



February 16, 1999

# HOUSE BILL No. 1212

DIGEST OF HB 1212 (Updated February 10, 1999 8:25 pm - DI 02)

**Citations Affected:** IC 14-31.

**Synopsis:** Ginseng season. Provides that the natural resources commission must adopt rules to establish the various seasons and times of the year for activities related to ginseng. (Under current law, the season is from August 15 through December 31 of each year.)

**Effective:** Upon passage.

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January 11, 1999, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.  
February 15, 1999, amended, reported — Do Pass.

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February 16, 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.

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## HOUSE BILL No. 1212

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 14-31-3-4 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. As used in this  
3 chapter, "harvest season" means ~~August 15 through December 31~~ of  
4 **each year: the season established by the commission under section**  
5 **14(b)(1) of this chapter.**
- 6 SECTION 2. IC 14-31-3-9 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) As used in  
8 this section, "selling season" means ~~September 1 of one (1) year~~  
9 ~~through March 31 of the following year: the season established by the~~  
10 **commission under section 14(b)(2) of this chapter.**
- 11 (b) Each ginseng dealer shall submit a summary of all ginseng  
12 purchased and sold by the ginseng dealer during the selling season to  
13 the department within thirty (30) days of the last day of the selling  
14 season. The summary must also contain other information and be  
15 prepared in the manner required by the department by rule.
- 16 SECTION 3. IC 14-31-3-10 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) Wild

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1 ginseng may not be harvested except during harvest season.

2 (b) Ginseng harvested in Indiana may not be possessed by a ginseng  
3 harvester ~~from April 1 through August 14 of each year~~, **during the**  
4 **part of a year established under section 14(b)(3) of this chapter**,  
5 unless the department gives written authorization otherwise.

6 (c) Ginseng harvested in Indiana may not be bought, sold, or  
7 possessed by a ginseng dealer ~~from April 1 through August 31 of each~~  
8 ~~year~~, **during the part of a year established under section 14(b)(4) of**  
9 **this chapter**, unless the department gives written authorization  
10 otherwise.

11 (d) Ginseng that is harvested in Indiana may not be taken from  
12 Indiana without written authorization from the department.

13 SECTION 4. IC 14-31-3-14 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) The  
15 department may adopt rules under IC 4-22-2 that are necessary to carry  
16 out this chapter.

17 (b) **The commission shall adopt rules under IC 4-22-2 to do the**  
18 **following:**

19 (1) **Establish the harvest season.**

20 (2) **Establish the selling season.**

21 (3) **Establish the part of a year when ginseng harvested in**  
22 **Indiana may not be possessed by a ginseng harvester without**  
23 **written authorization from the department.**

24 (4) **Establish the part of a year when ginseng harvested in**  
25 **Indiana may not be bought, sold, or possessed by a ginseng**  
26 **dealer without written authorization from the department.**

27 SECTION 5. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1212, 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:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1212 as introduced.)

BARDON, Chair

Committee Vote: yeas 13, nays 0.

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