

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 ENROLLED ACT No. 662

AN ACT to amend the Indiana Code concerning agriculture and animals.

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

SECTION 1. IC 15-7-9 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]:

Chapter 9. Indiana Land Resources Council

Sec. 1. As used in this chapter, "assistant commissioner" refers to the assistant commissioner of agriculture appointed under IC 4-4-22-20.

Sec. 2. As used in this chapter, "commissioner" refers to the commissioner of agriculture.

Sec. 3. As used in this chapter, "council" refers to the Indiana land resources council established by section 4 of this chapter.

Sec. 4. The Indiana land resources council is established.

Sec. 5. The commissioner shall provide the necessary staff and administrative support for the council.

Sec. 6. The purpose of the council is to:

- (1) collect information; and**
- (2) provide:**
 - (A) educational assistance;**
 - (B) technical assistance; and**
 - (C) advice;**

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to local governments regarding land use strategies and issues across the state.

Sec. 7. The council may do the following:

- (1) Provide technical assistance and information about land use strategies.**
- (2) Facilitate collaboration among commonly affected state, county, and local government units.**
- (3) Compile and maintain a land planning information library, both hard copy and electronic, that includes current data on land resources in Indiana.**
- (4) Establish or coordinate educational programs for governmental units, nongovernmental units, and the public with special consideration for local planning commission members and county commissioners.**
- (5) Provide counties and local communities conducting land use planning with access to technical and legal assistance through a referral service.**
- (6) Provide information to local authorities on model ordinances for programs and techniques on land use.**
- (7) Obtain grants and assist counties and local communities in locating additional funding sources for planning projects.**
- (8) Make recommendations to the general assembly and other governmental bodies concerning land resources.**
- (9) When requested, advise the general assembly on proposals relating to land resources.**

Sec. 8. (a) The council consists of the following members:

- (1) The commissioner, or in the commissioner's absence, the assistant commissioner.**
- (2) Nine (9) members appointed by the governor as follows:**
 - (A) One (1) member representing county government.**
 - (B) One (1) member representing municipal government.**
 - (C) One (1) member representing farm owners.**
 - (D) One (1) member representing home building and land development.**
 - (E) One (1) member representing business.**
 - (F) One (1) member representing the environment.**
 - (G) One (1) member with expertise in land use issues representing academia.**
 - (H) One (1) member representing soil and water conservation districts.**
 - (I) One (1) member representing forestry.**
- (b) Not more than five (5) of the members appointed by the**

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governor under subsection (a)(2) may be of the same political party.

(c) The term of a member is four (4) years.

(d) Each member appointed by the governor under subsection (a)(2) is entitled to hold office for the term of the member's appointment and is entitled to continue to serve after expiration of the member's appointment until a successor is appointed and qualified.

(e) Any member is eligible for reappointment.

(f) Any member appointed by the governor under subsection (a)(2) may be removed from office by the governor and serves at the pleasure of the governor.

(g) If a vacancy occurs among the members of the council appointed by the governor under subsection (a)(2), the governor shall appoint an individual to serve for the unexpired term of the vacating member.

Sec. 9. (a) Except as provided in subsection (b), the commissioner serves as chairman of the council.

(b) In the absence of the commissioner, the assistant commissioner serves as chairman of the council.

Sec. 10. (a) A quorum of the council for transacting business consists of six (6) members.

(b) The affirmative vote of at least six (6) members is necessary for any action to be taken by the council.

(c) A vacancy in the membership of the council does not impair the right of a quorum to exercise all rights and perform all duties of the council.

Sec. 11. The council shall meet at the call of the chair.

Sec. 12. The council shall keep the council's records and information at the office of the commissioner.

Sec. 13. (a) Each member of the council who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the council who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and



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procedures established by the Indiana department of administration and approved by the budget agency.

SECTION 2. [EFFECTIVE JULY 1, 1999] (a) Notwithstanding IC 15-7-9-4, as added by this act, the initial term of membership for a member appointed to the Indiana land resources council under IC 15-7-9-4, as added by this act, begins October 1, 1999.

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

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