

**As Reported by the Senate State Government Oversight and
Reform Committee**

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Sub. H. B. No. 292

Representative Perales

**Cosponsors: Representatives Grossman, Rosenberger, Fedor, Landis,
Baker, Rogers, Sheehy, Blair, Stebelton, Foley, Butler, Barnes, Burkley,
Driehaus, Hagan, C., Henne, Williams, Adams, R., Amstutz, Anielski, Antonio,
Beck, Bishoff, Blessing, Boose, Boyce, Brown, Buchy, Carney, Celebrezze,
Clyde, Conditt, Derickson, DeVitis, Dovilla, Duffey, Gerberry, Gonzales,
Green, Hackett, Hayes, Huffman, Kunze, Letson, Lundy, McClain, McGregor,
Milkovich, O'Brien, Patterson, Pelanda, Pillich, Ramos, Retherford, Roegner,
Romanchuk, Ruhl, Scherer, Schuring, Slesnick, Strahorn, Terhar, Thompson,
Winburn, Young Speaker Batchelder**

Senators Bacon, LaRose, Uecker, Smith, Brown

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A B I L L

To enact sections 193.01, 193.02, 193.03, 193.04, 1
193.05, 193.07, 193.09, 193.11, 193.13, and 193.15 2
of the Revised Code to create the Federal-Military 3
Jobs Commission to provide financial assistance to 4
federal-military projects and private sector job 5
creation projects associated with federal-military 6
purposes and to create the Ohio Aerospace and 7
Aviation Technology Committee. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 193.01, 193.02, 193.03, 193.04, 9

193.05, 193.07, 193.09, 193.11, 193.13, and 193.15 of the Revised Code be enacted to read as follows:

Sec. 193.01. As used in this chapter:

(A) "Allowable costs" means all or part of the costs approved by the federal-military jobs commission.

(B) "Eligible federal-military project" means a project and its associated public and private sector investment, the operation of which, alone, or in conjunction with other investments, will create new jobs or preserve existing jobs and employment opportunities and improve the economic welfare of the people of the state.

(C) "Governmental action" means any action by a government agency relating to the establishment, development, or operation of an eligible federal-military project and project facilities that the government agency has authority to take or provide for the purpose under law.

(D) "Government agency" means the following:

(1) The state and any state department, division, commission, institution, or authority;

(2) A state-wide elected official;

(3) A municipal corporation, county, or township of the state, or any agency thereof;

(4) Any other political subdivision or public corporation or the United States or any agency thereof;

(5) Any agency, commission, or authority established pursuant to an interstate compact or agreement;

(6) Any combination of divisions (D)(1) to (5) of this section.

(E) "Project facilities" means projects as defined by the 38
commission that comprise all or part of, or serve or are 39
incidental to, an eligible federal-military project. 40

(F) "Property" means real and personal property and 41
interests. 42

(G) "Regional economic development entity" means an entity 43
that is under contract with the federal-military jobs commission 44
to administer financial assistance under this chapter in a 45
particular area of this state, or the government agency designated 46
by the federal-military jobs commission to administer financial 47
assistance on its behalf under this chapter. 48

Sec. 193.02. The general assembly finds that the presence and 49
stability of federal-military installations within the state 50
creates new jobs or preserves existing jobs and employment 51
opportunities and improves the economic welfare of the people of 52
the state and materially contributes to regional economic 53
stability in the area of their locations. Therefore, it is 54
declared to be the public policy of the state, through the 55
operations of this chapter and other applicable laws adopted 56
pursuant to Section 13 of Article VIII, Ohio Constitution, and 57
other authority vested in the general assembly, to assist in and 58
facilitate the establishment or development of eligible 59
federal-military projects and assist and cooperate with any 60
government agency in achieving such purpose. 61

Sec. 193.03. There is hereby created the federal-military 62
jobs program to be administered by the federal-military jobs 63
commission established in section 193.04 of the Revised Code. The 64
program shall enhance, foster, and aid job creation and job 65
preservation in connection with eligible federal-military projects 66
in accordance with this chapter. 67

Sec. 193.04. (A) There is hereby created the federal-military jobs commission to develop and maintain an ongoing strategy for retention and growth of federal-military jobs and associated private sector jobs in the state. The commission shall establish criteria for and make available financial assistance for eligible federal-military projects and take such other actions as necessary to implement the federal-military jobs program established in section 193.03 of the Revised Code.

