



# Ohio Legislative Service Commission

Mark Flanders, Director

## HOUSE MEMBERS

**William G. Batchelder, Chairman**

Ron Amstutz  
Louis W. Blessing, Jr.  
Armond Budish

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## SENATE MEMBERS

**Thomas E. Niehaus, Vice-Chairman**

Capri S. Cafaro  
Keith Faber  
Shannon Jones

Gayle L. Manning  
Tom Sawyer  
Jimmy Stewart

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## Memorandum

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**To:** Chairman Widener and Members of the Senate Finance Committee  
**From:** Mark Flanders, Director  
**Date:** May 5, 2011  
**Subject:** LSC FY 2012 - 2013 Budget Request

Chairman Widener and members of the committee, I am Mark Flanders, Director of the Legislative Service Commission (LSC). I appreciate the opportunity to come before you today to present LSC's budget request for the next biennium.

The only reason my agency exists is to provide nonpartisan services to the members of the General Assembly. I am sure you are already familiar with many of those services, but I thought I would run through some of the major ones in the hope that you feel that the money appropriated to us is well-spent. Our functions include:

- Drafting all the bills and amendments for the General Assembly, and analyzing their effects on state law;
- Analyzing bills for their impact on state and local revenues and expenditures;
- Staffing all the General Assembly's standing committees;
- Conducting research on any issues members bring before us;
- Forecasting the revenues and expenditures of the state during the budget process, and preparing a multitude of documents for use during budget deliberations;
- Reviewing state agency requests for Controlling Board action, and conducting caucus briefings before each Controlling Board meeting;
- Writing honorary and congratulatory letters and resolutions; and
- All of the other duties and responsibilities that I have listed in the memorandum that is included at the end of this testimony.

Of course, all of these functions take people, and in fact a bit more than 93% of the LSC budget went to employee personnel costs last fiscal year. For the money, the legislature gets a staff of motivated, experienced, highly-trained, and highly-educated employees.

The LSC budget group of line items includes funding for three different legislative agencies and several other legislative functions. I would now like to go over our proposed appropriations in H.B. 153, to briefly explain the purpose of each line item. As of now, the proposed budget provides flat funding for us for the biennium.

The first line item, Operating Expenses, covers all the expenses of my agency, LSC. As I mentioned, more than 90% of expenditures from the line goes to employee personnel costs.

The second line item pays the salaries for 24 participants in the Legislative Fellowship Program. Ten fellows are placed with the House, ten with the Senate, two with Ohio Government Telecommunications, and two with LSC. The program was formerly called the Legislative Internship Program, but the Commission voted to change its name last year.

The third line item covers the expenses of a separate legislative agency, the Correctional Institution Inspection Committee (CIIC). Joanna Saul, the director of the CIIC staff, is here with me today and has provided written testimony in your packets.

The next line item is an appropriation for the Legislative Task Force on Redistricting, Reapportionment, and Demographic Research. Senators Cafaro and Niehaus and Chief of Staff Matt Schuler are the Senate appointees to the task force.

The National Associations line item pays the General Assembly's annual membership fees to belong to the National Conference of State Legislatures (NCSL), the Council of State Governments (CSG), and five other organizations. The amounts due this year have increased to \$552,000, rather than the \$461,000 shown in the bill.

Our final General Revenue Fund (GRF) line item pays for another legislative agency, Legislative Information Systems (LIS). LIS provides computer networking, telephone, and a variety of other information technology services to the House, the Senate, and the other legislative agencies. Kurt McDowell is the director of LIS, and is here with me today. Kurt also has provided written testimony in your packets.

In addition, we have three smaller non-GRF line items that I would be happy to explain if you so desire.

Before I conclude my testimony, I would like to draw your attention to the table from NCSL that I included in your packets. It shows that, according to the most recent figures, Ohio ranks 49th or 50th among the states on legislative branch expenditures, depending on whether it is measured on a per capita basis or as a percentage of the state's

overall spending. Over the years, Ohio has consistently ranked as one of the least expensive legislatures, if not the least.

