



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [H.B. 495 of the 128th G.A.](#)

Date: May 12, 2010

Status: As Introduced

Sponsor: Reps. Book and Dodd

Local Impact Statement Procedure Required: No — No local cost

Contents: Implements the recommendations of the Sunset Review Committee and makes other changes

State Fiscal Highlights

Sunset Review provisions

- The bill outright abolishes 83 public bodies established to oversee operations of state government, issue reports, or make recommendations for changes in public policy. Of those, 72 have already issued final reports, are scheduled to do so in the near future, or are inactive. The remaining 11 are actively functioning. In addition, the activities of 23 entities are consolidated into other entities. The bill renews 170 entities and subjects them to review by the Sunset Review Committee in calendar years 2015 and 2016.
- The expenses incurred by most of these public bodies are accounted for within the budgets of the state agencies chiefly responsible for providing them with support. The result of abolishing or consolidating these public bodies is a negligible savings in various state funds.
- The bill abolishes the Utility Radiological Safety Board and the funding for the radiological safety programs that the Board oversees. The FY 2010-FY 2011 appropriations for these programs are \$2.7 million per fiscal year, supported by assessments charged to the state's nuclear electric utilities.
- The bill abolishes the Lake Erie Commission (LEC) and grants oversight of the programs that LEC operates to the multi-state Great Lakes Commission. Under the bill, the programs currently operated by LEC would instead be administered by one of five cabinet departments specified in the bill. Depending on the way these functions are consolidated, there could be some cost savings.

Workers' Compensation Council

- The bill eliminates the FY 2011 appropriation of \$471,200 for the Workers' Compensation Council and abolishes the current funding mechanism used to support the Council's operations. The bill makes these changes effective immediately.

Detailed Fiscal Analysis

Overview

The bill abolishes, terminates, transfers, or renews the boards, commissions, committees, councils, and other similar public bodies of the state subject to the review of the Sunset Review Committee, a nine-member entity established to periodically evaluate those public bodies. In this fiscal analysis, the entities under the purview of the Sunset Review Committee are presented in five categories: (1) general government, (2) health and human services, (3) justice and public safety, (4) education, and (5) insurance and taxation. Within each functional category, a table lists the public bodies that are slated to be abolished by the bill. Each of the tables lists these bodies, the agencies that provide administrative support to these entities, their legal authority and operating status, and the form of compensation provided to members appointed to these bodies. Details concerning bodies that are not abolished but instead are merged or whose responsibilities are transferred to other bodies are described in the narrative following these tables.

Effective three months after the bill becomes law (approximately six months after passage), the bill abolishes outright 83 entities. Of those, 72 have already issued final reports, are scheduled to do so in the near future, or are inactive. The remaining 11 are actively functioning. Most of the entities included in this analysis are funded without a specific appropriation or a formal budget in FY 2010 and FY 2011. In these cases, any expenses are likely accounted for within the budget of a larger entity, typically a state agency. These expenses can include reimbursements of expenses or per diem compensation for members serving on these bodies. In addition to the entities being abolished outright, the activities of 23 entities are consolidated into other entities. In most cases, the result of abolishing or consolidating these public bodies is likely to be some small savings in the various state funds that are used to support them.

The bill also renews 170 entities and re-establishes the Sunset Review Committee to undertake its review of public bodies in calendar years 2015 and 2016. These public bodies will expire on December 31, 2016 unless they are retained under the next Sunset Review Committee process. A list of the entities renewed may be found in Section 3 of the bill.

The bill abolishes two funds that provide operating income to the Workers' Compensation Council and eliminates the Council's FY 2011 appropriations. The available balances in these funds, which consist of assessments collected by the Bureau of Workers' Compensation to support the Council's operations, are to be transferred to the Workers' Compensation Fund (Fund 7023) and subsequently refunded to employers.

