

Auditor of State

Senate Finance and Financial Institutions Committee

*Terry Steele, Budget Analyst
Legislative Service Commission*

May 17, 2007

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LSC Redbook for the Auditor of State

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TABLE OF CONTENTS

OVERVIEW	1
FYs 2008-2009 Executive Recommendations	1
FYs 2008-2009 Budget Issues.....	2
Local Government Services Funding Concerns.....	2
Fraud and Investigative Audit Group – Increased Priority.....	3
Supplemental Request by New Auditor – Increased Staffing Levels	3
Transfer of the Warrant Issuance and Reconciliation and EFT (Wire) Program.....	3
Description of Division Responsibilities.....	3
Local Government Services Group (LGS)	4
Fraud and Investigative Audit Group	5
Administration Division	5
Administration	5
Public Affairs Group.....	6
Legal Division.....	6
Staffing Levels	6
FACTS AND FIGURES	7
MASTER TABLE: EXECUTIVE'S RECOMMENDATIONS FOR FY 2008 AND FY 2009	8
ANALYSIS OF EXECUTIVE PROPOSAL	10
1: Financial Audit Services	10
Financial Audits.....	10
2: Fraud and Investigative Audit Services	11
Health Care Contract Audit.....	11
Special Audits.....	12
3: Performance Audit Services	13
Performance Audit	13
4: Local Government Services	15
Local Government Services	15
Uniform Accounting Network.....	16
5: Program Management	17
Administration	17

ATTACHMENTS:

Catalog of Budget Line Items

LSC Budget Spreadsheet By Line Item: Executive to House Passed

Comparison Document: Permanent and Temporary Law

May 17, 2007

Auditor of State

- Total recommended appropriation of \$161,438,206 in FY 2008 and FY 2009
- Office transition to new Auditor of State
- Increasing staffing levels to conduct audits

OVERVIEW

The current Auditor of State, an elected constitutional officer, is serving a four-year term beginning with the FY 2008-2009 biennial period. The officer is responsible for auditing all public offices in Ohio including: cities and villages, schools and universities, counties and townships, libraries, as well as the many departments, agencies, and commissions of state government. The Auditor also provides consulting services to local entities, training for public officers, and produces payroll, vendor payments, warrants for the state, and income tax refunds.

The Auditor of State employs approximately 925 full-time employees and is currently operating with an annual budget of approximately \$78.8 million (based on current estimated spending), an increase of approximately 5% from FY 2006. The majority of the Auditor's employees are auditors who work from the state office or one of the eight regional offices: Canton/Akron, Cincinnati, Cleveland, Columbus, Dayton, Southeast, Toledo, and Youngstown. Each regional office is staffed by a Chief Auditor and an Assistant Chief Auditor.

The office is organized in three *divisions* of operation:

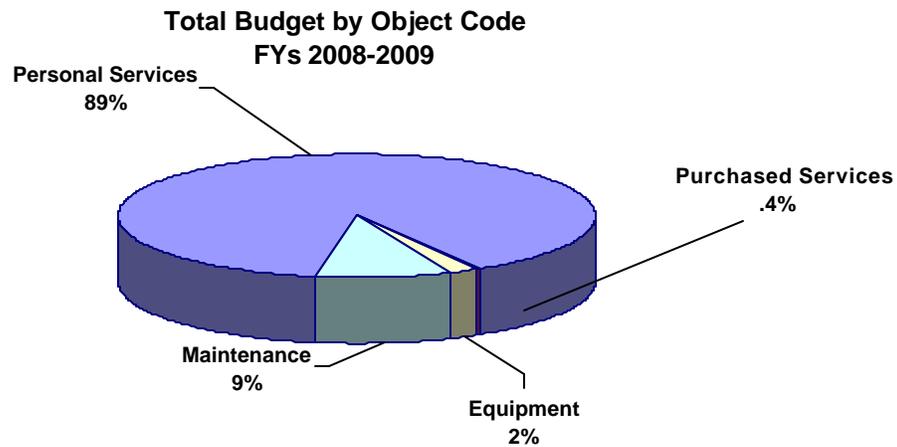
- Audit Division
- Administration Division
- Legal Division

Detailed descriptions of the work these divisions do and challenges for FYs 2008-2009 follow the "FYs 2008-2009 Executive Recommendations" section.

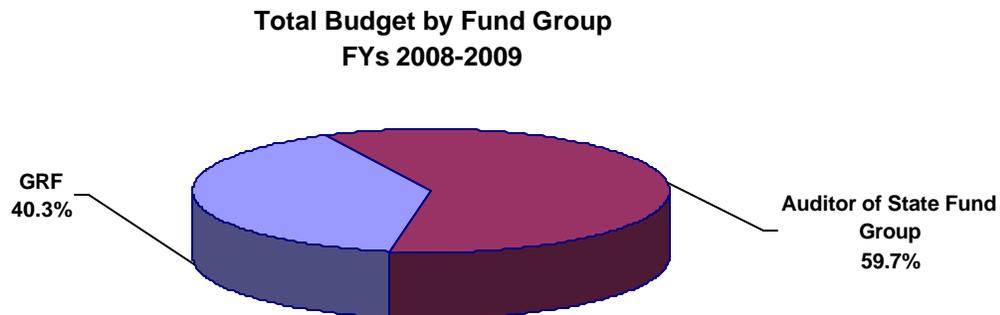
FYs 2008-2009 Executive Recommendations

The executive recommends appropriations of \$79,568,138 in FY 2008, a 1.1% increase over estimated spending of \$78,702,708 in FY 2007. The FY 2009 recommendation is \$81,870,068, an increase of 2.9% over FY 2008 recommendations. Please consult the enclosed Master Table for a detailed analysis of how this funding was allocated by line item.

The following chart illustrates the Auditor of State's budget spending by object code, and shows that the most significant part of the Auditor's budget is used for staffing.



The following chart illustrates the Auditor of State's budget sources based upon fund groups, and shows that the Auditor relies heavily on fees collected from local governments for services provided by the Auditor's office. This revenue is contained in the "Auditor of State" fund category. Since this fund group comprises nearly 60% of the Auditor's funding, the inability of local governments to pay the Auditor for services can have a significant impact on the Auditor's budget.



FYs 2008-2009 Budget Issues

Local Government Services Funding Concerns

Approximately three-fifths of the Auditor's budget is funded through fees charged to local governments for various services. An increasing inability to pay for services by local governments will create future budgetary issues for the Auditor of State. The Auditor's office has been experiencing reductions in payments from local governments over the last two biennia. If the number of local governments that fall into the category of fiscal watch or emergency increases, there could be continued reductions in payments received. Currently, there are 21 local governments in fiscal watch or emergency.

