

As Reported by the House Government Oversight Committee

135th General Assembly

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Am. S. B. No. 195

Senator Manning

Cosponsors: Senators Antonio, Brenner, Chavez, Cirino, Craig, DeMora, Dolan, Gavarone, Hackett, Hicks-Hudson, Ingram, Johnson, Kunze, Landis, Reineke, Roegner, Rulli, Smith, Sykes, Wilkin

A BILL

To enact sections 122.29, 122.291, 122.292, 1
122.293, and 149.60 of the Revised Code to 2
establish the Ohio Ireland Trade Commission and 3
the Ohio River Commission of Ohio. 4

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

Section 1. That sections 122.29, 122.291, 122.292, 5
122.293, and 149.60 of the Revised Code be enacted to read as 6
follows: 7

Sec. 122.29. (A) The Ohio River Commission of Ohio is 8
created as an independent agency of the state within the 9
department of development to develop and promote economic 10
development, marine cargo terminal operations, and travel and 11
tourism on the Ohio river and its tributaries. The commission 12
consists of the following members: 13

(1) The director of development, or the director's 14
designee, who shall serve as chairperson of the commission; 15

(2) The director of transportation, or the director's 16

designee; 17

(3) The director of natural resources, or the director's 18
designee; 19

(4) Two members representing the general public, one of 20
whom shall be appointed by the president of the senate and one 21
of whom shall be appointed by the speaker of the house of 22
representatives; 23

(5) Six members appointed by the governor with the advice 24
and consent of the senate, three of whom represent private 25
industry associated or affiliated with marine cargo terminal 26
operations on the Ohio river and three of whom represent private 27
industry possessing experience in marine cargo terminal 28
operations or travel and tourism on the Ohio river. Not more 29
than three of the members appointed by the governor shall be 30
from the same political party. 31

(B) (1) Each appointed member of the commission shall be a 32
resident of this state or a designee of a business licensed or 33
registered in this state. 34

(2) All members shall be reimbursed for actual expenses 35
incurred in the performance of their duties. 36

(C) (1) Within sixty days after the effective date of this 37
section, the governor shall make initial appointments to the 38
commission. Of the initial appointments made to the commission, 39
three shall be for a term ending two years after the effective 40
date of this section, and three shall be for a term ending four 41
years after that date. 42

(2) Terms for all other appointments made to the 43
commission shall be for four years. 44

(3) Vacancies shall be filled in the manner provided for 45
original appointments. Any member appointed to fill a vacancy 46
shall have the same qualifications as the member's predecessor. 47

(4) Each term shall end on the same day of the same month 48
as did the term that it succeeds. Each appointed member shall 49
hold office from the date of the member's appointment until the 50
end of the term for which the member was appointed. Any member 51
appointed to fill a vacancy before the expiration of the term 52
for which the member's predecessor was appointed shall hold 53
office for the remainder of that term. Any appointed member 54
shall continue in office subsequent to the expiration date of 55
the member's term until the member's successor takes office, or 56
for a period of sixty days, whichever occurs first. All members 57
are eligible for reappointment. 58

(D) Six members of the commission constitute a quorum. The 59
affirmative vote of a majority of the quorum is necessary for 60
any action taken by the commission. No vacancy in the membership 61
of the commission impairs the rights of a quorum to exercise all 62
the rights and perform all the duties of the commission. 63

(E) All members of the commission are subject to Chapter 64
102. of the Revised Code. 65

(F) The department of development may use all appropriate 66
sources of revenue to assist the commission in furtherance of 67
the commission's purposes. 68

(G) (1) Expenditures by the department of development, the 69
commission, or any other state agency for capital improvements 70
to promote economic development, marine cargo terminal 71
operations, and travel and tourism on the Ohio river and its 72
tributaries are subject to the approval of the controlling 73

board. 74

(2) The commission shall use all public funds acquired by 75
the commission for developing, implementing, promoting, and 76
regulating economic development, marine terminal operations, and 77
travel and tourism on the Ohio river and its tributaries. 78

(H) The department of development and the department of 79
transportation, upon the request of the commission, shall 80
cooperate in the implementation of this section. 81

