



March 17, 1999

**ENGROSSED
SENATE BILL No. 625**

DIGEST OF SB 625 (Updated March 16, 1999 9:09 am - DI 02)

Citations Affected: IC 14-8; IC 14-32.

Synopsis: Conservation district clean water program. Establishes the clean water Indiana program and the clean water Indiana fund, both of which are administered by the division of soil conservation of the department of natural resources, subject to the direction of the soil conservation board. Describes educational, technical assistance, training, and cost sharing programs supported by the program and the fund to help land occupiers and conservation programs reduce nonpoint sources of water pollution. Provides matching grants to districts for certain purposes and provides assistance to increase state technical and capacity building assistance to districts and local conservation efforts. Requires the districts and the division of soil conservation to coordinate to compile an annual report to submit to the executive director of the legislative services agency concerning the program and the fund.

Effective: July 1, 1999.

**Wheeler, Landske, Lewis, Wolf,
Jackman**

(HOUSE SPONSORS — LEUCK, FRIEND, KRUZAN, WOLKINS)

January 25, 1999, read first time and referred to Committee on Natural Resources.
February 2, 1999, reported favorably — Do Pass.
February 8, 1999, read second time, ordered engrossed. Engrossed.
February 11, 1999, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

March 3, 1999, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.
March 16, 1999, amended, reported — Do Pass.

ES 625—LS 7851/DI 78+



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March 17, 1999

First Regular Session 111th General Assembly (1999)

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 a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

ENGROSSED SENATE BILL No. 625

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

- 1 SECTION 1. IC 14-8-2-107 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 107. "Fund" has the
3 following meaning:
4 (1) For purposes of IC 14-9-5, the meaning set forth in
5 IC 14-9-5-1.
6 (2) For purposes of IC 14-9-8-21, the meaning set forth in
7 IC 14-9-8-21.
8 (3) For purposes of IC 14-9-9, the meaning set forth in
9 IC 14-9-9-3.
10 (4) For purposes of IC 14-12-1, the meaning set forth in
11 IC 14-12-1-1.
12 (5) For purposes of IC 14-12-2, the meaning set forth in
13 IC 14-12-2-2.
14 (6) For purposes of IC 14-12-3, the meaning set forth in
15 IC 14-12-3-2.
16 (7) For purposes of IC 14-13-1, the meaning set forth in

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- 1 IC 14-13-1-2.
 2 (8) For purposes of IC 14-13-2, the meaning set forth in
 3 IC 14-13-2-3.
 4 (9) For purposes of IC 14-19-4, the meaning set forth in
 5 IC 14-19-4-1.
 6 (10) For purposes of IC 14-19-5, the meaning set forth in
 7 IC 14-19-5-1.
 8 (11) For purposes of IC 14-20-1, the meaning set forth in
 9 IC 14-20-1-3.
 10 (12) For purposes of IC 14-20-11, the meaning set forth in
 11 IC 14-20-11-2.
 12 (13) For purposes of IC 14-22-3, the meaning set forth in
 13 IC 14-22-3-1.
 14 (14) For purposes of IC 14-22-4, the meaning set forth in
 15 IC 14-22-4-1.
 16 (15) For purposes of IC 14-22-5, the meaning set forth in
 17 IC 14-22-5-1.
 18 (16) For purposes of IC 14-22-8, the meaning set forth in
 19 IC 14-22-8-1.
 20 (17) For purposes of IC 14-22-34, the meaning set forth in
 21 IC 14-22-34-2.
 22 (18) For purposes of IC 14-23-3, the meaning set forth in
 23 IC 14-23-3-1.
 24 **(19) For purposes of IC 14-23-8, the meaning set forth in**
 25 **IC 14-23-8-1.**
 26 **(20)** For purposes of IC 14-25-2-4, the meaning set forth in
 27 IC 14-25-2-4.
 28 ~~(20)~~ **(21)** For purposes of IC 14-25-10, the meaning set forth in
 29 IC 14-25-10-1.
 30 ~~(21)~~ **(22)** For purposes of IC 14-25-11-19, the meaning set forth
 31 in IC 14-25-11-19.
 32 ~~(22)~~ **(23)** For purposes of IC 14-28-5, the meaning set forth in
 33 IC 14-28-5-2.
 34 ~~(23)~~ **(24)** For purposes of IC 14-31-2, the meaning set forth in
 35 IC 14-31-2-5.
 36 ~~(24)~~ **(25)** For purposes of IC 14-25-12, the meaning set forth in
 37 IC 14-25-12-1.
 38 ~~(25)~~ **(26)** For purposes of IC 14-33-14, the meaning set forth in
 39 IC 14-33-14-3.
 40 ~~(26)~~ **(27)** For purposes of IC 14-33-21, the meaning set forth in
 41 IC 14-33-21-1.
 42 ~~(27)~~ **(28)** For purposes of IC 14-34-6-15, the meaning set forth in

