

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 265, 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:

- 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.
- 4 Delete everything after the enacting clause and insert the
- 5 following:
- 6 SECTION 1. IC 14-8-2-48, AS AMENDED BY P.L.85-2008,
- 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2011]: Sec. 48. (a) "Commission", except as provided in
- 9 subsections (b) through ~~(r)~~; **(s)**, refers to the natural resources
- 10 commission.
- 11 (b) "Commission", for purposes of IC 14-13-1, has the meaning set
- 12 forth in IC 14-13-1-1.
- 13 (c) "Commission", for purposes of IC 14-13-2, has the meaning set
- 14 forth in IC 14-13-2-2.
- 15 (d) "Commission", for purposes of IC 14-13-3, has the meaning set
- 16 forth in IC 14-13-3-1.
- 17 (e) "Commission", for purposes of IC 14-13-4, has the meaning set
- 18 forth in IC 14-13-4-1.
- 19 (f) "Commission", for purposes of IC 14-13-5, has the meaning set
- 20 forth in IC 14-13-5-1.
- 21 (g) "Commission", for purposes of IC 14-13-6, has the meaning set
- 22 forth in IC 14-13-6-2.
- 23 (h) "Commission", for purposes of IC 14-14-1, has the meaning set
- 24 forth in IC 14-14-1-3.
- 25 (i) "Commission", for purposes of IC 14-20-4, has the meaning set
- 26 forth in IC 14-20-4-1.

1 (j) "Commission", for purposes of IC 14-20-11, has the meaning  
2 set forth in IC 14-20-11-1.

3 (k) "Commission", for purposes of IC 14-21-4, has the meaning set  
4 forth in IC 14-21-4-1.

5 **(l) "Commission" for purposes IC 14-22, has the meaning set**  
6 **forth IC 14-22-1.5-1.**

7 ~~(m)~~ **(m)** "Commission", for purposes of IC 14-25-11, has the  
8 meaning set forth in IC 14-25-11-1.

9 ~~(n)~~ **(n)** "Commission", for purposes of IC 14-28-4, has the  
10 meaning set forth in IC 14-28-4-1.

11 ~~(o)~~ **(o)** "Commission", for purposes of IC 14-30-1, has the meaning  
12 set forth in IC 14-30-1-2.

13 ~~(p)~~ **(p)** "Commission", for purposes of IC 14-30-2, has the meaning  
14 set forth in IC 14-30-2-2.

15 ~~(q)~~ **(q)** "Commission", for purposes of IC 14-30-3, has the  
16 meaning set forth in IC 14-30-3-2.

17 ~~(r)~~ **(r)** "Commission", for purposes of IC 14-30-4, has the meaning  
18 set forth in IC 14-30-4-2.

19 ~~(s)~~ **(s)** "Commission", for purposes of IC 14-33-20, has the  
20 meaning set forth in IC 14-33-20-2.

21 SECTION 2. IC 14-8-2-61 IS AMENDED TO READ AS  
22 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 61. "Council" has the  
23 following meaning:

24 (1) For purposes of IC 14-13-1-22, the meaning set forth in  
25 IC 14-13-1-22.

26 (2) For purposes of IC 14-13-1-23, the meaning set forth in  
27 IC 14-13-1-23.

28 (3) For purposes of IC 14-13-1-24, the meaning set forth in  
29 IC 14-13-1-24.

30 (4) For purposes of IC 14-13-1-25, the meaning set forth in  
31 IC 14-13-1-25.

32 ~~(5) For purposes of IC 14-21-1, the meaning set forth in~~  
33 ~~IC 14-21-1-5.~~

34 SECTION 3. IC 14-10-1-1, AS AMENDED BY P.L.95-2006,  
35 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2011]: Sec. 1. The natural resources commission is  
37 established. The commission consists of twelve (12) members as  
38 follows:

39 (1) The commissioner of the Indiana department of  
40 transportation or the commissioner's designee.

41 (2) The commissioner of the department of environmental  
42 management or the commissioner's designated deputy.

43 (3) The director of the office of tourism development or the  
44 director's designee.

45 (4) The director of the department.

