

The Executive *Elected Officials*

The executive branch of Ohio's state government consists of six elected officials: the governor, lieutenant governor, attorney general, secretary of state, auditor of state, and treasurer of state. All are elected to serve four-year terms, with the governor and lieutenant governor elected on a single ballot as a team. All are limited by the Ohio Constitution to two consecutive terms but may run again after four years out of that office. Elections are held in even-numbered years (2018, 2022, etc.) between presidential elections. In addition to these six offices, the executive branch includes the departments or agencies responsible for administering state policy in major areas such as finance, transportation, health, human services, and natural resources. These departments and agencies are established by law and may be abolished or altered legislatively. Additional boards and commissions have been established for specific purposes and made part of the executive branch.

Governor

The governor is the head of the executive branch of state government. It is the governor's responsibility to ensure that all laws are faithfully executed; report the condition of the state to the legislature at each session of the General Assembly; recommend new laws to each session; and, in odd-numbered years, prepare and present a proposed state budget for the next biennium. The governor also is the commander-in-chief of the Ohio National Guard.

The governor plays an important role in legislative matters. He or she has more than one way to enable or prevent a bill from becoming law, as explained on page 18. The governor is responsible for coordinating all of the agencies in the state's executive branch and supervising state programs.

Through the power of appointment, the governor exercises wide executive authority beyond that expressly granted in the Ohio Constitution. With the consent of the Senate, the governor appoints the directors of all administrative departments except the Department of Education. Further, the governor appoints many of the heads of divisions within departments and members of numerous boards and commissions created by the legislature. The governor can also create new commissions and boards by executive order. Executive orders are rules or orders issued by the governor that carry the force of law. The makeup of the governor's cabinet varies

from administration to administration, but it usually includes the department heads and any others whom the governor may invite to sit with them.

When the U.S. president or other states call for conferences on issues of national or regional importance, the governor represents Ohio and defines the state's position. Conferences may deal with such questions as the control of power-plant emissions, a Midwestern agricultural policy, or economic development.

The Governor's Powers

Compared with other states, Ohio's governor has what are known as a "strong" gubernatorial powers. The strength of such power is determined by a governor's appointment powers and veto powers.

Lieutenant Governor

The lieutenant governor is elected jointly with the governor. As with U.S. president and vice president, a single vote is cast for both candidates in the general election.

The lieutenant governor is a member of the governor's cabinet, serves as chief liaison to county and local governments, and has other executive duties as assigned by the governor or as provided by law. The lieutenant governor may be appointed as a department head or as the governor's representative on various boards or commissions.

If the governor dies, resigns, is convicted on impeachment, is removed or suffers a disability that prevents fulfillment of the duties of the office, the lieutenant governor succeeds to the office of governor. In case of disability, the lieutenant governor serves as governor until the disability ends, as determined by the Supreme Court of Ohio. The gubernatorial line of succession extends from lieutenant governor to president of the Senate to speaker of the House of Representatives.

A constitutional amendment passed in 1989 provides that, in the case of a vacancy in the office of lieutenant governor, the governor nominates a lieutenant governor, who will take office upon confirmation by both houses of the General Assembly.

Attorney General

The attorney general is the chief legal officer of the state and represents Ohio in all cases in which the state is a party or has a significant interest. The attorney general's office provides legal counsel to all elected state officials, state departments, commissions, and the General Assembly. Most often, this representation is provided through the assignment of an assistant attorney general to work on a regular basis with a given agency. The attorney general is also responsible for the collection of debts owed to the state.

The attorney general provides formal and informal opinions on Ohio law in response to requests from elected state officials, the General Assembly, the heads of state departments and agencies, and the 88 county prosecutors. In addition, the attorney general's office enforces Ohio's laws dealing with consumer protection, antitrust, environmental protection, nursing home patient abuse and neglect, organized crime, and charitable foundations. The attorney general provides direct assistance to Ohio's local law enforcement agencies through the Bureau of Criminal Investigation. Upon request by law enforcement, the bureau provides investigative services including scientific analysis of crime scenes and evidence.

The Ohio Peace Officer Training Commission, a nine-member board to advise the attorney general, is appointed by the governor with advice and consent of the Senate. It establishes uniform courses of law enforcement training for sheriff and police departments and other peace officers throughout Ohio. It also supervises the Ohio Peace Officer Training Academy.

The attorney general serves as a member of the State Sinking Fund Commission, which administers the sale and redemption of voter-authorized bonds, and the State Board of Deposit.

Auditor of State

The auditor of state is the chief accounting officer for the state of Ohio and is responsible for auditing all public offices in Ohio, including cities and villages, counties and townships, schools and universities, as well as the many departments, agencies, and commissions of state government, at least every two fiscal years. The office conducts special audits to investigate fraud, waste, and abuse.

