



TESTIMONY  
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## Testimony to the House State and Local Government Committee on House Bill 51

Wendy Patton

Good Morning Chairman Anielski, Vice-Chair Hambley and members of the committee. I am Wendy Patton, a Senior Project Director with Policy Matters Ohio, a not-for profit, non-partisan research organization with a mission of contributing to a prosperous, equitable, inclusive and sustainable Ohio. Thank you for the opportunity to offer opponent testimony on House Bill 51.

House Bill 51 would give legislative committees the power to eliminate state departments in the Governor's cabinet through a new "sunset" process. The process could be [highly public](#) or it could be invisible. Whole departments could cease to exist without a vote of the legislature if a committee reviewing that department does not act to renew.

No one would seriously suggest that we shut down our universities, prisons and nursing homes, lay off our state highway patrol officers and end all projects to keep up our roads and bridges. If legislators want to make sure these operations are accountable, there are numerous existing ways to do so. The first is the state budget process. If the legislature believes that a standalone agency is not necessary and should be consolidated with another, it can do so at any time. If it finds duplication, or mission creep, or conflict of interest, it can reduce or increase funding, call in the state auditor or get the office of the inspector general involved.

Promoters of the sunset law admit it is a tool for legislatures to use in asserting authority against an executive branch. It's a time consuming and expensive approach. Texas is the only state in which executive departments are vetted for continuation (by a 12-member commission with a professional staff of 28). Like HB 51, the [Texas Sunset Provision](#) abolishes state agencies unless the legislature "renews" them. The legislature must take a vote for renewal or elimination.

Under HB 51, agency review would not be referred to a commission with staff, but to (already busy) standing committees of the Ohio General Assembly. No funding is identified for additional staff. If a committee reviewing an agency hits a stalemate or chooses not to act, the legislature may never get to a vote. The agency will be shut down.

In Texas, agencies are up for sunset once every 12 years. Under HB 51, they could be abolished once every four years.

Businesses small and large, from highway contractors to hospitals and nursing homes, should be concerned about HB 51. Systemic uncertainty about how government operates and regulates would hamper planning, stability and growth of the huge number of Ohio businesses that work with the State and related institutions, like universities. Some businesses might need to factor in the possibility that an agency that buys their

products, regulates them or provides a market for them would be eliminated or changed every four years. This could even encourage campaign contributions to sway legislative action.

The notion that we are going to shut down the state budget office, the Department of Natural Resources or other critical agencies is no laughing matter. HB 51 proposes an expensive process that would divert time and resources from the delivery of important public services.