

HOUSE BILL No. 1251

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-21-1-25.

Synopsis: Plan review by natural resources commission. Requires the natural resources commission to adopt rules requiring the department of natural resources to act on an archeological plan or a development plan within a certain period after the plan is submitted to the department for approval.

Effective: July 1, 2007.

Ripley

January 11, 2007, read first time and referred to Committee on Natural Resources.

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First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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HOUSE BILL No. 1251



A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

- 1 SECTION 1. IC 14-21-1-25 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 25. (a) The commission
- 3 shall adopt rules establishing standards for plans.
- 4 (b) With respect to archeological plans, the rules must impose a
- 5 standard of conduct that does the following:
- 6 (1) Promotes the scientific investigation and conservation of past
- 7 cultures.
- 8 (2) Considers the interests and expertise of amateur archeologists
- 9 and professional archeologists.
- 10 (c) With respect to development plans, the rules must impose a
- 11 standard of conduct that preserves and protects both of the following:
- 12 (1) The rights and interests of landowners.
- 13 (2) The sensitivity of human beings for treating human remains
- 14 with respect and dignity, as determined by the commission.
- 15 (d) Plans required under this chapter must be submitted to the
- 16 department for approval according to rules adopted by the commission.
- 17 (e) **A rule adopted under this section concerning a plan**



1 submitted to the department for approval under section 25(d) of
 2 this chapter must establish the period within which the department
 3 must act as follows:
 4 (1) The department shall:
 5 (A) approve a plan;
 6 (B) deny approval of a plan; or
 7 (C) require additional information concerning a plan;
 8 within sixty (60) days after the plan is submitted to the
 9 department for approval under section 25(d) of this chapter.
 10 If the department does take an action referred to in clauses
 11 (A) through (C) concerning a plan within the period allowed
 12 under this subdivision, the plan is deemed to have been
 13 approved, except as otherwise provided in state or federal
 14 law.
 15 (2) If the department requires additional information
 16 concerning a plan under subdivision (1)(C), the department
 17 shall approve or deny the plan, as resubmitted, within thirty
 18 (30) days after the department receives the resubmitted plan.
 19 A rule contrary to this subsection is void.

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