

Executive

As Passed by the House

1 AGR - 5 Sustainable Agriculture Program Fund

R.C. 901.041

Creates in the state treasury the Sustainable Agriculture Program Fund that consists of money credited to it, including federal money. Requires the Director of Agriculture to use the fund to support activities and programs that advance sustainable agriculture.

R.C. 901.041

Same as the Executive.

2 AGR - 8 Increase in Fees in Nursery Stock and Plant Pests Law

R.C. 901.22, 923.46, 927.53, 927.54, and 927.69

Eliminates the Commercial Feed, Fertilizer, and Lime Inspection and Laboratory Fund and creates the Plant Pest Program Fund (Fund 5FC0) and the Commercial Feed and Seed Fund (Fund 4C90) in its place.

Renames the Pesticide Program Fund the Pesticide, Fertilizer, and Lime Program Fund (Fund 6690).

Increases the following fees under the Nursery Stock and Plant Pests Law:

- (1) Nursery stock collector or dealer license, from \$75 to \$125
- (2) Woody nursery stock inspection, from \$65 to \$100
- (3) Intensive production for areas for woody nursery stock inspection, per acre, from \$4.50 to \$11
- (4) Nonintensive production for areas for woody nursery stock inspection, per acre, from \$3.50 to \$7
- (5) Nonwoody nursery stock inspection, from \$65 to \$100
- (6) Intensive/nonintensive production areas for nonwoody nursery stock inspection, per acre, from \$4.50 to \$11
- (7) Phyto sanitary certificate for certain collectors or

R.C. 901.22, 923.46, 927.53, 927.54, and 927.69

Same as the Executive.

Same as the Executive.

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dealers, from \$25 to \$100
 (8) Compliance agreements, from \$20 to \$40
 Eliminates the \$20 solid wood packing certificate fee.

Same as the Executive.

Fiscal effect: The executive estimates that these fee increases would result in \$1.2 million in additional revenue over the biennium.

Fiscal effect: Same as the Executive.

3 AGR - 18 Ohio Farm Loan Fund

No provision.

R.C. *901.32*

Authorizes money in the Ohio Farm Loan Fund (Fund 3360) to be used by the Director of Agriculture for rural rehabilitation purposes benefitting the state rather than for rural rehabilitation purposes under the charter of the former Ohio Rural Rehabilitation Corporation as agreed upon by the Director and the United States Secretary of Agriculture or for use by the Secretary in accordance with rural rehabilitation agreements with the Director as provided in current law.

Fiscal effect: Potentially expands the possible uses for Fund 3360 moneys. The related appropriation for this purpose is also increased from \$44,679 in each fiscal year to \$1,000,000 in each fiscal year.

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4 AGR - 3 Central Support Indirect Costs Fund

R.C. 901.91

Creates the Department of Agriculture Central Support Indirect Costs Fund (Fund 5GH0) and authorizes the Director of Agriculture to assess the operating funds of the Department of Agriculture to pay a share of the Department's central support and administrative costs.

R.C. 901.91

Same as the Executive.

5 AGR - 17 Food Processing Establishment Registration

No provision.

No provision.

No provision.

No provision.

No provision.

R.C. 915.24, 3715.041

Requires food processing establishments to register annually with the Director of Agriculture and pay a registration fee determined by the Director of Agriculture.

Requires the Director to inspect an establishment prior to issuing an initial certificate of registration to ensure that the establishment is in compliance with certain provisions of the Food and Drug Law, or the Bakeries, Canneries and Soft Drink Bottling, Cold Storage and Individual Locker, or Marketing Laws, as applicable.

Prohibits a new food processing establishment from being operated in a home.

Authorizes the Director or the Director's designee to take certain enforcement actions for violations and adopt rules that are necessary to administer the food processing establishment registration provisions.

Exempts the following entities from paying the registration fee established in the provision:

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No provision.

