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## DEPARTMENT OF NATURAL RESOURCES (DNR)

- Authorizes the Director of Natural Resources to enter into contracts or agreements with any federal agency, other public agency, or private entity or organization for the performance of the Department of Natural Resources' duties.
- Eliminates the Natural Resources Publications and Promotional Materials Fund.
- Requires the transfer of the remaining cash balance in the Natural Resources Publications and Promotional Materials Fund to the Departmental Projects Fund and the Geological Mapping Fund in amounts determined by the Director of Budget and Management in consultation with the Director of Natural Resources.
- Requires all moneys from the sale of books, bulletins, maps, or other publications and promotional materials on and after July 1, 2011, to be credited to the Departmental Projects Fund or the Geological Mapping Fund as determined by the Director of Natural Resources.
- Authorizes the Chief of the Division of Forestry to enter into a personal service contract for consulting services to assist the Chief with the sale of timber or other forest products and related inventory.
- Revises and expands the purposes for which money credited to the Geological Mapping Fund may be used, and requires money collected from fees for products provided and services performed by the Division of Geological Survey as required by the act to be credited to the Fund.
- Revises the duties of the Division of Geological Survey concerning all of the following:
  - Types of mineralogical and geological raw materials and natural resources data that must be collected, studied, and interpreted;
  - Special studies and reports of the state's geological resources that are of economic, environmental, or educational significance or significance to public health, welfare, and safety;
  - Storing and cataloging of data, maps, diagrams, records, rock core, samples, profiles, and geologic sections of the state; and
  - Advising, consulting, and collaborating with state agencies, other state governments, and the federal government on geological problems or issues.



- Authorizes the Division of Geological Survey to create custom products and provide information on Ohio's geological nature to governmental agencies, colleges and universities, and persons.
- Requires the Chief of the Division of Geological Survey to adopt rules establishing fee schedules for:
  - Providing manipulated, interpreted, or analyzed data from the Division's archived geologic records, data, maps, rock core, and samples; and
  - Creating custom maps, custom data sets, or other custom products and providing information on Ohio's geological nature.
- Revises the requirements governing well logs and related reports, and establishes a fine for failure to comply with the requirements.
- Revises the purposes for which the Chief of Geological Survey may obtain temporary assistance from specified persons by authorizing the Chief to obtain such assistance for studies and plans for economic development or geologic hazards projects rather than for erosion projects as in prior law.
- Creates the Division of Oil and Gas Resources Management in the Department of Natural Resources, and transfers to the Division the functions and duties of the Division of Mineral Resources Management in the Department with respect to oil and gas.
- Excludes from the Division of Oil and Gas Resources Management's exclusive authority under law largely retained by the act to regulate the permitting, location, and spacing of oil and gas wells and production operations only those activities that are regulated under federal laws for which oversight has been delegated to the Environmental Protection Agency and activities that are regulated under the statutes governing isolated wetlands.
- States that the Oil and Gas Law and rules adopted under it constitute a comprehensive plan with respect to all aspects of well stimulation and completion.
- Adds site construction and permitting related to site construction and restoration to the activities that are specifically identified as being subject to uniform statewide regulation.
- Establishes a setback of 50 feet for a new well or a new tank battery of a well from a body of water, and authorizes to the Chief of the Division of Oil and Gas Resources



Management to reduce the distance if it is necessary to reduce impacts to the owner of the land or to protect public safety or the environment.

