



Reprinted
April 13, 2011

ENGROSSED
SENATE BILL No. 532

DIGEST OF SB 532 (Updated April 12, 2011 3:25 pm - DI 116)

Citations Affected: IC 14-8; IC 14-15; IC 14-22; IC 14-33; IC 14-34; noncode.

Synopsis: Various natural resources matters. Makes certain changes to the implied consent law while operating a motorboat. Requires that a portable breath test must be offered to a person who operates a motorboat that was involved in a fatal accident or an accident involving serious bodily injury. Provides that a person who refuses to take a breath test related to the operation of a motorboat must be informed their motor vehicle operation privileges will be suspended. (Current law applies to motorboat operation privileges.) Prohibits certain activities on the swim platform, in the wake, or on a towed device of certain motorboats. Provides that a violation of these prohibitions is a
(Continued next page)

Effective: July 1, 2011.

Mishler, Steele, Buck, Young R
(HOUSE SPONSORS — EBERHART, CHEATHAM)

January 18, 2011, read first time and referred to Committee on Agriculture and Natural Resources.
January 25, 2011, amended, reported favorably — Do Pass.
January 31, 2011, read second time, amended, ordered engrossed.
February 3, 2011, engrossed.
February 8, 2011, read third time, passed. Yeas 47, nays 1.
HOUSE ACTION
March 28, 2011, read first time and referred to Committee on Natural Resources.
April 7, 2011, reported — Do Pass.
April 12, 2011, read second time, amended, ordered engrossed.

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Digest Continued

Class C infraction. Allows hides and furs to be transported out of Indiana after open season as allowed by rule. (Current law requires shipment within five days after the end of open season.) Allows the department of natural resources (DNR) to issue combined hunting, fishing, and trapping licenses. Removes DNR's authority to issue a commercial fishing license for the Ohio River to a Kentucky resident. Establishes a roe harvester and roe dealer's license concerning certain fish species. Allows a person who violates the commercial fishing statutes to have administrative action taken on their license or to be charged with a Class A misdemeanor. Changes the name of "charter fishing boat" licenses to "fishing guide" licenses. Makes certain fishing guide violations a Class C misdemeanor. (Current law is a Class C infraction.) Requires the DNR to establish a pilot program for the purpose of containing and reducing invasive animal species in the Wabash River. Makes certain changes to the falconry laws. Provides that federal money for restoration of abandoned mine land must be deposited into separate funds. Makes changes in how money in the funds may be used. Creates the acid drainage and treatment fund and the reclamation set aside fund. Makes certain changes to the abandoned mine laws. Repeals a requirement that DNR adopt rules concerning commercial fishing on the Ohio River that conform to Kentucky laws. Limits conservation districts' repayment to the natural resources commission for expenses pertaining to investigations, surveys, or hearings to only expenses incurred for services provided by an entity that is not a state agency.

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Reprinted
April 13, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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ENGROSSED SENATE BILL No. 532

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 14-8-2-107, AS AMENDED BY P.L.85-2008,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 107. "Fund" has the following meaning:
4 (1) For purposes of IC 14-9-5, the meaning set forth in
5 IC 14-9-5-1.
6 (2) For purposes of IC 14-9-8-21, the meaning set forth in
7 IC 14-9-8-21.
8 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in
9 IC 14-9-8-21.5.
10 (4) For purposes of IC 14-9-9, the meaning set forth in
11 IC 14-9-9-3.
12 (5) For purposes of IC 14-12-1, the meaning set forth in
13 IC 14-12-1-1.
14 (6) For purposes of IC 14-12-2, the meaning set forth in
15 IC 14-12-2-2.

ES 532—LS 7520/DI 77+



- 1 (7) For purposes of IC 14-12-3, the meaning set forth in
- 2 IC 14-12-3-2.
- 3 (8) For purposes of IC 14-13-1, the meaning set forth in
- 4 IC 14-13-1-2.
- 5 (9) For purposes of IC 14-13-2, the meaning set forth in
- 6 IC 14-13-2-3.
- 7 (10) For purposes of IC 14-16-1, the meaning set forth in
- 8 IC 14-16-1-30.
- 9 (11) For purposes of IC 14-19-8, the meaning set forth in
- 10 IC 14-19-8-1.
- 11 (12) For purposes of IC 14-20-1, the meaning set forth in
- 12 IC 14-20-1-3.
- 13 (13) For purposes of IC 14-20-11, the meaning set forth in
- 14 IC 14-20-11-2.
- 15 (14) For purposes of IC 14-21-4, the meaning set forth in
- 16 IC 14-21-4-10.
- 17 (15) For purposes of IC 14-22-3, the meaning set forth in
- 18 IC 14-22-3-1.
- 19 (16) For purposes of IC 14-22-4, the meaning set forth in
- 20 IC 14-22-4-1.
- 21 (17) For purposes of IC 14-22-5, the meaning set forth in
- 22 IC 14-22-5-1.
- 23 (18) For purposes of IC 14-22-8, the meaning set forth in
- 24 IC 14-22-8-1.
- 25 (19) For purposes of IC 14-22-34, the meaning set forth in
- 26 IC 14-22-34-2.
- 27 (20) For purposes of IC 14-23-3, the meaning set forth in
- 28 IC 14-23-3-1.
- 29 (21) For purposes of IC 14-24-4.5, the meaning set forth in
- 30 IC 14-24-4.5-2(5).
- 31 (22) For purposes of IC 14-25-2-4, the meaning set forth in
- 32 IC 14-25-2-4.
- 33 (23) For purposes of IC 14-25-10, the meaning set forth in
- 34 IC 14-25-10-1.
- 35 (24) For purposes of IC 14-25-11-19, the meaning set forth in
- 36 IC 14-25-11-19.
- 37 (25) For purposes of IC 14-25.5, the meaning set forth in
- 38 IC 14-25.5-1-3.
- 39 (26) For purposes of IC 14-28-5, the meaning set forth in
- 40 IC 14-28-5-2.
- 41 (27) For purposes of IC 14-31-2, the meaning set forth in
- 42 IC 14-31-2-5.