In the most recent operating budget bill (Am. Sub. H.B. 66 of the 126th General Assembly), the General Assembly appropriated money within the Department of Education's budget for performance audits of school districts pursuant to a recommendation of the Governor's Blue Ribbon Task Force on Financing Student Success. This appropriation has allowed for performance audits to make recommendations for improved operations before a school district reaches the level of fiscal watch, caution, or emergency.

Fraud and Investigative Audit Group – Increased Priority

The previous Auditor of State has established that one of three priorities is to find and reduce public fraud and corruption. To support that priority, three prosecutors were reassigned. This initiated a redefined Fraud and Investigative Audit Group, with an expanded focus compared to the former organization. The redefined group focused on uncovering public corruption, and the misuse and abuse of public money. The new Auditor of State will continue this push.

Supplemental Request by New Auditor – Increased Staffing Levels

The Auditor of State has undergone a transition to a new administration since the time that the agency's budget request was submitted. Because of this, the new administration submitted a revised request to reflect some of the priorities of the new administration. The new Auditor will continue to emphasize the core function of conducting financial audits on state agencies and local governments. However, since 2003, the Auditor's staff has been reduced by approximately 130 full time employees. As such, it has become increasingly difficult for the agency to complete these audits given the current staffing levels. The revised budget proposal contained supplemental requests for additional GRF funding to replenish some of the previously eliminated staffing positions to fill 49 vacancies within the Auditor's office. The executive recommendations allow for these positions to be restored. As illustrated in the staffing level table (see Staffing Levels section), 45 of these positions will be contained within the Financial Audit Division, while the remaining 4 positions will be in the Local Government Services Division. The request also eliminates line item 070-406 (UAN/Technology Improvements), and transfers that appropriation to appropriation item 070-321, Operating Expenses. Line item 070-406, UAN/Technology Improvements is no longer necessary because the UAN is now fully funded from user fees.

Transfer of the Warrant Issuance and Reconciliation and EFT (Wire) Program

The Auditor of State is in the process of transferring the state's payment process (warrant writing and electronic fund transfers) to the Office of Budget and Management. Concurrently, the office is implementing a business software solution, Microsoft Dynamics GP, to improve and modernize the business functions of the office. Once the office is capable of implementing the software solution and fully transfers the payment process to the Office of Budget and Management, the Auditor of State will be able to decommission its existing mainframe. This is expected to generate significant savings to the office.

Description of Division Responsibilities

Audit Group

Financial Audits. The Audit Division performs financial and compliance audits of Ohio's public entities to identify critical issues related to public entities' financial reporting, legal compliance, reportable conditions, systems of internal control, control weaknesses, high-risk investments, and irregular or illegal activities. The Audit Division serves all state and local government entities in Ohio. Working from the nine regional offices (eight geographic regions and one for state audits), the auditors

audit the financial records of Ohio's political subdivisions, ensuring that state and locally collected revenues are spent according to the direction of the General Assembly, school boards, city or village councils, township trustees, and boards of county commissioners. Audits are either conducted on an annual or biennial basis. Biennial audits are performed with auditors examining both years in a biennium. Audits are done to ensure that:

- Public funds are legally expended;
- Records are maintained in accordance with law;
- Generally Accepted Accounting Principles (GAAP) are followed; and
- Standard principles of fiscal management are followed.

In calendar year 2005, the Auditor issued more than 3,400 audits. Of these, 200 contained findings for recovery, identifying dollars that were either misspent or stolen and owed back to the public office. Overall, nearly \$1.4 million in findings for recovery were identified.

Performance Audits. The Auditor of State, on the Auditor of State's initiative, may conduct a performance audit of a school district that is under a fiscal caution under section 3316.031 of the Revised Code, in a state of fiscal watch, or in a state of fiscal emergency, in which the Auditor of State reviews any programs or areas of operation in which the Auditor of State believes that greater operational efficiencies or enhanced program results can be achieved. Moreover, the Auditor of State is granted similar authority and oversight when local governments (counties, townships, villages, etc.) are deemed to be in a state of fiscal watch or fiscal emergency pursuant to Chapter 118. of the Revised Code.

The purpose of the audit process is to eradicate fraudulent use of public money, eliminate waste and abuse of tax dollars, and provide oversight and assistance in a manner that produces cost savings practices for local entities. In FY 2006, 22 performance audits were released. There were 534 recommendations presented in these audits, which, if fully implemented, would result in more than \$35.7 million in potential savings and revenue enhancements were identified. When this figure is adjusted for implementation costs by the audited agency, the net annual savings is estimated to be \$28.7 million.

Special Audits. The Audit Group completes special audits of private entities that receive public funding (institutions, associations, boards, and corporations such as foster care companies and nursing homes) as well as public entities at any time when so requested by the entity or upon the Auditor of State's own initiative. There is no difference in the costs to the Auditor of State to audit private or public entities.

The Taxpayer Protection Initiative, which was launched on October 1, 2003, has logged 1,500 consumer calls from its inception through September 2006. During FY 2006, three special audits were released, in which approximately \$13.9 million in findings for recovery were identified. Additionally, since calendar year 2003, special audits have led to the conviction of 53 individuals, with several more criminal cases pending.

Local Government Services Group (LGS)

The Local Government Services Group acts as a consulting and fiscal advisory group to all government agencies and subdivisions. In that role the Local Government Services Group provides technical expertise, training, consulting services, GAAP conversion assistance, financial forecasts, fiscal watch and emergency analysis, and records reconstruction and reconciliation. The Open Government Unit, established in January 2003, has conducted 198 seminars for approximately 11,520 attendees

including law enforcement, local government officials, and the media from the time of its creation through September 2006.

One of the important tasks of this group is attempting to rescue local governments and school districts from projected insolvency. It should be noted that the number of local governments and school districts that are in a state of fiscal watch, caution, or emergency has an effect on the Auditor's budget, as many local entities have difficulty paying for the statutorily mandated services provided by the Auditor of State's office.

Fraud and Investigative Audit Group

The Fraud and Investigative Audit Group (formerly known as Fraud Waste Abuse Prevention) helps state and local governments identify and prevent fraud, waste, and abuse in their operations and public assistance programs. Combating fraud has been identified as a high priority for the Auditor of State in this upcoming biennium. This program will seek to examine such waste and abuse within the Medicaid system in Ohio.

Under authority of Chapter 117. of the Revised Code, the Fraud and Investigative Audit Group identifies and reports incidents of noncompliance with state laws and local regulations. The Group serves as a source of analysis concerning the existence of fraud, waste, and abuse in Ohio institutions. The Group's mission is to assess how well programs are performing in respect to their mandated objectives and taxpayer expectations, and to help state agencies prevent misspending their funds and improve their program operations. The scope of the Fraud and Investigative Audit Group's work includes:

- (1) Assess the efficiency, economy, and effectiveness of agency programs;
- (2) Highlight incidents of noncompliance with federal and state laws and regulations;
- (3) Identify systemic weaknesses in internal controls;
- (4) Identify opportunities to recover misspent funds;
- (5) Recommend actions to improve agency operations and prevent future occurrences of fraud, waste, and abuse.

