



February 12, 2019

HOUSE BILL No. 1513

DIGEST OF HB 1513 (Updated February 11, 2019 5:52 pm - DI 109)

Citations Affected: IC 4-13; IC 6-6; IC 9-31; IC 13-23; IC 14-8; IC 14-9; IC 14-10; IC 14-11; IC 14-19; IC 14-22; IC 14-23; IC 14-28; IC 31-25; IC 35-52.

Synopsis: Department of natural resources. Specifies the use of certain motorboat fees. Provides that the administrator of the underground petroleum storage tank excess liability trust fund (ELTF) is required, not more than 30 business days after a claim on the ELTF is submitted, to: (1) approve the claim; (2) notify the claimant that a correction, a clarification, or additional information is needed; or (3) deny the claim. Provides that an employee drug testing plan is not required to be submitted with a bid for a public works contract. Eliminates both the department of natural resources fee and the lake and river enhancement fee. Sets out the registration and renewal fees for motorboats. Eliminates the mussel license. Removes a provision that exempts an activity in a boundary river floodway from having to acquire a construction permit. Extends the quarry and aggregate permits from two to five years. Allows the department of natural resources to construct, rent, lease, license, or operate public service privileges and facilities for recreation in a state forest. Provides that the department of natural resources ensure certain improvements are made to the Ferdinand and Morgan-Monroe state forests. Creates inspection service fees for land classified as native forest land, a forest plantation, or wildland. Makes conforming changes.

Effective: July 1, 2019.

Eberhart, Ellington

January 17, 2019, read first time and referred to Committee on Natural Resources.
February 12, 2019, amended, reported — Do Pass. Referred to Committee on Environmental Affairs pursuant to Rule 84.

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February 12, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1513

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

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

- 1 SECTION 1. IC 4-13-18-5, AS ADDED BY P.L.160-2006,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 5. (a) A solicitation for a public works contract
4 must require each contractor that submits a bid for the work to submit
5 ~~with the bid~~ a written plan for a program to test the contractor's
6 employees for drugs.
7 (b) A public works contract may not be awarded to a contractor
8 ~~whose bid does not include who does not submit~~ a written plan for an
9 employee drug testing program that complies with this chapter.
10 (c) A contractor that is subject to a collective bargaining agreement
11 shall be treated as having an employee drug testing program that
12 complies with this chapter if the collective bargaining agreement
13 establishes an employee drug testing program that includes the
14 following:
15 (1) The program provides for the random testing of the
16 contractor's employees.
17 (2) The program contains a five (5) drug panel that tests for the

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1 substances identified in section 6(a)(3) of this chapter.

2 (3) The program imposes disciplinary measures on an employee
3 who fails a drug test. The disciplinary measures must include, at
4 a minimum, all the following:

5 (A) The employee is subject to suspension or immediate
6 termination.

7 (B) The employee is not eligible for reinstatement until the
8 employee tests negative on a five (5) drug panel test certified
9 by a medical review officer.

10 (C) The employee is subject to unscheduled sporadic testing
11 for at least one (1) year after reinstatement.

12 (D) The employee successfully completes a rehabilitation
13 program recommended by a substance abuse professional if
14 the employee fails more than one (1) drug test.

15 A copy of the relevant part of the collective bargaining agreement
16 constitutes a written plan under this section.

17 SECTION 2. IC 6-6-11-8 IS AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2019]: Sec. 8. (a) Except as provided in
19 subsections (b) and (d), a boat may not be operated, used, docked, or
20 stored in a county during any part of a boating year:

21 (1) unless:

22 (A) the boat excise tax; **and**

23 ~~(B) the department of natural resources fees imposed by~~
24 ~~section 12(a) of this chapter; and~~

25 ~~(C) (B) the lake and river enhancement fee imposed by section~~
26 ~~12(b) of this chapter; **boat registration fees imposed by**~~
27 ~~**IC 9-31-3-9;**~~

28 for that boat have been paid for that boating year; and

29 (2) unless valid boat excise tax decals for that boating year are
30 affixed to the boat.

31 (b) A boat may be operated, used, docked, or stored in a county
32 without the boat excise tax having been paid if:

33 (1) the boat is exempt from the excise tax under section 9 of this
34 chapter; or

35 (2) the operator of the boat has in the operator's possession a bill
36 of sale from a dealer or private individual that includes the
37 following:

38 (A) The purchaser's name and address.

39 (B) A date of purchase that is not more than thirty-one (31)
40 days preceding the date that the operator is required to show
41 the bill of sale.

42 (C) The make and type of boat or the hull identification



1 number.

2 (c) Boats that are subject to the boat excise tax for a boating year are
3 not subject to assessment and taxation under IC 6-1.1 for ad valorem
4 property taxes first due and payable in the following boating year, with
5 respect to the taxpayer who must pay the boat excise tax.

6 (d) A boat may be operated, used, docked, or stored in a county
7 without valid boat excise tax decals for that boating year being affixed
8 to the boat if the decals do not have to be affixed to the boat under rules
9 adopted by the department of natural resources.

10 SECTION 3. IC 6-6-11-11, AS AMENDED BY P.L.256-2017,
11 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2019]: Sec. 11. The boat excise tax due under section 10 of
13 this chapter is reduced by ten percent (10%) for each year since the
14 **model year of the boat, was manufactured, but not to exceed fifty**
15 **percent (50%).** The reduced excise tax liability shall be rounded
16 upward to the next full dollar amount. However, the boat excise tax due
17 for a year may not be reduced to less than six dollars (\$6) for a Class
18 2 boat or two dollars (\$2) for a Class 1 boat.

19 SECTION 4. IC 6-6-11-12 IS REPEALED [EFFECTIVE JULY 1,
20 2019]. Sec. 12: (a) In addition to paying the boat excise tax, a boat
21 owner shall complete a form and pay a department of natural resources
22 fee for each boat required to have boat excise decals. The fee is five
23 dollars (\$5) for each boating year. However, the fee is waived for the
24 boating year in which the registration fee prescribed by IC 9-31-3-9(c)
25 is paid for that boat. The revenue from the fees collected under this
26 chapter shall be transferred to the department of natural resources, as
27 provided in section 29 of this chapter.

28 (b) In addition to the boat excise tax and the department of natural
29 resources fee, a boat owner shall pay to the department of natural
30 resources a lake and river enhancement fee for each boat required to
31 have boat excise decals in the amount set forth in the following table:

32 Value of the Boat	Amount of the Fee
33 Less than \$1,000	\$ 5
34 At least \$1,000, but less than \$3,000	\$10
35 At least \$3,000, but less than \$5,000	\$15
36 At least \$5,000, but less than \$10,000	\$20
37 At least \$10,000	\$25

38 (c) The revenue from the lake and river enhancement fee imposed
39 under subsection (b) shall be deposited in the following manner:

40 (1) Two-thirds (2/3) of the money shall be deposited in the lake
41 and river enhancement fund established by section 12.5 of this
42 chapter.



1 (2) One-third (1/3) of the money shall be deposited in the
 2 conservation officers marine enforcement fund established by
 3 IC 14-9-8-21.5.

4 SECTION 5. IC 6-6-11-12.5 IS REPEALED [EFFECTIVE JULY
 5 1, 2019]. Sec. 12.5: (a) The lake and river enhancement fund is
 6 established and allocated for the following purposes:

7 (1) One-half (1/2) of the fund shall be used to pay costs incurred
 8 by the department of natural resources in implementing the lake
 9 and river enhancement projects:

10 (2) One-half (1/2) of the fund shall be used by the department of
 11 natural resources to pay for lake or river (as defined in
 12 IC 14-32-7-12) projects; including, but not limited to, projects to:

13 (A) remove sediment;

14 (B) control exotic or invasive plants or animals; or

15 (C) remove logjams or obstructions:

16 For purposes of this subdivision, the fund may not be used for
 17 projects relating to a ditch or manmade channel.

18 (b) The fund shall be administered by the director of the department
 19 of natural resources:

20 (c) Expenses of administering the fund shall be paid from money in
 21 the fund:

22 (d) The fund consists of the revenue from the lake and river
 23 enhancement fee paid by boat owners and deposited under section
 24 12(c)(1) of this chapter:

25 (e) Money in the fund at the end of a state fiscal year does not revert
 26 to the state general fund:

27 (f) With the approval of the governor and the budget agency, the
 28 money in the fund allocated under subsection (a)(1) may be used to
 29 augment and supplement the funds appropriated for the implementation
 30 of lake and river enhancement projects:

31 SECTION 6. IC 6-6-11-13, AS AMENDED BY P.L.256-2017,
 32 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2019]: Sec. 13. A boat owner shall pay

34 (1) the boat excise tax **for a boating year to the bureau of**
 35 **motor vehicles.**

36 (2) the department of natural resources fee imposed by section
 37 12(a) of this chapter;

38 (3) the lake and river enhancement fee imposed by section 12(b)
 39 of this chapter; and

40 (4) if: **If**

41 (A) the motorboat is legally registered in another state, **and**

42 (B) the boat owner **pays: must pay**



1 (i) the excise tax and fees under subdivisions (1), (2), and (3);
 2 and
 3 (ii) the two dollar (\$2) fee imposed by IC 9-31-3-2
 4 for a boating year to the bureau of motor vehicles. The tax and fees
 5 must be paid at the same time that the boat owner pays or would pay
 6 the registration fee and vehicle excise taxes on motor vehicles under
 7 IC 9-18 (before its expiration), IC 9-18.1, and IC 6-6-5. When the boat
 8 owner pays the tax and fees, the owner is entitled to receive the excise
 9 tax decals.