- Allows the surface location of a new well that will be drilled using directional drilling to be located on a parcel of land that is not in the drilling unit of the well, provided that the surface location complies with setback requirements established in ongoing law and the act.
- Expands the definition of "production operation" in the Oil and Gas Law.
- Authorizes the Chief of the Division of Ohio and Gas Resources Management to issue compliance notices.
- Transfers the management of the Ohio Natural Heritage Database from the Division of Natural Areas and Preserves to the Division of Wildlife.
- Requires the Chief of the Division of Wildlife, in addition to the Chief of the Division of Natural Areas and Preserves, to prepare and maintain surveys and inventories of rare and endangered species of plants and animals and other unique natural features for inclusion in the Database.
- Requires the Ohio Natural Areas Council to advise the Director of Natural Resources or the Director's designee, rather than the Chief of the Division of Natural Areas and Preserves as in former law, regarding nature preserves and natural areas.
- Revises the membership of the Ohio Natural Areas Council by terminating the terms of office of the members serving on September 29, 2011 and providing for the appointment of new members, and requires members to be appointed by the Governor rather than the Director of Natural Resources as in prior law.
- Increases the frequency of Ohio Natural Areas Council meetings.
- Requires a nonresident owner of land in Ohio and the owner's children and grandchildren, if applicable, to purchase a nonresident hunting license, deer or wild turkey permit, fur-taker permit, or nonresident fishing license by applying the exemptions in law revised by the act for landowners and their families only to Ohio residents.
- Allows all of the following to hunt without a license, take deer or wild turkey without a permit, hunt or trap fur-bearing animals without a permit, and fish without a license on land owned by a limited liability company, limited liability partnership, or a trust:



- A resident individual, including the individual's children of any age and, for a hunting license, grandchildren under 18 years of age, who is a member of a limited liability company that has three or fewer members;
  - A resident individual, including the individual's children of any age and, for a hunting license, grandchildren under 18 years of age, who is a member of a limited liability partnership that has three or fewer partners; and
  - A resident individual, including the individual's children of any age and, for a hunting license, grandchildren under 18 years of age, who is a trustee or a beneficiary of a trust whose total number of trustees and beneficiaries does not exceed three individuals.
- Prohibits a wild animal hunting preserve from being located within 1,500 feet, rather than 3,000 feet as in former law, of another hunting preserve or of a commercial bird shooting preserve.
  - Requires the boundaries of a wild animal hunting preserve to be clearly defined by the posting of signs at intervals of not more than 400 feet rather than 200 feet as in former law.
  - Allows the Chief of the Division of Parks and Recreation to sell or otherwise dispose of by lawful means forest products, in addition to timber as in ongoing law, that require management for specified reasons, and adds to those reasons implementation of sustainable forestry practices.
  - Authorizes the Chief of the Division of Parks and Recreation to enter into a memorandum of understanding with the Chief of the Division of Forestry to allow the Division of Forestry to administer the sale of timber and forest products on lands owned or controlled by the Division of Parks and Recreation.
  - Requires 75% of any proceeds from such a sale to be credited to the State Park Fund and 25% to be credited to the State Forest Fund.
  - Alters the distribution of the proceeds of the sale of standing timber from state forest lands to provide 35% to the State Forest Fund and 65% to the county where the timber was harvested to be redistributed rather than 25% to the State Forest Fund, 65% to the county where the timber was harvested to be redistributed, and 10% to the General Revenue Fund as in former law.
  - Authorizes the Chief of the Division of Forestry to annually request the Director of Budget and Management to transfer to the Wildfire Suppression Fund not more

than \$100,000 from the State Forest Fund rather than from the General Revenue Fund as in prior law.

- Requires the Administrator of Workers' Compensation each fiscal year, beginning July 1, 2011, and ending June 30, 2013, when requested by the Director of Natural Resources, to transfer from the investment earnings of the Coal-Workers Pneumoconiosis Fund an amount not to exceed \$3 million to the Mine Safety Fund and an amount not to exceed \$1.5 million to the Coal Mining Administration and Reclamation Reserve Fund.
- Eliminates former law that instead authorized the Administrator of Worker's Compensation to transfer an unspecified portion of the investment earnings to the Mine Safety Fund.
- Requires the Ohio Soil and Water Conservation Commission to establish a Conservation Program Delivery Task Force.
- Requires the Conservation Program Delivery Task Force to make recommendations to the Director of Natural Resources regarding how soil and water conservation districts may advance operations while continuing to provide local program leadership, and requires that the final report of recommendations be submitted no later than December 31, 2011.

### **Contracting authority for Director of Natural Resources**

(R.C. 1501.01 and 1541.03)

The act authorizes the Director of Natural Resources to enter into contracts or agreements with any federal agency, other public agency, or private entity or organization for the performance of the Department of Natural Resources' duties. It eliminates similar authority in prior law for the Chief of the Division of Parks and Recreation.