46 ~~(5) The chairperson of the advisory council established by~~  
47 ~~IC 14-9-6-1.~~

48 ~~(6)~~ **(5)** The president of the Indiana academy of science or the  
49 president's designee.

50 ~~(7)~~ **(6)** Six ~~(6)~~ **(7)** citizen members appointed by the

1 governor, at least two (2) of whom must have knowledge,  
 2 experience, or education in the environment or in natural  
 3 resource conservation. Not more than ~~three (3)~~ **four (4)** citizen  
 4 members may be of the same political party.

5 SECTION 4. IC 14-10-2-1, AS AMENDED BY P.L.246-2005,  
 6 SECTION 115, IS AMENDED TO READ AS FOLLOWS  
 7 [EFFECTIVE JULY 1, 2011]: Sec. 1. **Except as provided in**  
 8 **IC 14-22-1.5**, the commission may do the following:

9 (1) Take the action that is necessary to enable the state to  
 10 participate in the programs set forth in 16 U.S.C. 470 et seq.

11 (2) Promulgate and maintain a state register of districts, sites,  
 12 buildings, structures, and objects significant in American or  
 13 Indiana history, architecture, archeology, and culture and expend  
 14 money for the purpose of preparing comprehensive statewide  
 15 historic surveys and plans, in accordance with criteria  
 16 established by the commission, that comply with the standards  
 17 and regulations promulgated by the United States Secretary of  
 18 the Interior for the preservation, acquisition, and development of  
 19 the properties.

20 (3) Establish in accordance with criteria established by the  
 21 United States Secretary of the Interior a program of matching  
 22 grants-in-aid to public agencies for projects having as their  
 23 purpose the preservation for public benefit of properties that are  
 24 significant in American or Indiana history, architecture,  
 25 archeology, and culture.

26 (4) Accept grants from public and private sources, including  
 27 those provided under 16 U.S.C. 470 et seq.

28 (5) Establish fees for the following:

29 (A) Programs of the department or the commission.

30 (B) Facilities owned or operated by the department or the  
 31 commission or a lessee of the department or commission.

32 (C) Licenses issued by the commission, the department, or  
 33 the director.

34 (D) Inspections or other similar services under this title  
 35 performed by the department or an assistant or employee of  
 36 the department.

37 (6) Adopt rules under IC 4-22-2 for the establishment of fees  
 38 under subdivision (5).

39 SECTION 5. IC 14-21-1-12 IS AMENDED TO READ AS  
 40 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 12. The division shall  
 41 do the following:

42 (1) Develop a program of historical, architectural, and  
 43 archeological research and development, including continuing  
 44 surveys, excavations, scientific recording, interpretation, and  
 45 publication of the state's historical, architectural, and  
 46 archeological resources.

47 (2) Prepare a preservation plan for the state that establishes  
 48 planning guidelines to encourage the continuous maintenance  
 49 and integrity of historic sites and historic structures. However,  
 50 the plan is not effective until the plan has been:

- 1 (A) presented to the ~~council~~ **review board** for review and  
 2 comment; and  
 3 (B) approved by the review board after public hearing.  
 4 (3) Undertake the action necessary to qualify the state for  
 5 participation in sources of federal aid to further the purposes  
 6 stated in subdivisions (1) and (2).  
 7 (4) Provide information on historic sites and structures within  
 8 Indiana to federal, state, and local governmental agencies,  
 9 private individuals, and organizations.  
 10 (5) Advise and coordinate the activities of local historical  
 11 associations, historic district commissions, historic commissions,  
 12 and other interested groups or persons.  
 13 (6) Provide technical and financial assistance to local historical  
 14 associations, historic district commissions, historic commissions,  
 15 and other interested groups or persons.  
 16 (7) Review environmental impact statements as required by  
 17 federal and state law for actions significantly affecting historic  
 18 properties.

