

## CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 537

**Citations Affected:** IC 4-37; IC 14-8-2; IC 14-9-4-1; IC 14-10; IC 14-12-2-14; IC 14-20; IC 34-30-2-6.8; IC 35-43-1-6; IC 14-8-2-266; IC 14-8-2-283; IC 14-20-1.

**Synopsis:** State museums and historic sites. Conference committee report for ESB 537. State museum and historic sites. Establishes the Indiana state museum and historic sites corporation (corporation) as a public body corporate and politic to govern the state museum and historic sites. Establishes the corporation's board of trustees to oversee and govern the corporation. Provides that the Indiana state museum and historic sites corporation board of trustees are exempt from the state procurement requirements. Makes meetings of the board subject to the open meetings law and makes records of the corporation subject to the open records law. Provides an exception from the procurement statutes for the board's acquisition of artifacts for the state museum and historic sites. Provides that employees of the corporation are subject to the state personnel system and participation in the public employees' retirement fund. Provides that the corporation is subject to the state personnel system. Permits the corporation's employees to participate in the state employee group insurance and other benefit plans. Provides that the board and corporation employees are under the jurisdiction of the ethics commission and the executive branch ethics rules. Specifies that the corporation's proposed budget is subject to the budget statutes governing state agencies if the proposed budget includes funding from the state general fund. Establishes the state museum and historic sites development fund. Provides that the board's investments must be consistent with the public funds investment requirements that apply to the treasurer of state. Provides that interest earned on the corporation's investments shall be deposited in the corporation's funds. Provides that all earned income accruing to the corporation's fund is appropriated continuously. Requires the chief executive officer of the corporation to report annually to the state budget committee concerning the activities, revenues, expenditures, and profits of the museums' shops, facility rentals, and restaurants. Requires the executive officer of the corporation to enter into a memorandum of understanding with nonprofit organizations that are recognized supporters of state historic site. Requires the executive officer of the corporation to enter into a memorandum of understanding with: (1) the Indiana department of transportation; (2) the department of correction; and (3) the department of natural resources (DNR). Establishes the state museum foundation. Includes transitional provisions to transfer the museum and historic sites functions and funds from the DNR to the corporation. Requires prior review of the state

budget committee and the approval of the budget director for obligations to be incurred by the corporation for lands and structures. Repeals laws governing the state museum and historic sites as entities administered by the DNR. Makes conforming changes. **(This conference committee report: (1) removes and amends various provisions concerning personnel matters of the Indiana state museum and historic sites corporation; and (2) makes technical and conforming changes.)**

**Effective:** July 1, 2011.

Adopted

Rejected

## CONFERENCE COMMITTEE REPORT

**MR. SPEAKER:**

*Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 537 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 natural and cultural resources and to make an appropriation.
- 4 Delete everything after the enacting clause and insert the following:
- 5 SECTION 1. IC 4-37 IS ADDED TO THE INDIANA CODE AS A
- 6 NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 7 2011]:
- 8 **ARTICLE 37. STATE MUSEUM AND HISTORIC SITES**
- 9 **Chapter 1. Definitions**
- 10 **Sec. 1. Except as otherwise provided, the definitions in this**
- 11 **chapter apply throughout this article.**
- 12 **Sec. 2. "Board" refers to the corporation's board of trustees**
- 13 **established by IC 4-37-3-1.**
- 14 **Sec. 3. "Chief executive officer" refers to the chief executive**
- 15 **officer of the Indiana state museum and historic sites corporation**
- 16 **appointed under IC 4-37-2-5 and the director of the state museum.**
- 17 **Sec. 4. "Corporation" refers to the Indiana state museum and**
- 18 **historic sites corporation established by IC 4-37-2-1.**
- 19 **Sec. 5. "Foundation" refers to the Indiana state museum**
- 20 **foundation established under IC 4-37-8-1 or its successors.**
- 21 **Sec. 6. "Fund" refers to the state museum and historic sites**

1 development fund established by IC 4-37-7-1.

2 Sec. 7. "Historic site" refers to a state historic site established  
3 and maintained by the board under the criteria established by the  
4 board.

5 Sec. 8. "Museum" refers to the state museum.

6 Sec. 9. "State museums" refers to the following:

7 (1) The state museum located in the White River State Park.

8 (2) The historic sites.

9 Chapter 2. State Museum and Historic Sites Corporation

10 Sec. 1. The Indiana state museum and historic sites corporation  
11 is established.

12 Sec. 2. (a) The corporation is:

13 (1) a public body corporate and politic; and

14 (2) an instrumentality of the state.

15 (b) The corporation is separate from the state. However, the  
16 exercise by the corporation of its powers is an essential  
17 governmental function.

18 Sec. 3. The corporation may:

19 (1) sue and be sued; and

20 (2) plead and be impleaded.

21 Sec. 4. The corporation is subject to a biennial audit by the state  
22 board of accounts.

23 Sec. 5. The board shall appoint, subject to the governor's  
24 approval, an individual to serve as chief executive officer of the  
25 corporation.

26 Sec. 6. The corporation is not subject to the requirements under  
27 IC 5-13-6-1.

28 Sec. 7. The records of the corporation are subject to IC 5-14-3.

29 Sec. 8. (a) After June 30, 2011, rules that concern the division of  
30 state museums and historic sites that were adopted by the natural  
31 resources commission shall be treated as rules applying to the  
32 corporation.

33 (b) After June 30, 2011, a reference to the department of natural  
34 resources in a statute or rule concerning the division of state  
35 museums and historic sites shall be treated as a reference to the  
36 corporation.

37 Chapter 3. Members and Organization

38 Sec. 1. The corporation is governed by a board of trustees that  
39 consists of the following members:

40 (1) Thirteen (13) persons appointed by the governor who are  
41 voting members. The governor's appointments must meet the  
42 following criteria:

43 (A) Each member must be a resident of Indiana.

44 (B) Not more than two (2) members may reside in the same  
45 county.

46 (C) At least one (1) member must be a recognized  
47 supporter of historic sites.

48 (D) Not more than seven (7) members may be from the  
49 same political party.

50 (2) Twelve (12) persons appointed by the board who are  
51 voting members. The board's appointments must meet the

1 following criteria:

2 (A) Each member must be a resident of Indiana.

