

Joint Committee on Agency Rule Review

House Transportation and Justice Subcommittee

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March 27, 2007

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LSC Redbook
for the
Joint Committee on Agency Rule Review
House Transportation and Justice Subcommittee

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March 27, 2007

Joint Committee on Agency Rule Review

- The Committee reviews all proposed new, amended, and rescinded rules from the state agencies
- The Joint Committee on Agency Rule Review is composed of five state representatives and five state senators

OVERVIEW

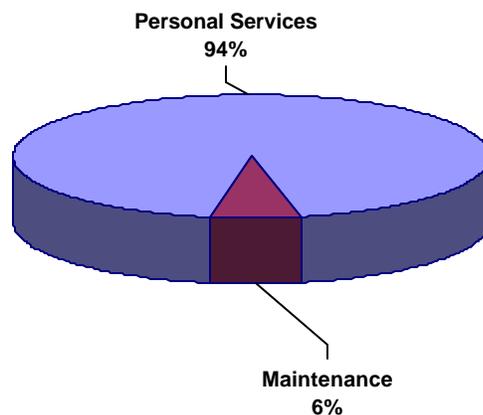
The Joint Committee on Agency Rule Review (JCARR) is responsible for the review of proposed new, amended, and rescinded rules from state agencies that have rule-making authority. This review is to ensure that the change in rule does not exceed the scope of an agency's statutory authority, that the rules 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 \$409,856 in FYs 2008 and 2009 for operating expenses. The FY 2008 appropriation is approximately 8% less than FY 2007 expenditures. Payroll expenses are estimated at \$384,000 in FYs 2008 and 2009 (94% 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 \$26,000 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
FYs 2008-2009**



Staffing Levels

The following chart illustrates JCARR's total staffing levels between FY 2004 and FY 2009, with the numbers for FY 2008 and FY 2009 being estimates.

Joint Committee on Agency Rule Review Staffing Levels						
Program Series/Division	2004	2005	2006	2007	Estimated	
					2008	2009
Members	10	10	10	10	10	10
Administrative Staff	5	5	5	5	5	5
Totals	15	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, two rules analysts, and an administrative assistant.

ANALYSIS OF EXECUTIVE PROPOSAL

Single Program Series

Operating Expenses

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, Agency Rule Review, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2008	FY 2009
General Revenue Fund				
GRF	029-321	Operating Expenses	\$409,856	\$409,856
General Revenue Fund Subtotal			\$409,856	\$409,856
Total Funding: Agency Rule Review			\$409,856	\$409,856

Program Description: The Agency 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

Section 211.10 of H.B. 119 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 \$409,856 in FY 2008 and \$409,856 in FY 2009.

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General Revenue Fund

GRF 029-321 Operating Expenses

2004	2005	2006	2007 Estimate	2008 Executive Proposal	2009 Executive Proposal
\$308,102	\$352,473	\$329,615	\$387,364	\$409,856	\$409,856
	14.4%	-6.5%	17.5%	5.8%	0.0%

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 2008 - FY 2009

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>2006</i>	<i>Estimated 2007</i>	<i>Executive 2008</i>	<i>% Change 2007 to 2008</i>	<i>Executive 2009</i>	<i>% Change 2008 to 2009</i>
JCR Agency Rule Review, Joint Committee on								
GRF	029-321	Operating Expenses	\$ 329,615	\$387,364	\$ 409,856	5.8%	\$ 409,856	0.0%
General Revenue Fund Total			\$ 329,615	\$ 387,364	\$ 409,856	5.8%	\$ 409,856	0.0%
Total All Budget Fund Groups			\$ 329,615	\$ 387,364	\$ 409,856	5.8%	\$ 409,856	0.0%