

Adopted Rejected

COMMITTEE REPORT

YES: 11
NO: 0

MR. SPEAKER:

Your Committee on Natural Resources, to which was referred House Bill 1258, 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:

- 1 Page 1, between lines 5 and 6, begin a new paragraph and insert:
- 2 "SECTION 2. IC 14-15-2-8 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. **(a) This section**
- 4 **does not apply to a body of water that is under the jurisdiction of**
- 5 **the:**
- 6 **(1) department; or**
- 7 **(2) United States Army Corps of Engineers.**
- 8 ~~(a)~~ **(b)** As used in this section, "litter" means bottles, glass, crockery,
- 9 cans, scrap metal, junk, paper, garbage, rubbish, plastic, or similar
- 10 refuse.
- 11 ~~(b)~~ **(c)** In the operation or use of watercraft, a person may not throw,
- 12 dump, place, deposit, or cause or permit to be thrown, dumped, placed,
- 13 or deposited:
- 14 (1) any litter, filth, or putrid or unwholesome substance; or
- 15 (2) the contents of a water closet or toilet, catch basin, or grease
- 16 trap;

1 in or upon public water or the banks of public water."

2 Page 1, line 12, delete "A" and insert "**Except as provided in**
3 **subsection (b), a**".

4 Page 2, between lines 7 and 8, begin a new paragraph and insert:

5 "**(b) Subsection (a)(4) does not apply to an entity referred to in**
6 **section 26.5(a)(1) through 26.5(a)(4) of this chapter.**".

7 Page 2, line 8, strike "(b)" and insert "(c)".

8 Page 2, line 16, delete "one hundred (100)" and insert "**fifty (50)**".

9 Page 5, between lines 18 and 19, begin a new paragraph and insert:

10 "SECTION 13. IC 35-45-3-2 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) A person who
12 recklessly, knowingly, or intentionally places or leaves refuse on
13 property of another person, except in a container provided for refuse,
14 commits littering, a Class B infraction. **However, the offense is a Class**
15 **A misdemeanor if the refuse is placed or left in, on, or within one**
16 **hundred (100) feet of a body of water that is under the jurisdiction**
17 **of the:**

18 (1) **department of natural resources; or**

19 (2) **United States Army Corps of Engineers.**

20 (b) "Refuse" includes solid and semisolid wastes, dead animals, and
21 offal.

22 (c) Evidence that littering was committed from a moving vehicle
23 other than a public conveyance constitutes prima facie evidence that it
24 was committed by the operator of that vehicle."

25 Page 5, delete lines 21 through 42, begin a new paragraph and insert:

26 "SECTION 15. [EFFECTIVE JULY 1, 2006] **IC 35-45-3-2, as**
27 **amended by this act, applies only to offenses committed after June**

- 1 **30, 2006."**
- 2 Delete pages 6 through 7.
- 3 Renumber all SECTIONS consecutively.
 (Reference is to HB 1258 as introduced.)

and when so amended that said bill do pass.

Representative Hoffman