

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**S. B. No. 124**

**Senator Williams**

**Cosponsors: Senators Gavarone, Antonio, Fedor, Yuko**

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**A BILL**

To enact section 5501.91 of the Revised Code to 1  
create the Ohio Maritime Assistance Program and 2  
to make an appropriation. 3

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

**Section 1.** That section 5501.91 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 5501.91.** (A) As used in this section, "port 6  
authority" means a port authority created under Chapter 4582. of 7  
the Revised Code. 8

(B) There is hereby established the Ohio maritime 9  
assistance program, which the department of transportation shall 10  
administer. Under the program, a port authority may apply to the 11  
department for a grant to be used as prescribed in division (D) 12  
of this section. In order to be eligible for a grant under this 13  
section, a port authority is required to meet either of the 14  
following requirements: 15

(1) At the time of application for a grant, the port 16  
authority owns an active marine cargo terminal located on the 17  
shore of Lake Erie or the Ohio river or on a Lake Erie 18

tributary. 19

(2) The grant application is for the planning and 20  
construction of a new marine cargo terminal located on the shore 21  
of Lake Erie or the Ohio river or on a Lake Erie tributary. 22

(C) (1) Every applicant for a grant shall submit with its 23  
application a written business justification for the investment 24  
that indicates the operational and market need for the project 25  
in a form the director of transportation shall prescribe. 26

(2) The department shall evaluate all grant applications 27  
according to the following criteria: 28

(a) The degree to which the proposed project will increase 29  
the efficiency or capacity of maritime cargo terminal 30  
operations; 31

(b) Whether the project will result in the handling of new 32  
types of cargo or an increase in cargo volume; 33

(c) Whether the project will meet an identified supply 34  
chain need or benefit Ohio firms that export goods to foreign 35  
markets, or import goods to Ohio for use in manufacturing or for 36  
value-added distribution; 37

(d) Any other criteria the director determines to be 38  
appropriate. 39

(3) If a grant application does not meet the criteria 40  
specified in divisions (C) (2) (b) and (c) of this section, an 41  
applicant is not eligible for a grant under this section. 42

(D) A port authority shall use a grant awarded under this 43  
section only for any of the following purposes: 44

(1) Land acquisition and site development for marine cargo 45

terminal and associated uses, including demolition and 46  
environmental remediation; 47

(2) Construction of wharves, quay walls, bulkheads, 48  
jetties, revetments, breakwaters, shipping channels, dredge 49  
disposal facilities, projects for the beneficial use of dredge 50  
material, and other structures and improvements directly related 51  
to maritime commerce and harbor infrastructure; 52

(3) Construction and repair of warehouses, transit sheds, 53  
railroad tracks, roadways, gates and gatehouses, fencing, 54  
bridges, offices, shipyards, and other improvements needed for 55  
marine cargo terminal and associated uses, including shipyards; 56

(4) Acquisition of cargo handling equipment, including 57  
mobile shore cranes, stationary cranes, tow motors, fork lifts, 58  
yard tractors, craneways, conveyor and bulk material handling 59  
equipment, and all types of ship loading and unloading 60  
equipment; 61

(5) Planning and design services and other services 62  
associated with construction. 63

(E) A port authority shall pay a matching amount of at 64  
least one dollar for each grant dollar received for the proposed 65  
project. 66

(F) The director of transportation, in accordance with 67  
Chapter 119. of the Revised Code, shall adopt rules governing 68  
the program established under this section, including the grant 69  
application, evaluation, award processes, and how the grant 70  
money may be spent by a port authority. 71

**Section 2.** All items in this section are hereby 72  
appropriated as designated out of any moneys in the state 73  
treasury to the credit of the designated fund. For all 74

appropriations made in this act, those in the first column are 75  
for fiscal year 2020 and those in the second column are for 76  
fiscal year 2021. The appropriations made in this act are in 77  
addition to any other appropriations made for the FY 2020-FY 78  
2021 biennium. 79

DOT DEPARTMENT OF TRANSPORTATION 80

Dedicated Purpose Fund Group 81

5QT0            776670            Ohio Maritime Assistance            \$10,000,000 \$10,000,000 82

Program 83

TOTAL DPF Dedicated Purpose Fund Group \$10,000,000 \$10,000,000 84

TOTAL ALL BUDGET FUND GROUPS            \$10,000,000 \$10,000,000 85

OHIO MARITIME ASSISTANCE PROGRAM 86

The foregoing appropriation item 776670, Ohio Maritime 87  
Assistance Program, shall be used for the Ohio Maritime 88  
Assistance Program established in section 5501.91 of the Revised 89  
Code. 90

Notwithstanding anything to the contrary in Chapter 166. 91  
of the Revised Code, the Director of Budget and Management shall 92  
transfer \$10,000,000 cash in each fiscal year from the 93  
Facilities Establishment Fund (Fund 7037) to the Ohio Maritime 94  
Assistance Fund (Fund 5QT0), which is hereby created in the 95  
state treasury. 96

**Section 3.** Within the limits set forth in this act, the 97  
Director of Budget and Management shall establish accounts 98  
indicating the source and amount of funds for each appropriation 99  
made in this act, and shall determine the form and manner in 100  
which appropriation accounts shall be maintained. Expenditures 101  
from appropriations contained in this act shall be accounted for 102

as though made in the main operating appropriations act of the	103
133rd General Assembly.	104
The appropriations made in this act are subject to all	105
provisions of the main operating appropriations act of the 133rd	106
General Assembly that are generally applicable to such	107
appropriations.	108