



Reprinted
January 31, 2012

SENATE BILL No. 351

DIGEST OF SB 351 (Updated January 30, 2012 6:06 pm - DI 109)

Citations Affected: IC 14-22.

Synopsis: Roe harvester and dealer licenses. Creates a license for nonresident roe harvesters and dealers. Allows the natural resources commission to establish the minimum application fees for nonresident roe harvester and dealer licenses. Gives residents of Indiana priority in receiving roe harvester and dealer licenses.

Effective: July 1, 2012.

Young R, Mishler

January 9, 2012, read first time and referred to Committee on Agriculture and Natural Resources.
January 24, 2012, reported favorably — Do Pass.
January 30, 2012, read second time, amended, ordered engrossed.

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Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

SENATE BILL No. 351

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

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

1 SECTION 1. IC 14-22-13-2, AS AMENDED BY P.L.165-2011,
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]: Sec. 2. (a) This section applies to the Ohio River
4 waters of Indiana.

5 (b) The department may issue to an individual who is a resident **or**
6 **nonresident** of Indiana a license to use in, and to possess for use in, the
7 water seines, nets, or other commercial fishing gear under rules
8 adopted under IC 4-22-2 upon payment of the following fee:

9 (1) For an Ohio River commercial fishing license and ten (10)
10 Ohio River commercial gear tags, one hundred twenty-five dollars
11 (\$125).

12 (2) For each block of ten (10) Ohio River commercial fishing gear
13 tags, fifteen dollars (\$15).

14 SECTION 2. IC 14-22-13-2.5, AS ADDED BY P.L.165-2011,
15 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 2.5. (a) This section applies to the harvest or sale
17 of the following roe bearing species:

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- 1 (1) Shovelnose sturgeon.
 2 (2) Paddlefish
 3 (3) Bowfin.
- 4 (b) For the purpose of this subsection, "roe" means the eggs or
 5 gametes of a fish listed in subsection (a).
- 6 (c) An individual may not harvest, possess, or sell roe without a
 7 license issued under this section.
- 8 (d) The department may issue to an individual who is a resident **or**
 9 **nonresident** of Indiana a license to harvest, possess, and sell the roe
 10 under rules adopted under IC 4-22-2. The individual must leave the roe
 11 intact and inside the body of the fish ~~until sold to a licensed roe dealer.~~
 12 **while on the body of water or adjacent to the water being fished,**
 13 **and until processing begins in accordance with 21 CFR 123.** The
 14 individual must sell the roe only to a roe dealer licensed by the
 15 department. The department shall limit the number of licenses that are
 16 available.
- 17 (e) The department may issue a person a roe dealer's license to
 18 purchase, ~~and~~ process, **and sell** roe. A person may not transport roe
 19 outside Indiana except according to the terms of a license issued under
 20 this subsection.
- 21 (f) The following are the minimum application fees for these
 22 licenses:
- 23 (1) ~~Roe Resident and nonresident roe~~ harvester's ~~license;~~
 24 **license for harvesting on the Ohio River**, one thousand dollars
 25 (\$1,000).
- 26 (2) **Resident roe harvester's license for harvesting on inland**
 27 **water of Indiana, one thousand dollars (\$1,000).**
- 28 (2) (3) Roe dealer's license, five thousand dollars (\$5,000).
- 29 (g) The commission may set license fees above the minimum fees
 30 established under subsection (f). The amount may not be more than is
 31 reasonably necessary to generate revenue sufficient to offset the costs
 32 incurred by the department in carrying out its responsibilities under this
 33 chapter.
- 34 (h) **The department shall give priority in issuing licenses under**
 35 **this section to applicants who are residents of Indiana.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture and Natural Resources, to which was referred Senate Bill No. 351, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 351 as introduced.)

MISHLER, Chairperson

Committee Vote: Yeas 10, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 351 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 14-22-13-2, AS AMENDED BY P.L.165-2011, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) This section applies to the Ohio River waters of Indiana.

(b) The department may issue to an individual who is a resident **or nonresident** of Indiana a license to use in, and to possess for use in, the water seines, nets, or other commercial fishing gear under rules adopted under IC 4-22-2 upon payment of the following fee:

(1) For an Ohio River commercial fishing license and ten (10) Ohio River commercial gear tags, one hundred twenty-five dollars (\$125).

(2) For each block of ten (10) Ohio River commercial fishing gear tags, fifteen dollars (\$15)."

Page 1, line 12, reset in roman "may".

Page 1, line 12, delete "shall".

Page 1, line 15, strike "until sold to a".

Page 1, line 16, strike "licensed roe dealer." and insert "**while on the body of water or adjacent to the water being fished, and until processing begins in accordance with 21 CFR 123.**".

Page 2, line 3, after "purchase" insert ",".

Page 2, line 3, strike "and".

Page 2, line 3, after "process" insert ", **and sell**".

Page 2, line 8, strike "Roe" and insert "**Resident and nonresident**".

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roe".

Page 2, line 8, strike "license," and insert "**license for harvesting on the Ohio River,**".

Page 2, between lines 8 and 9, begin a new line block indented and insert:

"(2) Resident roe harvester's license for harvesting on inland water of Indiana, one thousand dollars (\$1,000)."

Page 2, line 9, strike "(2)" and insert "(3)".

Page 2, after line 14, begin a new paragraph and insert:

"(h) The department shall give priority in issuing licenses under this section to applicants who are residents of Indiana."

Renumber all SECTIONS consecutively.

(Reference is to SB 351 as printed January 25, 2012.)

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