The Group works closely with Medicaid, Child Support, and Welfare managers in the Ohio Department of Job and Family Services (ODJFS); the Ohio Attorney General's Medicaid Fraud Unit; the U.S. Attorney's Office; the Ohio Medical and Pharmacy boards; and Federal Office of Inspector General. In addition, the Auditor's Office formed the Welfare Fraud Prevention Initiative, which brings together over 20 federal, state, local, and private sector stakeholders from across the state to discuss welfare fraud prevention.

Administration Division

Administration

The Administration Division manages the human resources, payroll, records, graphics, financial, warrant writing functions, and electronic funds transfer administration of the Auditor's office, as well as providing routine financial information to management and preparing the office's comprehensive financial report.

The Administrative Division is also responsible for maintaining a Local Area Network (LAN) and a Wide Area Network (WAN) to provide information to the nine regional offices and more than 900

personal computers. The Division develops and maintains the systems for the processing of payroll, warrant writing and electronic funds transfer, project tracking, client billing, and maintenance of both the intranet and Internet. The Division is responsible for the procurement and maintenance of the Auditor's office's computer hardware and software.

The Local Government Services Group is responsible for implementing the Uniform Accounting Network (UAN), which offers an electronic data processing accounting system for townships, villages, and libraries. The system is designed to assist political subdivisions in the maintenance of their accounting records. The system includes hardware, software, training, and support. UAN's accounting, payroll, and ancillary applications (i.e., cemetery and inventory tracking) contribute to a reduction in the time necessary for entities to process accounting transactions and maintain the related accounting records. About 1,532 Ohio townships, villages, libraries, and special districts utilize the Uniform Accounting Network. UAN recently increased its total number of users from 1,533 to approximately 1,600. The annual fee for participating in UAN depends upon a local government's total annual budgeted revenues. The fee ranges from as low as \$336 per year for entities with annual revenues under \$50,000 to as high as \$3,636 per year for governments with revenues over \$10 million per year.

Public Affairs Group

The Public Affairs Group serves the public and news media by responding to thousands of requests for information each year, ensuring the public is informed on the results of current audits and other initiatives. The staff seeks to ensure that the audit information is delivered in a timely and understandable fashion, allowing the public to be informed on how tax dollars are spent. This group provides information through a variety of media, including regional advisory board meetings, Auditor of State technical bulletins, news releases, and other publications. The staff also provides all internal communications functions.

Legal Division

The Legal Division provides legal expertise to management and local governments in addition to working with the Fraud and Investigation Group to identify and prosecute fraud and corruption.

Staffing Levels

Auditor of State Staffing Levels					
Program Series/Division	Estimated				
	2005	2006	2007	2008	2009
Financial Audit	591	591	593	638	638
Fraud/Invest Audit and Special Audits	35	35	35	35	35
LGS	58	58	63	67	67
UAN	18	18	17	17	17
Performance Audit	31	31	50	50	50
WIRE	10	10	0	0	0
Program Management	105	105	119	119	119
Totals	848	848	877	926	926

FACTS AND FIGURES

The following table illustrates the various sources of revenue collected by the Auditor of State since FY 2004. As the table shows, the Auditor of State has experienced an increase in revenue collected from the Uniform Accounting Network since FY 2004.

Revenue Source	FY 2004	FY 2005	FY 2006	FY 2007 (as of Feb. 2007)
Financial Audit	\$35,505,103	\$35,506,754	\$35,505,103	\$20,817,201
Local Government Services	\$2,662,379	\$2,924,691	\$2,662,379	\$1,592,582
Training	\$176,270	\$141,911	\$164,257	\$170,264
Subtotal	\$38,343,752	\$38,521,496	\$38,343,752	\$22,468,482
Health Care Contract Audits	\$1,747,432	\$2,280,111	\$1,747,432	\$1,152,691
Subtotal	\$40,091,184	\$40,801,607	\$40,091,184	\$23,621,173
Uniform Accounting Network	\$2,119,606	\$2,491,034	\$3,717,362	\$3,104,200
Grand Total	\$42,210,790	\$42,813,701	\$42,210,790	\$25,182,263

Please note that the FY 2007 figures presented are only amounts collected as of February 2007. The fiscal year end results are likely to be similar to the previous years.

MASTER TABLE: EXECUTIVE'S RECOMMENDATIONS FOR FY 2008 AND FY 2009

The following table provides a comprehensive presentation of the executive's recommendations for each of the agency's line items and the programs each line item supports. Please note that some line items may provide funding for multiple program series and/or programs. See the Analysis of Executive Proposal section for more information on specific program funding.

Executive Recommendations for FY 2008 and FY 2009, By Line Item and Program				
Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	070-321	Operating Expenses	\$31,469,552	\$32,771,482
		<u>Program Series 1: Financial Audit Services</u>		
		Program 1: Financial Audits	\$17,099,021	\$18,012,353
		<u>Program Series 2: Fraud and Investigative Audit</u>		
		Program 1: Health Care Contract Audit	\$401,245	\$426,474
		Program 2: Special Audits	\$306,630	\$326,722
		<u>Program Series 3: Performance Audit Services</u>		
		Program 1: Performance Audits	\$1,218,637	\$1,310,282
		<u>Program Series 4: Local Government Services</u>		
		Program 1: Local Government Services	\$2,252,256	\$2,406,331
		<u>Program Series 5: Program Management</u>		
		Program 1: Administration	\$10,191,763	\$10,289,320
GRF	070-403	Fiscal Watch/Emergency Tech Assistance	\$600,000	\$600,000
		<u>Program Series 3: Performance Audit Services</u>		
		Program 1: Performance Audits	\$223,316	\$229,294
		<u>Program Series 4: Local Government Services</u>		
		Program 1: Local Government Services	\$376,684	\$370,706
General Revenue Fund Subtotal			\$32,069,552	\$33,371,482
Agency Fund Group				
109	070-601	Public Audit Exp Intra-State	\$11,000,000	\$11,000,000
		<u>Program Series 1: Financial Audit Services</u>		
		Program 1: Financial Audits	\$5,841,425	\$5,953,174
		<u>Program Series 2: Fraud and Investigative Audit</u>		
		Program 1: Health Care Contract Audit	\$1,768,758	\$1,763,056
		Program 2: Special Audits	\$512,454	\$493,062
		<u>Program Series 3: Performance Audit Services</u>		
		Program 1: Performance Audits	\$1,951,486	\$1,965,696
		<u>Program Series 5: Program Management</u>		
		Program 1: Administration	\$925,877	\$825,012
422	070-601	Public Audit Exp Local Government	\$33,000,000	\$34,000,000
		<u>Program Series 1: Financial Audit Services</u>		
		Program 1: Financial Audits	\$28,704,246	\$29,805,618
		<u>Program Series 2: Fraud and Investigative Audit</u>		
		Program 2: Special Audits	\$300,291	\$294,100

