

IC 4-20.5-16

Chapter 16. Acquisition of Forest Property by the United States

IC 4-20.5-16-1

Consent to federal acquisition by purchase or gift; limitation

Sec. 1. (a) Subject to the conditions established in this chapter, the consent of the state is given the United States to acquire, by purchase or gift, property in Indiana the United States considers necessary to establish, consolidate, or extend natural forests in Indiana.

(b) The consent given in subsection (a) terminates January 1, 2021.

As added by P.L.7-1993, SEC.7.

IC 4-20.5-16-2

Conditions

Sec. 2. The consent of the state given in section 1 of this chapter is subject to all the following conditions:

(1) That the United States does not exercise its power of eminent domain, directly or indirectly, for the acquisition of the property, except to clear title.

(2) That the United States assumes the duties of a private landowner in Indiana regarding the owners or persons in legal possession of property adjoining national forest land in Indiana.

(3) That before January 1, 1981, the federal government defines national forest purchase boundaries within Indiana establishing purchase areas that enclose an aggregate of not more than four hundred thirty thousand (430,000) acres. The governor may grant a one (1) year extension of the time limitation if in the governor's judgment it is to the advantage of the people of Indiana to do so.

(4) That the United States acquires not more than two hundred forty thousand (240,000) acres for national forest land in Indiana.

(5) That the United States acquires by purchase not more than twenty-five percent (25%) of the area of any county.

(6) That the United States does not use any portion of the property within the national forest for the disposition, storage, or handling of nuclear or nonnuclear hazardous waste, including any of the following:

(A) Nuclear material.

(B) Radioactive material.

(C) Radioactive remains of a nuclear facility.

As added by P.L.7-1993, SEC.7.

IC 4-20.5-16-3

Termination of consent

Sec. 3. If the United States fails to conform to any of the conditions provided in section 2 of this chapter, the consent of the state given in section 1 of this chapter is immediately terminated by operation of law.

As added by P.L.7-1993, SEC.7.

IC 4-20.5-16-4

Concurrent jurisdiction regarding civil and criminal process

Sec. 4. The state retains concurrent jurisdiction with the United States in and over property acquired by the United States under this chapter, so far that civil process in all cases and such criminal process as may issue under the authority of the state against a person charged with the commission of an offense may be executed on the property.

As added by P.L.7-1993, SEC.7.