10 SECTION 7. IC 6-6-11-29, AS AMENDED BY P.L.198-2016,
 11 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2019]: Sec. 29. (a) The bureau of motor vehicles shall transfer
 13 ~~the department of natural resources fee, the lake and river enhancement~~
 14 ~~fee, the boat registration fee,~~ the delinquent excise taxes, and the
 15 delinquent fees collected under this chapter during the preceding
 16 month as follows:

17 (1) On or before the eleventh day of each month, the bureau of
 18 motor vehicles shall transfer to the bureau of motor vehicles
 19 commission fund an amount equal to five percent (5%) of each
 20 excise tax transaction completed by the bureau. The money is to
 21 be used to cover the expenses incurred by or on behalf of the
 22 bureau of motor vehicles for returns, decals, collecting the fees
 23 and excise taxes and for amounts deposited in the commission
 24 fund.

25 (2) At least quarterly, the bureau of motor vehicles shall set aside
 26 for the department of natural resources ~~the fees and~~ the delinquent
 27 fees collected under this chapter to use as provided in section 35
 28 of this chapter.

29 (3) On or before the tenth day of each month, the bureau of motor
 30 vehicles shall distribute to each county the excise tax collections,
 31 including delinquent tax collections, for the county for the
 32 preceding month. The bureau of motor vehicles shall include a
 33 report with each distribution showing the information necessary
 34 for the county auditor to allocate the revenue among the taxing
 35 units of the county.

36 (4) The bureau of motor vehicles shall deposit the revenue from
 37 the ~~lake and river enhancement boat registration~~ fee imposed by
 38 ~~section 12(b) of this chapter~~ IC 9-31-3-9 in the lake and river
 39 enhancement fund established by ~~section 12.5 of this chapter.~~
 40 **IC 14-22-3.5.**

41 (b) Money credited to each county's account in the state general
 42 fund is appropriated to make the distributions and the transfers required



1 by subsection (a). The distributions shall be made upon warrants drawn
2 from the state general fund.

3 SECTION 8. IC 9-31-3-9, AS AMENDED BY P.L.198-2016,
4 SECTION 620, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) Except as provided in
6 subsection (b), a request for registration under section 8 of this chapter
7 must be signed by the owner of the motorboat and accompanied by the
8 **appropriate** fee specified under subsection (c). **The fee to renew a**
9 **boat registration is based upon the appropriate fee specified under**
10 **subsection (d).**

11 (b) A motorboat that is owned by the United States, a state, or a
12 subdivision of a state is exempt from the payment of a fee to register
13 the motorboat.

14 (c) The fee to register a motorboat **in its first year of registration**
15 **is the amount determined by STEP TWO of the following formula:**
16 **is based on the length in feet of the motorboat as follows:**

17 **STEP ONE: Determine the appropriate fee based upon the**
18 **length of the motorboat as follows:**

Watercraft Length (in feet)		Fee (\$)	Fee (\$)
At Least	But Less Than	(before January 1, 2017)	(after December 31, 2016)
0	13	16.50	15
13	26	18.50	18
26	40	21.50	21
40		26.50	24

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27 **STEP TWO: Add to the amount determined under STEP**
28 **ONE the appropriate fee based upon the value of the boat as**
29 **follows:**

Value (\$)	Value (\$)	Fee (\$)
Greater than or equal to	Less than	
0	1,000	5
1,000	3,000	10
3,000	5,000	15
5,000	10,000	20
10,000		25

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37 (d) The fee to renew a boat registration is based upon the value
38 of the motorboat as follows:

Value (\$)	Value (\$)	Fee (\$)
Greater than or equal to	Less than	
0	1,000	10
1,000	3,000	15



1	3,000	5,000	20
2	5,000	10,000	25
3	10,000		30
4	(d) A fee collected under subsection (c) before January 1, 2017,		
5	shall be distributed as follows: (e) The bureau shall determine the		
6	value of a motorboat in the same manner as set forth in		
7	IC 6-6-11-10.		
8	(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.		
9	(2) One dollar (\$1) to the commission fund.		
10	(3) Three dollars (\$3) to the crossroads 2000 fund.		
11	(4) Any remaining amount to the department of natural resources.		
12	(e) The bureau shall transfer the money derived from the fees		
13	collected under subsection (c) after December 31, 2016, to the		
14	department of natural resources.		
15	(f) The fees collected under subsection (c) shall be distributed as		
16	follows:		
17	(1) Funds collected from STEP ONE of subsection (c) shall be		
18	deposited in the fish and wildlife fund established by		
19	IC 14-22-3-2 and shall be used exclusively for the following:		
20	(A) The enforcement of laws pertaining to watercraft.		
21	(B) The state's share of the cost of retirement benefits for		
22	conservation officers of the department.		
23	(C) Improving the navigable waters of Indiana.		
24	(2) Two-thirds (2/3) of the funds collected from STEP TWO		
25	of subsection (c) shall be deposited in the lake and river		
26	enhancement fund established by IC 14-22-3.5.		
27	(3) One-third (1/3) of the funds collected from STEP TWO of		
28	subsection (c) shall be deposited in the conservation officers		
29	marine enforcement fund established by IC 14-9-8-21.5.		
30	(g) A fee collected under subsection (d) shall be distributed as		
31	follows:		
32	(1) Five dollars (\$5) shall be deposited in the fish and wildlife		
33	fund established by IC 14-22-3-2 and shall be used exclusively		
34	for the following:		
35	(A) The enforcement of laws pertaining to watercraft.		
36	(B) The state's share of the cost of retirement benefits for		
37	conservation officers of the department.		
38	(C) Improving the navigable waters of Indiana.		
39	(2) The remaining amount shall be distributed as follows:		
40	(A) Two-thirds (2/3) to the lake and river enhancement fund		
41	established by IC 14-22-3.5.		
42	(B) One-third (1/3) to the conservation officers marine		



enforcement fund established by IC 14-9-8-21.5.

~~(f)~~ **(h)** The owner of a motorboat that is registered under this section is ~~not~~ required to renew the registration under subsection ~~(e)~~. ~~However,~~ **(d), and** the person must pay any applicable fees and excise tax under IC 6-6-11-13 on the motorboat each year.

SECTION 9. IC 13-23-8-4, AS AMENDED BY P.L.96-2016, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) The administrator shall pay ELTF claims that are:

- (1) for costs related to eligible releases;
- (2) submitted by eligible parties; and
- (3) submitted in accordance with IC 13-23-8 and IC 13-23-9.

(b) An eligible party may assign the right to receive payment of an ELTF claim to another person.

(c) Not more than thirty (30) business days after an ELTF claim is submitted, the administrator shall do one (1) of the following:

- (1) Approve the ELTF claim and, under IC 13-23-9-2(c), forward the ELTF claim to the auditor of state for payment.**
- (2) Send to the claimant a written notice that:**
 - (A) states that a correction, a clarification, or additional information is needed before the ELTF claim can be approved; and**
 - (B) provides a clear explanation:**
 - (i) of the correction, clarification, or additional information that is needed; and**
 - (ii) of why it is needed.**

(3) Deny the claim and provide the claimant with a statement of the reasons for the denial under IC 13-23-9-2(b).

(d) If a claimant who receives a notification under subsection (c)(2) provides to the administrator the correction, clarification, or additional information that the notification indicated was needed, the administrator, not more than thirty (30) business days after receiving the correction, clarification, or additional information, shall:

- (1) approve the ELTF claim and, under IC 13-23-9-2(c), forward the ELTF claim to the auditor of state for payment;**
- or**
- (2) if the administrator believes that the correction, clarification, or additional information provided by the claimant is not sufficient, send to the claimant another written notice under subsection (c)(2).**

SECTION 10. IC 14-8-2-171 IS REPEALED [EFFECTIVE JULY



1 1, 2019]. Sec. ~~171~~. "Mussel", for purposes of IC ~~14-22~~, means a
 2 mollusk possessing a hard, pearly, hinged shell that:

3 (1) is capable of closing and opening; and

4 (2) completely encases and protects the living organism.