### **Natural Resources Publications and Promotional Materials Fund**

(R.C. 1501.031 (repealed); Section 512.60)

The act eliminates the Natural Resources Publications and Promotional Materials Fund to which all money received from the sale of publications and promotional materials of the Department of Natural Resources were credited and that was used to pay for the production of those items.



The act requires the Director of Budget and Management, on July 1, 2011, or as soon as possible thereafter, and at the request of the Director of Natural Resources, to transfer the remaining cash balance in the Natural Resources Publications and Promotional Materials Fund to the Departmental Projects Fund and the Geological Mapping Fund. The amount transferred to each of those Funds must be determined by the Director of Budget and Management after consultation with the Director of Natural Resources. Additionally, beginning July 1, 2011, all moneys from the sale of books, bulletins, maps, or other publications and promotional materials must be credited to the Departmental Projects Fund or the Geological Mapping Fund as determined by the Director of Natural Resources.

### **Division of Forestry personal service contracts**

(R.C. 1503.05)

The act authorizes the Chief of the Division of Forestry to enter into a personal service contract for consulting services to assist the Chief with the sale of timber or other forest products and related inventory. Compensation for the consulting services must be paid from the proceeds of the sale. Ongoing law authorizes the Chief to sell timber and other forest products from state forests and state forest nurseries. The Chief may make the sales whenever the Chief considers such a sale desirable.

### **Division of Geological Survey**

(R.C. 1505.01, 1505.04, 1505.05, 1505.06, 1505.09, 1505.11, and 1505.99)

#### **Geological Mapping Fund**

The act revises and expands the purposes for which the Chief of the Division of Geological Survey must use money in the Geological Mapping Fund. It requires money in the Fund to be used for performing necessary field, laboratory, and administrative tasks to map and make public reports on the geologic hazards and energy resources, in addition to the geology and mineral resources, of the state. Former law required money in the Fund to be used to conduct those activities regarding the geology and mineral resources of each county of the state.

In addition, the act requires money collected from fees for products provided and services performed by the Division as required by the act to be credited to the Fund (see "**Fee schedules**," below).

#### **Duties of the Division**

The act revises the duties of the Division concerning all of the following:



(1) The types of mineralogical and geological raw materials and natural resources data that must be collected, studied, and interpreted by adding dolomite, aggregates, sand, and gravel;

(2) Special studies and reports of the state's geological resources that the Division must make by adding geological resources that are of current or potential environmental significance or of significance to the health, welfare, and safety of the public;

(3) The making and storing of maps, diagrams, profiles, and geologic sections by requiring such information to be cataloged and available in perpetuity rather than for distribution and by adding data, records, rock cores, and samples; and

(4) Advising and consulting with state agencies on problems of a geological nature by adding that the Division also may collaborate with other state governments and the federal government.

The act also expands the Division's duties by authorizing the Division to do both of the following: (1) create custom maps, custom data sets, or other custom products for government agencies, colleges and universities, and persons, and (2) provide information on the geological nature of Ohio to those entities and persons.

### **Fee schedules**

The act requires the Chief of the Division to adopt rules in accordance with the Administrative Procedure Act that establish fee schedules for both of the following:

(1) Requests for manipulated, interpreted, or analyzed data from the geologic records, data, maps, rock cores, and samples archived by the Division. The schedule may include the cost of specialized storage requirements, programming, labor, research, retrieval, data manipulation, and copying and mailing of records.

(2) Creating custom maps, custom data sets, and other custom products and providing geological information of the state. The schedule may include the costs of labor, research, analysis, equipment, and technology.

The rules must establish procedures for the levying and collection of the fees. In addition, the act authorizes the Chief to reduce or waive a fee in a schedule for a student who is enrolled in an institution of higher education. All fees collected pursuant to a schedule must be credited to the Geological Mapping Fund (see above). Any revision to a fee schedule must be established in rules adopted under the Administrative Procedure Act. Finally, the Ohio Geology Advisory Council must

review and the Director of Natural Resources must approve any revision to a fee schedule.

