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Senator Wagoner

Cosponsors: Senators Jones, LaRose, Patton, Sawyer, Tavares, Turner

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A B I L L

To amend sections 127.16, 149.54, 317.08, 1506.30, 1
and 3714.03, to enact sections 149.307 and 2
4503.95, and to repeal sections 149.51 and 149.55 3
of the Revised Code to implement recommendations 4
of the Ohio Legislative Commission on the 5
Education and Preservation of State History. 6

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

Section 1. That sections 127.16, 149.54, 317.08, 1506.30, and 7
3714.03 be amended and that sections 149.307 and 4503.95 of the 8
Revised Code be enacted to read as follows: 9

Sec. 127.16. (A) Upon the request of either a state agency or 10
the director of budget and management and after the controlling 11
board determines that an emergency or a sufficient economic reason 12
exists, the controlling board may approve the making of a purchase 13
without competitive selection as provided in division (B) of this 14
section. 15

(B) Except as otherwise provided in this section, no state 16
agency, using money that has been appropriated to it directly, 17
shall: 18

(1) Make any purchase from a particular supplier, that would 19

amount to fifty thousand dollars or more when combined with both 20
the amount of all disbursements to the supplier during the fiscal 21
year for purchases made by the agency and the amount of all 22
outstanding encumbrances for purchases made by the agency from the 23
supplier, unless the purchase is made by competitive selection or 24
with the approval of the controlling board; 25

(2) Lease real estate from a particular supplier, if the 26
lease would amount to seventy-five thousand dollars or more when 27
combined with both the amount of all disbursements to the supplier 28
during the fiscal year for real estate leases made by the agency 29
and the amount of all outstanding encumbrances for real estate 30
leases made by the agency from the supplier, unless the lease is 31
made by competitive selection or with the approval of the 32
controlling board. 33

(C) Any person who authorizes a purchase in violation of 34
division (B) of this section shall be liable to the state for any 35
state funds spent on the purchase, and the attorney general shall 36
collect the amount from the person. 37

(D) Nothing in division (B) of this section shall be 38
construed as: 39

(1) A limitation upon the authority of the director of 40
transportation as granted in sections 5501.17, 5517.02, and 41
5525.14 of the Revised Code; 42

(2) Applying to medicaid provider agreements under Chapter 43
5111. of the Revised Code; 44

(3) Applying to the purchase of examinations from a sole 45
supplier by a state licensing board under Title XLVII of the 46
Revised Code; 47

(4) Applying to entertainment contracts for the Ohio state 48
fair entered into by the Ohio expositions commission, provided 49
that the controlling board has given its approval to the 50

commission to enter into such contracts and has approved a total 51
budget amount for such contracts as agreed upon by commission 52
action, and that the commission causes to be kept itemized records 53
of the amounts of money spent under each contract and annually 54
files those records with the clerk of the house of representatives 55
and the clerk of the senate following the close of the fair; 56

(5) Limiting the authority of the chief of the division of 57
mineral resources management to contract for reclamation work with 58
an operator mining adjacent land as provided in section 1513.27 of 59
the Revised Code; 60

(6) Applying to investment transactions and procedures of any 61
state agency, except that the agency shall file with the board the 62
name of any person with whom the agency contracts to make, broker, 63
service, or otherwise manage its investments, as well as the 64
commission, rate, or schedule of charges of such person with 65
respect to any investment transactions to be undertaken on behalf 66
of the agency. The filing shall be in a form and at such times as 67
the board considers appropriate. 68

(7) Applying to purchases made with money for the per cent 69
for arts program established by section 3379.10 of the Revised 70
Code; 71

(8) Applying to purchases made by the rehabilitation services 72
commission of services, or supplies, that are provided to persons 73
with disabilities, or to purchases made by the commission in 74
connection with the eligibility determinations it makes for 75
applicants of programs administered by the social security 76
administration; 77

(9) Applying to payments by the department of job and family 78
services under section 5111.13 of the Revised Code for group 79
health plan premiums, deductibles, coinsurance, and other 80
cost-sharing expenses; 81

