

HOUSE BILL No. 1410

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-12-1.

Synopsis: Natural resources foundation. Requires the department of natural resources to provide human resources support and services to the employees of the Indiana natural resources foundation. Provides that foundation employees are eligible for the same complaint procedures and resolution processes as department employees. Requires the foundation to have an annual audit of its unrestricted funds. Requires the foundation's funds, accounts, and financial affairs to be audited by an independent certified public accountant.

Effective: July 1, 2020.

Forestal

January 15, 2020, read first time and referred to Committee on Natural Resources.



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1410

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 14-12-1-8 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) The director of
3 the department, or the director's designee, is an advisor to the
4 foundation.

5 (b) An advisor to the foundation may do the following:
6 (1) Attend all meetings of the foundation.
7 (2) Participate in all proceedings at foundation meetings other
8 than voting.

9 (c) **The department shall provide human resources support and
10 services to the foundation. A foundation employee is eligible to
11 participate in the same employee complaint procedures and
12 resolution processes, including coworker dispute and sexual
13 harassment prevention and resolution processes, as an employee of
14 the department.**

15 SECTION 2. IC 14-12-1-10 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. The foundation may
17 do the following, **subject to section 8(c) of this chapter:**



- 1 (1) Adopt bylaws for the regulation of the foundation's affairs and
 2 the conduct of the foundation's business.
 3 (2) Adopt an official seal, which may not be the seal of the state.
 4 (3) Maintain a principal office and other offices the foundation
 5 designates.
 6 (4) Sue and be sued in the name and style of "Indiana Natural
 7 Resources Foundation", with service of process being made to the
 8 chairman of the foundation by leaving a copy at the principal
 9 office of the foundation or at the residence of the chairman if the
 10 foundation has no principal office.
 11 (5) To exercise the powers or perform the duties of the
 12 foundation, do the following:
 13 (A) Acquire by any means except eminent domain a right or an
 14 interest in or upon real or personal property of any kind or
 15 nature. The foundation shall hold the legal title to property
 16 acquired in the name of the foundation.
 17 (B) Dispose of a right or an interest in real property.
 18 (6) Make and enter into all contracts, undertakings, and
 19 agreements necessary or incidental to the performance of the
 20 duties and the execution of the powers of the foundation under
 21 this chapter.
 22 (7) Employ an executive director and other employees that are
 23 necessary in the foundation's judgment and fix their
 24 compensation.
 25 (8) Conduct studies of the feasibility of certain natural resource
 26 projects and facilities.
 27 (9) Receive and accept from any person grants for or in aid of the
 28 acquisition, construction, improvement, or development of any
 29 part of the projects of the foundation and receive and accept aid
 30 or contributions from any source of money, property, labor, or
 31 other things of value, to be held, used, applied, or disposed of
 32 only for the purposes consistent with the purposes of this chapter
 33 for which the grants and contributions may be made.
 34 (10) Hold, use, administer, and expend money that may be
 35 acquired by the foundation.
 36 **(11) For each financial period beginning after June 30, 2019,**
 37 **provide for the audit of the foundation's funds, accounts, and**
 38 **financial affairs by an independent certified public**
 39 **accountant, including the audits required by sections 11 and**
 40 **11.1 of this chapter.**
 41 ~~(H)~~ **(12)** Do all acts and things necessary or proper to carry out
 42 the powers expressly granted in this chapter.



1 SECTION 3. IC 14-12-1-11 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) The Indiana
 3 natural resources fund is established. Expenditures from the fund may
 4 be made only to carry out the purposes of this chapter. The foundation
 5 shall do the following:

- 6 (1) Hold the fund in the name of the foundation.
- 7 (2) Administer the fund.
- 8 (3) Make all expenditures from the fund.

9 (b) Gifts of money to the fund or the foundation or the proceeds
 10 from the sale of gifts donated to the fund or the foundation shall be
 11 deposited in the fund.

12 (c) The expenses of administering this chapter shall be paid from
 13 money in the fund.

14 (d) The money in the fund at the end of a state fiscal year remains
 15 in the fund and does not revert to any other fund. If the foundation is
 16 terminated, the money in the fund reverts to the department.

17 (e) ~~The fund is subject to audit as if the foundation were a state~~
 18 ~~agency.~~ **For each financial period beginning after June 30, 2019, the**
 19 **foundation shall provide for the audit of the fund by an**
 20 **independent certified public accountant. The foundation shall**
 21 **submit a copy of the examination report to the state board of**
 22 **accounts not later than the next date on which the foundation is**
 23 **required to file its financial reports under IC 5-11-1-4.**

24 SECTION 4. IC 14-12-1-11.1, AS ADDED BY P.L.66-2006,
 25 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2020]: Sec. 11.1. (a) The forest restoration fund is established.
 27 Expenditures from the fund may be made only to carry out the purpose
 28 of restoration, conservation, and improvement of lands:

- 29 (1) classified as native forest land, forest plantations, or wildlands
 30 under IC 6-1.1-6; and
- 31 (2) approved by the state forester.
- 32 (b) The foundation shall do the following:
 - 33 (1) Hold the fund in the name of the foundation.
 - 34 (2) Administer the fund.
 - 35 (3) Make all expenditures from the fund.

36 (c) Gifts of money to the fund or the proceeds from the sale of gifts
 37 donated to the fund or the foundation shall be deposited in the fund.

38 (d) The expenses of administering this chapter shall be paid from
 39 money in the fund.

40 (e) The money in the fund at the end of a state fiscal year remains
 41 in the fund and does not revert to any other fund. If the foundation is
 42 terminated, the money in the fund reverts to the department.



1 (f) The fund is subject to audit as if the foundation were a state
2 ~~agency.~~ For each financial period beginning after June 30, 2019, the
3 foundation shall provide for the audit of the fund by an
4 independent certified public accountant. The foundation shall
5 submit a copy of the examination report to the state board of
6 accounts not later than the next date on which the foundation is
7 required to file its financial reports under IC 5-11-1-4.