### **Well logs and related reports**

The act requires a government agency, in addition to any person, firm, or corporation as in continuing law, that drills, bores, or digs a well for any liquid or gas production or extraction or that bores or digs, in addition to drills, a well for exploring geological formations to keep a careful and accurate log of the activity. It also requires the log and the results of any rock or fluid analyses or of any production or pressure tests, rather than just production tests as in law revised by the act, to be reported to the Chief. In addition, the act authorizes Division personnel to collect samples from such a well of fluids and gases in addition to samples of cores, chips, or sludge.

The act prohibits a person, firm, agency, or corporation from failing to keep an accurate log or file a report. A violator must be fined between \$100 and \$1,000 on a first offense and between \$1,000 and \$2,000 on each subsequent offense.

### **Use of temporary assistance**

The act authorizes the Chief to obtain temporary assistance from specified persons to make studies, surveys, maps, and plans for economic development or geologic hazards projects rather than for erosion projects as in former law.

### **Division of Oil and Gas Resources Management**

(R.C. 1509.02, 121.04, 124.24, 1501.022, 1509.01, 1509.021, 1509.03, 1509.04, 1509.041, 1509.05, 1509.06, 1509.061, 1509.062, 1509.07, 1509.071, 1509.072, 1509.073, 1509.08, 1509.09, 1509.10, 1509.11, 1509.12, 1509.13, 1509.14, 1509.15, 1509.17, 1509.181, 1509.19, 1509.21, 1509.22, 1509.221, 1509.222, 1509.223, 1509.224, 1509.225, 1509.226, 1509.23, 1509.24, 1509.25, 1509.26, 1509.27, 1509.28, 1509.29, 1509.31, 1509.32, 1509.33, 1509.34, 1509.36, 1509.38, 1509.40, 1509.50, 1510.01, 1510.08, 1561.06, 1561.12, 1561.13, 1561.35, 1561.49, 1563.06, 1563.24, 1563.28, 1571.01, 1571.012, 1571.013, 1571.014, 1571.02, 1571.03, 1571.04, 1571.05, 1571.06, 1571.08, 1571.09, 1571.10, 1571.11, 1571.14, 1571.16, 1571.18, 1571.99, 3750.081, and 6111.044; Section 515.20)

The act creates the Division of Oil and Gas Resources Management in the Department of Natural Resources. It transfers to the Division the functions and duties of the Division of Mineral Resources Management in the Department with respect to oil and gas. Those functions and duties include:

(1) Regulation of oil and gas wells in Ohio, including permitting, location and spacing, plugging, restoration of disturbed land, and pooling;





- (2) Enforcement of the Oil and Gas Law;
  - (3) Oversight of oil and gas resources inspectors;
  - (4) Administration and enforcement of the Underground Storage of Gas Law;
- and
- (5) Examination to become and oversight of the state gas storage well inspector.

The act also establishes transition procedures for the transfer of the functions and duties concerning oil and gas from the Division of Mineral Resources Management to the new Division of Oil and Gas Resources Management.

## **Oil and Gas Law**

(R.C. 1509.02, 1509.01, 1509.021, 1509.022, and 1509.04)

### **Statewide regulation and comprehensive plan**

Law largely retained by the act states that the Division has sole and exclusive authority to regulate the permitting, location, and spacing of oil and gas wells and production operations in Ohio. The act excludes from that authority only those activities that are regulated under federal laws for which oversight has been delegated to the Environmental Protection Agency and activities that are regulated under the state statutes governing isolated wetlands.

Law retained by the act also states that the regulation of oil and gas activities is a matter of general statewide interest that requires uniform statewide regulation and that the Oil and Gas Law and rules adopted under it constitute a comprehensive plan with respect to all aspects of the locating, drilling, and operating of oil and gas wells in Ohio, including site restoration and disposal of wastes from those wells. The act adds that the Oil and Gas Law and rules adopted under it also constitute a comprehensive plan with respect to all aspects of well stimulation and completion. It then adds site construction and permitting related to site construction and restoration to the activities that are specifically identified as being subject to uniform statewide regulation.