3 (B) Not more than two (2) members may reside in the same  
4 county.

5 (C) At least one (1) member must be a recognized  
6 supporter of historic sites.

7 (D) Not more than six (6) members may be from the same  
8 political party.

9 (3) The following persons serve as nonvoting members of the  
10 board:

11 (A) The chief executive officer.

12 (B) The governor or the governor's designee.

13 (C) One (1) member of the house of representatives  
14 appointed by the chairman of the legislative council.

15 (D) One (1) member of the senate appointed by the  
16 chairman of the legislative council.

17 (E) The director of the department of natural resources or  
18 the director's designee.

19 The members appointed under clauses (C) and (D) must be  
20 from different political parties and serve at the pleasure of the  
21 chairman of the legislative council.

22 Sec. 2. (a) The members appointed in section 1 of this chapter:

23 (1) begin their terms July 1;

24 (2) shall serve for terms of three (3) years; and

25 (3) may be reappointed or replaced by the appointing  
26 authority, but may not serve more than three (3) consecutive  
27 terms.

28 (b) A member appointed under this section to fill a vacancy shall  
29 fill the vacancy for the remainder of the unexpired term.

30 (c) Each member shall continue to serve until the member's  
31 successor is appointed and qualified.

32 Sec. 3. (a) The governor shall appoint the chair of the board,  
33 who shall serve for a one (1) year term or until the governor  
34 appoints a successor.

35 (b) The board shall elect a vice chair, secretary, and treasurer  
36 for a term of two (2) years each.

37 Sec. 4. (a) Thirteen (13) voting members of the board constitute  
38 a quorum.

39 (b) The board shall adopt bylaws establishing procedures for the  
40 board.

41 Sec. 5. Board members are not liable in an individual capacity  
42 for any act done or omitted in connection with the performance of  
43 duties under this article. This section does not apply to an act or  
44 omission that constitutes gross negligence or willful misconduct.

45 Sec. 6. (a) Each member of the board who is not a state  
46 employee is entitled to the minimum salary per diem provided by  
47 IC 4-10-11-2.1(b). The member is also entitled to reimbursement  
48 for traveling expenses as provided under IC 4-13-1-4 and for other  
49 expenses actually incurred in connection with the member's duties  
50 as provided in the state policies and procedures established by the  
51 Indiana department of administration and approved by the budget

1 agency.

2 (b) Each member of the board who is a state employee but who  
3 is not a member of the general assembly is entitled to  
4 reimbursement for traveling expenses as provided under  
5 IC 4-13-1-4 and for other expenses actually incurred in connection  
6 with the member's duties as provided in the state policies and  
7 procedures established by the Indiana department of  
8 administration and approved by the budget agency.

9 (c) Each member of the board who is a member of the general  
10 assembly is entitled to receive the same per diem, mileage, and  
11 travel allowances paid to legislative members of interim study  
12 committees established by the legislative council. Per diem,  
13 mileage, and travel allowances paid under this subsection shall be  
14 paid from appropriations made to the legislative council or the  
15 legislative services agency.

16 **Chapter 4. General Powers, Duties, and Exemptions**

17 **Sec. 1. The title to the following shall be held in the name of the**  
18 **state of Indiana:**

19 (1) Property constituting the state museums, except to the  
20 extent that the property is subject to a use and occupancy  
21 agreement between the Indiana finance authority and the  
22 Indiana department of administration.

23 (2) Property acquired by the board.

24 **Sec. 2. The board shall do the following:**

25 (1) Operate and administer the state museums.

26 (2) Maintain accreditation of the state museums.

27 (3) Collect, preserve, display, and interpret artifacts and  
28 materials reflecting the cultural and natural history of  
29 Indiana.

30 (4) Prepare and maintain a statewide inventory of the  
31 artifacts and materials described in subdivision (3).

32 (5) Uphold the highest professional and ethical standards, as  
33 adopted by the American Association of Museums.

34 **Sec. 3. The board may do the following:**

35 (1) Do any and all acts and things necessary, proper, or  
36 convenient to carry out this article.

37 (2) Hold meetings under IC 5-14-1.5 at the times and places in  
38 Indiana that are prescribed by the board's bylaws.

39 (3) Adopt an official seal.

40 (4) Adopt bylaws.

41 (5) Make and execute contracts and other instruments  
42 necessary or convenient to the exercise of the board's powers.

43 (6) Acquire by grant, purchase, gift, devise, or lease or  
44 otherwise and hold, use, sell, lease, manage, operate, clear,  
45 improve, encumber, transfer, convey, exchange, or dispose of  
46 the following:

47 (A) Real and personal property and any interest in real or  
48 personal property.

49 (B) Facilities.

50 (C) Money or stocks.

51 (D) Any right or interest necessary or useful for carrying

- 1 out the board's powers and duties under this article.
- 2 (7) Procure insurance against any loss in connection with the  
3 board's operations.
- 4 (8) Enter into contractual or other arrangements with the  
5 Indiana department of administration in connection with the  
6 financing of the state museums under IC 4-13.5.
- 7 (9) Notwithstanding IC 4-13.5-4-5, allocate space in museums  
8 financed by the Indiana finance authority under IC 4-13.5.
- 9 (10) Fix and collect rents, admission charges, fees, tolls, and  
10 other user charges for:
- 11 (A) the state museums;  
12 (B) restaurants;  
13 (C) other facilities; and  
14 (D) programs, lectures, classes, tours, and trips.
- 15 (11) Maintain shops and restaurants on property that the  
16 board manages and at other locations and employ or contract  
17 with persons to manage the shops and restaurants.
- 18 (12) Make or sell the following:
- 19 (A) Pictures, models, books, and other representations of  
20 the museum and its artifacts and exhibits.  
21 (B) Souvenirs, crafts, art, videotapes, digital video discs,  
22 and other merchandise.
- 23 (13) Pay royalties, license fees, or charges for exhibits,  
24 artifacts, artwork, or materials.
- 25 (14) Own copyrights, trademarks, and service marks and  
26 enforce the board's rights with respect to ownership.
- 27 (15) Conduct market research concerning the state museums.
- 28 (16) Adopt rules under IC 4-22-2 to carry out the purposes of  
29 this article.
- 30 **Sec. 4. (a) The board may accept or refuse to accept an offered**  
31 **gift of historic property to be administered by the board.**
- 32 **(b) Notwithstanding IC 4-20.5-7 and IC 5-22-22, the board may**  
33 **sell, lease, or exchange historic property administered by the**  
34 **board.**
- 35 **(c) Notwithstanding IC 5-22-22, the board may, in accordance**  
36 **with the board's policies, sell, donate, or exchange artifacts in the**  
37 **state museums' collections to or with other public or nonprofit**  
38 **museums or historical societies.**
- 39 **(d) The board may by rule establish a procedure for evaluating**  
40 **the merits of proposals to:**
- 41 **(1) accept gifts of;**  
42 **(2) sell; or**  
43 **(3) exchange;**  
44 **artifacts or historic property.**
- 45 **(e) The board may donate or make short term loans of artifacts**  
46 **in the museums' collections to other:**
- 47 **(1) public or nonprofit museums; or**  
48 **(2) historical societies.**
- 49 **Sec. 5. The board is not required to pay any taxes or**  
50 **assessments upon any property acquired or used by the board**  
51 **under this article, or upon the income from the property.**

