

Joint Committee on Agency Rule Review

House Higher Education Subcommittee

*Kerry Sullivan, Budget Analyst
Legislative Service Commission*

February 27, 2003

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LSC Redbook

for the

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February 27, 2003

Note: The estimated General Revenue Fund (GRF) spending for FY 2003 used in this LSC Redbook reflects the 2.5% reduction made as a result of the Governor's January 22, 2003 budget cut order. The executive reduction was applied across-the-board to FY 2003 GRF appropriations, subject to certain exceptions. Subsequent to such reductions (and not reflected in the Redbook), state agencies were permitted to reallocate the amount that each of their GRF appropriation line items was reduced, while still absorbing the 2.5% budget cut within the total amount of their GRF appropriations.

Joint Committee on Agency Rule Review

- Agency is GRF funded
- Funding in FY 2004 is 7.4% above FY 2003; FY 2005 is 4.4% above FY 2004

OVERVIEW

The Joint Committee on Agency Rule Review (JCARR) is responsible for the review of proposed new, amended, and rescinded rules from state agencies that have rule-making authority. This review is to ensure that the change in rule does not exceed the scope of an agency's statutory authority, that the rules do not conflict with an existing rule of that agency or another rule-making agency, and that the rules do not conflict with legislative intent. The Joint Committee on Agency Rule Review also makes sure that agencies complete a rule summary and fiscal analysis of all proposed rule changes. Joint Committee on Agency Rule Review will recommend to the General Assembly that a rule be invalidated if the preceding criteria are not met.

Committee members are comprised of five State Representatives and five State Senators. In odd-numbered years the chairperson is a House member, and in even-numbered years the chairperson is a Senate member. The Committee is served by a five-member staff consisting of an Executive Director, an Assistant Director, a Rules Analyst, and administrative personnel. During the current biennium, JCARR reduced its staff by one position.

The Joint Committee on Agency Rule Review is entirely supported through General Revenue Fund dollars. The agency received its first individual budget under the 122nd General Assembly. Prior to that, the agency received funding through the General Assembly.

For the upcoming biennium, JCARR requests \$363,769 in FY 2004 and \$379,769 in FY 2005 for operating expenses. The FY 2004 appropriation represents an increase of 7.4% above the FY 2003 estimated expenditures. The FY 2005 appropriation is 4.4% above FY 2004. Payroll expenses are estimated at \$338,769 in FY 2004 and \$354,769 in FY 2005 (93% of appropriation for each year). Payroll moneys are used toward agency staff salaries and to reimburse JCARR members for meeting and travel expenses. The remaining \$25,000 per year will be used to fund the agency's maintenance costs. In accordance with Section 107.03(B) of the Revised Code, the Governor made no alterations to JCARR's budget request.

Language in the budget bill specifies that the Chief Administrative Officer for the House and the Clerk of the Senate will determine, by mutual agreement, which of them will act as JCARR's fiscal agent.

ADDITIONAL FACTS AND FIGURES

Overall Staffing Levels from FYs 2000 to 2005

The following chart illustrates JCARR's total staffing levels between FY 2000 and FY 2005, with the numbers for FY 2004 and FY 2005 being estimates.

Joint Committee on Agency Rule Review Staffing Levels						
Program Series/Division	2000	2001	2002	2003	<i>Estimated</i>	
					2004	2005
Members	10	10	10	10	10	10
Administrative Staff	6	6	6	5	5	5
Totals	16	16	16	15	15	15

PERMANENT AND TEMPORARY LAW

This section describes permanent and temporary law provisions contained in the executive budget that will affect the agency's activities and spending decisions during the next biennium.

Permanent Law Provisions

There are no permanent law provisions with fiscal effects on this agency.

Temporary Law Provisions

Determine Fiscal Agent (Section ___ of the bill)

The Chief Administrative Officer of the House of Representatives and the Senate Clerk shall determine, by mutual agreement, which of them shall act as the fiscal agent for JCARR.

REQUESTS NOT FUNDED

In accordance with Section 107.03(B) of the Revised Code, the Governor made no alterations to the Joint Committee on Agency Rule Review's budget request. Total appropriations are \$363,769 in FY 2004 and \$379,769 in FY 2005.

General Revenue Fund

GRF 029-321 Operating Expenses

2000	2001	2002	2003 Estimate	2004 Executive Proposal	2005 Executive Proposal
\$303,668	\$360,554	\$384,411	\$338,769	\$363,769	\$379,769
	18.7%	6.6%	-11.9%	7.4%	4.4%

Source: GRF

Legal Basis: Section 15 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 215 of the 122nd G.A.)

Purpose: This line item funds operating expenses for JCARR. Operating expenses include staff salaries, meeting and travel reimbursements for members, maintenance, and equipment.

LSC Budget Spreadsheet by Line Item, FY 2004 - FY 2005

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>2002</i>	<i>Estimated 2003</i>	<i>Executive 2004</i>	<i>% Change 2003 to 2004</i>	<i>Executive 2005</i>	<i>% Change 2004 to 2005</i>
JCR Joint Committee on Agency Rule Review								
GRF	029-321	Operating Expenses	\$ 384,411	\$338,769	\$ 363,769	7.4%	\$ 379,769	4.4%
General Revenue Fund Total			\$ 384,411	\$ 338,769	\$ 363,769	7.4%	\$ 379,769	4.4%
Total All Budget Fund Groups			\$ 384,411	\$ 338,769	\$ 363,769	7.4%	\$ 379,769	4.4%