(10) Applying to any agency of the legislative branch of the state government;	82 83
(11) Applying to agreements or contracts entered into under section 5101.11, 5101.20, 5101.201, 5101.21, or 5101.214 of the Revised Code;	84 85 86
(12) Applying to purchases of services by the adult parole authority under section 2967.14 of the Revised Code or by the department of youth services under section 5139.08 of the Revised Code;	87 88 89 90
(13) Applying to dues or fees paid for membership in an organization or association;	91 92
(14) Applying to purchases of utility services pursuant to section 9.30 of the Revised Code;	93 94
(15) Applying to purchases made in accordance with rules adopted by the department of administrative services of motor vehicle, aviation, or watercraft fuel, or emergency repairs of such vehicles;	95 96 97 98
(16) Applying to purchases of tickets for passenger air transportation;	99 100
(17) Applying to purchases necessary to provide public notifications required by law or to provide notifications of job openings;	101 102 103
(18) Applying to the judicial branch of state government;	104
(19) Applying to purchases of liquor for resale by the division of liquor control;	105 106
(20) Applying to purchases of motor courier and freight services made in accordance with department of administrative services rules;	107 108 109
(21) Applying to purchases from the United States postal service and purchases of stamps and postal meter replenishment	110 111

from vendors at rates established by the United States postal	112
service;	113
(22) Applying to purchases of books, periodicals, pamphlets,	114
newspapers, maintenance subscriptions, and other published	115
materials;	116
(23) Applying to purchases from other state agencies,	117
including state-assisted institutions of higher education <u>or the</u>	118
<u>Ohio historical society</u> ;	119
(24) Limiting the authority of the director of environmental	120
protection to enter into contracts under division (D) of section	121
3745.14 of the Revised Code to conduct compliance reviews, as	122
defined in division (A) of that section;	123
(25) Applying to purchases from a qualified nonprofit agency	124
pursuant to sections 125.60 to 125.6012 or 4115.31 to 4115.35 of	125
the Revised Code;	126
(26) Applying to payments by the department of job and family	127
services to the United States department of health and human	128
services for printing and mailing notices pertaining to the tax	129
refund offset program of the internal revenue service of the	130
United States department of the treasury;	131
(27) Applying to contracts entered into by the department of	132
developmental disabilities under section 5123.18 of the Revised	133
Code;	134
(28) Applying to payments made by the department of mental	135
health under a physician recruitment program authorized by section	136
5119.101 of the Revised Code;	137
(29) Applying to contracts entered into with persons by the	138
director of commerce for unclaimed funds collection and remittance	139
efforts as provided in division (F) of section 169.03 of the	140
Revised Code. The director shall keep an itemized accounting of	141

unclaimed funds collected by those persons and amounts paid to 142
them for their services. 143

(30) Applying to purchases made by a state institution of 144
higher education in accordance with the terms of a contract 145
between the vendor and an inter-university purchasing group 146
comprised of purchasing officers of state institutions of higher 147
education; 148

(31) Applying to the department of job and family services' 149
purchases of health assistance services under the children's 150
health insurance program part I provided for under section 5101.50 151
of the Revised Code, the children's health insurance program part 152
II provided for under section 5101.51 of the Revised Code, or the 153
children's health insurance program part III provided for under 154
section 5101.52 of the Revised Code, or the children's buy-in 155
program provided for under sections 5101.5211 to 5101.5216 of the 156
Revised Code; 157

(32) Applying to payments by the attorney general from the 158
reparations fund to hospitals and other emergency medical 159
facilities for performing medical examinations to collect physical 160
evidence pursuant to section 2907.28 of the Revised Code; 161

(33) Applying to contracts with a contracting authority or 162
administrative receiver under division (B) of section 5126.056 of 163
the Revised Code; 164

(34) Applying to purchases of goods and services by the 165
department of veterans services in accordance with the terms of 166
contracts entered into by the United States department of veterans 167
affairs; 168

(35) Applying to payments by the superintendent of the bureau 169
of criminal identification and investigation to the federal bureau 170
of investigation for criminal records checks pursuant to section 171
109.572 of the Revised Code; 172

(36) Applying to payments to the Ohio historical society from 173
other state agencies. 174

