

SENATE BILL No. 35

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-8-2-107; IC 14-22-3.5-1; IC 14-22-3.7.

Synopsis: Logjam removal fund. Establishes the logjam removal fund through the department of natural resources for the purpose of removing logjams or obstructions in waterways.

Effective: July 1, 2022.

Kruse

January 4, 2022, read first time and referred to Committee on Appropriations.



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

SENATE BILL No. 35

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 14-8-2-107, AS AMENDED BY P.L.189-2018,
- 2 SECTION 132, IS AMENDED TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2022]: Sec. 107. "Fund" has the following
- 4 meaning:
- 5 (1) For purposes of IC 14-9-5, the meaning set forth in
- 6 IC 14-9-5-1.
- 7 (2) For purposes of IC 14-9-8-21, the meaning set forth in
- 8 IC 14-9-8-21.
- 9 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in
- 10 IC 14-9-8-21.5.
- 11 (4) For purposes of IC 14-9-9, the meaning set forth in
- 12 IC 14-9-9-3.
- 13 (5) For purposes of IC 14-12-1, the meaning set forth in
- 14 IC 14-12-1-1.
- 15 (6) For purposes of IC 14-12-2, the meaning set forth in
- 16 IC 14-12-2-2.
- 17 (7) For purposes of IC 14-12-3, the meaning set forth in



- 1 IC 14-12-3-2.
 2 (8) For purposes of IC 14-13-1, the meaning set forth in
 3 IC 14-13-1-2.
 4 (9) For purposes of IC 14-13-2, the meaning set forth in
 5 IC 14-13-2-3.
 6 (10) For purposes of IC 14-16-1, the meaning set forth in
 7 IC 14-16-1-30.
 8 (11) For purposes of IC 14-19-8, the meaning set forth in
 9 IC 14-19-8-1.
 10 (12) For purposes of IC 14-20-11, the meaning set forth in
 11 IC 14-20-11-2.
 12 (13) For purposes of IC 14-22-3, the meaning set forth in
 13 IC 14-22-3-1.
 14 **(14) For purposes of IC 14-22-3.7, the meaning set forth in**
 15 **IC 14-22-3.7-1.**
 16 ~~(14)~~ **(15)** For purposes of IC 14-22-4, the meaning set forth in
 17 IC 14-22-4-1.
 18 ~~(15)~~ **(16)** For purposes of IC 14-22-5, the meaning set forth in
 19 IC 14-22-5-1.
 20 ~~(16)~~ **(17)** For purposes of IC 14-22-8, the meaning set forth in
 21 IC 14-22-8-1.
 22 ~~(17)~~ **(18)** For purposes of IC 14-22-34, the meaning set forth in
 23 IC 14-22-34-2.
 24 ~~(18)~~ **(19)** For purposes of IC 14-23-3, the meaning set forth in
 25 IC 14-23-3-1.
 26 ~~(19)~~ **(20)** For purposes of IC 14-25-2-4, the meaning set forth in
 27 IC 14-25-2-4.
 28 ~~(20)~~ **(21)** For purposes of IC 14-25-10, the meaning set forth in
 29 IC 14-25-10-1.
 30 ~~(21)~~ **(22)** For purposes of IC 14-25.5, the meaning set forth in
 31 IC 14-25.5-1-3.
 32 ~~(22)~~ **(23)** For purposes of IC 14-31-2, the meaning set forth in
 33 IC 14-31-2-5.
 34 ~~(23)~~ **(24)** For purposes of IC 14-25-12, the meaning set forth in
 35 IC 14-25-12-1.
 36 ~~(24)~~ **(25)** For purposes of IC 14-32-8, the meaning set forth in
 37 IC 14-32-8-1.
 38 ~~(25)~~ **(26)** For purposes of IC 14-33-14, the meaning set forth in
 39 IC 14-33-14-3.
 40 ~~(26)~~ **(27)** For purposes of IC 14-33-21, the meaning set forth in
 41 IC 14-33-21-1.
 42 ~~(27)~~ **(28)** For purposes of IC 14-34-6-15, the meaning set forth in



- 1 IC 14-34-6-15.
 2 ~~(28)~~ (29) For purposes of IC 14-34-14, the meaning set forth in
 3 IC 14-34-14-1.
 4 ~~(29)~~ (30) For purposes of IC 14-34-19-1.3, the meaning set forth
 5 in IC 14-34-19-1.3(a).
 6 ~~(30)~~ (31) For purposes of IC 14-34-19-1.5, the meaning set forth
 7 in IC 14-34-19-1.5(a).
 8 ~~(31)~~ (32) For purposes of IC 14-37-10, the meaning set forth in
 9 IC 14-37-10-1.
- 10 SECTION 2. IC 14-22-3.5-1, AS ADDED BY P.L.178-2019,
 11 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2022]: Sec. 1. The lake and river enhancement fund is
 13 established and allocated for the following purposes:
 14 (1) Fifty percent (50%) of the fund shall be used to pay costs
 15 incurred by the department in implementing the lake and river
 16 enhancement projects.
 17 (2) Fifty percent (50%) of the fund shall be used by the
 18 department to pay for lake or river (as defined in IC 14-32-7-12)
 19 projects, including, but not limited to, projects to:
 20 (A) remove sediment; **or**
 21 (B) control exotic or invasive plants or animals. **or**
 22 ~~(C) remove logjams or obstructions.~~
- 23 For purposes of this subdivision, the fund may not be used for
 24 projects relating to a ditch or manmade channel.
- 25 SECTION 3. IC 14-22-3.7 IS ADDED TO THE INDIANA CODE
 26 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2022]:
 28 **Chapter 3.7. Logjam Removal Fund**
 29 **Sec. 1. As used in this chapter, "fund" refers to the logjam**
 30 **removal fund established by section 2 of this chapter.**
 31 **Sec. 2. (a) The logjam removal fund is established for the**
 32 **purpose of removing logjams or obstructions in waterways in**
 33 **Indiana.**
 34 **(b) The fund may not be used for projects relating to a ditch or**
 35 **manmade channel.**
 36 **Sec. 3. The fund shall be administered by the director of the**
 37 **department.**
 38 **Sec. 4. The fund consists of appropriations from the general**
 39 **assembly.**
 40 **Sec. 5. The expenses of administering the fund shall be paid**
 41 **from money in the fund.**
 42 **Sec. 6. The treasurer of state shall invest the money in the fund**



1 not currently needed to meet the obligations of the fund in the same
2 manner as other public money that may be invested. Interest that
3 accrues from these investments shall be deposited in the fund.
4 Sec. 7. Money in the fund at the end of a state fiscal year does
5 not revert to the state general fund.