(B) The commission shall consist of the following members:

(1) Three members appointed by the president of the senate, one of which is recommended by the minority leader of the senate;

(2) Three members appointed by the speaker of the house of representatives, one of which is recommended by the minority leader of the house of representatives;

(3) Three members appointed by the governor.

(C)(1) Initial appointments to the commission shall be made not later than September 1, 2014. Of the initial appointees made by the governor, one shall serve an initial term of one year, one shall serve an initial term of two years, and one shall serve an initial term of three years. Thereafter, each member appointed by the governor shall serve a three-year term. The members appointed by the speaker and president shall serve three-year terms.

(2) Appointments made by the governor shall require confirmation of the senate. Members may be reappointed to the commission. Vacancies on the commission shall be filled in the same manner as the original appointments.

(3) Members serve at the pleasure of, and may be removed for just cause by, the member's appointing authority.

(D) The first person appointed by the president of the senate shall schedule the first meeting of the commission. At the first

meeting, the commission shall select a chairperson from among its 98
members. After the first meeting, the commission shall meet at 99
least once during each quarter at the call of the chairperson or 100
upon the request of a majority of the commission's members. A 101
majority of the commission constitutes a quorum, and no action 102
shall be taken without the concurrence of a majority of the 103
members. 104

(E) The treasurer of state shall provide administrative 105
assistance to the commission, including office space and 106
facilities for the commission. 107

(F) The commission shall administer any money that may be 108
appropriated to it by the general assembly, and the treasurer of 109
state may pay expenses related to the commission, which shall be 110
reimbursed from the federal-military jobs fund. 111

(G) The treasurer of state may adopt rules under Chapter 119. 112
of the Revised Code to implement this chapter, which rules shall 113
be consistent with rules adopted under division (D) of section 114
193.05 of the Revised Code. 115

(H) Commission members shall serve without compensation, but 116
shall be reimbursed for actual and necessary expenses incurred in 117
the performance of commission duties. 118

(I) Members of the commission shall file financial disclosure 119
statements described in division (B) of section 102.02 of the 120
Revised Code. 121

(J) The attorney general shall serve as the legal 122
representative for the commission and may appoint special counsel 123
as necessary for that purpose in accordance with section 109.07 of 124
the Revised Code. 125

Sec. 193.05. (A) The federal-military jobs commission shall 126
be responsible for the furtherance and implementation of 127

federal-military installation jobs and investment programs under 128
this chapter. The federal-military jobs commission may do any of 129
the following: 130

(1) After consultation with appropriate government agencies, 131
make agreements for governmental actions, as authorized by this 132
chapter and other applicable laws, which actions shall be subject 133
to any required actions by the general assembly or the controlling 134
board and subject to applicable local government ordinances, 135
resolutions, and regulations; 136

(2) Receive and accept from any person grants, gifts, and 137
contributions of money, property, labor, and other things of 138
value, to be held, used, and applied only for the purpose for 139
which such grants, gifts, and contributions are made, which, if 140
applicable, shall be deposited into the federal-military jobs 141
fund; 142

(3) Provide financial assistance with moneys from the 143
federal-military jobs fund in accordance with commission rules 144
adopted under division (D) of this section; 145

(4) Enter into appropriate arrangements with any government 146
agency, under which the government agency may take or provide for 147
any governmental action; 148

(5) Perform all other acts and enter into contracts and 149
execute all instruments necessary or appropriate to carry out the 150
provisions of this chapter; 151