1           **Sec. 6. The board is exempt under IC 6-2.5-5-16 from the state**  
 2 **gross retail tax for transactions involving tangible personal**  
 3 **property, public utility commodities, and public utility service.**

4           **Sec. 7. The board is exempt from the following:**

5               **(1) The requirements of IC 4-13-2-20 prohibiting payment in**  
 6 **advance.**

7               **(2) The procurement requirements under IC 5-22.**

8           **Sec. 8. (a) The board shall annually evaluate the performance of**  
 9 **the chief executive officer.**

10           **(b) Subject to approval by the governor, the board may dismiss**  
 11 **the chief executive officer.**

12           **Chapter 5. Personnel Matters**

13           **Sec. 1. Employees of the corporation are not employees of the**  
 14 **state.**

15           **Sec. 2. The board shall do the following:**

16               **(1) Establish policies for the governance and management of**  
 17 **the staffs of the state museums.**

18               **(2) Establish the rights and duties of corporation employees,**  
 19 **including a pay scale and benefit package.**

20               **(3) Employ or contract with consultants, attorneys, or other**  
 21 **persons as are required in the judgment of the board and pay**  
 22 **compensation from funds available to the board.**

23           **Sec. 3. The board may develop a separate personnel system for**  
 24 **employees of the corporation. The system may establish the rights,**  
 25 **privileges, powers, and duties of the corporation employees,**  
 26 **including pay scale and benefit package. If the board does not**  
 27 **develop and adopt a personnel system, the employees of the**  
 28 **corporation are subject to the state personnel system under**  
 29 **IC 4-15-1.8. If the board does adopt a separate personnel system,**  
 30 **the rules should mirror the state personnel rules as closely as**  
 31 **possible.**

32           **Sec. 4. (a) The board shall adopt a resolution providing that the**  
 33 **corporation's employees who are eligible to participate in the**  
 34 **public employees' retirement fund under the eligibility**  
 35 **requirements set forth in IC 5-10.2 and IC 5-10.3 shall participate**  
 36 **in the fund.**

37           **(b) The board shall adopt a resolution to allow the corporation's**  
 38 **employees to participate in group insurance and other benefit**  
 39 **plans, including the state employees' deferred compensation plan,**  
 40 **that are available to state employees.**

41           **Sec. 5. (a) The board may hire, fix the compensation of, review**  
 42 **the performance of, and dismiss, subject to the governor's**  
 43 **approval, a chief executive officer who:**

44               **(1) is the director of state museums;**

45               **(2) is the chief administrative officer of the corporation; and**

46               **(3) supervises and directs the work of the state museums'**  
 47 **staffs and contractors.**

48           **(b) The chief executive officer may hire, fix the compensation of,**  
 49 **review the performance of, and dismiss employees of the**  
 50 **corporation.**

51           **Sec. 6. The board and the employees of the corporation are:**

- 1           (1) under the jurisdiction of and rules adopted by the state  
2           ethics commission; and  
3           (2) subject to ethics rules and requirements that apply to the  
4           executive branch of state government.

5           However, the board may adopt additional ethics rules and  
6           requirements that are more stringent than those adopted by the  
7           state ethics commission.

8           **Sec. 7. The board may assist in the professional development of  
9           the museums' staffs.**

10           **Chapter 6. Budget, Finance, and Planning**

11           **Sec. 1. (a) The chief executive officer shall annually present to  
12           the board the needs and requests of the corporation and a  
13           proposed budget.**

14           **(b) The chief executive officer shall present the proposed  
15           biennial and board approved annual budget of the corporation to  
16           the governor. The proposed budget is subject to IC 4-12-1 if the  
17           proposed budget includes funding to be appropriated from the  
18           state general fund.**

19           **Sec. 2. The board may qualify the museum for federal and other  
20           aid to preserve historic property, materials, items, and memorials.**

21           **Chapter 7. State Museum and Historic Sites Development Fund**

22           **Sec. 1. The state museum and historic sites development fund is  
23           established. The corporation or an entity designated by the board  
24           shall administer the fund.**

25           **Sec. 2. The corporation may invest the money in the fund not  
26           currently needed to meet the obligations of the fund in a manner  
27           consistent with IC 5-13-10. Interest earned on the investments shall  
28           be deposited in the corporation's funds.**

29           **Sec. 3. The expenses of administering the fund shall be paid  
30           from the fund.**

31           **Sec. 4. The corporation may spend the money in the fund for  
32           any purpose of the corporation that complies with this article,  
33           including the acquisition of real property and historical artifacts  
34           and specimens, construction of facilities, and betterments and  
35           improvements at historic sites.**

36           **Sec. 5. Except as provided in section 8 of this chapter, the  
37           following shall be deposited in the fund:**

- 38           (1) Proceeds from admission and user fees.  
39           (2) Sales at museum shops.  
40           (3) Facility rentals.  
41           (4) Restaurant sales.  
42           (5) Any other income generated by the state museums.  
43           (6) Gifts of money or the proceeds from the sale of gifts  
44           donated to the state museums.

45           **Sec. 6. (a) All earned income accruing to the fund is  
46           appropriated continuously for purposes of this article.**

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

49           **Sec. 7. The chief executive officer shall report annually to the  
50           board and the budget committee on the activities, revenues,  
51           expenditures, and profits of the museums' shops, facility rentals,**

1 and restaurants.

