



Sub. H.B. 230

124th General Assembly
(As Passed by the General Assembly)

Reps. DeWine, Calvert, Collier, White, Barnes, Boccieri, Britton, Driehaus, Hagan, Key, Krupinski, Metelsky, Perry, Reidelbach, Rhine, Salerno, Schneider, Schuring, Strahorn, Webster, Widowfield, Wolpert, Carey, Husted, Raga, Grendell, Faber, Fessler, Flowers, Kearns, Metzger, Womer Benjamin, Allen, Hartnett, Roman, Coates, Jolivette, Schmidt, Otterman, Latell, Flannery, Kilbane, Fedor, Clancy, Peterson, Sferra, Distel, Hughes, Ogg, Cirelli, G. Smith, Aslanides, D. Miller, Cates, Buehrer, Jones, Setzer, Carano, Damschroder, Hoops, Sulzer, Manning, Seitz, Niehaus, Oakar, Sullivan, Ford, Trakas, Lendrum, Patton, Latta, Carmichael, Barrett, Woodard

Sens. Amstutz, Jacobson, Austria, Harris, Ryan, Armbruster, Prentiss, Spada, McLin, Robert Gardner, Randy Gardner, Jordan, Espy, Hagan

Effective date: *

ACT SUMMARY

- Creates an Ohio Aerospace and Defense Advisory Council with 11 voting members and not more than six additional nonvoting members to (1) examine state and federal laws, rules, and policies that affect the aerospace and defense industries and associated federal installations in Ohio and (2) advise federal, state, and local government officials on questions and matters concerning those industries in Ohio.

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared.*

CONTENT AND OPERATION

Composition

In general and voting members

The act creates an Ohio Aerospace and Defense Advisory Council (hereafter, Council) with 11 voting members and not more than six nonvoting members (sec. 122.98(A)(1)). The Council members with voting authority must be appointed by the Governor with the advice and consent of the Senate, and the Governor must designate one of them to serve as chairperson. All of the voting members must be knowledgeable in at least one of the following fields: (a) aerospace technology, (b) national defense issues associated with aerospace technology, (c) issues facing private enterprises that conduct business in the aerospace industry, (d) technology commercialization, or (e) other fields that are relevant to the Council's mission as determined by the Governor. (Sec. 122.98(A)(2).)

The Governor must make the appointments of the voting members so that they represent, as determined by the Governor, certain designated geographical regions of Ohio in the following manner (sec. 122.98(A)(2)):

- Not less than two voting members must represent the Cleveland metropolitan region.
- Not less than two voting members must represent the Miami Valley region.
- Any remaining voting members must represent all other regions of the state.

Generally, all of the voting members must be employees or former employees of private enterprises. But, not less than two of the voting members must be faculty members of a public or private institution of higher education associated with aerospace technology matters. (Sec. 122.98(A)(2).)

No more than six of the voting members may be members of the same political party (sec. 122.98(A)(2)).

Nonvoting members

The President of the Senate must appoint two Senate members, each of whom must be from a different political party, as nonvoting Council members. Additionally, the Speaker of the House of Representatives must appoint two

House members, each of whom must be from a different political party, as nonvoting Council members. (Sec. 122.98(A)(4).)

The Governor also may appoint two nonvoting Council members with the advice and consent of the Senate if the Governor considers additional members to be necessary. One of them must be a United States Air Force employee assigned to the Wright-Patterson Air Force Base, and the other must be a National Aeronautics and Space Administration employee assigned to the John H. Glenn Research Center. (Sec. 122.98(A)(3).)

Terms of office

Council members appointed by the Governor will serve three-year terms, except that initial appointments of voting members must be staggered so that some initial appointees will serve terms of less than three years. These initial appointments must be made within 90 days after the act's effective date. Legislative members will serve on the Council for the biennial session of the General Assembly in which they are appointed. All Council members may be reappointed, and all vacancies on the Council must be filled in the same manner as the original appointment. (Sec. 122.98(B) and Section 3(A) of the act.)

Council meetings

The Council is required to meet at least once every six months. It may meet more frequently upon the call of the chairperson or upon the request of seven or more of its members. Eight Council members constitute a quorum, but the Council may not take any official action without the affirmative vote of at least six members. In addition to its chairperson designated by the Governor, the Council may elect other officers it considers necessary. (Sec. 122.98(C).)

Compensation

Members of the Council will receive no compensation but must be reimbursed for their actual and necessary expenses incurred in the performance of Council duties (sec. 122.98(D)).

Department of Development assistance with administrative expenses

Upon the request of the Council, the Department of Development must provide the Council with meeting space, staff services, and other technical assistance. The Department, through its general operating budget, must assist the Council with the costs of production and distribution of reports. (Sec. 122.98(E).)

Authority of the Council

The Council may undertake two types of activities: examination activities and advice activities (sec. 122.981(A)). First, it may conduct an examination of existing and proposed laws, rules, and policies of the state or the United States that affect or may affect the growth and viability of the aerospace and defense industries in Ohio and the status of federal installations in Ohio associated with those industries. It also may examine (1) the problems that the aerospace and defense industries in Ohio face at any particular time, including problems arising from foreign competition or the economic climate in the state, and (2) technology commercialization any other matters relevant to the future of those industries in Ohio. (Sec. 122.981(A)(1).)

Second, the Council may advise federal, state, and local government officials on questions and matters affecting the aerospace and defense industries in Ohio (sec. 122.981(A)(2)).

Annual report

Submission and content

The Council must submit an annual report to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the chairpersons of the standing committees of the General Assembly to which matters concerning economic development are normally referred. The report is due no later than October 1 and must describe the Council's activities during the previous year. The report may propose methods to expand the aerospace and defense industries in Ohio, identify problems facing those industries in Ohio that were discovered during the Council's activities, and make recommendations to modify state statutes, rules, or policies. (Sec. 122.981(B).)

The Council also must submit the report to the Director of Development, who must make it available to members of the public upon request. The Department of Development staff assigned to the Council must keep a record of all of those requests. (Sec. 122.981(B).)

Testimony

A Council member designated by the Council's chairperson must provide testimony concerning each annual report following its submission. The testimony is to be before the House and Senate standing committees to which matters concerning economic development are normally referred--either separately or at a joint hearing or hearings of those committees. (Sec. 122.981(B).)

Council subject to the Sunset Review Committee Law

The Council expires on December 31, 2004, unless it is renewed by an act of the General Assembly enacted in accordance with the Sunset Review Committee Law (Section 3(B) of the act).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	04-24-01	p. 319
Reported, H. Economic Development & Small Business	06-19-01	pp. 671-672
Passed House (98-1)	06-20-01	p. 687
Reported, S. Economic Development, Technology, and Aerospace	06-27-01	p. 713
Passed Senate (32-0)	06-27-01	pp. 759-760
Concurrence (99-0)	06-28-01	pp. 724-725

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