



- As the Sunset Review Committee is a legislative committee, members receive no compensation outside of reimbursement for necessary expenses.
- If the Sunset Review Committee recommends name changes for any boards or committees, there may be some minimal cost increases for the updating of stationary, business cards, or web sites.

## ***Local Fiscal Highlights***

- No direct fiscal effect on political subdivisions.
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## ***Detailed Fiscal Analysis***

The bill causes any entity eligible for Sunset Review being reviewed to expire unless the agency is renewed by recommendation of the Sunset Review Committee. The Sunset Review Committee will function in calendar years 2009 and 2010. The members of the committee will not be compensated, but will be reimbursed for necessary expenses incurred while performing their duties. The Sunset Review Committee makes some changes to current law, outlined below, in addition to the abolition and renewal recommendations listed.

### ***Interagency Recycling Market Development Workgroup***

The bill repeals this workgroup and states that the Chief of Recycling and Litter Prevention in the Department of Natural Resources must prepare the Ohio recycling market development plan, which must be updated every two years. The Director of Natural Resources must approve this plan. The repeal of this group eliminates the potential expense of reimbursements for members.

### ***Ohio Low-Level Radioactive Waste Facility Development Authority – Ohio Environmental Protection Agency***

Under current law, the Governor appoints the Ohio member of the Midwest Interstate Low-Level Radioactive Waste Commission, an entity within the Environmental Protection Agency. This representative may not cast an affirmative vote on any matter within the Commission without prior approval of the Ohio Authority. The bill repeals the Ohio Authority, and states that the representative must not cast an affirmative vote without the approval of the Governor. The removal of this group eliminates the potential expense of reimbursements for members.

### **Health Care Quality Advisory Council – Bureau of Workers Compensation**

The bill repeals the Council. It states that the Administrator of Workers' Compensation must develop the standards for qualification of health care plans. The Council is currently responsible for this task. Abolishing this Council eliminates potential reimbursement expenses.

### **Employee Ownership Assistance Program - Department of Development**

The bill removes the authority of the Director of Development to establish or appoint members to a technical or advisory board that the Director deems necessary to assist in the execution of the Employee Ownership Assistance program. This program provides information to promote the establishment of the successful operation of employee-owned companies. Members of these boards are not compensated outside of necessary expenses. Removing this provision would result in a decrease in expenditures.

### **Minority Business Enterprises and Public Improvement Contracting Procedures – Department of Administrative Services**

The bill also removes the provision that states that a minority business enterprise must first apply to the coordinator of administrative services for certification before bidding on a public improvement contract. That provision required the Director of Administrative Services to set aside a number of contracts with an aggregate value of 5% of the total estimated value of contracts to be awarded in the current fiscal year to be bid upon by minority business enterprises. The bill subjects minority business enterprises to the same bidding procedures as other contractors and has no fiscal impact, as it appears to conform the law to current public improvement and bidding procedures. In November of 1998, in the set-aside provisions were deemed unconstitutional in *Associated General Contractors of Ohio, Inc. v. Drabik*, and as such, the Department of Administrative Services has not implemented these provisions since that date.

### **Medical Liability Fund Created by Sub. H.B. 282 of the 12th G.A. – Department of Insurance**

The Medical Liability Fund, within the Department of Insurance, consist of funds from the Joint Underwriting Association, which was dissolved under section 3929.721 of the Revised Code. The remaining funds from the Joint Underwriting Association is the only funding source for the Medical Liability Fund, unless the Director of Insurance deems it necessary for a Medical Liability Underwriting Association to be established. The criteria for determining such a need are listed in Sub. H.B. 282 of the 125th General Assembly.

### **Name Changes**

The bill also changes the names of several agencies at the recommendation of the Sunset Review Committee.

- The Martha Kinney Cooper Ohioana Library Association will be known as the Ohioana Library Association, Martha Kinney Cooper Memorial.
- The Ohio Arts and Sports Facilities Commission will be known as the Ohio Cultural Facilities Commission.
- The State Planning Council will be known as the Developmental Disabilities Council.