Executive Recommendations for FY 2008 and FY 2009, By Line Item and Program				
Fund	ALI	Title	FY 2006	FY 2007
		<u>Program Series 3: Performance Audit Services</u>		
		Program 1: Performance Audits	\$467,493	\$465,308
		<u>Program Series 4: Local Government Services</u>		
		Program 1: Local Government Services	\$2,733,982	\$2,813,417
		<u>Program Series 5: Program Management</u>		
		Program 1: Administration	\$793,988	\$621,557
584	070-603	Training Program	\$181,250	\$181,250
		<u>Program Series 4: Local Government Services</u>		
		Program 1: Local Government Services	\$181,250	\$181,250
675	070-605	Uniform Accounting Network	\$3,317,336	\$3,317,336
		<u>Program Series 4: Local Government Services</u>		
		Program 2: Uniform Accounting Network	\$3,179,170	\$3,180,998
		<u>Program Series 5: Program Management</u>		
		Program 1: Administration	\$138,166	\$136,338
Agency Fund Subtotal			\$47,498,586	\$48,498,586
Total Recommended			\$79,568,138	\$81,870,068

ANALYSIS OF EXECUTIVE PROPOSAL

Program Series

1: Financial Audit Services

Purpose: This program is responsible for conducting financial audits of all public entities as required by Chapter 117. of the Ohio Revised Code.

The following table shows the line items that are used to fund the Financial Audit Services program, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2008	FY 2009
General Revenue Fund				
GRF	070-321	Operating Expenses	\$17,099,021	\$18,012,353
General Revenue Fund Subtotal			\$17,099,021	\$18,012,353
Auditor of State Fund Group				
109	070-601	Public Audit Expense Intra-State	\$5,841,425	\$5,953,174
422	070-601	Public Audit Expense Local Government	\$28,704,246	\$29,805,618
Auditor of State Fund Group Subtotal			\$34,545,671	\$35,758,792
Total Funding: Financial Audit Services			\$51,644,692	\$53,771,145

The Financial Audit Services program series contains a single program:

■ **Program 1.01: Financial Audit**

Financial Audits

Program Description: This program performs financial audits of over 5,100 public entities in Ohio at least once every two fiscal years, or every year for those entities that fall within Federal Schedule guidelines for Single Audits. These audits entail a review of the methods, accuracy, and legality of accounts, financial reports, records, and files of public entities. These audits also include a compliance component to ascertain the entity's compliance with the laws, rules, ordinances, and orders pertaining to the office.

Funding Source: GRF, fees

Line Items: The line items in the table above fund the Financial Audits Program.

Implication of Executive Recommendation: This program is funded at the requested level of \$51,664,692 in FY 2008 and \$53,771,145 in FY 2009. This program is funded through fees charged directly to the client as well as GRF moneys. However, some government agencies delay payment or simply fail to pay the cost of the audit due to the Auditor's office. Many local governments experience the same fiscal difficulties in making payments. As previously noted, the recommended levels will allow the Auditor of State to add an additional 45 employees to the Financial Audit Division.

Temporary and Permanent Law Provisions

None

Program Series

2: Fraud and Investigative Audit Services

Purpose: This program series identifies fraud, waste, and abuse of public funds by public and private entities that receive public funds in an effort to protect scarce public resources and minimize the incidence of fraud, waste, and abuse of public funds.

The following table shows the line items that are used to fund the Fraud and Investigative Services program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2008	FY 2009
General Revenue Fund				
GRF	070-321	Operating Expenses	\$691,424	\$705,565
General Revenue Fund Subtotal			\$691,424	\$705,565
Auditor of State Fund Group				
109	070-601	Public Audit Expense Intra-State	\$2,085,832	\$2,069,007
422	070-601	Public Audit Expense Local Government	\$300,291	\$294,100
Auditor of State Fund Group Subtotal			\$2,386,123	\$2,363,107
Total Funding: Fraud and Investigative Audit Services			\$3,077,547	\$3,068,672

There are two programs funded within this program series:

- **Program 2.01: Health Care Contract Audit**
- **Program 2.02: Special Audits**

Health Care Contract Audit

Program Description: This program provides audit services that identify and report instances of noncompliance with federal and state rules and regulations. The Auditor's services include audits of reimbursement claims submitted by doctors, hospitals, long-term care facilities, and other Medicaid providers; audits of county agencies that expend public assistance, child support enforcement, and children services funds administered by the Ohio Department of Job and Family Services (ODJFS); audits of costs reports used to set payment rates for providers of Medicaid services; and assessments of controls employed by state agencies to minimize fraud, waste, and abuse. In the past four fiscal years, the program has identified \$22.4 million in misspent dollars, which resulted in \$5.6 million in recovery for the state.

Funding Source: GRF, fees

Line Items: The following line items support this program:

Fund	ALI	Title	FY 2008	FY 2009
GRF	070-321	Operating Expenses	\$401,245	\$426,474
109	070-601	Public Audit Expense Intra-State	\$1,768,758	\$1,763,056

Implication of Executive Recommendation: This program is funded at the requested level of \$2,170,003 in FY 2008, and \$2,189,530 in FY 2009. However, 80% of this program's funding comes directly from state agencies with which the Auditor of State enters into interagency agreements. The ability to continue service provisions at the current level assumes that these agencies will be funded at levels that allow them to pay for these services.

Temporary and Permanent Law Provisions

None

Special Audits

Program Description: This program conducts special audits to investigate allegations of fraud, theft, and misappropriation of public funds by public and private entities that receive public funds. Special audits are initiated based on evaluations of requests from public officials or initiated at the discretion of the Auditor of State. The Taxpayer Protection Initiative, which was launched on October 1, 2003, has logged 1,500 consumer calls from its inception through September 2006. During FY 2006, three special audits were released, in which approximately \$13.9 million in findings for recovery were identified. Additionally, since calendar year 2003, special audits have led to the conviction of 53 individuals, with several more criminal cases pending.

Funding Source: GRF, fees

Line Items: The following line items support this program:

Fund	ALI	Title	FY 2008	FY 2009
GRF	070-321	Operating Expenses	\$306,630	\$326,722
109	070-601	Public Audit Expense Intra-State	\$512,454	\$493,062
422	070-601	Public Audit Expense Local Government	\$300,291	\$294,100

Implication of Executive Recommendation: The Special Audits program is funded through the GRF, in addition to fees charged to the entity that is being audited. The executive funds this program at \$1,119,375 in FY 2008 and \$1,113,884 in FY 2009. If the entity is a state agency, the entity is charged a flat fee determined by the Statewide Cost Allocation Plan (SWCAP), which is currently \$57.25 for FY 2007 and will increase to \$58.36 in FY 2008. If the entity is a local government entity, it is charged the hourly wage of the employee performing the audit in addition to an add-on fee. On occasion, the entity being audited cannot pay, or refuses to pay. If there is a strong belief that the public will be served by a special audit and the Auditor of State is able to subsidize the cost from available funds, the Auditor's office will absorb the cost of the special audit.