(E) When determining whether a state agency has reached the 175
cumulative purchase thresholds established in divisions (B)(1) and 176
(2) of this section, all of the following purchases by such agency 177
shall not be considered: 178

(1) Purchases made through competitive selection or with 179
controlling board approval; 180

(2) Purchases listed in division (D) of this section; 181

(3) For the purposes of the threshold of division (B)(1) of 182
this section only, leases of real estate. 183

(F) As used in this section, "competitive selection," 184
"purchase," "supplies," and "services" have the same meanings as 185
in section 125.01 of the Revised Code. 186

Sec. 149.307. There is hereby created in the state treasury 187
the "Ohio history" license plate fund. The fund shall consist of 188
the contributions that are paid to the registrar of motor vehicles 189
by applicants who choose to obtain "Ohio history" license plates 190
pursuant to section 4503.95 of the Revised Code. 191

The contributions deposited in the fund shall be used by the 192
Ohio historical society to provide grants to historical 193
organizations located in this state. An organization that receives 194
a grant under this section shall use the grant only to host 195
exhibits and increase access to its collection by the public. 196

The society shall establish and administer all aspects of the 197
grant program, including eligibility requirements for receiving a 198
grant under the program. During the four years immediately 199
following the effective date of this section, the primary focus of 200
the grant program shall be the commemoration of the 201
sesquicentennial of the civil war between the United States of 202

America and the Confederate States of America. 203

Not later than the last business day of January of each year, 204
the society shall prepare and submit to the general assembly a 205
written report, detailing all aspects of the grant program during 206
the immediately preceding calendar year. 207

Sec. 149.54. In order to ensure that archaeological survey 208
and salvage work on public lands, dedicated archaeological 209
preserves, and registered state archaeological landmarks is 210
conducted in a scientific manner, the director of the Ohio 211
historical society shall, in consultation with the Ohio 212
archaeological council and the archaeological society of Ohio, 213
adopt and may amend or rescind rules, in accordance with Chapter 214
119. of the Revised Code, prescribing minimum education, training, 215
and experience requirements for personnel in charge of or 216
otherwise engaging in archaeological survey and salvage work, and 217
prescribing scientific methods for undertaking such activities. 218

No person shall engage in archaeological survey or salvage 219
work on any land that is owned, controlled, or administered by the 220
state or any political subdivision of the state, or at any 221
archaeological preserve, dedicated under section 149.52 of the 222
Revised Code, ~~or at any state archaeological landmark registered~~ 223
~~under section 149.51 of the Revised Code,~~ without first obtaining 224
the written permission of the director. To obtain permission, the 225
applicant shall submit written application to the director, which 226
application shall indicate the proposed location, the 227
qualifications of personnel who will be engaged in the 228
archaeological survey or salvage work, the proposed methods of 229
survey or salvage, and such other information as the director 230
requires by rule. 231

The director shall deny the applicant permission to engage in 232
archaeological survey or salvage work at the proposed location if 233

the applicant's proposed undertaking will not comply with the 234
rules adopted under this section. The director shall by written 235
order approve or deny permission to disturb the site. If the 236
director decides to deny permission, the order shall state the 237
reasons for denial, and the director shall afford the applicant an 238
adjudication hearing under Chapter 119. of the Revised Code. The 239
requirements of this section and of any rule adopted pursuant to 240
this section shall not apply to any department, agency, unit, 241
instrumentality, or political subdivision of the state. 242

Whoever violates this section is guilty of a misdemeanor of 243
the second degree. Whoever violates or threatens to violate this 244
section may be enjoined from violation. 245

Sec. 317.08. (A) Except as provided in divisions (C) and (D) 246
of this section, the county recorder shall keep six separate sets 247
of records as follows: 248