2 **Sec. 8.** The chief executive officer of the corporation may enter  
3 into a memorandum of understanding with one (1) or more  
4 nonprofit organizations that are recognized supporters of a specific  
5 state historic site and are exempt from taxation under Section  
6 501(c)(3) of the Internal Revenue Code. The memorandum of  
7 understanding may provide that the nonprofit organization or  
8 organizations may maintain a gift shop and offer special events at  
9 the state historic site.

10 **Sec. 9.** The chief executive officer of the corporation shall enter  
11 into:

12 (1) a memorandum of understanding with the Indiana  
13 department of transportation providing for the Indiana  
14 department of transportation to maintain historical services  
15 provided to the various state historic sites;

16 (2) a memorandum of understanding with the department of  
17 correction providing for the department of correction to  
18 provide assistance in maintaining a state historic site; and

19 (3) a memorandum of understanding with the department of  
20 natural resources providing for the department of natural  
21 resources to provide:

22 (A) assistance or services to repair or clean up a state  
23 historic site if a natural disaster or severe weather (as  
24 defined in IC 36-8-21.5-7) has occurred; and

25 (B) assistance providing equipment to the state historic  
26 sites for special events.

27 **Chapter 8. Indiana State Museum Foundation**

28 **Sec. 1.** The board may establish a nonprofit subsidiary  
29 corporation, to be known as the Indiana state museum foundation,  
30 that is exempt from federal income taxation under Section  
31 501(c)(3) of the Internal Revenue Code to solicit and accept private  
32 funding, gifts, donations, bequests, devises, and contributions.

33 **Sec. 2.** The foundation:

34 (1) shall use money received under section 1 of this chapter to  
35 carry out in any manner the purposes and programs under  
36 this article; and

37 (2) may deposit money received under section 1 of this  
38 chapter in an account or fund that is:

39 (A) administered by the foundation; and

40 (B) not part of the state treasury.

41 **Sec. 3.** The foundation is governed by a board of directors. The  
42 directors are the members of the board.

43 **Sec. 4.** Employees of the corporation shall provide  
44 administrative support for the foundation.

45 **Sec. 5.** The state board of accounts shall annually audit the  
46 foundation.

47 **Chapter 9. Governor Frank O'Bannon Great Hall**

48 **Sec. 1.** The museum's great hall shall be known as the  
49 "Governor Frank O'Bannon Great Hall".

50 **Sec. 2.** The chief executive officer of the museum shall install  
51 and maintain the following:

1           **(1) Appropriate public signage on and around the museum**  
 2           **that displays the name of the great hall.**

3           **(2) A plaque located at an appropriate spot in the museum**  
 4           **describing the highlights of the life and career of Governor**  
 5           **Frank O'Bannon.**

6           SECTION 2. IC 14-8-2-77, AS AMENDED BY P.L.69-2009,  
 7           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8           JULY 1, 2011]: Sec. 77. "Division" has the following meaning:

9           (1) For purposes of IC 14-9-8, the meaning set forth in  
 10           IC 14-9-8-2.

11           ~~(2) For purposes of IC 14-20-1 and IC 14-20-16; the meaning set~~  
 12           ~~forth in IC 14-20-1-2.~~

13           ~~(3)~~ **(2)** For purposes of IC 14-21, the division of historic  
 14           preservation and archeology.

15           ~~(4)~~ **(3)** For purposes of IC 14-22, the division of fish and wildlife.

16           ~~(5)~~ **(4)** For purposes of IC 14-24, the division of entomology and  
 17           plant pathology.

18           ~~(6)~~ **(5)** For purposes of IC 14-25.5, the division of water.

19           ~~(7)~~ **(6)** For purposes of IC 14-31-2, the meaning set forth in  
 20           IC 14-31-2-4.

21           ~~(8)~~ **(7)** For purposes of IC 14-32, the division of soil conservation  
 22           of the Indiana state department of agriculture established by  
 23           IC 15-11-4-1.

24           ~~(9)~~ **(8)** For purposes of IC 14-37, the division of oil and gas.

25           SECTION 3. IC 14-8-2-103, AS AMENDED BY P.L.66-2008,  
 26           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27           JULY 1, 2011]: Sec. 103. ~~(a)~~ "Foundation" refers to the Indiana natural  
 28           resources foundation.

29           ~~(b) For purposes of IC 14-20-1, "foundation" refers to:~~

30           ~~(1) the Indiana state museum foundation; or~~

31           ~~(2) another nonprofit organization established to promote:~~

32           ~~(A) interest in; and~~

33           ~~(B) the use of;~~

34           ~~the Indiana state museum system.~~

35           SECTION 4. IC 14-8-2-107, AS AMENDED BY SEA 532-2011,  
 36           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37           JULY 1, 2011]: Sec. 107. "Fund" has the following meaning:

38           (1) For purposes of IC 14-9-5, the meaning set forth in  
 39           IC 14-9-5-1.

40           (2) For purposes of IC 14-9-8-21, the meaning set forth in  
 41           IC 14-9-8-21.

42           (3) For purposes of IC 14-9-8-21.5, the meaning set forth in  
 43           IC 14-9-8-21.5.

44           (4) For purposes of IC 14-9-9, the meaning set forth in  
 45           IC 14-9-9-3.

46           (5) For purposes of IC 14-12-1, the meaning set forth in  
 47           IC 14-12-1-1.

48           (6) For purposes of IC 14-12-2, the meaning set forth in  
 49           IC 14-12-2-2.

50           (7) For purposes of IC 14-12-3, the meaning set forth in  
 51           IC 14-12-3-2.

