

Joint Committee on Agency Rule Review

Senate Finance and Financial Institutions Committee

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Legislative Service Commission

April 21, 2005

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LSC Redbook

for the

Joint Committee on Agency Rule Review

Senate Finance and Financial Institutions Committee

Erin Pettegrew

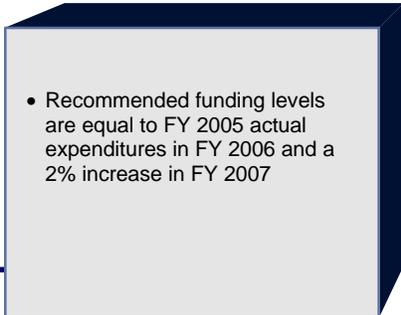
Legislative Service Commission

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April 21, 2005

Joint Committee on Agency Rule Review

- 
- Recommended funding levels are equal to FY 2005 actual expenditures in FY 2006 and a 2% increase in FY 2007

OVERVIEW

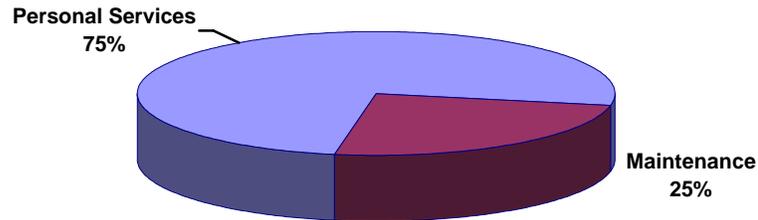
The Joint Committee on Agency Rule Review (JCARR) is responsible for the review of proposed new, amended, and rescinded rules from state agencies that have rule-making authority. This review is to ensure that the change in rule does not exceed the scope of an agency's statutory authority, that the rules 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. The Joint Committee on Agency Rule Review will recommend to the General Assembly that a rule be invalidated if the preceding criteria are not met.

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 \$379,769 in FY 2006 and \$387,364 in FY 2007 for operating expenses. The FY 2006 appropriation represents no increase from FY 2005 expenditures. The FY 2007 appropriation is 2.0% above FY 2006. Payroll expenses are estimated at \$349,769 in FY 2006 and \$356,764 in FY 2005 (92% 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 \$30,000 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.

Total Budget by Object Code
FY 2006-2007



Staffing Levels

The following chart illustrates JCARR’s total staffing levels between FY 2000 and FY 2007, with the numbers for FY 2006 and FY 2007 being estimates.

Joint Committee on Agency Rule Review Staffing Levels						
Program Series/Division	2002	2003	2004	2005	Estimated	
					2006	2007
Members	10	10	10	10	10	10
Administrative Staff	6	5	5	5	5	5
Totals	16	15	15	15	15	15

The Joint Committee on Agency Rule Review has ten members: 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. Members are reimbursed for meetings and travel expenses.

The Committee is served by a five-member staff consisting of an Executive Director, an Assistant Director, a Rules Analyst, and administrative personnel.

ANALYSIS OF EXECUTIVE PROPOSAL

Program Series 1

Administrative Rule Review

Purpose: This program series provides for the review of agency rules.

The following table shows the line items that are used to fund the single program series, Administrative Rule Review, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	029-321	Operating Expenses	\$379,769	\$387,364
General Revenue Fund Subtotal			\$379,769	\$387,364
Total Funding: Administrative Rule Review			\$379,769	\$387,364

This analysis focuses on the following specific programs within the Administrative Rule Review program series:

Administrative Rule Review

Program Description: The Administrative Rule Review program supports the review of approximately 12,000 rules annually and supports the five staff positions responsible for agency rule review. The program also compensates Committee members for meetings and travel expenses.

Implication of Executive Recommendation: The Executive recommendation will allow the Joint Committee on Agency Rule Review and the committee staff to continue rule review at current levels.

Temporary and Permanent Law Provisions: Temporary language in the bill, unchanged from previous biennia, specifies that 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

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$384,411	\$314,116	\$308,102	\$379,769	\$379,769	\$387,364
	-18.3%	-1.9%	23.3%	0.0%	2.0%

Source: GRF

Legal Basis: ORC 101.35

Purpose: This line item funds operating expenses for the Joint Committee on Agency Rule Review (JCARR). JCARR is responsible for the review of proposed new, amended, and rescinded rules from state agencies that have rule-making authority. Operating expenses include staff salaries, meeting and travel reimbursements for members, maintenance, and equipment.

LSC Budget Spreadsheet by Line Item, FY 2006 - FY 2007

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>Estimated 2005</i>	<i>As Introduced 2006</i>	<i>House Passed 2006</i>	<i>% Change Est. 2005 to House 2006</i>	<i>As Introduced 2007</i>	<i>House Passed 2007</i>	<i>% Change House 2006 to House 2007</i>
JCR Joint Committee on Agency Rule Review									
GRF	029-321	Operating Expenses	\$379,769	\$ 379,769	\$ 379,769	0.0%	\$ 387,364	\$ 387,364	2.0%
General Revenue Fund Total			\$ 379,769	\$ 379,769	\$ 379,769	0.0%	\$ 387,364	\$ 387,364	2.0%
Total All Budget Fund Groups			\$ 379,769	\$ 379,769	\$ 379,769	0.0%	\$ 387,364	\$ 387,364	2.0%

As Introduced (Executive)

As Passed by the House

(CD-314-JCR) Operating

Section: 203.18

Specifies that the Chief Administrative Officer of the House of Representatives and the Clerk of the Senate determine, by mutual agreement, which of them acts as fiscal agent for the Joint Committee on Agency Rule Review (JCARR).

Fiscal effect: None.

Section: 203.18

Same as the Executive.

Fiscal effect: Same as the Executive.

(CD-317-JCR) Operating Expenses

Section: 203.18

Transfers any unencumbered balance from appropriation item 029-321, Operating Expenses, at the end of FY 2006 to FY 2007.

Section: 203.18

Same as the Executive.