

Executive

DNRCD6 Forestry projects on federal land - timber sales**R.C. 1503.05, 1503.271**

Allows the Chief of the Division of Forestry to enter into agreements with the federal government for forest management projects, including timber sales, pursuant to specified federal statutes. Allows the Chief of the Division of Forestry to sell timber and other forest products from federal lands in accordance with the terms of an agreement with the federal government. (Under current law the Chief may sell timber and forest products from state forests and state forest nurseries.)

Requires the Chief to deposit money received from timber sales from federal lands into the established State Forest Fund. Specifies that, in addition to fund uses allowed under current law, the fund also may be used for forest management projects associated with federal lands in the case of revenues received pursuant to agreements entered into with the federal government.

Fiscal effect: Unknown increase in revenue deposited to the credit of the State Forest Fund (Fund 5090) used to support operations and maintenance of state forests. The bill's expansion of permissible uses of money in Fund 5090, allowing expenditures of revenue received from the sale of timber or forest products on federal land to be used for projects on federal land under an agreement with the federal government, may also result in increased expenditures from Fund 5090.

DNRCD8 ODNR wildfire reimbursement to firefighting agencies**R.C. 1503.141**

Allows the Director of Natural Resources to reimburse firefighting agencies and private fire companies for costs associated with wildfire suppression, prescribed fire assistance, or emergency response support to federal agencies, if those costs are eligible in accordance with an agreement between the Division of Forestry and the federal government.

Fiscal effect: Under current law, the DNR Director may designate up to \$200,000 from Fund 5090 for wildfire suppression payments to firefighting agencies and private fire companies. Additional payments to these entities for assistance with fire activities on federal land will result in increased expenditures from Fund 5090.

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DNRCD7 State worker assistance with out-of-state forest fires**R.C. 1503.33**

Specifies that any state employees whom the Chief of the Division of Forestry sends to another state to assist with forest fires, not solely employees of that Division, as under current law, are eligible for regular employment benefits (i.e., compensation, pension, indemnity fund rights, and workers' compensation) and are immune from civil liability when performing duties within the scope of employment.

Fiscal effect: None.

DNRCD4 Eliminate Ohio Geology license plate**R.C. 1505.09, 4503.515 (repealed)**

Eliminates the Ohio Geology license plate and the corresponding \$15 contribution that is deposited into the Geological Mapping Fund and that the Chief of the Division of Geological Survey may use to (1) award grants to geology departments at state colleges and universities for graduate level research, or (2) give educational materials such as rock and mineral kits to elementary or secondary schools. Allows, instead, the Chief to use any money in the Geological Mapping Fund for the above purposes, and allows the Chief to use the money to provide grants for undergraduate geological research.

Fiscal effect: None. Although the bill eliminates the Ohio Geology license plate and the corresponding \$15 contribution to the Geological Mapping Fund (Fund 5110), because this plate is not currently issued by the Bureau of Motor Vehicles, the change will have no fiscal effect.

DNRCD16 Defective well casing and plugging requirements**R.C. 1509.02**

(1) Prohibits any person (rather than only the owner of a well) from constructing a well that causes damage to other permeable strata, underground sources of drinking water, or the surface of the land or that threatens the public health and safety or the environment.

(2) Prohibits any person or an owner of a well from operating a well that causes the damages specified above or threatens the public health and safety or the environment.

(3) Retains current law that prohibits the owner of a well from allowing defective casing in a well to leak fluid or gases, but eliminates the requirement that the leak must cause the damages specified above, or threaten the public health and safety or the environment.

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- (4) Requires the person who constructed the well or the owner of the well to notify the Chief of the Division of Oil and Gas Resources Management of well or casing defects in writing within 24 hours of discovering the defect.
- (5) Requires the owner of the well or the person who constructed the well to immediately repair any defects or plug the well.
- (6) Specifies that the Chief may order a person who constructed a well or the owner of the well to plug it.
- (7) Prohibits any person, rather than only the owner as in current law, from failing or refusing to plug the well as specified in the order.
- (8) Applies existing civil and criminal penalties to any violation of the prohibitions.

Fiscal effect: Potential additional revenue being deposited to the credit of the Oil and Gas Well Fund (Fund 5180) as a result of fines and civil penalties. Under continuing law, civil penalties may be assess up to \$10,000 for each violation and criminal fines of between \$100 and \$1,000 for a first offense and between \$200 and \$2,000 for additional offenses.

