

# PROPOSED AMENDMENT

## HB 1417 # 5

### DIGEST

Agriculture matters. Removes language requiring: (1) the state fair commission (commission) to approve future dates of the state fair; and (2) the state fair board to advise the commission on future dates of the state fair. Inserts language from SB 105.

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- 1           Page 1, delete lines 13 through 17, begin a new paragraph and  
2 insert:
- 3           "SECTION 2. IC 36-9-27.2 IS ADDED TO THE INDIANA CODE  
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2024]:
- 6           **Chapter 27.2. Indiana Drainage Handbook**
- 7           **Sec. 1. As used in this chapter, "advisory board" refers to the**  
8 **Indiana Drainage Handbook advisory board.**
- 9           **Sec. 2. As used in this chapter, "department" refers to the**  
10 **Indiana state department of agriculture.**
- 11           **Sec. 3. As used in this chapter, "Indiana Drainage Handbook"**  
12 **refers to the publication "Indiana Drainage Handbook: An**  
13 **Administrative and Technical Guide for Activities within Indiana**  
14 **Streams and Ditches", which was prepared by the Christopher B.**  
15 **Burke Engineering company in accordance with P.L.329-1995,**  
16 **published in 1996, and revised and republished in 1999.**
- 17           **Sec. 4. (a) The department shall oversee and take all actions**  
18 **necessary for the preparation and publication of an updated**  
19 **version of the Indiana Drainage Handbook.**
- 20           **(b) The department may select a contractor to draft the updated**  
21 **version of the Indiana Drainage Handbook. The contractor**  
22 **selected under this subsection shall be subject to the supervision of**  
23 **the department, and the text developed by the contractor shall be**  
24 **subject to review and comment by the advisory board established**  
25 **by section 5 of this chapter.**
- 26           **Sec. 5. (a) The secretary of agriculture and rural development**

- 1 shall appoint an Indiana Drainage Handbook advisory board to:
- 2 (1) advise the contractor and the department on the
- 3 preparation of the updated version of the Indiana Drainage
- 4 Handbook; and
- 5 (2) review and comment on:
- 6 (A) the structure of; and
- 7 (B) the text of drafts of;
- 8 the updated version of the Indiana Drainage Handbook.
- 9 (b) The advisory board must include the following:
- 10 (1) A representative of the department.
- 11 (2) A licensed county surveyor.
- 12 (3) A county commissioner.
- 13 (4) A representative of a soil and water conservation district.
- 14 (5) A licensed engineer.
- 15 (6) A representative of the department of natural resources.
- 16 (7) A representative of the department of environmental
- 17 management.
- 18 (8) A farmer.
- 19 (9) A representative of the construction industry.
- 20 (10) A representative of the United States Fish and Wildlife
- 21 Service.
- 22 (11) A representative of the United States Army Corps of
- 23 Engineers.
- 24 (12) A representative of the United States Department of
- 25 Agriculture's Natural Resources Conservation Service.
- 26 (13) An individual focused on environmental stewardship and
- 27 sustainability.
- 28 (c) The secretary of agriculture and rural development shall
- 29 appoint one (1) member of the advisory board as chairperson.
- 30 (d) A member of the advisory board serves until:
- 31 (1) the updated version of the Indiana Drainage Handbook is
- 32 published on the website of the department of natural
- 33 resources or the department; and
- 34 (2) the secretary of agriculture and rural development
- 35 declares that the work of the advisory board is concluded.
- 36 (e) A vacancy on the advisory board shall be filled by
- 37 appointment by the secretary of agriculture and rural
- 38 development.
- 39 Sec. 6. (a) The advisory board may not take official action or
- 40 make official recommendations on:

- 1           **(1) general drainage policies;**
- 2           **(2) the text of drafts of the updated version of the Indiana**
- 3           **Drainage Handbook; or**
- 4           **(3) the structure of the updated version of the Indiana**
- 5           **Drainage Handbook.**

6           **(b) Advice and comments provided by the advisory board are**  
 7 **not binding on the department or the contractor selected under**  
 8 **section 4 of this chapter.**

9           **Sec. 7. (a) The advisory board shall meet at the call of the**  
 10 **chairperson. After the contractor is selected under section 4 of this**  
 11 **chapter, the advisory board:**

- 12           **(1) shall meet at least two (2) times to review the work of the**
- 13           **contractor; and**
- 14           **(2) may meet at other times at the call of the chairperson as**
- 15           **the contractor's work on the updated Indiana Drainage**
- 16           **Handbook progresses.**

17           **(b) The expenses of the advisory board shall be paid from funds**  
 18 **appropriated to the department.**

19           **(c) Each member of the advisory board who is not a state**  
 20 **employee is entitled to the minimum salary per diem provided by**  
 21 **IC 4-10-11-2.1(b). The member is also entitled to reimbursement**  
 22 **for traveling expenses as provided under IC 4-13-1-4 and other**  
 23 **expenses actually incurred in connection with the member's duties**  
 24 **as provided in the state policies and procedures established by the**  
 25 **Indiana department of administration and approved by the budget**  
 26 **agency.**

27           **Sec. 8. (a) The department shall staff the advisory board.**

28           **(b) The department may record and keep records of comments**  
 29 **provided by the advisory board to the department or the**  
 30 **contractor selected under section 4 of this chapter."**

31           Delete page 2.

32           Renumber all SECTIONS consecutively.

(Reference is to HB 1417 as printed January 29, 2024.)