### **Setback of new well or tank battery from water sources**

The act prohibits the location of a new well or a new tank battery of a well from being within 50 feet of a stream, river, watercourse, water well, pond, lake, or other body of water. However, the Chief of the Division of Oil and Gas Resources Management may authorize a distance that is less than 50 feet from such bodies of water if the Chief determines that the reduction is necessary to reduce impacts to the owner of the land on which the well or tank battery of a well is to be located or to



protect public safety or the environment. Continuing law establishes other setbacks governing the surface location of a well, a tank battery, and other surface facilities of a well.

### **Surface location of new well using directional drilling**

The act allows the surface location of a new well that will be drilled using directional drilling to be located on a parcel of land that is not in the drilling unit of the well, provided that the surface location complies with setback requirements established in continuing law and the act (see above).

### **Definition of "production operation"**

The act expands the definition of "production operation" in the Oil and Gas Law to mean all operations and activities and all related equipment, facilities, and other structures that may be used in or associated with the exploration and production of oil, gas, or other mineral resources that are regulated under that Law, including operations and activities associated with site preparation, site construction, access road construction, well drilling, well completion, well stimulation, well site activities, reclamation, and plugging. Under the act, it also includes all of the following:

(1) The piping, equipment, and facilities used for the production and preparation of hydrocarbon gas or liquids for transportation or delivery;

(2) The processes of extraction and recovery, lifting, stabilization, treatment, separation, production processing, storage, waste disposal, and measurement of hydrocarbon gas and liquids, including related equipment and facilities; and

(3) The processes and related equipment and facilities associated with production compression, gas lift, gas injection, fuel gas supply, well drilling, well stimulation, and well completion activities, including dikes, pits, and earthen and other impoundments used for the temporary storage of fluids and waste substances associated with well drilling, well stimulation, and well completion activities.

Under former law, "production operation" instead meant site preparation, access roads, drilling, well completion, well stimulation, well operation, site reclamation, and well plugging. It also included all of the following:

(1) The piping and equipment used for the production and preparation of hydrocarbon gas or liquids for transportation or delivery;

(2) The processes of extraction and recovery, lifting, stabilization, treatment, separation, production processing, storage, and measurement of hydrocarbon gas and liquids; and



(3) The processes associated with production compression, gas lift, gas injection, and fuel gas supply.

### **Compliance notices**

The act authorizes the Chief to issue compliance notices as part of the Chief's enforcement authority in addition to entering into compliance agreements under ongoing law.

### **Ohio Natural Heritage Database**

(R.C. 1517.02 and 1531.04)

The act transfers the management of the Ohio Natural Heritage Database from the Division of Natural Areas and Preserves to the Division of Wildlife. It requires the Chief of the Division of Wildlife, in addition to the Chief of the Division of Natural Areas and Preserves, to prepare and maintain surveys and inventories of rare and endangered species of plants and animals and other unique natural features for inclusion in the Database. It retains the requirement that the Chief of the Division of Natural Areas and Preserves prepare and maintain surveys and inventories of natural areas for inclusion in the Database.

### **Ohio Natural Areas Council**

(R.C. 1517.03; Section 515.23)

The act requires the Ohio Natural Areas Council to advise the Director of Natural Resources or the Director's designee, rather than the Chief of the Division of Natural Areas and Preserves as in former law, regarding the administration of nature preserves and natural areas. It then makes changes in the Council itself and increases the frequency of Council meetings.

The act terminates the terms of office of the members of the Council serving on September 29, 2011 and provides for the appointment of new members. The following members are to be appointed to the Council by the Governor with the advice and consent of the Senate:

- (1) One member representing natural history museums;
- (2) One member representing metropolitan park districts;
- (3) One member representing colleges and universities;



- (4) One member representing outdoor education programs in primary and secondary education;
- (5) One member representing nature centers; and
- (6) Two members representing the public.

Each appointed member must be active or interested in natural area preservation. Not more than four of the appointed members can belong to the same political party. The Director or the Director's designee is a nonvoting ex officio member of the Council.

