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## OHIO GENERAL ASSEMBLY

### Review of cabinet departments (VETOED)

- Would have established a procedure for the General Assembly to periodically review cabinet departments, with certain departments reviewed either each even-numbered or odd-numbered General Assembly (VETOED).
- Would have required the review to be done by standing committees directed to do so by the Speaker of the House and Senate President (VETOED).
- Would have expressly authorized the General Assembly to abolish, terminate, or transfer a department by no other means except by the enactment of a law (VETOED).
- Would have authorized the General Assembly to review and report on the performance and effectiveness of other departments and, if reviewed, would have required the Chief of the Common Sense Initiative Office to testify regarding the department (VETOED).
- Would have modified the schedule of performance audits conducted by the Auditor of State to coincide with the periodic review of cabinet departments (VETOED).

### Legislative Task Force to study creation of Legislative Budget Office

- Creates the six-member Joint Legislative Task Force on Creating a Legislative Budget Office, consisting of three Senate and three House members, to study and recommend on the feasibility and effectiveness of creating a Legislative Budget Office.

### Review of cabinet departments (VETOED)

(R.C. 101.88, 101.881, 101.882, 101.89, and 117.46)

The Governor vetoed a provision that would have established a procedure for the General Assembly to periodically review cabinet departments. The vetoed provision would have required the following departments to be reviewed during each even-numbered General Assembly:

--Office of Budget and Management;

--Department of Administrative Services;



--Department of Agriculture;  
--Department of Health;  
--Department of Public Safety;  
--Department of Developmental Disabilities;  
--Development Services Agency;  
--Department of Rehabilitation and Correction;  
--Department of Aging;  
--Department of Medicaid;  
--Office of the Adjutant General; and  
--Department of Higher Education.

The vetoed provision would have required the following departments to be reviewed during each odd-numbered General Assembly:

--Department of Commerce;  
--Department of Transportation;  
--Department of Natural Resources;  
--Department of Job and Family Services;  
--Department of Mental Health and Addiction Services;  
--Department of Insurance;  
--Department of Youth Services;  
--Environmental Protection Agency;  
--Department of Veterans Services;  
--Office of Health Transformation;  
--Public Utilities Commission; and  
--Department of Taxation.



The provision would have permitted the General Assembly to abolish, terminate, or transfer a department only by enactment of a law. It also would have required the rules, orders, licenses, contracts, and other actions the department made, granted, or performed to have continued in effect according to their terms, unless the General Assembly had provided otherwise by law. The General Assembly would have been permitted to provide by law for the temporary or permanent transfer of some or all of a terminated or transferred department's functions and personnel to a successor department, board, or officer. Abolition, termination, or transfer of a department would not have caused the termination or dismissal of any claim against the department by any person, or any claim pending against any person by the department.

The vetoed provision would have required that, within three months after the beginning of a General Assembly during which a department is scheduled to be reviewed, the President and Speaker direct a standing committee of their respective houses to hold public hearings. The President and Speaker would have been permitted to defer a department's review once, until the next General Assembly in which it would have been reviewed. The Speaker and President also would have been allowed to direct a standing committee to review other departments not already scheduled for review during that General Assembly.

The committee would have been required to review and evaluate the usefulness, performance, and effectiveness of each department. A department under review would have had the burden of demonstrating a public need for the department. It would have been required to submit a report stating the department's primary purpose, its various goals and objectives, its past and anticipated workload, the number of staff required to complete that workload, its total number of staff, its past and anticipated budgets, and its source of funding. The committee would have determined whether there was a need to continue the department by considering a variety of factors expressly listed. If a committee reviewed a department that issues a license to practice a trade or profession, it would have considered the following specific factors:

--Whether the requirement for the license serves a meaningful, defined public interest and provides the least restrictive form of regulation that adequately protects the public interest;

--The extent to which the objective of licensing may be achieved through market forces, private or industry certification and accreditation programs, or enforcement of other existing laws;

--The extent to which licensing ensures that practitioners have occupational skills or competencies that correlate with a public interest, and the impact that those criteria



have on applicants for a license, particularly those with moderate or low incomes, seeking to enter the occupation or profession; and

--The extent to which the requirement for the license stimulates or restricts competition, affects consumer choice, and affects the cost of services.

The President and Speaker also would have been required to notify the Chief of the Common Sense Initiative Office of a department's review. The Chief or Chief's designee would have been required to testify before the committee about the department. The testimony must have included whether the Office had received commentary, advice from the small business advisory council with respect to the department's rules, or any other information about the department's effectiveness and efficiency.

After a committee reviewed a department or departments, the committee could have published a report of its findings and recommendations. The committee must have provided any report to the Clerk of the House and Senate, who then would have provided the reports to the President, Speaker, Governor, and each affected department. The report would have been made available to the public on the General Assembly's website.

### **Auditor of State's schedule for performance audits (VETOED)**

The Governor vetoed a provision that would have aligned the Auditor of State's schedule for conducting performance audits to the schedule for review of cabinet departments. The act would have required the performance audits to be completed before the end of the General Assembly during which they were conducted. The Auditor would have been required to make the performance audit available to the standing committee directed to review the department during the following General Assembly.

### **Legislative Task Force to study creation of Legislative Budget Office**

(Section 701.31)

The act creates the Joint Legislative Task Force on Creating a Legislative Budget Office. Its purpose is to study and make recommendations regarding the feasibility and effectiveness of creating a Legislative Budget Office.

The Task Force must consist of six members, who must be appointed by October 29, 2017. The Speaker of the House appoints three members and the Senate President appoints three members, with each appointing at least one member from the minority



party. Vacancies are filled in the same manner. The Speaker and President must jointly choose a member to serve as chairperson and that chairperson may call meetings.

Members of the Task Force do not receive compensation, except to the extent that serving as a member is part of the member's regular duties of employment. Days when the Task Force holds meetings are considered legislative days.

The Task Force must issue a report of its recommendations to the Speaker and Minority Leader of the House and to the President and Minority Leader of the Senate by July 1, 2018. Upon issuing its recommendations, the Task Force ceases to exist.

