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Bill Analysis
Legislative Service Commission

Sub. H.B. 441*

123rd General Assembly

(As Reported by S. Energy, Natural Resources, and Environment)

Reps. Hollister, Cates, Householder, Wilson, Hood, Carey, Grendell, Jacobson, Trakas, Evans, Krebs, Flannery, Gooding, Roman, Buchy, Hoops, Terwilleger, Ogg, Aslanides, Vesper, Widener, Schuring, Brading, Krupinski, Corbin, Buehrer

BILL SUMMARY

- Removes the consent of Ohio given to the United States Forest Service to acquire land in specified counties in the area of the Wayne National Forest for a period of four years following the bill's effective date.
- Creates the Wayne National Forest Study Committee consisting of eight members of the General Assembly to study the economic impact and other impacts of the Wayne National Forest and recommend whether to extend the four-year moratorium on the acquisition of land by the Forest Service in the specified counties.
- Requires the Forest Service, rather than the affected board of county commissioners, to publish notice of its intent to acquire land and the location of the land.

CONTENT AND OPERATION

State's consent for acquisition of land by Forest Service

Ohio has statutorily given its consent to the United States Department of Agriculture Forest Service for the acquisition, by purchase or gift, of lands in the state that the federal government determines may be needed for the establishment, consolidation, and extension of national forests and for flood control and soil conservation work in Ohio (see **COMMENT**). The bill removes that consent for a period of four years following the bill's effective date for the acquisition of land

* *This analysis was prepared before the report of the Senate Energy, Natural Resources, and Environment Committee appeared in the Senate Journal. Note that the list of co-sponsors and legislative history may be incomplete.*

in the following counties, all of which are in the area of the Wayne National Forest: (1) Hocking, (2) Monroe, (3) Morgan, (4) Noble, (5) Perry, (6) Athens, (7) Gallia, (8) Washington, (9) Jackson, (10) Vinton, and (11) Lawrence (sec. 1503.32).

Wayne National Forest Study Committee

The bill creates the Wayne National Forest Study Committee, to consist of eight members. Five of the Committee members must be members of the House of Representatives and must be appointed by the Speaker of the House of Representatives not later than 30 days after the bill's effective date. Three of the members from the House of Representatives must represent districts in which the Wayne National Forest is located, and not more than two of those three members must be of the same political party. Two of the members from the House of Representatives must represent districts in other areas of the state and must be of different political parties. Three of the Committee members must be members of the Senate and must be appointed by the President of the Senate not later than 30 days after the bill's effective date. Two of the members from the Senate must represent districts in which the Wayne National Forest is located and must be of different political parties. The remaining member must represent a district in another area of the state. (Section 3.)

Not later than 30 days after all members have been appointed, the Committee must hold an organizational meeting at which it must elect from its members a chairperson and a vice-chairperson. Vacancies on the Committee must be filled in the manner provided for original appointments. Members must serve without compensation, but must be reimbursed for necessary travel and other expenses connected with the performance of their official duties as Committee members. The expenses of the Committee must be paid from any funds appropriated for the operation of committees of the General Assembly. (Section 3.)

The Committee must prepare a written report after studying the impact that the Wayne National Forest has had on citizens, businesses, and local governments in the area in which it is located and the impact that further expansion of the Wayne National Forest would have on those entities. The Committee must study the economic and socioeconomic impacts of the Wayne National Forest together with its impacts regarding conservation and quality of life issues. The report must include recommendations regarding whether to terminate or extend the four-year moratorium on further acquisitions of land for purposes of the Wayne National Forest by the Forest Service that is established by the bill. Not later than three years after the bill's effective date, the Committee must submit its report and recommendations to the Speaker of the House of Representatives, the President of

the Senate, and all members of the standing committees of the House of Representatives and Senate that are primarily responsible for considering natural resources matters. The Committee will cease to exist on submittal of its report and recommendations. (Section 3.)

Notice of proposed acquisition

Under current law, the board of county commissioners must publish, in the Ohio newspaper of largest circulation in the county in which the land is located, notice of the intent of the Forest Service to acquire land and its location. The bill instead requires the Forest Service to publish the notice. (Sec. 1503.32.)

COMMENT

A federal law, commonly known as "Weeks Law," authorizes the United States Department of Agriculture Forest Service to purchase property for national forests. However, that law requires the legislature of the state in which the land lies to consent to the acquisition of the land by the United States. (16 U.S.C. 515.)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	09-14-99	pp. 1215-1216
Reported, H. Agriculture & Natural Resources	05-10-00	p. 1939
Passed House (65-26)	05-25-00	pp. 2142-2143
Reported, S. Energy, Natural Resources, & Environment	---	---

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