



March 25, 2009

**ENGROSSED  
HOUSE BILL No. 1032**

DIGEST OF HB 1032 (Updated March 23, 2009 11:25 am - DI 14)

**Citations Affected:** IC 14-13; IC 14-38.

**Synopsis:** Wabash River heritage corridor commission. Removes the provision that money in the Wabash River heritage corridor commission fund does not revert to the state general fund at the end of a fiscal year. Establishes the Wabash River heritage corridor fund. Deposits proceeds paid for minerals taken from beneath the navigable waters of the Wabash River in the Wabash River heritage corridor fund. Appropriates money in the fund annually. Makes a technical change.

**Effective:** July 1, 2009.

**Grubb, Leonard, Van Haaften,  
Pearson**

(SENATE SPONSORS — HERSHMAN, SKINNER)

January 7, 2009, read first time and referred to Committee on Natural Resources.  
January 22, 2009, reported — Do Pass.  
February 2, 2009, read second time, amended, ordered engrossed.  
February 3, 2009, engrossed. Read third time, passed. Yeas 84, nays 0.

**SENATE ACTION**

February 19, 2009, read first time and referred to Committee on Natural Resources.  
March 24, 2009, amended, reported favorably — Do Pass.

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March 25, 2009

First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1032

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

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

- 1 SECTION 1. IC 14-13-6-19 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 19. (a) The Wabash  
3 River heritage corridor commission fund is established for the purpose  
4 of paying:
- 5 (1) reimbursement of the expenses of members under section 13  
6 of this chapter;
  - 7 (2) other administrative costs and expenses reasonably incurred  
8 under this chapter, including expenses for publications and  
9 postage; and
  - 10 (3) costs incurred in fulfilling the directives of the Wabash River  
11 heritage corridor commission master plan, including multicounty  
12 projects and marketing and educational tools such as video tape  
13 productions, signs, and promotional literature.
- 14 (b) The fund shall be administered by the director under the  
15 direction of the commission.
- 16 (c) The expenses of administering the fund shall be paid from  
17 money in the fund.

**EH 1032—LS 6257/DI 77+**



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1 (d) The sources of money for the fund are:  
 2 (1) appropriations made to the fund; and  
 3 (2) any other funds obtained by the commission under section 22  
 4 of this chapter.

5 (e) The treasurer of state shall invest the money in the fund not  
 6 currently needed to meet the obligations of the fund in the same  
 7 manner as other public funds may be invested. Interest that accrues  
 8 from these investments shall be deposited in the fund.

9 ~~(f) Money in the fund at the end of a fiscal year does not revert to~~  
 10 ~~the state general fund.~~

11 SECTION 2. IC 14-13-6-20 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 20. The commission  
 13 may use the **Wabash River heritage corridor commission** fund to  
 14 pay:

- 15 (1) reimbursement of the expenses of members under section 13
- 16 of this chapter;
- 17 (2) other administrative costs and expenses reasonably incurred
- 18 under this chapter, including expenses for publications and
- 19 postage; and
- 20 (3) costs incurred in fulfilling the directives of the Wabash River
- 21 heritage corridor commission master plan, including multicounty
- 22 projects and marketing and educational tools such as video tape
- 23 productions, signs, and promotional literature.

24 However, the commission may not use money in the fund for the upper  
 25 Wabash River basin commission established by IC 14-30-4-6.

26 SECTION 3. IC 14-13-6-23 IS ADDED TO THE INDIANA CODE  
 27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 28 1, 2009]: **Sec. 23. (a) The Wabash River heritage corridor fund is**  
 29 **established for the purpose of:**

- 30 (1) **providing grants to aid the sustainable development of**
- 31 **property under the Wabash River heritage corridor**
- 32 **commission master plan and purposes of the commission; and**
- 33 (2) **paying costs incurred in fulfilling the directives of the**
- 34 **Wabash River heritage corridor commission master plan,**
- 35 **including multicounty projects.**

36 However, the commission may not use money in the fund for the  
 37 upper Wabash River basin commission established by  
 38 IC 14-30-4-6.

39 (b) The fund shall be administered by the director under the  
 40 direction of the commission.

41 (c) The expenses of administering the fund shall be paid from  
 42 money in the fund.

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**(d) The fund consists of the following:**

- (1) Appropriations made by the general assembly.**
- (2) Interest as provided in subsection (e).**
- (3) Funds deposited under IC 14-38-1-13(c).**
- (4) Money donated to the fund.**
- (5) Money transferred to the fund from other funds.**

**(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.**

**(f) Money in the fund at the end of a fiscal year does not revert to the state general fund.**

**(g) Money in the fund is annually appropriated to the department of natural resources for its use in fulfilling the purposes of this section.**

SECTION 4. IC 14-38-1-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 13. (a) All proceeds derived:

- (1) from or by virtue or by reason of a permit or lease executed or issued under this chapter; or
- (2) from or by reason of any operations under this chapter;

shall, after deducting all costs incurred by the department, be paid to the treasurer of state for the use of the division of the department having the custody, control, possession, or authority of or over the real property involved.

(b) Except as provided in subsection (c), the proceeds shall be deposited in the proper fund of the appropriate division of the department.

(c) **Except as provided in subsection (d)**, the proceeds from royalties or other compensation paid for minerals taken from beneath the navigable waters of the state shall be deposited in the state general fund.

**(d) The proceeds from royalties or other compensation paid for minerals taken from beneath the navigable waters of the Wabash River (as defined in IC 14-13-6-4) shall be deposited in the Wabash River heritage corridor fund established by IC 14-13-6-23.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1032, 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.

BISCHOFF, Chair

Committee Vote: yeas 11, nays 0.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1032 be amended to read as follows:

Page 3, delete lines 13 through 29, begin a new paragraph and insert:

"SECTION 4. IC 14-38-1-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 13. (a) All proceeds derived:

(1) from or by virtue or by reason of a permit or lease executed or issued under this chapter; or

(2) from or by reason of any operations under this chapter; shall, after deducting all costs incurred by the department, be paid to the treasurer of state for the use of the division of the department having the custody, control, possession, or authority of or over the real property involved.

(b) Except as provided in subsection (c), the proceeds shall be deposited in the proper fund of the appropriate division of the department.

(c) **Except as provided in subsection (d)**, the proceeds from royalties or other compensation paid for minerals taken from beneath the navigable waters of the state shall be deposited in the state general fund.

**(d) The proceeds from royalties or other compensation paid for minerals taken from beneath the navigable waters of the Wabash River (as defined in IC 14-13-6-4) shall be deposited in the Wabash River heritage corridor fund established by IC 14-13-6-23."**

(Reference is to HB 1032 as printed January 23, 2009.)

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COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred House Bill No. 1032, 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:

Delete the title and insert the following:

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

Page 3, between lines 12 and 13, begin a new paragraph and insert:

**"(g) Money in the fund is annually appropriated to the department of natural resources for its use in fulfilling the purposes of this section."**

and when so amended that said bill do pass.

(Reference is to HB 1032 as reprinted February 3, 2009.)

MISHLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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