

As Passed by the House

135th General Assembly

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H. B. No. 469

Representatives Robb Blasdel, Jones

**Cosponsors: Representatives Abdullahi, Abrams, Brennan, Brown, Carruthers,
Dell'Aquila, Dobos, Edwards, Grim, Isaacsohn, Miller, A., Miller, J., Patton, Rogers,
Schmidt, Thomas, C., Whitted, Speaker Stephens**

A BILL

To enact sections 122.29, 122.291, 122.292, and 1
122.293 of the Revised Code to create the Ohio 2
River Commission of Ohio. 3

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

Section 1. That sections 122.29, 122.291, 122.292, and 4
122.293 of the Revised Code be enacted to read as follows: 5

Sec. 122.29. (A) The Ohio River Commission of Ohio is 6
created as an independent agency of the state within the 7
department of development to develop and promote economic 8
development, marine cargo terminal operations, and travel and 9
tourism on the Ohio river and its tributaries. The commission 10
consists of the following members: 11

(1) The director of development, or the director's 12
designee, who shall serve as chairperson of the commission; 13

(2) The director of transportation, or the director's 14
designee; 15

(3) The director of natural resources, or the director's 16

designee; 17

(4) Two members representing the general public, one of 18
whom shall be appointed by the president of the senate and one 19
of whom shall be appointed by the speaker of the house of 20
representatives; 21

(5) Six members appointed by the governor with the advice 22
and consent of the senate, three of whom represent private 23
industry associated or affiliated with marine cargo terminal 24
operations on the Ohio river and three of whom represent private 25
industry possessing experience in marine cargo terminal 26
operations or travel and tourism on the Ohio river. Not more 27
than three of the members appointed by the governor shall be 28
from the same political party. 29

(B) (1) Each appointed member of the commission shall be a 30
resident of this state or a designee of a business licensed or 31
registered in this state. 32

(2) All members shall be reimbursed for actual expenses 33
incurred in the performance of their duties. 34

(C) (1) Within sixty days after the effective date of this 35
section, the governor shall make initial appointments to the 36
commission. Of the initial appointments made to the commission, 37
three shall be for a term ending two years after the effective 38
date of this section, and three shall be for a term ending four 39
years after that date. 40

(2) Terms for all other appointments made to the 41
commission shall be for four years. 42

(3) Vacancies shall be filled in the manner provided for 43
original appointments. Any member appointed to fill a vacancy 44
shall have the same qualifications as the member's predecessor. 45

(4) Each term shall end on the same day of the same month 46
as did the term that it succeeds. Each appointed member shall 47
hold office from the date of the member's appointment until the 48
end of the term for which the member was appointed. Any member 49
appointed to fill a vacancy before the expiration of the term 50
for which the member's predecessor was appointed shall hold 51
office for the remainder of that term. Any appointed member 52
shall continue in office subsequent to the expiration date of 53
the member's term until the member's successor takes office, or 54
for a period of sixty days, whichever occurs first. All members 55
are eligible for reappointment. 56

(D) Six members of the commission constitute a quorum. The 57
affirmative vote of a majority of the quorum is necessary for 58
any action taken by the commission. No vacancy in the membership 59
of the commission impairs the rights of a quorum to exercise all 60
the rights and perform all the duties of the commission. 61

(E) All members of the commission are subject to Chapter 62
102. of the Revised Code. 63

(F) The department of development may use all appropriate 64
sources of revenue to assist the commission in furtherance of 65
the commission's purposes. 66

(G) (1) Expenditures by the department of development, the 67
commission, or any other state agency for capital improvements 68
to promote economic development, marine cargo terminal 69
operations, and travel and tourism on the Ohio river and its 70
tributaries are subject to the approval of the controlling 71
board. 72

(2) The commission shall use all public funds acquired by 73
the commission for developing, implementing, promoting, and 74

regulating economic development, marine terminal operations, and 75
travel and tourism on the Ohio river and its tributaries. 76

(H) The department of development and the department of 77
transportation, upon the request of the commission, shall 78
cooperate in the implementation of this section. 79

(I) Every authority, commission, department, or other 80
agency of this state shall provide the commission with data, 81
plans, research, and any other information that the commission 82
requests to assist it in performing its duties. 83

(J) The commission, or the department of development, on 84
behalf of the commission, may apply for and receive from the 85
United States government loans and grants in accordance with any 86
federal law or program, for the benefit of Ohio River 87
infrastructure, transportation, or recreation and tourism. 88