General Government

Table 1: General Government Entities Abolished				
Entity Name	Agency	Legal Authority	Status	Compensation
Ohio Beekeepers Taskforce	AGR	Section 709.10 of H.B. 1, 128th G.A.	Final report to be issued July 2010	None
Ohio Agriculture to Chemicals, Polymers, & Advanced Material Task Force	AGR	Section 2 of H.B. 233, 127th G.A.	Final report issued July 2008	None
Biofuel and Renewable Energy Task Force	AGR	Section 25 of H.B. 87, 125th G.A.	Final report issued March 2004	None
Fireworks Exhibition Committee	COM	R.C. 3743.54	Active	Not Specified
Advisory Committee to the Consumer Finance Education Board	COM	R.C. 1349.71	Inactive	Not Specified
Vehicle Management Commission	DAS	R.C. 125.833	Inactive	Not Specified
Ad Hoc Committee to Study Use of Alternative Dispute Resolution Procedure in Civil Service Appeals	DAS	Section 3 of H.B. 187, 126th G.A.	Inactive	Not Specified
MARCS Task Force	DAS	Section 755.80 of H.B. 2, 128th G.A.	Final report issued March 2010	None
Ohio Aerospace & Defense Advisory Council	DEV	R.C. 122.98, 122.981	Inactive – replaced by the Ohio Aerospace and Business Aviation Council in September 2009	Expenses only
Fuel Production Task Force	DEV, EPA	Section 1 of H.B. 371, 126th G.A.	Final report issued January 2009	None
Legislative Task Force to Study Eminent Domain and Its Use and Application in the State	DEV, DOT	Section 3 of S.B. 167, 126th G.A.	Final report issued August 2006	None
Great Lakes-St. Lawrence River Basin Water Resources Compact Advisory Board	DNR	Section 3 of H.B. 416, 127th G.A.	Final report to be issued June 2010	None
Muskingum River Advisory Council	DNR	R.C. 1501.25	Active	None
State Agency Coordinating Group of the Ohio Water Resources Council	DNR	R.C. 1521.19	Active	Not Specified
State Park and Recreational Area Study Committee	DNR	Section 715.50 of H.B. 562, 127th G.A.	Final report issued February 2009	None
Ohio Lake Erie Fishing Regulatory Reform Task Force	DNR	Section 4 of S.B. 77, 127th G.A.	Final report issued December 2007	None
Oil and Gas Advisory Council	DNR	Section 8 of H.B. 299, 125th G.A.	Final report issued August 2005	None

Table 1: General Government Entities Abolished				
Entity Name	Agency	Legal Authority	Status	Compensation
Ohio Transportation Task Force	DOT	Section 755.03 of H.B. 530, 126th G.A. (subsequently amended)	Final report issued December 2007	Not specified
Pavement Selection Advisory Council	DOT	Section 12 of H.B. 87, 125th G.A.	Final Report issued December 2003	Not specified
Multidisciplinary Council	EPA	R.C. 3746.03	Inactive	Not specified
Construction and Demolition Debris Facility Study Committee	EPA	Section 513.03(B) of H.B. 66, 126th G.A.	Final report issued September 2005	None
Preconstruction Rules Working Group	EPA	Section 3 of S.B. 393, 126th G.A.	Inactive	Not specified
Ohio Commission on Local Government Reform and Collaboration ¹	LOC	Section 701.20 of H.B. 562, 127th G.A.	Final report to be issued July 2010	Not specified
Compact with Ohio Cities Task Force	LOC	H.R. 20, 128th G.A.	Final report issued January 2010	None
Commission on Cuyahoga County Government Reform	LOC	Section 703.30 of H.B. 562, 127th G.A.	Final report issued November 2008	Not specified

Department of Agriculture

Ohio Agricultural License Plate Scholarship Fund Board

The bill abolishes the Ohio Agricultural License Plate Scholarship Fund Board and requires the Department of Agriculture to determine how to perform the duties of the Board. The Board is responsible for deciding whether or not to award, renew, not renew, or revoke scholarships distributed through the Ohio Agriculture License Plate Scholarship Program. The Board consists of seven members who are reimbursed for their expenses.

