

Sub. S.B. 2
As Passed by the Senate

_____ moved to amend as follows:

- In line 2 of the title, delete the third "and" and insert ",," 1
- In line 3 of the title, after "940.37" insert ", and 940.38" 2
- In line 9, delete the third "and" and insert ","; after 3
"940.37" insert ", and 940.38" 4
- In line 366, delete "As part of the program, the director," 5
- Delete lines 367 through 374 6
- In line 390, delete "Assist each soil and water conservation 7
district in" 8
- Delete lines 391 through 400 9
- In line 401, delete "(3)" 10
- In line 406, delete "(4)" and insert "(3)" 11
- In line 408, delete "(5)" and insert "(4)" 12
- In line 438, delete "It is the intent of the general assembly 13
to" 14
- Delete lines 439 through 445 15
- In line 446, delete "participate in the certification 16
program." and insert "(A) Data or records of a person's 17
agricultural operations, conservation or water quality improvement 18
practices, or proposed utilization of such practices collected or 19

maintained by the department of agriculture, a soil or water conservation district, an institution of higher education, as defined in section 3345.12 of the Revised Code, or any other state agency are not a public record subject to disclosure under section 149.43 of the Revised Code. 20
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(B) The department may share such data or records with state agencies and institutions of higher education, as defined in section 3345.12 of the Revised Code, for the purpose of water quality research if all of the following apply: 25
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(1) The data or records of conservation or water quality improvement practices are aggregated. 29
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(2) The aggregated data or records do not include any information that identifies an individual. 31
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(3) The aggregated data or records include a description of the conservation or water quality improvement practices. 33
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(4) The aggregated data or records identify the watershed, by the watershed's hydrologic unit code, where the conservation or water quality improvement practices are being or have been utilized. 35
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Sec. 940.38. It is the intent of the general assembly to collaborate with organizations representing agriculture, conservation, and the environment and institutions of higher education engaged in water quality research to establish a certification program for farmers that utilize practices designed to minimize impacts to water quality. The director of agriculture shall undertake all actions necessary to ensure that assistance and available funding are provided for farmers who participate in the certification program." 39
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The motion was _____ agreed to.

SYNOPSIS

Data collection and aggregation	48
R.C. 940.36, 940.37, and 940.38	49
Removes the requirement that the Director of Agriculture, as part of the Statewide Watershed Planning and Management Program, collect and aggregate information on conservation practices utilized in Ohio that are funded by public money.	50 51 52 53
Removes the requirement that a watershed planning and management coordinator assist soil and water conservation districts in collecting data to quantify water quality and nutrient management best practices.	54 55 56 57
Removes the requirement that the Director use the collected data to establish a baseline of nutrient best management practices and undertake all actions necessary to ensure that assistance and available funding are provided for the data collection.	58 59 60 61
Exempts, from public record laws, data or records of a person's agricultural operations, conservation or water quality improvement practices, or proposed utilization of those practices that are collected or maintained by the Department of Agriculture, a soil and water conservation district, an institution of higher education, or another state agency.	62 63 64 65 66 67
Authorizes the Department 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 if all of the following apply:	68 69 70 71

1. The data or records of conservation or water quality improvement practices are aggregated.	72 73
2. The aggregated data or records do not include any identifiable information pertaining to an individual.	74 75
3. The aggregated data or records include a description of the conservation or water quality improvement practices.	76 77
4. The aggregated data or records identify the watershed, using the watershed's hydrologic unit code, where the conservation or water quality improvement practices are being or have been utilized.	78 79 80 81
Relocates the intent statement from R.C. 940.37 to R.C. 940.38.	82 83