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- 1 IC 14-34-6-15.
 2 ~~(28)~~ **(29)** For purposes of IC 14-34-14, the meaning set forth in
 3 IC 14-34-14-1.
 4 ~~(29)~~ **(30)** For purposes of IC 14-37-10, the meaning set forth in
 5 IC 14-37-10-1.

6 SECTION 2. IC 14-8-2-208 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 208. "Political
 8 subdivision" has the following meaning:

- 9 (1) For purposes of IC 14-12-1, the meaning set forth in
 10 IC 14-12-1-2.
 11 (2) For purposes of IC 14-20-1, the meaning set forth in
 12 IC 14-20-1-4.
 13 **(3) For purposes of IC 14-32-8, the meaning set forth in**
 14 **IC 14-32-8-2.**

15 SECTION 3. IC 14-8-2-216 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 216. "Program" **has the**
 17 **following meaning:**

- 18 (1) For purposes of IC 14-12-3, ~~has~~ the meaning set forth in
 19 IC 14-12-3-4.
 20 **(2) For purposes of IC 14-32-8, the meaning set forth in**
 21 **IC 14-32-8-3.**

22 SECTION 4. IC 14-32-8 IS ADDED TO THE INDIANA CODE AS
 23 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 24 1, 1999]:

25 **Chapter 8. Clean Water Indiana Program**

26 **Sec. 1. As used in this chapter, "fund" means the clean water**
 27 **Indiana fund established by this chapter.**

28 **Sec. 2. As used in this chapter, "political subdivision" means a**
 29 **county, township, city, or town.**

30 **Sec. 3. As used in this chapter, "program" means the clean**
 31 **water Indiana program established by this chapter.**

32 **Sec. 4. The clean water Indiana program is established. The**
 33 **division of soil conservation shall administer the program subject**
 34 **to the direction of the board.**

35 **Sec. 5. The purpose of the program is to provide financial**
 36 **assistance to:**

- 37 (1) land occupiers; and
 38 (2) conservation groups;
 39 **to implement conservation practices to reduce nonpoint sources of**
 40 **water pollution through education, technical assistance, training,**
 41 **and cost sharing programs.**

42 **Sec. 6. (a) The clean water Indiana fund is established to carry**



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1 out the purposes of this chapter. The fund shall be administered by
 2 the division of soil conservation subject to the direction of the
 3 board.

4 (b) The fund consists of:

- 5 (1) amounts appropriated by the general assembly; and
 6 (2) donations, grants, and money received from any other
 7 source.

8 (c) The expenses of administering the fund shall be paid from
 9 money in the fund.

10 (d) Money in the fund at the end of a state fiscal year does not
 11 revert to the state general fund.

12 **Sec. 7. Money in the fund may be spent in the following ways:**

13 (1) To increase district technical assistance in local
 14 conservation efforts.

15 (2) To develop an environmental stewardship program to
 16 assist land occupiers in complying with environmental
 17 regulations voluntarily.

18 (3) To qualify for federal matching funds for county soil
 19 survey computerization.