5 SECTION 11. IC 14-8-2-242 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 242. (a) "Resident", for
 7 purposes of IC 14-22, ~~except as provided in subsection (b)~~, means a
 8 person who:

9 (1) is domiciled in Indiana for sixty (60) consecutive days
 10 immediately preceding the date of the purchase of a license or
 11 permit; and

12 (2) does not claim residency for hunting, fishing, or trapping in
 13 any state other than Indiana or any country other than the United
 14 States.

15 (b) "Resident", for purposes of IC ~~14-22-17~~, has the meaning set
 16 forth in IC ~~14-22-17-1~~.

17 SECTION 12. IC 14-9-8-21.5 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 21.5. (a) As used in this
 19 section, "fund" refers to the conservation officers marine enforcement
 20 fund established by this section.

21 (b) The conservation officers marine enforcement fund is
 22 established. The department shall administer the fund. The department
 23 may expend the money in the fund exclusively for marine enforcement
 24 efforts associated with recreational boating on Indiana waters,
 25 including uses described in IC 14-9-9-5.

26 (c) The fund consists of ~~money from the lake and river enhancement~~
 27 ~~fee boat registration fees~~ paid by boat owners and deposited under
 28 ~~IC 6-6-11-12(c)(2)~~. **IC 9-31-3-9**. Money deposited in the fund is
 29 annually appropriated and allotted to the department to carry out the
 30 purposes of this section. The expenses of administering the fund shall
 31 be paid from money in the fund.

32 (d) Money in the fund at the end of a state fiscal year does not revert
 33 to the state general fund. However, the department may transfer from
 34 the fund to the counties with special boat patrol needs fund
 35 (IC 14-9-9-5) an amount that does not exceed twenty percent (20%) of
 36 money deposited into the fund.

37 SECTION 13. IC 14-10-2-5, AS AMENDED BY P.L.195-2017,
 38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2019]: Sec. 5. (a) The department may adopt emergency rules
 40 under IC 4-22-2-37.1 to carry out the duties of the department under
 41 the following:

42 (1) IC 14-9.



- 1 (2) This article.
- 2 (3) IC 14-11.
- 3 (4) IC 14-12-2.
- 4 (5) IC 14-14.
- 5 (6) IC 14-15.
- 6 (7) IC 14-17-3.
- 7 (8) IC 14-18, except IC 14-18-6 and IC 14-18-8.
- 8 (9) IC 14-19-1 and IC 14-19-8.
- 9 (10) IC 14-21.
- 10 (11) IC 14-22-3, IC 14-22-4, and IC 14-22-5.
- 11 (12) IC 14-23-1.
- 12 **(13) IC 14-24.**
- 13 ~~(13)~~ **(14)** IC 14-25, except IC 14-25-8-3 and IC 14-25-13.
- 14 ~~(14)~~ **(15)** IC 14-26.
- 15 ~~(15)~~ **(16)** IC 14-27.
- 16 ~~(16)~~ **(17)** IC 14-28.
- 17 ~~(17)~~ **(18)** IC 14-29.
- 18 ~~(18)~~ **(19)** IC 14-35-1, IC 14-35-2, and IC 14-35-3.
- 19 ~~(19)~~ **(20)** IC 14-37.
- 20 ~~(20)~~ **(21)** IC 14-38, except IC 14-38-3.
- 21 (b) A rule adopted under subsection (a) expires not later than one
- 22 (1) year after the rule is accepted for filing by the publisher of the
- 23 Indiana Register.
- 24 SECTION 14. IC 14-11-3-4, AS AMENDED BY P.L.150-2018,
- 25 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 26 JULY 1, 2019]: Sec. 4. (a) Upon receiving an order from the bureau
- 27 under IC 31-25-4-32(j) or IC 31-25-4-34(e), the director shall place on
- 28 probationary status any license issued under IC 14-22-12, IC 14-22-14,
- 29 IC 14-22-16, ~~IC 14-22-17~~, IC 14-22-19, IC 14-24-7, or IC 14-31-3 and
- 30 held by the person who is the subject of the order. The director shall
- 31 send the person a notice that does the following:
- 32 (1) States that the person's license has been placed on
- 33 probationary status.
- 34 (2) States that the person's license will be suspended if the
- 35 director has not received notice from the bureau under
- 36 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days
- 37 after the date of the notice.
- 38 (3) Describes the amount of child support that the person is in
- 39 arrears.
- 40 (4) Explains the procedures to:
- 41 (A) pay the person's child support arrearage in full; and
- 42 (B) establish a payment plan with the bureau to pay the



1 arrearage, which must include an income withholding order
2 under IC 31-16-15-2 or IC 31-16-15-2.5.

3 (b) If the director has not received notice from the bureau under
4 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the
5 date of the notice in subsection (a), the director shall suspend the
6 license issued to the person under IC 14-22-12, IC 14-22-14,
7 IC 14-22-16, ~~IC 14-22-17~~, IC 14-22-19, IC 14-24-7, or IC 14-31-3.

8 (c) The director may not reinstate a license placed on probationary
9 status or suspended under this section until the director receives a
10 notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g)
11 that the person has addressed the delinquency.

12 SECTION 15. IC 14-19-1-2, AS AMENDED BY P.L.246-2005,
13 SECTION 120, IS AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2019]: Sec. 2. The department may do the
15 following:

16 (1) Make available to the public under rules adopted by the
17 department public parks and other suitable places for recreation,
18 conservation, and management of natural and cultural resources.
19 The rules may include a procedure for the establishment of a
20 schedule of admission fees and service charges adopted by the
21 commission for the parks and other places of recreation.

22 (2) Construct, rent, lease, license, or operate public service
23 privileges and facilities in a state park. An agreement may not be
24 made to rent, lease, or license a public service privilege or facility
25 in a state park for longer than four (4) years, except as provided
26 in section 3 of this chapter.

27 (3) Acquire other suitable land or park property within Indiana
28 that is entrusted, donated, or devised to Indiana by the United
29 States or by a county, a city, a town, a private corporation, or an
30 individual for the purpose of public recreation or for the
31 preservation of natural beauty or natural features possessing
32 historic value.

33 **(4) Construct, rent, lease, license, or operate public service**
34 **privileges and facilities for recreation in a state forest. An**
35 **agreement may not be made to rent, lease, or license a public**
36 **service privilege or facility in a state forest for longer than**
37 **four (4) years.**

38 SECTION 16. IC 14-22-3.5 IS ADDED TO THE INDIANA CODE
39 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2019]:

41 **Chapter 3.5. Lake and River Enhancement Fund**
42 **Sec. 1. The lake and river enhancement fund is established and**



1 allocated for the following purposes:

2 (1) One-half (1/2) of the fund shall be used to pay costs
3 incurred by the department in implementing the lake and
4 river enhancement projects.

5 (2) One-half (1/2) of the fund shall be used by the department
6 to pay for lake or river (as defined in IC 14-32-7-12) projects,
7 including, but not limited to, projects to:

8 (A) remove sediment;

9 (B) control exotic or invasive plants or animals; or

10 (C) remove logjams or obstructions.

11 For purposes of this subdivision, the fund may not be used for
12 projects relating to a ditch or manmade channel.

13 Sec. 2. The fund shall be administered by the director of the
14 department.

15 Sec. 3. Expenses of administering the fund shall be paid from
16 money in the fund.

17 Sec. 4. The fund consists of the revenue from boat registration
18 fees paid by boat owners and deposited under IC 9-31-3-9.

19 Sec. 5. Money in the fund at the end of a state fiscal year does
20 not revert to the state general fund.

21 Sec. 6. With the approval of the governor and the budget
22 agency, the money in the fund allocated under section 1(1) of this
23 chapter may be used to augment and supplement the funds
24 appropriated for the implementation of lake and river
25 enhancement projects.

26 SECTION 17. IC 14-22-10-3, AS AMENDED BY P.L.151-2012,
27 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2019]: Sec. 3. (a) An individual may not take, carry, ship,
29 transport, or accept for shipment or transportation outside Indiana a
30 wild animal protected by Indiana law, except as provided in this article.

31 (b) An individual having a license to use a commercial fishing
32 device in Indiana may ship, carry, or transport outside Indiana fish that
33 the individual has legally taken or caught by the commercial fishing
34 device.

