

Adopted	Rejected
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# COMMITTEE REPORT

<b>YES:</b>	<b>11</b>
<b>NO:</b>	<b>0</b>

**MR. SPEAKER:**

*Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1385, 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:*

- 1           Page 1, line 2, after "SECTION," insert "**commissioner**" refers to
- 2           **the commissioner of the Indiana department of administration.**
- 3           **(b) As used in this SECTION, "department" refers to the**
- 4           **Indiana department of administration created by IC 4-13-1-2.**
- 5           **(c) As used in this SECTION, "grantee" refers to the Jefferson**
- 6           **County Historical Society or its successor.**
- 7           **(d) As used in this SECTION,**
- 8           Page 1, line 4, delete "**(b)**" and insert "**(e)**".
- 9           Page 1, line 6, delete "**(c)**" and insert "**(f)**".
- 10          Page 2, line 6, delete "**(d)**" and insert "**(g)**".
- 11          Page 2, line 10, delete "**(e)**" and insert "**(h)**".
- 12          Page 2, line 12, delete "enter into a" and insert "**convey the**
- 13          **property to the grantee. The conveyance of the property shall be**
- 14          **made without consideration.**
- 15          **(i) Conveyance of the property is subject to the following:**

- 1           **(1) Highways, easements, and restrictions of record.**  
 2           **(2) An easement for the historical society from the north**  
 3           **entrance of the hospital to the real estate to allow visitors of**  
 4           **the historical society access to the real estate.**  
 5           **(3) Use of the parcel by a nonprofit organization for a public**  
 6           **charitable, educational, scientific, or general museum**  
 7           **purpose.**  
 8           **(j) If any of the following apply, title to the property reverts to**  
 9           **the state of Indiana:**  
 10           **(1) Use of the property by a person other than a nonprofit**  
 11           **organization.**  
 12           **(2) Use of the property for other than a public charitable,**  
 13           **educational, scientific, or general museum purpose.**  
 14           **(3) Ownership of the property by a person other than the**  
 15           **grantee.**  
 16           **(k) The conveyance under this SECTION must comply with**  
 17           **IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with this**  
 18           **SECTION. The department shall have a quitclaim deed prepared**  
 19           **to convey the property to the grantee. The deed must state the**  
 20           **restrictions and conditions contained in subsections (i) and (j). The**  
 21           **commissioner and the governor shall sign the deed, and the seal of**  
 22           **the state shall be affixed to the deed.**  
 23           **(l) The grantee shall have the deed to the property recorded in**  
 24           **Jefferson County, Indiana.**  
 25           **(m) The department shall inform the superintendent of Madison**  
 26           **State Hospital when the conveyance is completed.**  
 27           **(n) This SECTION expires July 1, 2004.**  
 28           **SECTION 2. [EFFECTIVE JULY 1, 1999] (a) As used in this**  
 29           **chapter, "city" refers to the city of Madison, Indiana.**  
 30           **(b) As used in this chapter, "heritage trail" refers to a multiple**  
 31           **purpose public use trail.**  
 32           **(c) As used in this SECTION, "hospital" refers to the Madison**  
 33           **State Hospital or its successor.**  
 34           **(d) As used in this SECTION, "real estate" refers to the real**  
 35           **estate and improvements that are:**  
 36           **(1) held by the hospital;**  
 37           **(2) located on the grounds of the hospital; and**  
 38           **(3) designated as a heritage trail by agreement of the city and**

1           **the hospital.**

2           **(e) The city, at its expense, shall have a staked survey performed**  
3 **and prepare a legal description of the real estate that meets the**  
4 **approval of the governor and the commissioner of the Indiana**  
5 **department of administration.**

6           **(f) The governor and the commissioner of the Indiana**  
7 **department of administration are authorized and directed on**  
8 **behalf of and in the name of the state of Indiana to enter into a**  
9 **lease agreement with the city that contains the following:**

10           **(1) A lease of the real estate surveyed and described in**  
11 **subsection (e) to the city for twenty-five (25) years at a rental**  
12 **of one dollar (\$1) per year.**

13           **(2) A provision for maintenance of the trail by the city or the**  
14 **hospital.**

15           **(3) A statement that the city may purchase services from the**  
16 **hospital at the cost of those services to the hospital, including**  
17 **the method of determining the costs. The method of**  
18 **determining costs may be amended with the consent of all**  
19 **parties to the lease.**

20           **(4) An easement to the real estate to allow visitor access to the**  
21 **real estate. The easement may be amended with the consent**  
22 **of all parties to the lease.**

23           **(5) A statement that the state may terminate the lease if any**  
24 **part of the real estate is:**

25           **(A) subleased without the consent of the state; or**

26           **(B) used for a purpose other than a heritage trail.**

1           **(g) The city shall use the real estate leased under this SECTION**  
2           **for heritage trail purposes."**

3           Page 2, delete lines 13 through 40.  
            (Reference is to HB 1385 as introduced.)

**and when so amended that said bill do pass.**

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Representative Sturtz