



February 26, 1999

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## SENATE BILL No. 662

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DIGEST OF SB 662 (Updated February 24, 1999 1:55 pm - DI 100)

**Citations Affected:** IC 15-7; noncode.

**Synopsis:** Land resources council. Establishes the Indiana land resources council to provide information, educational and technical assistance, and advice to governmental units regarding land use strategies and issues across the state. Provides for appointment and compensation of council members. Appropriates \$249,000 to the commissioner of agriculture for the council.

**Effective:** July 1, 1999.

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**Wolf, Nugent, Ford, Alting, Hume,  
Young R, Wolf, Lewis, Waterman,  
Weatherwax, Lawson C, Harrison**

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January 25, 1999, read first time and referred to Committee on Rules and Legislative Procedure.

February 11, 1999, reassigned to Committee on Agriculture and Small Business.

February 25, 1999, amended, reported favorably — Do Pass.

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SB 662—LS 8193/DI 98+



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February 26, 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.

## SENATE BILL No. 662

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A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals and to make an appropriation.

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

- 1 SECTION 1. IC 15-7-9 IS ADDED TO THE INDIANA CODE AS  
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 1999]:  
4 **Chapter 9. Indiana Land Resources Council**  
5 **Sec. 1. As used in this chapter, "assistant commissioner" refers**  
6 **to the assistant commissioner of agriculture appointed under**  
7 **IC 4-4-22-20.**  
8 **Sec. 2. As used in this chapter, "commissioner" refers to the**  
9 **commissioner of agriculture.**  
10 **Sec. 3. As used in this chapter, "council" refers to the Indiana**  
11 **land resources council established by section 4 of this chapter.**  
12 **Sec. 4. The Indiana land resources council is established.**  
13 **Sec. 5. The commissioner shall provide the necessary staff and**  
14 **administrative support for the council.**  
15 **Sec. 6. The purpose of the council is to:**  
16 **(1) collect information; and**  
17 **(2) provide:**

SB 662—LS 8193/DI 98+



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- 1 (A) educational assistance;  
 2 (B) technical assistance; and  
 3 (C) advice;  
 4 to local governments regarding land use strategies and issues  
 5 across the state.
- 6 **Sec. 7. The council may do the following:**
- 7 (1) Provide technical assistance and information about land  
 8 use strategies.
- 9 (2) Facilitate collaboration among commonly affected state,  
 10 county, and local government units.
- 11 (3) Compile and maintain a land planning information  
 12 library, both hard copy and electronic, that includes current  
 13 data on land resources in Indiana.
- 14 (4) Establish or coordinate educational programs for  
 15 governmental units, nongovernmental units, and the public  
 16 with special consideration for local planning commission  
 17 members and county commissioners.
- 18 (5) Provide counties and local communities conducting land  
 19 use planning with access to technical and legal assistance  
 20 through a referral service.
- 21 (6) Provide information to local authorities on model  
 22 ordinances for programs and techniques on land use.
- 23 (7) Obtain grants and assist counties and local communities in  
 24 locating additional funding sources for planning projects.
- 25 (8) Make recommendations to the general assembly and other  
 26 governmental bodies concerning land resources.
- 27 (9) When requested, advise the general assembly on proposals  
 28 relating to land resources.
- 29 **Sec. 8. (a) The council consists of the following members:**
- 30 (1) The commissioner, or in the commissioner's absence, the  
 31 assistant commissioner.
- 32 (2) Nine (9) members appointed by the governor as follows:
- 33 (A) One (1) member representing county government.  
 34 (B) One (1) member representing municipal government.  
 35 (C) One (1) member representing farm owners.  
 36 (D) One (1) member representing home building and land  
 37 development.  
 38 (E) One (1) member representing business.  
 39 (F) One (1) member representing the environment.  
 40 (H) One (1) member with expertise in land use issues  
 41 representing academia.  
 42 (I) One (1) member representing soil and water