Department of Commerce

Financial Consumer Council

The bill abolishes the Banking Commission, the Savings and Loan Association and Savings Bank Board, and the Credit Union Council and transfers their responsibilities to a new entity called the Financial Consumer Council. The three existing entities serve as advisory bodies to the Department of Commerce's Division of Financial Institutions on matters relating to policy, statutory changes, or administrative

¹ H.B. 2 of the 128th General Assembly permitted an appropriation of \$200,000 originally slated for the Commission on Cuyahoga County Government Reform to also be used for the Commission on Local Government Reform and Collaboration. Of the approximately \$168,000 available to the Commission on Local Government Reform and Collaboration in FY 2010, about \$59,000 was used to pay The Ohio State University for work done on behalf of the Commission.

rule changes. The entities also consider and confirm the respective budgets and assessment recommendations for the Banks Fund (Fund 5440), Savings Banks Fund (Fund 5450), and the Credit Unions Fund (Fund 5520). Each of the existing entities has seven members, each of whom may be reimbursed for mileage and parking fees. Expenses incurred among the entities totaled \$4,624 in FY 2009 and are \$1,785 year-to-date in FY 2010. These costs are paid from the operating funds that each body oversees. The Financial Consumer Council created by the bill consists of 12 members. With fewer overall members to reimburse, there could be some negligible savings in each of the operating funds noted above as a result of this consolidation.

Ski Tramway Board

The bill eliminates the Ski Tramway Board and transfers its responsibilities to the Department of Commerce's Division of Industrial Compliance and Labor. The Board regulates the construction, maintenance, mechanical operations, and inspection of passenger tramways at Ohio's ski areas. The Board has three members, each of whom is eligible for compensation of \$250 for each meeting attended, but not more than \$750 per calendar year. The chairperson receives an additional \$250 annually. Members are also eligible to receive reimbursement for job-related expenses. FY 2009 expenses for the Board were \$993 and are \$329 year-to-date in FY 2010. The Board typically meets once annually. While there is no distinct appropriation for its activities, current law requires the cost of administering the Board and conducting inspections to be included in the Division of Industrial Compliance and Labor's budget. The elimination of the Board would result in some small savings to the Labor Operating Fund (Fund 5560).

Department of Development

Third Frontier Biomedical and Bioproducts Advisory Board

The bill combines the seven-member Third Frontier Biomedical Advisory Board and the seven-member Third Frontier Bioproducts Advisory Board affiliated with the Department of Development into a single entity known as the Third Frontier Biomedical and Bioproducts Advisory Board. The combined board would have nine members. Like the existing entities, members appointed to the new board would be entitled to reimbursement for their expenses. However, the Department reported that no such expenses were incurred in FY 2009 or FY 2010 year-to-date. Thus, there is not likely to be any savings as a result of this consolidation.

Environmental Protection Agency

Under the bill, the Advisory Boards to the Environmental Protection Agency (EPA) for water pollution control and the Advisory Boards to EPA for air pollution are combined to form the Advisory Boards to EPA for Air and Water Pollution Control. Both advisory boards were created under R.C. 121.13, which allows the director of each state department, with the Governor's approval, to establish and appoint advisory boards to assist in carrying out the work of the department. Members of these advisory boards are currently entitled to reimbursements for actual and necessary expenses,

though the EPA reported that no such expenses were incurred in FY 2009 or FY 2010 year-to-date. Members appointed to the board established under the bill would also be entitled to reimbursement for their expenses.

Great Lakes State Commission

The bill abolishes the Coastal Resources Advisory Council and the Ohio Lake Erie Commission (LEC) and assigns these duties to the Ohio delegation of the Great Lakes Commission. The Great Lakes Commission is a multi-state entity whose purpose is to develop interstate policy regarding the development, use, and conservation of the Great Lakes, including implementing the Great Lakes-St. Lawrence River Basin Water Resources Compact. The Ohio delegation consists of five members and three alternates who receive no compensation, but are entitled to reimbursement for expenses out of state funds.

Coastal Resources Advisory Council

The Coastal Resources Advisory Council currently advises the Director of Natural Resources on coastal management laws and makes policy recommendations related to coastal management programs. Current law requires the Department of Natural Resources to furnish clerical, technical, and legal assistance to the Council, but the Council does not receive any separate appropriation in the Department's budget. There would be little savings derived from eliminating the Advisory Council, since expenses were \$753 in FY 2009 and are \$452 year-to-date in FY 2010.