(I) Every authority, commission, department, or other 82
agency of this state shall provide the commission with data, 83
plans, research, and any other information that the commission 84
requests to assist it in performing its duties. 85

(J) The commission, or the department of development, on 86
behalf of the commission, may apply for and receive from the 87
United States government loans and grants in accordance with any 88
federal law or program, for the benefit of Ohio River 89
infrastructure, transportation, or recreation and tourism. 90

Sec. 122.291. The Ohio river commission of Ohio shall do 91
all of the following: 92

(A) Employ an executive director who shall have 93
appropriate experience as determined by the commission, and a 94
secretary-treasurer and other employees that the commission 95
considers appropriate. The commission may fix the compensation 96
of the employees. 97

(B) Adopt and, from time to time, ratify, amend, and 98
repeal bylaws necessary and proper for the regulation of its 99
affairs and the conduct of its business and rules to implement 100
and make effective its powers and duties; 101

<u>(C) Adopt an official seal;</u>	102
<u>(D) Maintain a principal office in Columbus, Ohio and, if necessary, regional sub-offices at locations properly designated by the commission;</u>	103 104 105
<u>(E) Receive, promote, support, and consider recommendations, from public or private planning organizations, and develop a master plan for Ohio river infrastructure and transportation projects;</u>	106 107 108 109
<u>(F) Coordinate with port authorities, private port operators, metropolitan planning organizations, regional transportation planning organizations, local development districts, Ohio river service entities, utility service providers, and agricultural, tourism, and recreational interests, regarding Ohio river infrastructure and transportation;</u>	110 111 112 113 114 115 116
<u>(G) Coordinate with state agencies, local governments and communities, other states, and the federal government regarding Ohio river issues;</u>	117 118 119
<u>(H) Advocate for Ohio river infrastructure and transportation as related to commerce, job creation, economic development, and taxes;</u>	120 121 122
<u>(I) Collect, track, and maintain key statistics and data regarding commerce on the Ohio river and make an annual report to the general assembly;</u>	123 124 125
<u>(J) Ensure the coordination and monitoring of federal, state, and local policies, programs, and priorities pertaining to the development and operation of marine cargo terminals and travel and tourism on the Ohio river;</u>	126 127 128 129

(K) Prioritize policies, programs, and issues identified 130
in the Ohio maritime strategy prepared by the department of 131
transportation and in the department's "Economic Impact of the 132
Ohio River Maritime Activity" study, as those or similar 133
documents or reports are published and updated from time to time 134
by the department; 135

(L) Coordinate with and assist the various state agencies 136
in their work as it relates to issues concerning the Ohio river; 137

(M) Evaluate policies, programs, programs of research, and 138
priorities to offset the continued decline in coal production 139
and consumption within the Ohio river basin and promote 140
prosperity in the Appalachian region of this state; 141

(N) Administer development funds and seek, support, and 142
assist the Ohio river industry in the utilization of available 143
grants, loans, and other finance mechanisms in support of Ohio 144
river projects; 145

(O) Represent the interests of this state in regional, 146
national, and international forums pertaining to economic 147
development, marine cargo terminals, and travel and tourism on 148
the Ohio river and its tributaries; 149

(P) Coordinate, for dissemination and publication, 150
information regarding the commission and its related activities 151
in connection with the Ohio river. 152

Sec. 122.292. (A) As used in this section, "person" has 153
the same meaning as in section 4981.01 of the Revised Code. 154

(B) The Ohio river commission of Ohio may issue grants and 155
loans to any person for the purpose of developing Ohio river 156
infrastructure or continuing or instituting Ohio river 157
transportation in the state. The grants and loans may be used 158

for rehabilitation, construction, planning, relocation, or 159
acquisition. The grants and loans may be provided by the 160
commission with funds from the United States government, the 161
state, or any person, or from any combination of those sources. 162
The commission shall establish eligibility and distribution 163
criteria for the grants and loans. 164

(C) The commission may cooperate with other states in 165
carrying out the provisions of this section and may enter into 166
any agreements with other states for the operation of Ohio river 167
services. 168