(1) A record of deeds, in which shall be recorded all deeds 249
and other instruments of writing for the absolute and 250
unconditional sale or conveyance of lands, tenements, and 251
hereditaments; all notices as provided in sections 5301.47 to 252
5301.56 of the Revised Code; all judgments or decrees in actions 253
brought under section 5303.01 of the Revised Code; all 254
declarations and bylaws, and all amendments to declarations and 255
bylaws, as provided in Chapter 5311. of the Revised Code; 256
affidavits as provided in sections 5301.252 and 5301.56 of the 257
Revised Code; all certificates as provided in section 5311.17 of 258
the Revised Code; all articles dedicating archaeological preserves 259
accepted by the director of the Ohio historical society under 260
section 149.52 of the Revised Code; all articles dedicating nature 261
preserves accepted by the director of natural resources under 262
section 1517.05 of the Revised Code; ~~all agreements for the 263~~
~~registration of lands as archaeological or historic landmarks 264~~

under section 149.51 or 149.55 of the Revised Code; all	265
conveyances of conservation easements and agricultural easements	266
under section 5301.68 of the Revised Code; all instruments	267
extinguishing agricultural easements under section 901.21 or	268
5301.691 of the Revised Code or pursuant to terms of such an	269
easement granted to a charitable organization under section	270
5301.68 of the Revised Code; all instruments or orders described	271
in division (B)(2)(b) of section 5301.56 of the Revised Code; all	272
no further action letters issued under section 122.654 or 3746.11	273
of the Revised Code; all covenants not to sue issued under section	274
3746.12 of the Revised Code, including all covenants not to sue	275
issued pursuant to section 122.654 of the Revised Code; any	276
restrictions on the use of property contained in a no further	277
action letter issued under section 122.654 of the Revised Code,	278
any restrictions on the use of property identified pursuant to	279
division (C)(3)(a) of section 3746.10 of the Revised Code, and any	280
restrictions on the use of property contained in a deed or other	281
instrument as provided in division (E) or (F) of section 3737.882	282
of the Revised Code; any easement executed or granted under	283
section 3734.22, 3734.24, 3734.25, or 3734.26 of the Revised Code;	284
any environmental covenant entered into in accordance with	285
sections 5301.80 to 5301.92 of the Revised Code; all memoranda of	286
trust, as described in division (A) of section 5301.255 of the	287
Revised Code, that describe specific real property; and all	288
agreements entered into under division (A) of section 1506.44 of	289
the Revised Code;	290
(2) A record of mortgages, in which shall be recorded all of	291
the following:	292
(a) All mortgages, including amendments, supplements,	293
modifications, and extensions of mortgages, or other instruments	294
of writing by which lands, tenements, or hereditaments are or may	295
be mortgaged or otherwise conditionally sold, conveyed, affected,	296

or encumbered;	297
(b) All executory installment contracts for the sale of land executed after September 29, 1961, that by their terms are not required to be fully performed by one or more of the parties to them within one year of the date of the contracts;	298 299 300 301
(c) All options to purchase real estate, including supplements, modifications, and amendments of the options, but no option of that nature shall be recorded if it does not state a specific day and year of expiration of its validity;	302 303 304 305
(d) Any tax certificate sold under section 5721.33 of the Revised Code, or memorandum of it, that is presented for filing of record.	306 307 308
(3) A record of powers of attorney, including all memoranda of trust, as described in division (A) of section 5301.255 of the Revised Code, that do not describe specific real property;	309 310 311
(4) A record of plats, in which shall be recorded all plats and maps of town lots, of the subdivision of town lots, and of other divisions or surveys of lands, any center line survey of a highway located within the county, the plat of which shall be furnished by the director of transportation or county engineer, and all drawings and amendments to drawings, as provided in Chapter 5311. of the Revised Code;	312 313 314 315 316 317 318
(5) A record of leases, in which shall be recorded all leases, memoranda of leases, and supplements, modifications, and amendments of leases and memoranda of leases;	319 320 321
(6) A record of declarations executed pursuant to section 2133.02 of the Revised Code and durable powers of attorney for health care executed pursuant to section 1337.12 of the Revised Code.	322 323 324 325
(B) All instruments or memoranda of instruments entitled to	326

record shall be recorded in the proper record in the order in 327
which they are presented for record. The recorder may index, keep, 328
and record in one volume unemployment compensation liens, internal 329
revenue tax liens and other liens in favor of the United States as 330
described in division (A) of section 317.09 of the Revised Code, 331
personal tax liens, mechanic's liens, agricultural product liens, 332
notices of liens, certificates of satisfaction or partial release 333
of estate tax liens, discharges of recognizances, excise and 334
franchise tax liens on corporations, broker's liens, and liens 335
provided for in sections 1513.33, 1513.37, 3752.13, 5111.022, and 336
5311.18 of the Revised Code. 337

