

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 98

Senator Maharath

A BILL

To amend section 121.30 and to enact sections 1
121.34 and 121.341 of the Revised Code to create 2
the Ohio Asian-American and Pacific Islander 3
Affairs Commission and the Office of Asian- 4
American and Pacific Islander Affairs and to 5
make an appropriation. 6

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

Section 1. That section 121.30 be amended and sections 7
121.34 and 121.341 of the Revised Code be enacted to read as 8
follows: 9

Sec. 121.30. As used in sections 121.30 to ~~121.34~~ 121.33 10
of the Revised Code, "Spanish-speaking people" means persons who 11
possess any of the following characteristics: 12

(A) Use Spanish as their primary language; 13

(B) Regard themselves as or are regarded in their 14
community as being of Mexican, Puerto Rican, Cuban, Central 15
American, South American, Spanish, or other Spanish-speaking 16
origin or descent. 17

Sec. 121.34. (A) There is the Ohio Asian-American and 18

Pacific Islander affairs commission consisting of eleven voting 19
members and four ex officio, nonvoting members as provided in 20
divisions (C) and (D) of this section. 21

(B) The Ohio Asian-American and Pacific Islander affairs 22
commission shall do all of the following: 23

(1) Gather and disseminate information and conduct 24
hearings, conferences, investigations, and special studies on 25
problems and programs concerning Asian-Americans and Pacific 26
Islanders; 27

(2) Secure appropriate recognition of the accomplishments 28
and contributions of Asian-Americans and Pacific Islanders to 29
this state; 30

(3) Stimulate public awareness of the problems of Asian- 31
Americans and Pacific Islanders by conducting a program of 32
public education; 33

(4) Develop, coordinate, and assist other public and 34
private organizations that serve Asian-Americans and Pacific 35
Islanders, including the conducting of training programs for 36
community leadership and service project staff; 37

(5) Advise the governor, general assembly, and state 38
departments and agencies of the nature, magnitude, and 39
priorities of the problems of Asian-Americans and Pacific 40
Islanders; 41

(6) Advise the governor, general assembly, and state 42
departments and agencies on, and assist in the development and 43
implementation of, comprehensive and coordinated policies, 44
programs, and procedures focusing on the special problems and 45
needs of Asian-Americans and Pacific Islanders, especially in 46
the fields of education, employment, energy, health, housing, 47

welfare, and recreation; 48

(7) Propose new programs concerning Asian-Americans and Pacific Islanders to public and private agencies and evaluate for such agencies existing programs or prospective legislation concerning Asian-Americans and Pacific Islanders; 49
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(8) Review grants, which are made by federal, state, or private sources, and which are to be administered by the office of Asian-American and Pacific Islander affairs, and approve the administration of the grant by the office or by a subcontractor of the office; 53
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(9) Review and approve the annual report prepared by the office of Asian-American and Pacific Islander affairs; 58
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(10) Provide and coordinate the exchange of information relative to the needs of Asian-Americans and Pacific Islanders and promote the delivery of state services to such people. 60
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(C) The governor shall appoint eleven voting members to the commission with the advice and consent of the senate. The speaker of the house of representatives shall recommend to the governor two persons for appointment to the commission, the president of the senate shall recommend to the governor two such persons, and the minority leaders of the house and senate shall each recommend to the governor one such person. 63
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In addition, two ex officio, nonvoting members of the commission shall be members of the house of representatives appointed by the speaker of the house of representatives and two ex officio, nonvoting members of the commission shall be members of the senate appointed by the president of the senate. The speaker shall appoint one member of the house of representatives from among the representatives who are affiliated with the 70
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political party having a majority in the house of 77
representatives and one member of the house of representatives 78
from among the representatives who are affiliated with the 79
political party having a minority in the house of 80
representatives. The president shall appoint one member of the 81
senate from among the senators who are affiliated with the 82
political party having a majority in the senate and one member 83
of the senate from among the senators who are affiliated with 84
the political party having a minority in the senate. 85

