

**As Reported by Senate Finance Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Am. S. B. No. 98**

**Senator Maharath**

**Cosponsors: Senators Kunze, Sykes**

**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. 5

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

**Section 1.** That section 121.30 be amended and sections 6  
121.34 and 121.341 of the Revised Code be enacted to read as 7  
follows: 8

**Sec. 121.30.** As used in sections 121.30 to ~~121.34~~121.33 9  
of the Revised Code, "Spanish-speaking people" means persons who 10  
possess any of the following characteristics: 11

(A) Use Spanish as their primary language; 12

(B) Regard themselves as or are regarded in their 13  
community as being of Mexican, Puerto Rican, Cuban, Central 14  
American, South American, Spanish, or other Spanish-speaking 15  
origin or descent. 16

**Sec. 121.34.** (A) There is the Ohio Asian-American and 17  
Pacific Islander affairs commission consisting of eleven voting 18

<u>members and four ex officio, nonvoting members as provided in</u>	19
<u>divisions (C) and (D) of this section.</u>	20
<u>(B) The Ohio Asian-American and Pacific Islander affairs</u>	21
<u>commission shall do all of the following:</u>	22
<u>(1) Gather and disseminate information and conduct</u>	23
<u>hearings, conferences, investigations, and special studies on</u>	24
<u>problems and programs concerning Asian-Americans and Pacific</u>	25
<u>Islanders;</u>	26
<u>(2) Secure appropriate recognition of the accomplishments</u>	27
<u>and contributions of Asian-Americans and Pacific Islanders to</u>	28
<u>this state;</u>	29
<u>(3) Stimulate public awareness of the problems of Asian-</u>	30
<u>Americans and Pacific Islanders by conducting a program of</u>	31
<u>public education;</u>	32
<u>(4) Develop, coordinate, and assist other public and</u>	33
<u>private organizations that serve Asian-Americans and Pacific</u>	34
<u>Islanders, including the conducting of training programs for</u>	35
<u>community leadership and service project staff;</u>	36
<u>(5) Advise the governor, general assembly, and state</u>	37
<u>departments and agencies of the nature, magnitude, and</u>	38
<u>priorities of the problems of Asian-Americans and Pacific</u>	39
<u>Islanders;</u>	40
<u>(6) Advise the governor, general assembly, and state</u>	41
<u>departments and agencies on, and assist in the development and</u>	42
<u>implementation of, comprehensive and coordinated policies,</u>	43
<u>programs, and procedures focusing on the special problems and</u>	44
<u>needs of Asian-Americans and Pacific Islanders, especially in</u>	45
<u>the fields of education, employment, energy, health, housing,</u>	46
<u>welfare, and recreation;</u>	47

(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; 48  
49  
50  
51

(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; 52  
53  
54  
55  
56

(9) Review and approve the annual report prepared by the office of Asian-American and Pacific Islander affairs; 57  
58

(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. 59  
60  
61

(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. 62  
63  
64  
65  
66  
67  
68

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 political party having a majority in the house of 69  
70  
71  
72  
73  
74  
75  
76

representatives and one member of the house of representatives 77  
from among the representatives who are affiliated with the 78  
political party having a minority in the house of 79  
representatives. The president shall appoint one member of the 80  
senate from among the senators who are affiliated with the 81  
political party having a majority in the senate and one member 82  
of the senate from among the senators who are affiliated with 83  
the political party having a minority in the senate. 84

After the governor makes initial appointments to the 85  
commission, at the first organizational meeting of the 86  
commission, the initial eleven voting members shall draw lots to 87  
determine the length of the term each member shall serve. Three 88  
shall be for a term ending one year after the effective date of 89  
this section, four shall be for a term ending two years after 90  
the effective date of this section, and four shall be for a term 91  
ending three years after the effective date of this section. 92  
Thereafter, terms of office shall be for three years, except 93  
that members of the general assembly appointed to the commission 94  
shall be members of the commission only so long as they are 95  
members of the general assembly. Each term shall end on the same 96  
day of the same month of the year as did the term which it 97  
succeeds. Each member shall hold office from the date of 98  
appointment until the end of the term for which the member was 99  
appointed. Vacancies shall be filled in the same manner as the 100  
original appointment. Any member appointed to fill a vacancy 101  
occurring before the expiration of the term for which the 102  
member's predecessor was appointed shall hold office for the 103  
remainder of such term. Any member shall continue in office 104  
after the expiration of the member's term until the member's 105  
successor takes office, or until a period of sixty days has 106  
elapsed, whichever occurs first. 107

(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. 108  
109  
110  
111  
112  
113

(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. 114  
115  
116  
117  
118  
119  
120

(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. 121  
122  
123  
124  
125  
126  
127  
128

**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. 129  
130  
131  
132  
133  
134

The director, with the approval of the commission, shall appoint such employees as are necessary to carry out the duties of the office. The employees shall serve at the pleasure of the 135  
136  
137

<u>director.</u>	138
<u>The office shall compile and provide information to the</u>	139
<u>commission about, and advise it on, solutions to the problems of</u>	140
<u>Asian-Americans and Pacific Islanders. The office shall execute</u>	141
<u>the tasks assigned to it by the commission which shall include,</u>	142
<u>but not be limited to, the following:</u>	143
<u>(A) Serve as a clearinghouse to review and comment on all</u>	144
<u>proposals to meet the needs of Asian-Americans and Pacific</u>	145
<u>Islanders that are submitted to it by public and private</u>	146
<u>agencies;</u>	147
<u>(B) Apply for and accept grants and gifts from</u>	148
<u>governmental and private sources to be administered by the</u>	149
<u>office or subcontracted to local agencies;</u>	150
<u>(C) Monitor and evaluate all programs subcontracted to</u>	151
<u>local agencies by the commission, and ensure that any grant or</u>	152
<u>gift is being used for the public purpose intended;</u>	153
<u>(D) Endeavor to assure that Asian-Americans and Pacific</u>	154
<u>Islanders have access to decision-making bodies in all state and</u>	155
<u>local governmental departments and agencies;</u>	156
<u>(E) Submit a full written annual report of its activities,</u>	157
<u>accomplishments, and recommendations to the commission;</u>	158
<u>(F) Establish advisory committees on special subjects as</u>	159
<u>needed to facilitate and maximize community participation in the</u>	160
<u>operation of the commission. The committees shall be composed of</u>	161
<u>persons representing community organizations and charitable</u>	162
<u>institutions, public officials, and such other persons as the</u>	163
<u>office determines.</u>	164
<u>(G) Establish, with state and local governments and</u>	165

<u>private business and industry, relationships that promote and</u>	166
<u>assure equal opportunity for Asian-Americans and Pacific</u>	167
<u>Islanders in government, education, and employment.</u>	168
<b>Section 2.</b> That existing section 121.30 of the Revised	169
Code is hereby repealed.	170