19 SECTION 6. IC 14-21-1-13, AS AMENDED BY P.L.2-2007,  
 20 SECTION 169, IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2011]: Sec. 13. The division may do the  
 22 following:

- 23 (1) Recommend the purchase, lease, or gift of historic property  
 24 of archeological importance and make recommendations to the  
 25 director ~~council~~; and commission regarding policies affecting the  
 26 operation and administration of these sites and structures by the  
 27 section of historic sites of the division of state museums and  
 28 historic sites.  
 29 (2) Prepare and review planning and research studies relating to  
 30 archeology.  
 31 (3) Conduct a program of education in archeology, either within  
 32 the division or in conjunction with a postsecondary educational  
 33 institution.  
 34 (4) Inspect and supervise an archeological field investigation  
 35 authorized by this chapter.

36 SECTION 7. IC 14-22-1.5 IS ADDED TO THE INDIANA CODE  
 37 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2011]:

39 **Chapter 1.5. Hunting, Fishing, and Trapping Commission**

40 **Sec. 1. As used in this chapter, "commission" refers to the**  
 41 **hunting, fishing, and trapping commission established by section**  
 42 **2 of this chapter.**

43 **Sec. 2. The hunting, fishing, and trapping commission is**  
 44 **established.**

45 **Sec. 3. (a) The commission consists of the following five (5)**  
 46 **members:**

- 47 **(1) A wildlife biologist of the department, as appointed by the**  
 48 **director.**  
 49 **(2) Two (2) members who are residents of Indiana and have**  
 50 **held a license to hunt or trap for at least three (3) of the**

1           **previous five (5) years.**

2           **(3) Two (2) members who are residents of Indiana who:**

3                   **(A) have held a license to hunt and a license to fish for at**  
 4                   **least three (3) of the previous five (5) years; and**

5                   **(B) either:**

6                           **(i) represent a sportsman association; or**

7                           **(ii) have held a license under IC 14-22-13,**  
 8                           **IC 14-22-14, IC 14-22-15, or IC 14-22-19 for at least**  
 9                           **three (3) of the previous five (5) years.**

10          **The governor shall make the appointments under subdivisions (2)**  
 11          **and (3).**

12          **(b) Not more than two (2) members appointed in subsection**  
 13          **(a)(2) and (a)(3) may be of the same political party.**

14          **Sec. 4. The term of a member of the commission is three (3)**  
 15          **years.**

16          **Sec. 5. A vacancy on the commission caused by a reason other**  
 17          **than an expired term shall be filled for the remainder of the**  
 18          **unexpired term.**

19          **Sec. 6. The members of the commission are entitled to receive**  
 20          **traveling expenses that are necessarily incident to the performance**  
 21          **of official functions.**

22          **Sec. 7. The commission:**

23                   **(1) shall hold at least one (1) regular meeting every calendar**  
 24                   **year; and**

25                   **(2) may hold special meetings that the chairperson of the**  
 26                   **commission considers necessary and expedient.**

27          **Sec. 8. During the first meeting in each calendar year, the**  
 28          **commission shall elect a chairperson and vice chairperson.**

29          **Sec. 9. (a) The commission has the following duties:**

30                   **(1) Review and approve, amend, or reject a rule proposed by**  
 31                   **the director under IC 14-22-2-6.**

32                   **(2) Establish fees for the following:**

33                           **(A) Licenses issued under this article.**

34                           **(B) Inspections and other similar services performed by**  
 35                           **the department under this article.**

36                   **(3) Any other duty or responsibility specifically assigned to**  
 37                   **the commission under this article.**

38          **(b) Before a final rule is adopted under this chapter, the**  
 39          **proposed rule must be approved by the commission and receive**  
 40          **final approval from the director.**

41          **(c) All rules adopted under this chapter must comply with the**  
 42          **requirements under IC 4-22-2.**

43          SECTION 8. IC 14-22-2-6 IS AMENDED TO READ AS  
 44          FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 6. (a) The director shall  
 45          adopt rules under IC 4-22-2 to do the following:

46                   (1) Establish, open, close, lengthen, suspend, or shorten seasons.

47                   (2) Establish bag, sex, and size limits.

48                   (3) Establish limitations on the numbers of hunters and  
 49                   fishermen.