- (1) Home bakeries registered under section 911.02 of the Revised Code
 - (2) Canneries licensed under section 913.02 of the Revised Code
 - (3) Soft drink plants licensed under section 913.23 of the Revised Code
 - (4) Cold-storage warehouses licensed under section 915.02 of the Revised Code
 - (5) Persons licensed under section 915.15 of the Revised Code
 - (6) Persons engaged in egg production who maintain 500 or fewer laying hens
- Requires all money collected under the bill's food processing establishment registration provisions to be credited to the existing Food Safety Fund (Fund 4P70).
Fiscal effect: All registration fees collected are deposited into the Food Safety Fund (Fund 4P70). Presumably the Director of Agriculture would assess a fee necessary to at least offset whatever costs are attributable to registering food processing establishments and ensuring compliance with necessary laws.

6 AGR - 4 License Fees for Poultry and Meat Establishments

R.C. 918.08, 918.28

Increases the fee to operate a meat or poultry processing establishment from \$50 to \$100.

R.C. 918.08, 918.28

Same as the Executive.

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Fiscal effect: The executive estimates that this fee increase would result in an additional \$27,000 revenue in each fiscal year.

Fiscal effect: Same as the Executive.

7 AGR - 7 Livestock Dealers' Fees

R.C. 942.02, 943.01, 943.02, 943.031, 943.04, 943.05, 943.06, 943.07, 943.13, 943.14, 953.23, 901.43

R.C. 942.02, 942.01, 942.06, 942.13, 943.01-943.07, 943.13, 943.14, 943.16, 953.21-23, 901.43

Increases the following fees under the Livestock Dealers Law:

Same as the Executive.

- (1) Fee for dealers or brokers that purchased, sold, or exchanged less than 1,000 head of livestock, from \$10 to \$50
- (2) Fee for dealers or brokers that purchased, sold, or exchanged 1,001 to 10,000 head of livestock, from \$25 to \$125
- (3) Fee for dealers or brokers that purchased, sold, or exchanged more than 10,000 head of livestock, from \$50 to \$250
- (4) Weighers fees, from \$5 to \$10

Increases other livestock fees as follows:

Same as the Executive.

- (1) Annual License fee to feed treated garbage to swine, from \$50 to \$100
 - (2) Food rendering plant fees, from \$100 per plant to \$300 per plant
- No provision.

Specifies that conveyances must be cleaned and disinfected before they can be used in the feeding of swine and exempts rendered products from the Garbage Fed Swine and Poultry Law.

Establishes the following new fees:

Same as the Executive, but also subjects operations on premises licensed under the Meat and Poultry Inspection

- (1) \$50 for a late renewal of license to feed treated garbage

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to swine
 (2) \$25 license fee for small dealers of livestock
 (3) \$100 late fee for renewal of livestock dealers or brokers license
 (4) \$25 late fee for renewal of small dealers' license
 (5) \$20 fee for employees of small dealers, dealers, or brokers of livestock
 (6) \$25 fee for each vehicle used by an entity to pick up or transporting raw rendering material (currently one singular license for that entity)
 (7) \$10 late fee for renewal of vehicle license to pick up or transport raw rendering material
 (8) \$100 late fee for renewal of license to operate a food rendering plant
 No provision.

Renames the Animal Health and Food Safety Fund the Animal and Consumer Analytical Laboratory Fund.

Fiscal effect: Increases several different fees related to livestock dealers (\$55,000 in additional revenue over the biennium) and food processing rendering plant fees (\$240,000 in additional revenue over the biennium) for the meat inspection program.

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Law or subject to federal meat inspection that render only raw rendering material that is produced on the premises under the Rendering Plants Law to the fees listed in (6). Excludes holders of nuisance wild animal permits issued by the Division of Wildlife in the Department of Natural Resources and county dog wardens or animal control officers from those licensure requirements and applies the per vehicle fee instead to each conveyance.