Temporary and Permanent Law Provisions

None

Program Series

3: Performance Audit Services

Purpose: This program series conducts performance audits of public entities to help identify and correct inefficient managerial operations and waste of taxpayer dollars, in addition to general oversight and advice to ensure greater operational efficiencies of public offices and the maximization of taxpayer dollars.

The following table shows the line items that are used to fund the Performance Audit Services program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2008	FY 2009
General Revenue Fund				
GRF	070-321	Operating Expenses	\$1,218,637	\$1,310,282
GRF	070-403	Fiscal Watch/Emergency Tech Assistance	\$223,316	\$229,294
General Revenue Fund Subtotal			\$1,441,953	\$1,539,576
Auditor of State Fund Group				
109	070-601	Public Audit Expense Intra-State	\$1,951,486	\$1,965,696
422	070-601	Public Audit Expense Local Government	\$467,493	\$465,308
Auditor of State Fund Group Subtotal			\$2,418,979	\$2,431,004
Total Funding: Performance Audit Services			\$3,860,932	\$3,970,580

The Performance Audit Services series funds one program:

■ **Program 3.01: Performance Audit**

Performance Audit

Program Description: This program conducts operational audits, which entail a comprehensive review of any programs or areas of operation in which the Auditor of State believes that greater operational efficiencies can be achieved. Typically, performance audits identify and help correct inefficient managerial operations and the waste of taxpayer dollars, in addition to providing general oversight and advice to ensure efficient operation of public offices and maximization of taxpayer dollars. The Auditor may conduct performance audits on any school districts or local government entities, which have been designated as being in a state of fiscal caution (school districts only), watch, or emergency. The Auditor is also authorized to conduct performance audits of any other public entity upon request.

Funding Source: GRF, fees

Line Items: The line items in the table above fund the Performance Audit program.

Implication of Executive Recommendation: The Performance Audit program is funded primarily through GRF and client fees and is funded at the requested level of \$3,860,932 in FY 2008 and \$3,970,580 in FY 2009. This funding level will allow the Auditor of State to conduct performance audits on local entities, including supporting travel and equipment costs, which will allow for these audits to be performed on site.

Temporary and Permanent Law Provisions

Fiscal Watch/Emergency Technical Assistance (Section 229.10). The provision requires the Auditor's Office to use appropriation item 070-403, Fiscal Watch/Emergency Technical Assistance, to pay for all expenses incurred in its role relating to fiscal watch or fiscal emergency activities under Chapters 118. and 3316. of the Revised Code.

Program Series

4: Local Government Services

Purpose: This program series, in attempt to assist local governments throughout Ohio, offers a series of consulting services, which include accounting and technical assistance, training for local elected officials, in addition to providing financial and accounting expertise to entities in a state of fiscal watch, caution, or emergency.

The following table shows the line items that are used to fund the Local Government Services (LGS) program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2008	FY 2009
General Revenue Fund				
GRF	070-321	Operating Expenses	\$2,252,256	\$2,406,331
GRF	070-403	Fiscal Watch/Emergency Tech Assistance	\$376,684	\$370,706
General Revenue Fund Subtotal			\$2,628,940	\$2,777,037
Auditor of State Fund Group				
422	070-601	Public Audit Expense Local Government	\$2,733,982	\$2,813,417
584	070-603	Training Program	\$181,250	\$181,250
675	070-605	Uniform Accounting Network	\$3,179,170	\$3,180,998
Auditor of State Fund Group Subtotal			\$6,094,402	\$6,175,6652
Total Funding: Local Government Services			\$8,723,342	\$8,952,702

This analysis includes a discussion of the following two programs within the program series:

- **Program 4.01: Local Government Services**
- **Program 4.02: Uniform Accounting Network**

Local Government Services

Program Description: This program provides consulting services and technical assistance to local governments throughout Ohio. In addition to providing financial and accounting expertise to local governments requesting assistance, LGS fulfills the Auditor of State's role as financial supervisor to financial planning and supervision commissions established whenever a local government is declared to be in a state of fiscal emergency. LGS also provides a variety of training services to local and state officials which include accounting and financial reporting to newly elected township clerks, city auditors, and village clerks and continuing education for village clerks.

Funding Source: GRF, fees

Line Items: The following line items support this program:

Fund	ALI	Title	FY 2008	FY 2009
GRF	070-321	Operating Expenses	\$2,252,256	\$2,406,331
GRF	070-403	Fiscal Watch/Emergency Tech Assistance	\$376,684	\$370,706
422	070-601	Public Audit Expense Local Government	\$2,733,982	\$2,813,417
584	070-603	Training Program	\$181,250	\$181,250

Implication of Executive Recommendation: This program is funded through client fees, training fees, and GRF. This program is funded at the requested level of \$5,544,172 in FY 2008, and \$5,771,704 in FY 2009. The Auditor of State indicates that previous biennial budgets were not adequately funded to meet the increasing demand for services needed by local governments and school districts that find themselves in a state of fiscal watch, caution, or emergency. At the end of FY 2006, there were 21 local governments and 23 school districts that were in fiscal watch or emergency, and another 6-10 that may potentially fall into this category over the next biennium. Since this program relies upon client fees and training fees, the inability of local governments to pay for such services in a timely fashion, or at all, also creates a strain on the program. This funding level will allow the Auditor to continue to provide consulting services to local governments and add an additional 4 employees to the program series.

Uniform Accounting Network

Program Description: The Uniform Accounting Network (UAN) offers an electronic data processing accounting system for townships, villages, libraries, and other local governments. Designed to help political subdivisions properly record and maintain accurate accounting records, the system includes hardware, software, training, and technical support. Approximately 1,600 political subdivisions and public offices currently participate in the UAN program.

Funding Source: AUS

Line Items: The following line items support this program:

Fund	ALI	Title	FY 2008	FY 2009
675	070-605	Uniform Accounting Network	\$3,179,170	\$3,180,998

Implication of Executive Recommendation: This program is funded at the requested level of \$3,179,170 in FY 2008 and \$3,180,998 in FY 2009. This will allow the Auditor of State to continue providing hardware, software, support, and training to political subdivisions across Ohio. The Auditor anticipates that with the replacement of the operating system, and expected growth in new users, that the demand for training to use UAN will grow over the next biennium. The Auditor's office is also invoking several cost-saving measures for this program as well. The office will be dispensing information on CD instead of mailing hardcopies, eliminating UAN provided e-mail, and conducting centralized training in Columbus in lieu of regional training modules.