The recording of an option to purchase real estate, including 338
any supplement, modification, and amendment of the option, under 339
this section shall serve as notice to any purchaser of an interest 340
in the real estate covered by the option only during the period of 341
the validity of the option as stated in the option. 342

(C) In lieu of keeping the six separate sets of records 343
required in divisions (A)(1) to (6) of this section and the 344
records required in division (D) of this section, a county 345
recorder may record all the instruments required to be recorded by 346
this section in two separate sets of record books. One set shall 347
be called the "official records" and shall contain the instruments 348
listed in divisions (A)(1), (2), (3), (5), and (6) and (D) of this 349
section. The second set of records shall contain the instruments 350
listed in division (A)(4) of this section. 351

(D) Except as provided in division (C) of this section, the 352
county recorder shall keep a separate set of records containing 353
all corrupt activity lien notices filed with the recorder pursuant 354
to section 2923.36 of the Revised Code and a separate set of 355
records containing all medicaid fraud lien notices filed with the 356
recorder pursuant to section 2933.75 of the Revised Code. 357

Sec. 1506.30. As used in sections 1506.30 to 1506.36 of the Revised Code:

(A) "Abandoned property" means a submerged aircraft; a submerged watercraft, including a ship, boat, canoe, skiff, raft, or barge; the rigging, gear, fittings, trappings, and equipment of a submerged aircraft or watercraft; the personal property of the officers, crew, and passengers of a submerged aircraft or watercraft; the cargo of a submerged aircraft or watercraft that has been deserted, relinquished, cast away, or left behind and for which attempts at reclamation have been abandoned by the owners and insurers; and submerged materials resulting from activities of prehistoric and historic native Americans.

(B) "Lake Erie" means that portion of the waters and lands of Lake Erie belonging to the state as provided in section 1506.10 of the Revised Code.

(C) "Historical value" means the quality of significance exemplified by an object, structure, site, or district that is included in or eligible for inclusion in ~~the state registry of archaeological landmarks authorized under section 149.51 of the Revised Code, the state registry of historic landmarks authorized under section 149.55 of the Revised Code, or~~ the national register of historic places.

(D) "Marine surveyor" means a person engaged in the business of mapping or surveying submerged lands and abandoned property.

(E) "Mechanical or other assistance" means all artificial devices used to raise or remove artifacts from abandoned property, including pry bars, wrenches and other hand or power tools, cutting torches, explosives, winches, flotation bags, lines to surface, extra divers buoyancy devices, and other buoyancy devices.

(F) "Recreational value" means value relating to an activity 388
in which the public engages or may engage for recreation or sport, 389
including scuba diving and fishing, as determined by the director 390
of natural resources. 391

Sec. 3714.03. (A) As used in this section: 392

(1) "Aquifer system" means one or more geologic units or 393
formations that are wholly or partially saturated with water and 394
are capable of storing, transmitting, and yielding significant 395
amounts of water to wells or springs. 396

(2) "Category 3 wetland" means a wetland that supports 397
superior habitat or hydrological or recreational functions as 398
determined by an appropriate wetland evaluation methodology 399
acceptable to the director of environmental protection. "Category 400
3 wetland" includes a wetland with high levels of diversity, a 401
high proportion of native species, and high functional values and 402
includes, but is not limited to, a wetland that contains or 403
provides habitat for threatened or endangered species. "Category 3 404
wetland" may include high quality forested wetlands, including old 405
growth forested wetlands, mature forested riparian wetlands, 406
vernal pools, bogs, fens, and wetlands that are scarce regionally. 407

(3) "Natural area" means either of the following: 408

(a) An area designated by the director of natural resources 409
as a wild, scenic, or recreational river under section 1547.81 of 410
the Revised Code; 411