Clarifies that dealers of livestock are not required to maintain financial responsibility or furnish proof of financial responsibility, but does require these records to be maintained by small dealers of livestock and brokers for 60 months rather than 24 months as in current law, and requires all fines imposed and collected under the Livestock Dealers Law to be deposited into the Animal and Consumer Analytical Laboratory Fund (Fund 6520) instead of the GRF.

Same as the Executive.

Fiscal effect: Same as the Executive, with a possible increase in fine revenues from records retention requirements.

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8 AGR - 6 Weights and Measures and Motor Fuel Testing

R.C. *1327.46, 1327.50, 1327.501, 1327.51,
1327.511, 1327.52, 1327.54, 1327.57, 1327.58,
1327.60, 1327.62, 1327.70, 1327.71, 1327.99*

Establishes new rulemaking requirements for the motor fuel quality testing program and creates the Fuel Quality Testing Fund (Fund 5FB0) to pay for costs related to the motor fuel quality testing and the weights and measures programs, as well as to pay departmental overhead costs.

Requires persons proposing to operate a commercially used weighing and measuring device to obtain an annual permit of operation from the Director of Agriculture, and makes other changes to the Weights and Measures Law.

Requires the proceeds of fees for commercially used weighing and measuring device permits to be deposited into the renamed Metrology and Scale Certification and Device Permitting Fund (Fund 5H20), which provides funding for the administration of the weights and measures program.

R.C. *1327.46, 1327.50, 1327.501, 1327.51,
1327.511, 1327.52, 1327.54, 1327.57, 1327.58,
1327.60, 1327.62, 1327.70, 1327.71, 1327.99*

Same as the Executive.

Same as the Executive.

Same as the Executive.

9 AGR - 2 Elimination of GRF for Amusement Ride Inspections

R.C. *1711.58*

Eliminates the requirement that the Governor include in the executive budget proposal a GRF appropriation to supplement funding from the Amusement Ride Inspection Fund (Fund 5780).

Fiscal effect: No direct fiscal effect. The fund has not been supplemented by the GRF since FY 2005.

R.C. *1711.58*

Same as the Executive.

Fiscal effect: Same as the Executive.

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10	AGR - 9	Federal Stimulus	Section: 211.20	Requires the Department of Agriculture to use appropriation item 700654, Agriculture Operating-Federal Stimulus, for government services consistent with federal funds received for fiscal stabilization and recovery purposes.	Section: 211.20	Same as the Executive.
11	AGR - 10	County Agricultural Societies	Section: 211.20	Requires that appropriation item 700501, County Agricultural Societies, be used to reimburse county and independent agricultural societies for expenses related to Junior Fair activities.	Section: 211.20	Same as the Executive.
12	AGR - 15	Toledo Grows	No provision.	Section: 211.20	Earmarks \$50,000 in each fiscal year to fund the "Toledo Grows" urban agriculture initiative in GRF appropriation item 700404, Ohio Proud.	
13	AGR - 16	Ohio-Israel Agriculture Initiative	No provision.	Section: 211.20	Earmarks \$100,000 in each fiscal year to fund the Ohio-Israel Agriculture Initiative from GRF appropriation item 700411, International Trade and Market Development.	

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14 AGR - 11 Commercial Feed and Seed Fund Transfer

Section: 211.30

Requires the Director of Budget and Management to cancel existing encumbrances against appropriation item 700605, Commercial Feed and Seed, and reestablish them against appropriation item 700635, Pesticide, Fertilizer, and Lime Inspection Program.

Requires the Director of Budget and Management to transfer 32% of the cash balance in the Commercial Feed and Seed Fund (Fund 4C90) as of June 30, 2009, to the Pesticide, Fertilizer, and Lime Inspection Program Fund (Fund 6690).

Section: 211.30

Same as the Executive.

Same as the Executive.

15 AGR - 12 Pesticide, Fertilizer, and Lime Inspection Fund Transfer

Section: 211.30

Requires the Director of Budget and Management to transfer \$600,000 in cash from the Pesticide, Fertilizer, and Lime Inspection Fund (Fund 6690) to the Plant Pest Program Fund (Fund 5FC0).