Temporary and Permanent Law Provisions

Uniform Accounting Network/Technology Improvements Fund Transfer (Section 229.10). The provision requires that on July 1, or as soon as possible thereafter, the appropriation balance in GRF appropriation item 070-406, Uniform Accounting Network/Technology Improvements Fund, be transferred to GRF appropriation item 070-321, Operating Expenses.

Program Series

5: Program Management

Purpose: This program series provides administrative support functions needed to support all other program areas within the Auditor of State's office.

The following table shows the line items that are used to fund the Program Management program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2008	FY 2009
General Revenue Fund				
GRF	070-321	Operating Expenses	\$10,191,763	\$10,289,320
General Revenue Fund Subtotal			\$10,191,763	\$10,289,320
Auditor of State Fund Group				
109	070-601	Public Audit Expense Intra-state	\$925,877	\$825,0127
422	070-601	Public Audit Expense Local Government	\$793,988	\$621,557
675	070-605	Uniform Accounting Network	\$138,166	\$136,338
Auditor of State Fund Group Subtotal			\$1,858,130	\$1,582,907
Total Funding: Program Management			\$12,049,893	\$11,872,227

The Program Management program series contains a single program:

■ **Program 5.01: Administration**

Administration

Program Description: This program includes human resources, information technology, finance, general services, records, graphics, legal, and public affairs functions not already allocated to other programs. The primary purpose of this program area is to provide administrative support function necessary to support all other program areas.

Funding Source: GRF, AUS

Line Items: The line items in the table above fund the Administration Program.

Implication of Executive Recommendation: This program is funded at the requested level of \$12,049,794 in FY 2008 and \$11,872,227 in FY 2009. This allows the Auditor of State to continue to provide administrative support to the other programs within the Auditor's office.

Temporary and Permanent Law Provisions

None

REQUESTS NOT FUNDED

The Auditor of State's program series requests were all funded at the requested levels of \$79,568,138 in FY 2008 and \$81,870,068 in FY 2009.

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General Revenue Fund

GRF 070-321 Operating Expenses

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$29,810,293	\$27,882,634	\$30,220,355	\$29,144,425	\$31,469,552	\$32,771,482
	-6.5%	8.4%	-3.6%	8.0%	4.1%

Source: GRF

Legal Basis: ORC 117.09

Purpose: Funds are used to pay for personnel, maintenance, and equipment for the agency.

GRF 070-403 Fiscal Watch/Emergency Technical Assistance

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$400,000	\$500,000	\$497,843	\$502,157	\$600,000	\$600,000
	25.0%	-0.4%	0.9%	19.5%	0.0%

Source: GRF

Legal Basis: Section 203.51 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Am. Sub. H.B. 283 of the 123rd G.A.)

Purpose: Moneys in this line item are used to pay costs of providing performance audits, accounting reports, annual forecasts, and supervisory, accounting, or auditing services for municipal corporations, counties, townships, and school districts in the determination or termination of fiscal watch or fiscal emergency.

GRF 070-405 Electronic Data Processing Administration

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$807,513	\$797,434	\$795,926	\$857,156	\$0	\$0
	-1.2%	-0.2%	7.7%		

Source: GRF

Legal Basis: ORC 117.10

Purpose: Moneys are used to administer automated systems needed to support and/or implement warrant writing and electronic fund transfers for the state.

GRF 070-406 Uniform Accounting Network/Technology Improvements Fund

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$1,553,003	\$1,450,837	\$1,696,716	\$1,595,544	\$0	\$0
	-6.6%	16.9%	-6.0%		

Source: GRF

Legal Basis: ORC 117.101

Purpose: Moneys are used to pay for the costs of developing and implementing the Uniform Accounting Network, including activation costs for new participants and for technology for the office of the Auditor of State. The Uniform Accounting Network is an electronic financial data processing system that provides accounting services to townships, villages, and libraries. For FY 2008, the available balance in this appropriation item is transferred to GRF appropriation item 070-321, Operating Expenses. This is because the network is to be entirely supported by user fees under appropriation item 070-605, Uniform Accounting Network (Fund 675).

Auditor of State Fund Group

109 070-601 Public Audit Expense-Intrastate

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$8,217,753	\$8,198,809	\$9,637,966	\$12,000,000	\$11,000,000	\$11,000,000
	-0.2%	17.6%	24.5%	-8.3%	0.0%

Source: AUS: Payments from state agencies for the cost of annual, special, and biennial audits performed by the Auditor

Legal Basis: ORC 117.13

Purpose: Funds are used to pay costs related to audits of state agencies.

422 070-601 Public Audit Expense-Local Government

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$30,720,895	\$29,723,379	\$28,756,359	\$31,104,840	\$33,000,000	\$34,000,000
	-3.2%	-3.3%	8.2%	6.1%	3.0%

Source: AUS: Payments from political subdivisions for the cost of annual, special, and biennial audits performed by the Auditor

Legal Basis: ORC 117.13

Purpose: Funds are used to pay costs related to audits of non-state public agencies.

584 070-603 Training Program

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$188,509	\$129,978	\$182,560	\$181,250	\$181,250	\$181,250
	-31.0%	40.5%	-0.7%	0.0%	0.0%

Source: AUS: Fees collected from township clerks, city auditors, village clerks, county treasurers and staff of these officials who attend training sessions offered by the Auditor

Legal Basis: ORC 117.44

Purpose: Moneys are used to pay for training of newly elected local fiscal officials and ongoing training of county treasurers and village clerks.

675 070-605 Uniform Accounting Network

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$3,537,192	\$2,001,697	\$3,104,119	\$3,317,336	\$3,317,336	\$3,317,336
	-43.4%	55.1%	6.9%	0.0%	0.0%

Source: AUS: Annual fees from local governments ranging from \$336 to \$3,636, depending on the budgeted revenues of the local government

Legal Basis: ORC 117.101

Purpose: Moneys are used to pay for computer maintenance, upgrades, consulting, and other costs associated with maintaining the Uniform Accounting Network (UAN) for current members.

R06 070-604 Continuous Receipts

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$29,680	\$105,577	\$13,306	\$0	\$0	\$0
	255.7%	-87.4%			

Source: AUS: Moneys collected by the Attorney General's Office from the resolution of cases of fraud involving warrants issued by the Auditor

Legal Basis: Section 203.51 of Am. Sub. H.B. 66 of the 126th G.A.

Purpose: This line item is used to hold certain payments made to the Auditor by the Attorney General until a determination is made as to their proper disposition. The function of this line item was previously performed by the Depository Trust Fund, which was abolished in 1985 by Am. Sub. H.B. 201 of the 116th G.A.