(6) Adopt internal rules and policies to implement any of the 152
provisions of this chapter applicable to the commission. 153

(B) Except as otherwise prescribed in this chapter, all 154
expenses incurred by the commission in carrying out the 155
commission's powers and in exercising the commission's duties 156
under this chapter, shall be payable solely from, as appropriate, 157

moneys in the federal-military jobs fund. This chapter does not 158
authorize the commission to incur bonded indebtedness of the state 159
or any political subdivision thereof, or to obligate or pledge 160
moneys raised by taxation for the payment of any guarantees made 161
pursuant to this chapter. 162

(C) Any government agency may enter into an agreement with 163
the commission, any other government agency, or a person to be 164
assisted under this chapter, to take or provide for the purposes 165
of this chapter any governmental action it is authorized to take 166
or provide under this chapter. Any government agency may 167
undertake, on behalf and at the request of the commission, any 168
action which the commission is authorized to undertake pursuant to 169
division (A)(1) of this section. Government agencies of the state 170
shall cooperate with and provide assistance to the commission and 171
the controlling board in the exercise of their respective 172
functions under this chapter. 173

(D) The commission shall adopt rules specifying the types of 174
financial assistance that may be offered under this chapter. 175

Sec. 193.07. (A)(1) There is hereby created in the state 176
treasury the federal-military jobs fund. The fund shall consist of 177
moneys appropriated to it by the general assembly, repayments of 178
principal and interest on financial assistance made from the fund, 179
and any grants or donations received from nonpublic entities. 180

(2) Interest earned on the money in the federal-military jobs 181
fund shall be credited to the fund. 182

(B) Funds for financial assistance authorized by, or powers 183
exercised by, the federal-military jobs commission, including 184
incidental administrative costs and expenses, shall be made from 185
the federal-military jobs fund. 186

Sec. 193.09. (A) Applications describing proposals for 187

financial assistance under the federal-military jobs program shall 188
be submitted to the federal-military jobs commission. The 189
commission may designate regional economic development entities 190
for technical or administrative assistance with the application 191
process. The commission shall award financial assistance under the 192
program in accordance with criteria developed by the commission. 193

(B) Not later than January 31, 2015, the commission shall 194
establish criteria for evaluating proposals and awarding financial 195
assistance for eligible federal-military projects. The criteria 196
for evaluating proposals may include the following provisions: 197

(1) The total number of jobs created or preserved; 198

(2) The expected impact on employment in the surrounding 199
region; 200

(3) The expressed support from the applicable federal agency 201
with respect to the eligible federal-military project; 202

(4) The expected return on investment, based on the ratio of 203
expected savings; 204

(5) The number of participating entities in the proposal; 205

(6) The probability of the proposal's success; 206

(7) The percentage of local matching funds available; 207

(8) The ability to replicate the proposal in other political 208
subdivisions; 209

(9) Whether the proposal is part of a larger consolidation 210
effort by the applicant or applicants; 211

(10) If applicable, the federal or military value of the 212
proposal, which may provide in whole or in part, current and 213
future mission capabilities and the impact on operational 214
readiness; 215