Section: 211.30

Same as the Executive.

16 AGR - 13 Clean Ohio Agricultural Easement

Section: 211.30

Requires appropriation item 700632, Clean Ohio Agricultural Easement, to be used to administer the Clean Ohio Agricultural Easement Purchase Program under sections 901.21, 901.22, and 5301.67 to 5301.70 of the Revised Code.

Section: 211.30

Same as the Executive.

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17 AGR - 19 Beekeepers Task Force

No provision.

Section: 709.10

(1) Creates the Ohio Beekeepers Task Force consisting of 15 members including legislators, state officials, and various local, university, and trade association representatives, to study and report on the declining population of the honeybee in Ohio and other related issues.

No provision.

(2) Requires the Task Force, not more than ten months after the effective date of the bill, to submit a report of its findings to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Ohio State Beekeepers Association.

Fiscal effect: Minimal increase for the Department of Agriculture's Division of Plant Industry to provide administrative support to the Task Force.

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18 DEV - 7 Science and Technology Collaboration

Section: 701.30

Requires the Department of Development, Board of Regents, Air Quality Development Authority, and Department of Agriculture to collaborate on Technology-Based Economic Development Programs; defines and identifies such programs; sets out requirements for administering and reporting on such programs; and requires such programs to be connected to the NextGen Network.

Section: 701.30

Same as the Executive.

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19 PUC - 1 Utility Radiological Safety Board Assessments

Section: 506.10

Specifies, absent contractual agreement, the maximum amounts that may be assessed against nuclear electric utilities under R.C.4937.05 on behalf of four state agencies and that may be deposited into the specified funds as follows:

- (1) \$134,631 in each fiscal year to the Utility Radiological Safety Fund (fund 4E40) used by the Department of Agriculture;
- (2) \$887,445 in FY 2010 and \$920,372 in FY 2011 to the Radiation Emergency Response Fund (Fund 6100) used by the Department of Health;
- (3) \$286,114 in each fiscal year to the ER Radiological Safety Fund (Fund 6440) used by the Environmental Protection Agency; and
- (4) \$1,413,889 in FY 2010 and \$1,415,945 FY 2011 to the Emergency Response Plan Fund (Fund 6570) used by the Department of Public Safety.

Fiscal effect: Less than \$5.5 million will be assessed against nuclear utilities and spent by state agencies over the biennium.

Section: 506.10

Same as the Executive.

Fiscal effect: Same as the Executive.

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20 PWC - 8 Reimbursement to the General Revenue Fund

Section: 365.10

On or before July 15, 2011, requires the Director of PWC to certify to the Director of Budget and Management (1) the total amount disbursed by the Department of Agriculture from GRF appropriation item 700409, Farmland Preservation, during the FY 2010-FY 2011 biennium; and (2) any excess investment earnings credited to the Clean Ohio Conservation Fund (Fund 7056). Requires the Director of OBM to transfer excess interest earnings from Fund 7056 to the GRF in an amount equal to that disbursed under GRF appropriation 700409, Farmland Preservation.

Fiscal effect: This provision offsets GRF disbursements by the Department of Agriculture for the operating expenses of the Office of Farmland Preservation. PWC estimates the transfer for the FY 2008-FY 2009 biennium totals about \$490,000.

Section: 365.10

Same as the Executive.

Fiscal effect: Same as the Executive.

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Other Taxation Provisions

21 TAX - 8 Ohio Grape Industries Fund

R.C. **4301.43**

Extends through June 30, 2011, the extra 2 cents earmark of wine tax revenue credited to the Ohio Grape Industries Fund.

Fiscal effect: Maintains current revenues to the Ohio Grape Industries Fund (Fund 4960).

R.C. **4301.43**

Same as the Executive, but specifies that the earmark of wine tax revenue credited to the Ohio Grape Industries Fund is effective July 1, 2009 rather than immediately after the bill's passage.

Fiscal effect: Same as the Executive.