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- 1 (28) For purposes of IC 14-25-12, the meaning set forth in
- 2 IC 14-25-12-1.
- 3 (29) For purposes of IC 14-32-8, the meaning set forth in
- 4 IC 14-32-8-1.
- 5 (30) For purposes of IC 14-33-14, the meaning set forth in
- 6 IC 14-33-14-3.
- 7 (31) For purposes of IC 14-33-21, the meaning set forth in
- 8 IC 14-33-21-1.
- 9 (32) For purposes of IC 14-34-6-15, the meaning set forth in
- 10 IC 14-34-6-15.
- 11 (33) For purposes of IC 14-34-14, the meaning set forth in
- 12 IC 14-34-14-1.
- 13 **(34) For purposes of IC 14-34-19-1.3, the meaning set forth in**
- 14 **IC 14-34-19-1.3(a).**
- 15 **(35) For purposes of IC 14-34-19-1.5, the meaning set forth in**
- 16 **IC 14-34-19-1.5(a).**
- 17 ~~(34)~~ **(36)** For purposes of IC 14-37-10, the meaning set forth in
- 18 IC 14-37-10-1.

19 SECTION 2. IC 14-8-2-169 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 169. (a) "Motorboat",
 21 for purposes of IC 14-15, except as provided in subsection (c), means
 22 a watercraft propelled by:

- 23 (1) an internal combustion, steam, or electrical inboard or
- 24 outboard motor or engine; or
- 25 (2) any mechanical means.
- 26 (b) The term includes sailboats that are equipped with a motor or an
- 27 engine described in subsection (a) when the motor or engine is in
- 28 operation, whether or not the sails are hoisted.
- 29 (c) "Motorboat", for purposes of IC 14-15-11, has the meaning set
- 30 forth in IC 14-15-11-6.
- 31 (d) The term includes a personal watercraft (as defined in section
- 32 202.5 of this chapter).

33 **(e) "Motorboat", for purposes of IC 14-22-9-11, has the**
 34 **meaning set forth in IC 14-22-9-11.**

35 SECTION 3. IC 14-8-2-245.2 IS ADDED TO THE INDIANA
 36 CODE AS A NEW SECTION TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2011]: **Sec. 245.2. "Roe" for purposes of**
 38 **IC 14-22-13-2.5, has the meaning set forth in IC 14-22-13-2.5(b).**

39 SECTION 4. IC 14-15-8-11 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 11. **(a)** A person who
 41 operates a motorboat in water over which Indiana has jurisdiction
 42 impliedly consents to submit to the chemical test provisions of this

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1 chapter as a condition of operating a motorboat in Indiana. If a person
2 refuses to submit to a chemical test under this chapter, the court shall
3 order the person to not operate a motorboat for at least one (1) year.

4 (b) If a person refuses to submit to a chemical test after having
5 been advised that the refusal will result in the suspension of
6 operating privileges or submits to a chemical test that results in
7 prima facie evidence of intoxication, the arresting law enforcement
8 officer shall do the following:

9 (1) Obtain the person's driver's license or permit if the person
10 is in possession of the document and issue a receipt valid until
11 the initial hearing of the matter is held under IC 35-33-7-1.

12 (2) Submit a probable cause affidavit to the prosecuting
13 attorney of the county in which the alleged offense occurred.

14 (3) Send a copy of the probable cause affidavit submitted
15 under subdivision (2) to the bureau of motor vehicles.

16 SECTION 5. IC 14-15-8-12.5 IS ADDED TO THE INDIANA
17 CODE AS A NEW SECTION TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2011]: Sec. 12.5. (a) A law enforcement
19 officer shall offer a portable breath test or chemical test to any
20 person if the officer has reason to believe the person operated a
21 motorboat that was involved in a fatal accident or an accident
22 involving serious bodily injury. If:

23 (1) the results of a portable breath test indicate the presence
24 of alcohol;

25 (2) the results of a portable breath test do not indicate the
26 presence of alcohol but the law enforcement officer has
27 probable cause to believe the person is under the influence of
28 a controlled substance or another drug; or

29 (3) the person refuses to submit to a portable breath test;
30 the law enforcement officer shall offer a chemical test to the
31 person.

32 (b) A law enforcement officer may offer a person more than one
33 (1) portable breath test or chemical test under this section.
34 However, all chemical tests must be administered within three (3)
35 hours after the fatal accident or the accident involving serious
36 bodily injury.

37 (c) It is not necessary for a law enforcement officer to offer a
38 portable breath test or chemical test to an unconscious person.

39 SECTION 6. IC 14-15-8-15 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 15. If a person refuses
41 to submit to a chemical test under this chapter, the law enforcement
42 officer shall inform the person that the person's refusal will result in the

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1 suspension of the person's motorboat **and motor vehicle** operation
2 privileges.

