

**Testimony of  
David J. Cummins**

**Vice Chair  
Ohio Higher Educational Facility Commission**

**House Finance Subcommittee on Higher Education**

**April 3, 2019**

Chairman Carfagna, Ranking Member Sweeney, and members of the Subcommittee, thank you for the opportunity to present testimony today on behalf of the Ohio Higher Educational Facility Commission (HEFC). My name is David Cummins, I am Vice Chancellor of Finance and Data Management of the Ohio Department of Higher Education and represent the Chancellor on the HEFC. In that role I serve as Vice Chairman of the Commission.

The Commission is a 9-member body (see attached Appendix A) established by the Ohio Legislature in the late-1960s for the purpose of issuing bonds of the State of Ohio for the acquisition, construction, or renovation of higher educational facilities at Ohio's independent, nonprofit colleges and universities. Although the bonds are State bonds, all principal and interest payments are made by the colleges and universities for which the bonds are issued. No State taxes or other State funds are used or pledged for the bonds.

Since the Commission is an agency of the State of Ohio, whose mission is very similar to the state's housing, water development and air quality agencies, all of which have the same kind of bond program, the interest paid to the bondholders is exempt from federal and State income tax. As such, the Commission is able to provide these institutions with capital financing rates that are significantly lower than standard market rates. That was the reason the legislature created the Commission a half-century ago.

Upon request, the Commission would be pleased to provide a list of all Commission financing activity from 1968 through the present.

In 2005, the General Assembly authorized the Commission to also issue tax-exempt bonds for nonprofit hospitals and health systems. Since February 2007, the Commission has issued nearly

six billion dollars of hospital bonds. Again, the debt service on these bonds is paid entirely by the hospital systems. The State is not responsible for and makes no payments on these bonds.

Institutions issuing debt through the Commission can reduce the interest rate on the debt by as much as two percentage points, thus saving up to 25% on their annual interest costs. Based on the outstanding principal amount of bonds and an estimated average interest rate of five percent, this represents an annual savings of well over \$80 million to these nonprofit colleges, universities and hospital systems.

The Commission is a modest agency with no General Revenue Fund budget and minimal operating costs. Revenues are derived from fees paid by the participating colleges, universities and hospital systems. A flat fee of \$500 is paid to the Commission by each applicant at the initial stage of the process. After the bonds have actually been issued a second small fee is assessed – never less than \$3,000 and no more than \$25,000.

Revenues from these fees help the Commission defray administrative costs and reimburse Commission members for their expenses related to the work of the Commission, such as travel to meetings, membership fees in the National Association of Health and Educational Facilities Financing Authorities, and occasional fees for such things as ethics training and audits conducted by the State Auditor's Office. Commission members receive no compensation for their services.

The Commission seeks funding of \$12,500.00 in FY 2020 and \$12,500.00 in FY 2021. This is the same amount requested in the current biennium.

Thank you for the opportunity to testify before this subcommittee. I would be happy to provide additional information as requested by the subcommittee.

On behalf of the Commission, we appreciate your consideration of our request.

## **Appendix A**

### **Members of the Ohio Higher Educational Facility Commission**

**April 2019**

Mr. Thomas F. Needles, Chair  
322 Fairway Circle  
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Chancellor of the Ohio Department of Higher Education or the designee of the Chancellor

Mr. John Martin, Secretary

Mr. John C. Adams

Mrs. Wanda L. Carter, Esq.

Mr. James V. Shindler

Ms. Susan Tate

Mr. James R. Wilson