Lake Erie Commission

LEC oversees a staff of four and administers grants for coastal conservation projects out of a budget of \$830,000 in FY 2010 and \$833,000 in FY 2011. Operating revenue is largely derived from Lake Erie license plate sales, distributions to Ohio from the interstate Great Lakes Protection Fund overseen by the Great Lakes Commission, certain federal sources, and other grants, gifts, and donations. This revenue is deposited into the Lake Erie Protection Fund (Fund 4C00) and the Lake Erie Resources Fund (Fund 5D80).

Under current law, the Commission is overseen by the directors of Natural Resources, Transportation, Environmental Protection, Health, and Agriculture. One of these agencies is designated to administer LEC's operating funds. LEC's current fiscal agent is the Ohio EPA. Depending on how the Great Lakes Commission integrates LEC's current programs within these state agencies, there could be some cost savings as a result. Under the Commission's FY 2010-FY 2011 budget, approximately \$380,000 in each fiscal year is slated for payroll, supplies and maintenance, and other administrative expenses.

Commission and Interagency Council on Hispanic-Latino Affairs

R.C. 121.32 requires the Commission on Hispanic-Latino Affairs (SPA) to create the Interagency Council on Hispanic-Latino Affairs (Council) to "provide and

coordinate the exchange of information relative to the needs of Spanish-speaking people and promote the delivery of state services to such people." The bill abolishes the Council and requires SPA to absorb its duties. Compensation for Council members is not specified and the Council did not receive appropriations in H.B. 1. Further, the Commission reported no expenditures for Council activities in FY 2009 or FY 2010 year-to-date.

The Commission received appropriations of \$359,890 in both FY 2010 and FY 2011. SPA voting members receive compensation for no more than one day of Commission work each month. They also receive reimbursement for all actual and necessary expenses incurred in the performance of their duties.

Racing Commission

Three entities affiliated with the Racing Commission – the Quarter Horse Development Commission, the Standardbred Development Commission, and the Thoroughbred Racing Advisory Committee – are to be terminated with responsibilities and regulations to be assumed by the Racing Commission. Members of these entities are only eligible for reimbursement of job-related expenses, which are paid from funds in the Racing Commission budget: the Ohio Quarter Horse Development Fund (Fund 5640), the Ohio Standardbred Development Fund (Fund 5630), and the Ohio Thoroughbred Race Fund (Fund 5620), respectively. However, the Racing Commission reports that none of the Commission members on these bodies have received reimbursement of expenses in recent years. Appropriations to these funds for FY 2010 and FY 2011 are unaffected by the bill.

Health and Human Services

Entity Name	Agency	Legal Authority	Status	Compensation
Community Behavioral Health Services Study Group	ADA, DMH, JFS	Section 751.13 of H.B. 1, 128th G.A.	Final report due by June 30, 2011	None
Alzheimer's Disease Task Force	AGE	R.C. 173.04(F)	Inactive	Not specified
Joint Council on Developmental Disabilities	DMR	R.C. 101.37 and Section 4 of H.B. 538, 123rd G.A.	Inactive	Expenses only
MR/DD Futures Study Commission	DMR	Section 337.20.20 of H.B. 119, 127th G.A.	Final report issued March 2008	Expenses only
Ohio Autism Task Force	DMR	Section 152 of H.B. 95, 125th G.A.; Section 14 of S.B. 2, 125th G.A.	Final report issued March 2005	None
Developmental Disabilities Developmental Center Closure Commission(s)	DMR	R.C. 5123.032(D) and (E)	Final report issued March 2004	None
Ohio Cystic Fibrosis Legislative Task Force	DOH	R.C. 101.38	Inactive	Expenses only

