
SENATE BILL No. 121

DIGEST OF INTRODUCED BILL

Citations Affected: P.L.248-1996, SECTION 1.

Synopsis: Environmental quality service council extension. Reestablishes and extends the environmental quality service council (EQSC) through December 31, 2005. Repeals the current EQSC enabling statute (which expires December 31, 2000).

Effective: Upon passage.

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January 8, 2001, read first time and referred to Committee on Rules and Legislative Procedure.

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First Regular Session 112th General Assembly (2001)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

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SENATE BILL No. 121



A BILL FOR AN ACT concerning environmental law.

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

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SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **As used in this SECTION, "council" refers to the environmental quality service council established by subsection (c).**

(b) **As used in this SECTION, "department" refers to the department of environmental management.**

(c) **The environmental quality service council is established.**

(d) **The council consists of twenty-four (24) members appointed as follows:**

(1) **Four (4) members of the senate, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.**

(2) **Four (4) members of the house of representatives, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.**

(3) **The commissioner of the department or the commissioner's designee.**

(4) **Fifteen (15) individuals who are not members of the**



1 general assembly and who are appointed by the governor as
2 follows:

3 (A) Four (4) individuals representing business and
4 industry, not more than two (2) of whom may be affiliated
5 with the same political party.

6 (B) Four (4) individuals representing local government, not
7 more than two (2) of whom may be affiliated with the same
8 political party.

9 (C) Two (2) individuals representing environmental
10 organizations, not more than one (1) of whom may be
11 affiliated with the same political party.

12 (D) Two (2) individuals representing the general public,
13 not more than one (1) of whom may be affiliated with the
14 same political party.

15 (E) Three (3) individuals representing the following
16 interests:

17 (i) One (1) representative of semipublic permittees.

18 (ii) Two (2) representatives of agriculture, not more than
19 one (1) of whom may be affiliated with the same political
20 party.

21 Until an appointment is made under clause (A), (B), (C), or
22 (E), an unfilled position shall be held by the corresponding
23 member of the environmental quality service council serving
24 on December 31, 2000, who was appointed under
25 P.L.248-1996, SECTION 1(d)(4), and who represented the
26 same interest as that of the unfilled position.

27 (e) Appointments are valid for two (2) years after the date of the
28 appointment. However, a member shall serve on the council until
29 a new appointment is made.

30 (f) A vacancy among the members of the council shall be filled
31 by the appointing authority of the member whose position is
32 vacant. If the appointing authority does not fill a vacancy within
33 sixty (60) days after the date the vacancy occurs, the vacancy shall
34 be filled by the chairman of the legislative council.

35 (g) The chairman of the legislative council shall designate a
36 member of the council to be the chairman of the council.

37 (h) The chairman of the council shall call for the council to meet
38 at least six (6) times during a calendar year. The chairman may
39 designate subcommittees to meet between committee meetings and
40 report back to the full council.

41 (i) Each member of the council is entitled to receive the same
42 per diem, mileage, and travel allowances paid to individuals who

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1 serve as legislative and lay members, respectively, serving on
2 interim study committees established by the legislative council.

3 (j) The council shall do the following:

4 (1) Advise the commissioner of the department on policy
5 issues decided upon by the council.

6 (2) Review the mission and goals of the department and
7 evaluate the implementation of the mission.

8 (3) Serve as a council of the general assembly to evaluate:

9 (A) resources and structural capabilities of the department
10 to meet the department's priorities; and

11 (B) program requirements and resource requirements for
12 the department.

13 (4) Serve as a forum for citizens, the regulated community,
14 and legislators to discuss broad policy directions.

15 (5) Submit a final report to the governor, the general
16 assembly, the budget committee, and the administrative rules
17 oversight committee established by IC 2-5-18 before
18 November 1, 2001, and before November 1 each year
19 thereafter, that contains:

20 (A) an outline of activities of the council;

21 (B) recommendations for any department action;

22 (C) recommendations for any legislative action; and

23 (D) an estimate of funding levels required by the
24 department, including an evaluation of permit fees.

25 (k) The commissioner of the department shall report to the
26 council each month concerning the following:

27 (1) Permitting programs and technical assistance.

28 (2) Proposed rules and rulemaking in progress.

29 (3) The financial status of the department.

30 (4) Any additional matter requested by the council.

31 (l) The council shall:

32 (1) operate under procedures; and

33 (2) issue reports and recommendations;

34 as directed by the legislative council.

35 (m) The legislative services agency shall provide staff support
36 to the council.

37 (n) This SECTION expires December 31, 2005.

38 SECTION 2. P.L.248-1996, SECTION 1 IS REPEALED
39 [EFFECTIVE UPON PASSAGE].

40 SECTION 3. An emergency is declared for this act.

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