(b) An area designated by the United States department of the 412
interior as a national wild, scenic, or recreational river. 413

(4) "Occupied dwelling" means a residential dwelling and also 414
includes a place of worship as defined in section 5104.01 of the 415
Revised Code, a child day-care center as defined in that section, 416
a hospital as defined in section 3727.01 of the Revised Code, a 417

nursing home as defined in that section, a school, and a 418
restaurant or other eating establishment. "Occupied dwelling" does 419
not include a dwelling owned or controlled by the owner or 420
operator of a construction and demolition debris facility to which 421
the siting criteria established under this section are being 422
applied. 423

(5) "Residential dwelling" means a building used or intended 424
to be used in whole or in part as a personal residence by the 425
owner, part-time owner, or lessee of the building or any person 426
authorized by the owner, part-time owner, or lessee to use the 427
building as a personal residence. 428

(B) Neither the director of environmental protection nor any 429
board of health shall issue a permit to install under section 430
3714.051 of the Revised Code to establish a new construction and 431
demolition debris facility when any portion of the facility is 432
proposed to be located in either of the following locations: 433

(1) Within the boundaries of a one-hundred-year flood plain, 434
as those boundaries are shown on the applicable maps prepared 435
under the "National Flood Insurance Act of 1968," 82 Stat. 572, 42 436
U.S.C.A. 4001, as amended, unless the owner or operator has 437
obtained an exemption from division (B)(1) of this section in 438
accordance with section 3714.04 of the Revised Code. If no such 439
maps have been prepared, the boundaries of a one-hundred-year 440
flood plain shall be determined by the applicant for a permit 441
based upon standard methodologies set forth in "urban hydrology 442
for small watersheds" (soil conservation service technical release 443
number 55) and section 4 of the "national engineering hydrology 444
handbook" of the soil conservation service of the United States 445
department of agriculture. 446

(2) Within the boundaries of a sole source aquifer designated 447
by the administrator of the United States environmental protection 448
agency under the "Safe Drinking Water Act," 88 Stat. 1660 (1974), 449

42 U.S.C.A. 300f, as amended. 450

(C) Neither the director nor any board shall issue a permit 451
to install under section 3714.051 of the Revised Code to establish 452
a new construction and demolition debris facility when the 453
horizontal limits of construction and demolition debris placement 454
at the new facility are proposed to be located in any of the 455
following locations: 456

(1) Within one hundred feet of a perennial stream as defined 457
by the United States geological survey seven and one-half minute 458
quadrangle map or a category 3 wetland; 459

(2) Within one hundred feet of the facility's property line; 460

(3)(a) Except as provided in division (C)(3)(b) of this 461
section, within five hundred feet of a residential or public water 462
supply well. 463

(b) Division (C)(3)(a) of this section does not apply to a 464
residential well under any of the circumstances specified in 465
divisions (C)(3)(b)(i) to (iii) of this section as follows: 466

(i) The well is controlled by the owner or operator of the 467
construction and demolition debris facility. 468

(ii) The well is hydrologically separated from the horizontal 469
limits of construction and demolition debris placement. 470

(iii) The well is at least three hundred feet upgradient from 471
the horizontal limits of construction and demolition debris 472
placement and division (D) of this section does not prohibit the 473
issuance of the permit to install. 474

(4) Within five hundred feet of a park created or operated 475
pursuant to section 301.26, 511.18, 755.08, 1545.04, or 1545.041 476
of the Revised Code, a state park established or dedicated under 477
Chapter 1541. of the Revised Code, a state park purchase area 478
established under section 1541.02 of the Revised Code, a national 479

recreation area, any unit of the national park system, or any 480
property that lies within the boundaries of a national park or 481
recreation area, but that has not been acquired or is not 482
administered by the secretary of the United States department of 483
the interior, located in this state, or any area located in this 484
state that is recommended by the secretary for study for potential 485
inclusion in the national park system in accordance with "The Act 486
of August 18, 1970," 84 Stat. 825, 16 U.S.C.A. 1a-5, as amended; 487