Sec. 122.291. The Ohio river commission of Ohio shall do 89
all of the following: 90

(A) Employ an executive director who shall have 91
appropriate experience as determined by the commission, and a 92
secretary-treasurer and other employees that the commission 93
considers appropriate. The commission may fix the compensation 94
of the employees. 95

(B) Adopt and, from time to time, ratify, amend, and 96
repeal bylaws necessary and proper for the regulation of its 97
affairs and the conduct of its business and rules to implement 98
and make effective its powers and duties; 99

(C) Adopt an official seal; 100

(D) Maintain a principal office in Columbus, Ohio and, if 101
necessary, regional sub-offices at locations properly designated 102

<u>by the commission;</u>	103
<u>(E) Receive, promote, support, and consider</u>	104
<u>recommendations, from public or private planning organizations,</u>	105
<u>and develop a master plan for Ohio river infrastructure and</u>	106
<u>transportation projects;</u>	107
<u>(F) Coordinate with port authorities, private port</u>	108
<u>operators, metropolitan planning organizations, regional</u>	109
<u>transportation planning organizations, local development</u>	110
<u>districts, Ohio river service entities, utility service</u>	111
<u>providers, and agricultural, tourism, and recreational</u>	112
<u>interests, regarding Ohio river infrastructure and</u>	113
<u>transportation;</u>	114
<u>(G) Coordinate with state agencies, local governments and</u>	115
<u>communities, other states, and the federal government regarding</u>	116
<u>Ohio river issues;</u>	117
<u>(H) Advocate for Ohio river infrastructure and</u>	118
<u>transportation as related to commerce, job creation, economic</u>	119
<u>development, and taxes;</u>	120
<u>(I) Collect, track, and maintain key statistics and data</u>	121
<u>regarding commerce on the Ohio river and make an annual report</u>	122
<u>to the general assembly;</u>	123
<u>(J) Ensure the coordination and monitoring of federal,</u>	124
<u>state, and local policies, programs, and priorities pertaining</u>	125
<u>to the development and operation of marine cargo terminals and</u>	126
<u>travel and tourism on the Ohio river;</u>	127
<u>(K) Prioritize policies, programs, and issues identified</u>	128
<u>in the Ohio maritime strategy prepared by the department of</u>	129
<u>transportation and in the department's "Economic Impact of the</u>	130
<u>Ohio River Maritime Activity" study, as those or similar</u>	131

documents or reports are published and updated from time to time 132
by the department; 133

(L) Coordinate with and assist the various state agencies 134
in their work as it relates to issues concerning the Ohio river; 135

(M) Evaluate policies, programs, programs of research, and 136
priorities to offset the continued decline in coal production 137
and consumption within the Ohio river basin and promote 138
prosperity in the Appalachian region of this state; 139

(N) Administer development funds and seek, support, and 140
assist the Ohio river industry in the utilization of available 141
grants, loans, and other finance mechanisms in support of Ohio 142
river projects; 143

(O) Represent the interests of this state in regional, 144
national, and international forums pertaining to economic 145
development, marine cargo terminals, and travel and tourism on 146
the Ohio river and its tributaries; 147

(P) Coordinate, for dissemination and publication, 148
information regarding the commission and its related activities 149
in connection with the Ohio river. 150

Sec. 122.292. (A) As used in this section, "person" has 151
the same meaning as in section 4981.01 of the Revised Code. 152

(B) The Ohio river commission of Ohio may issue grants and 153
loans to any person for the purpose of developing Ohio river 154
infrastructure or continuing or instituting Ohio river 155
transportation in the state. The grants and loans may be used 156
for rehabilitation, construction, planning, relocation, or 157
acquisition. The grants and loans may be provided by the 158
commission with funds from the United States government, the 159
state, or any person, or from any combination of those sources. 160

The commission shall establish eligibility and distribution 161
criteria for the grants and loans. 162

(C) The commission may cooperate with other states in 163
carrying out the provisions of this section and may enter into 164
any agreements with other states for the operation of Ohio river 165
services. 166

Sec. 122.293. (A) The Ohio river commission of Ohio fund 167
is created in the state treasury. The fund consists of all money 168
as may be provided by law, including money received from any 169
sale, transfer, or lease of property. 170

(B) Money in the fund shall be used for the Ohio river 171
commission of Ohio's purposes specified in section 122.291 of 172
the Revised Code and to pay the administrative expenses of the 173
commission. 174