3 SECTION 7. IC 14-15-13 IS ADDED TO THE INDIANA CODE
4 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2011]:

6 **Chapter 13. Motorboat Watersports**

7 **Sec. 1. This chapter does not apply when a motorboat is moored,**
8 **anchored, docked, or aground.**

9 **Sec. 2. The requirements and prohibitions set forth in this**
10 **chapter are in addition to the requirements and prohibitions set**
11 **forth in IC 14-15-2, IC 14-15-3, IC 14-15-4, 14-15-8 and**
12 **IC 14-15-12.**

13 **Sec. 3. An individual may not do the following:**

14 (1) **Operate a motorboat inboard or have the inboard engine**
15 **of a motorboat run idle while an individual is holding onto the**
16 **swim platform, swim deck, swim step, swim ladder or any**
17 **part of the exterior of the transom of a motorboat while the**
18 **motorboat is underway at any speed.**

19 (2) **Operate a motorboat powered by an outboard motor or**
20 **equipped with an outdrive unit while an individual is:**

21 (A) **holding onto the swim platform, swim deck, swim step,**
22 **swim ladder or any portion of the exterior of the transom**
23 **of a motorboat while the motorboat is underway at any**
24 **speed;**

25 (B) **swimming, or floating on or in the wake directly behind**
26 **a motorboat that is underway; or**

27 (C) **floating on a board on or in the wake directly behind**
28 **a motorboat that is underway using the wake itself as the**
29 **means of propulsion.**

30 (3) **Operate a motorboat with the number of individual riders**
31 **on a towed device that exceeds the listed capacity on the towed**
32 **device or the owner's manual.**

33 **Sec. 4. An individual who violates this chapter commits a Class**
34 **C infraction.**

35 SECTION 8. IC 14-22-9-1 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) Except as
37 allowed by ~~section~~ **sections 3 and 11** of this chapter, a person may not
38 take fish from waters containing state owned fish, waters of the state,
39 or boundary waters of the state by the following:

40 (1) Means of:

41 (A) a weir;

42 (B) an electric current;

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- 1 (C) dynamite or other explosive;
- 2 (D) a net;
- 3 (E) a seine;
- 4 (F) a trap; or
- 5 (G) any other substance that has a tendency to stupefy or
- 6 poison fish.
- 7 (2) Means of the following:
- 8 (A) A firearm.
- 9 (B) A crossbow.
- 10 (C) The hands alone.

11 (b) The methods or devices in this section may be possessed and
 12 used:

- 13 (1) under special permit issued by the director under rules that the
- 14 director provides; or
- 15 (2) as otherwise provided by law.

16 SECTION 9. IC 14-22-9-11 IS ADDED TO THE INDIANA CODE
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 18 1, 2011]: **Sec. 11. (a) As used in this section, "motorboat" means a**
 19 **watercraft propelled by:**

- 20 (1) **an internal combustion, steam, or electrical inboard or**
- 21 **outboard motor or engine; or**
- 22 (2) **any mechanical means.**

23 **The term does not include a personal watercraft.**

24 (b) **The department shall establish and implement a pilot**
 25 **program for the purpose of containing and reducing invasive**
 26 **animal species in the Wabash River. In developing this pilot**
 27 **program, the department may:**

- 28 (1) **allow the taking of a specific invasive animal species by a**
- 29 **means described in section 1(2) of this chapter;**
- 30 (2) **may require the use of ammunition described in 50 CFR**
- 31 **20.21(j); or**
- 32 (3) **require a hunting or fishing license under IC 14-22-12-1.**

33 (c) **312 IAC 9-2-2(d), as in effect July 1, 2011, does not apply to**
 34 **this section.**

35 SECTION 10. IC 14-22-10-3 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 3. (a) A person may not**
 37 **take, carry, ship, transport, or accept for shipment or transportation**
 38 **outside Indiana a wild animal protected by Indiana law, except as**
 39 **provided in this article.**

40 (b) **A person having a license to use a commercial fishing device in**
 41 **Indiana may ship, carry, or transport outside Indiana fish that the**
 42 **person has legally taken or caught by the commercial fishing device.**

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1 (c) A person having a license to hunt, trap, or fish in Indiana may do
2 the following:

3 (1) Carry, transport, or ship outside Indiana, in open season, in
4 one (1) day, a wild animal that the person has legally taken in
5 open season, not to exceed in number the possession limit of the
6 wild animal.

7 (2) Ship, carry, or take outside Indiana in one (1) week more than
8 two (2) times the possession limit for the wild animal.

9 (d) Hides and furs of furbearing animals legally taken in open
10 season may be shipped or carried outside Indiana in any number:

- 11 (1) during the open season; or
- 12 (2) ~~within five (5) days after the last day of the~~ **after** open season
13 **as allowed by rule.**

14 (e) A person having a breeder's license may ship, carry, or transport
15 outside Indiana a wild animal that the person has legally possessed
16 under the breeder's license in Indiana.

17 (f) A person may not ship, carry, or transport or accept for
18 transportation or shipment to a place in Indiana or outside Indiana a
19 wild animal unless the wild animal is enclosed in a package or
20 container on which there is clearly, legibly, and conspicuously marked
21 on the outside of the package or container the following information:

- 22 (1) The name and address of the shipper and the consignee.
- 23 (2) An accurate statement of the number or quantities and kinds
24 of wild animals contained.

25 The shipper shall produce the license required under this article
26 authorizing the person to take or possess the wild animal. If the wild
27 animal is carried by the licensee personally, the wild animal shall be
28 carried openly for inspection, together with the license.

29 (g) A person having a mussel buyer's license may ship legally taken
30 mussels or mussel shells outside Indiana.

31 SECTION 11. IC 14-22-12-1, AS AMENDED BY P.L.46-2010,
32 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2011]: Sec. 1. (a) The department may issue the following
34 licenses **individually or in combination** and, except as provided in
35 section 1.5 of this chapter and subject to subsection (b), shall charge
36 the following minimum license fees to hunt, trap, or fish in Indiana:

- 37 (1) A resident yearly license to fish, eight dollars and seventy-five
38 cents (\$8.75).
- 39 (2) A resident yearly license to hunt, eight dollars and
40 seventy-five cents (\$8.75).
- 41 (3) A resident yearly license to hunt and fish, thirteen dollars and
42 seventy-five cents (\$13.75).