Table 2: Health and Human Services Entities Abolished				
Entity Name	Agency	Legal Authority	Status	Compensation
Household Sewage and Small Flow On-Site Sewage Treatment Study Commission	DOH and others	Section 737.11 of H.B. 119, 127th G.A.	Final report issued January 2009	Not specified
Shaken Baby Syndrome Educational Materials Work Group	DOH	R.C. 3701.63	Inactive	Not specified
Legislative Committee on the Future Funding of Bureau for Children with Medical Handicaps	DOH	Section 206.42.12 of H.B. 66, 126th G.A.	Final report issued December 2006	None
Compassionate Care Task Force	DOH	Section 3 of H.B. 474, 124th G.A.	Final report issued March 2004	Expenses only, if approved by the chairperson
Ohio Hepatitis C Advisory Commission	DOH	R.C. 3701.92	Hepatitis C Prevention Plan issued 2003	None
Maternal and Child Health Council	DOH	R.C. 3701.025	Inactive	Travel expenses only
Medicaid Buy-in Advisory Council	JFS	R.C. 5111.709	Active	None
Child Care Advisory Council	JFS	R.C. 5104.08	Active	Expenses only
Child Support Guideline Advisory Council	JFS	R.C. 3119.024	Active – latest report issued June 2009	Expenses only
Task Force on Implementing the Federal Domestic Violence Option in the Ohio Works First Program	JFS	Section 6 of S.B. 238, 126th G.A. and Section 3 of H.B. 461, 126th G.A.	Implemented the Federal Domestic Violence Option, January 2008	None
Medicaid Administrative Study Council	JFS	Section 206.66.53 of H.B. 66, 126th G.A.	Final report issued December 2006	Not specified; Council was able to hire staff, enter into contracts, etc.
Nursing Facility Rate Transition Advisory Council	JFS	Section 206.66.24 of H.B. 66, 126th G.A.	Final report issued March 2006	None
Disability Medical Assistance Council	JFS	Section 206.66.43 of H.B. 66, 126th G.A.	Final report issued September 2005	Not specified
Commission to Reform Medicaid	JFS	Section 59.29 of H.B. 95, 125th G.A.; Section 64 of S.B. 189, 125th G.A.	Final report issued January 2005	Expenses only; Commission was able to hire staff
Child-Centered Recruitment Task Force	JFS	Section 3 of H.B. 7, 127th G.A.	Final report issued December 2009	None
Medication Aide Advisory Council	NUR	R.C. 4723.62	Inactive	None
Ohio Family and Children First Cabinet Council Advisory Board	OFCF, Various	R.C. 121.374	Inactive	None
TANF Youth Diversion Programs, Committee to Evaluate the Implementation of	OFCF, Various	Section 5 of H.B. 57, 124th G.A.	Inactive	None
Task Force to Eliminate Health Services Duplication	Various	Section 153 of H.B. 95, 125th G.A.	Final report issued March 2004	None

Department of Health

Hospital Measures Advisory Council

Under the bill, responsibilities of the following Department of Health (DOH) groups are being transferred to the Hospital Measures Advisory Council, which is also under DOH.

- **Data Collection and Analysis Group** (created in R.C. 3727.31 and 3727.32; members receive no compensation). The Group is to, among other things, develop recommendations regarding measures for hospital inpatient and outpatient services and assist the Council in any duties associated with the required report.
- **Infection Control Group** (created in R.C. 3727.312(D) and 3727.313; members receive no compensation). The Group is to provide information to the Council concerning infection control as needed.
- **The Group of Experts in Pediatric Medicine** (created in R.C. 3727.322; members receive no compensation or expenses). The Group is to develop recommendations regarding measures for children's hospital inpatient and outpatient services and submit the recommendations to the Council.

DOH reported no expenditures for these groups in FY 2009 or FY 2010 year-to-date, though DOH employees assisted in Data Collection and Analysis Group and Infection Control Group meetings. The Group of Experts in Pediatric Medicine met outside of DOH and no DOH staff were involved other than to receive updates on the Group's activities.

The Hospital Measures Advisory Council was created in R.C. 3727.31, 3727.311, 3727.312, and 3727.313. Members receive no compensation or expenses. The Council studies the issue of hospitals reporting information regarding their performance in meeting measures for hospital inpatient and outpatient services, including how such reports are made in other states. Additionally, the Council makes recommendations and provides advice concerning the reporting and dissemination of this information.