35 (c) An individual having a license to hunt, trap, or fish in Indiana
36 may carry, transport, or ship outside Indiana, in open season, in one (1)
37 day, a wild animal that the individual has legally taken in open season,
38 not to exceed in number the possession limit of the wild animal.

39 (d) Hides and furs of furbearing animals legally taken in open
40 season may be shipped or carried outside Indiana in any number:

41 (1) during the open season; or

42 (2) after open season as allowed by rule.



1 (e) An individual having a breeder's license may ship, carry, or
 2 transport outside Indiana a wild animal that the individual has legally
 3 possessed under the breeder's license in Indiana.

4 (f) An individual may not ship, carry, or transport or accept for
 5 transportation or shipment to a place in Indiana or outside Indiana a
 6 wild animal unless the wild animal is enclosed in a package or
 7 container on which there is clearly, legibly, and conspicuously marked
 8 on the outside of the package or container the following information:

9 (1) The name and address of the shipper and the consignee.

10 (2) An accurate statement of the number or quantities and kinds
 11 of wild animals contained.

12 The shipper shall produce the license required under this article
 13 authorizing the person to take or possess the wild animal. If the wild
 14 animal is carried by the licensee personally, the wild animal shall be
 15 carried openly for inspection, together with the license.

16 ~~(g) An individual having a mussel buyer's license may ship legally
 17 taken mussels or mussel shells outside Indiana.~~

18 SECTION 18. IC 14-22-17 IS REPEALED [EFFECTIVE JULY 1,
 19 2019]. (Mussels License).

20 SECTION 19. IC 14-22-18-4 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. Section 2 of this
 22 chapter does not authorize a resident to fish during a free sport fishing
 23 day in violation of the license requirements set forth in the following:

24 (1) IC 14-22-13.

25 (2) IC 14-22-14.

26 (3) IC 14-22-15.

27 (4) IC 14-22-16.

28 ~~(5) IC 14-22-17.~~

29 SECTION 20. IC 14-22-39-3 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) As used in this
 31 section, "public or private property" does not include dwellings.

32 (b) The director and conservation officers may:

33 (1) search a boat, a conveyance, a vehicle, an automobile, a fish
 34 box, a fish basket, a game bag, a game coat, or other receptacle in
 35 which game may be carried; and

36 (2) enter into or upon private or public property for the purposes
 37 of subdivision (1) or for the purpose of patrolling or investigating;

38 if the director or conservation officer has good reason to believe that
 39 the director or conservation officer will secure evidence of a violation
 40 of this article or a law for the propagation or protection of fish, frogs,
 41 ~~mussels~~, game, furbearing mammals, or birds.

42 SECTION 21. IC 14-23-1-1 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. The department shall
2 do the following:

3 (1) Have the care, custody, and control of the forest land owned
4 by the state, exclusive of state parks.

5 (2) Adopt necessary rules to properly enforce this chapter.

6 (3) Establish, operate, and maintain nurseries for the production
7 of trees to be used in reforestation. The trees may be:

8 (A) used to reforest land owned by the state;

9 (B) supplied to owners of private land at a price not exceeding
10 cost of production; or

11 (C) used for planting on public roads or land under the terms
12 that are considered by the department to be for the public
13 benefit.

14 (4) Prepare, print, post, or distribute printed matter relating to
15 forestry.

16 (5) Make investigations or experiments with regard to forestry
17 questions.

18 (6) Subject to the approval of the governor, purchase land and
19 forests. For the purpose of acquiring land and forests, the
20 commission may exercise the right of eminent domain in the
21 manner provided in IC 14-17-3.

22 (7) Receive and accept, in the name of the people of Indiana, by
23 gift or devise, the fee or other estate in land or forests.

24 (8) Examine the forest land owned by the state or by a state
25 institution for the purpose of advising and cooperating in securing
26 proper forest management of the land.

27 (9) Employ, with approval of the authorities having control of the
28 state penal institutions, convicts committed to a penal institution
29 for the purpose of producing or planting trees, building roads, or
30 doing other work in the forests and in clearing, draining, or
31 developing land purchased or acquired by the state for forestry
32 purposes.

33 (10) Propagate trees and shrubs for state institutions or for
34 planting along highways. A common carrier may transport trees
35 or shrubs grown by the state at a rate less than the established
36 tariff to and from points within Indiana.

37 (11) Have the custody of all abstracts of title, papers, contracts, or
38 related memoranda, except original deeds to the state, for land
39 purchased or received under this section.

40 (12) Examine private forest land:

41 (A) upon request of; and

42 (B) at the expense of;



1 the owner for the purpose of advising the owner on the proper
2 methods of forest management.

3 **(13) Ensure that the following improvements are constructed**
4 **or installed at the campgrounds located in the Ferdinand**
5 **State Forest and the Morgan-Monroe State Forest:**

6 **(A) A code approved septic system.**

7 **(B) A comfort station.**

8 **(C) Running water.**

9 **(D) Primitive camping cabins.**

10 **(E) Other improvements considered appropriate by the**
11 **department.**

12 SECTION 22. IC 14-23-1.5 IS ADDED TO THE INDIANA CODE
13 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2019]:

15 **Chapter 1.5. Privately Owned Forest Land Inspection Services**
16 **Fees**

17 **Sec. 1. (a) This section applies to an owner of land classified as**
18 **native forest land, a forest plantation, or wildlands under**
19 **IC 6-1.1-6 that is enrolled in the department of natural resources**
20 **classified forest and wildlands program (or any similar or**
21 **successor program) and is subject to an inspection under**
22 **IC 6-1.1-6-19.**

23 **(b) The department shall charge a minimum fee for inspection**
24 **services provided to an owner.**

25 **(c) The minimum fee charged under this section shall be**
26 **prorated over the seven (7) year time period between inspections**
27 **as an annual assessment of one dollar (\$1) per acre up to a**
28 **maximum amount of fifty dollars (\$50) annually. The owner shall**
29 **pay the minimum fee in a single installment due on May 10 of the**
30 **year of assessment. The assessment is part of the annual county tax**
31 **bill.**

32 **(d) The state treasurer shall transfer the funds received under**
33 **this section to the department annually.**

34 **Sec. 2. (a) This section applies to an owner of land that is**
35 **classified as native forest land, a forest plantation, or wildlands**
36 **under IC 6-1.1-6 that:**

37 **(1) is not enrolled in the department of natural resources**
38 **classified forest and wildlands program (or any similar**
39 **program or successor program);**

40 **(2) has a forest management plan filed with the department;**
41 **and**

42 **(3) is subject to an inspection under IC 6-1.1-6-19.**



1 **(b) The department shall charge a minimum fee for inspection**
2 **services provided to the owner.**
3 **(c) The minimum fee charged under this section shall be a one**
4 **(1) time five dollar (\$5) per acre minimum fee with a minimum**
5 **amount of one hundred fifty dollars (\$150) per forest management**
6 **plan.**
7 **Sec. 3. The funds received from the minimum fees imposed**
8 **under sections 1 and 2 of this chapter shall be deposited in the state**
9 **forestry fund established by IC 14-23-3-2.**
10 **Sec. 4. Any changes to the minimum fees charged under sections**
11 **1 and 2 of this chapter are subject to the consent and approval of**
12 **the commission.**
13 **Sec. 5. The commission shall review the minimum fees charged**
14 **under this chapter every five (5) years.**
15 **Sec. 6. The commission may increase the minimum fees charged**
16 **under this chapter.**
17 SECTION 23. IC 14-28-1-22, AS AMENDED BY P.L.195-2017,
18 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2019]: Sec. 22. (a) As used in subsection (b)(1) with respect
20 to a stream, "total length" means the length of the stream, expressed in
21 miles, from the confluence of the stream with the receiving stream to
22 the upstream or headward extremity of the stream, as indicated by the
23 solid or dashed, blue or purple line depicting the stream on the most
24 current edition of the seven and one-half (7 1/2) minute topographic
25 quadrangle map published by the United States Geological Survey,
26 measured along the meanders of the stream as depicted on the map.
27 (b) This section does not apply to the following:
28 (1) A reconstruction or maintenance project (as defined in
29 IC 36-9-27) on a stream or an open regulated drain if the total
30 length of the stream or open drain is not more than ten (10) miles.
31 (2) A construction or reconstruction project on a state or county
32 highway bridge in a rural area that crosses a stream having an
33 upstream drainage area of not more than fifty (50) square miles
34 and the relocation of utility lines associated with the construction
35 or reconstruction project if confined to an area not more than one
36 hundred (100) feet from the limits of the highway construction
37 right-of-way.
38 (3) The performance of an activity described in subsection (c)(1)
39 or (c)(2) by a surface coal mining operation that is operated under
40 a permit issued under IC 14-34.



