

As Introduced

**126th General Assembly
Regular Session
2005-2006**

H. B. No. 609

Representatives McGregor, J., Patton, T., Skindell, Allen, Fende, Garrison

—

A B I L L

To amend Sections 209.18 and 209.18.09 of Am. Sub. 1
H.B. 66 of the 126th General Assembly, as 2
subsequently amended, and to establish the 3
Commercial Fishing Buy Out Program, and to make an 4
appropriation 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That Sections 209.18 and 209.18.09 of Am. Sub. 6
H.B. 66 of the 126th General Assembly, as amended by Am. Sub. H.B. 7
530 of the 126th General Assembly, be amended to read as follows: 8

Sec. 209.18. DNR DEPARTMENT OF NATURAL RESOURCES 9

General Revenue Fund 10

GRF 725-401 Wildlife-GRF Central \$ 1,315,000 \$ 1,365,000 11
Support

GRF 725-404 Fountain Square Rental \$ 1,025,300 \$ 1,092,000 12
Payments - OBA

GRF 725-407 Conservation Reserve \$ 1,000,000 \$ 1,000,000 13
Enhancement Program

GRF 725-413 OPFC Lease Rental \$ 18,699,100 \$ 20,962,800 14
Payments

GRF 725-423 Stream and Ground \$ 311,910 \$ 311,910 15
Water Gauging

GRF 725-425	Wildlife License Reimbursement	\$	646,319	\$	646,319	16
GRF 725-456	Canal Lands	\$	332,859	\$	332,859	17
GRF 725-502	Soil and Water Districts	\$	9,836,436	\$	9,836,436	18
<u>GRF 725-503</u>	<u>Commercial Fishing Buy-Out Program</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>4,000,000</u>	19
GRF 725-903	Natural Resources General Obligation Debt Service	\$	25,866,000	\$	24,359,100	20
GRF 727-321	Division of Forestry	\$	8,541,511	\$	8,541,511	21
GRF 728-321	Division of Geological Survey	\$	1,630,000	\$	1,630,000	22
GRF 729-321	Office of Information Technology	\$	440,895	\$	440,895	23
GRF 730-321	Division of Parks and Recreation	\$	37,874,841	\$	39,874,841	24
GRF 731-321	Office of Coastal Management	\$	259,707	\$	259,707	25
GRF 733-321	Division of Water	\$	3,257,619	\$	3,207,619	26
GRF 736-321	Division of Engineering	\$	3,118,703	\$	3,118,703	27
GRF 737-321	Division of Soil and Water	\$	4,074,788	\$	4,074,788	28
GRF 738-321	Division of Real Estate and Land Management	\$	2,291,874	\$	2,291,874	29
GRF 741-321	Division of Natural Areas and Preserves	\$	3,009,505	\$	3,009,505	30
GRF 744-321	Division of Mineral Resources Management	\$	3,068,167	\$	3,068,167	31
TOTAL GRF	General Revenue Fund	\$	126,600,534	\$	129,424,034 <u>133,424,034</u>	32

General Services Fund Group					33
155 725-601 Departmental Projects	\$	3,135,821	\$	3,011,726	34
157 725-651 Central Support	\$	6,528,675	\$	6,528,675	35
Indirect					
204 725-687 Information Services	\$	4,676,627	\$	4,676,627	36
206 725-689 REALM Support Services	\$	475,000	\$	475,000	37
207 725-690 Real Estate Services	\$	64,000	\$	64,000	38
223 725-665 Law Enforcement	\$	2,096,225	\$	2,096,225	39
Administration					
227 725-406 Parks Projects	\$	175,000	\$	110,000	40
Personnel					
4D5 725-618 Recycled Materials	\$	50,000	\$	50,000	41
4S9 725-622 NatureWorks Personnel	\$	472,648	\$	307,648	42
4X8 725-662 Water Resources	\$	125,000	\$	125,000	43
Council					
430 725-671 Canal Lands	\$	797,582	\$	847,582	44
508 725-684 Natural Resources	\$	157,792	\$	157,792	45
Publications					
510 725-631 Maintenance -	\$	260,849	\$	260,849	46
State-owned Residences					
516 725-620 Water Management	\$	2,442,956	\$	2,459,120	47
635 725-664 Fountain Square	\$	3,182,223	\$	3,190,223	48
Facilities Management					
697 725-670 Submerged Lands	\$	542,011	\$	542,011	49
TOTAL GSF General Services					50
Fund Group	\$	25,182,409	\$	24,902,478	51
Federal Special Revenue Fund Group					52
3B3 725-640 Federal Forest	\$	150,000	\$	150,000	53
Pass-Thru					
3B4 725-641 Federal Flood	\$	350,000	\$	350,000	54
Pass-Thru					
3B5 725-645 Federal Abandoned Mine	\$	14,310,497	\$	14,307,666	55