LSC Budget Spreadsheet by Line Item, FY 2008 - FY 2009

<i>Fund ALI ALI Title</i>	<i>Estimated 2007</i>	<i>As Introduced 2008</i>	<i>House Passed 2008</i>	<i>% Change Est. 2007 to House 2008</i>	<i>As Introduced 2009</i>	<i>House Passed 2009</i>	<i>% Change House 2008 to House 2009</i>
AUD Auditor of State							
GRF 070-321 Operating Expenses	\$29,144,425	\$ 31,469,552	\$ 31,469,552	8.0%	\$ 32,771,482	\$ 32,771,482	4.1%
GRF 070-403 Fiscal Watch/Emergency Technical Assistance	\$502,157	\$ 600,000	\$ 600,000	19.5%	\$ 600,000	\$ 600,000	0.0%
GRF 070-405 Electronic Data Processing Administration	\$857,156	\$ 0	----	N/A	\$ 0	----	N/A
GRF 070-406 Uniform Accounting Network/Technology Improvements Fund	\$1,595,544	\$ 0	----	N/A	\$ 0	----	N/A
General Revenue Fund Total	\$ 32,099,282	\$ 32,069,552	\$ 32,069,552	-0.1%	\$ 33,371,482	\$ 33,371,482	4.1%
109 070-601 Public Audit Expense-Intrastate	\$12,000,000	\$ 11,000,000	\$ 11,000,000	-8.3%	\$ 11,000,000	\$ 11,000,000	0.0%
422 070-601 Public Audit Expense-Local Government	\$31,104,840	\$ 33,000,000	\$ 33,000,000	6.1%	\$ 34,000,000	\$ 34,000,000	3.0%
584 070-603 Training Program	\$181,250	\$ 181,250	\$ 181,250	0.0%	\$ 181,250	\$ 181,250	0.0%
675 070-605 Uniform Accounting Network	\$3,317,336	\$ 3,317,336	\$ 3,317,336	0.0%	\$ 3,317,336	\$ 3,317,336	0.0%
R06 070-604 Continuous Receipts	\$0	\$ 0	\$ 0	N/A	\$ 0	\$ 0	N/A
Auditor of State Fund Group Total	\$ 46,603,426	\$ 47,498,586	\$ 47,498,586	1.9%	\$ 48,498,586	\$ 48,498,586	2.1%
.....							
Total All Budget Fund Groups	\$ 78,702,708	\$ 79,568,138	\$ 79,568,138	1.1%	\$ 81,870,068	\$ 81,870,068	2.9%
.....							

As Introduced (Executive)

As Passed by the House

1 (CD-555-DAS) School Employees' Health Care Benefits System

Sections: 606.05, 207.10.10

R.C. 9.901, 9.833, 9.90, 3311.19, 3313.12, 3313.202, 3313.33, 4117.03, 4117.08, and Section 207.10.10

Continues to delay the implementation of the School Employees' Health Care Benefits System as enacted in Am. Sub. H.B. 66 of the 126th General Assembly, until the General Assembly confirms the implementation through subsequent legislation.

Replaces the Executive provision with a provision that repeals the delay language in H.B. 66.

Specifies in uncodified law that the board be comprised of twelve members, six appointed by the Governor, three of whom are currently non-administrative school employees, and three each appointed by the President of the Senate and Speaker of the House of Representatives. Requires that at least one of the three members appointed by the President and Speaker be of the minority. (Under current law the board is comprised of nine members.)

Same as the Executive, but expands the membership of the Board from nine to twelve members in codified law, rather than uncodified law.

No provision.

Provides for continuation of the terms of the current and new members of the Board until December 31, 2010; provides for compensation for the members; requires the Board to meet at least nine times annually; and specifies the public character of the Board's records and meetings.

Requires that the board, in consultation with the Governor, develop an implementation plan based on the January 31, 2007 report to the Governor and General Assembly.

Replaces the Executive provision with a provision that implements the School Employees Health Care Benefits System with the following changes:

Eliminates the authority of the Board to develop, approve, or implement centralized health care plans that public schools districts or consortia would be required to use. Eliminates the requirement that districts pay premiums to the Board and the School Employee Health Care Fund for health care benefits coverage. Requires instead that the

As Introduced (Executive)

As Passed by the House

Requires that the Director of OBM, at any time during the biennium, if the Director of DAS certifies that there is sufficient reserve available in Fund 815, School Employees Health Care, transfer an amount equal to the total expenditures and obligations made from GRF appropriation item 100-403, Public School Employee Benefits from Fund 815 to the GRF.

Requires GRF appropriation item 100-403, Public School Employee Benefits to be used by DAS to hire an executive director and necessary staff to provide support to the School Employee Health Care Board and the Public School Employee Health Insurance Program.

Fiscal effect: An appropriation of \$1,425,000 in each fiscal year is provided to cover the costs to DAS of the Board's activities.

Board adopt "best practices" to which school health plans must adhere and adds other Board duties related to monitoring adherence to these best practices and the oversight of health care plans adopted by local school districts.

Requires the Department of Insurance to evaluate the performance of the best practices adopted by the Board.

Authorizes the Board, in cases where a health plan sponsor is not adhering to best practices, to request the Attorney General to seek appropriate court orders to enforce compliance.

Requires the Department of Education to withhold 1% of all financial aid to a school district found not to be in compliance.

No provision.

Same as the Executive but, requires that moneys appropriated go directly to the Board for the hiring of staff and other uses.

Fiscal effect: Potential increase in Board costs because the members are compensated for their services and the minimum number of meeting dates is increased. An appropriation of \$1,425,000 in each fiscal year is provided to cover the costs of the Board's activities. Likely increase in Department of Insurance costs for new responsibilities.

As Introduced (Executive)

As Passed by the House

Requiring the Board to adopt a set of best practice standards instead of implementing centralized health care plans has uncertain fiscal effects. It is possible that allowing school districts to find insurance plans from outside providers based on these best practices could result in lower cost insurance plans. But it is also possible that the best practice requirements may limit the number of plans available. Districts not in compliance will lose state aid.

As Introduced (Executive)

As Passed by the House

2 (CD-1009-ADA) Performance Review

No provision.

Section: 219.10

Requires the Auditor of State to complete a performance review of the Department of Alcohol and Drug Addiction Services. Upon completing the performance review, requires the Auditor of State to submit a report of the findings of the review to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Director of Alcohol and Drug Addiction Services.

Fiscal effect: This provision may increase costs for the Auditor of State to conduct the review and prepare a report of the findings. However, the Auditor may charge the agency for these activities and recoup the costs.

Ultimately, this provision may increase costs for the Department of Alcohol and Drug Addiction Services to pay for the review.

As Introduced (Executive)

As Passed by the House

3 (CD-387-AUD) Fiscal Watch/Emergency Technical Assistance**Section: 229.10**

Requires that GRF appropriation 070-403, Fiscal Watch/Emergency Technical Assistance, be used for all expenses incurred by the Auditor of State in its role relating to fiscal watch or fiscal emergency services activities. Transfers the unencumbered balance of this line item at the end of FY 2008 to FY 2009 for the same purpose.

Section: 229.10

Same as the Executive.