50                   (4) Establish the methods, means, and time of:

- 1 (A) taking, chasing, transporting, and selling; or  
 2 (B) attempting to take, transport, or sell;  
 3 wild animals or exotic mammals, with or without dogs, in  
 4 Indiana or in a designated part of Indiana.  
 5 (5) Establish other necessary rules to do the following:  
 6 (A) Administer this chapter.  
 7 (B) Properly manage wild animals or exotic mammals in a  
 8 designated water or land area of Indiana.  
 9 (6) Set aside and designate land or water or parts of the land or  
 10 water owned, controlled, or under contract or acquired by the  
 11 state for conservation purposes as a public hunting and fishing  
 12 ground under the restrictions, conditions, and limitations that are  
 13 determined to be appropriate.  
 14 (b) Rules **must comply with the following**:  
 15 (1) A rule may be adopted only after thorough investigation. ~~and~~  
 16 (2) A rule must be based upon data relative to the following:  
 17 (A) The welfare of the wild animal.  
 18 (B) The relationship of the wild animal to other animals.  
 19 (C) The welfare of the people.  
 20 (3) A rule must receive approval by the hunting, fishing, and  
 21 trapping commission (IC 14-22-1.5-2).  
 22 (c) Whenever the director determines that it is necessary to adopt  
 23 rules, the director shall comply with the following:  
 24 (1) Rules must clearly describe and set forth any applicable  
 25 changes.  
 26 (2) The director shall make or cause to be made a periodic  
 27 review of the rules.  
 28 (3) A copy of each rule, as long as the rule remains in force and  
 29 effect, shall be included and printed in each official compilation  
 30 of the Indiana fish and wildlife law.  
 31 (d) The director may modify or suspend a rule for a time not to  
 32 exceed one (1) year under IC 4-22-2-37.1.  
 33 SECTION 9. IC 14-22-32-5 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. If a person violates  
 35 section 2(1) of this chapter, the department shall enter a recommended  
 36 order to dispose of any game bird or exotic mammal the person owns,  
 37 keeps, harbors, or otherwise possesses. Before the order becomes a  
 38 final determination of the department, a hearing must be held under  
 39 IC 4-21.5-3. The hearing shall be conducted by an administrative law  
 40 judge for the **natural resources** commission. The determination of the  
 41 administrative law judge is a final agency action under IC 4-21.5-1-6.  
 42 SECTION 10. IC 14-25-2-2.5, AS AMENDED BY P.L.3-2008,  
 43 SECTION 102, IS AMENDED TO READ AS FOLLOWS  
 44 [EFFECTIVE JULY 1, 2011]: Sec. 2.5. (a) As used in this chapter,  
 45 "water utility" means:  
 46 (1) a public utility (as defined in IC 8-1-2-1(a));  
 47 (2) a municipally owned utility (as defined in IC 8-1-2-1(h));  
 48 (3) a not-for-profit utility (as defined in IC 8-1-2-125(a));  
 49 (4) a cooperatively owned corporation;  
 50 (5) a conservancy district established under IC 14-33; or

1 (6) a regional water district established under IC 13-26;  
2 that provides water service to the public.

3 (b) A person that seeks to contract with the commission for the  
4 provision of certain minimum quantities of stream flow or the sale of  
5 water on a unit pricing basis under section 2 of this chapter must  
6 submit a request to the commission and the department. The  
7 commission shall not make a determination as to whether to enter into  
8 a contract with the person making the request until:

9 (1) the procedures set forth in this section have been followed;  
10 and

11 (2) the commission has reviewed and considered each report  
12 submitted to the commission under subsection (i).

13 (c) Not later than thirty (30) days after receiving a request under  
14 subsection (b), the department shall provide, by certified mail, written  
15 notice of the request to the following:

16 (1) Each person with whom the commission holds a contract for:

17 (A) the provision of certain minimum quantities of stream  
18 flow; or

19 (B) the sale of water on a unit pricing basis;

20 as of the date of the request.

21 (2) The executive and legislative body of each:

22 (A) county;

23 (B) municipality, if any; and

24 (C) conservancy district established under IC 14-33, if any;

25 in which the water sought in the request would be used.