DNRCD17 Oil and gas well plugging

R.C. 1509.13

- (1) Authorizes the holder of a valid drilling permit to obtain approval from the Division of Oil and Gas Resources Management to plug a well without a permit to plug and abandon if an oil and gas inspector approves the plugging and either of the following apply: (1) the well was drilled to total depth and the well cannot or will not be completed, or (2) the well is a lost hole or a dry hole.
- (2) Requires a permit holder plugging a well that was drilled to a total depth and that cannot or will not be completed to do so within 30 days of inspector approval.
- (3) Requires a permit holder plugging a lost hole or dry hole to do so immediately after determining that the well is a lost hole or dry hole in accordance with rules.
- (4) Clarifies that the Chief may plug and abandon wells without a permit to do so.
- (5) Specifies that the \$250 application fee for a permit to plug and abandon a well is nonrefundable and applies even if oil and gas has not been produced from the well.
- (6) Requires any person undertaking plugging, other than a well owner already required to maintain an insurance policy under current law, to obtain \$1 million in bodily injury and property damage insurance coverage or \$3 million if the well is in an urbanized area.
- (7) Requires a person to electronically submit proof of that insurance to the Chief upon the Chief's request.

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Fiscal effect: Minimal. Allowing someone who hold a valid drilling permit to plug wells without a permit to plug and abandon under certain circumstances may result in a minimal reduction of revenue deposited to the credit of the Oil and Gas Well Fund (Fund 5180). The fee for plug and abandon permits is set at \$250 under continuing law.

DNRCD3 Performance security for coal mining operations**R.C. 1513.08**

Requires a coal mining and reclamation permittee to submit full performance security instead of using partial security and money from the existing Reclamation Forfeiture Fund for purposes of land reclamation if: (1) ownership and operational control of the permittee has been transferred, assigned, or sold, and (2) the transferee has not held a mining permit in Ohio for at least five years. Specifies that this restriction applies even if the status and name of the permittee otherwise remain the same.

Fiscal effect: Potential reduction in costs from the Reclamation Forfeiture Fund (Fund 5310). This fund is used to pay costs of reclaiming land affected by coal mining on which the coal mine operator has defaulted on the operator's obligation to reclaim the land.

DNRCD18 Water well, water diversion, and water withdrawal fines**R.C. 1521.06, 1521.99**

Requires criminal fines collected from violators of certain laws governing water well construction logs and water diversions and withdrawals to be credited to the Water Management Fund (Fund 5160) rather than the Dam Safety Fund (Fund 6150) as under current law.

Fiscal effect: This change will not impact the amount of fine revenue collected but will affect the allowable uses of that revenue. Fund 5160, which would receive the revenue under the bill, is used by DNR for administration of its water management activities including the consumptive use and withdrawal programs. Fund 6150, which receives the fine revenue under current law is used to administer dam safety programs, including oversight of construction and safety inspections of dams and for emergency response to dam hazards.

DNRCD14 Dams and levees financial responsibility**R.C. 1521.061**

Revises the amount of the surety bond that an applicant for a dam or levee construction permit must file (currently, a flat 50% of the estimated construction project costs), to the following: (1) \$50,000; plus (2) 25% of the estimated costs above \$500,000 and up to \$5,000,000; plus (3) 10% of the estimated costs exceeding \$5,000,000.

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Authorizes the Chief of the Division of Water Resources to reduce the bond amount to an amount equal to the cost estimate of construction activities necessary to render the dam nonhazardous, provided the estimate is provided by the applicant and it is approved by the Chief.

Fiscal effect: Uncertain. Any fiscal effect will depend upon actual construction costs of a dam on which the permittee to construct the dam fails to complete the construction. For dams with construction costs greater than \$100,000, forfeiture of the surety by the permittee will result in less revenue deposited to the Dam Safety Fund (Fund 6150) than under current law.

DNRCD13 Dams and levees enforcement**R.C. 1521.40**

Authorizes the Chief of the Division of Water Resources to assess a civil penalty of up to \$5,000 per day for each day of each violation of the laws governing dams and levees and water withdrawals and diversions or any term or condition of a permit issued under those laws.

Disburses money derived from costs and civil penalties as follows: (1) for violations related to dams and levees, both costs and civil penalties are credited to the Dam Safety Fund (Fund 6150) and (2) for violations related to water diversions and withdrawals, civil penalties are credited to the Water Management Fund (Fund 5160).

Fiscal effect: Potential increase in revenue to Fund 5160 and 6150.

DNRCD15 Lake Erie Sport Fishing District permit**R.C. 1531.01, 1533.01, 1533.101, and 1533.38 (repealed)**

Eliminates the Lake Erie Sport Fishing District permit, which the Division of Wildlife issues to nonresidents to fish in Lake Erie, its embayments, and other specified areas connected to Lake Erie between January and April.

