
Executive**AGRCD2 Agricultural Easements and Farmland Preservation Advisory Board Composition****R.C. 901.21, 901.22, 901.23, Section 803.20**

Authorizes an agricultural easement acquired by the Director of Agriculture or a political subdivision or charitable organization that has received a matching grant from the Director to include a provision to preserve a unique natural or physical feature on the land so long as the use of the land remains predominantly agricultural.

Requires one representative on the existing Farmland Preservation Advisory Board to be from a nonprofit organization dedicated to the preservation of farmland rather than from a national nonprofit organization that is so dedicated as under current law.

AGRCD3 Prohibitions and Penalties under Concentrated Animal Feeding Facilities Law**R.C. 903.30, 903.99**

Requires the Attorney General, upon the written request of the Director of Agriculture, to prosecute any person who violates or fails to perform any duty required by specified provisions of the Concentrated Animal Feeding Facilities Law, a rule adopted by the Director under that Law, or an order or term or condition of a permit issued by the Director under that Law or rules adopted under it.

Establishes the following three tiers of violations and penalties under this provision: 1). Negligent – Not more than 90 days in jail or no more than a \$10,000 fine or both. Defines a person is negligent with respect to circumstances when, because of a lapse from due care instead of because of a substantial lapse from due care, the person fails to perceive or avoid a risk that such circumstances may exist. 2). Reckless – Not more than one year in jail or no more than a \$10,000 fine or both. 3). Intentional – Felony subject to not more than 3 years in jail and a fine between \$10,000 - \$25,000. (Current law prescribes different penalties for violating the Concentrated Animal Feeding Facilities Law. They range from a guilty of a misdemeanor of third degree on a first offense, to a misdemeanor of first degree on a third or subsequent offense, and to not more than \$25,000 fine for specified violations.)

Fiscal effect: May increase in costs for the Department of Agriculture, the Attorney General, and local courts related to the prosecution of offenders. These costs would be partially offset through fine revenues collected as a result of prosecution.

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AGRCD1 Crediting of Fees and Fines Under Apiary Law

R.C. *909.15, 927.54*

Credits money that is collected from registration fees and fines under the Apiaries Law to the Plant Pest Program Fund (Fund 5FC0) rather than the General Revenue Fund as in current law, and requires money credited to Fund 5FC0 to be used to administer the Apiaries Law in addition to the Nursery Stock and Plant Pest Law as in current law.

Fiscal effect: The Department collects approximately \$27,000 per fiscal year in apiary registration fees.

AGRCD4 Regulation of Point-of-Sale Systems by Division of Weights and Measures

R.C. *1327.50, 1327.46, 1327.501, 1327.502,
1327.61, 1327.99*

(1) Requires the Director of Agriculture to verify advertised prices, price representations, and point-of-sale systems to determine their accuracy, and specifies the actions to implement this requirement, including: (1) using recognized procedures, including those under National Institute of Standards and Technology Handbook 130; (2) adopting rules governing the accuracy of advertised prices and point-of-sale systems and requirements and procedures for enforcement; and (3) conduct necessary inspections.

(2) Prohibits anyone from using, repairing, servicing or placing into service a commercially used weighing and measuring device other than a Division of Weights and Measures inspector, a service person registered with the Department, or a county or municipal weights and measures inspector.

(3) Requires a service person who is employed by a commercially used weighing and measuring device servicing agency to register with the Director in accordance with rules.

(4) Prohibits a person from operating a commercially used weighing and measuring device that provides the quantity or cost of a final transaction instead of providing the final quantity and final cost of a transaction without a permit to operate issued by the Director or the Director's designee.

Fiscal effect: Increase in costs to inspect point-of-sale systems, partially offset through any inspection fees deposited into the Metrology and Scale Certification and Device Permitting Fund (Fund 5H20).

Executive**AGRCD5 Auctioneer's Law and Limited Liability Companies****R.C. 4707.073, 4707.10**

Makes technical changes in the Auctioneers' Law to clarify that it also applies to limited liability companies.

AGRCD6 County Agricultural Societies**Section: 211.10**

Requires that GRF appropriation item 700501, County Agricultural Societies, be used to reimburse county and independent agricultural societies for expenses related to Junior Fair activities.

AGRCD7 Clean Ohio Agricultural Easement Program**Section: 211.10**

Requires CLF Fund 7057 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.

AGRCD8 Dangerous and Restricted Wild Animals**Section: 211.10**

Specifies that GRF appropriation item 700426, Dangerous and Restricted Animals, be used to administer the Dangerous and Restricted Wild Animal Permitting Program.

Executive

Other Taxation Provisions

TAXCD41 Ohio Grapes Industries Fund

Section: *4301.43*

Extends through June 30, 2015 the two cents per gallon of wine tax revenue credited to the Ohio Grapes Industries Fund.

Fiscal effect: Maintains revenues to the Ohio Grapes Industries Fund (Fund 4960). Fund 4960 received \$1.1 million in FY 2012 and is estimated to receive about the same amount in FY 2013. Receipts from the wine tax are otherwise credited to the GRF.