After the governor makes initial appointments to the 86
commission, at the first organizational meeting of the 87
commission, the initial eleven voting members shall draw lots to 88
determine the length of the term each member shall serve. Three 89
shall be for a term ending one year after the effective date of 90
this section, four shall be for a term ending two years after 91
the effective date of this section, and four shall be for a term 92
ending three years after the effective date of this section. 93
Thereafter, terms of office shall be for three years, except 94
that members of the general assembly appointed to the commission 95
shall be members of the commission only so long as they are 96
members of the general assembly. Each term shall end on the same 97
day of the same month of the year as did the term which it 98
succeeds. Each member shall hold office from the date of 99
appointment until the end of the term for which the member was 100
appointed. Vacancies shall be filled in the same manner as the 101
original appointment. Any member appointed to fill a vacancy 102
occurring before the expiration of the term for which the 103
member's predecessor was appointed shall hold office for the 104
remainder of such term. Any member shall continue in office 105
after the expiration of the member's term until the member's 106
successor takes office, or until a period of sixty days has 107

elapsed, whichever occurs first. 108

(D) All voting members of the commission shall be United States citizens or lawful, permanent, resident aliens. Voting members shall be from urban, suburban, and rural geographical areas representative of Asian-American and Pacific Islander peoples with a numerical and geographical balance of the Asian-American and Pacific Islander population throughout the state. 109
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(E) The commission shall meet not less than six times per calendar year. The commission shall elect a chairperson, vice-chairperson, and other officers from its voting members as it considers advisable. Six voting members constitute a quorum. The commission shall adopt rules governing its procedures. No action of the commission is valid without the concurrence of six members. 115
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(F) Each voting member shall be compensated for work as a member for each day that the member is actually engaged in the performance of work as a member, in an amount determined under division (J) of section 124.15 of the Revised Code. No voting member shall be compensated for more than one day each month. In addition, each voting member shall be reimbursed for all actual and necessary expenses incurred in the performance of official business. 122
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Sec. 121.341. The office of Asian-American and Pacific Islander affairs is created. The office shall be accountable to the commission on Asian-American and Pacific Islander affairs. The chief administrator of the office shall be the director of Asian-American and Pacific Islander affairs, who shall be appointed by and serve at the pleasure of the commission. 130
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The director, with the approval of the commission, shall 136

appoint such employees as are necessary to carry out the duties 137
of the office. The employees shall serve at the pleasure of the 138
director. 139

The office shall compile and provide information to the 140
commission about, and advise it on, solutions to the problems of 141
Asian-Americans and Pacific Islanders. The office shall execute 142
the tasks assigned to it by the commission which shall include, 143
but not be limited to, the following: 144

(A) Serve as a clearinghouse to review and comment on all 145
proposals to meet the needs of Asian-Americans and Pacific 146
Islanders that are submitted to it by public and private 147
agencies; 148

(B) Apply for and accept grants and gifts from 149
governmental and private sources to be administered by the 150
office or subcontracted to local agencies; 151

(C) Monitor and evaluate all programs subcontracted to 152
local agencies by the commission, and ensure that any grant or 153
gift is being used for the public purpose intended; 154

(D) Endeavor to assure that Asian-Americans and Pacific 155
Islanders have access to decision-making bodies in all state and 156
local governmental departments and agencies; 157

(E) Submit a full written annual report of its activities, 158
accomplishments, and recommendations to the commission; 159

(F) Establish advisory committees on special subjects as 160
needed to facilitate and maximize community participation in the 161
operation of the commission. The committees shall be composed of 162
persons representing community organizations and charitable 163
institutions, public officials, and such other persons as the 164
office determines. 165

(G) Establish, with state and local governments and private business and industry, relationships that promote and assure equal opportunity for Asian-Americans and Pacific Islanders in government, education, and employment.

Section 2. That existing section 121.30 of the Revised Code is hereby repealed.

Section 3. All items in this section are hereby appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2020 and those in the second column are for fiscal year 2021. The appropriations made in this act are in addition to any other appropriations made for the FY 2020-FY 2021 biennium.

API OHIO ASIAN-AMERICAN AND PACIFIC ISLANDER

AFFAIRS COMMISSION

General Revenue Fund

GRF 126400	Operating Expenses	\$440,944	\$440,944	183
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TOTAL GRF General Revenue Fund		\$440,944	\$440,944	184
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TOTAL ALL BUDGET FUND GROUPS		\$440,944	\$440,944	185
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Section 4. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for as though made in the main operating appropriations act of the 133rd General Assembly.

The appropriations made in this act are subject to all	194
provisions of the main operating appropriations act of the 133rd	195
General Assembly that are generally applicable to such	196
appropriations.	197