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- 1 (4) A resident yearly license to trap, eight dollars and seventy-five
- 2 cents (\$8.75).
- 3 (5) A nonresident yearly license to fish, twenty-four dollars and
- 4 seventy-five cents (\$24.75).
- 5 (6) A nonresident yearly license to hunt, sixty dollars and
- 6 seventy-five cents (\$60.75).
- 7 (7) A nonresident yearly license to trap, one hundred seventeen
- 8 dollars and seventy-five cents (\$117.75). However, a license may
- 9 not be issued to a resident of another state if that state does not
- 10 give reciprocity rights to Indiana residents similar to those
- 11 nonresident trapping privileges extended in Indiana.
- 12 (8) A resident or nonresident license to fish, including for trout
- 13 and salmon, for one (1) day only, four dollars and seventy-five
- 14 cents (\$4.75).
- 15 (9) A nonresident license to fish, excluding for trout and salmon,
- 16 for seven (7) days only, twelve dollars and seventy-five cents
- 17 (\$12.75).
- 18 (10) A nonresident license to hunt for five (5) consecutive days
- 19 only, twenty-five dollars and seventy-five cents (\$25.75).
- 20 (11) A resident or nonresident yearly stamp to fish for trout and
- 21 salmon, six dollars and seventy-five cents (\$6.75).
- 22 (12) A resident yearly license to take a deer with a shotgun,
- 23 muzzle loading gun, rifle, or handgun, thirteen dollars and
- 24 seventy-five cents (\$13.75).
- 25 (13) A resident yearly license to take a deer with a muzzle loading
- 26 gun, thirteen dollars and seventy-five cents (\$13.75).
- 27 (14) A resident yearly license to take a deer with a bow and
- 28 arrow, thirteen dollars and seventy-five cents (\$13.75).
- 29 (15) A nonresident yearly license to take a deer with a shotgun,
- 30 muzzle loading gun, rifle, or handgun, one hundred twenty dollars
- 31 and seventy-five cents (\$120.75).
- 32 (16) A nonresident yearly license to take a deer with a muzzle
- 33 loading gun, one hundred twenty dollars and seventy-five cents
- 34 (\$120.75).
- 35 (17) A nonresident yearly license to take a deer with a bow and
- 36 arrow, one hundred twenty dollars and seventy-five cents
- 37 (\$120.75).
- 38 (18) A resident license to take an extra deer by a means, in a
- 39 location, and under conditions established by rule adopted by the
- 40 department under IC 4-22-2, five dollars (\$5).
- 41 (19) A nonresident license to take an extra deer by a means, in a
- 42 location, and under conditions established by rule adopted by the

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1 department under IC 4-22-2, ten dollars (\$10).
 2 (20) A resident yearly license to take a turkey, fourteen dollars
 3 and seventy-five cents (\$14.75).
 4 (21) A nonresident yearly license to take a turkey, one hundred
 5 fourteen dollars and seventy-five cents (\$114.75). However, if the
 6 state of residence of the nonresident applicant requires that before
 7 a resident of Indiana may take turkey in that state the resident of
 8 Indiana must also purchase another license in addition to a
 9 nonresident license to take turkey, the applicant must also
 10 purchase a nonresident yearly license to hunt under this section.
 11 (22) A resident license to take an extra turkey by a means, in a
 12 location, and under conditions established by rule adopted by the
 13 department under IC 4-22-2, fourteen dollars and seventy-five
 14 cents (\$14.75).
 15 (23) A nonresident license to take an extra turkey by a means, in
 16 a location, and under conditions established by rule adopted by
 17 the department under IC 4-22-2, one hundred fourteen dollars and
 18 seventy-five cents (\$114.75). However, if the state of residence of
 19 the nonresident applicant requires that before a resident of
 20 Indiana may take a turkey in that state the resident of Indiana
 21 must also purchase another license in addition to a nonresident
 22 license to take a turkey, the applicant must also purchase a
 23 nonresident yearly license to hunt under this section.
 24 (24) A resident youth yearly consolidated license to hunt, trap,
 25 and fish, six dollars (\$6). This license is subject to the following:
 26 (A) An applicant must be less than eighteen (18) years of age.
 27 (B) The license is in lieu of the resident yearly license to hunt,
 28 trap, and fish and all other yearly licenses, stamps, or permits
 29 to hunt, trap, and fish for a specific species or by a specific
 30 means.
 31 (25) A nonresident youth yearly license to hunt, seventeen dollars
 32 (\$17). The applicant must be less than eighteen (18) years of age.
 33 (26) A nonresident youth yearly license to trap, seventeen dollars
 34 (\$17). The applicant must be less than eighteen (18) years of age.
 35 (27) A nonresident youth yearly license to take a turkey,
 36 twenty-five dollars (\$25). The applicant must be less than
 37 eighteen (18) years of age. However, if the state of residence of
 38 the nonresident applicant requires that before a resident of
 39 Indiana may take a turkey in that state the resident of Indiana
 40 must also purchase another license in addition to a nonresident
 41 license to take a turkey, the applicant must also purchase a
 42 nonresident youth yearly license to hunt under this section.

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1 (28) A nonresident youth license to take an extra turkey by a
2 means, in a location, and under conditions established by rule
3 adopted by the department under IC 4-22-2, twenty-five dollars
4 (\$25). The applicant must be less than eighteen (18) years of age.
5 However, if the state of residence of the nonresident applicant
6 requires that before a resident of Indiana may take a turkey in that
7 state the resident of Indiana must also purchase another license in
8 addition to a nonresident license to take a turkey, the applicant
9 must also purchase a nonresident youth yearly license to hunt
10 under this section.