		Lands				
3B6	725-653	Federal Land and Water	\$	5,000,000	\$	5,000,000
		Conservation Grants				56
3B7	725-654	Reclamation -	\$	2,107,292	\$	2,107,291
		Regulatory				57
3P0	725-630	Natural Areas and	\$	315,000	\$	315,000
		Preserves - Federal				58
3P1	725-632	Geological Survey -	\$	479,651	\$	479,651
		Federal				59
3P2	725-642	Oil and Gas-Federal	\$	362,933	\$	367,912
						60
3P3	725-650	Coastal Management -	\$	1,592,923	\$	1,607,686
		Federal				61
3P4	725-660	Water - Federal	\$	419,766	\$	420,525
						62
3R5	725-673	Acid Mine Drainage	\$	2,225,000	\$	2,225,000
		Abatement/Treatment				63
3Z5	725-657	REALM-Federal	\$	1,578,871	\$	1,578,871
						64
328	725-603	Forestry Federal	\$	1,813,827	\$	2,228,081
						65
332	725-669	Federal Mine Safety	\$	258,102	\$	258,102
		Grant				66
		TOTAL FED Federal Special Revenue				67
		Fund Group	\$	30,963,862	\$	31,395,785
						68
		State Special Revenue Fund Group				69
4J2	725-628	Injection Well Review	\$	93,957	\$	79,957
						70
4M7	725-631	Wildfire Suppression	\$	100,000	\$	100,000
						71
4U6	725-668	Scenic Rivers	\$	407,100	\$	407,100
		Protection				72
5BV	725-683	Soil and Water	\$	1,850,000	\$	1,850,000
		Districts				73
5B3	725-674	Mining Regulation	\$	28,850	\$	28,850
						74
						75
5P2	725-634	Wildlife Boater Angler	\$	4,200,000	\$	3,500,000
		Administration				76
509	725-602	State Forest	\$	2,291,664	\$	2,591,664
						77

511	725-646	Ohio Geological Mapping	\$	549,310	\$	549,310	78
512	725-605	State Parks Operations	\$	26,814,288	\$	26,814,288	79
512	725-680	Parks Facilities Maintenance	\$	2,576,240	\$	2,576,240	80
514	725-606	Lake Erie Shoreline	\$	612,075	\$	657,113	81
518	725-643	Oil and Gas Permit Fees	\$	2,674,377	\$	2,674,378	82
518	725-677	Oil and Gas Well Plugging	\$	1,200,000	\$	1,200,000	83
521	725-627	Off-Road Vehicle Trails	\$	143,490	\$	143,490	84
522	725-656	Natural Areas Checkoff Funds	\$	1,550,670	\$	1,550,670	85
526	725-610	Strip Mining Administration Fee	\$	1,932,492	\$	1,932,492	86
527	725-637	Surface Mining Administration	\$	2,312,815	\$	2,322,702	87
529	725-639	Unreclaimed Land Fund	\$	623,356	\$	631,257	88
531	725-648	Reclamation Forfeiture	\$	2,061,861	\$	2,062,237	89
532	725-644	Litter Control and Recycling	\$	7,100,000	\$	7,100,000	90
586	725-633	Scrap Tire Program	\$	1,000,000	\$	1,000,000	91
615	725-661	Dam Safety	\$	365,223	\$	365,223	92
TOTAL SSR State Special Revenue							93
Fund Group			\$	60,487,768	\$	60,136,971	94
Clean Ohio Fund Group							95
061	725-405	Clean Ohio Operating	\$	155,000	\$	155,000	96
TOTAL CLF Clean Ohio Fund Group			\$	155,000	\$	155,000	97
Wildlife Fund Group							98
015	740-401	Division of Wildlife Conservation	\$	49,447,500	\$	50,447,500	99