(11) If applicable, whether the proposal provides the ability 216

<u>to accommodate contingency, mobilization, surge, and future total</u>	217
<u>force increases;</u>	218
<u>(12) If applicable, the operational value of the project for</u>	219
<u>military purposes;</u>	220
<u>(13) A recommendation from JobsOhio on return on investment</u>	221
<u>for the state.</u>	222
<u>Sec. 193.11. The federal-military jobs commission shall, in</u>	223
<u>exercising its powers and duties, develop and implement plans for</u>	224
<u>encouraging local support for the purposes of the federal-military</u>	225
<u>jobs program under this chapter and for each eligible</u>	226
<u>federal-military project for which it provides financial</u>	227
<u>assistance.</u>	228
<u>Sec. 193.13. Not later than the thirty-first day of January</u>	229
<u>of each year, the federal-military jobs commission shall submit a</u>	230
<u>report to the governor, the president and minority leader of the</u>	231
<u>senate, and the speaker and minority leader of the house of</u>	232
<u>representatives that outlines the commission's activities for the</u>	233
<u>preceding year. The report shall include a listing of recipients</u>	234
<u>of financial assistance, if any, the amount of such financial</u>	235
<u>assistance, and any other information about the federal-military</u>	236
<u>jobs program that the commission determines necessary to include</u>	237
<u>in the report.</u>	238
<u>Sec. 193.15. (A) There is hereby created the Ohio aerospace</u>	239
<u>and aviation technology committee, consisting of the following</u>	240
<u>members:</u>	241
<u>(1) Three members of the senate, appointed by the president</u>	242
<u>of the senate, not more than two of whom may be members of the</u>	243
<u>same political party;</u>	244
<u>(2) Three members of the house of representatives, appointed</u>	245

by the speaker of the house of representatives, not more than two 246
of whom may be members of the same political party; 247

(3) Fifteen members representing the aviation, aerospace, or 248
technology industry, the military, or academia. One such member 249
shall be appointed by the governor, and fourteen such members 250
shall be appointed by majority vote of the six members 251
representing the senate and house of representatives. 252

The legislative members of the committee shall be appointed 253
not later than September 1, 2014, and the remaining members shall 254
be appointed within ten days thereafter. The initial term of all 255
members shall end on December 31, 2016. Thereafter, the term of 256
all members shall end on the thirty-first day of December of the 257
year following the year of appointment. Vacancies shall be filled 258
in the manner of the original appointment. 259

The first legislator appointed to the committee by the 260
speaker of the house of representatives after the effective date 261
of H.B. 292 of the 130th general assembly shall serve as the first 262
chairperson of the committee and shall serve until December 31, 263
2016. Every general assembly thereafter, the chairperson shall 264
alternate between the first legislator appointed by the president 265
of the senate and the first legislator appointed by the speaker of 266
the house of representatives. 267

(B) The duties of the committee shall include, but are not 268
limited to, all of the following: 269

(1) Advising the federal-military jobs commission on matters 270
related to a statewide strategy to maintain and grow jobs in the 271
areas of aviation, aerospace, and technology; 272

(2) Studying and developing comprehensive strategies to 273
promote the aviation, aerospace, and technology industry 274
throughout the state, including through the commercialization of 275
aviation, aerospace, and technology products and ideas; 276

<u>(3) Encouraging communication and resource-sharing among</u>	277
<u>individuals and organizations involved in the aviation, aerospace,</u>	278
<u>and technology industry, including business, the military, and</u>	279
<u>academia;</u>	280
<u>(4) Promoting research and development in the aviation,</u>	281
<u>aerospace, and technology industry, including research and</u>	282
<u>development of unmanned aerial vehicles;</u>	283
<u>(5) Providing assistance related to military base realignment</u>	284
<u>and closure.</u>	285
<u>(C) The Ohio aerospace and aviation council shall serve as an</u>	286
<u>advisory council to the committee.</u>	287
<u>(D) The committee shall compile an annual report of its</u>	288
<u>activities, findings, and recommendations and shall furnish a copy</u>	289
<u>of the report to the governor, president of the senate, and</u>	290
<u>speaker of the house of representatives not later than the first</u>	291
<u>day of July of each year.</u>	292
Section 2. The President of the Senate and the Speaker of the	293
House of Representatives shall appoint initial legislative members	294
of the Ohio Aerospace and Aviation Technology Committee on or	295
before thirty days after the effective date of this act, and the	296
legislative members of the Committee shall meet and appoint the	297
remaining members of the Committee on or before thirty days	298
thereafter. The term of all members so appointed shall end on the	299
last day of the 130th General Assembly.	300