

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Environmental Affairs, to which was referred House Bill No. 1248, 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:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 13-11-2-58 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]:
5 Sec. 58. (a) "District", for purposes of IC 13-20-20, IC 13-21, and
6 IC 13-20-22, refers to:
7 (1) a county solid waste management district; or
8 (2) a joint solid waste management district;
9 established under IC 13-21-3-1 or IC 13-9.5-2-1 (before its repeal).
10 (b) **Except as provided in subsection (c)**, "district", for purposes
11 of IC 13-26, refers to a regional water, sewage, or solid waste district
12 established under:
13 (1) IC 13-26;
14 (2) IC 13-3-2 (before its repeal on July 1, 1996); or
15 (3) IC 19-3-1.1 (before its repeal on April 1, 1980).
16 (c) **"District", for purposes of IC 13-26-5-2.5, has the meaning**
17 **set forth in IC 13-26-5-2.5(a).**
18 Page 2, delete lines 25 through 42.
19 Delete pages 3 through 6, begin a new paragraph and insert:
20 "SECTION 2. IC 13-26-5-2.5 IS ADDED TO THE INDIANA
21 CODE AS A **NEW SECTION TO READ AS FOLLOWS**

1 [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]; **Sec. 2.5. (a) As**
 2 **used in this section, "district" refers to a regional sewage district**
 3 **located in a county having a population of more than twenty-three**
 4 **thousand six hundred fifty (23,650) but less than twenty-three**
 5 **thousand seven hundred (23,700).**

6 (b) **The district may not require a property owner whose**
 7 **property was not connected to the district's sewer system on March**
 8 **1, 2000, to connect to the district's sewer system and to discontinue**
 9 **use of a septic system if the following conditions are met:**

10 (1) **The board of commissioners of the county in which the**
 11 **property is located adopts an ordinance before May 1, 2000,**
 12 **that establishes procedures for:**

13 (A) **exemption of a property owner from the requirement**
 14 **as described in this chapter to connect to the district's**
 15 **sewer system, if the property owner at the property**
 16 **owner's own expense obtains and provides to the county**
 17 **health department a certification from the county health**
 18 **department or a person designated by the county health**
 19 **department that the septic system is functioning**
 20 **satisfactorily;**

21 (B) **periodic review of a property owner's qualification for**
 22 **exemption under this section; and**

23 (C) **notice to the district that a property owner is exempt**
 24 **under this section, or that the property owner has lost an**
 25 **exemption previously applied under this section.**

26 (2) **The property owner has complied with the requirements**
 27 **for exemption under subdivision (1)."**

28 Page 7, delete lines 1 through 12, begin a new paragraph and
 29 insert:

30 "SECTION 3. [EFFECTIVE JANUARY 1, 1999
 31 (RETROACTIVE)] IC 13-26-5-2.5, as added by this act, applies only

- 1 to property owners that received notices of proposed sewer connection
- 2 under IC 13-26-5, dated after December 31, 1998."
- 3 Renumber all SECTIONS consecutively.
(Reference is to EHB 1248 as printed February 16, 2000.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

Senator Gard, Chairperson