

Executive

In House Finance and Appropriations

**DNRCD2 Authority to Transfer Funds from the Forestry Mineral Royalties Fund to the Parks Mineral Royalties Fund**

R.C. 1503.012, 1541.26

Authorizes the Director of Natural Resources to request the Director of Budget and Management to transfer money from the Forestry Mineral Royalties Fund to the Parks Mineral Royalties Fund, and requires the Director of Budget and Management to execute the transfer if the Director consents to it.

**Fiscal effect: This provision potentially increases the amount available in the Parks Mineral Royalties Fund for eligible land acquisition and capital costs at state parks, while potentially decreasing the amount available in Forestry Mineral Royalties Fund for the same purposes in state forests.**

R.C. 1503.012, 1541.26

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DNRCD4 Use of Power Equipment in Certain Parts of Shawnee State Forest**

R.C. 1503.43

Exempts certain hiking and bridle trails in the Shawnee Wilderness Area from the existing prohibition against the operation of certain motorized vehicles and equipment in the Area for trail maintenance purposes; specifies that the exemption no longer applies if the Chief of the Division of Forestry determines that it is no longer necessary for the administration of the Shawnee State Forest or the state forest system; and subjects the Twin Creek Fire Tower to the existing prohibition against conducting specified activities in the Shawnee Wilderness Area.

**Fiscal effect: None.**

R.C. 1503.43

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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DNRCD3

Exemption from Competitive Bidding Requirements for Emergency Situations at Idle and Orphaned Wells

R.C. 1509.071

Specifies that competitive bidding does not apply to idle and orphaned well expenditures from the Oil and Gas Well Fund (Fund 5180) if the Chief of the Division of Oil and Gas Resources Management reasonably determines that there is an emergency situation that requires immediate action for the correction of a health or safety risk, rather than if the Chief reasonably determines that such a risk requires immediate action as in current law; and specifies that certain competitive bidding requirements do not apply to contracts related to such an emergency situation.

Specifies that the current requirement for the inspection of projects by a licensed professional engineer or professional surveyor does not apply to expenditures made from Fund 5180 under contracts for plugging idle and orphaned wells or addressing imminent health or safety risks at such wells.

Allows the Chief to engage in cooperative projects involving idle and orphaned wells with any agency of Ohio, another state, or the United States; any other governmental agency; or any state university or college; and exempts contracts entered into for the purposes such cooperative projects from certain competitive bidding requirements.

R.C. 1509.071

Same as the Executive.

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**Fiscal effect: The potential effect on the Oil and Gas Well Fund (Fund 5180) due to the exemptions from competitive bidding requirements will depend on the nature of emergency situations or cooperative projects entered into under this provision. Additionally, if the use of licensed professional engineers and surveyors for inspections under certain contracts resulted in additional costs to Fund 5180, the bill's exemption from this requirement could result in savings.**

**Fiscal effect: Same as the Executive.**

DNRCD1

Permits for Taking Wild Animals Interfering with Energy Facilities

R.C. 1533.081

Requires a person who wishes to take a wild animal that is interfering or may interfere with the operation of an energy facility to obtain a permit from the Division of Wildlife.

Requires the Chief of the Division of Wildlife to adopt rules to administer the permitting program.

**Fiscal effect: This could result in additional administrative costs paid from the Wildlife Fund (Fund 7015). These costs could be offset by permitting fees if such fees are included in the rules adopted by the Division of Wildlife.**

R.C. 1533.081

Replaces the Executive provision with a provision that requires a person operating an energy facility whose operation may result in the incidental taking of a wild animal to obtain a permit to do so from the Chief of the Division of Wildlife.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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DNRCD5

Hunting by Nonresidents

No provision.

R.C. 1533.10

Authorizes a resident of any other state who owns real property in this state, and the spouse and children living with the property owner, to hunt on that property without a license, provided that the state of residence of the real property owner allows Ohio residents who own real property in that state, and the spouse and children living with the property owner, to hunt without a license.