(5) Within five hundred feet of a natural area, any area 488
established by the department of natural resources as a state 489
wildlife area under Chapter 1531. of the Revised Code and rules 490
adopted under it, any area that is formally dedicated as a nature 491
preserve under section 1517.05 of the Revised Code, or any area 492
designated by the United States department of the interior as a 493
national wildlife refuge; 494

(6) Within five hundred feet of a lake or reservoir of one 495
acre or more that is hydrogeologically connected to ground water. 496
For purposes of division (C)(6) of this section, a lake or 497
reservoir does not include a body of water constructed and used 498
for purposes of surface water drainage or sediment control. 499

(7) Within five hundred feet of a state forest purchased or 500
otherwise acquired under Chapter 1503. of the Revised Code; 501

~~(8) Within five hundred feet of land that is placed on the 502
state registry of historic landmarks under section 149.55 of the 503
Revised Code;~~ 504

~~(9) Within five hundred feet of an occupied dwelling unless 505
written permission is given by the owner of the dwelling. 506~~

(D) Neither the director nor any board shall issue a permit 507
to install under section 3714.051 of the Revised Code to establish 508
a new construction and demolition debris facility when the limits 509
of construction and demolition debris placement at the new 510

facility are proposed to have an isolation distance of less than 511
five feet from the uppermost aquifer system that consists of 512
material that has a maximum hydraulic conductivity of 1×10^{-5} 513
cm/sec and all of the geologic material comprising the isolation 514
distance has a hydraulic conductivity equivalent to or less than 1 515
 $\times 10^{-6}$ cm/sec. 516

(E) Neither the director nor any board shall issue a permit 517
to install under section 3714.051 of the Revised Code to establish 518
a new construction and demolition debris facility when the road 519
that is designated by the owner or operator as the main hauling 520
road at the facility to and from the limits of construction and 521
demolition debris placement is proposed to be located within five 522
hundred feet of an occupied dwelling unless written permission is 523
given by the owner of the occupied dwelling. 524

(F) Neither the director nor any board shall issue a permit 525
to install under section 3714.051 of the Revised Code to establish 526
a new construction and demolition debris facility unless the new 527
facility will have all of the following: 528

(1) Access roads that shall be constructed in a manner that 529
allows use in all weather conditions and will withstand the 530
anticipated degree of use and minimize erosion and generation of 531
dust; 532

(2) Surface water drainage and sediment controls that are 533
required by the director; 534

(3) If the facility is proposed to be located in an area in 535
which an applicable zoning resolution allows residential 536
construction, vegetated earthen berms or an equivalent barrier 537
with a minimum height of six feet separating the facility from 538
adjoining property. 539

(G)(1) The siting criteria established in this section shall 540
be applied to an application for a permit to install at the time 541

that the application is submitted to the director or a board of 542
health, as applicable. Circumstances related to the siting 543
criteria that change after the application is submitted shall not 544
be considered in approving or disapproving the application. 545

(2) The siting criteria established in this section by this 546
amendment do not apply to an expansion of a construction and 547
demolition debris facility that was in operation prior to December 548
22, 2005, onto property within the property boundaries identified 549
in the application for the initial license for that facility or 550
any subsequent license issued for that facility up to and 551
including the license issued for that facility for calendar year 552
2005. The siting criteria established in this section prior to 553
December 22, 2005, apply to such an expansion. 554

Sec. 4503.95. (A) The owner or lessee of any passenger car, 555
noncommercial motor vehicle, recreational vehicle, or other 556
vehicle of a class approved by the registrar of motor vehicles may 557
apply to the registrar for the registration of the vehicle and 558
issuance of "Ohio history" license plates. The application for 559
"Ohio history" license plates may be combined with a request for a 560
special reserved license plate under section 4503.40 or 4503.42 of 561
the Revised Code. Upon receipt of the completed application and 562
compliance with division (B) of this section, the registrar shall 563
issue to the applicant the appropriate vehicle registration and a 564
set of "Ohio history" license plates with a validation sticker or 565
a validation sticker alone when required by section 4503.191 of 566
the Revised Code. In addition to the letters and numbers 567
ordinarily inscribed thereon, "Ohio history" license plates shall 568
be inscribed with words and markings selected and designed by the 569
Ohio historical society and approved by the registrar. "Ohio 570
history" license plates shall bear county identification stickers 571
that identify the county of registration by name or number. 572