26 (3) The executive and legislative body of each:

27 (A) county;

28 (B) municipality, if any; and

29 (C) conservancy district established under IC 14-33, if any;

30 in which the affected reservoir is located.

31 (d) Not later than seven (7) days after receiving a notice from the  
32 department under subsection (c), each person described in subsection  
33 (c)(1) shall, by certified mail, provide written notice of the request to  
34 each:

35 (1) water utility; or

36 (2) other person;

37 that contracts with the person described in subsection (c)(1) for the  
38 purchase of water for resale. Each person to whom notice is mailed  
39 under this subsection is in turn responsible for providing written notice  
40 by certified mail to each water utility or other person that purchases  
41 water from that person for resale. A water utility or another person  
42 required to provide notice under this subsection shall mail the required  
43 notice not later than seven (7) days after it receives notice of the  
44 request from the water utility or other person from whom it purchases  
45 water for resale.

46 (e) At the same time that:

47 (1) a person described in subsection (c)(1); or

48 (2) a water utility or another person described in subsection (d);  
49 mails any notice required under subsection (d), it shall also mail to the

50 department, by certified mail, a list of the names and addresses of each

1 water utility or other person to whom it has mailed the notice under  
2 subsection (d).

3 (f) In addition to the mailed notice required under subsection (c),  
4 the department shall publish notice of the request, in accordance with  
5 IC 5-3-1, in each county:

- 6 (1) in which a person described in section (c)(1) is located;
- 7 (2) in which the affected reservoir is located;
- 8 (3) in which the water sought in the request would be used; and
- 9 (4) in which a water utility or other person included in a list  
10 received by the department under subsection (e) is located.

11 Notwithstanding IC 5-3-1-6, in each county in which publication is  
12 required under this subsection, notice shall be published in at least one  
13 (1) general circulation newspaper in the county. The department may,  
14 in its discretion, publish public notices in a qualified publication (as  
15 defined in IC 5-3-1-0.7) or additional newspapers to provide  
16 supplementary notification to the public. The cost of publishing  
17 supplementary notification is a proper expenditure of the department.

18 (g) A notice required to be mailed or published under this section  
19 must:

- 20 (1) identify the person making the request;
- 21 (2) include a brief description of:
  - 22 (A) the nature of the pending request; and
  - 23 (B) the process by which the commission will determine  
24 whether to enter into a contract with the person making the  
25 request;
- 26 (3) set forth the date, time, and location of the public meeting  
27 required under subsection (h); and
- 28 (4) in the case of a notice that is required to be mailed under  
29 subsection (c)(1) or (d), a statement of the recipient's duty to in  
30 turn provide notice to any:
  - 31 (A) water utility; or
  - 32 (B) other person;
- 33 that purchases water for resale from the recipient, in accordance  
34 with subsection (d).

35 ~~The advisory council established by IC 14-9-6-1~~ **A hearing**  
36 **officer appointed by the commission** shall hold a public meeting in  
37 each county in which notice is published under subsection (f). A public  
38 meeting required under this subsection must include the following:

- 39 (1) A presentation by the department describing:
  - 40 (A) the nature of the pending request; and
  - 41 (B) the process by which the commission will determine  
42 whether to enter into a contract with the person making the  
43 request.
- 44 (2) An opportunity for public comment on the pending request.

45 ~~The advisory council may appoint a hearing officer to assist with a~~  
46 ~~public meeting held under this subsection.~~

47 (i) Not later than thirty (30) days after a public meeting is held  
48 under subsection (h), the ~~advisory council~~ **hearing officer** shall submit  
49 to the commission a report summarizing the public meeting.

50 SECTION 11. IC 14-25-7-10, AS AMENDED BY P.L.95-2006,

1 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2011]: Sec. 10. (a) The commission shall administer this  
3 chapter.

4 (b) The deputy director for water and resource regulation shall  
5 serve as technical secretary to the commission. The deputy director  
6 shall perform the duties that are required by this chapter or that the  
7 commission directs.