815	725-636	Cooperative Management Projects	\$	120,449	\$	120,449	100
816	725-649	Wetlands Habitat	\$	966,885	\$	966,885	101
817	725-655	Wildlife Conservation Checkoff Fund	\$	5,000,000	\$	5,000,000	102
818	725-629	Cooperative Fisheries Research	\$	1,500,000	\$	1,500,000	103
819	725-685	Ohio River Management	\$	128,584	\$	128,584	104
TOTAL WLF Wildlife Fund Group			\$	57,163,418	\$	58,163,418	105
Waterways Safety Fund Group							106
086	725-414	Waterways Improvement	\$	3,792,343	\$	3,792,343	107
086	725-418	Buoy Placement	\$	52,182	\$	52,182	108
086	725-501	Waterway Safety Grants	\$	137,867	\$	137,867	109
086	725-506	Watercraft Marine Patrol	\$	576,153	\$	576,153	110
086	725-513	Watercraft Educational Grants	\$	366,643	\$	366,643	111
086	739-401	Division of Watercraft	\$	20,027,909	\$	20,086,681	112
5AW	725-682	Watercraft Revolving Loans	\$	3,000,000	\$	1,000,000	113
TOTAL WSF Waterways Safety Fund Group			\$	27,953,097	\$	26,011,869	114 115
Holding Account Redistribution Fund Group							116
R17	725-659	Performance Cash Bond Refunds	\$	374,263	\$	374,263	117
R43	725-624	Forestry	\$	2,500,000	\$	1,500,000	118
TOTAL 090 Holding Account Redistribution Fund Group			\$	2,874,263	\$	1,874,263	119 120
Accrued Leave Liability Fund Group							121
4M8	725-675	FOP Contract	\$	20,844	\$	20,844	122
TOTAL ALF Accrued Leave Liability Fund Group			\$	20,844	\$	20,844	123 124

\$30,000, upon receipt of a request and justification from the
district and approval by the Ohio Soil and Water Conservation
Commission. The county auditor shall credit the payments to the
special fund established under section 1515.10 of the Revised Code
for the local soil and water conservation district. Moneys
received by each district shall be expended for the purposes of
the district. The foregoing appropriation item 725-683, Soil and
Water Districts, shall be expended for the purposes described
above, except that the funding source for this appropriation shall
be a fee applied on the disposal of construction and demolition
debris as provided in section 1515.14 of the Revised Code, as
amended by Am. Sub. H.B. 66 of the 126th General Assembly.

Of the foregoing appropriation item 725-502, Soil and Water
Districts, \$25,000 in each fiscal year shall be used for the
Conservation Action Project.

Of the foregoing appropriation item, 725-683, Soil and Water
Districts, \$200,000 in each fiscal year shall be used to support
the Heidelberg College Water Quality Laboratory.

Of the foregoing appropriation item 725-683, Soil and Water
Districts, \$100,000 in each fiscal year shall be used to support
the Muskingum Watershed Conservancy District.

Of the foregoing appropriation item 725-683, Soil and Water
Districts, \$100,000 in each fiscal year shall be used to support
the Indian Lake Watershed in Logan County.

COMMERCIAL FISHING BUY-OUT PROGRAM

The foregoing GRF appropriation item 725-503, Commercial
Fishing Buy-Out Program, shall be expended by the Division of
Wildlife to acquire all commercial fishing licenses currently
issued and in reserve, including the purchase of any rights to
renew such licenses. Payment shall be made to the licensee to whom
each such license was issued as soon as practicable after the

effective date of this section. All commercial fishing shall cease 186
prior to the 2007 season. The amount paid to each licensee shall 187
equal the product obtained by multiplying \$1.94 per pound for 188
yellow perch species by an average number of pounds per year of 189
yellow perch caught, as reported by the licensee under section 190
1533.42 of the Revised Code. For all other species, the amount 191
shall be \$0.28 per pound multiplied by an average number of pounds 192
per year of other species caught, as reported by the licensee 193
under section 1533.42 of the Revised Code. The average shall be 194
determined by dividing by six the total for six years of largest 195
reported catch during the 2000-2005 period. In no case shall the 196
amount paid to each person holding a license be less than one 197
hundred dollars. 198

DIVISION OF WATER 199

Of the foregoing appropriation item 733-321, Division of 200
Water, \$50,000 in fiscal year 2006 shall be used for the Fairport 201
Harbor Port Authority boat launch in Lake County. 202

FUND CONSOLIDATION 203

The Director of Budget and Management shall transfer an 204
amount certified by the Director of Natural Resources from the 205
Central Support Indirect Fund (Fund 157) to the Law Enforcement 206
Administration Fund (Fund 223) and the Information Services Fund 207
(Fund 204) to implement a direct cost recovery plan. 208

STATE PARK DEPRECIATION RESERVE 209

The foregoing appropriation item 725-680, Parks Facilities 210
Maintenance, shall be used by the Division of Parks and Recreation 211
to maintain state park revenue producing facilities in the best 212
economic operating condition and to repair and replace equipment 213
used in the operation of state park revenue producing facilities. 214