Thank you for your consideration. Also with me today are LSC's two deputy directors, Jim Kelly and Wendy Zhan. As we are in budget season, I should point out that Wendy is the director for all of the budget analysts and economists on our staff. Mr. Chairman, I would be happy to respond to any questions you and the committee may have.



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## Memorandum

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**To:** The Honorable Members of the Senate Finance Committee  
**From:** Mark Flanders, Director  
**Date:** May 5, 2011  
**Subject:** Summary listing of the duties and responsibilities of the LSC staff

Under the direction of the Legislative Service Commission (LSC), the staff has the following duties and responsibilities:

- Draft every bill, substitute bill, and amendment requested by a member of the General Assembly. For the 128th General Assembly in 2009 and 2010, we drafted more than 3,700 bills and over 16,000 amendments.
- Prepare an analysis of each bill for its first hearing in committee and at other stages as the bill moves through the legislative process. During the last General Assembly, we prepared approximately 1,400 analyses.
- Prepare a Fiscal Note and Local Impact Statement for any bill that receives a second hearing in committee and at all subsequent stages of the process. We wrote nearly 1,100 Fiscal Notes for the 128th General Assembly.
- Provide state revenue and expenditure forecasts, Redbooks, Budget in Detail spreadsheets, and Comparison Documents for use in the consideration of the budget bills enacted each biennium.
- Review state agency requests that come before the Controlling Board, and provide caucus briefings prior to each of the Board's meetings.
- Provide research services to all members of the General Assembly. We completed 4,300 research assignments for the 128th General Assembly. The time necessary to complete an assignment can range from as little as 15 minutes to as much as 200 hours.
- Provide one or more staff persons for each of the General Assembly's standing committees and subcommittees.

- Provide staff assistance for special, select, and joint committees of the House and Senate.
- Write congratulatory and honorary letters and resolutions. We prepared more than 58,000 of these documents for the 128th General Assembly.
- Provide a synopsis of amendments made to House bills in the Senate and Senate bills in the House, for use at the time of the House and Senate concurrence votes on the bills.
- Provide a substitute bill comparative synopsis of the differences between a substitute bill accepted by a House committee and the previous version of the bill. Also, before a floor vote is taken on a conference committee report, provide a synopsis that summarizes the recommendations of the conference committee.
- Provide continuous review of the entire Ohio Revised Code, to maintain compliance with editorial and other codification policies.
- Provide support and assistance to the House and Senate Clerks in the preparation and computerization of substitute bills, amendments, and committee reports.
- Operate for members and staff a legislative research library with extensive research capacity.
- Operate the Legislative Information Office within the library, providing toll-free telephone access to the public concerning the status of bills and other information about the legislature. When appropriate, the Office serves as a messaging service for constituent calls to members of the General Assembly.
- Provide a New Member Orientation program for newly elected and appointed members of the General Assembly, as well as the publication *A Guidebook for Ohio Legislators*.
- Provide staffing, training, and administrative support for the Legislative Fellowship Program. The program has attracted some of Ohio's best college graduates into public service and has strongly influenced them to remain in public service after the completion of their fellowships. This year ten fellows were placed with the House, ten with the Senate, two with Ohio Government Telecommunications, and two with LSC. The program provides members of the General Assembly with enthusiastic and well-qualified staff assistance at a modest cost.
- Operate the *Register of Ohio* and manage the electronic filing of administrative rules. Electronic filing with LSC is generally the sole means that state agencies can file administrative rules. The *Register of Ohio* is published online by LSC and includes proposed, adopted, and emergency rules. There were

more than 18,000 filings during the 128th General Assembly. Monthly "hits" for the *Register* averaged more than 61,000 during 2010.

