

## Executive

## As Passed by the House

As Reported by Senate Finance  
and Financial Institutions

## 1 PUC - 8 Conform County Zoning of Small Wind Farms

No provision.

No provision.

R.C. 303.213

Changes the definition of "small wind farm" within the county zoning law so that it conforms to definitions of small wind farm within township and municipal zoning law.

**Fiscal effect: None.**

## 2 PUC - 7 Permissive Commercial Motor Vehicle Enforcement by Local Law Enforcement

No provision.

R.C. 737.39, 311.32, 4905.06, 4919.79, 4919.80,  
4923.12, and 4923.20

(1) Allows sheriffs, deputy sheriffs, and municipal police officers trained in the same manner as the State Highway Patrol Motor Carrier Enforcement Unit's uniformed employees to enforce, to the same extent as those employees, compliance with certain motor carrier laws and Public Utilities Commission (PUCO) orders or rules regarding commercial motor vehicle transportation safety, economic, and hazardous materials requirements. Authorizes such sheriffs, deputy sheriffs, and municipal police officers to stop commercial motor vehicles and inspect them, as well as certain premises and property, and requires them to cooperate with the PUCO in the course of enforcement. Requires the PUCO to adopt any rules it finds necessary regarding that enforcement, with which sheriffs, deputy sheriffs, and municipal police officers must comply.

R.C. 737.39, 311.32, 4905.06, 4919.79, 4919.80,  
4923.12, and 4923.20

No provision.

No provision.

(2) Provides that the forfeitures collected by such local law enforcement must be deposited into the Local Commercial Motor Vehicle Enforcement Fund, a new fund of the state

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treasury. Specifies that the first \$200,000 of the forfeitures so deposited in a fiscal year must be used by the PUCO for administration. Provides that forfeitures in excess of \$200,000 but not more than \$1.2 million in a fiscal year must be used for reimbursing related local government training and equipment costs. Specifies that any forfeiture revenue in excess of \$1.2 million within a fiscal year shall be deposited into the General Revenue Fund.

**Fiscal effect: Revenue from forfeitures collected cannot be determined because it is subject to behavior of those driving commercial motor vehicles. The PUCO will not spend more than \$1.2 million of the forfeitures.**

3 PUC - 5 Definitions of "Advanced Energy Project," "Advanced Energy Resources," and "Renewable Energy"

R.C. 3706.25, 4928.01

R.C. 3706.25, 4928.01, 4928.64

(1) No provision.

(1) Expands the definition of "advanced energy project" in advanced energy project law to mean not only "any technologies, products, activities, or management practices or strategies that facilitate the generation or use of electricity," but also "the generation or use of energy."

(1) Same as the House.

(2) No provision.

(2) Expands the definition of "advanced energy resource," in laws governing advanced energy projects and alternative energy requirements imposed upon electric distribution utilities and electric services companies to include "methane gas emitted from an abandoned coal mine."

(2) Same as the House, but for purposes of the law governing funding of advanced energy projects, provides that methane gas emitted from an abandoned coal mine constitutes a "renewable energy resource" rather than an "advanced energy resource."

(3) No provision.

(3) No provision.

(3) Redefines "renewable energy" for purposes of both Ohio air quality development law and advanced energy projects law, so that the term includes power produced by solid wastes.

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(4) No provision.

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(4) Allows an electric distribution utility or electric services company to comply with the renewable energy resource requirements of continuing law through a renewable resource that is eligible to receive a renewable energy credit through a renewable energy certificate pursuant to the laws of any state served by a regional transmission organization that also serves Ohio, provided such eligibility occurred on or after January 1, 1998.

**Fiscal effect: None.****Fiscal effect: None.**

4 PUC - 9 Governmental Aggregators of Electricity or Natural Gas

No provision.

No provision.

**R.C. 4928.201, 4929.261**

Requires a governmental aggregator of electricity or natural gas to distribute immediately to its customers any monetary award it receives as a result of a legal action to which it is a party and that was initiated before, on, or after the R.C. sections' effective date and brought in the interest of the customers of the governmental aggregation or, if applicable, in the interest of any political subdivisions, or, if the governmental aggregation was formed by more than one political subdivision, to distribute such money immediately to those participating subdivisions.

**Fiscal effect: Potential revenue gain for those political subdivisions participating in a governmental aggregation, under specified conditions.**

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## 5 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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Same as the Executive.

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6 PUC - 6 9-1-1 Funding and Modernization Task Force and Report

No provision.

Section: 749.10

Creates the thirteen-member 9-1-1 Funding and Modernization Task Force to review current funding models for Ohio 9-1-1 systems, and to research, analyze, and recommend appropriate future funding models and modernization policies to improve the effectiveness of their infrastructures and personnel. Requires the Task Force to deliver a report of its recommendations within ten months to the Speaker of the House of Representatives, the President of the Senate, and the Governor. Provides that Task Force members serve without compensation, and that it will cease to exist after delivering the required report.

**Fiscal effect: None; the legislation does not direct the PUCO to pay any expenditures incurred by the Task Force.**

No provision.