- 1 (4) Any other activity that is determined by the commission,
2 according to rules adopted under IC 4-22-2, to pose not more than
3 a minimal threat to floodway areas.
- 4 (5) An activity in a boundary river floodway to which section 26.5
5 of this chapter applies.
- 6 (6) The removal of a logjam or mass of wood debris that has
7 accumulated in a river or stream, subject to the following
8 conditions:
- 9 (A) Work must not be within a salmonid stream designated
10 under 327 IAC 2-1.5-5 without the prior written approval of the
11 department's division of fish and wildlife.
- 12 (B) Work must not be within a natural, scenic, or recreational
13 river or stream designated under 312 IAC 7-2.
- 14 (C) Except as otherwise provided in Indiana law, free logs or
15 affixed logs that are crossways in the channel must be cut,
16 relocated, and removed from the floodplain. Logs may be
17 maintained in the floodplain if properly anchored or otherwise
18 secured so as to resist flotation or dislodging by the flow of
19 water and placement in an area that is not a wetland. Logs must
20 be removed and secured with a minimum of damage to
21 vegetation.
- 22 (D) Isolated or single logs that are embedded, lodged, or rooted
23 in the channel, and that do not span the channel or cause flow
24 problems, must not be removed unless the logs are either of the
25 following:
- 26 (i) Associated with or in close proximity to larger
27 obstructions.
- 28 (ii) Posing a hazard to navigation.
- 29 (E) A leaning or severely damaged tree that is in immediate
30 danger of falling into the waterway may be cut and removed if
31 the tree is associated with or in close proximity to an
32 obstruction. The root system and stump of the tree must be left
33 in place.
- 34 (F) To the extent practicable, the construction of access roads
35 must be minimized, and should not result in the elevation of the
36 floodplain.
- 37 (G) To the extent practicable, work should be performed
38 exclusively from one (1) side of a waterway. Crossing the bed
39 of a waterway is prohibited.
- 40 (H) To prevent the flow of sediment laden water back into the
41 waterway, appropriate sediment control measures must be
42 installed.



- 1 (I) Within fifteen (15) days, all bare and disturbed areas must
 2 be revegetated with a mixture of grasses and legumes. Tall
 3 fescue must not be used under this subdivision, except that low
 4 endophyte tall fescue may be used in the bottom of the
 5 waterway and on side slopes.
- 6 (c) A person who desires to:
- 7 (1) erect, make, use, or maintain a structure, an obstruction, a
 8 deposit, or an excavation; or
 9 (2) suffer or permit a structure, an obstruction, a deposit, or an
 10 excavation to be erected, made, used, or maintained;
 11 in or on a floodway must file with the director a verified written
 12 application for a permit accompanied by a nonrefundable minimum fee
 13 of two hundred dollars (\$200).
- 14 (d) The application for a permit must set forth the material facts
 15 together with plans and specifications for the structure, obstruction,
 16 deposit, or excavation.
- 17 (e) An applicant must receive a permit from the director for the
 18 work before beginning construction. The director shall issue a permit
 19 only if in the opinion of the director the applicant has clearly proven
 20 that the structure, obstruction, deposit, or excavation will not do any of
 21 the following:
- 22 (1) Adversely affect the efficiency of or unduly restrict the
 23 capacity of the floodway.
 24 (2) Constitute an unreasonable hazard to the safety of life or
 25 property.
 26 (3) Result in unreasonably detrimental effects upon fish, wildlife,
 27 or botanical resources.
- 28 (f) In deciding whether to issue a permit under this section, the
 29 director shall consider the cumulative effects of the structure,
 30 obstruction, deposit, or excavation. The director may incorporate in and
 31 make a part of an order of authorization conditions and restrictions that
 32 the director considers necessary for the purposes of this chapter.
- 33 (g) **A permit issued under this subsection to the Indiana**
 34 **department of transportation or a county highway department if**
 35 **there is any federal funding for the project is valid for two (2)**
 36 **years after the issuance of the permit. a permit issued under this**
 37 **section**
- 38 (1) is valid for two (2) years after the issuance of the permit and
 39 (2) to
 40 (A) the Indiana department of transportation or a county
 41 highway department if there is any federal funding for the
 42 project; or



1 ~~(B)~~ an electric utility for the construction, of a power generating
 2 facility;
 3 is valid for five (5) years from the date of issuance.
 4 **(h) A permit issued under this subsection to:**
 5 **(1) an electric utility for the construction, operation,**
 6 **maintenance, or closure of a power generating facility; or**
 7 **(2) a quarrying or aggregate company for the excavation of**
 8 **industrial minerals, including clay and shale, crushed**
 9 **limestone and dolostone, dimension limestone, dimension**
 10 **sandstone, gypsum, peat, construction sand and gravel, and**
 11 **industrial sand;**
 12 **is valid for five (5) years after the issuance of the permit.**
 13 **(i)** A permit that is active and was issued under ~~subdivision (f)~~
 14 **subsection (g)** before July 1, 2014, is valid for two (2) years beginning
 15 July 2014, and a permit that is active and was issued under ~~subdivision~~
 16 ~~(e)~~ **subsection (h)** before July 1, 2014, is valid for five (5) years
 17 beginning July 2014.
 18 ~~(h)~~ **(j)** A permit issued under:
 19 (1) subsection ~~(g)~~~~(f)~~ **(g)** may be renewed one (1) time for a period
 20 not to exceed two (2) additional years; and
 21 (2) subsection ~~(g)~~~~(e)~~ **(h)** may be renewed one (1) time for a period
 22 not to exceed five (5) additional years.
 23 ~~(i)~~ **(k)** The director shall send a **copy notice** of each permit issued
 24 under this section to each river basin commission organized under:
 25 (1) IC 14-29-7 or IC 13-2-27 (before its repeal); or
 26 (2) IC 14-30-1 or IC 36-7-6 (before its repeal);
 27 that is affected.
 28 ~~(j)~~ **(l)** The permit holder shall post and maintain a permit issued
 29 under this section at the authorized site.
 30 ~~(k)~~ **(m)** For the purposes of this chapter, the lowest floor of a
 31 building, including a residence or abode, that is to be constructed or
 32 reconstructed in the one hundred (100) year floodplain of an area
 33 protected by a levee that is:
 34 (1) inspected; and
 35 (2) found to be in good or excellent condition;
 36 by the United States Army Corps of Engineers shall not be lower than
 37 the one hundred (100) year frequency flood elevation plus one (1) foot.
 38 SECTION 24. IC 14-28-1-34, AS AMENDED BY P.L.219-2014,
 39 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2019]: Sec. 34. A person who knowingly fails to comply with
 41 section ~~22(j)~~ **22(l)** of this chapter commits a Class B infraction. Each



1 day a person violates section ~~22(j)~~ **22(l)** of this chapter constitutes a
 2 separate infraction.

3 SECTION 25. IC 31-25-4-32, AS AMENDED BY P.L.150-2018,
 4 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2019]: Sec. 32. (a) When the Title IV-D agency finds that an
 6 obligor is delinquent, the Title IV-D agency shall send, to a verified
 7 address, a notice to the obligor that does the following:

- 8 (1) Specifies that the obligor is delinquent.
 9 (2) Describes the amount of child support that the obligor is in
 10 arrears.
 11 (3) States that unless the obligor:
 12 (A) pays the obligor's child support arrearage in full;
 13 (B) establishes a payment plan with the Title IV-D agency to
 14 pay the arrearage, which includes an income withholding order;
 15 or
 16 (C) requests a hearing under section 33 of this chapter;
 17 within twenty (20) days after the date the notice is mailed, the
 18 Title IV-D agency shall issue an order to the bureau of motor
 19 vehicles stating that the obligor is delinquent and that the
 20 obligor's driving privileges shall be suspended.
 21 (4) Explains that the obligor has twenty (20) days after the notice
 22 is mailed to do one (1) of the following:
 23 (A) Pay the obligor's child support arrearage in full.
 24 (B) Establish a payment plan with the Title IV-D agency to pay
 25 the arrearage, which includes an income withholding order
 26 under IC 31-16-15-2 or IC 31-16-15-2.5.
 27 (C) Request a hearing under section 33 of this chapter.
 28 (5) Explains that if the obligor has not satisfied any of the
 29 requirements of subdivision (4) not later than twenty (20) days
 30 after the notice is mailed, that the Title IV-D agency shall issue a
 31 notice to:
 32 (A) the board or department that regulates the obligor's
 33 profession or occupation, if any, that the obligor is delinquent
 34 and that the obligor may be subject to sanctions under
 35 IC 25-1-1.2, including suspension or revocation of the obligor's
 36 professional or occupational license;
 37 (B) the supreme court disciplinary commission if the obligor is
 38 licensed to practice law;
 39 (C) the department of education established by IC 20-19-3-1 if
 40 the obligor is a licensed teacher;
 41 (D) the Indiana horse racing commission if the obligor holds or
 42 applies for a license issued under IC 4-31-6;