- Train new caucus staff, legislative aides, and other staff regarding the legislative process and efficient ways to perform their duties. During the 128th General Assembly, we conducted ten training sessions, providing training for 121 staff people. Each session is two half-days in length.
- Provide informational sessions to assorted other persons, including high school students, undergraduate and graduate college students, law school students, and professionals working in other state agencies.
- Operate the Legislative Documents Distribution Center (also known as the LSC Bill Room) in the Statehouse.
- Provide personnel, supplies, and equipment to allow LSC staff to be present on the House Floor to draft amendments and answer questions during House Floor sessions.
- Serve as the legislature's central link to the Council of State Governments (CSG) and the National Conference of State Legislatures (NCSL), including planning and providing staff for CSG and NCSL meetings held in Ohio.
- Provide centralized payroll, purchasing, and accounting services for Legislative Information Systems and the Correctional Institution Inspection Committee, the budgets of which are line items within the LSC Budget Group.

# CORRECTIONAL INSTITUTION INSPECTION COMMITTEE

## OHIO GENERAL ASSEMBLY

### HOUSE MEMBERS

Rep. Peter Beck  
Rep. Nancy Garland  
Rep. Robert Hackett  
Rep. W. Carlton Weddington



### SENATE MEMBERS

Sen. Shirley Smith, Chair  
Sen. Cliff Hite, Vice Chair  
Sen. Edna Brown, Secretary  
Sen. Timothy Grendell

Joanna E. Saul, Director

May 5, 2011

### Testimony before the Senate Finance Committee

### Presented by Joanna E. Saul, Executive Director of the Correctional Institution Inspection Committee

Thank you for the opportunity to speak on behalf of the Correctional Institution Inspection Committee. CIIC is a bipartisan, bicameral legislative committee of the Ohio General Assembly. With the approval of the legislative members, my small staff of five and I inspect every adult and juvenile state correctional facility in Ohio each legislative biennium – 38 correctional facilities in two years, spaced out in two week intervals. Facility inspections include every housing unit, medical facilities, recreation, segregation, food services, prison industries, interviews with both inmates and staff, and a staff focus group.

In addition to the physical facility inspection, we write full inspection reports and legislative inspection briefs. The inspection reports operate as performance audits, highlighting critical concerns that need to be addressed through a facility action plan. We produce quarterly data briefs on medical services, grievances, use of force, and educational enrollment. We also research systemic issues – such as the cost of correctional health care, food services, and the cost/benefit of recovery services – which are prompted by legislator interest. All of that work is in addition to the thousands of contacts that we receive from inmates and concerned citizens regarding conditions in Ohio prisons, each of which we respond to with a letter. My staff and I work hard for the Ohio taxpayer.

Without a doubt, CIIC provides a financial benefit for Ohio. Primarily, we assist the state in resolving serious concerns that could result in litigation. Litigation is costly. The total cost for the *Dunn* lawsuit over mental health services has been estimated at \$100 million; the total estimated cost for the *Fussell* lawsuit, pertaining to medical services, is \$68 million. Ohio Department of Rehabilitation and Correction Director Gary Mohr informed the full House Finance Committee that due to litigation over its overcrowded conditions, California pays for federal monitors to the tune of \$500,000 per month. In comparison, CIIC's entire annual budget is under \$500,000.

Although I cannot prove the lawsuits our Committee has prevented, I can share a story that illustrates our value to the Ohio taxpayer: Mr. Jones wrote to us saying that he was not receiving his cancer medication. We conducted an inquiry, as we always do with a serious

medical concern. The response that we received indicated that the institutional staff thought the hospital was providing the medication and the hospital staff thought the institution was providing it. It was a mistake – likely due to stretched staff resources dealing with a large inmate caseload – but one that could have had fatal consequences for Mr. Jones and could have left the state open to litigation.

