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S.B. 87
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Sens. Antani and Maharath

Abby McMahon, Attorney

SUMMARY

- Creates the Ohio Asian-American and Pacific Islander Affairs Commission and specifies the membership, appointment terms, compensation, and duties of the Commission.
- Creates the Office of Asian-American and Pacific Islander Affairs and specifies the membership and duties of the Office.
- Makes an appropriation.

DETAILED ANALYSIS

Ohio Asian-American and Pacific Islander Affairs Commission

Membership

The bill creates the Ohio Asian-American and Pacific Islander Affairs Commission. The Commission is made up of the following members:

- Eleven members appointed by the Governor, with the advice and consent of the Senate;
- Two ex officio, nonvoting members who are members of the House of Representatives and appointed by the Speaker of the House, with one member being affiliated with the majority party and one member being affiliated with the minority party;
- Two ex officio, nonvoting members who are members of the Senate and appointed by the Senate President, with one member being affiliated with the majority party and one member being affiliated with the minority party.

For the members appointed by the Governor, the Speaker and President must recommend two members and the Minority Leaders of the House of Representatives and Senate must recommend one member each to the Governor.¹

Membership qualifications

The bill requires all voting members appointed to be U.S. citizens or lawful, permanent, resident aliens and 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.²

Appointment terms

Under the bill, after the initial appointments, at the first organizational meeting of the Commission, the 11 voting members must draw lots to determine the length of the members' term. Three members will serve for a term ending one year after the bill's effective date, four members will serve for a term ending two years after the bill's effective date, and four members will serve for a term ending three years after the bill's effective date. After the initial terms, each term of appointment for voting members is three years and will end on the same day of the same month of the year as the term it succeeds. Members must serve from the date of the member's appointment until the end of the term for which the members were appointed.

Voting members must remain in office after the member's term has expired until a successor takes office or 60 days have passed since the end of a member's term, whichever occurs first.

General Assembly members appointed to the Commission can remain members of the Commission only as long as the member is a General Assembly member.

Vacancies for all members will be filled in the same manner as appointment. Any member appointed to fill a vacancy must serve the remainder of the original term for which the vacancy was filled.³

Meetings

The bill requires the Commission to meet not less than six times during a calendar year. The Commission must elect a chairperson, vice chairperson, and other officers from its voting members as the Commission considers advisable. The Commission must adopt rules to govern the Commission's procedures. Six voting members constitute a quorum and no action is valid without the concurrence of six members.⁴

¹ R.C. 121.34(A) and (C) and 121.30.

² R.C. 121.34(D).

³ R.C. 121.34(C).

⁴ R.C. 121.34(E).

Compensation

The bill specifies that voting members will 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, but not to exceed one day per month. Additionally, each voting member will be reimbursed for all actual and necessary expenses incurred in the performance of official business.⁵

Duties

The bill specifies the following duties of the Commission:⁶

- Gather and disseminate information and conduct hearings, conferences, investigations, and special studies on problems and programs concerning Asian-Americans and Pacific Islanders;
- Secure appropriate recognition of the accomplishments and contributions of Asian-Americans and Pacific Islanders to Ohio;
- Stimulate public awareness of the problems of Asian-Americans and Pacific Islanders by conducting a program of public education;
- Develop, coordinate, and assist other public and private organizations that serve Asian-Americans and Pacific Islanders, including conducting training programs for community leadership and service project staff;
- Advise the Governor, General Assembly, and state departments and agencies regarding the nature, magnitude, and priorities of the problems of Asian-Americans and Pacific Islanders;
- 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;
- Propose new programs concerning Asian-Americans and Pacific Islanders to public and private agencies and evaluate for those agencies existing programs or prospective legislation concerning Asian-Americans and Pacific Islanders;
- Review grants from federal, state, or private sources that 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;

⁵ R.C. 121.34(F); see also R.C. 124.15, not in the bill.

⁶ R.C. 121.34(B).

- Review and approve the annual report prepared by the Office of Asian-American and Pacific Islander Affairs;
- 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 those people.

Office of Asian-American and Pacific Islander Affairs

The bill also creates the Office of Asian-American and Pacific Islander Affairs. The Office is accountable to the Ohio Asian-American and Pacific Islander Affairs Commission. The Director of the Office, whom is appointed by the Commission and is the chief administrator of the Office, serves at the pleasure of the Commission. The Director, with approval of the Commission, can appoint employees as are necessary to carry out the duties of the Office. The employees serve at the pleasure of the Director.

The Office must do all of the following:⁷

- Compile and provide information to, and advise, the Commission on solutions to the problems of Asian-Americans and Pacific Islanders that are submitted to the Office by public and private agencies;
- Execute any tasks assigned by the Commission;
- 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 the Office by public and private agencies;
- Apply for and accept grants and gifts from governmental and private sources to be administered by the Office or subcontracted to local agencies;
- 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;
- Endeavor to assure that Asian-Americans and Pacific Islanders have access to decision-making bodies in all state and local governmental departments and agencies;
- Submit a full written annual report of the Office's activities, accomplishments, and recommendations to the Commission;
- Establish advisory committees for special subjects, as needed, to facilitate and maximize community participation in the operation of the Commission. An advisory committee must be composed of persons representing community organizations, charitable institutions, public officials, and other persons as the Office determines;

⁷ R.C. 121.341.

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

Appropriation

The bill appropriates \$440,944 for both FY 2022 and 2023 to the Ohio Asian-American and Pacific Islander Affairs Commission to operate the Commission.⁸

HISTORY

Action	Date
Introduced	02-23-21

S0087-I-134/ar

⁸ Sections 3 and 4 of the bill.