

January 23, 1998

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## SENATE BILL No. 207

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DIGEST OF SB207 (Updated January 21, 1998 11:09 am - DI 78)

**Citations Affected:** IC 13-17; IC 13-18; IC 13-19.

**Synopsis:** Environmental board appointments. Requires that the governor's appointees to environmental boards must be recommended by representative constituencies. Changes requirements for manufacturing representatives who are appointed to the water pollution control board and the air pollution control board.

**Effective:** July 1, 1998.

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**Miller**

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January 6, 1998, read first time and referred to Committee on Health and Environmental Affairs.  
January 22, 1998, amended, reported favorably — Do Pass.

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SB 207—LS 6772/DI 78+



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January 23, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

## SENATE BILL No. 207

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A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 13-17-2-2, AS ADDED BY P.L.1-1996, SECTION  
2 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
3 1998]: Sec. 2. The board consists of the following eleven (11)  
4 members:  
5 (1) The following ex officio members:  
6 (A) The commissioner of the state department of health.  
7 (B) The director of the department of natural resources.  
8 (C) The lieutenant governor.  
9 (2) The following eight (8) members, who shall be **recommended**  
10 **by representative constituencies and** appointed by the governor:  
11 **based on recommendations from representative constituencies:**  
12 (A) One (1) representative of agriculture.  
13 (B) One (1) representative of manufacturing **employed by an**  
14 **entity that has applied for or received a Title V operating**  
15 **permit.**  
16 (C) One (1) representative of environmental interests.  
17 (D) One (1) representative of labor.

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- 1 (E) One (1) representative of local government.
- 2 (F) One (1) health professional who holds a license to practice
- 3 in Indiana.
- 4 (G) One (1) representative of small business.
- 5 (H) One (1) representative of the general public, who cannot
- 6 qualify to sit on the board under any of the other clauses in this
- 7 subdivision.

8 An individual appointed under this subdivision must possess  
 9 knowledge, experience, or education qualifying the individual to  
 10 represent the entity the individual is being recommended to  
 11 represent.

12 SECTION 2. IC 13-18-1-2, AS ADDED BY P.L.1-1996, SECTION  
 13 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 14 1998]: Sec. 2. (a) The board consists of the following eleven (11)  
 15 members:

- 16 (1) The following ex officio members:
  - 17 (A) The commissioner of the state department of health.
  - 18 (B) The director of the department of natural resources.
  - 19 (C) The lieutenant governor.
- 20 (2) The following eight (8) members, who shall be **recommended**  
 21 **by representative constituencies and** appointed by the governor:  
 22 **based on recommendations from representative constituencies:**
  - 23 (A) One (1) representative of agriculture.
  - 24 (B) One (1) representative of manufacturing **employed by an**  
 25 **entity that holds an NPDES major permit.**
  - 26 (C) One (1) representative of environmental interests.
  - 27 (D) One (1) representative of labor.
  - 28 (E) One (1) representative of local government.
  - 29 (F) One (1) health professional who holds a license to practice
  - 30 in Indiana.
  - 31 (G) One (1) representative of small business.
  - 32 (H) One (1) representative of the general public, who cannot
  - 33 qualify to sit on the board under any of the other clauses in this
  - 34 subdivision.

35 (b) An individual appointed under subsection (a)(2) must possess  
 36 knowledge, experience, or education qualifying the individual to  
 37 represent the entity the individual is being recommended to represent.

38 SECTION 3. IC 13-19-2-2, AS ADDED BY P.L.1-1996, SECTION  
 39 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 40 1998]: Sec. 2. (a) The board consists of thirteen (13) members as  
 41 follows:

- 42 (1) The following ex officio members:

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- 1 (A) The commissioner of the state department of health.
- 2 (B) The director of the department of natural resources.
- 3 (C) The lieutenant governor.
- 4 (2) The following ten (10) members, who shall be **recommended**
- 5 **by representative constituencies and** appointed by the governor:
- 6 **based on recommendations from representative constituencies:**
- 7 (A) One (1) representative of agriculture.
- 8 (B) One (1) representative of manufacturing.
- 9 (C) One (1) representative of environmental interests.
- 10 (D) One (1) representative of labor.
- 11 (E) One (1) representative of local government.
- 12 (F) One (1) health professional who holds a license to practice
- 13 in Indiana.
- 14 (G) One (1) representative of small business.
- 15 (H) One (1) representative of the general public, who cannot
- 16 qualify to sit on the board under any of the other clauses in this
- 17 subdivision.
- 18 (I) One (1) representative of the solid waste management
- 19 industry.
- 20 (J) One (1) representative of the solid waste management
- 21 districts.
- 22 (b) An individual appointed under subsection (a)(2) must possess
- 23 knowledge, experience, or education qualifying the individual to
- 24 represent the entity the individual is being recommended to represent.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Environmental Affairs, to which was referred Senate Bill 207, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 14, delete "holds an NPDES major permit." and insert "**has applied for or received a Title V operating permit.**".

Page 2, line 24, delete "has applied for or received a Title V operating" and insert "**holds an NPDES major permit.**".

Page 2, delete line 25.

and when so amended that said bill do pass.

(Reference is to Senate Bill 207 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 6, Nays 0.

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