

Executive

As Passed by the House

**DOTCD38                      Removal of the requirement for ODOT to adopt a business plan**

**R.C.                      5501.20**

Removes the requirement that ODOT adopt a business plan every two years outlining the Department's mission, business objectives, and strategies, as well as adopt procedures for certain professional employees' performance accountability.

**Fiscal effect: Minimal decrease in administrative costs.**

**R.C.                      5501.20**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DOTCD42                      Ohio Maritime Assistance Program**

(1) No provision.

(2) No provision.

(3) No provision.

**R.C.                      5501.91, Section 411.20**

(1) Creates the Ohio Maritime Assistance Program under which certain port authorities may apply for grants to construct new marine cargo terminals or improve existing terminals on the shores of Lake Erie, on the shores of the Ohio River, or on a Lake Erie Tributary.

(2) Requires ODOT to determine criteria for grants under the program, but specifies that the criteria must address the following: (A) the degree to which the project will increase efficiency or capacity of terminal operations, (B) whether the project will result in the handling of new types of cargo or an increase in cargo volume, and (C) whether the project will meet an identified supply chain need or benefit Ohio firms that export goods to foreign markets, or import goods to Ohio for use in manufacturing or for value-added distribution.

(3) Lists the following permissible uses of grant awards under the program: (A) land acquisition or site development, including demolition and environmental remediation; (B) construction of support infrastructure related to maritime commerce and

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<p>(4) No provision.</p> <p>(5) No provision.</p>	<p>harbor operations; (C) construction and repair of various logistics facilities related to marine cargo terminals; (D) acquisition of cargo handling equipment and machinery, and (E) planning and design services and other services associated with construction.</p> <p>(4) Requires port authorities to provide matching funds on a 1:1 basis for each grant dollar awarded to the project.</p> <p>(5) Requires OBM to transfer \$10.0 million cash from the Facilities Establishment Fund (Fund 7037) to the Ohio Maritime Assistance Fund (Fund 5QT0) in each of FY 2020 and FY 2021. Creates Fund 5QT0.</p> <p><b>Fiscal effect: The House budget provides \$10.0 million in funding for the program under Fund 5QT0 line item 776670, Ohio Maritime Assistance Program, in FY 2020 and FY 2021. Fund 7037 is used by the Development Services Agency to award loans to businesses for land and building acquisition, construction, expansion or renovation and equipment purchases.</b></p>
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DOTCD45 Ohio Turnpike and Infrastructure Commission - contracts

<p>No provision.</p> <p>No provision.</p>	<p><b>R.C. 5537.07, 5537.13</b></p> <p>(1) Authorizes the Ohio Turnpike and Infrastructure Commission to use a value-based selection process for projects that involve both design and construction elements in a single contract, rather than being required to select the lowest responsive and responsible bidder, as under current law.</p> <p>(2) Authorizes the Commission to enter into contracts via a competitive proposal process, when the Commission determines that competitive bidding is not practical or advantageous to the Commission.</p>
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No provision.

(3) Raises the threshold for when a bond is required for goods and services contracts from \$150,000 to \$500,000.

No provision.

(4) Authorizes the Commission to enter into contracts for the purchase of equipment, materials, and services without public advertising for the following: (A) construction of a temporary bridge; (B) temporary emergency repairs to a highway or bridge after a storm, flood, landslide, or other natural disaster; and (C) in response to circumstances created by an extraordinary emergency, as determined by the Commission.

No provision.

(5) Authorizes the Commission to use a shorter form of public notice, currently available to state agencies and political subdivisions, and removes the restriction that all notices occur in a Franklin County newspaper.

**Fiscal effect: Uncertain.**

DOTCD41

Ohio Turnpike and Infrastructure Commission - audits and financial reports

R.C. 5537.17

Eliminates the requirement that the Auditor of State make an unannounced annual audit of the Ohio Turnpike and Infrastructure Commission's accounts and transactions. Requires the Commission's books to be annually audited by certified public accountants approved by the Auditor of State instead of by any CPAs. Eliminates the requirement that, by July 1st of each year, the Commission make an annual report of its activities over the preceding calendar year, including a complete operating and financial statement, and provide the report to the Governor and the General Assembly.

R.C. 5537.17

Same as the Executive.

Same as the Executive.