Sec. 122.293. (A) The Ohio river commission of Ohio fund 169
is created in the state treasury. The fund consists of all money 170
as may be provided by law, including money received from any 171
sale, transfer, or lease of property. 172

(B) Money in the fund shall be used for the Ohio river 173
commission of Ohio's purposes specified in section 122.291 of 174
the Revised Code and to pay the administrative expenses of the 175
commission. 176

Sec. 149.60. (A) The Ohio Ireland Trade Commission is 177
created. The commission shall study potential means of advancing 178
the following: 179

(1) Bilateral trade and investment between Ohio and 180
Ireland; 181

(2) Policy issues of mutual interest to Ohio and Ireland; 182

(3) Business and academic exchanges between Ohio and 183
Ireland; 184

(4) Mutual economic support between Ohio and Ireland; 185

(5) Mutual investment in the infrastructure of Ohio and 186

<u>Ireland;</u>	187
<u>(6) Other issues as determined by the commission.</u>	188
<u>(B) The commission shall consist of the following members:</u>	189
<u>(1) Three members of the senate, appointed by the</u>	190
<u>president of the senate, who have knowledge of, or current or</u>	191
<u>past involvement in, organizations that promote Irish affairs,</u>	192
<u>or have interest in the well-being of trade relations between</u>	193
<u>Ohio and Ireland;</u>	194
<u>(2) Three members of the house of representatives,</u>	195
<u>appointed by the speaker of the house of representatives, who</u>	196
<u>have knowledge of, or current or past involvement in,</u>	197
<u>organizations that promote Irish affairs, or have interest in</u>	198
<u>the well-being of trade relations between Ohio and Ireland;</u>	199
<u>(3) Three members appointed by the governor, with the</u>	200
<u>advice and consent of the senate, who shall include the</u>	201
<u>following:</u>	202
<u>(a) One member who represents a state institution of</u>	203
<u>higher education, as defined in section 3345.011 of the Revised</u>	204
<u>Code;</u>	205
<u>(b) One member who represents the Ohio chamber of commerce</u>	206
<u>or a successor organization that advances business interests in</u>	207
<u>this state;</u>	208
<u>(c) One member who represents Irish American communities</u>	209
<u>or interest in this state.</u>	210
<u>(C) Members of the commission shall be appointed not later</u>	211
<u>than ninety days after the effective date of this section.</u>	212
<u>Members of the commission appointed under divisions (B) (1) and</u>	213
<u>(2) of this section shall serve terms of two years or for the</u>	214

remainder of the member's legislative term, whichever is less. 215
Members of the commission appointed under division (B) (3) of 216
this section shall serve terms of four years. Any vacancy on the 217
commission shall be filled in the same manner as the original 218
appointment. 219

(D) Members of the commission shall serve without 220
compensation but may be reimbursed for expenses actually 221
incurred in the performance of their duties, within the limits 222
of funds available to the commission for such purposes. 223

(E) (1) The commission shall meet and hold hearings at the 224
places it designates throughout the state. 225

(2) The commission shall elect a chairperson from among 226
the members of the commission. The chairperson may appoint from 227
the commission members of subcommittees and subcommittee 228
chairpersons at the chairperson's discretion. 229

(3) A majority of the members of the commission 230
constitutes a quorum for the transaction of the business of the 231
commission. 232

(F) Not later than fifteen months after the effective date 233
of this section, and annually thereafter, the commission shall 234
issue a report of its activities during the preceding year, and 235
any associated findings and recommendations, to the governor, 236
the president of the senate, and the speaker of the house of 237
representatives. 238

(G) The commission may raise funds through direct 239
solicitation or other fundraising events alone, or with other 240
groups, and accept gifts, grants, and bequests from individuals, 241
corporations, foundations, governmental agencies, and public and 242
private organizations and institutions. The funds, gifts, 243

grants, or bequests received pursuant to this section shall be 244
deposited to the Ohio Ireland trade commission fund, which is 245
created in the state treasury. The commission shall use the fund 246
to defray the commission's administrative expenses and to carry 247
out its purposes set forth in this section. 248