



Eric Vendel

Bill Analysis
Legislative Service Commission

S.B. 78

127th General Assembly
(As Introduced)

Sens. Grendell, Mumper

BILL SUMMARY

- Creates the Great Lakes-St. Lawrence River Basin Water Resources Compact Task Force consisting of voting and nonvoting members, and requires that all appointments to the Task Force be made not later than 30 days after the bill's effective date.
- Requires the Task Force to conduct hearings and take testimony concerning Ohio's entry into the Great Lakes-St. Lawrence River Basin Water Resources Compact and to consider specified topics related to the Compact.
- Requires the Task Force to issue a report of its findings and make recommendations to the General Assembly not later than October 31, 2007.

CONTENT AND OPERATION

The bill creates the Great Lakes-St. Lawrence River Basin Water Resources Compact Task Force consisting of both voting and nonvoting members (Section 1(A)).

The voting members of the Task Force consist of the following:

(1) Five members of the Senate appointed by the President of the Senate, two of whom must be from the minority party. In appointing members from the minority party, the Senate President must consult with the Minority Leader of the Senate. The Senate President must designate one member of the Senate who has been appointed to the Task Force as co-chairperson.

(2) Five members of the House of Representatives appointed by the Speaker of the House of Representatives, two of whom must be from the minority

party. In appointing members from the minority party, the Speaker must consult with the Minority Leader of the House of Representatives. The Speaker must designate one member of the House of Representatives who has been appointed to the Task Force as co-chairperson. (Section 1(B).)

The nonvoting members of the Task force consist of all of the following:

- (1) The Director of Natural Resources or the Director's designee;
- (2) The Director of Environmental Protection or the Director's designee;
- (3) The Director of Development or the Director's designee;

(4) Three members appointed by the Governor, one representative each of a statewide environmental advocacy organization, a local environmental advocacy organization in the Lake Erie Basin, and a local government in the Lake Erie Basin;

(5) Seven members appointed by the President of the Senate, one representative each of the bottled water industry, a private property rights advocacy organization located within the Lake Erie Basin, agricultural interests in the Lake Erie Basin, the aggregates industry, the pulp and paper industry, a large manufacturer with a facility located within the Lake Erie Basin, and the public; and

(6) Seven members appointed by the Speaker of the House of Representatives, one representative each of a municipal government in the Lake Erie Basin, experts in hydrogeology from the faculty or staff of an Ohio college or university, a locally based organization in the Lake Erie Basin that assists in the development and implementation of a plan for the protection and management of surface and ground water resources in a watershed, residential developers, the chemical industry, the petroleum industry with a facility located within the Lake Erie Basin, and attorneys who have demonstrated excellence in contract law and who have experience in multi-state compacts. (Section 1(C).)

The bill requires all appointments to the Task Force to be made not later than 30 days after the bill's effective date. The Task Force must meet on a regular basis. Vacancies must be filled in the manner provided for original appointments. Members cannot receive compensation for serving on the Task Force. All meetings must be open to the public. (Section 1(D).) The Legislative Service Commission must provide staffing and technical assistance to the Task Force (Section 1(E)).

The bill requires the Task Force to conduct hearings and take testimony from the public and from persons with expertise in matters before the Task Force

regarding the propriety of Ohio's entering into the Great Lakes-St. Lawrence River Basin Water Resources Compact. In making that determination, the Task Force must consider all of the following:

- (1) The feasibility of making changes to the Compact;
- (2) The effectiveness of any intent language that the General Assembly may include with the enactment of the Compact or in enabling legislation;
- (3) The impact of the Compact on private property rights, including, but not limited to, rights to use ground water;
- (4) Whether the Equal Protection Clause of the United States Constitution will necessitate the expansion of the application of the standards and requirements established under the Compact beyond the Lake Erie Basin to the entire state of Ohio;
- (5) The potential impact that the Compact will have on business and economic development in Ohio;
- (6) Whether the primary goals of the Compact may be accomplished by means other than the Compact;
- (7) Whether any effort to enter into the Compact should be contingent on the Compact's becoming effective within a certain time period;
- (8) The ability of Congress to alter interstate compacts; and
- (9) Whether any necessary enabling legislation should be enacted prior to, concurrently with, or after the ratification of the Compact. (Section 1(F).)

Finally, the bill requires the Task Force to issue a report of its findings and make recommendations to the General Assembly not later than October 31, 2007. Upon the issuance of the report and recommendations, the Task Force ceases to exist. (Section 1(G).)

HISTORY

| ACTION | DATE |
|------------|----------|
| Introduced | 02-22-07 |

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