates the LBC under the direction of the LSC. The LBC must seek to attain improved state financial and administrative management through the exercise of continuous review and analysis of state revenues, expenditures, and management practices. (R.C. 103.35(A).)

The LBC consists of the following members:

- Four members of the LSC, two from each house of the General Assembly and two from each political party, appointed by the members of the LSC.
- The chairperson and one member of the majority political party from the Senate committee handling finance and appropriations, and two members of the minority political party from that Senate committee, all appointed by the "President Pro Tempore of the Senate."
- The chairperson and one member of the majority political party from the House committee handling finance and appropriations, and two members

of the minority political party from that House committee, all appointed by the House Speaker.

These appointments must be made not later than the bill's effective date. Members of the LBC serve during their terms as members of the General Assembly and until their successors are appointed and qualified, notwithstanding the adjournment of the General Assembly of which they are members or the expiration of their terms as members of that General Assembly. A vacancy in the office of any LBC member is to be filled in the same manner as the original appointment. LBC members may be reappointed.

The LBC must select from among its members a chairperson and vice-chairperson. The offices of chairperson and vice-chairperson are to alternate each session of the General Assembly between Senate and House members and between political parties. (R.C. 103.35(B).) Members of the LBC serve without compensation, but are to be reimbursed for their actual and necessary expenses incurred in the performance of their official duties (R.C. 103.35(E)).

The LBC must hold its first meeting not later than 30 days after the bill's effective date and then must meet at least once every 60 days thereafter or more frequently at the call of the chairperson. A majority of members of the LBC constitutes a quorum. (R.C. 103.35(C).)

The LBC is to establish priorities respecting the work of the LBO staff, and is to review the work of the Legislative Budget Officer and the LBO staff. (R.C. 103.35.)

Miscellaneous changes

The bill specifies that LBO employees (1) are under the jurisdiction of the Joint Legislative Ethics Committee for purposes of the state Ethics Law, as are other legislative employees under current law (R.C. 102.01(F)(1)) and (2) are not included in the State Job Classification Plan established by the Director of Administrative Services (R.C. 124.14(B)(2)). The bill grants to the LBC, as existing law grants to the LSC, the authority to issue subpoenas compelling the attendance of witnesses and the productions of papers, books, accounts, and testimony (R.C. 103.17).

The bill either grants or transfers to the LBO certain powers and duties now given to the fiscal staff of the LSC, such as:

- Establishing and maintaining an electronic database containing current and historical revenue and expenditure data for each school district in the state (R.C. 103.132).

- Preparing local impact statements (R.C. 103.143).
- Calling upon state agencies and instrumentalities and political subdivisions to provide data and facilities to, and to cooperate with, the LBO (R.C. 103.18).
- Conducting program reviews of state agencies and their programs and providing staff to assist the Controlling Board (R.C. 103.23).
- Consulting with the Office of Budget and Management in developing forms necessary for state agencies to prepare budget requests, making inquiries and investigations with regard to budget requests, and in reconciling variations in appropriations (R.C. 126.02 and 126.21).
- Receiving fiscal statements from the Chancellor of the Board of Regents relating to the definition of "full-time equivalent students," student instructional grants, need-based financial aid grants, and the student choice grant program (R.C. 3333.04(J), 3333.12(G), 3333.122(G), and 3333.27(B)).
- Receiving reports from the State Racing Commission regarding tax abatements for capital improvements at race tracks (R.C. 3769.08(J) and 3769.20(B)).
- Receiving reports from the Department of Rehabilitation and Correction relating to estimates of state correctional institution inmate populations (R.C. 5120.51(D)).

HISTORY

ACTION	DATE
Introduced	04-02-09

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