(B) "Ohio history" license plates and validation stickers 573
shall be issued upon payment of the regular license tax as 574
prescribed under section 4503.04 of the Revised Code, any 575
applicable motor vehicle tax levied under Chapter 4504. of the 576
Revised Code, a bureau of motor vehicles administrative fee of ten 577
dollars, the contribution specified in division (C) of this 578
section, and compliance with all other applicable laws relating to 579
the registration of motor vehicles. If the application for "Ohio 580
history" license plates is combined with a request for a special 581
reserved license plate under section 4503.40 or 4503.42 of the 582
Revised Code, the license plates and validation sticker shall be 583
issued upon payment of the contribution, fees, and taxes contained 584
in this division and the additional fee prescribed under section 585
4503.40 or 4503.42 of the Revised Code. 586

(C) For each application for registration and registration 587
renewal submitted under this section, the registrar shall collect 588
a contribution of twenty dollars. The registrar shall transmit 589
this contribution to the treasurer of state for deposit in the 590
Ohio history license plate contribution fund created in section 591
149.307 of the Revised Code. 592

The registrar shall deposit the ten-dollar bureau 593
administrative fee, the purpose of which is to compensate the 594
bureau for additional services required in issuing "Ohio history" 595
license plates, in the state bureau of motor vehicles fund created 596
in section 4501.25 of the Revised Code. 597

Section 2. That existing sections 127.16, 149.54, 317.08, 598
1506.30, and 3714.03 and sections 149.51 and 149.55 of the Revised 599
Code are hereby repealed. 600

Section 3. (A) The Ohio Cemetery Law Task Force shall develop 601
recommendations on modifications of the laws of this state 602

relating to cemeteries. 603

(B) The Ohio Cemetery Law Task Force is established. The Task 604
Force shall consist of the following eleven members: a 605
representative of local government, other than townships, 606
appointed by the President of the Senate; a representative of the 607
Ohio Township Association appointed by the President of the 608
Senate; a representative of Native Americans appointed by the 609
President of the Senate; a representative of private cemeteries 610
appointed by the Speaker of the House of Representatives; a 611
representative of the Ohio Historical Society appointed by the 612
Speaker of the House of Representatives; a representative of 613
archeologists appointed by the Speaker of the House of 614
Representatives; a representative of the Ohio Genealogical Society 615
appointed by the Governor; a representative of the Ohio Cemetery 616
Dispute Resolution Commission appointed by the Governor; a 617
representative of the Division of Real Estate and Professional 618
Licensing in the Department of Commerce appointed by the Governor; 619
a representative of the Department of Transportation appointed by 620
the Governor; and a representative of the Department of Natural 621
Resources appointed by the Governor. 622

The initial appointments shall be made not later than thirty 623
days after the effective date of this section. Vacancies shall be 624
filled in the manner provided for original appointments. 625

The Task Force shall elect two of its members to serve as 626
co-chairpersons of the Task Force. 627

The Task Force shall meet as often as necessary to carry out 628
its duties and responsibilities. Members of the Task Force shall 629
serve without compensation. 630

(C) The Task Force shall issue a report of its 631
recommendations to the President of the Senate, the Speaker of the 632
House of Representatives, and the Governor not later than one year 633

after the effective date of this section. The Task Force ceases to 634
exist upon submitting its report. 635

Section 4. The county recorder shall continue to keep six 636
separate sets of records of all agreements for the registration of 637
lands as archaeological or historic landmarks recorded before the 638
effective date of this section. 639

Section 5. Section 127.16 of the Revised Code is presented in 640
this act as a composite of the section as amended by both Am. Sub. 641
H.B. 1 and Sub. S.B. 79 of the 128th General Assembly. The General 642
Assembly, applying the principle stated in division (B) of section 643
1.52 of the Revised Code that amendments are to be harmonized if 644
reasonably capable of simultaneous operation, finds that the 645
composite is the resulting version of the section in effect prior 646
to the effective date of the section as presented in this act. 647
648