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# OHIO LEGISLATIVE SERVICE COMMISSION

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## Synopsis of Senate Committee Amendments

(This synopsis does not address amendments that may have been adopted on the Senate Floor.)

### H.B. 7 of the 133<sup>rd</sup> General Assembly

#### Senate Finance

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#### **Replaces H.B. 7 with S.B. 2 provisions and CAUV changes**

Removes all provisions in the As Passed by the House version, replaces them with provisions from the version of S.B. 2 that is currently pending in House Energy and Natural Resources Committee, and modifies current agricultural use value (CAUV) land eligibility requirements, as discussed below.

#### **Provisions removed from H.B. 7**

Removes the House-passed provisions that do the following:

--Create the H2Ohio Trust Fund to provide for the protection, preservation, and restoration of the water quality of Ohio's lakes and rivers;

--Require the Ohio Water Development Authority (OWDA) to act as trustee of the fund;

--Create the H2Ohio Advisory Council to establish priorities for use of the fund for water quality initiatives, and designate the Treasurer of State or designee as the Executive Director of the fund;

--Require the Treasurer to provide for the coordination of efforts between the OWDA, the H2Ohio Advisory Council, and the Treasurer with respect to the fund;

--Authorize the OWDA to disburse money from the fund (up to \$100 million per fiscal year) via loans and grants to applicants that are approved by the Council to address water quality issues;

--If fund money is disbursed specifically to the Department of Natural Resources, Department of Agriculture, or the Environmental Protection Agency, require the directors of those state agencies to each prepare an annual plan detailing how the money will be spent;

--Require the Council to review and approve each agency's annual plan or portions of the plan before the OWDA may disburse money to the agency; and

--Require the OWDA to make recommendations to the Treasurer of State regarding issuing obligations (revenue bonds) to raise money for deposit in the fund.

## **Provisions of S.B. 2 added to the bill**

### **Statewide Watershed Planning and Management Program**

Creates the Statewide Watershed Planning and Management Program for the improvement and protection of Ohio's watersheds to be administered by the Director of Agriculture.

Requires the Director to categorize watersheds in Ohio and appoint at least one watershed planning and management coordinator (hereafter coordinator) in each categorized watershed region to coordinate watershed planning in the watershed.

Requires a coordinator to perform certain duties in the watershed in which the coordinator is appointed, including assisting each soil and water conservation district to identify sources and areas of water quality impairment.

Requires the Director to assist soil and water conservation districts in watershed planning and management.

Requires a soil and water conservation district board to consult and work with the coordinator appointed to the watershed region in which the soil and water conservation district is located.

Exempts specified data or records of a person's agricultural operations or conservation or water quality improvement practices from Ohio's public records law.

Authorizes the Department of Agriculture to share data or records of conservation or water quality improvement practices with state agencies and institutions of higher education for the purpose of water quality research under certain circumstances.

### **Intent statement**

States that it is the General Assembly's intent to collaborate with organizations representing agriculture, conservation, the environment, and higher education to establish a certification program for farmers that utilize practices designed to minimize impacts to water quality.

### **Watershed pilot program**

Requires the Department of Agriculture, in consultation with the Lake Erie Commission and the Ohio Soil and Water Conservation Commission, to establish a pilot program that assists farmers, agricultural retailers, and soil and water conservation districts in reducing phosphorus in a watershed to be determined by the Department.

Requires the funding to be used to support specified purposes, including equipment for subsurface placement of nutrients into the soil and equipment for nutrient placement based on geographic information system data.

### **Voluntary nutrient management plan: public records exemption**

Exempts information, data, and any other record associated with a voluntary nutrient management plan from Ohio's public records law.

### **Regional water and sewer districts**

Allows a regional water and sewer district to make loans and grants to and enter into cooperative agreements with any person (a natural person, firm, partnership, association, or corporation other than a political subdivision) rather than only with political subdivisions as in current law.

Expands a district's authority to offer discounted rentals or charges to any person who is of low or moderate income or who qualifies for the homestead exemption, instead of only to those who are 65 or older and meet that criteria as in current law.

### **CAUV eligibility of land used for biofuel production**

Modifies the requirements that land used in biofuel production must meet in order to be valued for property tax purposes at its CAUV.