There are presumed to be negligible, if any, costs associated with these changes.

**Renewed Agency Table**

Table 1 lists those boards and commissions that were renewed by the Sunset Review Committee. The table contains the agency name, Revised Code section creating the entity, the form of compensation for board members, and the FY 2003 expenditure information for these entities, when available. There are several cost types listed in this table. First "Expenses Only" refers to a reimbursement to members for travel, lodging and other associated costs of attending board meetings. Next, "Necessary Expenses" refers to expenses that permit the board or commission to contract with field experts or others in order to discharge their duties. These costs are noted in this table, but in many cases were negligible, nonexistent, or not available to LSC.

Legislative intent language included in the bill expresses the devise to continue the following entities, even though there is no codified or uncodified law acknowledging them:

- The Assistance Council
- The Interdepartmental Cluster for Youth Services within the Department of Youth Services
- The Jobs for Ohio's Graduates Board of Trustees within the Department of Education
- The Oil and Gas Energy Education Program within the Department of Natural Resources

These items are not listed in the table, as there is no readily available FY 2003 expenditure data for them.

**Abolished Agency Table**

The Abolished Agency table, Table 2, follows the same format as the Renewed Agency table, and contains the same information for those entities that would be abolished by the bill.

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*HB0568HP/arc*

**Table 2: State Entities Abolished by H.B. 568**

Agency Name	Revised Code Section or Uncodified Law Section	Compensation	FY 2003 Expenditure
Advisory Committee of the State Veterinary Medical Licensing Board	R.C. 4741.03(D)(3)	Expenses Only	\$0
Appalachian Public Facilities Task Force	Section 3, Am. H.B. 280, 121st General Assembly		
Community MR/DD Trust Fund Advisory Council	R.C. 5123.352 and 5123.353	Necessary Expenses	
Executive Committee of the Ohio Bicentennial Commission	R.C. 149.32; Section 3, Am. S.B. 208, 120th General Assembly	Expenses Only	
Health Care Advisory Committee	R.C. 4121.443 and 4755.481	Expenses Only	
Health Care Quality Advisory Council	R.C. 4121.442	Expenses Only	
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	Expenses Only	
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	Not Compensated	
Midwest Interstate Passenger Rail Compact Commission (Ohio members)	R.C. 4981.36 and 4981.361	Not Compensated	
Ohio Benefit Systems Data Linkage Committee	R.C. 125.24	Expenses Only	

**Table 2: State Entities Abolished by H.B. 568**

Agency Name	Revised Code Section or Uncodified Law Section	Compensation	FY 2003 Expenditure
Ohio Bicentennial Commission	R.C. 149.32	Per Diem and Expense	\$11,859
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	Expenses Only	
Ohio Natural Areas Council	R.C. 1501.04, 1517.02, 1517.03, 1517.04, 1517.05, 1517.23, 1518.01, and 1518.03	Expenses Only	\$0
Property Revitalization Board	R.C. 3746.04, 3746.08, 3746.09, and 3746.35	Not Compensated	
Select Commission on Pyrotechnics	Section 3, Sub. H.B. 508, 119th General Assembly		
Set Aside Review Board	<u>R.C. 123.151, 164.07, 3354.161, 3355.121, 3357.161, 3358.10, 4582.12, and</u>		
State Board of Library Examiners	R.C. 3375.47	Expenses Only	
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	Not Compensated	

**Table 2: State Entities Abolished by H.B. 568**

Agency Name	Revised Code Section or Uncodified Law Section	Compensation	FY 2003 Expenditure
Submerged Lands Advisory Council	R.C. 149.56, 1506.30, 1506.34, 1506.35, and 1506.37	Expenses Only	\$0
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	Not Compensated	
Technical and Advisory Councils or Boards (Department of Development Employee Ownership Assistance Program)	R.C. 122.011, 122.09, and 122.133	Necessary Expenses	
Welfare Oversight Council	R.C. 5101.93	Expenses Only	
Wright-Dunbar State Heritage Commission	R.C. 149.321 and 149.322	Expenses Only	