

Government of the District of Columbia
Office of the Chief Financial Officer



Jeff DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeff DeWitt
Chief Financial Officer

DATE: March 13, 2014

SUBJECT: Fiscal Impact Statement – “Boards and Commissions Reform Act of 2014”

REFERENCE: Bill 20-71 – Committee Print as provided to the Office of Revenue Analysis on February 12, 2014

Conclusion

Funds are not sufficient in the FY 2014 through FY 2017 budget and financial plan to implement the bill.

The bill creates an independent agency called the 51st Statehood Commission. The implementation of this provision is subject to appropriation in an approved budget and financial plan. Although the staffing and operationalizing of this new agency is not required, it is expected the agency will be funded and staffed eventually. Its budget will depend on the staffing levels and the extent of its operations.

Background

The bill eliminates thirty-two District of Columbia Boards and Commissions that were deemed not active or not serving a useful purpose by the Mayor’s Office of Boards and Committees. Six of the eliminated boards¹ will serve as Advisory Committees to the Board of Medicine, under the control of the Department of Health. The agency appeal functions of two of the eliminated commissions will be transferred to the Office of Administrative Hearings (OAH)². The list of the eliminated boards can be found in the appendix to this fiscal impact statement.

¹ The boards on Acupuncture, Anesthesiologist Assistants, Naturopathic Medicine, Physician Assistants, Polysomnography, and Surgical Assistants are reconstituted under the Board of Medicine by the bill.

² The District of Columbia Small and Local Business Opportunity Commission and the Occupational Safety and Health Commission will have their agency appeals functions transferred to OAH.

Lastly, the District of Columbia Statehood Delegation Fund Commission and the 51st State Commission will be merged into a new independent agency called the 51st Statehood Commission. ("Statehood Commission"). The purpose of the Statehood Commission will be to promote statehood for the District of Columbia, and it will have authority to solicit funding and grants to fund its operations.³ The Statehood Commission will be staffed and operational only after it is funded in a proposed budget and financial plan. It will have 15 Commissioners - ten appointed by the Mayor and five appointed by the Council - who will serve three-year terms. The Mayor and Chairman of the Council of the District Columbia are established as *ex-officio* members of the Statehood Commission, but other Commissioners cannot be employees of the District or federal governments, or be employed by, or hold office, in the D.C. Congressional Delegation. The bill also establishes requirements with regard to hiring in the agency, and requires that a report of activities to the Mayor and Chairman of the Council on a semi-annual basis and have a public meeting at least four times a year.

Financial Plan Impact

Funds are not sufficient in the FY 2014 through FY 2017 budget and financial plan to implement the bill.

The implementation of the provision which creates the Statehood Commission is subject to appropriation in an approved budget and financial plan. Although the staffing and operationalizing of this new agency is not required, it is expected the Statehood Commission will be funded and staffed eventually. Its budget will depend on the staffing levels and the extent of its operations. If the Commissioners are able to raise funds to pay for its operations, the bill allows for revenues to be deposited in the existing special purpose revenue fund for the D.C. Congressional Delegation.

As many of these Boards and Commissions were already defunct in practice, there is no budget impact due to their elimination. The six active Commissions being reconstituted under the Department of Health (DOH) will be able to operate as they have without any budget impact. DOH personnel are already administratively supporting these Commissions, so additional resources are not required.

Also, the agency appeals functions being transferred to OAH will not require additional resources. The District of Columbia Small and Local Business Opportunity Commission and the Occupational Safety and Health Commission have not held any appeal hearings the last three fiscal years, and only three appeal requests have been made in the last three years. As no change in this trend is expected, OAH does not require any additional resources to take on this function. Should a significant increase in hearing requests occurs, it is possible that OAH may require additional resources in the future, but the need is not expected at this time.

³ The bill permits the Agency to deposit funds raised into the Statehood Delegation Fund ("Fund"). Established by D.C. Official Code § 47-1812.11c. The Fund currently receives revenue via a tax check-off for use by the Shadow Delegation. Should the Agency develop a new revenue source, it could be deposited in this fund to be used for Agency expenses.

The Honorable Phil Mendelson

FIS: "Boards and Commissions Reform Act of 2014," Committee Print as provided to the Office of Revenue
Analysis on February 12, 2014

Appendix- Boards and Commissions eliminated by the bill

- Advisory Board of Vocational Education and Skills Training
- Advisory Committee on Acupuncture
- Advisory Committee on Anesthesiologist Assistants
- Advisory Committee on Naturopathic Medicine
- Advisory Committee on Physician Assistants
- Advisory Committee on Polysomnography
- Advisory Committee on Surgical Assistants
- Board of Trustees of the Tobacco Settlement Trust Fund
- Choice in Drug Treatment Advisory Commission
- Citizen Advisory Committee to the Soil and Water Conservation District
- College Savings Program Advisory Board
- Comprehensive Homicide Elimination Strategy Task Force
- District of Columbia Cable Television Advisory Committee
- District of Columbia Securities Advisory Committee
- District of Columbia Small and Local Business Opportunity Commission
- District of Columbia Unemployment Compensation Board
- Environmental Planning Commission
- Gas Station Advisory Board
- Housing Authority Advisory Committee
- Library Enhancement Task Force
- Make a Difference Selection Committee
- Notary Public Board of Review
- Occupational Safety and Health Commission
- Public School Modernization Advisory Committee
- Recreation Assistance Board
- Security Officer Advisory Commission
- Technology Opportunity Development Task Force
- Tenant Advisory Council
- Statehood Commission
- Statehood Compact Commission
- District of Columbia Statehood Delegation Fund Commission
- 51st State Commission