- 1 (E) the Indiana gaming commission if the obligor holds or
 2 applies for a license issued under IC 4-33 and IC 4-35;
 3 (F) the commissioner of the department of insurance if the
 4 obligor holds or is an applicant for a license issued under
 5 IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3;
 6 (G) the director of the department of natural resources if the
 7 obligor holds or is an applicant for a license issued by the
 8 department of natural resources under:
 9 (i) IC 14-22-12 (fishing, hunting, and trapping licenses);
 10 (ii) IC 14-22-14 (Lake Michigan commercial fishing license);
 11 (iii) IC 14-22-16 (bait dealer's license);
 12 (iv) ~~IC 14-22-17 (mussel license);~~
 13 ~~(v)~~ IC 14-22-19 (fur buyer's license);
 14 ~~(vi)~~ (v) IC 14-24-7 (nursery dealer's license); or
 15 ~~(vii)~~ (vi) IC 14-31-3 (ginseng dealer's license); or
 16 (H) the alcohol and tobacco commission if the obligor holds or
 17 applies for an employee's permit under IC 7.1-3-18-9(a)(3).
 18 (6) Explains that the only basis for contesting the issuance of an
 19 order under subdivision (3) or (5) is a mistake of fact.
 20 (7) Explains that an obligor may contest the Title IV-D agency's
 21 determination to issue an order under subdivision (3) or (5) by
 22 making written application to the Title IV-D agency not later than
 23 twenty (20) days after the date the notice is mailed.
 24 (8) Explains the procedures to:
 25 (A) pay the obligor's child support arrearage in full; and
 26 (B) establish a payment plan with the Title IV-D agency to pay
 27 the arrearage, which must include an income withholding order
 28 under IC 31-16-15-2 or IC 31-16-15-2.5.
 29 (b) Whenever the Title IV-D agency finds that an obligor is
 30 delinquent and has failed to:
 31 (1) pay the obligor's child support arrearage in full;
 32 (2) establish a payment plan with the Title IV-D agency to pay the
 33 arrearage, which includes an income withholding order under
 34 IC 31-16-15-2 or IC 31-16-15-2.5; or
 35 (3) request a hearing under section 33 of this chapter not later
 36 than twenty (20) days after the date the notice described in
 37 subsection (a) is mailed;
 38 the Title IV-D agency shall issue an order to the bureau of motor
 39 vehicles stating that the obligor is delinquent.
 40 (c) An order issued under subsection (b) must require the following:
 41 (1) If the obligor who is the subject of the order holds a driving
 42 license or permit on the date the order is issued, that the driving



- 1 privileges of the obligor be suspended until further order of the
 2 Title IV-D agency.
- 3 (2) If the obligor who is the subject of the order does not hold a
 4 driving license or permit on the date the order is issued, that the
 5 bureau of motor vehicles may not issue a driving license or permit
 6 to the obligor until the bureau of motor vehicles receives a further
 7 order from the Title IV-D agency.
- 8 (d) The Title IV-D agency shall provide the:
- 9 (1) full name;
 10 (2) date of birth;
 11 (3) verified address; and
 12 (4) Social Security number or driving license number;
 13 of the obligor to the bureau of motor vehicles.
- 14 (e) Whenever the Title IV-D agency finds that an obligor who is an
 15 applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in
 16 IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed
 17 to:
- 18 (1) pay the obligor's child support arrearage in full;
 19 (2) establish a payment plan with the Title IV-D agency to pay the
 20 arrearage, which includes an income withholding order under
 21 IC 31-16-15-2 or IC 31-16-15-2.5; or
 22 (3) request a hearing under section 33 of this chapter;
 23 the Title IV-D agency shall issue an order to the board regulating the
 24 practice of the obligor's profession or occupation stating that the
 25 obligor is delinquent.
- 26 (f) An order issued under subsection (e) must direct the board or
 27 department regulating the obligor's profession or occupation to impose
 28 the appropriate sanctions described under IC 25-1-1.2.
- 29 (g) Whenever the Title IV-D agency finds that an obligor who is an
 30 attorney or a licensed teacher is delinquent and the attorney or licensed
 31 teacher has failed to:
- 32 (1) pay the obligor's child support arrearage in full;
 33 (2) establish a payment plan with the Title IV-D agency to pay the
 34 arrearage, which includes an income withholding order under
 35 IC 31-16-15-2 or IC 31-16-15-2.5; or
 36 (3) request a hearing under section 33 of this chapter;
 37 the Title IV-D agency shall notify the supreme court disciplinary
 38 commission if the obligor is an attorney, or the department of education
 39 if the obligor is a licensed teacher, that the obligor is delinquent.
- 40 (h) Whenever the Title IV-D agency finds that an obligor who holds
 41 a license issued under IC 4-31-6, IC 4-33, or IC 4-35 has failed to:
- 42 (1) pay the obligor's child support arrearage in full;



- 1 (2) establish a payment plan with the Title IV-D agency to pay the
 2 arrearage, which includes an income withholding order under
 3 IC 31-16-15-2 or IC 31-16-15-2.5; or
 4 (3) request a hearing under section 33 of this chapter;
 5 the Title IV-D agency shall issue an order to the Indiana horse racing
 6 commission if the obligor holds a license issued under IC 4-31-6, or to
 7 the Indiana gaming commission if the obligor holds a license issued
 8 under IC 4-33 or IC 4-35, stating that the obligor is delinquent and
 9 directing the commission to impose the appropriate sanctions described
 10 in IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.
- 11 (i) Whenever the Title IV-D agency finds that an obligor who holds
 12 a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has
 13 failed to:
 14 (1) pay the obligor's child support arrearage in full;
 15 (2) establish a payment plan with the Title IV-D agency to pay the
 16 arrearage, which includes an income withholding order under
 17 IC 31-16-15-2 or IC 31-16-15-2.5; or
 18 (3) request a hearing under section 33 of this chapter;
 19 the Title IV-D agency shall issue an order to the commissioner of the
 20 department of insurance stating that the obligor is delinquent and
 21 directing the commissioner to impose the appropriate sanctions
 22 described in IC 27-1-15.6-29 or IC 27-10-3-20.
- 23 (j) Whenever the Title IV-D agency finds that an obligor who holds
 24 a license issued by the department of natural resources under
 25 IC 14-22-12, IC 14-22-14, IC 14-22-16, ~~IC 14-22-17~~, IC 14-22-19,
 26 IC 14-24-7, or IC 14-31-3 has failed to:
 27 (1) pay the obligor's child support arrearage in full;
 28 (2) establish a payment plan with the Title IV-D agency to pay the
 29 arrearage, which includes an income withholding order under
 30 IC 31-16-15-2 or IC 31-16-15-2.5; or
 31 (3) request a hearing under section 33 of this chapter;
 32 the Title IV-D agency shall issue an order to the director of the
 33 department of natural resources stating that the obligor is delinquent
 34 and directing the director to suspend or revoke a license issued to the
 35 obligor by the department of natural resources as provided in
 36 IC 14-11-3.
- 37 (k) If the Title IV-D agency finds that an obligor who holds an
 38 employee's permit issued under IC 7.1-3-18-9(a)(3) has failed to:
 39 (1) pay the obligor's child support arrearage in full;
 40 (2) establish a payment plan with the Title IV-D agency to pay the
 41 arrearage, which includes an income withholding order under
 42 IC 31-16-15-2 or IC 31-16-15-2.5; or



1 (3) request a hearing under section 33 of this chapter;
 2 the Title IV-D agency shall issue an order to the alcohol and tobacco
 3 commission stating that the obligor is delinquent and directing the
 4 alcohol and tobacco commission to impose the appropriate sanctions
 5 under IC 7.1-3-23-44.

6 (l) A person's most recent address on file with the bureau constitutes
 7 a verified address for purposes of this section.

8 (m) When an obligor who was the subject of an order issued by the
 9 Title IV-D agency under subsection (b), (e), (g), (h), (i), (j), or (k) has:

10 (1) paid the obligor's child support arrearage in full; or

11 (2) established a payment plan with the Title IV-D agency to pay
 12 the arrearage, which includes an income withholding order under
 13 IC 31-16-15-2 or IC 31-16-15-2.5;

14 the Title IV-D agency shall provide notice to the appropriate entity
 15 under subsection (b), (e), (g), (h), (i), (j), or (k) that the obligor has
 16 addressed the delinquency.

