
DEPARTMENT OF AGRICULTURE

Agricultural Society Facilities Grant Program

- Creates the Agricultural Society Facilities Grant Program to provide grants in fiscal year 2017 to county and independent agricultural societies to support capital projects that enhance the use and enjoyment of agricultural society facilities.
- Requires the Director of Agriculture or the Director's designee to establish requirements and procedures for the Program, including procedures for reviewing applications and awarding grants.
- Restricts an agricultural society from receiving an award greater than twice the amount it obtains as a matching grant from an individual or other entity.
- Establishes deadlines for the submission of grant applications and their approval or disapproval.

Elimination of Agricultural Financing Commission

- Eliminates the Agricultural Financing Commission, which is required to make recommendations to and advise the Director of Agriculture concerning the Family Farm Loan Program, which was repealed in 2007.

Review compliance certificates

- Eliminates provisions governing review compliance certificates issued under the Concentrated Animal Feeding Facilities Law, the operation of which has expired.

County payment for injury or loss of animals by dogs

- Eliminates requirements and procedures in current law under which a board of county commissioners must reimburse the owner of an animal that has been killed or injured by a dog not belonging to the owner.

Wine tax diversion

- Extends through June 30, 2017, the extra 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund.

Exceptions to auctioneer licensure

- Does both of the following regarding exemptions from licensure under the Auctioneers Law:



--Adds an exemption for sales at an auction sponsored by a tax-exempt organization such as a business league, chamber of commerce, or board of trade when certain conditions apply; and

--Revises the existing exemption for a bid-calling contest conducted to advance or promote the auction profession in Ohio by allowing any type of compensation to be paid to the event's sponsor or participants.

Agricultural Society Facilities Grant Program

(Section 717.10)

The bill creates the Agricultural Society Facilities Grant Program to provide grants in fiscal year 2017 to county and independent agricultural societies to support capital projects that enhance the use and enjoyment of agricultural society facilities by individuals. Agricultural societies may apply to the Director of Agriculture for monetary assistance to acquire, construct, reconstruct, expand, improve, plan, and equip such facilities. Not later than 90 days after the provision's effective date, the Director or the Director's designee must establish requirements and procedures for administration of the Program, including an application form, procedures for reviewing applications and awarding grants, and any other requirements and procedures the Director or the designee determines necessary to administer the Program.

A grant cannot exceed twice the amount the agricultural society obtains as a matching grant from an individual or other entity. The matching grant may be any combination of funding, materials, and donated labor. Documentation of the matching grant must be submitted with the grant application. An agricultural society must submit the grant application and matching grant documentation to the Director or the Director's designee by July 1, 2016.

The Director or the Director's designee must approve or disapprove the application. The Director or the designee must award all grants by August 1, 2016, and must so notify each grant recipient.

Elimination of Agricultural Financing Commission

(R.C. 901.61, 901.62, 901.63, and 901.64 (repealed) and 902.01)

The bill eliminates the Agricultural Financing Commission, which is required to make recommendations to and advise the Director of Agriculture concerning the Family Farm Loan Program, which was repealed in 2007.



Review compliance certificates

(R.C. 903.01, 903.03, 903.07, 903.09, 903.10, 903.11, 903.12, 903.13, 903.16, 903.17, and 903.25; R.C. 903.04 (repealed))

The bill eliminates provisions governing review compliance certificates issued under the Concentrated Animal Feeding Facilities Law, the operation of which has expired. Sub. S.B. 141 of the 123rd General Assembly, which took effect March 15, 2001, transferred the regulation of animal waste disposal at concentrated animal feeding facilities (CAFFs) from the Environmental Protection Agency to the Department of Agriculture. The act required the Director of Agriculture to finalize a program under which the Director was given the authority to issue, in part, permits to install and permits to operate for CAFFs. The Director finalized the program in August, 2002. Prior to the finalization, the Director of Environmental Protection issued installation permits for the installation or modification of disposal systems for animal waste that involved 1,000 or more animal units or any parts of those disposal systems in compliance with the Federal Water Pollution Control Act.

Current law specifies that on and after the date that is two years after the date on which the Director of Agriculture finalized the program for the issuance of permits to install for CAFFs, which was in August, 2004, and until the issuance of a permit to operate, no person lawfully could operate a CAFF in existence prior to August, 2004, unless the person applied for a review compliance certificate issued by the Director. Upon the Director's review of specified information concerning a facility and inspection of the facility, the Director had to issue a review compliance certificate to the facility if the Director determined that it satisfied certain criteria. A permit to operate had to be obtained prior to expiration of the review compliance certificate, which was valid for five years. Because the above deadlines have passed, the statutes governing review compliance certificates are obsolete.

County payment for injury or loss of animals by dogs

(R.C. 955.29 (repealed), 955.12, 955.121, 955.14, 955.15, 955.20, 955.27, 955.30 (repealed), 955.32 (repealed), 955.35 (repealed), 955.351 (repealed), 955.36 (repealed), 955.37 (repealed), and 955.38 (repealed))

The bill eliminates requirements and procedures in current law under which a board of county commissioners must reimburse the owner of an animal that has been killed or injured by a dog not belonging to the owner. Accordingly, the bill repeals provisions:

--Allowing an owner of an animal that the owner believes has a fair market value of \$10 or more to make a claim for the injury or loss of that animal and to submit



additional information demonstrating the animal's lines of breeding, age, and other matters;

--Requiring a board of county commissioners to hear a claim and, if the dog warden has determined that the claim is valid, pay the claim from the dog and kennel fund or from the county general fund;

--Requiring statements and testimony regarding the loss or injury of an animal to be on forms prepared by the Secretary of State;

--Allowing an owner of an animal that has been killed or injured by a dog to appeal a final allowance made by a board of county commissioners; and

--Requiring a probate court to hear an appeal by an owner of an animal that has been killed or injured by a dog and determine the fair market value of that animal and the limit on relief.

The bill also makes conforming changes in the Dogs Law.

Wine tax diversion to Ohio Grape Industries Fund

(R.C. 4301.43)

The bill extends through June 30, 2017, the extra 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund. Continuing law imposes a tax on the distribution of wine, vermouth, and sparkling and carbonated wine and champagne at rates ranging from 30¢ per gallon to \$1.48 per gallon. From the taxes paid, a portion is credited to the fund for the encouragement of the state's grape and wine industry, and the remainder is credited to the GRF.

Under current law, the amount credited to the Ohio Grape Industries Fund is scheduled to decrease from 3¢ to 1¢ per gallon on July 1, 2015. The extra 2¢ earmark began in July 1995 and originally was scheduled to terminate in June 2001, but has been extended by two-year intervals since July 2001.

Exceptions to auctioneer licensure

(R.C. 4707.02)

The bill does both of the following regarding exemptions from the existing prohibition against acting as an auction firm, auctioneer, or apprentice auctioneer within Ohio without a license issued by the Department of Agriculture:



(1) Adds an exemption for sales at an auction that is (a) sponsored by an organization that is tax exempt under subsection 501(c)(6) of the Internal Revenue Code, e.g., a business league, chamber of commerce, or board of trade, and (b) a part of a national, regional, or state convention or conference that advances or promotes the auction profession in Ohio, when the property to be sold is donated to or is the property of the organization and the proceeds remain within the organization or are donated to a nonprofit charitable organization; and

(2) Revises the existing exemption for a bid-calling contest conducted to advance or promote the auction profession in Ohio by allowing any type of compensation to be paid to the event's sponsor or participants. Under current law, no compensation may be paid other than a prize or award for winning the contest.