- 1 (8) For purposes of IC 14-13-1, the meaning set forth in  
2 IC 14-13-1-2.
- 3 (9) For purposes of IC 14-13-2, the meaning set forth in  
4 IC 14-13-2-3.
- 5 (10) For purposes of IC 14-16-1, the meaning set forth in  
6 IC 14-16-1-30.
- 7 (11) For purposes of IC 14-19-8, the meaning set forth in  
8 IC 14-19-8-1.
- 9 ~~(12) For purposes of IC 14-20-1, the meaning set forth in~~  
10 ~~IC 14-20-1-3.~~
- 11 ~~(13)~~ (12) For purposes of IC 14-20-11, the meaning set forth in  
12 IC 14-20-11-2.
- 13 ~~(14)~~ (13) For purposes of IC 14-21-4, the meaning set forth in  
14 IC 14-21-4-10.
- 15 ~~(15)~~ (14) For purposes of IC 14-22-3, the meaning set forth in  
16 IC 14-22-3-1.
- 17 ~~(16)~~ (15) For purposes of IC 14-22-4, the meaning set forth in  
18 IC 14-22-4-1.
- 19 ~~(17)~~ (16) For purposes of IC 14-22-5, the meaning set forth in  
20 IC 14-22-5-1.
- 21 ~~(18)~~ (17) For purposes of IC 14-22-8, the meaning set forth in  
22 IC 14-22-8-1.
- 23 ~~(19)~~ (18) For purposes of IC 14-22-34, the meaning set forth in  
24 IC 14-22-34-2.
- 25 ~~(20)~~ (19) For purposes of IC 14-23-3, the meaning set forth in  
26 IC 14-23-3-1.
- 27 ~~(21)~~ (20) For purposes of IC 14-24-4.5, the meaning set forth in  
28 IC 14-24-4.5-2(5).
- 29 ~~(22)~~ (21) For purposes of IC 14-25-2-4, the meaning set forth in  
30 IC 14-25-2-4.
- 31 ~~(23)~~ (22) For purposes of IC 14-25-10, the meaning set forth in  
32 IC 14-25-10-1.
- 33 ~~(24)~~ (23) For purposes of IC 14-25-11-19, the meaning set forth  
34 in IC 14-25-11-19.
- 35 ~~(25)~~ (24) For purposes of IC 14-25.5, the meaning set forth in  
36 IC 14-25.5-1-3.
- 37 ~~(26)~~ (25) For purposes of IC 14-28-5, the meaning set forth in  
38 IC 14-28-5-2.
- 39 ~~(27)~~ (26) For purposes of IC 14-31-2, the meaning set forth in  
40 IC 14-31-2-5.
- 41 ~~(28)~~ (27) For purposes of IC 14-25-12, the meaning set forth in  
42 IC 14-25-12-1.
- 43 ~~(29)~~ (28) For purposes of IC 14-32-8, the meaning set forth in  
44 IC 14-32-8-1.
- 45 ~~(30)~~ (29) For purposes of IC 14-33-14, the meaning set forth in  
46 IC 14-33-14-3.
- 47 ~~(31)~~ (30) For purposes of IC 14-33-21, the meaning set forth in  
48 IC 14-33-21-1.
- 49 ~~(32)~~ (31) For purposes of IC 14-34-6-15, the meaning set forth in  
50 IC 14-34-6-15.

1           ~~(33)~~ **(32)** For purposes of IC 14-34-14, the meaning set forth in  
2           IC 14-34-14-1.

3           ~~(34)~~ **(33)** For purposes of IC 14-34-19-1.3, the meaning set forth  
4           in IC 14-34-19-1.3(a).

5           ~~(35)~~ **(34)** For purposes of IC 14-34-19-1.5, the meaning set forth  
6           in IC 14-34-19-1.5(a).

7           ~~(36)~~ **(35)** For purposes of IC 14-37-10, the meaning set forth in  
8           IC 14-37-10-1.

9           SECTION 5. IC 14-8-2-124 IS AMENDED TO READ AS  
10          FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 124. "Historic  
11          property", for purposes of ~~IC 14-20-1~~ and IC 14-21-1, means:

- 12           (1) a historic site;  
13           (2) a historic structure; or  
14           (3) other personal or real property located on or in a historic site  
15           or historic structure.

16          SECTION 6. IC 14-8-2-125 IS AMENDED TO READ AS  
17          FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 125. "Historic site", for  
18          purposes of ~~IC 14-20-1~~ and IC 14-21-1, means a site that is important  
19          to the general, archeological, agricultural, economic, social, political,  
20          architectural, industrial, or cultural history of Indiana. The term  
21          includes adjacent property that is necessary for the preservation or  
22          restoration of the site.

23          SECTION 7. IC 14-8-2-126 IS AMENDED TO READ AS  
24          FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 126. "Historic  
25          structure", for purposes of ~~IC 14-20-1~~ and IC 14-21-1, means a  
26          structure that is important to the general, archeological, agricultural,  
27          economic, social, political, architectural, industrial, or cultural history  
28          of Indiana. The term includes adjacent property that is necessary for the  
29          preservation or restoration of the structure.

30          SECTION 8. IC 14-8-2-202 IS AMENDED TO READ AS  
31          FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 202. (a) "Person"  
32          means, except as provided in subsections (b) through (j), an individual,  
33          a partnership, an association, a fiduciary, an executor or administrator,  
34          a limited liability company, or a corporation.

35           (b) "Person", for purposes of IC 14-12-2, has the meaning set forth  
36           in IC 14-12-2-3.

37           (c) "Person", for purposes of IC 14-16, IC 14-22-28, IC 14-24,  
38           IC 14-26-2, IC 14-28-1, ~~IC 14-28-3~~, ~~IC 14-29-6~~, and IC 14-38-2, means  
39           an individual, a partnership, an association, a fiduciary, an executor or  
40           administrator, a limited liability company, a corporation, other legal  
41           entity, the state, or an agency, a political subdivision, or another  
42           instrumentality of the state.

43           (d) "Person", for purposes of IC 14-12-1, IC 14-12-2, ~~IC 14-20-1~~,  
44           IC 14-21, IC 14-25 through IC 14-29, except as otherwise provided in  
45           this section, IC 14-33, IC 14-34, and IC 14-37, means an individual, a  
46           partnership, an association, a fiduciary, an executor or administrator,  
47           a limited liability company, a corporation, or a governmental entity.

48           (e) "Person", for purposes of IC 14-22-31.5, has the meaning set  
49           forth in IC 14-22-31.5-2.

50           (f) "Person", for purposes of IC 14-25-3, has the meaning set forth  
51           in IC 14-25-3-1.

1 (g) "Person", for the purposes of IC 14-25-7, has the meaning set  
2 forth in IC 14-25-7-5.