17 SECTION 26. IC 31-25-4-34, AS AMENDED BY P.L.150-2018,
 18 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2019]: Sec. 34. (a) As used in this section, "board" has the
 20 meaning set forth in IC 25-1-1.2-2.

21 (b) If an obligor holds a license issued by a board and requests a
 22 hearing under section 33 of this chapter but fails to appear or appears
 23 and is found to be delinquent, the Title IV-D agency shall issue an
 24 order to the board that issued the obligor's license:

25 (1) stating that the obligor is delinquent; and

26 (2) requiring the board to comply with the actions required under
 27 IC 25-1-1.2-8.

28 (c) If an obligor holds a license issued under IC 4-31-6, IC 4-33, or
 29 IC 4-35 and requests a hearing under section 33 of this chapter but fails
 30 to appear or appears and is found to be delinquent, the Title IV-D
 31 agency shall issue an order to the:

32 (1) Indiana horse racing commission, if the obligor holds a license
 33 issued under IC 4-31-6; or

34 (2) Indiana gaming commission, if the obligor holds a license
 35 issued under IC 4-33 or IC 4-35;

36 stating that the obligor is delinquent and requiring the commission to
 37 comply with the actions required under IC 4-31-6-11, IC 4-33-8.5-3, or
 38 IC 4-35-6.7-2.

39 (d) If an obligor holds a license issued under IC 27-1-15.6,
 40 IC 27-1-15.8, or IC 27-10-3 and requests a hearing under section 33 of
 41 this chapter but fails to appear or appears and is found to be delinquent,



1 the Title IV-D agency shall issue an order to the commissioner of the
 2 department of insurance:

3 (1) stating that the obligor is delinquent; and
 4 (2) requiring the commissioner to comply with the actions
 5 required under IC 27-1-15.6-29 or IC 27-10-3-20.

6 (e) If an obligor holds a license issued by the department of natural
 7 resources under IC 14-22-12, IC 14-22-14, IC 14-22-16, ~~IC 14-22-17~~,
 8 IC 14-22-19, IC 14-24-7, or IC 14-31-3 and requests a hearing under
 9 section 33 of this chapter but fails to appear, or appears and is found to
 10 be delinquent, the Title IV-D agency shall issue an order to the director
 11 of the department of natural resources:

12 (1) stating that the obligor is delinquent; and
 13 (2) requiring the director to suspend or revoke a license issued by
 14 the department as provided in IC 14-11-3.

15 (f) If an obligor:

16 (1) holds an employee's permit issued under IC 7.1-3-18-9(a)(3);
 17 and
 18 (2) requests a hearing under section 33 of this chapter but fails to
 19 appear or appears and is found to be delinquent;

20 the Title IV-D agency shall issue an order to the alcohol and tobacco
 21 commission stating that the obligor is delinquent and requiring the
 22 commission to impose the appropriate sanctions under IC 7.1-3-23-44.

23 (g) When an obligor who was the subject of an order issued by the
 24 Title IV-D agency under subsection (b), (c), (d), (e), or (f) has:

25 (1) paid the obligor's child support arrearage in full; or
 26 (2) established a payment plan with the Title IV-D agency to pay
 27 the arrearage, which includes an income withholding order under
 28 IC 31-16-15-2 or IC 31-16-15-2.5;

29 the Title IV-D agency shall provide notice to the appropriate entity
 30 under subsection (b), (c), (d), (e), or (f) that the obligor has addressed
 31 the delinquency.

32 SECTION 27. IC 35-52-14-26.5 IS REPEALED [EFFECTIVE
 33 JULY 1, 2019]. ~~Sec. 26.5: IC 14-22-17-2 defines a crime concerning~~
 34 ~~mussel licenses.~~



COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1513, 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:

Delete the title and insert the following:

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

Page 6, delete lines 3 through 42, begin a new paragraph and insert:

"SECTION 8. IC 9-31-3-9, AS AMENDED BY P.L.198-2016, SECTION 620, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) Except as provided in subsection (b), a request for registration under section 8 of this chapter must be signed by the owner of the motorboat and accompanied by the **appropriate** fee specified under subsection (c). **The fee to renew a boat registration is based upon the appropriate fee specified under subsection (d).**

(b) A motorboat that is owned by the United States, a state, or a subdivision of a state is exempt from the payment of a fee to register the motorboat.

(c) The fee to register a motorboat **in its first year of registration is the amount determined by STEP TWO of the following formula: is based on the length in feet of the motorboat as follows:**

STEP ONE: Determine the appropriate fee based upon the length of the motorboat as follows:

Watercraft Length (in feet)		Fee (\$)	Fee (\$)
At Least	But Less Than	(before January 1, 2017)	(after December 31, 2016)
0	13	16.50	15
13	26	18.50	18
26	40	21.50	21
40		26.50	24

STEP TWO: Add to the amount determined under STEP ONE the appropriate fee based upon the value of the boat as follows:

Value (\$)	Value (\$)	Fee (\$)
Greater than or equal to	Less than	
0	1,000	5
1,000	3,000	10
3,000	5,000	15
5,000	10,000	20



10,000 **25**
 (d) The fee to renew a boat registration is based upon the value of the motorboat as follows:

Value (\$)	Value (\$)	Fee (\$)
Greater than or equal to	Less than	
0	1,000	10
1,000	3,000	15
3,000	5,000	20
5,000	10,000	25
10,000		30

(d) A fee collected under subsection (c) before January 1, 2017, shall be distributed as follows: (e) The bureau shall determine the value of a motorboat in the same manner as set forth in IC 6-6-11-10.

- (1) Fifty cents (\$0.50) to the state motor vehicle technology fund;
- (2) One dollar (\$1) to the commission fund;
- (3) Three dollars (\$3) to the crossroads 2000 fund;
- (4) Any remaining amount to the department of natural resources.

(e) The bureau shall transfer the money derived from the fees collected under subsection (c) after December 31, 2016, to the department of natural resources.

(f) The fees collected under subsection (c) shall be distributed as follows:

- (1) Funds collected from STEP ONE of subsection (c) shall be deposited in the fish and wildlife fund established by IC 14-22-3-2 and shall be used exclusively for the following:
 - (A) The enforcement of laws pertaining to watercraft.
 - (B) The state's share of the cost of retirement benefits for conservation officers of the department.
 - (C) Improving the navigable waters of Indiana.
- (2) Two-thirds (2/3) of the funds collected from STEP TWO of subsection (c) shall be deposited in the lake and river enhancement fund established by IC 14-22-3.5.
- (3) One-third (1/3) of the funds collected from STEP TWO of subsection (c) shall be deposited in the conservation officers marine enforcement fund established by IC 14-9-8-21.5.

(g) A fee collected under subsection (d) shall be distributed as follows:

- (1) Five dollars (\$5) shall be deposited in the fish and wildlife fund established by IC 14-22-3-2 and shall be used exclusively for the following:
 - (A) The enforcement of laws pertaining to watercraft.



(B) The state's share of the cost of retirement benefits for conservation officers of the department.

(C) Improving the navigable waters of Indiana.

(2) The remaining amount shall be distributed as follows:

(A) Two-thirds (2/3) to the lake and river enhancement fund established by IC 14-22-3.5.

(B) One-third (1/3) to the conservation officers marine enforcement fund established by IC 14-9-8-21.5.

(f) (h) The owner of a motorboat that is registered under this section is ~~not~~ required to renew the registration under subsection ~~(c)~~. ~~However,~~ **(d), and** the person must pay any applicable fees and excise tax under IC 6-6-11-13 on the motorboat each year."

Page 7, delete lines 1 through 37.

Page 7, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 9. IC 13-23-8-4, AS AMENDED BY P.L.96-2016, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) The administrator shall pay ELTF claims that are:

(1) for costs related to eligible releases;

(2) submitted by eligible parties; and

(3) submitted in accordance with IC 13-23-8 and IC 13-23-9.

(b) An eligible party may assign the right to receive payment of an ELTF claim to another person.

(c) Not more than thirty (30) business days after an ELTF claim is submitted, the administrator shall do one (1) of the following:

(1) Approve the ELTF claim and, under IC 13-23-9-2(c), forward the ELTF claim to the auditor of state for payment.

(2) Send to the claimant a written notice that:

(A) states that a correction, a clarification, or additional information is needed before the ELTF claim can be approved; and

(B) provides a clear explanation:

(i) of the correction, clarification, or additional information that is needed; and

(ii) of why it is needed.