8 (c) ~~The advisory council established by IC 14-9-6-1 shall serve in~~  
9 ~~an advisory capacity to the commission with respect to the~~  
10 ~~implementation of the commission's powers and duties, including the~~  
11 ~~drafting of rules and development of inventories, assessments, and~~  
12 ~~plans.~~

13 (d) ~~For the time that the advisory council is involved in the~~  
14 ~~drafting of rules, the membership of the council shall be augmented as~~  
15 ~~follows:~~

16 (1) ~~Two (2) members of the senate, not more than one (1) of~~  
17 ~~whom may be of the same political party, shall be appointed for~~  
18 ~~a term of two (2) years by the president pro tempore of the~~  
19 ~~senate.~~

20 (2) ~~Two (2) members of the house of representatives, not more~~  
21 ~~than one (1) of whom may be of the same political party, shall be~~  
22 ~~appointed for a term of two (2) years by the speaker of the house~~  
23 ~~of representatives.~~

24 ~~These members are entitled to travel expenses and a per diem~~  
25 ~~allowance as determined by the budget agency for members of boards~~  
26 ~~and commissions generally.~~

27 (e) (c) The department shall provide professional, technical, and  
28 clerical personnel, equipment, supplies, and support services  
29 reasonably required to assist the commission in the exercise of the  
30 commission's powers and duties under this chapter. The department  
31 shall include money for this purpose in the regular operating budget  
32 requests of the department.

33 SECTION 12. IC 14-26-2-24, AS ADDED BY P.L.6-2008,  
34 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 JULY 1, 2011]: Sec. 24. (a) Relying on recommendations of the  
36 department, ~~and the advisory council established by IC 14-9-6-1,~~ the  
37 commission shall adopt, under IC 4-22-7-7(a)(5)(A), and maintain a  
38 nonrule policy statement that lists the public freshwater lakes in  
39 Indiana. For each public freshwater lake, the statement must include  
40 the following information:

41 (1) The name of the lake.

42 (2) The county and specific location within the county where the  
43 lake is located.

44 (b) A person may obtain administrative review from the  
45 commission for the listing or nonlisting of a lake as a public freshwater  
46 lake through a licensure action, status determination, or enforcement  
47 action under IC 4-21.5.

48 SECTION 13. THE FOLLOWING ARE REPEALED  
49 [EFFECTIVE JULY 1, 2011]: IC 14-9-6; IC 14-21-1-5.

50 SECTION 14. [EFFECTIVE JULY 1, 2011] (a) **As used in this**

1 SECTION, "committee" refers to the natural resources study  
2 committee established by IC 2-5-5-1.

3 (b) During the 2011 interim, the committee shall study the  
4 following topics:

5 (1) The criteria, guidelines, and procedures used by the  
6 department of natural resources concerning the inception,  
7 development, review, and adoption of rules.

8 (2) The authority and duties of the natural resources  
9 commission and the director of the department of natural  
10 resources in carrying out their legal responsibilities.

11 (c) The committee shall make findings and recommendations  
12 concerning the topics under subsection (b) regarding changes  
13 needed to increase efficiency and accountability in the adoption of  
14 rules and the exercise of duties and responsibilities.

15 (d) The committee shall issue reports and recommendations as  
16 directed by the legislative council.

17 (e) This SECTION expires December 1, 2011.

18 SECTION 15. [EFFECTIVE JULY 1, 2011] (a) The initial terms  
19 of office of the appointed members of the hunting, fishing, and  
20 trapping commission established by IC 14-22-1.5-2, as added by  
21 this act, are as follows:

22 (1) One (1) member appointed under IC 14-22-1.5-3(a)(3), as  
23 added by this act, and one (1) member appointed under  
24 IC 14-22-1.5-3(a)(2), as added by this act, three (3) years.

25 (2) One (1) member appointed under IC 14-22-1.5-3(a)(2), as  
26 added by this act, two (2) years.

27 (3) One (1) member appointed under IC 14-22-1.5-3(a)(3), as  
28 added by this act, one (1) year.

29 The governor shall specify the term of each member described in  
30 subdivisions (1), (2), and (3) when making the initial appointments.

31 (b) The initial terms of the appointed members begin July 1,  
32 2011.

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

(Reference is to SB 265 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Agriculture and Natural Resources.

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LONG, Chairperson