**Fiscal effect: Potential minimal loss in hunting license revenue deposited into the Wildlife Fund (Fund 7015).**

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**EPACD6**                      **Transfer of Functions and Responsibilities of Division of Recycling and Litter Prevention to Environmental Protection Agency; Scrap Tire Grant Fund**

R.C.            *121.04, 125.082, 125.14, 1501.04, 1502.01 (3736.01), 1502.02 (3736.03), 1502.03 (3736.02), 1502.04 (3736.04), 1502.05 (3736.05), 1502.06 (3736.06), 1502.07 (3736.07), 1502.12 (3734.822), 1502.99 (3736.99), 3714.073, 3734.51, 3734.55, 3734.82, 5733.064, Sections 601.40, 737.20, 737.30 Amends Sections 279.10 and 343.10 of H.B. 153*

- (1) Abolishes the Division of Recycling and Litter Prevention in the Department of Natural Resources, transfers its functions and responsibilities to the Environmental Protection Agency, and transfers applicable appropriations from the Division of Recycling and Litter Prevention to the Environmental Protection Agency.
- (2) Generally prohibits information that is submitted to, acquired by, or exchanged with employees of the Environmental Protection Agency in order to obtain a grant from the continuing Recycling and Litter Prevention Fund (Fund 5320) from being used in any manner for the purpose of enforcement of any requirement established in an environmental law or used as evidence in any judicial or administrative enforcement proceeding.
- (3) States that the above provision does not confer immunity on persons from enforcement that is based on information that is obtained by the Director of Environmental Protection or the Director's authorized representatives who are not employees of the Agency who

R.C.            *121.04, 125.082, 125.14, 1501.04, 1502.01 (3736.01), 1502.02 (3736.03), 1502.03 (3736.02), 1502.04 (3736.04), 1502.05 (3736.05), 1502.06 (3736.06), 1502.07 (3736.07), 1502.12 (3734.822), 1502.99 (3736.99), 3714.073, 3734.51, 3734.55, 3734.82, 5733.064, Sections 601.40, 737.20, 737.30 Amends Sections 279.10 and 343.10 of H.B. 153*

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.

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administer or provide services under the grant program.

(4) Transfers the authority to make grants from the Scrap Tire Grant Fund (Fund 4R50) from the Chief of the Division of Recycling and Litter Prevention with the approval of the Director of Natural Resources to the Director of Environmental Protection.

(5) Removes the chairperson of the Recycling and Litter Prevention Advisory Council from the Recreation and Resources Commission in the Department of Natural Resources.

(6) Removes the Director of Natural Resources from the Solid Waste Management Advisory Council in the Environmental Protection Agency.

**Fiscal effect: These provisions will transfer recycling and litter prevention duties and responsibilities including six full-time employees and \$6.5 million in FY 2013 appropriations to the Ohio Environmental Protection Agency from the Department of Natural Resources.**

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

**Fiscal effect: Same as the Executive.**

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EXPCD1            Director of Natural Resources or Designee Added to Expositions Commission

R.C.        *991.02*

Adds the Director of Natural Resources, or the Director's designated representative, as a member of the Expositions Commission, bringing the total membership of the Commission to 14 members.

R.C.        *991.02*

Same as the Executive.

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LOCCD16      Horizontal Well Impact Loans and Repayment Plans

R.C.      *321.49, 1509.01, 1509.06, 5705.27, 5705.32, and 5705.52*

Requires a horizontal well owner, before beginning construction of a well pad (defined in the bill), to pay a \$25,000 fee to the county in which the well pad will be located.

No provision.

Requires an additional \$25,000 fee to be payable for each subsequent well drilled on the same pad, due before drilling begins.

No provision.

Requires county treasurers who receive fee payments to establish in the county treasury an Oil and Gas Escrow Fund, and to deposit into the fund such payments.

No provision.

Establishes a process whereby the county budget commission distributes the fees to all or some taxing units that levy a property tax in the taxing district in which the well will be located to defray costs incurred from the presence of the well. Requires taxing units that receive any portion of the fee to repay these amounts to the owners over subsequent fiscal years based on the amount of property tax the unit collects from the well.

No provision.

Authorizes the Chief of the Division of Oil and Gas Resources Management to suspend operations of a well and revoke a permit of a permittee who does not pay a fee required by the laws and rules of the Division, including the \$25,000 fee.

No provision.

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**Fiscal effect: The \$25,000 fee could offset some of the cost that taxing units might incur for horizontal wells within their jurisdiction. However, taxing units that receive any portion of the fee are required to repay those amounts by reducing the well owners' property tax liabilities.**

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