Fiscal effect: Minimal loss of revenue deposited to the credit of the Wildlife Fund (Fund 7015). Under current law, revenue from the sale of this \$10 permit may only be used for specific purposes that benefit sport fishing in and the protection of the Lake Erie Sport Fishing District.

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DNRCD10 Wildlife Boater Angler Fund's cap on certain expenditures**R.C. 1531.35**

Removes the \$500,000 cap on annual expenditures from the Wildlife Boater Angler Fund that the Division of Wildlife may make to pay for equipment and personnel costs associated with boating access improvements.

Fiscal effect: Removing the cap on expenditures from the Wildlife Boater Angler Fund (Fund 5P20) on equipment and payroll will likely result in a small increase in overall expenditures paid from the fund. Fund 5P20 receives 0.125% of revenues from the motor vehicle fuel tax.

DNRCD11 Senior deer and wild turkey fees**R.C. 1533.11**

Decreases the fees for a senior deer permit and senior wild turkey permit, available to Ohio residents 66 and older, from \$11.50 to \$11.00. Removes superfluous definitions of "resident" and "nonresident" in the law governing deer and wild turkey permits (those definitions already exist in R.C. 1531.01 and 1533.01).

Fiscal effect: A 50¢ reduction in fees for senior deer and wild turkey permits will likely result in an annual loss of revenue of less than \$20,000. Revenue from deer and wild turkey permits is deposited to the credit of the Wildlife Fund (Fund 7015).

DNRCD12 Veterans fishing and hunting benefits**R.C. 1533.12**

Aligns state veteran fishing and hunting benefits with federal benefits by replacing a reference that qualifying for the benefit requires a veteran to have a total and permanent disability as determined by the U.S. Veterans Administration instead with a reference that a veteran qualifies if entitled to benefits under the federal Dependent's Education Assistance Program administered by the U.S. Department of Veterans Affairs.

Fiscal effect: None.

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DNRCD31 Fraudulent watercraft identification number or decal

R.C. 1547.533

Prohibits a person from operating a watercraft in Ohio if it displays an identification number or registration that is (1) fictitious, (2) a counterfeit or an unlawfully made copy of an identification number or registration decal, or (3) belongs to another watercraft. Applies the current minor misdemeanor penalty to a violation of the prohibition.

Fiscal effect: Minimal.

DNRCD5 Reporting threshold for boating accidents

R.C. 1547.59

Increases the damage threshold that triggers a required watercraft accident report to the Chief of the Division of Parks and Watercraft from \$500 to \$1,000.

Fiscal effect: Increasing the damage threshold for reporting watercraft accident reports may result in fewer reports being filed and a slight decrease in administrative costs paid from the Waterways Safety Fund (Fund 7086), used by DNR to cover the costs of its watercraft regulatory operations.

DNRCD2 Deputy mine inspector eligibility requirements

R.C. 1561.12

Modifies the six years of work experience requirement of an applicant for the position of a deputy mine inspector of underground coal mines or underground noncoal mines by: (1) eliminating the requirement that two of the six years of experience be in Ohio underground coal mines for an underground coal mine inspector, (2) eliminating the requirement that two of the six years of experience be in Ohio underground noncoal mines for an underground noncoal mine inspector, and (3) allowing the experience for either type of inspector to be in any underground mine, rather than in specific mining operations.

Modifies the six years of work experience requirement of an applicant for the position of a deputy mine inspector of surface mines by eliminating the requirement that two of the six years be in Ohio surface mines.

Fiscal effect: None.

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DNRCD1 Reciprocity for mine personnel**R.C. 1561.23**

Authorizes the Chief of the Division of Mineral Resources Management to issue a certificate to work as a mine foreperson, foreperson, or mine electrician to an out-of-state applicant if (1) the applicant holds a valid certification or other authorization from a state with which the Department of Natural Resources has a reciprocal agreement for the certification or authorization, and (2) the applicant passes an examination on Ohio mining law or other topics determined by the Chief.

Allows an out-of-state mine foreperson, foreperson, or mine electrician who has been issued a temporary certificate to act as a foreperson or mine electrician in Ohio prior to the provision's effective date to continue to work under that temporary certificate.

Fiscal effect: None.

DNRCD19 Program Support Fund**Section: 343.20**

Requires the Director of Natural Resources to use a methodology for determining each DNR division's payments into the Program Support Fund (Fund 1570). Requires the methodology used to determine the payments to contain the characteristics of administrative ease and uniform application in compliance with federal grant requirements, and allows the methodology to include direct cost charges for specific services provided. Requires payments to Fund 1570 to be made using intrastate transfer voucher. Specifies that GRF appropriation item 725401, Division of Wildlife - Operating Subsidy, be used to cover the direct and indirect costs of the Division of Wildlife.

