

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Energy and Environmental Affairs, to which was referred Senate Bill No. 132, 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 water
- 3 resources.
- 4 Page 2, line 10, delete "collect, at a minimum," and insert "**collect**".
- 5 Page 2, delete lines 19 through 21.
- 6 Page 2, line 22, delete "(5)" and insert "**(4)**".
- 7 Page 2, line 25, delete "(6)" and insert "**(5)**".
- 8 Page 2, delete lines 28 through 29.
- 9 Page 3, between lines 10 and 11, begin a new paragraph and insert:
- 10 "SECTION 2. IC 36-9-1-10 IS AMENDED TO READ AS
- 11 FOLLOWS [EFFECTIVE MARCH 30, 2008 (RETROACTIVE)]: Sec.
- 12 10. **(a)** "Watercourse" includes lakes, rivers, streams, and any other
- 13 body of water.
- 14 **(b) The term does not include an underground aquifer or water**
- 15 **in an underground aquifer.**
- 16 SECTION 3. IC 36-9-2-20 IS ADDED TO THE INDIANA CODE
- 17 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
- 18 UPON PASSAGE]: **Sec. 20. This chapter may not be construed to**
- 19 **authorize a unit to regulate conduct that is regulated by a state**
- 20 **agency.**

1 SECTION 4. IC 36-9-2-21 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 21. A municipal ordinance:**
4 **(1) enacted before, on, or after March 31, 2008; and**
5 **(2) that purports to authorize a unit to regulate conduct under**
6 **this chapter that is regulated by a state agency;**
7 **is void."**
8 Renumber all SECTIONS consecutively.
(Reference is to SB 132 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 1.

Gard

Chairperson