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- 1 conservation districts.
- 2 (J) One (1) member representing forestry.
- 3 (b) Not more than five (5) of the members appointed by the
- 4 governor under subsection (a)(2) may be of the same political
- 5 party.
- 6 (c) The term of a member is four (4) years.
- 7 (d) Each member appointed by the governor under subsection
- 8 (a)(2) is entitled to hold office for the term of the member's
- 9 appointment and is entitled to continue to serve after expiration of
- 10 the member's appointment until a successor is appointed and
- 11 qualified.
- 12 (e) Any member is eligible for reappointment.
- 13 (f) Any member appointed by the governor under subsection
- 14 (a)(2) may be removed from office by the governor and serves at
- 15 the pleasure of the governor.
- 16 (g) If a vacancy occurs among the members of the council
- 17 appointed by the governor under subsection (a)(2), the governor
- 18 shall appoint an individual to serve for the unexpired term of the
- 19 vacating member.
- 20 Sec. 9. (a) Except as provided in subsection (b), the
- 21 commissioner serves as chairman of the council.
- 22 (b) In the absence of the commissioner, the assistant
- 23 commissioner serves as chairman of the council.
- 24 Sec. 10. (a) A quorum of the council for transacting business
- 25 consists of six (6) members.
- 26 (b) The affirmative vote of at least six (6) members is necessary
- 27 for any action to be taken by the council.
- 28 (c) A vacancy in the membership of the council does not impair
- 29 the right of a quorum to exercise all rights and perform all duties
- 30 of the council.
- 31 Sec. 11. The council shall meet at the call of the chair.
- 32 Sec. 12. The council shall keep the council's records and
- 33 information at the office of the commissioner.
- 34 Sec. 13. (a) Each member of the council who is not a state
- 35 employee is entitled to the minimum salary per diem provided by
- 36 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
- 37 for traveling expenses as provided under IC 4-13-1-4 and other
- 38 expenses actually incurred in connection with the member's duties
- 39 as provided in the state policies and procedures established by the
- 40 Indiana department of administration and approved by the budget
- 41 agency.
- 42 (b) Each member of the council who is a state employee is



1 entitled to reimbursement for traveling expenses as provided under  
2 IC 4-13-1-4 and other expenses actually incurred in connection  
3 with the member's duties as provided in the state policies and  
4 procedures established by the Indiana department of  
5 administration and approved by the budget agency.

6 SECTION 2. [EFFECTIVE JULY 1, 1999] (a) There is  
7 appropriated to the office of the commissioner of agriculture two  
8 hundred forty-nine thousand dollars (\$249,000) from the state  
9 general fund for carrying out the purpose of IC 15-7-9, as added by  
10 this act, beginning July 1, 1999, and ending June 30, 2001.

11 (b) This SECTION expires July 1, 2001.

12 SECTION 3. [EFFECTIVE JULY 1, 1999] (a) Notwithstanding  
13 IC 15-7-9-4, as added by this act, the initial term of membership  
14 for a member appointed to the Indiana land resources council  
15 under IC 15-7-9-4, as added by this act, begins October 1, 1999.

16 (b) An individual who is responsible for appointing a member  
17 to the Indiana land resources council under IC 15-7-9-4, as added  
18 by this act, shall appoint the member not later than October 1,  
19 1999.

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SENATE MOTION

Mr. President: I move that Senator Nugent be added as second author and Senator Ford be added as coauthor of Senate Bill 662.

WOLF

SENATE MOTION

Mr. President: I move that Senators Alting, Hume, Lewis, Waterman, Weatherwax and Young R be added as coauthors of Senate Bill 662.

WOLF

SENATE MOTION

Mr. President: I move that Senate Bill 662, currently assigned to the Committee on Rules and Legislative Procedure, be reassigned to the Committee on Agriculture and Small Business.

GARTON

SENATE MOTION

Mr. President: I move that Senator Harrison be added as coauthor of Senate Bill 662.

WOLF

SENATE MOTION

Mr. President: I move that Senator Lawson C be added as coauthor of Senate Bill 662.

WOLF



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## COMMITTEE REPORT

Mr. President: The Senate Committee on Agriculture and Small Business, to which was referred Senate Bill No. 662, 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 2, delete lines 32 through 38.

Page 2, line 39, delete "(4) Eight (8)" and insert "**(2) Nine (9)**".

Page 3, line 1, delete "builders" and insert "**home building and land development**".

Page 3, between lines 7 and 8, begin a new line double block indented and insert:

**"(J) One (1) member representing forestry."**

Page 3, line 8, delete "six (6)" and insert "**five (5)**".

Page 3, line 9, delete "(a)(4)" and insert "**(a)(2)**".

Page 3, line 13, delete "(a)(4)" and insert "**(a)(2)**".

Page 3, line 19, delete "(a)(4)" and insert "**(a)(2)**".

Page 3, line 22, delete "(a)(4)" and insert "**(a)(2)**".

Page 3, delete lines 25 through 33.

Page 3, line 39, delete "eight (8)" and insert "**six (6)**".

Page 3, line 40, delete "eight (8)" and insert "**six (6)**".

Page 4, line 14, delete "but who".

Page 4, line 15, delete "is not a member of the general assembly".

Page 4, delete lines 21 through 24.

Page 4, line 27, delete "seventy-five" and insert "**forty-nine**".

Page 4, line 27, delete "\$275,000" and insert "**(\$249,000)**".

and when so amended that said bill do pass.

(Reference is to SB 662 as introduced.)

NUGENT, Chairperson

Committee Vote: Yeas 7, Nays 0.

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