11 (29) A nonresident youth yearly license to take a deer with a
12 shotgun, muzzle loading gun, or rifle, twenty-four dollars (\$24).
13 The applicant must be less than eighteen (18) years of age.

14 (30) A nonresident youth yearly license to take a deer with a
15 muzzle loading gun, twenty-four dollars (\$24). The applicant
16 must be less than eighteen (18) years of age.

17 (31) A nonresident youth yearly license to take a deer with a bow
18 and arrow, twenty-four dollars (\$24). The applicant must be less
19 than eighteen (18) years of age.

20 (32) A nonresident youth license to take an extra deer by a means,
21 in a location, and under conditions established by rule adopted by
22 the department under IC 4-22-2, twenty-four dollars (\$24). The
23 applicant must be less than eighteen (18) years of age.

24 (33) A resident senior yearly license to fish, three dollars (\$3).
25 This license is subject to the following:

26 (A) An applicant must be at least sixty-four (64) years of age
27 and born after March 31, 1943.

28 (B) The license is in lieu of the resident yearly license to fish
29 and all other yearly licenses, stamps, or permits to fish for a
30 specific species or by a specific means.

31 (34) A resident senior "fish for life" license, seventeen dollars
32 (\$17). This license is subject to the following:

33 (A) An applicant must be at least sixty-four (64) years of age
34 and must have been born after March 31, 1943.

35 (B) The license applies each year for the remainder of the
36 license holder's life.

37 (C) The license is in lieu of the resident senior yearly license
38 to fish and all other yearly licenses, stamps, or permits to fish
39 for a specific species or by a specific means.

40 (35) A voluntary resident senior yearly license to fish, three
41 dollars (\$3). This license is subject to the following:

42 (A) An applicant must have been born before April 1, 1943.

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1 (B) The license is instead of the resident yearly license to fish
 2 and all other yearly licenses, stamps, and permits to fish for a
 3 specific species or by a specific means.
 4 (b) The commission may set license fees to hunt, trap, or fish above
 5 the minimum fees established under subsection (a).
 6 (c) In addition to the license fees set under this section, the
 7 department shall establish a procedure to collect voluntary donations
 8 for processing wild game when a hunting license is sold. The minimum
 9 suggested donation must be one dollar (\$1). The money collected under
 10 this section shall be deposited in the Indiana sportsmen's benevolence
 11 account (IC 14-9-5-4).
 12 SECTION 12. IC 14-22-13-2 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. (a) This section
 14 applies to the Ohio River waters of Indiana.
 15 (b) The department may issue to an individual who is a resident of
 16 Indiana ~~or Kentucky~~ a license to use in, and to possess for use in, the
 17 water seines, nets, or other commercial fishing gear under rules
 18 adopted under IC 4-22-2 upon payment of the following fee:
 19 (1) For an Ohio River commercial fishing license and ten (10)
 20 Ohio River commercial gear tags, one hundred twenty-five dollars
 21 (\$125).
 22 (2) For each block of ten (10) Ohio River commercial fishing gear
 23 tags, fifteen dollars (\$15).
 24 SECTION 13. IC 14-22-13-2.5 IS ADDED TO THE INDIANA
 25 CODE AS A NEW SECTION TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2011]: **Sec. 2.5. (a) This section applies to the**
 27 **harvest or sale of the following roe bearing species:**
 28 (1) **Shovelnose sturgeon.**
 29 (2) **Paddlefish**
 30 (3) **Bowfin.**
 31 (b) **For the purpose of this subsection, "roe" means the eggs or**
 32 **gametes of a fish listed in subsection (a).**
 33 (c) **An individual may not harvest, possess, or sell roe without a**
 34 **license issued under this section.**
 35 (d) **The department may issue to an individual who is a resident**
 36 **of Indiana a license to harvest, possess, and sell the roe under rules**
 37 **adopted under IC 4-22-2. The individual must leave the roe intact**
 38 **and inside the body of the fish until sold to a licensed roe dealer.**
 39 **The individual must sell the roe only to a roe dealer licensed by the**
 40 **department. The department shall limit the number of licenses that**
 41 **are available.**
 42 (e) The department may issue a person a roe dealer's license to

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1 purchase and process roe. A person may not transport roe outside
2 Indiana except according to the terms of a license issued under this
3 subsection.

4 (f) The following are the minimum application fees for these
5 licenses:

6 (1) Roe harvester's license, one thousand dollars (\$1,000).

7 (2) Roe dealer's license, five thousand dollars (\$5,000).

8 (g) The commission may set license fees above the minimum fees
9 established under subsection (f). The amount may not be more than
10 is reasonably necessary to generate revenue sufficient to offset the
11 costs incurred by the department in carrying out its responsibilities
12 under this chapter.

13 SECTION 14. IC 14-22-13-9 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 9. A license issued
15 under section 1 or 2 of this chapter:

16 (1) is valid for one (1) year; and

17 (2) expires December 31 of the year for which the license is valid.

18 SECTION 15. IC 14-22-13-10 IS ADDED TO THE INDIANA
19 CODE AS A NEW SECTION TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2011]: Sec. 10. (a) A person who knowingly
21 or intentionally fails to comply with the requirements of:

22 (1) a license issued under this chapter;

23 (2) this chapter; or

24 (3) rules adopted under this article to implement this chapter;
25 is subject to suspension or revocation of the person's license.

26 (b) A license revoked under this section may not be reinstated.

27 (c) A person who knowingly or intentionally violates this
28 chapter commits a Class A misdemeanor.

29 SECTION 16. IC 14-22-15-1 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. An individual may
31 not take another individual sport fishing for hire on:

32 (1) Indiana waters;

33 (2) waters containing state owned fish; or

34 (3) boundary waters of Indiana;

35 without a charter fishing boat operator's guide's license issued by the
36 director.