4 (CD-388-AUD) Electronic Data Processing**Section: 229.10**

Requires that the unencumbered balance of GRF appropriation item 070-405, Electronic Data Processing, at the end of FY 2008 be transferred to FY 2009 for use under the same appropriation item.

No provision.

5 (CD-389-AUD) Uniform Accounting Network/Technology Improvements Fund Transfer**Section: 229.10**

Transfers the balance in GRF appropriation item 070-406, Uniform Accounting Network/Technology Improvements Fund, to GRF appropriation item 070-321, Operating Expenses on July 1, 2007 or as soon as possible thereafter. Requires that all existing encumbrances against appropriation item 070-406, Uniform Accounting Network/Technology Improvements Fund be cancelled and re-established against appropriation item 070-321, Operating Expenses.

Fiscal effect: Allows the Auditor's office to use this money for general operating purposes, instead of allocating it

Section: 229.10

Same as the Executive, but requires Controlling Board approval of the transfer.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

specifically for the Uniform Accounting Network, which is to be fully funded by user fees.

As Introduced (Executive)

As Passed by the House

Community Schools

6 (CD-915-EDU) Unauditable Community Schools

No provision.

No provision.

No provision.

No provision.

No provision.

Section: 269.60.60

Requires the Auditor of State to provide written notification of a finding that a community school is unauditable to the school, its sponsor, and ODE, and to post the notification on the Auditor's web site.

Prohibits the sponsor of an unauditable community school from entering into contracts with additional community schools until the Auditor completes a financial audit of the school.

Requires the sponsor of an unauditable community school to respond to the Auditor with a description of the actions it will take as a result of the finding that the school is unauditable.

Requires ODE to cease all state payments to a community school that fails to make progress in bringing its records into auditable condition within 90 days after being declared unauditable.

Requires ODE to release the withheld funds when the Auditor is able to complete an audit of the school.

Fiscal effect: May increase administrative costs for the Auditor. Community schools will lose funding if they do not bring their records into auditable condition.

As Introduced (Executive)

As Passed by the House

7 (CD-1010-DMH) Performance Review

No provision.

Section: 335.20.50

Requires the Auditor of State to complete a performance review of the Department of Mental Health. Upon completing the performance review, the Auditor of State must submit a report of the findings of the review to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Director of Mental Health.

Fiscal effect: This provision may increase costs for the Auditor of State to conduct the review and prepare a report of the findings. However, the Auditor may charge the agency for these activities and recoup the costs. Ultimately, this provision may increase costs for the Department of Mental Health to pay for the review.

As Introduced (Executive)

As Passed by the House

8 (CD-1011-RSC) Performance Review

No provision.

Section: 379.10

Requires the Auditor of State to complete a performance review of the Rehabilitation Services Commission. Upon completing the performance review, the Auditor of State must submit a report of the findings of the review to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of the Rehabilitation Services Commission.

Fiscal effect: This provision may increase costs for the Auditor of State to conduct the review and prepare a report of the findings. However, the Auditor may charge the agency for these activities and recoup the costs. Ultimately, this provision may increase costs for the Rehabilitation Services Commission to pay for the review.

As Introduced (Executive)

As Passed by the House

Tobacco Securitization

9 (CD-713-MIS) Securitization of Tobacco Master Settlement Agreement Payments

R.C. 183.51, 183.52

Creates the Ohio Tobacco Settlement Financing Authority for the purpose of purchasing and receiving an assignment of the tobacco settlement receipts and issuing obligations. The Authority is to consist of the Governor (as the chair), the Director of Budget and Management (as the secretary), the Tax Commissioner, the Treasurer of the State, the Attorney General, and the Auditor of State, or their designees. OBM staff is required to provide support to the Authority.

Permits the state to assign and to sell to the Ohio Tobacco Settlement Financing Authority all or a portion of the amounts to be received by the state under the Tobacco Master Settlement Agreement. In addition, the executive proposal permits the Authority to accept and purchase those amounts, and to issue and sell obligations, as provided by the proposal.

Specifies that these obligations are to be issued to pay the costs of capital facilities for: (1) housing branches and agencies of state government, including facilities for housing state agencies, for a system of common schools throughout the state, and for use as jail facilities or workhouses; (2) state-supported or state-assisted institutions of higher education; (3) mental hygiene and retardation; and (4) parks and recreation.

Specifies that the aggregate principal amount of obligations issued under the bill cannot exceed \$6.0 billion, exclusive of obligations issued to refund, renew, or advance refund other obligations issued or incurred, with at least 75% of

R.C. 183.51, 183.52

Same as the Executive, but removes the Attorney General from the Authority.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

the aggregate net proceeds of the obligations issued having to be paid to the state for deposit into the School Building Program Assistance Fund (Fund 032) under the School Facilities Commission.

Provides that, no later than two years following the date on which there are no longer any obligations outstanding under the bond proceedings, all assets of the Authority are to vest in the state, the Authority is to execute any necessary assignments or instruments, including any assignment of any right, title, or ownership to the state for receipt of amounts under the Tobacco Master Settlement Agreement, and the Authority is to be dissolved.

No provision.

No provision.

Fiscal effect: Potential increase of capital funds for school district and other capital facility projects. The executive budget states that at least 75% of the aggregate net proceeds of the obligations issued with tobacco securitization moneys must be paid to the School Building Program Assistance Fund (Fund 032) and limits the use of net proceeds, estimated at approximately \$5.04 billion, to School Facilities Commission and other capital facility projects.

According to the Office of Budget and Management, of the estimated \$5.04 billion in net proceeds, \$2.20 billion would cover all of the funding currently allocated by section

As Passed by the House

Same as the Executive.

Specifies that the Attorney General, as counsel to the Authority, is to represent it in the execution of its powers and duties and to prosecute all actions on its behalf.

Provides for the payment of the Attorney General's enforcement expenses from tobacco master settlement agreement amounts sold to the Authority, from the proceeds of obligations issued by the Authority, or from a combination of both.

Fiscal effect: Same as the Executive, but permits Attorney General enforcement activity expenses to be paid from tobacco master settlement agreement amounts sold to the Authority, from the proceeds of obligations issued by the Authority, or from a combination of both.

As Introduced (Executive)

As Passed by the House

183.02 of the Revised Code to the Education Facilities Trust Fund (Fund N87) and to the Education Facilities Endowment Fund (Fund P87) of the School Facilities Commission for FY 2008 through FY 2025. The remaining \$2.84 billion would cover the capital costs of SFC (\$1.92 billion) and higher education (\$0.92 billion) over the next three years. Since these capital costs will not be financed with bonds, GRF debt service payments for SFC and higher education will be lower. As a result, the GRF moneys that would otherwise be used to finance SFC and higher education bonds would be used to cover the expansion of the homestead property tax exemption.

OBM may experience minimal increased administrative costs for providing staff support to the Authority.