

Redbook

LBO Analysis of Executive Budget Proposal

Joint Committee on Agency Rule Review

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LBO Redbook

Joint Committee on Agency Rule Review

Quick look...

- The Joint Committee on Agency Rule Review’s (JCARR) primary responsibility is to review proposed new, amended, and rescinded rules from over 100 state agencies to ensure they do not exceed the rulemaking authority granted them by the General Assembly.
- JCARR is a ten-member joint legislative committee supported by four full-time staff.
- Total budget recommendations: \$570,000 in each fiscal year.
 - Funded entirely by GRF.
 - Uses of budget: 93% for personal services (wages, salaries, benefits, and various other payroll-related charges), 5% for purchased personal services, and 2% for supplies and maintenance.

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Estimate	FY 2022 Introduced	FY 2023 Introduced
GRF ALI 029321, Operating Expenses					
\$411,222	\$440,662	\$472,760	\$570,000	\$570,000	\$570,000
% change	7.2%	7.3%	20.6%	0.0%	0.0%

Agency overview

The Joint Committee on Agency Rule Review (JCARR), created in 1977 by the General Assembly is responsible for the oversight of proposed new, amended, and rescinded rules from over 100 state agencies. JCARR is a ten-member joint legislative committee. The Speaker of the House of Representatives and the President of the Senate each appoint five members from their respective chambers to serve on the joint committee, with not more than three being from the same political party. In odd-numbered years, the chairperson is a House member of the joint committee appointed by the Speaker of the House; in even-numbered years, the chairperson is a Senate member of the joint committee appointed by the President of the Senate.

JCARR meets and holds public hearings not less than once every three weeks throughout the year. Members are paid a per diem of \$150 for committee work on days when there is not a voting session for their chamber. In addition, members are reimbursed for necessary committee-related travel expenses. JCARR has a staff of four full-time employees, including an executive director, a deputy director, a rule analyst, and a rule processor. The Legislative Service Commission acts as JCARR’s fiscal agent.

Rulemaking state agencies are required to fully review and submit to JCARR each of their rules at least once every five years. As a part of that process, they are required to review each of

their rules and determine whether to continue them without change, amend them, or rescind them. The primary purpose of JCARR’s oversight is to ensure that administrative rules:

- Do not exceed the scope of the rulemaking agency’s statutory authority;
- Do not conflict with the rules of that agency or another rulemaking agency;
- Do not conflict with the intent of the legislature;
- Are accompanied by a complete and accurate rule summary and fiscal analysis;
- Meet the required standards for incorporation if the rule maker incorporated text by reference; and
- Determine, if a rule has an adverse impact on business, whether the rule maker demonstrated, through a series of additional requirements, that the regulatory intent of the rule justifies its adverse impact.

Analysis of FY 2022-FY 2023 budget proposal

Summary

R.C. 107.03(D) states that “no alterations shall be made in the [budget] requests for the legislative and judicial branches of the state filed with the director of budget and management” Therefore, the Governor has made no alterations to the budget request submitted by JCARR. The agency requested a total budget of \$570,000 for FY 2022 and FY 2023 to maintain existing service and staffing levels.

Proposed budget by expense category

The chart below presents the total recommended appropriation of \$1.1 million (FY 2022 and FY 2023 combined) by major object of expense. JCARR’s budget request allocates the appropriation as follows: 93% (\$531,000 per fiscal year) for personal services, including wages, salaries, benefits, and various other payroll-related charges, 5% (\$28,000 per fiscal year) for purchased personal services, and 2% (\$12,000 per fiscal year) for supplies and maintenance.