37 SECTION 17. IC 14-22-15-2 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. The annual fee for
39 a charter fishing boat operator's guide's license for a resident or a
40 nonresident is one hundred dollars (\$100).

41 SECTION 18. IC 14-22-15-3 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. A charter fishing

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1 ~~boat operator's~~ **guide's** license:
2 (1) is valid for one (1) year; and
3 (2) expires December 31 of the year for which the license is
4 issued.
5 SECTION 19. IC 14-22-15-4 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. (a) An individual
7 having a ~~charter~~ fishing ~~boat operator's~~ **guide's** license shall keep an
8 accurate record of the following:
9 (1) Each day's catch of fish.
10 (2) Other related information that the department requires by rule.
11 (b) Before the fifteenth day of each month, the ~~charter~~ fishing ~~boat~~
12 ~~operator~~ **guide** shall report the previous month's record required under
13 subsection (a) to the department on forms furnished by the department.
14 The report shall be made even if no fish are caught.
15 SECTION 20. IC 14-22-15-6 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 6. ~~A person~~ **An**
17 **individual** who acts as a ~~charter~~ fishing ~~boat operator~~ **guide** without a
18 license in violation of section 1 of this chapter commits a Class B
19 infraction.
20 SECTION 21. IC 14-22-15-7 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 7. ~~A person~~ **An**
22 **individual** who **recklessly, knowingly, or intentionally**:
23 (1) fails to keep accurate records in violation of section 4(a) of
24 this chapter; or
25 (2) fails to report monthly to the department in violation of
26 section 4(b) of this chapter;
27 commits a Class C ~~infraction~~: **misdemeanor**.
28 SECTION 22. IC 14-22-23-1 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. ~~A person~~ **An**
30 **individual** may not practice falconry in Indiana without a license
31 issued ~~by the department~~: **under this chapter**.
32 SECTION 23. IC 14-22-23-2 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. ~~The department may~~
34 ~~issue a falconry license to a person~~ **An individual** who:
35 ~~(1) possesses; or~~
36 **(1) resides in a state other than Indiana; and**
37 **(2) has applied for; a valid federal falconry license to practice**
38 **falconry in the individual's state of residence;**
39 **is not required to obtain a license under this chapter.**
40 SECTION 24. IC 14-22-23-5 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. To take wildlife in
42 the practice of falconry, ~~a person~~ **an individual** must:

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- 1 (1) hold a license issued under this chapter;
- 2 (2) have in the ~~person's~~ **individual's** possession the type of
- 3 hunting license required under this article for the taking of the
- 4 wildlife; and
- 5 (3) have in the ~~person's~~ **individual's** possession the stamp
- 6 required by IC 14-22-7 or IC 14-22-8 for the taking of the wildlife
- 7 if a stamp is required.

8 SECTION 25. IC 14-33-2-20 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 20. The expenses of the
 10 hearings and other expenses of necessary investigations and surveys,
 11 together with any expense incurred by the commission in subsequent
 12 studies of district plans, are payable initially out of the general money
 13 of the commission. The district shall repay the expenditures, not to
 14 exceed thirty percent (30%) of the amount paid by the district to
 15 independent private engineers for the preparation of plans, to the
 16 commission from the district's planning money. Commission expenses
 17 include **only** expenses incurred by an assisting or a cooperating state
 18 agency **for services provided by an entity that is not a state agency.**

19 SECTION 26. IC 14-34-19-1 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) Money received
 21 by the department from the federal government for use in the
 22 restoration of abandoned mine land under this chapter shall be
 23 deposited in ~~a~~ separate dedicated ~~fund~~ **funds** administered by the
 24 department. The ~~fund~~ **funds** may only be used to effect the restoration
 25 of abandoned mine land under this chapter.

26 (b) Federal money received is considered appropriated and allotted
 27 at the time of grant approval for specific projects included in the
 28 approved grant.

29 SECTION 27. IC 14-34-19-1.3 IS ADDED TO THE INDIANA
 30 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2011]: **Sec. 1.3. (a) As used in this section,**
 32 **"fund" refers to the acid mine drainage abatement and treatment**
 33 **fund established by subsection (b).**

34 (b) **The acid mine drainage abatement and treatment fund is**
 35 **established for the purpose of the abatement of the causes and the**
 36 **treatment of the effects of acid mine drainage. The department**
 37 **shall administer the fund.**

- 38 (c) **The fund consists of the following:**
- 39 (1) **Accrued interest and other investment earnings of the**
- 40 **fund.**
- 41 (2) **Gifts, grants, donations, or appropriations from any**
- 42 **source.**

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

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

7 SECTION 28. IC 14-34-19-1.5 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2011]: **Sec. 1.5. (a) As used in this section,**
10 **"fund" refers to the reclamation set-**
11 **aside fund established by subsection (b).**

12 **(b) The reclamation set-aside fund is established for following**
13 **purposes:**

14 **(1) The protection of public health and property from the**
15 **extreme danger of the adverse effects of coal mining practices.**

16 **(2) The assurance that safety and general welfare are not**
17 **affected by the extreme danger of adverse effects of coal**
18 **mining practices.**

19 **(3) The protection of public health from the adverse effects of**
20 **coal mining practices.**

21 **(4) The assurance that safety and general welfare are not**
22 **affected by the adverse effects of coal mining practices.**

23 **(5) The restoration of land and water resources and the**
24 **environment previously degraded by adverse effects of coal**
25 **mining practices, including measures for the conservation and**
26 **development of soil, water, excluding channelization,**
27 **woodland, fish and wildlife, recreation resources, and**
28 **agricultural productivity.**

29 **(c) The department shall administer the fund.**

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

31 **(1) Accrued interest and other investment earnings of the**
32 **fund.**

33 **(2) Gifts, grants, donations, or appropriations from any**
34 **source.**

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

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

41 SECTION 29. IC 14-34-19-3 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 3. (a) Expenditure of**

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1 money from the fund created by section 1 of this chapter on lands and
2 water eligible under section 2 of this chapter must reflect the following
3 priorities in the order stated:

4 (1) The protection of public health, safety, general welfare, and
5 property from extreme danger of adverse effects of coal mining
6 practices.