The Financial Audit Group conducts financial audits of all public entities as required under Ohio law. The Local Government Services Section serves as a consulting and fiscal advisory group to all governmental agencies and subdivisions. It provides assistance with financial forecasts, complying with standards changed under generally accepted accounting principles, annual financial reports, record reconstruction and reconciliation, fiscal watch or emergency assistance, and offers financial management training for elected officials. The Medicaid contract audit section is charged with ensuring Ohio's Medicaid dollars are spent legally by those working under contracts with state agencies.

The Auditor also conducts performance audits of state agencies, and school districts designated to be in fiscal caution, fiscal watch or fiscal emergency due to financial troubles. These audits are designed to identify areas of inefficiency or low effectiveness and recommend corrective action.

In addition to auditing responsibilities, the auditor's office issues checks, called warrants, annually for the state payroll, public assistance payments, and payments to the state's suppliers of goods and services.

The auditor distributes all state subsidies and taxes collected on behalf of local

governments to local political subdivisions. He or she sits on various boards and commissions, including the six public employee retirement systems and the Apportionment Board, and is president of the Sinking Fund Commission.

Secretary of State

The secretary of state is the chief elections officer for Ohio, overseeing the administration of all elections in the state to assure compliance with state and federal laws. Ohio law provides for county boards of elections in each county to carry out the election process under the secretary of state's direction. The secretary of state supervises the administration of election laws; reviews statewide initiative and referendum petitions; chairs the Ohio Ballot Board, which approves ballot language for statewide issues; canvasses votes for all elective state offices and issues; investigates election fraud and irregularities; trains election officials, and works with counties to train poll workers.

The Elections Division of the secretary of state's office also compiles and maintains election statistics and other election-related records. Statewide candidates, state political action committees (PACs), state political parties and legislative caucus campaign committees file reports on their campaign fundraising and spending with the office.

The secretary of state is a member of the Ohio Redistricting Commission, which meets every 10 years following the decennial census. The seven-member board redraws boundaries for each of the 99 Ohio House and 33 Ohio Senate districts to reflect population changes. The commission's procedures are detailed on page 10.

The Business Services Division receives and approves articles of incorporation for Ohio business entities and grants licenses to out-of-state corporations seeking to do business in Ohio. Limited partnerships and limited liability companies also file with the Secretary of State's office.

The Corporations Section of the Business Services Division approves amendments to filed documents, mergers, consolidations and dissolutions; and registers trademarks, trade names, service marks and fictitious names, the legal term for the name of a business that's different from the owner or incorporator of the business. This section also approves and keeps a registry of business names, names and addresses of statutory agents, incorporators' names, corporations' charter numbers, dates of incorporation, and the number of authorized stock shares per corporation.

License to Marry

The Secretary of State's office licenses ministers for the purpose of performing marriage ceremonies in Ohio. Licenses are issued to any ordained or licensed minister of any religious society or congregation requesting the license.

Lenders and other secured parties file financing statements in the Uniform Commercial Code section of the Business Services Division to claim an interest in collateral used for a loan and to have the claim indexed for public notice.

The secretary of state is the official custodian of all laws passed by the General Assembly and of the journals of both houses. All state departments and agencies must file their administrative rules and regulations with the office.

Treasurer of State

The treasurer of state serves as the state's banker and chief fiscal officer. If the Ohio treasury were a bank, it would be the largest in the state. Its holdings include both cash and investments held for state and custodial funds. Overall, the treasurer's main duties are to collect, invest, and protect state funds.

Among the most important functions of the Ohio treasurer are collecting and processing billions of dollars of taxpayers' money each year. The treasurer does not levy taxes and is not responsible for the administration or enforcement of tax laws.

The treasurer's office collects and processes most state taxes, licenses, and fees. The Ohio Department of Taxation collects the personal income tax, horse racing tax, motor vehicle sales tax and, with the Department of Commerce, liquor taxes. The departments deposit the taxes into the Ohio treasury.

The treasurer also acts as protector of state and custodial funds, which include investment assets of the five public pension systems: Public Employees Retirement System, State Teachers Retirement System, School Employees Retirement System, Police and Firemen Disability and Pension Funds, and the Ohio Highway Patrol Retirement System as well as the Industrial Commission and various other custodial accounts.

In addition, the treasurer manages a public funds investment pool for local government subdivisions. The State Treasury Asset Reserve (STAR Ohio) offers participating school districts, cities, counties, or other local governments an investment alternative that has historically proven profitable and dependable.

Among his or her obligations, the treasurer serves on other state boards and commissions and is the statutory chair of the three-member State Board of Deposit. Other members are the attorney general and auditor. The treasurer is a member of the Sinking Fund Commission and is a member and ex-officio treasurer of the Ohio Public Facilities Commission. The latter commission administers bond programs funding capital improvements for higher education, mental health and park facilities.

Only the treasurer can issue bonds for Ohio's voter-authorized Infrastructure Improvements Program, which makes monies available to local governments to fund projects to improve roads, bridges, and other infrastructure activities. The treasurer also issues bonds for the Ohio School Facilities Commission, which provides funding for the construction or renovation of school buildings.