

LSC Greenbook

Analysis of the Enacted Budget

Environmental Review Appeals Commission

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ATTACHMENT:

Budget Spreadsheet By Line Item

Environmental Review Appeals Commission

- GRF is sole funding source
- Funding bump to hire attorney and upgrade technology
- Statewide jurisdiction over specified environmental appeals

OVERVIEW

Duties and Responsibilities

The Environmental Review Appeals Commission (EBR) is an appellate review board whose primary statutory duty is to hear and resolve appeals from certain legal actions taken by state and local governmental entities, including the Ohio Environmental Protection Agency (Ohio EPA), the State Fire Marshal, the State Emergency Response Commission, the Department of Agriculture, and county and local boards of health. The majority of cases heard by the Commission relate to final actions of the Ohio EPA.

The Commission's governing authority consists of three Commission members appointed by the Governor with the advice and consent of the Senate. Commission members serve staggered six-year terms; their salaries are fixed by the Governor. The Commission members conduct hearings, review filings, and issue rulings. The Commission's staff consists of an executive secretary and an office assistant.

Appropriation Summary

The Commission's budget consists of one GRF line item that pays for all of the Commission's operating costs. As Table 1 below shows, the amount of GRF appropriated in each of FYs 2012 and 2013 represent increases over the Commission's FY 2011 expenditures. This increase in funding will be used to hire a staff attorney and replace aging and outdated equipment.

**Table 1. Commission Appropriations by Fund Group, FY 2012-FY 2013
(Am. Sub. H.B. 153)**

Fund Group	FY 2011*	FY 2012	% change, FY 2011-FY 2012	FY 2013	% change, FY 2012-FY 2013
General Revenue	\$462,827	\$580,145	25.4%	\$545,530	-6.0%
TOTAL	\$462,827	\$580,145	25.4%	\$545,530	-6.0%

*FY 2011 figures represent actual expenditures.

ANALYSIS OF ENACTED BUDGET

The Commission's operations are funded by a single line item that draws its appropriation from the GRF. Table 2 below shows the funding level for this line item in each of FYs 2012 and 2013. It is followed by a description of how those appropriated amounts will be allocated.

Table 2. Commission Budget Line Item Appropriations				
Fund		ALI and Name	FY 2012	FY 2013
General Revenue Fund				
GRF	172321	Operating Expenses	\$580,145	\$545,530
General Revenue Fund Subtotal			\$580,145	\$545,530
Total Funding: Commission Operations			\$580,145	\$545,530

Operating Expenses (GRF line item 172321)

This GRF line item provides funding for all of the Commission's operating expenses, including personal services, purchased personal services, supplies and maintenance, and equipment expenses. Approximately 90% of that funding in each year will be allocated for personal services, which are essentially payroll expenses (wages, salaries, fringe benefits, and other personnel charges).

The budget provides additional GRF funding for the purpose of hiring a staff attorney and replacing information technology equipment (hardware and software). It appears unlikely that the available funding will support development of an electronic case management system, which the Commission views as critical to providing more efficient and effective services. Currently, all docketing and case management is done manually.

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FY 2012 - FY 2013 Final Appropriation Amounts

All Fund Groups

Line Item Detail by Agency			FY 2010	FY 2011	Appropriations FY 2012	FY 2011 to FY 2012 % Change	Appropriations FY 2013	FY 2012 to FY 2013 % Change
Report For Main Operating Appropriations Bill			Version: Enacted					
EBR Environmental Review Appeals Commission								
GRF	172321	Operating Expenses	\$ 460,187	\$ 462,827	\$ 580,145	25.35%	\$ 545,530	-5.97%
General Revenue Fund Total			\$ 460,187	\$ 462,827	\$ 580,145	25.35%	\$ 545,530	-5.97%
Environmental Review Appeals Commission Total			\$ 460,187	\$ 462,827	\$ 580,145	25.35%	\$ 545,530	-5.97%