20 (4) To provide for the following cost sharing programs:

21 (A) A program to encourage land occupiers to implement
 22 conservation practices to reduce nutrient, pesticide, and
 23 sediment runoff.

24 (B) Programs that encourage land occupiers to implement
 25 nutrient management programs by sharing the cost of any
 26 of the following:

27 (i) Fencing for intensive grazing systems.

28 (ii) Purchasing nutrient management equipment.

29 (iii) Voluntary environmental audits.

30 (iv) Other similar expenditures related to nutrient
 31 management.

32 (5) To provide matching grants to districts for the following:

33 (A) Professional watershed coordinators to facilitate and
 34 administer local watershed protection projects.

35 (B) District managers to administer district conservation
 36 policies and programs.

37 (6) To increase state technical and capacity building
 38 assistance to districts and local conservation efforts by
 39 providing for the following:

40 (A) Capacity building specialists to train district personnel
 41 in grant writing, grant administration, and leadership
 42 development.

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(B) Conservation education specialists to help implement district conservation education efforts.

(C) Urban storm water specialists to provide technical assistance to developers to contain soil erosion on construction sites.

(7) To make distributions as provided under section 8 of this chapter.

Sec. 8. (a) In addition to funds provided to a district under section 7 of this chapter or from any other source the division of soil conservation shall pay to the district one dollar (\$1) for every one dollar (\$1) the district receives from a political subdivision.

(b) A district is not eligible to receive more than ten thousand dollars (\$10,000) under this section.

(c) In order to receive funding under this section, before April 15 of each year a district must certify to the division of soil conservation the amount of money the district received from all political subdivisions during the one (1) year period beginning April 1 of the previous year. The division of soil conservation shall make distributions under this section not later than July 1 of each year.

(d) Before making distributions under this section the division of soil conservation shall determine the total amount of money that has been certified by all districts as having been provided by political subdivisions. If the cumulative amount to be distributed to all districts exceeds the amount appropriated to the fund, the division of soil conservation shall reduce the distribution to each district proportionately.

(e) A district must spend money received under this section for the purposes of the district.

Sec. 9. The districts shall coordinate with the division of soil conservation to compile and provide a report to the executive director of the legislative services agency each year. The report must describe:

- (1) the expenditures of the clean water Indiana fund; and**
- (2) the number, type, status, and effectiveness of conservation efforts funded by the clean water Indiana program.**

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SENATE MOTION

Mr. President: I move that Senator Landske be added as second author and Senators Lewis be added as coauthor of Senate Bill 625.

WHEELER

SENATE MOTION

Mr. President: I move that Senators Lewis and Wolf be added as coauthors of Senate Bill 625.

WHEELER

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COMMITTEE REPORT

Mr. President: The Senate Committee on Natural Resources, to which was referred Senate Bill No. 625, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 625 as introduced.)

SERVER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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SENATE MOTION

Mr. President: I move that Senator Jackman be added as coauthor of Senate Bill 625.

WHEELER

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred Senate Bill 625, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 28 and 29, begin a new line triple block indented and insert:

"(iv) Other similar expenditures related to nutrient management."

Page 4, between lines 33 and 34, begin a new line block indented and insert:

"(6) To increase state technical and capacity building assistance to districts and local conservation efforts by providing for the following:"

Page 4, line 34, delete "(C)" and insert "(A)".

Page 4, line 37, delete "(D)" and insert "(B)".

Page 4, line 39, delete "(E)" and insert "(C)".

Page 4, line 42, delete "(6)" and insert "(7)".

Page 5, line 8, delete "June" and insert "**April**".

Page 5, line 11, delete "June" and insert "**April**".

Page 5, line 23, after "The" insert "**districts shall coordinate with the**".

Page 5, line 23, delete "shall" and insert "**to compile and**".

and when so amended that said bill do pass.

(Reference is to SB 625 as printed February 3, 1999.)

LYTLE, Chair

Committee Vote: yeas 14, nays 0.

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