

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

## SENATE ENROLLED ACT No. 44

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

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

SECTION 1. IC 14-26-2-23 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2000]: **Sec. 23. The commission shall adopt rules in the manner provided in IC 14-10-2-4 to do the following:**

- (1) **Assist in the administration of this chapter.**
- (2) **Provide objective standards for licensing:**
  - (A) **the placement of a temporary or permanent structure or material; or**
  - (B) **the extraction of material;****over, along, or within a shoreline or waterline. The standards shall exempt any class of activities from licensing if the commission finds that the class is unlikely to pose more than a minimal potential for harm to the public rights described in section 5 of this chapter.**
- (3) **Establish a process under IC 4-21.5 for the mediation of disputes among riparian owners or between a riparian owner and the department concerning the usage of an area over, along, or within a shoreline or waterline for a matter within the jurisdiction of this chapter. The rule must provide that:**
  - (A) **if good faith mediation under the process fails to achieve a settlement, the department shall make a determination of the dispute; and**

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**(B) a person affected by the determination of the department may seek administrative review by the commission.**

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

Approved: \_\_\_\_\_

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Governor of the State of Indiana

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