Medical Loan Repayment Advisory Board

The duties of the Physician Loan Repayment Advisory Board and Dentist Loan Repayment Advisory Board are being transferred to create the Medical Loan Repayment Advisory Board. The boards are under DOH. The Dentist Loan Repayment Advisory Board was created in R.C. 3702.92 and 3702.95, as well as Section 4 of H.B. 516 of the 125th General Assembly. Members receive reimbursements for expenses associated with their duties on the Board only. The duties include an annual report that discusses, among other things, the areas that have been classified as a dental health resource shortage area and the numbers of applicants to the Dentist Loan Repayment Program. The Physician Loan Repayment Advisory Board was created in R.C. 3702.80 and 3702.81. Members receive no compensation. The duties include an annual report that discusses, among other things, the areas that have been classified as health resource

shortage areas and the number of applicants to the Physician Loan Repayment Program. DOH reported no expenses for either board in FY 2009 or FY 2010 year-to-date.

Justice and Public Safety

Table 3: Justice and Public Safety Entities Abolished				
Entity Name	Agency	Legal Authority	Status	Compensation
Ohio Military Reserve Homeland Security Task Force	ADJ	Section 560.03 of H.B. 66, 126th G.A.	Final report issued December 2005	Not specified
Adam Walsh Study Committee	AGO	Section 5 of S.B. 260, 126th G.A.	Final report issued March 2007	None
Utility Radiological Safety Board	DPS	R.C. 4937.02	Active	Expenses only
Ohio State Highway Patrol Mission Review Task Force	DPS	Section 756.40 of H.B. 2, 128th G.A.	Final report due July 1, 2010	None
BMV Study Group	DPS	Section 755.40 of H.B. 2, 128th G.A.	Final report issued December 2009	Not specified
State Highway Patrol Funding Task Force	DPS	Section 555.17 of H.B. 67, 127th G.A.	Final report issued July 2008	Not specified
Citizens Advisory Committee of the Bureau of Motor Vehicles	DPS	R.C. 4501.025	Inactive	Expenses only
Lima Correctional Institution Study Committee	DRC	Section 377.20 of H.B. 119, 127th G.A.	Final report issued April 2008	Not Specified
Correctional Faith-Based Initiatives Task Force	DRC	Section 503.09 of H.B. 66, 126th G.A.	Final report issued November 2006	Not specified
Military Activation Task Force	DVS	R.C. 5902.15	Final report updated January 2004	Expenses only
Criminal Sentencing Advisory Committee	JSC	R.C. 181.22	Active	Expenses only
Joint Committee to Study Court Costs and Filing Fees	JSC	Section 6 of H.B. 336, 126th G.A.; Section 5 of S.B. 155, 127th G.A.	Final report issued July 2008	None
Ohio Subrogation Rights Commission	JSC, INS	R.C. 2323.44	Final report issued December 2005	Not specified
Ohio Court Appointed Special Advocate/Guardian Ad Litem (CASA/GAL) Study Committee	PUB, DYS	R.C. 2151.282	Final report issued July 2007	Not specified
Ohio Privacy/Public Record Access Study Committee	Various	Section 3 of H.B. 204, 125th G.A.	Final report issued October 2007	Not specified

The bill abolishes the Utility Radiological Safety Board (URSB). URSB oversees and coordinates the radiological safety programs operated by the Department of Public Safety, Department of Health, Environmental Protection Agency, and the Department

of Agriculture. The goal is to ensure that nuclear power plants are operated safely and that contingency plans are prepared in the event of a nuclear accident. The programs are funded by assessments on each nuclear electric utility in Ohio, which are deposited into funds 6570, 6100, 6440, and 4E40, respectively. These assessments are appropriated to each agency in varying amounts totaling \$2.7 million per year in FY 2010 and FY 2011. The bill abolishes the authority to make these assessments. As a result of these changes, it is unclear how those functions will be carried out in the future.