3 (h) "Person", for purposes of IC 14-34, means an individual, a  
4 partnership, a limited liability company, an association, a society, a  
5 joint stock company, a firm, a company, a corporation, or other  
6 business organization.

7 (i) "Person", for purposes of IC 14-38-1, has the meaning set forth  
8 in IC 14-38-1-2.

9 (j) "Person", for purposes of IC 14-24-12, has the meaning set forth  
10 in IC 14-24-12-4.

11 SECTION 9. IC 14-8-2-208 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 208. "Political  
13 subdivision" has the following meaning:

14 (1) For purposes of IC 14-12-1, the meaning set forth in  
15 IC 14-12-1-2.

16 ~~(2) For purposes of IC 14-20-1, the meaning set forth in~~  
17 ~~IC 14-20-1-4.~~

18 ~~(3)~~ (2) For purposes of IC 14-32-8, the meaning set forth in  
19 IC 14-32-8-2.

20 SECTION 10. IC 14-8-2-258 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 258. "Site", for  
22 purposes of ~~IC 14-20-1~~ and IC 14-21, includes the following:

23 (1) An aboriginal mound, a fort, an earthwork, a village location,  
24 a burial ground, a ruin, a mine, a cave, a battleground, a  
25 shipwreck, or other similar location on land or under water.

26 (2) A location that contains or did contain a structure.

27 SECTION 11. IC 14-8-2-268 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 268. "Structure" has the  
29 following meaning:

30 (1) For purposes of ~~IC 14-20-1~~ and IC 14-21, a manmade  
31 construction.

32 (2) For purposes of IC 14-27-7.5, the meaning set forth in  
33 IC 14-27-7.5-5.

34 SECTION 12. IC 14-9-4-1, AS AMENDED BY P.L.1-2006,  
35 SECTION 209, IS AMENDED TO READ AS FOLLOWS  
36 [EFFECTIVE JULY 1, 2011]: Sec. 1. The following divisions are  
37 established within the department:

38 (1) Accounting.

39 (2) Administrative support services.

40 (3) Budget.

41 (4) Engineering.

42 (5) Entomology and plant pathology.

43 (6) Fish and wildlife.

44 (7) Forestry.

45 (8) Historic preservation and archeology.

46 (9) Human resources.

47 (10) Internal audit.

48 (11) Land acquisition.

49 (12) Law enforcement.

50 (13) Management information systems.

51 (14) Nature preserves.

- 1 (15) Oil and gas.  
 2 (16) Outdoor recreation.  
 3 (17) Public information and education.  
 4 (18) Reclamation.  
 5 (19) Reservoir management.  
 6 (20) Safety and training.  
 7 ~~(21) State museums and historic sites.~~  
 8 ~~(22)~~ (21) State parks.  
 9 ~~(23)~~ (22) Water.

10 SECTION 13. IC 14-10-2-5, AS AMENDED BY SEA 71-2011,  
 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2011]: Sec. 5. (a) The department may adopt emergency rules  
 13 under IC 4-22-2-37.1 to carry out the duties of the department under  
 14 the following:

- 15 (1) IC 14-9.  
 16 (2) This article.  
 17 (3) IC 14-11.  
 18 (4) IC 14-12-2.  
 19 (5) IC 14-14.  
 20 (6) IC 14-17-3.  
 21 (7) IC 14-18, except IC 14-18-6 and IC 14-18-8.  
 22 (8) IC 14-19-1 and IC 14-19-8.  
 23 ~~(9) IC 14-20-1.~~  
 24 ~~(10)~~ (9) IC 14-21.  
 25 ~~(11)~~ (10) IC 14-22-3, IC 14-22-4, and IC 14-22-5.  
 26 ~~(12)~~ (11) IC 14-23-1.  
 27 ~~(13)~~ (12) IC 14-25, except IC 14-25-8-3, IC 14-25-11, and  
 28 IC 14-25-13.  
 29 ~~(14)~~ (13) IC 14-26.  
 30 ~~(15)~~ (14) IC 14-27.  
 31 ~~(16)~~ (15) IC 14-28.  
 32 ~~(17)~~ (16) IC 14-29.  
 33 ~~(18)~~ (17) IC 14-35-1, IC 14-35-2, and IC 14-35-3.  
 34 ~~(19)~~ (18) IC 14-37.  
 35 ~~(20)~~ (19) IC 14-38, except IC 14-38-3.

36 (b) A rule adopted under subsection (a) expires not later than one  
 37 (1) year after the rule is accepted for filing by the publisher of the  
 38 Indiana Register.

39 SECTION 14. IC 14-10-3-1 IS AMENDED TO READ AS  
 40 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. This chapter applies  
 41 to the property managers of each of the following divisions of the  
 42 department:

- 43 (1) State parks.  
 44 (2) Forestry.  
 45 (3) Fish and wildlife.  
 46 (4) Reservoir management.  
 47 ~~(5) State museums and historic sites.~~

48 SECTION 15. IC 14-12-2-14 IS AMENDED TO READ AS  
 49 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 14. (a) The Indiana  
 50 heritage trust project committee is established.

1 (b) The project committee consists of the following sixteen (16)  
2 members:

- 3 (1) The director of the division of fish and wildlife.
- 4 (2) The director of the division of forestry.
- 5 (3) The director of the division of nature preserves.
- 6 (4) The director of the division of state parks.
- 7 (5) The director of the division of outdoor recreation.
- 8 (6) The ~~director~~ **chief executive officer** of the ~~division of Indiana~~  
9 state ~~museums~~ **museum** and historic sites **corporation**  
10 **established by IC 4-37-2-1.**
- 11 (7) Ten (10) individuals appointed by the governor. The governor  
12 shall appoint individuals so that all the following are satisfied:
  - 13 (A) The individuals must be residents of Indiana.
  - 14 (B) The individuals must have a demonstrated interest or  
15 experience in:
    - 16 (i) conservation of natural resources; or
    - 17 (ii) management of public property.
  - 18 (C) Each Indiana congressional district must be represented by  
19 at least one (1) individual who is a resident of that  
20 congressional district.
  - 21 (D) The individuals must represent the following:
    - 22 (i) The environmentalist community.
    - 23 (ii) The academic community.
    - 24 (iii) Organized hunting and fishing groups.
    - 25 (iv) The forest products community.
    - 26 (v) The parks and recreation community.