The act requires the Governor to make appointments to the Council not later than 30 days after September 29, 2011. It provides for staggered four-year terms and establishes standard appointment procedures for the members of the Council. The Department of Natural Resources must furnish clerical, technical, legal, and other services required by the Council in the performance of its duties. The Council must hold at least one regular meeting every three months.

Under former law, the Council could not have fewer than five members as determined and appointed by the Director. Former law did not specify entities or interests to be represented on the Council. Members' terms of office were determined by the Director. The Council was required to hold at least one regular meeting in each calendar year.

### **Hunting license, deer or wild turkey permit, fur-taker permit, and fishing license exemption**

(R.C. 1533.10, 1533.11, 1533.111, and 1533.32)

The act requires a nonresident owner of land in Ohio and the owner's children and grandchildren, if applicable, to purchase a nonresident hunting license, deer or wild turkey permit, fur-taker permit, or nonresident fishing license by applying the exemptions in law revised in part by the act for landowners and their families only to Ohio residents. Under those exemptions, the owner of lands in Ohio and the owner's children of any age and grandchildren under 18 years of age may hunt on the lands without a hunting license. Similarly, the owner of lands in Ohio and the owner's children of any age may hunt on the land without a deer or wild turkey permit, hunt or trap fur-bearing animals on the land without a fur-taker permit, and take frogs and turtles and catch certain fish on waters on the land without a fishing license.

The act also allows all of the following to hunt without a license, take deer or wild turkey without a permit, hunt or trap fur-bearing animals without a permit, and

fish without a license on land owned by a limited liability company, a limited liability partnership, or a trust:

(1) A resident individual, including the individual's children of any age and, for a hunting license, grandchildren under 18 years of age, who is a member of a limited liability company that has three or fewer members;

(2) A resident individual, including the individual's children of any age and, for a hunting license, grandchildren under 18 years of age, who is a member of a limited liability partnership that has three or fewer partners; and

(3) A resident individual, including the individual's children of any age and, for a hunting license, grandchildren under 18 years of age, who is a trustee or a beneficiary of a trust whose total number of trustees and beneficiaries does not exceed three individuals.

### **Wild animal hunting preserves**

(R.C. 1533.731)

The act prohibits a wild animal hunting preserve from being located within 1,500 feet, rather than 3,000 feet as in former law, of another hunting preserve or of a commercial bird shooting preserve. The act also requires the boundaries of a wild animal hunting preserve to be clearly defined by the posting of signs at intervals of not more than 400 feet rather than 200 feet as in former law.

Under continuing law, game and nonnative wildlife that have been approved by the Chief of the Division of Wildlife, that have been legally acquired or propagated under the authority of a propagating license, and that are properly marked and tagged may be released and hunted within the confines of the licensed wild animal hunting preserve. Hunting may take place between sunrise and sunset, without regard to sex, bag limit, or open season, by licensed hunters authorized by the holder of the wild animal hunting preserve license to hunt on those lands. The Chief is required to establish, by rule, the allowable methods of taking game and nonnative wildlife in a wild animal hunting preserve.

### **Sale of timber and forest products from state parks**

(R.C. 1541.05)

The act allows the Chief of the Division of Parks and Recreation, with the approval of the Director of Natural Resources, to sell or otherwise dispose of by lawful means forest products, in addition to timber as in ongoing law, that require



management for specified reasons. Under continuing law, those reasons include the improvement of wildlife habitat, protection against wildfires, provision of access to recreational facilities, and improvement of the safety, quality, or appearance of any state park area. The act adds implementation of sustainable forestry practices as another reason for which forest products and timber may be sold or disposed of.

Under continuing law, the Chief also may sell or otherwise dispose of standing timber that as a result of certain natural occurrences may present a hazard to life or property and timber that has weakened or fallen on lands under the control and management of the Division.

The act authorizes the Chief of the Division of Parks and Recreation to enter into a memorandum of understanding with the Chief of the Division of Forestry to allow the Division of Forestry to administer the sale of timber and forest products on lands owned or controlled by the Division of Parks and Recreation. 75% of the proceeds from such a sale must be credited to the State Park Fund, and 25% of the proceeds must be credited to the a State Forest Fund.