Mr. Jones' story is not unique. In the previous biennium, CIIC staff conducted 567 written inquiries to institutional wardens. Inquiries are only conducted for the most serious concerns, which generally include inmate allegations that they are not receiving treatment for serious, life threatening medical conditions; allegations of personal safety threats due to prison gangs or other inmates; and allegations of staff use of excessive force. These inquiries do not include the thousands of phone inquiries that we conduct for more “minor” allegations, such as lack of access to necessary programming, theft of property, and staff retaliation for inmates' use of the grievance procedure. Each of these inquiries works to resolve concerns that bear their own costs to the state, both in the literal cost, such as medical treatment, and in the emotional and human cost to the inmate.

CIIC also works to protect staff safety. CIIC provides timely information to institutional managers by monitoring inmate communication and key statistical indicators, such as assaults, use of force, and grievances. Ohio experienced a riot in 1993 at the Southern Ohio Correctional Facility; we work to prevent such an occurrence from ever happening again.

I thank you for giving me the opportunity to speak and I welcome any questions that you may have.



## *OHIO LEGISLATIVE INFORMATION SYSTEMS*

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May 5, 2011

Legislative Information Systems (LIS) was formed in 1995, and serves the Ohio General Assembly and the legislative agencies by providing computer network services, telephone services, development of new or improved computer applications, and computer education and training services.

Like our parent agency, the Legislative Service Commission (LSC), LIS is a non-partisan agency established to facilitate the legislative process. We strive to provide the very highest quality professional information technology services through robust, reliable, cost-effective systems that meet the needs of the legislative agencies we support.

Initially LIS had an oversight Joint Sub-Committee. However, in 2010 that sub-committee was replaced with oversight provided by the House Clerk, the Senate Clerk and the LSC Director.

The House, Senate, and LSC each have their own information technology organizations and we try to work closely and cooperatively with them. You can get a good understanding of how we work together by seeing LIS as the railroad tracks and legislative IT organizations as the trains that run on those tracks to deliver services to you. The LIS director functions as the General Assembly Chief Technical Officer (CTO). The CTO acts to improve cooperation, standards conformity, and security in all General Assembly IT organizations.

LIS also provides direct services. We design, operate, support, and maintain the General Assembly website, the Senate website, and the House website.

LIS is responsible for the design and support of key applications like the bill drafting system, House and Senate journal applications, and the Bulletin application. LIS supports the laptops and the website that are used in the chambers.

LIS is responsible for the Electronic Rules Filing (ERF) system, the Register of Ohio (ROO) website, some internal ROO applications and Rule Authoring Software (RAS).

LIS is responsible for the design and maintenance of the legislative phone system.

