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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 98\*  
133<sup>rd</sup> General Assembly

## Bill Analysis

[Click here for S.B. 98's Fiscal Note](#)

**Version:** As Reported by Senate Finance

**Primary Sponsor:** Sen. Maharath

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### SUMMARY

- Establishes the Ohio Asian-American and Pacific Islander Affairs Commission to gather and disseminate information regarding this constituency in Ohio, to generally consider and prioritize problems faced by this constituency, and to advise the Governor, General Assembly, and state departments.
- Establishes the Office of Asian-American and Pacific Islander Affairs to compile and provide information to the Commission.

### DETAILED ANALYSIS

#### Ohio Asian-American and Pacific Islander Affairs Commission

The bill establishes the Ohio Asian-American and Pacific Islander Affairs Commission, and requires the Commission to do all of the following:

##### Duties

1. Gather and disseminate information and conduct hearings, conferences, investigations, and special studies on problems and programs concerning Asian-Americans and Pacific Islanders;
2. Secure appropriate recognition of the accomplishments and contributions of Asian-Americans and Pacific Islanders to Ohio;
3. Stimulate public awareness of the problems of Asian-Americans and Pacific Islanders by conducting a program of public education;

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\* This analysis was prepared before the report of the Senate Finance Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

4. Develop, coordinate, and assist other public and private organizations that serve Asian-Americans and Pacific Islanders, including the conducting of training programs for community leadership and service project staff;
5. Advise the Governor, General Assembly, and state departments and agencies of the nature, magnitude, and priorities of the problems of Asian-Americans and Pacific Islanders;
6. Advise the Governor, General Assembly, and state departments and agencies on, and assist in the development and implementation of, comprehensive and coordinated policies, programs, and procedures focusing on the special problems and needs of Asian-Americans and Pacific Islanders, especially in the fields of education, employment, energy, health, housing, welfare, and recreation;
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;
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;
9. Review and approve the annual report prepared by the Office;
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 them.<sup>1</sup>

### **Commission membership**

Under the bill, the Commission consists of 11 voting members, appointed by the Governor, and four ex officio, nonvoting members, who are General Assembly members. The Governor's appointments are subject to the advice and consent of the Senate.

The Speaker of the House of Representatives and the President of the Senate each must recommend to the Governor two persons for appointment to the Commission as voting members. The Minority Leaders of the House and Senate must each recommend to the Governor one person as a voting member.

In addition, two ex officio, nonvoting members of the Commission must be Representatives appointed by the Speaker of the House and two ex officio, nonvoting members must be Senators appointed by the Senate President. The Speaker and President each must appoint one member from the majority party and one member from the minority party.

The bill specifies that, after the Governor makes initial appointments, at the Commission's first organizational meeting, the initial 11 voting members must draw lots to determine the length of the term each member must serve. Three must be for a term ending one year after the bill's effective date, four must be for a term ending two years after the bill's

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<sup>1</sup> R.C. 121.34(A) and (B).

effective date, and four must be for a term ending three years after the bill's effective date. Thereafter, terms are three years, except that General Assembly members are members of the Commission only so long as they are members of the General Assembly. Each term must end on the same day of the same month of the year as did the term which it succeeds. Each member holds office from the date of appointment until the end of the term for which the member was appointed. Vacancies must be filled in the same manner as the original appointment. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed must hold office for the remainder of the term. Any member must continue in office after the expiration of the member's term until the member's successor takes office, or until a period of 60 days has elapsed, whichever occurs first.<sup>2</sup>

### **Additional requirements for membership**

All voting members of the Commission must be U.S. citizens or lawful, permanent, resident aliens. Voting members must 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 Ohio.<sup>3</sup>

### **Committee operation**

The Commission must meet not less than six times per calendar year. The Commission must elect a chairperson, vice-chairperson, and other officers from its voting members as it considers advisable. Six voting members constitute a quorum. The Commission must adopt rules governing its procedures. No action of the Commission is valid without the concurrence of six members.<sup>4</sup>

### **Compensation**

Each voting member must 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 by the Director of Administrative Services, pursuant to statutory pay schedules. But a voting member may not be compensated for more than one day each month. In addition, each voting member must be reimbursed for all actual and necessary expenses incurred in the performance of official business.<sup>5</sup>

## **Office of Asian-American and Pacific Islander Affairs**

### **Office, Director, and staff**

Additionally, the bill establishes the Office of Asian-American and Pacific Islander Affairs, which is accountable to the Commission and administered by the Director of Asian-American

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<sup>2</sup> R.C. 121.34(C).

<sup>3</sup> R.C. 121.34(D).

<sup>4</sup> R.C. 121.34(E).

<sup>5</sup> R.C. 121.34(F); and R.C. 124.15(J) and 124.152, not in the bill.

and Pacific Islander Affairs. The Commission appoints the Director, who serves at the pleasure of the Commission.

The Director, with the Commission's approval, must appoint employees necessary to carry out the Office's duties. The employees serve at the pleasure of the Director.

### **Duties of the Office**

The bill requires the Office to compile and provide information to the Commission about, and advise it on, solutions to the problems of Asian-Americans and Pacific Islanders. The Office must execute the tasks assigned to it by the Commission, which include the following:<sup>6</sup>

1. Serve as a clearinghouse to review and comment on all proposals to meet the needs of Asian-Americans and Pacific Islanders that are submitted to it by public and private agencies;
2. Apply for and accept grants and gifts from governmental and private sources to be administered by the Office or subcontracted to local agencies;
3. Monitor and evaluate all programs subcontracted to local agencies by the Commission, and ensure that any grant or gift is being used for the public purpose intended;
4. Endeavor to assure that Asian-Americans and Pacific Islanders have access to decision-making bodies in all state and local governmental departments and agencies;
5. Submit a full written annual report of its activities, accomplishments, and recommendations to the Commission;
6. Establish advisory committees on special subjects as needed to facilitate and maximize community participation in the operation of the Commission. The committees must be composed of persons representing community organizations and charitable institutions, public officials, and such other persons as the Office determines.
7. 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.<sup>7</sup>

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## **HISTORY**

Action	Date
Introduced	03-11-19
Reported, S. Finance	---

S0098-RS-133/ks

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<sup>6</sup> R.C. 121.341.

<sup>7</sup> R.C. 121.341(A) through (G).