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Requires the Commission to annually submit a comprehensive annual financial report containing its audited financial statements for the preceding calendar year, to the Governor, the General Assembly, and the Director of Budget and Management, by July 1st of each year. Specifies that such report must include a complete operating and financial statement covering the Commission's operations and funding of any Turnpike projects and infrastructure projects during the year.

**Fiscal effect: Minimal decrease in administrative costs to the Commission.**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

DOTCD44

**Capital appropriation change for Allen County**

No provision.

**Section: 601.10**

Amends Sections 225.10 of H.B. 529 of the 132nd General Assembly, the capital budget for the FY 2019-FY 2020 capital biennium, to change the line item name of Administrative Building Fund (Fund 7026) line item C77706 to "Allen County Building Demolition, Maintenance, or Construction" instead of "Allen County Building Demolition" as under current law.

**Fiscal effect: The capital appropriation for line item C77706 was \$200,000 in H.B. 529 of the 132nd General Assembly.**

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**DOTCD39 Diesel Emissions Reduction Grant Program**

**Section: 755.10**

(1) Establishes a Diesel Emissions Reduction Grant Program (DERG) in the Highway Operating Fund (Fund 7002) and requires the Ohio Environmental Protection Agency (EPA) to administer the program and solicit, evaluate, score, and select projects submitted by public and private entities that are eligible for the federal Congestion Mitigation and Air Quality (CMAQ) Program. Requires ODOT to process Federal Highway Administration (FHWA) projects as recommended by EPA.

(2) Specifies that in addition to the expenditures allowed under RC 122.861, listing the types of projects eligible for grants, program funds also may be used to assist projects involving the purchase or use of hybrid and alternative fuel vehicles that are allowed under CMAQ guidance developed by FHWA.

(3) Requires public entities eligible to receive program funds to be reimbursed from moneys in Fund 7002. Requires private entities eligible to receive funds to be reimbursed at the discretion of the local public sector agency and upon approval by ODOT, through direct payments to the vendor in the prorated share of federal/state participation. Specifies that the reimbursements shall be made from moneys in Fund 7002.

(4) Specifies that expenditures for the program from Fund 7002 shall not exceed \$10 million in both FY 2020 and FY 2021.

(5) Specifies that any allocations under this section of the bill represent CMAQ program moneys within ODOT for program use by EPA, and that such allocations shall not reduce the amount of moneys designated for metropolitan planning organizations

**Section: 755.10**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

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(MPOs).

(6) Requires EPA, in consultation with ODOT, to develop guidance for the distribution of funds and for the administration of the program. Requires the guidance to include a method of prioritization for projects, acceptable technologies, and procedures for awarding grants.

**Fiscal effect: The Diesel Emissions Reduction Grant Program has been authorized under temporary law of main operating budget bills in the same or a similar manner since the FY 2012-FY 2013 biennium. Up to \$10 million over the FY 2020-FY 2021 biennium may be used for the program from Fund 7002, the same amount allowed for the current FY 2018-FY 2019 biennium.**

(6) Same as the Executive.

**Fiscal effect: Same as the Executive.**

DOTCD43

Ohio Maritime Commission Study Committee

No provision.

**Section: 755.20**

(1) Creates the 21-member Ohio Maritime Commission Study Committee chaired by a consultant familiar with maritime matters appointed by the Director of Transportation. Includes the following on the Study Committee roster: 10 members from the Ohio River region appointed by the Speaker of the House, and 10 members from the Lake Erie region appointed by the President of the Senate. Requires that half of the members from each region represent the private sector and half represent the public sector.

No provision.

(2) Requires the Study Committee to examine whether Ohio would benefit from the creation of a maritime commission, specifically by gathering information on all of the following: (A) other states that have created a maritime commission; (B) the benefits and structure of other similar Ohio commissions; (C) the current need in the Ohio River and Lake Erie regions for a

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No provision.

maritime commission; and (D) input from private and public sector businesses in the regions that would be impacted by the creation of a maritime commission in Ohio.

(3) Requires the Study Committee to submit a report that summarizes its findings and recommendations to the Governor, President of the Senate, Speaker of the House of Representatives, and the majority and minority leadership within six months of the effective date of this provision.

**Fiscal effect: Minimal administrative costs to affected state and local government entities.**