27 SECTION 16. IC 14-20-4-3 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) The commission  
29 is composed of nine (9) members as follows:

- 30 (1) The lieutenant governor or the lieutenant governor's designee.
- 31 (2) The ~~director~~ **chief executive officer of the Indiana state**  
32 **museum and historic sites corporation (IC 4-37-2-1)** or the  
33 ~~director's chief executive officer's~~ designee.
- 34 (3) One (1) individual who must be an elected officer of the New  
35 Harmony town legislative body.
- 36 (4) One (1) individual who must be a representative of the  
37 University of Southern Indiana.
- 38 (5) One (1) individual who must be a representative of the Robert  
39 Lee Blaffer Trust nominated by the trustees of the Robert Lee  
40 Blaffer Trust.
- 41 (6) Four (4) other individuals, at least two (2) of whom must be  
42 residents of Posey County.

43 (b) The governor shall appoint the members of the commission  
44 under subsection (a)(3) through (a)(6).

45 SECTION 17. IC 14-20-4-10 IS AMENDED TO READ AS  
46 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 10. The commission  
47 shall do the following:

- 48 (1) Recommend legislation to do the following:
  - 49 (A) Protect the area from the environmental degradation.
  - 50 (B) Assure development of the historic, scenic, aesthetically  
51 pleasing, cultural, educational, and recreational nature of the

- 1 community.
- 2 (2) Conduct a survey of New Harmony memorabilia that is in  
3 existence and establish a plan for restoring the memorabilia to the  
4 community.
- 5 (3) Conduct other activities that are necessary for promotion and  
6 enhancement of the area of New Harmony.
- 7 (4) Cooperate with the ~~department~~ **Indiana state museum and**  
8 **historic sites corporation (IC 4-37-2-1)** and Indiana department  
9 of transportation on recommending access and egress from New  
10 Harmony.

11 SECTION 18. IC 14-20-6-3 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. The real property  
13 shall be administered, maintained, managed, and controlled by the  
14 ~~department in the same manner as the state parks~~ **Indiana state**  
15 **museum and historic sites corporation (IC 4-37-2-1)** and shall be  
16 known as The James F.D. Lanier Home.

17 SECTION 19. IC 14-20-7-3 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. The ~~department~~  
19 **Indiana state museum and historic sites corporation (IC 4-37-2-1)**  
20 may receive donations for the upkeep of the monument provided for in  
21 this chapter.

22 SECTION 20. IC 14-20-8-3 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. The real property  
24 shall be administered by the ~~department~~ **Indiana state museum and**  
25 **historic sites corporation (IC 4-37-2-1)** as a historic property and  
26 shall be known as the William S. Culbertson Mansion.

27 SECTION 21. IC 14-20-8-4 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. The ~~department~~  
29 **Indiana state museum and historic sites corporation (IC 4-37-2-1)**  
30 may receive the following:

- 31 (1) Donations for the maintenance of the mansion.
- 32 (2) Other money that is necessary to carry out this chapter.

33 SECTION 22. IC 14-20-9-1, AS AMENDED BY SEA 490-2011,  
34 SECTION 296, IS AMENDED TO READ AS FOLLOWS  
35 [EFFECTIVE JULY 1, 2011]: Sec. 1. This section and sections 2  
36 through 5 of this chapter do not apply if:

- 37 (1) the Wilbur Wright memorial is transferred to the Wilbur  
38 Wright Birthplace Preservation Society after June 30, 1995; or  
39 (2) the ~~commission board of trustees of the Indiana state~~  
40 **museum and historic sites corporation (IC 4-37-2-1)** declares  
41 the memorial to be surplus to the needs of the ~~commission and the~~  
42 ~~department.~~ **state museum and historic sites corporation.**

43 SECTION 23. IC 14-20-9-4 IS AMENDED TO READ AS  
44 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. The ~~department~~  
45 **Indiana state museum and historic sites corporation (IC 4-37-2-1)**  
46 shall administer the real property, which shall be known as the Wilbur  
47 Wright Birthplace.

48 SECTION 24. IC 14-20-9-5 IS AMENDED TO READ AS  
49 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. The ~~department~~  
50 **Indiana state museum and historic sites corporation (IC 4-37-2-1)**  
51 may do the following:

1 (1) Receive any appropriations made by the federal government  
2 to assist in memorializing the achievements of Wilbur Wright.

3 (2) Expend the money received from the federal government in  
4 conformity with this chapter or the federal law making the  
5 appropriation.

6 SECTION 25. IC 14-20-10-2 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. The real property  
8 shall be administered by the ~~department~~ **Indiana state museum and**  
9 **historic sites corporation (IC 4-37-2-1)** as a historic property and  
10 shall be known as the Ernie Pyle Birthplace.

11 SECTION 26. IC 14-20-12-3, AS AMENDED BY P.L.229-2005,  
12 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2011]: Sec. 3. Thousands of Hoosiers all over the nation have  
14 contributed toward the moving and restoration of this historic house  
15 and because the house has already proven to be an outstanding tourist  
16 attraction and in keeping with our great American heritage, it is the  
17 intent of this chapter that the office of tourism development, the  
18 ~~department~~, **Indiana state museum and historic sites corporation**  
19 **(IC 4-37-2-1)**, and other appropriate state boards and agencies give  
20 widespread publicity to this memorial by brochure, pamphlet, or other  
21 means.

22 SECTION 27. IC 14-20-16-1, AS ADDED BY P.L.69-2009,  
23 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2011]: Sec. 1. (a) The governors' portraits collection is placed  
25 in the custody of the ~~division~~: **Indiana state museum and historic**  
26 **sites corporation (IC 4-37-2-1)**. The collection shall be permanently  
27 displayed in public areas of the state house under the supervision of the  
28 ~~division~~, **Indiana state museum and historic sites corporation**,  
29 which is charged with its care and maintenance.

30 (b) The ~~director~~ **chief executive officer** of the ~~division~~ **Indiana**  
31 **state museum and historic sites corporation** shall inspect each  
32 painting in the collection annually in the company of one (1) or more  
33 experts in the field of art conservation selected by the ~~director~~ **chief**  
34 **executive officer** of the ~~division~~: **Indiana state museum and historic**  
35 **sites corporation**.

