

## **IC 14-32-2**

### **Chapter 2. Soil Conservation Board**

#### **IC 14-32-2-1**

##### **Establishment**

Sec. 1. The soil conservation board is established within the Indiana state department of agriculture established by IC 15-11-2-1 as the policy making body for soil and water conservation.

*As added by P.L.1-1995, SEC.25. Amended by P.L.1-2006, SEC.218; P.L.175-2006, SEC.4; P.L.2-2008, SEC.33; P.L.120-2008, SEC.11.*

#### **IC 14-32-2-2**

##### **Members**

Sec. 2. The board consists of the following seven (7) members:

(1) Four (4) members who must be land occupiers with farming interests, appointed by the governor.

(2) Three (3) members who must be land occupiers with nonfarming interests, appointed by the governor.

*As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.9; P.L.1-2006, SEC.219; P.L.175-2006, SEC.5.*

#### **IC 14-32-2-3**

##### **Qualifications of members**

Sec. 3. (a) A majority of the seven (7) appointed members of the board must have experience as district supervisors.

(b) In making appointments to the board, the governor may invite and consider the recommendations of the following:

(1) The Purdue University cooperative extension service.

(2) The Indiana state department of agriculture.

(3) The Indiana Association of Soil and Water Conservation Districts.

(c) All appointments to the board shall be made without regard to political affiliation.

(d) The members appointed to the board under section 2(1) and 2(2) of this chapter must be residents of at least four (4) different geographic regions of Indiana.

*As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.10; P.L.1-2006, SEC.220; P.L.175-2006, SEC.6; P.L.120-2008, SEC.12.*

#### **IC 14-32-2-4**

##### **Term for members**

Sec. 4. The term of an appointed member of the board is four (4) years. An appointed member shall serve until a successor is appointed and has qualified. The terms shall be staggered so that at least three (3) members are appointed every two (2) years.

*As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.11; P.L.175-2006, SEC.7.*

#### **IC 14-32-2-5**

### **Travel expenses and per diem salary**

Sec. 5. The appointed members of the board are entitled to the following:

- (1) Reimbursement for travel, lodging, meals, and other expenses as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.
- (2) The minimum salary per diem as provided in IC 4-10-11-2.1(b) for each day that the members are engaged in the official business of the board.

*As added by P.L.1-1995, SEC.25.*

### **IC 14-32-2-6**

#### **Repealed**

*(Repealed by P.L.136-1997, SEC.43.)*

### **IC 14-32-2-7**

#### **Appointment of advisory members**

Sec. 7. (a) The governor may appoint advisory members from other organizations that promote conservation, including local, state, and federal agencies upon the recommendation of the board.

(b) The governor shall appoint members to the advisory board that represent the following:

- (1) The Indiana state department of agriculture.
- (2) The department of natural resources.
- (3) The department of environmental management.
- (4) The Purdue University cooperative extension service.
- (5) The Indiana Association of Soil and Water Conservation Districts.
- (6) The Farm Service Agency of the United States Department of Agriculture.
- (7) The Natural Resources Conservation Service of the United States Department of Agriculture.

*As added by P.L.1-1995, SEC.25. Amended by P.L.175-2006, SEC.8; P.L.120-2008, SEC.13.*

### **IC 14-32-2-8**

#### **Election of chairman of the board**

Sec. 8. (a) The members of the board shall elect a member as the chairman of the board.

(b) The director of the division of soil conservation established within the Indiana state department of agriculture by IC 15-11-4-1 is the secretary of the board.

*As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.12; P.L.1-2006, SEC.221; P.L.2-2008, SEC.34; P.L.120-2008, SEC.14.*

### **IC 14-32-2-9**

#### **Quorum**

Sec. 9. A majority of the members of the board constitutes a

quorum. The concurrence of a majority of the members is required for the board to take any action.

*As added by P.L.1-1995, SEC.25.*

#### **IC 14-32-2-10**

##### **Delegation of powers and duties**

Sec. 10. The board may delegate the powers and duties that the board considers proper to:

- (1) the chairman of the board;
- (2) any of the members of the board; or
- (3) the division of soil conservation.

*As added by P.L.1-1995, SEC.25.*

#### **IC 14-32-2-11**

##### **Attorney general providing legal services**

Sec. 11. (a) The board may call upon the attorney general for the legal services that the board requires.

(b) For the purpose of carrying out any of the board's functions, the supervising officers of a state agency or of a state educational institution shall, upon request of the board, do the following:

- (1) Assign or detail to the board any personnel of the agency or educational institution, taking into account available appropriations and the needs of the entity to which the request is directed.
- (2) Make the special reports, surveys, or studies that the board requests.

*As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.13.*

#### **IC 14-32-2-12**

##### **Duties of board**

Sec. 12. The board shall do the following:

- (1) Provide for the execution of surety bonds for all board employees and officers who are entrusted with money or property.
- (2) Provide for the keeping of a full and accurate record of all board proceedings and of all resolutions and rules the board issues or adopts. The accounts of receipts and disbursements are subject to examination by the state board of accounts.
- (3) Offer appropriate assistance to the supervisors of soil and water conservation districts to carry out district powers and programs.
- (4) Keep the supervisors of districts informed of the activities and experience of all other districts and facilitate cooperation and an interchange of advice and experience among districts.
- (5) Coordinate the programs of the districts as far as this may be done by advice and consultation.
- (6) Secure the cooperation and assistance of the United States and state agencies in the work of the districts. However, this subdivision does not authorize either of the following:

(A) The transfer or control of authority over districts to a federal agency.

(B) The transfer of title of land or control to the United States.

(7) Disseminate information throughout Indiana concerning the activities and programs of the districts and encourage the formation of districts in areas where organization is desirable.

(8) Coordinate the erosion and sediment part of 33 U.S.C. 1288 (Public Law 92-500, Section 208) and other erosion and sediment reduction programs that affect water quality, in cooperation with state and federal agencies and through districts as provided under IC 14-32-5-1.

(9) Develop a statewide regulatory program to be initiated after all reasonable voluntary approaches to erosion and sediment reduction have been exhausted.

(10) Conduct an inventory of conservation needs for planning purposes and to inform the general assembly.

(11) Hold meetings in locations throughout Indiana.

(12) Adopt rules under IC 4-22-2 to implement this article.

*As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.14; P.L.175-2006, SEC.9.*

#### **IC 14-32-2-13**

##### **Public hearings**

Sec. 13. The board may perform the acts and hold the public hearings that are necessary for the execution of the board's functions under this article.

*As added by P.L.1-1995, SEC.25.*