



March 18, 2005

**ENGROSSED
HOUSE BILL No. 1431**

DIGEST OF HB 1431 (Updated March 17, 2005 12:15 pm - DI 58)

Citations Affected: IC 6-7; IC 14-32.

Synopsis: Funding for clean water program. Reduces the amount that is annually appropriated from the cigarette tax fund to the department of natural resources from one-third to one-sixth of the money in the fund. Annually deposits one-sixth of the money in the cigarette tax fund in the clean water Indiana fund.

Effective: July 1, 2005.

**Friend, Austin, Lehe, Oxley, Hinkle,
Stutzman**

(SENATE SPONSORS — WEATHERWAX, MEEKS, HERSHMAN, LEWIS)

January 18, 2005, read first time and referred to Committee on Natural Resources.
February 1, 2005, reported — Do Pass; referred to Committee on Ways and Means pursuant to Rule 127.
February 3, 2005, referral withdrawn.
February 7, 2005, read second time, ordered engrossed. Engrossed.
February 8, 2005, read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 14, 2005, read first time and referred to Committee on Appropriations.
March 17, 2005, amended, reported favorably — Do Pass.

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March 18, 2005

First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1431

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

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

- 1 SECTION 1. IC 6-7-1-29.1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 29.1. (a) ~~One-third~~
3 ~~(1/3)~~ **One-sixth (1/6)** of the money in the cigarette tax fund is annually
4 appropriated to the department of natural resources.
5 (b) The department shall use at least two percent (2%) but not more
6 than twenty-one percent (21%) of the money appropriated to it under
7 this section for:
8 (1) flood control and water resource projects, including
9 multiple-purpose reservoirs; and
10 (2) applied research related to technical water resource problems.
11 The department may use the money to plan, design, acquire land for,
12 or construct the projects.
13 (c) The department shall use at least thirty-six percent (36%) of the
14 money appropriated to it under this section to construct, reconstruct,
15 rehabilitate, or repair general conservation facilities or to acquire land.
16 (d) The department shall use at least forty-three percent (43%) of
17 the money appropriated to the department under this section for soil

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1 conservation and lake and river enhancement under IC 14-32.
 2 SECTION 2. IC 6-7-1-29.3 IS ADDED TO THE INDIANA CODE
 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 4 1, 2005]: **Sec. 29.3. One-sixth (1/6) of the money in the cigarette tax**
 5 **fund shall be deposited in the clean water Indiana fund established**
 6 **by IC 14-32-8-6.**
 7 SECTION 3. IC 14-32-8-6 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) The clean water
 9 Indiana fund is established to carry out the purposes of this chapter.
 10 The fund shall be administered by the division of soil conservation
 11 subject to the direction of the board.
 12 (b) The fund consists of:
 13 (1) amounts deposited in the fund under IC 6-7-1-29.3;
 14 (+) (2) amounts appropriated by the general assembly; and
 15 (-) (3) donations, grants, and money received from any other
 16 source.
 17 (c) The expenses of administering the fund shall be paid from
 18 money in the fund.
 19 (d) Money in the fund at the end of a state fiscal year does not revert
 20 to the state general fund.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1431, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

HOFFMAN, Chair

Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1431, 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, line 5, delete "is annually appropriated to" and insert "**shall be deposited in**".

Page 2, line 13, delete "appropriated to" and insert "**deposited in**".
and when so amended that said bill do pass.

(Reference is to HB 1431 as printed February 4, 2005.)

MEEKS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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