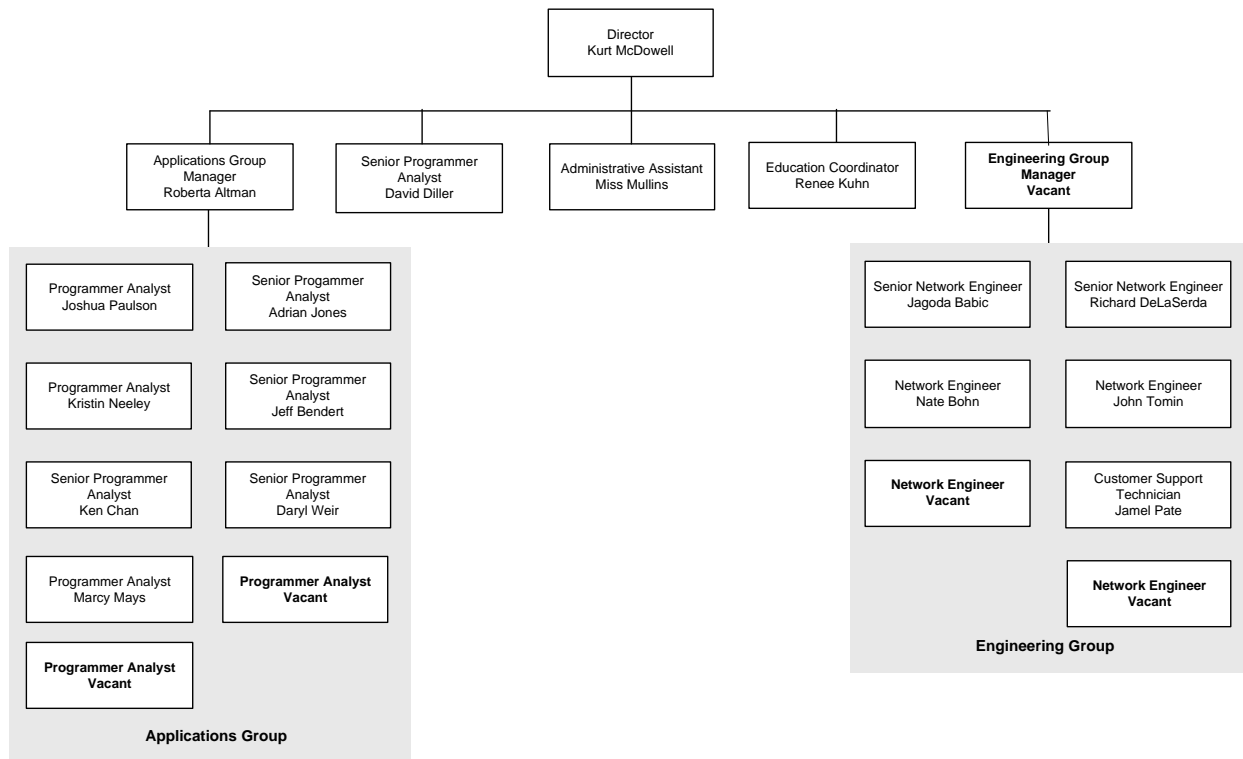
LIS also maintains desktop, server, network, phone, and website support for other legislative agencies. These include CIIC, CSRAB, JCARR, JLEC, and WCC.

LIS has been providing computer education for the legislative community since 1997 in our Computer Education Center located on the 22nd floor of the Riffe Center. We provide hands-on technology training to the members and staff of the Ohio Legislature and to the staff of legislative agencies in a variety of leading software packages, proprietary applications and technological resources.

# LIS Vision

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- ❑ The first responsibility of Legislative Information Systems (LIS) is to the legislative organizations we support. Our work is vital to the smooth and efficient operation of Ohio's governmental processes and to the State's citizens.
- ❑ We do things quickly while reducing risk to our customers.
- ❑ Our systems are reliable, but when operational problems arise, we stop what we are doing and take care of them first.
- ❑ Our customers and peers know that when they call, we will come through for them. We call them with success stories, not excuses.
- ❑ We communicate openly and honestly to build trust and confidence. Our customers and peers understand what we are doing, how it will affect them, and what it will cost.
- ❑ We know that our best work comes through teamwork. We show others respect. We invite and encourage input from anyone who can help us do our jobs more effectively and efficiently.
- ❑ We keep our systems and data as safe and secure as we can consistent with business needs.
- ❑ We spend taxpayer's money wisely, seeking the greatest value for each dollar spent.



**Legislative Branch Expenditures for FY 2009**  
**with Rankings by Legislative Branch Expenditure, Per Capita,**  
**and Percentage of General Government Expenditures**

