

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.

HOUSE ENROLLED ACT No. 1212

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

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

SECTION 1. IC 14-31-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. As used in this chapter, "harvest season" means ~~August 15 through December 31 of each year.~~ **the season established by the commission under section 14(b)(1) of this chapter.**

SECTION 2. IC 14-31-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) As used in this section, "selling season" means ~~September 1 of one (1) year through March 31 of the following year.~~ **the season established by the commission under section 14(b)(2) of this chapter.**

(b) Each ginseng dealer shall submit a summary of all ginseng purchased and sold by the ginseng dealer during the selling season to the department within thirty (30) days of the last day of the selling season. The summary must also contain other information and be prepared in the manner required by the department by rule.

SECTION 3. IC 14-31-3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) Wild ginseng may not be harvested except during harvest season.

(b) Ginseng harvested in Indiana may not be possessed by a ginseng

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harvester from April 1 through August 14 of each year, during the part of a year established under section 14(b)(3) of this chapter, unless the department gives written authorization otherwise.

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

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

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

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

- (1) Establish the harvest season.
- (2) Establish the selling season.
- (3) Establish the part of a year when ginseng harvested in Indiana may not be possessed by a ginseng harvester without written authorization from the department.
- (4) Establish the part of a year when ginseng harvested in Indiana may not be bought, sold, or possessed by a ginseng dealer without written authorization from the department.

SECTION 5. An emergency is declared for this act.

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