



March 21, 2017

ENGROSSED SENATE BILL No. 256

DIGEST OF SB 256 (Updated March 20, 2017 1:08 pm - DI 109)

Citations Affected: IC 14-12; IC 14-13.

Synopsis: Benjamin Harrison conservation trust. Makes nonvoting members of the Indiana Heritage Trust project committee voting members. Makes conforming changes. Makes nonvoting members of the Indiana White River State Park Development Commission voting members. Makes conforming changes.

Effective: July 1, 2017.

Tallian, Messmer

(HOUSE SPONSORS — EBERHART, LAWSON L, DVORAK, KERSEY)

January 9, 2017, read first time and referred to Committee on Natural Resources.
January 30, 2017, reported favorably — Do Pass.
February 2, 2017, read second time, ordered engrossed. Engrossed.
February 6, 2017, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

February 28, 2017, read first time and referred to Committee on Natural Resources.
March 20, 2017, amended, reported — Do Pass.

ES 256—LS 6606/DI 109



March 21, 2017

First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 256

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 14-12-2-14, AS AMENDED BY P.L.172-2016,
2 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 14. (a) The President Benjamin Harrison
4 conservation trust project committee is established.
5 (b) The project committee consists of the following twenty-one (21)
6 members:
7 (1) The director of the division of fish and wildlife.
8 (2) The director of the division of forestry.
9 (3) The director of the division of nature preserves.
10 (4) The director of the division of state parks.
11 (5) The director of the division of outdoor recreation.
12 (6) The chief executive officer of the Indiana state museum and
13 historic sites corporation established by IC 4-37-2-1.
14 (7) The chairperson of the board of directors of the natural
15 resources foundation.
16 (8) Ten (10) individuals appointed by the governor. The governor
17 shall appoint individuals so that all the following are satisfied:

ES 256—LS 6606/DI 109



- 1 (A) The individuals must be residents of Indiana.
 2 (B) The individuals must have a demonstrated interest or
 3 experience in:
 4 (i) conservation of natural resources; or
 5 (ii) management of public property.
 6 (C) There must be two (2) committee members from each of
 7 the following regions of Indiana:
 8 (i) Northwest.
 9 (ii) Northeast.
 10 (iii) Southwest.
 11 (iv) Southeast.
 12 (v) Central.
 13 (9) The following four (4) ~~nonvoting~~ members:
 14 (A) One (1) member of the house of representatives appointed
 15 by the speaker of the house of representatives.
 16 (B) One (1) member of the house of representatives appointed
 17 by the minority leader of the house of representatives.
 18 (C) One (1) member of the senate appointed by the president
 19 pro tempore of the senate.
 20 (D) One (1) member of the senate appointed by the minority
 21 leader of the senate.
 22 (c) The individuals appointed by the governor under subsection
 23 (b)(8) must represent one (1) or more of the following:
 24 (1) The environmentalist community.
 25 (2) The land trust community.
 26 (3) Organized hunting and fishing groups.
 27 (4) The forest products community.
 28 (5) The parks and recreation community.
 29 Each group and community listed in subdivisions (1) through (5) must
 30 be represented on the project committee.
 31 SECTION 2. IC 14-12-2-18, AS AMENDED BY P.L.172-2016,
 32 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2017]: Sec. 18. (a) ~~Nine (9)~~ **One half (1/2) plus one (1) of the**
 34 **appointed** members of the project committee constitute a quorum.
 35 (b) The affirmative vote of a majority of the ~~voting~~ members of the
 36 project committee present and voting is necessary for the project
 37 committee to take any action.
 38 (c) A member of the project committee described in section 14(b)(1)
 39 through 14(b)(6) of this chapter may designate in writing a
 40 representative from the respective division to serve as a member of the
 41 project committee when the member of the project committee is unable
 42 to attend a meeting.