| State          | Popul*         | Rank | Gen'l Gov't Expend*    | Rank | Legis Branch Expend* | Rank | Per Cap       | Rank | % Gen'l Gov't | Rank |
|----------------|----------------|------|------------------------|------|----------------------|------|---------------|------|---------------|------|
| Alabama        | 4,709          | 23   | 23,335,185             | 23   | \$38,111             | 26   | \$8.09        | 35   | 0.16%         | 31   |
| Alaska         | 698            | 47   | 9,896,330              | 38   | \$46,088             | 19   | \$66.03       | 1    | 0.47%         | 3    |
| Arizona        | 6,596          | 14   | 27,819,006             | 19   | \$34,160             | 29   | \$5.18        | 46   | 0.12%         | 45   |
| Arkansas       | 2,889          | 32   | 14,553,101             | 33   | \$31,469             | 32   | \$10.89       | 22   | 0.22%         | 16   |
| California     | 36,962         | 1    | 211,083,320            | 1    | \$344,154            | 1    | \$9.31        | 30   | 0.16%         | 32   |
| Colorado       | 5,025          | 22   | 20,817,538             | 27   | \$25,565             | 36   | \$5.09        | 47   | 0.12%         | 44   |
| Connecticut    | 3,518          | 29   | 21,376,500             | 26   | \$60,458             | 11   | \$17.19       | 9    | 0.28%         | 9    |
| Delaware       | 885            | 45   | 6,634,392              | 43   | \$11,404             | 47   | \$12.89       | 14   | 0.17%         | 28   |
| Florida        | 18,538         | 4    | 66,056,700             | 4    | \$168,181            | 4    | \$9.07        | 31   | 0.25%         | 11   |
| Georgia        | 9,829          | 9    | 35,956,143             | 14   | \$33,040             | 30   | \$3.36        | 50   | 0.09%         | 48   |
| Hawaii         | 1,295          | 42   | 10,051,242             | 37   | \$31,174             | 33   | \$24.07       | 4    | 0.31%         | 7    |
| Idaho          | 1,546          | 39   | 7,118,726              | 42   | \$13,728             | 44   | \$8.88        | 34   | 0.19%         | 24   |
| Illinois       | 12,910         | 5    | 57,159,617             | 6    | \$73,444             | 10   | \$5.69        | 43   | 0.13%         | 43   |
| Indiana        | 6,423          | 16   | 28,855,900             | 18   | \$41,407             | 23   | \$6.45        | 40   | 0.14%         | 39   |
| Iowa           | 3,008          | 30   | 16,172,418             | 31   | \$32,051             | 31   | \$10.66       | 23   | 0.20%         | 21   |
| Kansas         | 2,819          | 33   | 14,155,854             | 34   | \$21,138             | 40   | \$7.50        | 38   | 0.15%         | 36   |
| Kentucky       | 4,314          | 26   | 23,019,129             | 24   | \$42,188             | 21   | \$9.78        | 28   | 0.18%         | 26   |
| Louisiana      | 4,492          | 25   | 27,649,319             | 20   | \$57,172             | 15   | \$12.73       | 15   | 0.21%         | 17   |
| Maine          | 1,318          | 41   | 7,891,060              | 41   | \$24,555             | 37   | \$18.63       | 8    | 0.31%         | 6    |
| Maryland       | 5,699          | 19   | 31,665,036             | 15   | \$75,771             | 9    | \$13.30       | 12   | 0.24%         | 14   |
| Massachusetts  | 6,594          | 15   | 40,908,513             | 11   | \$59,052             | 13   | \$8.96        | 33   | 0.14%         | 38   |
| Michigan       | 9,970          | 8    | 50,584,008             | 8    | \$98,457             | 6    | \$9.88        | 27   | 0.19%         | 23   |
| Minnesota      | 5,266          | 21   | 31,550,435             | 16   | \$57,681             | 14   | \$10.95       | 21   | 0.18%         | 27   |
| Mississippi    | 2,952          | 31   | 17,162,353             | 30   | \$22,758             | 39   | \$7.71        | 36   | 0.13%         | 42   |
| Missouri       | 5,988          | 18   | 24,819,363             | 22   | \$34,654             | 28   | \$5.79        | 41   | 0.14%         | 41   |
