

# COMMITTEE REPORT

## MADAM PRESIDENT:

**The Senate Committee on Energy and Environmental Affairs, to which was referred Senate Bill No. 131, 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 Page 2, line 12, delete ""Clean" and insert ""Clean".
- 2 Page 3, delete lines 16 through 42.
- 3 Page 4, delete lines 1 through 13.
- 4 Page 5, line 42, delete "16" and insert "16,".
- 5 Page 6, between lines 5 and 6, begin a new paragraph and insert:
- 6 "SECTION 13. IC 13-11-2-195.7, AS ADDED BY P.L.178-2009,
- 7 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2012]: Sec. 195.7. (a) "Sale" or "sell", for purposes of sections
- 9 ~~126(c)~~ **126(b)** and 194(c) of this chapter and IC 13-20.5, means a
- 10 transfer for consideration of title or of the right to use by a:
- 11 (1) lease or sales contract, including transactions conducted
- 12 through sales outlets, catalogs, or the Internet or any other similar
- 13 electronic means either inside or outside Indiana; and
- 14 (2) person that conducts the transaction and controls the delivery
- 15 of a video display device to a consumer in Indiana.
- 16 (b) The term does not include a manufacturer's or distributor's
- 17 wholesale transaction with a distributor or retailer."
- 18 Page 8, delete lines 35 through 42, begin a new paragraph and
- 19 insert:
- 20 "SECTION 21. IC 13-13-7-5 IS REPEALED [EFFECTIVE JULY

1, 2012]. Sec. 5: (a) If a vacancy occurs among the members of the council or panel, the appointing authority of the member whose position is vacant shall fill the vacancy by appointment.

(b) Except as provided in subsection (c), if the appointing authority does not fill a vacancy within sixty (60) days after the date the vacancy occurs, the vacancy shall be filled by appointment by the chairman of the legislative council.

(c) Subsection (b) does not apply to a member of the council who is also a member of the panel."

Page 9, delete lines 1 through 3.

Page 10, line 34, after "(c)" insert "(d)".

Page 10, line 34, reset in roman "The department may issue a septage management permit that".

Page 10, line 35, reset in roman "incorporates".

Page 10, line 36, reset in roman "approval of a land application site."

Page 10, line 37, delete "(d)" and insert "(e)".

Page 11, line 26, strike "vehicle or".

Page 12, between lines 25 and 26, begin a new paragraph and insert:  
"SECTION 34. IC 13-19-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The goal of the state is to reduce the amount of solid waste incinerated and disposed of in landfills in Indiana by:

(1) thirty-five percent (35%) before January 1, 1996; and

(2) fifty percent (50%) before January 1, 2001;

through the application and encouragement of solid waste source reduction, recycling, and other alternatives to incineration and landfill disposal: encourage solid waste source reduction, recycling, and other alternatives to conserve environmental resources. The department shall produce an annual report on the state of the environment."

Page 12, delete lines 26 through 33.

Page 15, between lines 7 and 8, begin a new line block indented and insert:

**"(6) A facility that:**

**(A) manufactures tires; and**

**(B) keeps five thousand (5,000) or fewer waste tires indoors in an enclosed structure."**

- 1 Page 15, delete lines 31 through 37.
- 2 Page 16, after line 42, begin a new paragraph and insert:
- 3 "SECTION 43. IC 13-20-13-12 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. ~~A waste tire that is~~
- 5 ~~stored at a facility that:~~
- 6 (1) ~~does not process waste tires; or~~
- 7 (2) ~~processes waste tires by cutting or shredding the waste tires;~~
- 8 ~~is not solid waste if the facility is registered under this chapter and the~~
- 9 ~~waste tires are stored in accordance with this chapter and rules adopted~~
- 10 ~~under this chapter. A person that obtains a certificate of registration~~
- 11 ~~under this chapter is not required to obtain a solid waste~~
- 12 ~~processing facility permit referred to in section 2 of this chapter:~~
- 13 (1) **for activities covered under the registration, including the:**
- 14 (A) **baling;**
- 15 (B) **transferring;**
- 16 (C) **cutting; or**
- 17 (D) **shredding;**
- 18 **of waste tires; or**
- 19 (2) **if the person stores or processes waste tires in a facility in**
- 20 **accordance with this chapter and the rules adopted under this**
- 21 **chapter."**
- 22 Page 17, line 25, after "transporter" insert ", as defined in
- 23 **IC 13-11-2-252,"**.
- 24 Page 21, line 27, after "section" insert ":".
- 25 Page 21, line 27, strike "is:".
- 26 Page 21, line 28, after "(1)" insert "is".
- 27 Page 22, line 5, reset in roman "March".
- 28 Page 22, line 5, delete "December".
- 29 Page 22, line 6, before "of" insert "**December 31**".
- 30 Page 26, line 2, delete "and".
- 31 Page 26, line 3, delete "defects." and insert "**defects; and**".
- 32 Page 26, between lines 3 and 4, begin a new line double block
- 33 indented and insert:
- 34 "**(D) any existing restrictive covenants, as defined in**

- 1 **IC 13-11-2-193.5."**
- 2 Page 26, delete lines 9 through 20.
- 3 Renumber all SECTIONS consecutively.  
(Reference is to SB 131 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 10, Nays 0.

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**Gard**

**Chairperson**