

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**S. B. No. 78**

**Senator Skindell**

**Cosponsors: Senators Tavares, Smith**

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**A B I L L**

To amend section 1505.07 of the Revised Code to ban 1  
the taking or removal of oil or natural gas from 2  
and under the bed of Lake Erie. 3

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

**Section 1.** That section 1505.07 of the Revised Code be 4  
amended to read as follows: 5

**Sec. 1505.07.** (A) Subject to the ~~limitation~~ limitations set 6  
forth in division (B) of this section and in section 1505.08 of 7  
the Revised Code, the director of natural resources, with the 8  
approval of the director of environmental protection, the attorney 9  
general, and the governor, may issue permits and make leases to 10  
parties making application for permission to take and remove sand, 11  
gravel, stone, and other minerals or substances from and under the 12  
bed of Lake Erie, either upon a royalty or rental basis, as ~~he~~ the 13  
director of natural resources determines to be best for the state. 14  
Permits shall be issued for terms of not less than one year nor 15  
more than ten years, and leases shall be for a term of years or 16  
until the economic extraction of the mineral or other substance 17  
covered thereby has been completed. Such taking and removal shall 18  
be within certain fixed boundaries that do not conflict with the 19

rights of littoral owners. Upon request from the holder of a 20  
permit, it shall be canceled, but in the case of any permit or 21  
lease, any equipment or buildings owned by the permittee or lessee 22  
shall be held as security by the director of natural resources for 23  
payment of all rentals or royalties due the state at the time of 24  
cancellation. 25

(B) The director of natural resources shall not issue any 26  
permit or make any lease under division (A) of this section to 27  
take or remove oil or natural gas from and under the bed of Lake 28  
Erie. 29

(C) No person shall remove sand, gravel, stone, or other 30  
minerals or substances from and under the bed of Lake Erie without 31  
first obtaining a permit or lease therefor from the director. 32

(D) The director of ~~natural resources~~ may, in accordance with 33  
Chapter 119. of the Revised Code, adopt, amend, and rescind rules 34  
for the administration, implementation, and enforcement of this 35  
section. 36

**Section 2.** That existing section 1505.07 of the Revised Code 37  
is hereby repealed. 38