7 (2) The protection of public health **and** safety **and** general welfare
8 from adverse effects of coal mining practices.

9 (3) The restoration of land and water resources and the
10 environment previously degraded by adverse effects of coal
11 mining practices, including measures for the conservation and
12 development of soil, water, excluding channelization, woodland,
13 fish and wildlife, recreation resources, and agricultural
14 productivity.

15 ~~(4) Research and demonstration projects relating to the~~
16 ~~development of surface mining reclamation and water quality~~
17 ~~control program methods and techniques.~~

18 ~~(5) The protection, repair, replacement, construction, or~~
19 ~~enhancement of public facilities such as utilities, roads,~~
20 ~~recreation, and conservation facilities adversely affected by coal~~
21 ~~mining practices.~~

22 ~~(6) The development of publicly owned land adversely affected~~
23 ~~by coal mining practices, including land acquired under this~~
24 ~~chapter for recreation, historic, conservation, and reclamation~~
25 ~~purposes and open space benefits.~~

26 **(b) Not more than thirty percent (30%) of money from funds**
27 **under section 1 of this chapter that is received from the federal**
28 **government on an annual basis may be expended on water supply**
29 **restoration projects.**

30 SECTION 30. IC 14-34-19-4 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. (a) This section
32 applies if the director makes a finding of fact that:

33 (1) land or water resources have been adversely affected by past
34 coal mining practices;

35 (2) the adverse effects of past coal mining practices are at a stage
36 where, in the public interest, action to restore, reclaim, abate,
37 control, or prevent should be taken; and

38 (3) the owners of the land or water resources where entry must be
39 made to restore, reclaim, abate, control, or prevent the adverse
40 effects of past coal mining practices:

41 (A) are not known or readily available; or

42 (B) will not give permission for:

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1 (i) the United States;
 2 (ii) the state;
 3 (iii) a political subdivision; or
 4 (iv) an agent, an employee, or a contractor of the United
 5 States, the state, or the political subdivision;
 6 to enter upon the property to restore, reclaim, rebate, control,
 7 or prevent the adverse effects of past coal mining practices.
 8 (b) The director may, upon giving notice by mail to the owners if
 9 known or if not known by posting notice upon the premises and
 10 advertising one (1) time in a newspaper of general circulation in the
 11 county in which the land lies, do the following:
 12 (1) Enter upon the property adversely affected by past coal mining
 13 practices and any other property to have access to that property.
 14 (2) Do all things necessary or expedient to restore, reclaim, abate,
 15 control, or prevent the adverse effects of past coal mining
 16 practices.
 17 (c) Entry under this section is:
 18 (1) an exercise of the police power for the protection of public
 19 health ~~and safety; and general welfare;~~ and
 20 (2) not an act of:
 21 (A) condemnation of property; or
 22 (B) trespass.
 23 (d) The money expended for the work and the benefits accruing to
 24 the premises entered under this section:
 25 (1) is chargeable against the land; and
 26 (2) mitigates or offsets:
 27 (A) a claim in; or
 28 (B) an action brought by an owner of;
 29 an interest in the premises for alleged damages by virtue of the
 30 entry.
 31 However, this subsection does not create new rights of action or
 32 eliminate existing immunities.
 33 SECTION 31. IC 14-34-19-12 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 12. (a) Within six (6)
 35 months after the completion of projects to restore, reclaim, abate,
 36 control, or prevent adverse effects of past coal mining practices on
 37 privately owned land, the director:
 38 (1) shall itemize the money expended; and
 39 (2) may, subject to subsection (b), file a statement with the county
 40 recorder in the county in which the land lies together with a
 41 notarized appraisal by an independent appraiser of the value of
 42 the land before the restoration, reclamation, abatement, control,

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1 or prevention of adverse effects of past coal mining practices if
2 the money expended results in a significant increase in property
3 value. The statement constitutes a lien upon the land. The lien
4 may not exceed the amount determined by the appraisal to be the
5 increase in the market value of the land as a result of the
6 restoration, reclamation, abatement, control, or prevention of the
7 adverse effects of past coal mining practices.

8 (b) A lien may not be filed against the property of a person under
9 subsection (a) who

10 ~~(1)~~ owned the surface before May 2, 1977; and

11 ~~(2)~~ did not:

12 ~~(A)~~ (1) consent to;

13 ~~(B)~~ (2) participate in; or

14 ~~(C)~~ (3) exercise control over;

15 the mining operation that necessitated the reclamation performed under
16 this chapter.

17 (c) The landowner may petition within sixty (60) days of the filing
18 of the lien to determine the increase in the market value of the land as
19 a result of the restoration, reclamation, abatement, control, or
20 prevention of the adverse effects of past coal mining practices. The
21 amount reported to be the increase in value of the premises constitutes
22 the amount of the lien and shall be recorded with the statement filed
23 under subsection (a). A party aggrieved by the decision may appeal as
24 provided by law.

25 (d) The director shall record the lien with the county recorder in the
26 county in which the land is located. The statement:

27 (1) constitutes a lien upon the land as of the date of the
28 expenditure of the money; and

29 (2) has priority as a lien second only to the lien of real estate taxes
30 imposed upon the land.

