

# COMMITTEE REPORT

## MADAM PRESIDENT:

**The Senate Committee on Energy and Environmental Affairs, to which was referred Senate Bill No. 130, 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           Replace the effective dates in SECTIONS 1 through 9 with
- 2           "[EFFECTIVE JANUARY 1, 2013]".
- 3           Replace the effective dates in SECTIONS 11 through 106 with
- 4           "[EFFECTIVE JANUARY 1, 2013]".
- 5           Page 1, line 15, delete "IC 13-13-8-1);" and insert "**IC 13-13-8-1)**
- 6           **and the financial assurance board;**".
- 7           Page 11, line 6, reset in roman "through".
- 8           Page 11, line 6, delete "and (c)" and insert "**(d)**".
- 9           Page 11, reset in roman lines 25 through 26.
- 10          Page 11, line 25, strike "(f)" and insert "**(c)**".
- 11          Page 11, line 27, delete "(c)" and insert "**(d)**".
- 12          Page 11, delete lines 36 through 39.
- 13          Page 13, line 35, delete "abolished:" and insert "**abolished on**
- 14          **January 1, 2013:**".
- 15          Page 13, delete line 42.
- 16          Page 14, delete line 1.
- 17          Page 14, line 6, delete "After" and insert "**On and after**".
- 18          Page 14, line 13, delete "the expiration term of the abolished entities
- 19          on".
- 20          Page 14, line 14, delete "Members" and insert "**The initial**
- 21          **members**".

- 1 Page 14, line 19, after "Sec. 4." insert "(a)".
- 2 Page 14, delete lines 22 through 23.
- 3 Page 14, line 24, delete "(B)" and insert "(A)".
- 4 Page 14, line 25, delete "(C)" and insert "(B)".
- 5 Page 14, line 26, delete "(D)" and insert "(C)".
- 6 Page 14, line 27, delete "(E)" and insert "(D)".
- 7 Page 15, between lines 7 and 8, begin a new paragraph and insert:
- 8 **"(b) An individual appointed under subsection (a)(2) must**
- 9 **possess knowledge, experience, or education qualifying the**
- 10 **individual to represent the constituency the individual is being**
- 11 **recommended to represent."**
- 12 Page 15, line 36, after "the" insert "Indiana".
- 13 Page 16, between lines 20 and 21, begin a new paragraph and insert:
- 14 **"Sec. 12. (a) The board shall select, from a list of three (3)**
- 15 **qualified individuals recommended by the governor, an**
- 16 **independent third party who is not an employee of the state to**
- 17 **serve as technical secretary of the board.**
- 18 **(b) Between meetings of the board, the department shall do the**
- 19 **following:**
- 20 **(1) Handle correspondence.**
- 21 **(2) Make or arrange for investigations and surveys.**
- 22 **(3) Obtain, assemble, or prepare reports and data as directed**
- 23 **by the board.**
- 24 **(c) The technical secretary shall review all materials prepared**
- 25 **for the board by the department to make any necessary revisions.**
- 26 **Provisions of this chapter concerning terms of appointment,**
- 27 **vacancies, and compensation of appointed board members apply**
- 28 **to the technical secretary. The technical secretary is not a voting**
- 29 **member of the board.**
- 30 **Sec. 13. (a) The board may select, from a list of three (3)**
- 31 **qualified individuals recommended by the governor, an**
- 32 **independent third party who is not an employee of the state to**
- 33 **serve as legal counsel.**
- 34 **(b) The legal counsel shall do the following:**
- 35 **(1) Advise the board on legal matters or proceedings arising**
- 36 **from the exercise of the board's duties.**
- 37 **(2) Review all materials prepared for the board by the**
- 38 **department for legal accuracy and sufficiency and direct the**
- 39 **department to make any necessary revisions.**

1           **(c) Provisions of this chapter concerning terms of appointment,**  
 2 **vacancies, and compensation of appointed board members apply**  
 3 **to the legal counsel. The legal counsel is not a voting member of the**  
 4 **board.**

5           **Sec. 14. The board may establish advisory committees for the**  
 6 **purpose of giving advice on any matters pertaining to the business**  
 7 **of the board. A member appointed to an advisory committee shall**  
 8 **serve at the pleasure of the board and is not entitled to a salary, per**  
 9 **diem, or reimbursement of expenses."**

10           Page 16, line 21, delete "Sec. 12." and insert "**Sec. 15.**".

11           Page 19, line 32, strike "appropriate".

12           Page 21, line 12, strike "solid waste management board or air  
 13 pollution control".

14           Page 21, line 24, reset in roman "following:".

15           Page 21, line 24, delete "board.".

16           Page 21, line 25, reset in roman "(1)".

17           Page 21, line 25, after "A" insert "**The**".

18           Page 21, line 25, reset in roman "board.".

19           Page 21, reset in roman lines 26 through 27.

20           Page 23, line 20, strike "a" and insert "**the**".

21           Page 30, line 7, strike "solid waste".

22           Page 30, line 8, strike "management".

23           Page 34, line 5, strike "water pollution control".

24           Page 41, delete line 42.

25           Delete page 42.

26           Page 43, delete lines 1 through 12.

27           Page 43, line 22, reset in roman "following".

28           Page 43, line 22, delete "board" and insert "**boards**".

29           Page 43, line 24, reset in roman "(1) The".

- 1 Page 43, line 24, after "boards." insert "**board.**".
- 2 Page 43, reset in roman lines 25 through 26.
- 3 Renumber all SECTIONS consecutively.  
(Reference is to SB 130 as introduced.)

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

Committee Vote: Yeas 7, Nays 1.

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**Gard**

**Chairperson**