1 SECTION 3. IC 14-13-1-6 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. **(a)** The commission
 3 has ~~ten (10)~~ **fourteen (14)** voting members as follows:

- 4 (1) The director or the director's designee.
 5 (2) The executive of the city of Indianapolis or the executive's
 6 designee.
 7 (3) The president of Indiana University or the president's
 8 designee.
 9 (4) Seven (7) members appointed by the governor as follows:
 10 (A) One (1) member for a term ending December 31, 1995.
 11 (B) Two (2) members for terms ending December 31, 1996.
 12 (C) Two (2) members for terms ending December 31, 1997.
 13 (D) Two (2) members for terms ending December 31, 1998.

14 **(5) Four (4) legislative members appointed by the governor**
 15 **from the recommendations made by the speaker of the house**
 16 **of representatives and the president pro tempore of the senate**
 17 **as follows:**

- 18 (A) **Two (2) legislative members must be members of the**
 19 **house of representatives, but may not be members of the**
 20 **same political party.**
 21 (B) **Two (2) legislative members must be members of the**
 22 **senate, but may not be members of the same political**
 23 **party.**

24 **(b) The term of a legislative member is four (4) years, except for**
 25 **the following:**

- 26 **(1) A legislative member's membership on the commission is**
 27 **terminated when the legislative member ceases to be a**
 28 **member of the general assembly.**
 29 **(2) A legislative member appointed to serve an unexpired**
 30 **term may serve only until the end of that term.**

31 SECTION 4. IC 14-13-1-7 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. The term of a ~~voting~~
 33 member **who is not a member of the general assembly** is four (4)
 34 years. However, if an appointee is appointed to serve an unexpired
 35 term, the appointee serves only until the end of the unexpired term.

36 SECTION 5. IC 14-13-1-9 IS REPEALED [EFFECTIVE JULY 1,
 37 2017]. Sec. 9: ~~(a) In addition to the voting members of the commission,~~
 38 ~~the governor shall appoint four (4) legislative members from the~~
 39 ~~general assembly from recommendations made by the speaker of the~~
 40 ~~house of representatives and the president pro tempore of the senate as~~
 41 ~~follows:~~

- 42 ~~(1) Two (2) legislative members must be members of the house~~



- 1 of representatives, but may not be members of the same political
 2 party.
- 3 (2) Two (2) legislative members must be members of the senate;
 4 but may not be members of the same political party.
- 5 (b) The legislative members may not:
- 6 (1) vote in proceedings of the commission; and
 7 (2) be counted for purposes of establishing a quorum.
- 8 (c) The term of a legislative member is four (4) years, except for the
 9 following:
- 10 (1) A legislative member's membership on the commission is
 11 terminated when the legislative member ceases to be a member of
 12 the general assembly.
- 13 (2) A legislative member appointed to serve an unexpired term
 14 may serve only until the end of that term.
- 15 SECTION 6. IC 14-13-1-11 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) The governor
 17 shall annually designate:
- 18 (1) one (1) of the ~~voting~~ members of the commission as chairman;
 19 and
- 20 (2) one (1) of the ~~voting~~ members of the commission as treasurer;
 21 for terms expiring December 31.
- 22 (b) **A member designated under subsection (a)(1) or (a)(2) may**
 23 **not be a member of the general assembly.**
- 24 SECTION 7. IC 14-13-1-12 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. (a) The commission
 26 shall meet on call of any of the following:
- 27 (1) The chairman.
 28 (2) The executive director.
 29 (3) Any ~~three (3)~~ **voting five (5)** members.
- 30 (b) **Seven (7) ~~voting~~ One half (1/2) plus one (1) of the appointed**
 31 **members of the commission** constitute a quorum.
- 32 SECTION 8. IC 14-13-1-13 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) Each ~~voting~~
 34 member **who is not a member of the general assembly**, is entitled to
 35 reimbursement for traveling and other expenses as provided in the state
 36 travel policies and procedures established by the Indiana department
 37 of administration and approved by the budget agency. Each ~~voting~~
 38 member who is not a state employee is entitled to the minimum salary
 39 per diem as provided in IC 4-10-11-2.1(b).
- 40 (b) Each legislative member of the commission is entitled to receive
 41 the same per diem, mileage, and travel allowances paid to members of
 42 the general assembly serving on interim study committees established



1 by the legislative council.



COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Bill No. 256, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 256 as introduced.)

GLICK, Chairperson

Committee Vote: Yeas 9, Nays 0

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Bill 256, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 33, after "the" insert "**appointed**".

Page 2, after line 42, begin a new paragraph and insert:

"SECTION 3. IC 14-13-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. **(a)** The commission has ~~ten (10)~~ **fourteen (14)** voting members as follows:

- (1) The director or the director's designee.
- (2) The executive of the city of Indianapolis or the executive's designee.
- (3) The president of Indiana University or the president's designee.
- (4) Seven (7) members appointed by the governor as follows:
 - (A) One (1) member for a term ending December 31, 1995.
 - (B) Two (2) members for terms ending December 31, 1996.
 - (C) Two (2) members for terms ending December 31, 1997.
 - (D) Two (2) members for terms ending December 31, 1998.
- (5) Four (4) legislative members appointed by the governor from the recommendations made by the speaker of the house of representatives and the president pro tempore of the senate as follows:**
 - (A) Two (2) legislative members must be members of the house of representatives, but may not be members of the same political party.**
 - (B) Two (2) legislative members must be members of the senate, but may not be members of the same political**



party.

(b) The term of a legislative member is four (4) years, except for the following:

(1) A legislative member's membership on the commission is terminated when the legislative member ceases to be a member of the general assembly.

(2) A legislative member appointed to serve an unexpired term may serve only until the end of that term.

SECTION 4. IC 14-13-1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. The term of a ~~voting~~ member **who is not a member of the general assembly** is four (4) years. However, if an appointee is appointed to serve an unexpired term, the appointee serves only until the end of the unexpired term.

SECTION 5. IC 14-13-1-9 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 9: (a) In addition to the voting members of the commission; the governor shall appoint four (4) legislative members from the general assembly from recommendations made by the speaker of the house of representatives and the president pro tempore of the senate as follows:

(1) Two (2) legislative members must be members of the house of representatives; but may not be members of the same political party.

(2) Two (2) legislative members must be members of the senate; but may not be members of the same political party.

(b) The legislative members may not:

(1) vote in proceedings of the commission; and

(2) be counted for purposes of establishing a quorum.

(c) The term of a legislative member is four (4) years, except for the following:

(1) A legislative member's membership on the commission is terminated when the legislative member ceases to be a member of the general assembly.

(2) A legislative member appointed to serve an unexpired term may serve only until the end of that term.

SECTION 6. IC 14-13-1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) The governor shall annually designate:

(1) one (1) of the ~~voting~~ members of the commission as chairman; and

(2) one (1) of the ~~voting~~ members of the commission as treasurer; for terms expiring December 31.

(b) A member designated under subsection (a)(1) or (a)(2) may

ES 256—LS 6606/DI 109



not be a member of the general assembly.

SECTION 7. IC 14-13-1-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. (a) The commission shall meet on call of any of the following:

- (1) The chairman.
- (2) The executive director.
- (3) Any ~~three (3)~~ **voting five (5)** members.

(b) ~~Seven (7) voting~~ **One half (1/2) plus one (1) of the appointed members of the commission** constitute a quorum.

SECTION 8. IC 14-13-1-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) Each ~~voting~~ member **who is not a member of the general assembly**, is entitled to reimbursement for traveling 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. Each ~~voting~~ member who is not a state employee is entitled to the minimum salary per diem as provided in IC 4-10-11-2.1(b).

(b) Each legislative member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council."

and when so amended that said bill do pass.

(Reference is to SB 256 as printed January 31, 2017.)

EBERHART

Committee Vote: yeas 9, nays 0.