31 SECTION 32. IC 14-22-13-6 IS REPEALED [EFFECTIVE JULY
32 1, 2011].

33 SECTION 33. [EFFECTIVE JULY 1, 2011] (a) **The department
34 of natural resources may adopt emergency rules to implement
35 IC 14-22-9-11, as added by this act, in the manner provided for the
36 adoption of emergency rules under IC 4-22-2-37.1.**

37 (b) **An emergency rule adopted under this SECTION expires on
38 the earlier of the following:**

39 (1) **The date the natural resources commission adopts
40 permanent rules under IC 4-22-2 to replace the emergency
41 rules.**

42 (2) **July 1, 2012.**

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1 (c) This SECTION expires July 1, 2012.

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COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture and Natural Resources, to which was referred Senate Bill No. 532, 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 3, delete lines 23 through 42.
- Page 4, delete lines 1 through 20.
- Page 6, delete lines 15 through 17.
- Page 13, delete lines 38 through 42.
- Page 14, delete lines 1 through 32.
- Page 16, delete lines 7 through 9.
- Page 17, delete lines 2 through 4.
- Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 532 as introduced.)

MISHLER, Chairperson

Committee Vote: Yeas 9, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 532 be amended to read as follows:

- Page 13, delete lines 17 through 22.
- Page 17, delete lines 35 through 42.
- Page 18, delete line 1.
- Re-number all SECTIONS consecutively.

(Reference is to SB 532 as printed January 26, 2011.)

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SENATE MOTION

Madam President: I move that Senate Bill 532 be amended to read as follows:

Page 10, delete lines 2 through 20.
Renumber all SECTIONS consecutively.

(Reference is to SB 532 as printed January 26, 2011.)

WATERMAN

SENATE MOTION

Madam President: I move that Senate Bill 532 be amended to read as follows:

Page 5, delete lines 17 through 22.
Page 5, line 23, delete "Sec. 5." and insert "**Sec. 4.**".

(Reference is to SB 532 as printed January 26, 2011.)

MISHLER

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Bill 532, 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.

EBERHART, Chair

Committee Vote: yeas 11, nays 0.

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 532 be amended to read as follows:

Page 3, between lines 18 and 19, begin a new paragraph and insert:
"SECTION 3. IC 14-8-2-169 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 169. (a) "Motorboat", for purposes of IC 14-15, except as provided in subsection (c), means

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a watercraft propelled by:

- (1) an internal combustion, steam, or electrical inboard or outboard motor or engine; or
- (2) any mechanical means.

(b) The term includes sailboats that are equipped with a motor or an engine described in subsection (a) when the motor or engine is in operation, whether or not the sails are hoisted.

(c) "Motorboat", for purposes of IC 14-15-11, has the meaning set forth in IC 14-15-11-6.

(d) The term includes a personal watercraft (as defined in section 202.5 of this chapter).

(e) "Motorboat", for purposes of IC 14-22-9-11, has the meaning set forth in IC 14-22-9-11."

Page 5, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 8. IC 14-22-9-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) Except as allowed by ~~section~~ **sections 3 and 11** of this chapter, a person may not take fish from waters containing state owned fish, waters of the state, or boundary waters of the state by the following:

- (1) Means of:
 - (A) a weir;
 - (B) an electric current;
 - (C) dynamite or other explosive;
 - (D) a net;
 - (E) a seine;
 - (F) a trap; or
 - (G) any other substance that has a tendency to stupefy or poison fish.
- (2) Means of the following:
 - (A) A firearm.
 - (B) A crossbow.
 - (C) The hands alone.

(b) The methods or devices in this section may be possessed and used:

- (1) under special permit issued by the director under rules that the director provides; or
- (2) as otherwise provided by law.

SECTION 9. IC 14-22-9-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 11. (a) As used in this section, "motorboat" means a watercraft propelled by:

- (1) an internal combustion, steam, or electrical inboard or**

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- outboard motor or engine; or
- (2) any mechanical means.

The term does not include a personal watercraft.

(b) The department shall establish and implement a pilot program for the purpose of containing and reducing invasive animal species in the Wabash River. In developing this pilot program, the department may:

- (1) allow the taking of a specific invasive animal species by a means described in section 1(2) of this chapter;
- (2) may require the use of ammunition described in 50 CFR 20.21(j); or
- (3) require a hunting or fishing license under IC 14-22-12-1.

(c) 312 IAC 9-2-2(d), as in effect July 1, 2011, does not apply to this section."

Page 17, after line 5, begin a new paragraph and insert:

"SECTION 32. [EFFECTIVE JULY 1, 2011] (a) The department of natural resources may adopt emergency rules to implement IC 14-22-9-11, as added by this act, in the manner provided for the adoption of emergency rules under IC 4-22-2-37.1.

(b) An emergency rule adopted under this SECTION expires on the earlier of the following:

- (1) The date the natural resources commission adopts permanent rules under IC 4-22-2 to replace the emergency rules.
- (2) July 1, 2012.

(c) This SECTION expires July 1, 2012."

Renumber all SECTIONS consecutively.

(Reference is to ESB 532 as printed April 8, 2011.)

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 532 be amended to read as follows:

Page 12, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 22. IC 14-33-2-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 20. The expenses of the hearings and other expenses of necessary investigations and surveys, together with any expense incurred by the commission in subsequent studies of district plans, are payable initially out of the general money

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of the commission. The district shall repay the expenditures, not to exceed thirty percent (30%) of the amount paid by the district to independent private engineers for the preparation of plans, to the commission from the district's planning money. Commission expenses include **only** expenses incurred by an assisting or a cooperating state agency **for services provided by an entity that is not a state agency.**"

Renumber all SECTIONS consecutively.

(Reference is to ESB 532 as printed April 8, 2011.)

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