Education

Table 4: Education Entities Abolished				
Entity Name	Agency	Legal Authority	Status	Compensation
Engineering Experiment Station Advisory Committee	BOR – OSU	R.C. 3335.27	Active	Not specified
Commission on the Future of Health Care Education and Physician Retention in NW OH	BOR	Section 263.30.30 of H.B. 119, 127th G.A.	Final report issued February 2009	None
Committee to Develop Guidelines and Standards for Civil Service Administration in State-Supported Colleges and Universities	BOR	Section 4 of H.B. 187, 126th G.A.	Final report submitted in early CY 2008	Not Specified
North East Ohio Universities Collaboration and Innovation Study Commission	BOR	Section 235.60.70 of H.B. 699, 126th G.A.	Final report issued December 2007	None
Higher Education Funding Study Council	BOR	Section 209.63.58 of H.B. 66, 126th G.A.	Final report issued May 2006	None
Community Oversight Committees	EDU	R.C. 3311.77	Active	None
School Health Services Advisory Council	EDU	R.C. 3319.70	Final report issued March 2010	None
Public-Private Collaborative Commission	EDU, BOR	Section 8 of S.B. 311, 126th G.A. (subsequently amended)	Final report issued August 2008	Not specified
Foreign Language Advisory Council	EDU, BOR	Section 3 of S.B. 311, 126th G.A.	Final report issued December 2007	Not specified
School Physical Fitness and Wellness Advisory Council	EDU	Section 201.10.12 of H.B. 66, 126th G.A.	Final report issued May 2006	Not specified
Head Start Partnership Study Council	EDU, JFS	Section 41.35 of H.B. 95, 125th G.A.	Final report issued December 2003	None
Ohio Public Library Information Network Board	LIB	Section 69 of H.B. 117, 121st G.A. (subsequently amended)	Inactive – succeeded by the Ohio Public Library Information Network Board of Trustees	Not specified

Department of Education

The bill transfers the responsibilities of the Early Childhood Financing Workgroup, created in Section 265.70.20 of H.B. 1 of the 128th General Assembly, to the Early Childhood Advisory Council. No appropriations are associated with the

Workgroup and no compensation is specified for its members. H.B. 1 directed the Early Childhood Financing Workgroup to submit recommendations exploring the implementation of a single financing system for early care and education programs. The Early Childhood Advisory Council is created by R.C. 3301.90, in accordance with 42 U.S.C. 9837b, to serve as the state advisory council on early childhood education and care and to advise in the creation of the Center for Early Childhood Development. No compensation is specified for Council members and there are no associated appropriations.

Insurance and Taxation

Table 5: Insurance and Taxation Entities Abolished				
Entity Name	Agency Code	Legal Authority	Status	Compensation
Insurance Agent Education Advisory Council	INS	R.C. 3905.483	Active	Expenses only
Joint Legislative Study Commission on Most Favored Nation Clauses in Health Care Contracts	INS	Section 6 of H.B. 125, 127th G.A.	Final report issued March 2010	Not Specified
Advisory Committee on Eligibility and Real Time Claim Adjudication	INS	Section 7 of H.B. 125, 127th G.A.	Final report issued January 2009	No compensation
Ohio Medical Malpractice Commission	INS	Section 4 of S.B. 281, 124th G.A. and Section 3 of S.B. 86, 125th G.A.	Final report issued April 2005	Expenses only
Local Government and Library Revenue Distribution Task Force	TAX	Section 503.12 of H.B. 66, 126th G.A.	Final report issued November 2006	Not specified

Department of Insurance

The bill abolishes and transfers the duties of several entities affiliated with the Department of Insurance. The Ohio Commercial Market Assistance Plan Executive Committee is abolished and all of the Committee's responsibilities are transferred into the Ohio Commercial Insurance Joint Underwriting Association Board of Governors. In addition, the Directors of the Medical Liability Underwriting Association Stabilization Reserve Fund is abolished and all of the Directors' responsibilities are transferred into the Board of Governors of the Medical Liability Underwriting Association. In addition, the bill expands the Ohio Commercial Insurance Joint Underwriting Association Board of Governors from nine to 12 and the Board of Governors of the Medical Liability Underwriting Association from 11 to 13. Both bodies are eligible to receive reimbursements for actual and necessary expenses.

