

# SB 329 IS UNNECESSARY

- Ohio is already the leanest state. In fact, a study by the conservative *Mercatus Center* at *George Mason University* finds that Ohio's current sunset review eliminates more than twice as many government structures than the next ten states combined.
- National research shows sunset reviews do not save money. The conservative *Mercatus Center* finds that "the data suggests that sunset laws do not have an impact on state expenditures."
- Politifact finds sunset review committees have fallen out of favor with states.

## SB 329 WILL CREATE GOVERNMENT GRIDLOCK and HOLD STATE AGENCIES HOSTAGE

- SB 329 gives a small committee the authority to abolish entire executive agencies of state government, simply by not voting them out of committee. In Arkansas this year, the Tea Party "Group of Ten" used a sunset provision to attempt to repeal Medicaid expansion, and kick 275,000 citizens off their health insurance, over the will of the state legislature and governor.
- Lawmakers could hold agencies hostage for personal, political or ideological reasons, not based on agency effectiveness, similar to what happens during the federal budget process.

## SB 329 WOULD DISRUPT THE LIVES OF MILLIONS OF OHIOANS AND CREATE AN UNCERTAIN BUSINESS CLIMATE

- Besides creating government gridlock, the bill could interrupt the lives of millions of Ohioans who go to school, receive nursing home, long-term care or CHIP, get unemployment compensation, depend on state prison system to keep inmates locked up and who rely on safe water and air quality.
- Businesses would be unable to rely on the stability and predictability of administrative policy and law, or tax credits and incentives.
- A Vanderbilt higher education policy expert warned against placing universities under automatic expiration, noting that universities rely heavily on private donations and the prospect of public university revenues expiring would deter donors. Additionally, Higher Ed administers accreditation credentials that cannot be simply transferred to another agency or abolished without disastrous effects for universities.

Does **YOUR** agency have  
an **Expiration Date**?  
It may if **SB 329** passes.



## THE LEGISLATURE ALREADY HAS THE POWER TO CONSOLIDATE STATE AGENCIES OR REVIEW THEM FOR EFFICIENCIES, IF IT WISHES TO

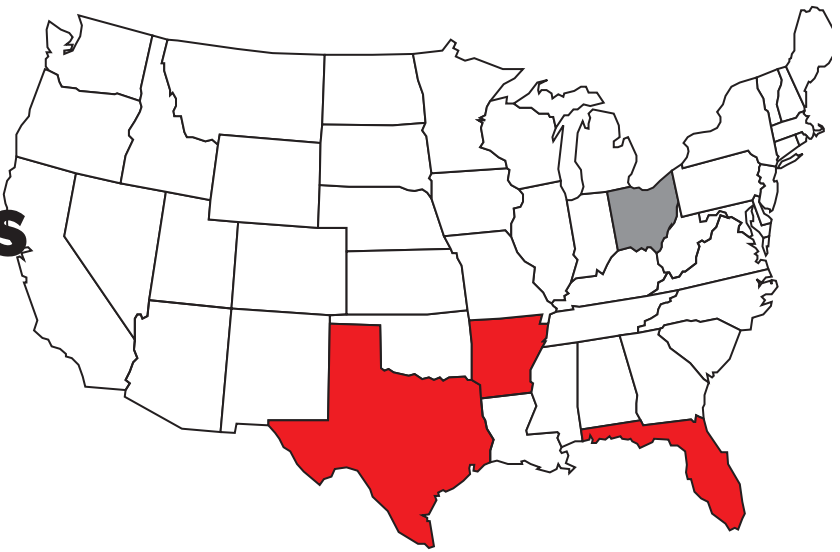
- If it finds duplication, or mission creep, or conflict of interest, the state legislature can already reduce or increase funding, call in the state auditor or get the office of the Inspector General involved, use their subpoena power, or pass a bill to merge or eliminate a state agency.
- The biennial budget and mid-biennium review allow for operational reviews of state agencies while ensuring that a state budget is passed.

Printed in-house by



# SB 329

## 'sunset law' fails in other states



### Arkansas

- In Arkansas this year, the Tea Party “Group of Ten” used a sunset provision to try to repeal Medicaid expansion, and kick 275,000 citizens off their health insurance, over the will of the state legislature and governor.

### Texas

- Ohio’s sunset review already has the authority to eliminate the governing bodies that Texas has totally abolished. The Texas sunset process was originally implemented to sunset antiquated agencies like the Texas Navy and the Pink Bollworm Commission.
- The Texas sunset process is in a shamble, and Ohio’s process would be even more reckless.
- The Texas sunset process begins with up to eight months of research, before it even reaches the legislature. It regularly becomes hijacked by special interests moving their own political agendas; according to the Republican Texas Speaker of the House the sunset process has become “a mockery” and he questions “whether or not it still serves a useful purpose.” Further, he said when big agencies, such as transportation, come up for review they are “vulnerable to hijackers in the lobby.”
- The Texas Tribune reports that the recent Texas Department of Transportation sunset process “became a magnet for every legislative idea that had not already passed on its own” and “choked to death” on 222 amendments. In Texas “lawmakers regularly end their sessions with ‘safety net’ bills ... designed to keep the otherwise-dead agencies alive for another day.”

### Florida

- In 2008 the Florida Sunset Review committee executed its very first round of sunset reviews. In its analysis of the Florida EPA, the committee made recommendation for massive agency overhauls. One recommendation was to remove all environmental enforcement funding and personnel from the Florida EPA and transfer the resources to the general state police force, losing specialized environmental law training and decreasing environmental preservation. Another proposal eliminated petroleum cleanup funding, and decreased inspections of petroleum storage tank systems, even though the report cited “risk of unreported or unobserved petroleum discharge” and “higher non-compliance rates” as a result .
- “Abolish the Division of Air Resource Management” and all personnel positions
- “Eliminate Funding for Local Water Projects”
- Close state parks
- “Discontinue acquisition of new conservation lands”
- Allow state conservation program to expire resulting in cost savings but also “loss of threatened and endangered species; diminished water quality; growth of exotic, invasive species”

Printed in-house by

