

# COMMITTEE REPORT

## MADAM PRESIDENT:

**The Senate Committee on Agriculture and Natural Resources, to which was referred House Bill No. 1563, 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 1, delete lines 7 through 17.
- 2           Page 2, delete line 1.
- 3           Page 2, between lines 1 and 2, begin a new paragraph and insert:
- 4           "SECTION 2. IC 14-15-3-23 IS AMENDED TO READ AS
- 5 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 23. A person may not
- 6 operate a boat that is loaded with passengers or cargo beyond the boat's
- 7 safe carrying capacity, or permit operation of a watercraft if a
- 8 **reasonably prudent person would believe the total load aboard or**
- 9 **the total horsepower of any motor or engine presents a risk of**
- 10 **physical harm to persons or property, having due regard for the**
- 11 following:
- 12           (1) The type, construction, and condition or state of repair of the
- 13 boat.
- 14           (2) The conditions and hazards, actual and potential, then
- 15 existing, including weather and density of traffic."
- 16           Page 7, between lines 12 and 13, begin a new paragraph and insert:
- 17           "SECTION 10. IC 14-22-13-2.5, AS AMENDED BY P.L.151-2012,
- 18 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 19 JULY 1, 2013]: Sec. 2.5. (a) This section applies to the harvest or sale
- 20 of the following roe bearing species:

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 while on the body of water or  
12 adjacent to the water being fished, and until processing begins in  
13 accordance with 21 CFR 123. The individual must sell the roe only to  
14 a roe dealer licensed by the department. The department shall limit the  
15 number of licenses that are available.

16 (e) The department may issue a person a roe dealer's license to  
17 purchase, process, and sell roe. A person may not transport roe outside  
18 Indiana except according to the terms of a license issued under this  
19 subsection.

20 (f) The following are the minimum application fees for these  
21 licenses:

22 (1) Resident and nonresident roe harvester's license for harvesting  
23 on the Ohio River, one thousand dollars (\$1,000).

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

26 (3) Roe dealer's license, ~~five one~~ thousand dollars ~~(\$5,000):~~  
27 **(\$1,000).**

28 (g) The commission may set license fees above the minimum fees  
29 established under subsection (f). The amount may not be more than is  
30 reasonably necessary to generate revenue sufficient to offset the costs  
31 incurred by the department in carrying out its responsibilities under this  
32 chapter.

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

35 Page 7, between lines 23 and 24, begin a new paragraph and insert:

36 "SECTION 13. IC 14-22-31.5-6 IS AMENDED TO READ AS  
37 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. A person who owns,  
38 operates, or uses a shooting range is not liable in any civil or criminal

1 matter relating to noise or noise pollution that results from the normal  
 2 operation or use of the shooting range if the **construction and**  
 3 **operation of the** shooting range ~~complies with a law or an ordinance~~  
 4 ~~that applied to the shooting range and its operation at the time of the~~  
 5 ~~construction or initial operation of the shooting range; if such a law or~~  
 6 ~~ordinance was in existence at the time of the construction or initial~~  
 7 ~~operation of the shooting range: were legal at the time of its initial~~  
 8 **construction or initial operation, and the shooting range continues**  
 9 **to operate in a manner that would have been legal at the time of**  
 10 **such inception or initial operation."**

11 Page 8, between lines 30 and 31, begin a new paragraph and insert:

12 "SECTION 16. IC 14-22-38-7 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) As used in this  
 14 section, "hunter orange" means a daylight fluorescent orange with the  
 15 dominant wavelength 595-605 nm, a purity of not less than eighty-five  
 16 percent (85%), and a luminance factor of not less than forty percent  
 17 (40%).

18 (b) As used in this section, "wear hunter orange" means to expose  
 19 on one's person as an outer garment one (1) or more of the following  
 20 articles of clothing that are solid hunter orange in color:

- 21 (1) A vest.
- 22 (2) A coat.
- 23 (3) A jacket.
- 24 (4) Coveralls.
- 25 (5) A hat.
- 26 (6) A cap.

27 However, articles of clothing specified under this section with logos,  
 28 patches, insignia, or printing that does not substantially hinder the  
 29 visibility of the hunter orange material are allowed under this section.

30 (c) ~~This subsection applies only during the season when hunting by~~  
 31 ~~firearms (as defined in IC 14-22-40-3) is permitted under 312 IAC. A~~  
 32 ~~person who hunts for:~~

- 33 (1) ~~deer by firearm or bow and arrow;~~
- 34 (2) ~~cottontail rabbit;~~
- 35 (3) ~~squirrel, unless from a boat, during the period:~~
  - 36 (A) ~~beginning on the first Friday that follows November 3; and~~
  - 37 (B) ~~ending on January 31 of the following year;~~
- 38 (4) ~~woodcock;~~

1           (5) pheasant;  
2           (6) quail; or  
3           (7) ruffed grouse;  
4 must wear hunter orange.

5           (4) (c) A person who violation of violates this section is the  
6 **requirement to wear hunter orange or display hunter orange on an**  
7 **occupied ground blind as specified in 312 IAC 9 commits** a Class D  
8 infraction."

9           Renumber all SECTIONS consecutively.  
            (Reference is to HB 1563 as reprinted February 12, 2013.)

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

Committee Vote: Yeas 6, Nays 0.

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**Yoder**

**Chairperson**