36 (c) After the inauguration of each governor, the ~~director~~ **chief**  
37 **executive officer** of the ~~division~~, **Indiana state museum and historic**  
38 **sites corporation**, with the concurrence of the governor, shall select  
39 and commission an artist to paint the governor's portrait. The portrait  
40 must be hung in the permanent collection immediately following the  
41 completion and acceptance of the portrait by the ~~director~~ **chief**  
42 **executive officer** of the ~~division~~ **Indiana state museum and historic**  
43 **sites corporation** and the governor.

44 (d) The ~~division~~ **Indiana state museum and historic sites**  
45 **corporation** shall include in its budget requests the amount the  
46 ~~division~~ **Indiana state museum and historic sites corporation**  
47 considers necessary to:

48 (1) provide for the proper care, maintenance, and display of the  
49 governors' portraits collection; and

50 (2) commission the painting of an oil portrait of each governor for

1 the collection.

2 The ~~division~~ **Indiana state museum and historic sites corporation**  
3 may use appropriated funds or any other funds provided for these  
4 purposes.

5 (e) The ~~director chief executive officer~~ of the ~~division~~, **Indiana**  
6 **state museum and historic sites corporation**, in discharging the  
7 duties under this section, shall use the appropriate cultural and  
8 technical resources of the state, including the **department**, Indiana  
9 historical bureau, and the Indiana department of administration.

10 SECTION 28. IC 14-20-16-2, AS ADDED BY P.L.69-2009,  
11 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2011]: Sec. 2. (a) The governors' portraits fund is established  
13 as a dedicated fund to be administered by the ~~division~~. **Indiana state**  
14 **museum and historic sites corporation (IC 4-37-2-1)**. Money in the  
15 fund may be expended by the ~~director chief executive officer~~ of the  
16 ~~division~~ **Indiana state museum and historic sites corporation**  
17 exclusively for the preservation and exhibition of the state owned  
18 portraits of former governors of Indiana.

19 (b) The proceeds from the sale of items as directed by law or by the  
20 ~~director chief executive officer~~ of the ~~division~~, **Indiana state museum**  
21 **and historic sites corporation**, from gifts of money or the proceeds  
22 from the sale of gifts donated to the fund, and from investment earnings  
23 from any portion of the fund, shall be deposited in the governors'  
24 portraits fund.

25 (c) The treasurer of state shall invest the money in the fund not  
26 currently needed to meet the obligations of the fund in the same  
27 manner as other public money may be invested.

28 (d) All money accruing to the governors' portraits fund is  
29 continuously allotted and appropriated for the purposes specified in this  
30 section.

31 (e) Money in the fund at the end of the fiscal year does not revert to  
32 the state general fund.

33 SECTION 29. IC 34-30-2-6.8 IS ADDED TO THE INDIANA  
34 CODE AS A NEW SECTION TO READ AS FOLLOWS  
35 [EFFECTIVE JULY 1, 2011]: **Sec. 6.8. IC 4-37-3-5 (Concerning**  
36 **actions of members of the board of trustees for the Indiana state**  
37 **museum and historic sites corporation).**

38 SECTION 30. IC 35-43-1-6 IS ADDED TO THE INDIANA CODE  
39 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
40 1, 2011]: **Sec. 6. A person who knowingly or intentionally alters,**  
41 **without a permit, historic property located on property owned or**  
42 **leased by the state commits a Class B misdemeanor.**

43 SECTION 31. THE FOLLOWING ARE REPEALED [EFFECTIVE  
44 JULY 1, 2011]: IC 14-8-2-266; IC 14-8-2-283; IC 14-20-1.

45 SECTION 32. [EFFECTIVE JULY 1, 2011] **(a) The definitions in**  
46 **IC 4-37-1, as added by this act, and IC 14-8-2 apply throughout**  
47 **this SECTION.**

48 **(b) All real property, personal property, and artifacts of the**  
49 **division of state museums and historic sites are transferred from**  
50 **the division of state museums and historic sites to the corporation.**

51 **(c) All powers, duties, assets, and liabilities of the department of**

1 natural resources regarding the division of state museums and  
2 historic sites and artifacts of the division of state museums and  
3 historic sites that are attributable to the division of state museums  
4 and historic sites are transferred to the corporation.

5 (d) On July 1, 2011, the budget agency shall determine and  
6 transfer the available balance of:

7 (1) the revolving fund of the division of museums and historic  
8 sites (IC 14-9-5-2);

9 (2) the state museum development fund (IC 14-20-1-1.5,  
10 repealed by this act);

11 (3) the state museum acquisition fund (IC 14-20-1-24,  
12 repealed by this act); and

13 (4) any other account intended for the use of state museums,  
14 including program, education, and collections funds;  
15 to the state museum and historic sites development fund (IC  
16 4-37-7-1).

17 (e) The budget agency shall transfer to the corporation  
18 appropriations for the department of natural resources for the  
19 period beginning July 1, 2011, and ending June 30, 2013, that were  
20 intended for the operation and improvement of the state museum  
21 according to an allotment schedule under IC 4-13-2-18.

22 (f) This act does not authorize any rehabilitation or repairs to  
23 any state buildings, nor does it allow any obligations to be incurred  
24 for lands and structures, without the prior review of the budget  
25 committee and the approval of the budget director or the director's  
26 designee.

27 (g) Notwithstanding IC 4-37-3-2(a)(2), as added by this act, the  
28 initial appointments by the governor to the board of trustees of the  
29 corporation under IC 4-37-3-2(a) shall be staggered as follows:

30 (1) Four (4) persons appointed by the governor shall be  
31 appointed to serve a one (1) year term ending June 30, 2012.

32 (2) Four (4) persons appointed by the governor shall be  
33 appointed to serve a two (2) year term ending June 30, 2013.

34 (3) Five (5) persons appointed by the governor shall be  
35 appointed to serve a three (3) year term ending June 30, 2014.

36 (h) This SECTION expires July 1, 2013.

(Reference is to ESB 537 as reprinted April 14, 2011.)

**Conference Committee Report**  
**on**  
**Engrossed Senate Bill 537**

**S**igned by:

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Senator Merritt  
Chairperson

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Representative Saunders

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Senator Lanane

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Representative Battles

**Senate Conferees**

**House Conferees**