Under law revised in part by the act, proceeds from the disposition of items by the Chief of the Division of Parks and Recreation, including timber and forest products specified above and agricultural products that are grown or raised by the Division, must be credited to the State Park Fund. That distribution does not apply in the case of a memorandum of understanding entered into under the act.

### **Distribution of proceeds of timber sales**

(R.C. 1503.05 and 1503.141)

The act alters the distribution of the proceeds of the sale of standing timber from state forest lands. Under the act, 35% of the proceeds must be distributed to the State Forest Fund, and 65% must be distributed to the county where the timber was harvested to be redistributed. Under former law, 25% of the proceeds were distributed to the State Forest Fund, 65% to the county where the timber was harvested to be redistributed, and 10% to the General Revenue Fund.

The act also authorizes the Chief of the Division of Forestry to annually request the Director of Budget and Management to transfer to the Wildfire Suppression Fund not more than \$100,000 from the State Forest Fund. Former law required any such annual transfer to the Wildfire Suppression Fund to be made from the General Revenue Fund. Under both the act and former law, money so transferred must come from the sale of standing timber from state forest lands.



Under continuing law, the State Forest Fund is required to be used for the administration, operation, maintenance, development, or utilization of the state forests, forest nurseries, and forest programs and for facilities or equipment incident to them. The Fund also must be used for the purchase of lands for state forest or forest nursery purposes and, in the case of contributions resulting from the issuance of Smokey Bear license plates, for fire prevention purposes. The Wildfire Suppression Fund is required to be used by the Chief to reimburse firefighting agencies and private fire companies for their costs incurred in the suppression of wildfires.

### **Coal-Workers Pneumoconiosis, Mine Safety, and Coal Mining Administration and Reclamation Reserve Funds**

(R.C. 4131.03)

The act authorizes the Director of Natural Resources, beginning July 1, 2011, and ending June 30, 2013, annually to request the Administrator of Workers' Compensation to transfer to the Mine Safety Fund and to the Coal Mining Administration and Reclamation Reserve Fund a portion of the investment earnings credited to the Coal-Workers Pneumoconiosis Fund. If the Administrator receives such a request, the Administrator, on July 1 or as soon as possible after that date, must transfer from those investment earnings an amount not to exceed \$3 million to the Mine Safety Fund and an amount not to exceed \$1.5 million to the Coal Mining Administration and Reclamation Reserve Fund. The act eliminates former law that instead authorized the Administrator to transfer an unspecified portion of the investment earnings credited to the Coal-Workers Pneumoconiosis Fund to the Mine Safety Fund. It retains law that requires the Administrator to adopt rules to ensure the solvency of the Coal-Workers Pneumoconiosis Fund.

### **Conservation Program Delivery Task Force**

(Section 715.10)

The act requires the continuing Ohio Soil and Water Conservation Commission to establish a Conservation Program Delivery Task Force. The Task Force must provide recommendations to the Director of Natural Resources regarding how soil and water conservation districts established under continuing law may advance effective and efficient operations while continuing to provide local program leadership. The act also requires the Task Force to examine methods for improving services and removing impediments to organizational management and explore opportunities for sharing services across all levels of government.

The Task Force must hold its first meeting no later than September 1, 2011, and submit a final report of recommendations to the Director and the Commission no later



than December 31, 2011. Upon submission of the final report, the Task Force ceases to exist.

Under the act, the chairperson of the Commission in consultation with the Director can appoint no more than nine members to the Task Force. The Task Force must include members of the boards of supervisors of soil and water conservation districts and other individuals who represent diverse geographic areas of the state and may include members from the Ohio Federation of Soil and Water Conservation Districts, the Natural Resources Conservation Service in the United States Department of Agriculture, the County Commissioners' Association of Ohio, the Ohio Municipal League, and the Ohio Township Association. The Task Force may consult with those organizations and agencies.

The act states that the chairperson of the Commission or another member of the Commission who is designated by the chairperson must serve as chairperson of the Task Force. Members appointed to the Task Force must serve without compensation and cannot be reimbursed for expenses. The Division of Soil and Water Resources in the Department of Natural Resources must provide technical and administrative support as needed by the Task Force.