Upon certification of the Director of Natural Resources, the 215

Director of Budget and Management shall transfer the cash balance 216
in the Depreciation Reserve Fund (Fund 161), which is abolished in 217
section 1541.221 of the Revised Code, as amended by Am. Sub. H.B. 218
66 of the 126th General Assembly, to the State Park Fund (Fund 219
512), which is created in section 1541.22 of the Revised Code. All 220
outstanding encumbrances shall be canceled on October 1, 2005. 221

OIL AND GAS WELL PLUGGING 222

The foregoing appropriation item 725-677, Oil and Gas Well 223
Plugging, shall be used exclusively for the purposes of plugging 224
wells and to properly restore the land surface of idle and orphan 225
oil and gas wells pursuant to section 1509.071 of the Revised 226
Code. No funds from the appropriation item shall be used for 227
salaries, maintenance, equipment, or other administrative 228
purposes, except for those costs directly attributed to the 229
plugging of an idle or orphan well. Appropriation authority from 230
this appropriation item shall not be transferred to any other fund 231
or line item. 232

LITTER CONTROL AND RECYCLING 233

Of the foregoing appropriation item, 725-644, Litter Control 234
and Recycling, not more than \$1,500,000 may be used in each fiscal 235
year for the administration of the Recycling and Litter Prevention 236
program. 237

CLEAN OHIO OPERATING EXPENSES 238

The foregoing appropriation item 725-405, Clean Ohio 239
Operating, shall be used by the Department of Natural Resources in 240
administering section 1519.05 of the Revised Code. 241

WATERCRAFT MARINE PATROL 242

Of the foregoing appropriation item 739-401, Division of 243
Watercraft, not more than \$200,000 in each fiscal year shall be 244
expended for the purchase of equipment for marine patrols 245

qualifying for funding from the Department of Natural Resources 246
pursuant to section 1547.67 of the Revised Code. Proposals for 247
equipment shall accompany the submission of documentation for 248
receipt of a marine patrol subsidy pursuant to section 1547.67 of 249
the Revised Code and shall be loaned to eligible marine patrols 250
pursuant to a cooperative agreement between the Department of 251
Natural Resources and the eligible marine patrol. 252

WATERCRAFT REVOLVING LOAN PROGRAM 253

Upon certification by the Director of Natural Resources, the 254
Director of Budget and Management shall transfer an amount not to 255
exceed \$3,000,000 in fiscal year 2006 and not to exceed \$1,000,000 256
in fiscal year 2007 so certified from the Waterways Safety Fund 257
(Fund 086) to the Watercraft Revolving Loans Fund (Fund 5AW). The 258
moneys shall be used pursuant to section 1547.721 of the Revised 259
Code. 260

PARKS CAPITAL EXPENSES FUND 261

There is hereby created in the state treasury the Parks 262
Capital Expenses Fund (Fund 227). The fund shall be used to pay 263
for design, engineering, and planning costs incurred by the 264
Department of Natural Resources for capital parks projects. 265

The Director of Natural Resources shall submit to the 266
Director of Budget and Management the estimated design, 267
engineering, and planning costs of capital-related work to be done 268
by Department of Natural Resources staff for parks projects. If 269
the Director of Budget and Management approves the estimated 270
costs, the Director may release appropriations from appropriation 271
item 725-406, Parks Projects Personnel, for those purposes. Upon 272
release of the appropriations, the Department of Natural Resources 273
shall pay for these expenses from the Parks Capital Expenses Fund 274
(Fund 227). Expenses paid from Fund 227 shall be reimbursed by the 275
Parks and Recreation Improvement Fund (Fund 035) using an 276

intrastate transfer voucher. In fiscal year 2006 the Director of 277
Budget and Management shall transfer, using an intrastate transfer 278
voucher, \$20,000 from the Parks and Recreation Improvement Fund 279
(Fund 035) to the Parks Capital Expenses Fund (Fund 227). 280

Section 2. That existing Sections 209.18 and 209.18.09 of Am. 281
Sub. H.B. 66 of the 126th General Assembly, as amended by Am. Sub. 282
H.B. 530 of the 126th General Assembly, are hereby repealed. 283

Section 3. The sections of law contained in this act, and the 284
items of law of which the sections of law contained in this act 285
are composed, are not subject to the referendum. Therefore, under 286
Ohio Constitution, Article II, Section 1d and section 1.471 of the 287
Revised Code, the sections of law contained in this act, and the 288
items of law of which the sections of law contained in this act 289
are composed, go into immediate effect when this act becomes law. 290