DNRCD20 Parks and Recreational Facilities Lease Rental Bond Payments**Section: 343.20**

Requires GRF appropriation item 725413, Parks and Recreational Facilities Lease Rental Bond Payments, to be used during the FY 2022-FY 2023 biennium to make payments by DNR pursuant to leases and agreements made under RC 154.22. Specifies that these appropriations are the source of funds pledged for bond service charges on related obligations issued under Chapter 154 or the Revised Code.

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DNRCD21 Healthy Lake Erie Program**Section: 343.20**

Requires appropriation item 725505, Healthy Lake Erie Program, to be used in support of: (1) conservation measures in the Western Lake Erie Basin, (2) funding assistance for soil testing, winter cover crops, edge of field testing, tributary monitoring, animal waste abatement, and (3) any additional efforts to reduce nutrient runoff as the DNR director may decide. Requires that the director give priority to recommendations that encourage farmers to adopt 4R nutrient stewardship practices.

DNRCD22 Coal and Mine Safety Programs**Section: 343.20**

Requires GRF appropriation item 725507, Coal and Mine Safety Program, to be used for the administration of the Mine Safety Program and the Coal Regulation Program.

DNRCD23 Natural Resource General Obligation Bond Debt Service**Section: 343.20**

Requires GRF appropriation item 725903, Natural Resources General Obligation Bond Debt Service, to be used during the FY 2022-FY 2023 biennium to pay all debt service and related financing costs on obligations issued under RC 151.01 and 151.05.

DNRCD24 Oil and Gas Well Plugging**Section: 343.30**

Requires Fund 5180 appropriation item 725677, Oil and Gas Well Plugging, to be used exclusively for plugging wells and properly restoring the land surface of idle and orphan oil and gas wells pursuant to RC 1509.071. Prohibits it from being used for salaries, maintenance, equipment, or other administrative purposes, except those costs directly attributable to the plugging of an idle or orphan well. Prohibits the line item from being used to transfer cash to any other fund or appropriation item.

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DNRCD25 H2Ohio Fund**Section: 343.30**

Allows the Director of DNR, on July 1, 2022, or as soon as possible thereafter, to certify to OBM an amount up to the unexpended, unencumbered balance of Fund 6H20 appropriation item 725681, H2Ohio, at the end of FY 2022 to be appropriated in FY 2023. Appropriates the certified amounts for FY 2023.

DNRCD26 Well log filing fees**Section: 343.30**

Requires the Chief of the Division of Water Resources to deposit well log filing fees forwarded to the Division into the Water Management Fund (Fund 5160) for the purposes described in RC 1521.05.

DNRCD27 Parks Capital Expenses Fund**Section: 343.30**

Requires that the Director of DNR submit to the Director of OBM the estimated design, engineering, and planning costs of capital related work to be done by DNR staff for parks projects within the Ohio Parks and Recreation Improvement Fund (Fund 7035). Permits the Director of DNR, if OBM approves the estimated costs, to release appropriations from Fund 7035 appropriation item C725E6, Project Planning, for those purposes. Requires DNR to pay for these expenses from the Parks Capital Expenses Fund (Fund 2270), and requires expenses paid from Fund 2270 to be reimbursed by Fund 7035 using an intrastate transfer voucher.

DNRCD28 NatureWorks Capital Expenses Fund**Section: 343.30**

Requires the Department of DNR to submit to the Director of OBM the estimated design, planning, and engineering costs of capital related work to be done by DNR staff for each capital improvement project within the Ohio Parks and Natural Resources Fund (Fund 7031). Permits the Director of DNR, if OBM approves the estimated costs, to release appropriations from Fund 7031 appropriation item C725E5, Project Planning, for those purposes. Requires DNR to pay for these expenses from the Capital Expenses Fund (Fund 4S90), and requires expenses paid from Fund 4S90 to be reimbursed by Fund 7031 by using an intrastate transfer voucher.

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DNRCD29 Park Maintenance**Section: 343.30**

Requires that appropriation item 725514, Park Maintenance, be used to pay the costs of projects supported by the State Park Maintenance Fund (Fund 5TD0). Requires the Director of Natural Resources, on July 1, of each fiscal year, or as soon as possible thereafter, to certify the amount of 5% of the average of the previous five years of deposits in the State Park Fund (Fund 5120) to the Director of OBM. Allows the Director of OBM to transfer up to \$1,600,000 in cash from Fund 5120 to Fund 5TD0.

DNRCD30 Clean Ohio Trail Operating Expenses**Section: 343.50**

Requires that appropriation item 725405, Clean Ohio Trail Operating, be used to administer Clean Ohio Trail Fund (Fund 7061) projects under RC 1519.05.