(3) Deny the claim and provide the claimant with a statement of the reasons for the denial under IC 13-23-9-2(b).

(d) If a claimant who receives a notification under subsection (c)(2) provides to the administrator the correction, clarification, or additional information that the notification indicated was needed, the administrator, not more than thirty (30) business days after



receiving the correction, clarification, or additional information, shall:

- (1) approve the ELTF claim and, under IC 13-23-9-2(c), forward the ELTF claim to the auditor of state for payment; or
- (2) if the administrator believes that the correction, clarification, or additional information provided by the claimant is not sufficient, send to the claimant another written notice under subsection (c)(2)."

Page 10, between lines 7 and 8, begin a new paragraph and insert: "SECTION 15. IC 14-19-1-2, AS AMENDED BY P.L.246-2005, SECTION 120, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. The department may do the following:

- (1) Make available to the public under rules adopted by the department public parks and other suitable places for recreation, conservation, and management of natural and cultural resources. The rules may include a procedure for the establishment of a schedule of admission fees and service charges adopted by the commission for the parks and other places of recreation.
- (2) Construct, rent, lease, license, or operate public service privileges and facilities in a state park. An agreement may not be made to rent, lease, or license a public service privilege or facility in a state park for longer than four (4) years, except as provided in section 3 of this chapter.
- (3) Acquire other suitable land or park property within Indiana that is entrusted, donated, or devised to Indiana by the United States or by a county, a city, a town, a private corporation, or an individual for the purpose of public recreation or for the preservation of natural beauty or natural features possessing historic value.
- (4) Construct, rent, lease, license, or operate public service privileges and facilities for recreation in a state forest. An agreement may not be made to rent, lease, or license a public service privilege or facility in a state forest for longer than four (4) years."**

Page 12, between lines 11 and 12, begin a new paragraph and insert: "SECTION 20. IC 14-23-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. The department shall do the following:

- (1) Have the care, custody, and control of the forest land owned by the state, exclusive of state parks.



- (2) Adopt necessary rules to properly enforce this chapter.
- (3) Establish, operate, and maintain nurseries for the production of trees to be used in reforestation. The trees may be:
 - (A) used to reforest land owned by the state;
 - (B) supplied to owners of private land at a price not exceeding cost of production; or
 - (C) used for planting on public roads or land under the terms that are considered by the department to be for the public benefit.
- (4) Prepare, print, post, or distribute printed matter relating to forestry.
- (5) Make investigations or experiments with regard to forestry questions.
- (6) Subject to the approval of the governor, purchase land and forests. For the purpose of acquiring land and forests, the commission may exercise the right of eminent domain in the manner provided in IC 14-17-3.
- (7) Receive and accept, in the name of the people of Indiana, by gift or devise, the fee or other estate in land or forests.
- (8) Examine the forest land owned by the state or by a state institution for the purpose of advising and cooperating in securing proper forest management of the land.
- (9) Employ, with approval of the authorities having control of the state penal institutions, convicts committed to a penal institution for the purpose of producing or planting trees, building roads, or doing other work in the forests and in clearing, draining, or developing land purchased or acquired by the state for forestry purposes.
- (10) Propagate trees and shrubs for state institutions or for planting along highways. A common carrier may transport trees or shrubs grown by the state at a rate less than the established tariff to and from points within Indiana.
- (11) Have the custody of all abstracts of title, papers, contracts, or related memoranda, except original deeds to the state, for land purchased or received under this section.
- (12) Examine private forest land:
 - (A) upon request of; and
 - (B) at the expense of;the owner for the purpose of advising the owner on the proper methods of forest management.



(13) Ensure that the following improvements are constructed or installed at the campgrounds located in the Ferdinand State Forest and the Morgan-Monroe State Forest:

- (A) A code approved septic system.**
- (B) A comfort station.**
- (C) Running water.**
- (D) Primitive camping cabins.**
- (E) Other improvements considered appropriate by the department.**

SECTION 21. IC 14-23-1.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 1.5. Privately Owned Forest Land Inspection Services Fees

Sec. 1. (a) This section applies to an owner of land classified as native forest land, a forest plantation, or wildlands under IC 6-1.1-6 that is enrolled in the department of natural resources classified forest and wildlands program (or any similar or successor program) and is subject to an inspection under IC 6-1.1-6-19.

(b) The department shall charge a minimum fee for inspection services provided to an owner.

(c) The minimum fee charged under this section shall be prorated over the seven (7) year time period between inspections as an annual assessment of one dollar (\$1) per acre up to a maximum amount of fifty dollars (\$50) annually. The owner shall pay the minimum fee in a single installment due on May 10 of the year of assessment. The assessment is part of the annual county tax bill.

(d) The state treasurer shall transfer the funds received under this section to the department annually.

Sec. 2. (a) This section applies to an owner of land that is classified as native forest land, a forest plantation, or wildlands under IC 6-1.1-6 that:

- (1) is not enrolled in the department of natural resources classified forest and wildlands program (or any similar program or successor program);**
- (2) has a forest management plan filed with the department;**
- and**
- (3) is subject to an inspection under IC 6-1.1-6-19.**

(b) The department shall charge a minimum fee for inspection services provided to the owner.



(c) The minimum fee charged under this section shall be a one (1) time five dollar (\$5) per acre minimum fee with a minimum amount of one hundred fifty dollars (\$150) per forest management plan.

Sec. 3. The funds received from the minimum fees imposed under sections 1 and 2 of this chapter shall be deposited in the state forestry fund established by IC 14-23-3-2.

Sec. 4. Any changes to the minimum fees charged under sections 1 and 2 of this chapter are subject to the consent and approval of the commission.

Sec. 5. The commission shall review the minimum fees charged under this chapter every five (5) years.

Sec. 6. The commission may increase the minimum fees charged under this chapter."

Page 12, line 39, reset in roman "An activity in a boundary river floodway to which section 26.5".

Page 12, line 40, reset in roman "of this chapter applies."

Page 12, line 41, reset in roman "(6)".

Page 14, line 26, delete "Subject to subsection (h)," and insert **"A permit issued under this subsection to the Indiana department of transportation or a county highway department if there is any federal funding for the project is valid for two (2) years after the issuance of the permit."**

Page 14, line 26, strike "a permit issued under this section".

Page 14, line 27, strike "is valid for two (2) years after the issuance of the permit".

Page 14, line 28, strike "to".

Page 14, line 29, delete "(1)".

Page 14, line 29, strike "the Indiana department of transportation or a county".

Page 14, line 30, strike "highway department if there is any federal funding for the".

Page 14, line 31, strike "project;".

Page 14, line 32, delete "(2)".

Page 14, line 32, strike "an electric utility for the construction,".

Page 14, line 32, delete "operation,".

Page 14, line 33, delete "maintenance, or closure".

Page 14, line 33, strike "of a power generating facility;".

Page 14, line 33, after "facility;" delete "or".

Page 14, delete lines 34 through 38.

Page 14, delete lines 40 through 42, begin a new paragraph and insert:



"(h) A permit issued under this subsection to:

- (1) an electric utility for the construction, operation, maintenance, or closure of a power generating facility; or**
- (2) a quarrying or aggregate company for the excavation of industrial minerals, including clay and shale, crushed limestone and dolostone, dimension limestone, dimension sandstone, gypsum, peat, construction sand and gravel, and industrial sand;**

is valid for five (5) years after the issuance of the permit."

Page 15, line 1, beginning with "A" begin a new paragraph and insert:

"(i)".

Page 15, line 1, strike "subdivision (1)" and insert "**subsection (g)**".

Page 15, line 3, strike "subdivision (2)" and insert "**subsection (h)**".

Page 15, line 5, delete "(i)" and insert "**(j)**".

Page 15, line 6, strike "(g)(1)" and insert "**(g)**".

Page 15, line 8, strike "(g)(2)" and insert "**(h)**".

Page 15, line 10, delete "(j)" and insert "**(k)**".

Page 15, line 15, delete "(k)" and insert "**(l)**".

Page 15, line 17, after "(k)" insert "**(m)**".

Page 15, line 17, reset in roman "For the purposes of this chapter, the lowest floor of a building,".

Page 15, reset in roman lines 18 through 24.

Page 15, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 20. IC 14-28-1-34, AS AMENDED BY P.L.219-2014, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 34. A person who knowingly fails to comply with section ~~22(j)~~ **22(l)** of this chapter commits a Class B infraction. Each day a person violates section ~~22(j)~~ **22(l)** of this chapter constitutes a separate infraction."

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1513 as introduced.)

EBERHART

Committee Vote: yeas 10, nays 3.

HB 1513—LS 7531/DI 109