| Montana        | 975            | 44   | 5,419,049              | 46   | \$18,756             | 41   | \$19.24       | 6    | 0.35%         | 5    |
| Nebraska       | 1,797          | 38   | 8,548,494              | 40   | \$17,430             | 42   | \$9.70        | 29   | 0.20%         | 18   |
| Nevada         | 2,643          | 35   | 9,869,734              | 39   | \$52,987             | 17   | \$20.05       | 5    | 0.54%         | 1    |
| New Hampshire  | 1,325          | 40   | 5,846,814              | 45   | \$14,719             | 43   | \$11.11       | 20   | 0.25%         | 12   |
| New Jersey     | 8,708          | 11   | 48,208,101             | 9    | \$78,045             | 8    | \$8.96        | 32   | 0.16%         | 33   |
| New Mexico     | 2,010          | 36   | 15,512,488             | 32   | \$24,552             | 38   | \$12.21       | 17   | 0.16%         | 35   |
| New York       | 19,541         | 3    | 133,940,570            | 2    | \$221,343            | 3    | \$11.33       | 19   | 0.17%         | 30   |
| North Carolina | 9,381          | 10   | 42,305,938             | 10   | \$49,682             | 18   | \$5.30        | 44   | 0.12%         | 46   |
| North Dakota   | 647            | 48   | 4,069,320              | 49   | \$12,133             | 46   | \$18.75       | 7    | 0.30%         | 8    |
| Ohio           | 11,543         | 7    | 56,354,660             | 7    | \$42,386             | 20   | \$3.67        | 49   | 0.08%         | 50   |
| Oklahoma       | 3,687          | 28   | 18,158,546             | 29   | \$36,557             | 27   | \$9.92        | 26   | 0.20%         | 20   |
| Oregon         | 3,826          | 27   | 19,388,496             | 28   | \$39,254             | 25   | \$10.26       | 25   | 0.20%         | 19   |
| Pennsylvania   | 12,605         | 6    | 64,612,112             | 5    | \$331,770            | 2    | \$26.32       | 2    | 0.51%         | 2    |
| Rhode Island   | 1,053          | 43   | 5,963,618              | 44   | \$27,592             | 35   | \$26.20       | 3    | 0.46%         | 4    |
| South Carolina | 4,561          | 24   | 22,931,853             | 25   | \$56,400             | 16   | \$12.37       | 16   | 0.25%         | 13   |
| South Dakota   | 812            | 46   | 3,732,321              | 50   | \$6,253              | 50   | \$7.70        | 37   | 0.17%         | 29   |
| Tennessee      | 6,296          | 17   | 25,869,928             | 21   | \$41,290             | 24   | \$6.56        | 39   | 0.16%         | 34   |
| Texas          | 24,782         | 2    | 98,106,540             | 3    | \$143,152            | 5    | \$5.78        | 42   | 0.15%         | 37   |
| Utah           | 2,785          | 34   | 13,961,499             | 35   | \$12,381             | 45   | \$4.45        | 48   | 0.09%         | 49   |
| Vermont        | 622            | 49   | 5,035,486              | 47   | \$9,645              | 48   | \$15.51       | 11   | 0.19%         | 25   |
| Virginia       | 7,883          | 12   | 37,871,467             | 12   | \$41,602             | 22   | \$5.28        | 45   | 0.11%         | 47   |
| Washington     | 6,664          | 13   | 36,537,414             | 13   | \$79,454             | 7    | \$11.92       | 18   | 0.22%         | 15   |
| West Virginia  | 1,820          | 37   | 10,398,477             | 36   | \$28,349             | 34   | \$15.58       | 10   | 0.27%         | 10   |
| Wisconsin      | 5,655          | 20   | 30,176,862             | 17   | \$59,709             | 12   | \$10.56       | 24   | 0.20%         | 22   |
| Wyoming        | 544            | 50   | 4,963,188              | 48   | \$7,047              | 49   | \$12.95       | 13   | 0.14%         | 40   |
| <b>TOTAL</b>   | <b>307,007</b> |      | <b>\$1,554,074,163</b> |      | <b>\$2,930,348</b>   |      | <b>\$9.54</b> |      | <b>0.19%</b>  |      |

\* Figures in these columns are shown in thousands.

Source: National Conference of State Legislatures, based on 2009 data from the U.S. Bureau of the Census state government finance data series and population finder, February 2011.