Other Changes Made by the Bill

Workers' Compensation Council

The bill eliminates the FY 2011 appropriation of \$471,200 for the Workers' Compensation Council (WCC) and deletes current law authorizing the Bureau of Workers' Compensation (BWC) to collect an administrative assessment for the purpose of funding WCC. The bill requires the General Assembly to review the WCC and its funding and transfers the unencumbered cash balance of the Workers' Compensation Council Remuneration Fund (Fund 5FV0) and the Workers' Compensation Council Fund, a custodial fund created in R.C. 4121.79(C), to the Workers' Compensation Fund (Fund 7023). Once these transfers have occurred, BWC is required to refund to employers any administrative assessments that were not used by WCC to cover operating expenses. These changes would take effect immediately.

It is unknown exactly what amount would be refunded to employers as a result of the bill. As of May 4, 2010, the unencumbered balance of Fund 5FV0 was approximately \$1,800. The balance of the Workers' Compensation Council Fund was \$369,644 as of the end of February 2010.

Ohio Advisory Council for the Aging

The bill eliminates the compensation paid to members of the Ohio Advisory Council for the Aging and makes reimbursement of actual and necessary expenses permissive. In addition to any expense reimbursements they may receive, the 12 council members are currently paid \$50 for each day they perform their duties, up to \$2,000 per year. Compensation and reimbursements are paid from the GRF. As a result of the bill, there would be a reduction in expenditures from the GRF in the thousands of dollars per year in compensation costs plus any savings from members that choose to forego reimbursement. Table 6 displays the compensation and reimbursement figures for FY 2009 and thus far in FY 2010.

Fiscal Year	Compensation	Reimbursements	Total
FY 2009	\$5,183	\$3,725	\$8,908
FY 2010 YTD	\$2,005	\$948	\$2,953

In addition, the bill permits the Department of Aging to award grants or contracts to Council members if (1) the Department determines that the member or the entity the member represents is capable of providing the goods or services specified in the contract and (2) the member has not taken part in any discussion or vote of the Council related to whether the Council should recommend that the Department award the grant or enter into the contract with the member of the Council or the entity the member represents. The language addresses a potential conflict of interest for members of the Advisory Council who also serve on local boards. The Department's legal

counsel believes that current law prevents a Council member from serving on such entities as a regional area agency on aging board or on a senior center that receives funding. The conflict limits the pool of those that can serve on the board as well as the expertise of Council members.

Passenger rail compact membership

Ohio belongs to two interstate passenger rail compacts under current law: the High Speed Intercity Rail Passenger Network Compact (enacted in Ohio in 1986) and the Midwest Interstate Rail Passenger Compact (enacted in Ohio in 2002). Each compact created an entity made up of representatives from each member state to carry out the duties specified in the compact: the Interstate Rail Passenger Advisory Council and the Midwest Interstate Rail Passenger Compact Commission, respectively. The Advisory Council is responsible for coordinating and completing a high speed intercity rail passenger feasibility study, while the Commission is responsible for promoting, coordinating, and supporting regional improvements to passenger rail service.

The bill requires the Governor to appoint to the Compact Commission the same persons as the Governor appoints to the Advisory Council. The bill also permits members of both entities to receive reimbursement for expenses incurred. Under current law, Advisory Council members are not eligible for such reimbursements while Compact Commission members are.

Appendix

Agency Code Glossary

- ADA – Department of Alcohol and Drug Addiction Services
- ADJ – Adjutant General
- AGO – Office of the Attorney General
- AGE – Department of Aging
- AGR – Department of Agriculture
- BOR – Board of Regents
- BOR-OSU – Board of Regents – The Ohio State University
- COM – Department of Commerce
- DAS – Department of Administrative Services
- DEV – Department of Development
- DMH – Department of Mental Health
- DMR – Department of Developmental Disabilities
- DNR – Department of Natural Resources
- DOH – Department of Health
- DOT – Department of Transportation
- DPS – Department of Public Safety
- DRC – Department of Rehabilitation and Correction
- DVS – Department of Veterans Services
- DYS – Department of Youth Services
- EDU – Department of Education
- EPA – Environmental Protection Agency
- INS – Department of Insurance
- JFS – Department of Job and Family Services
- JSC – Judiciary/Supreme Court
- LIB – Library Board
- LOC – Local governments
- NUR – Board of Nursing
- OFCF – Ohio Family and Children First Cabinet Council
- OHS – Ohio Historical Society
- PUB – Public Defender Commission
- TAX – Department of Taxation