

Adopted	Rejected
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## COMMITTEE REPORT

YES:	11
NO:	0

### MR. SPEAKER:

*Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1306, 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, delete lines 11 through 17.
- 2 Page 2, delete lines 1 through 7.
- 3 Page 2, line 8, delete "(c)" and insert "(b)".
- 4 Page 2, line 8, delete ":".
- 5 Page 2, line 9, delete "(1)".
- 6 Page 2, line 9, delete ":".
- 7 Page 2, line 10, delete "(A)".
- 8 Page 2, line 10, delete ";".
- 9 Page 2, line 11, delete "(B)".
- 10 Page 2, line 13, delete ";".
- 11 Page 2, line 15, delete "; and" and insert ".".
- 12 Page 2, run in lines 8 through 15.
- 13 Page 2, delete lines 16 through 19, begin a new paragraph and
- 14 insert:

1           "SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The  
2 environmental quality service council shall do the following:

3           (1) Consider policies for:

4               (A) protection of surface water quality;

5               (B) control of location of accumulations of water;

6               (C) water rights;

7               (D) agricultural land use;

8               (E) nonagricultural land use;

9               (F) flood control;

10              (G) natural habitat protection; and

11              (H) any other matter the council identifies as being  
12 involved in the implementation of a rational wetland  
13 management policy.

14           (2) Recommend principles for addressing state or local  
15 government management of and, with respect to state  
16 management, state agency responsibility for:

17               (A) land areas with wetland characteristics; and

18               (B) location and quantity of nonwetland surface water;  
19 not under the jurisdiction of the federal Clean Water Act (33  
20 U.S.C. 1341).

21           (3) Recommend a framework for overall state policy on  
22 wetlands to implement the 1996 Indiana Wetland  
23 Conservation Plan with goals, objectives, and responsibilities,  
24 including recommendations on:

25               (A) as a long term strategy, the types and functions of  
26 wetlands that are valued in particular geographic areas;  
27 and

28               (B) the means for restoring, maintaining, and protecting  
29 wetlands, including identification of agencies to be involved  
30 and the incentives to be offered.

31           (4) Recommend the appropriate role and components of  
32 banking programs as part of a mitigation rule to foster  
33 private initiatives to restore wetlands in the context of a  
34 rational statewide wetland strategy.

35           (5) Consider the options for statutory definition of "private  
36 pond" and explain the implications of each option.

37           (6) Submit its final report on the matters referred to in  
38 subdivisions (1) through (5) before November 1, 2002, to:

- 1           **(A) the governor; and**
- 2           **(B) the executive director of the legislative services agency.**
- 3       **(b) A state agency or board may not:**
- 4           **(1) adopt or amend an administrative rule concerning the**
- 5           **definition of "wetlands" or "isolated wetlands"; or**
- 6           **(2) enforce an administrative rule promulgated after January**
- 7           **1, 2002, that concerns the definition of "wetlands" or**
- 8           **"isolated wetlands";**
- 9       **until the environmental quality service council has submitted its**
- 10       **final report under subsection (a)(6) or May 1, 2003, whichever**
- 11       **occurs first.**

12       SECTION 3. [EFFECTIVE JULY 1, 1996 (RETROACTIVE)] **The**

13       **amendment of IC 13-11-2-265(b) by this act applies retroactively**

14       **to July 1, 1996. By its amendment of IC 13-11-2-265(b), the general**

15       **assembly intends that there be no substantive difference in the law**

16       **as amended by this act and the law as it was constituted before the**

17       **enactment of P.L.1-1996 (recodification of IC 13)."**

18       Renumber all SECTIONS consecutively.  
       (Reference is to HB 1306 as introduced.)

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

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Representative Lytle