

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1212 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 local government and natural and cultural resources.
- 4 Page 2, between lines 37 and 38, begin a new paragraph and insert:
- 5 "SECTION 2. IC 14-32-1-1 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. The following are
- 7 declared as a matter of legislative determination:
- 8 (1) That the land and water resources of Indiana are among the
- 9 basic assets of Indiana and that the proper management of these
- 10 resources is necessary to protect and promote the health, safety,
- 11 and general welfare of the people of Indiana.
- 12 (2) That improper land use practices and failure to control and
- 13 use rainfall and runoff water cause and contribute to deterioration
- 14 and waste of these resources of Indiana.
- 15 (3) That the breaking of natural grass, plant, and forest cover has
- 16 interfered with the natural factors of soil stabilization, causing
- 17 loosening of soil and exhaustion of humus and developing a soil
- 18 condition that favors excessive runoff and erosion, with the
- 19 following results:
- 20 (A) The topsoil is being blown and washed out of the fields
- 21 and pastures.
- 22 (B) There has been an accelerated washing of sloping fields.
- 23 (C) These processes of erosion by wind and water speed up
- 24 with removal of the topsoil, exposing the less absorptive,
- 25 less protective, less productive, and more erosive subsoil.
- 26 (4) That valuable water resources are being lost causing damages
- 27 in watersheds.
- 28 (5) That failure by a land occupier to properly manage the soil
- 29 and water causes a washing and blowing of these resources onto
- 30 other land and makes the conservation of these resources on the
- 31 other land more difficult.

- 1 (6) That the consequences of soil erosion and failure to control
2 and use rainfall and runoff water are the following:
- 3 (A) The silting and sedimentation of stream channels,
4 reservoirs, dams, ditches, and harbors.
 - 5 (B) The loss of fertile soil material.
 - 6 (C) The piling up of soil on lower slopes and the deposit
7 over alluvial plains.
 - 8 (D) The reduction in productivity or outright ruin of bottom
9 land by flooding and overwash of poor subsoil material,
10 sand, and gravel swept out of the hills.
 - 11 (E) The deterioration of soil and the soil's fertility,
12 deterioration of crops grown, and reduction in crop yields.
 - 13 (F) The loss of soil and water that causes destruction of food
14 and cover for wildlife.
 - 15 (G) A blowing and washing of soil into streams and lakes
16 that silts over spawning beds and destroys water plants,
17 diminishing the food supply of fish.
 - 18 (H) A diminishing of the underground water reserve and loss
19 of surplus rainfall runoff causing water shortages,
20 intensifying periods of drought, and causing crop failures.
 - 21 (I) An increase in the speed and volume of rainfall runoff,
22 causing severe and increasing floods.
 - 23 (J) Economic hardship for those attempting to farm land that
24 is eroded or subject to frequent flooding.
 - 25 (K) Damage to roads, highways, railways, farm buildings,
26 and other property from floods and from dust storms.
 - 27 (L) Losses in navigation, hydroelectric power, municipal
28 water supply, recreational water development, irrigation
29 developments, farming, and grazing.
- 30 (7) That to conserve soil and water resources, control and prevent
31 soil erosion, **protect water quality**, reduce flood damage, and
32 further the conservation development, use, and disposal of water,
33 it is necessary that:
- 34 (A) land use practices contributing to soil and water
35 wastage, **water quality impairment**, and soil erosion be
36 discouraged and discontinued; and
 - 37 (B) appropriate soil and water conserving land use practices
38 and works of improvement for flood prevention or the
39 conservation development, use, and disposal of water be
40 adopted and carried out.
- 41 (8) That among the procedures necessary for widespread
42 adoption are the following:
- 43 (A) Carrying on of engineering operations such as the
44 construction of flood preventing reservoirs and channels,
45 terraces, terrace outlets, check dams, dikes, ponds, ditches,
46 and similar operations.
 - 47 (B) The use of soil protecting agronomic practices, such as
48 strip cropping, contour cropping, and conservation tillage.
 - 49 (C) Land irrigation.
 - 50 (D) Seeding and planting of sloping, abandoned, or eroded

- 1 land to water-conserving and erosion-preventing plants,
 2 trees, and grasses.
 3 (E) Forestation and reforestation.
 4 (F) Rotation of crops.
 5 (G) Soil stabilization with trees, grasses, legumes, and other
 6 thick-growing, soil-holding crops.
 7 (H) Retardation of runoff by impounding the runoff water
 8 behind structures, by increasing the absorption of rainfall,
 9 and by retiring from cultivation all steep, highly erosive
 10 areas and areas already badly eroded.

11 **(I) The use of water quality protection practices,**
 12 **including nutrient and pesticide management on all**
 13 **lands.**

14 SECTION 3. IC 14-32-1-2 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. In light of the
 16 determination set forth in section 1 of this chapter, it is the policy of the
 17 general assembly to provide for the proper management of soil and
 18 water resources, the control and prevention of soil erosion, the
 19 prevention of flood water and sediment damage, **the prevention of**
 20 **water quality impairment**, and the conservation development, use, and
 21 disposal of water in the watersheds of Indiana to accomplish the
 22 following:

- 23 (1) Conserve the natural resources, including wildlife.
 24 (2) Control floods.
 25 (3) Prevent impairment of dams and reservoirs.
 26 (4) Assist in maintaining the navigability of rivers and harbors.
 27 (5) Protect the water quality of lakes and streams.
 28 (6) Protect the tax base.
 29 (7) Protect public land.
 30 (8) Protect and promote the health, safety, and general welfare of
 31 the people of Indiana.

32 **(9) Protect a high quality water resource.**

33 SECTION 4. IC 14-32-2-1 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. The soil
 35 conservation board is established within the department **of agriculture**
 36 **established by IC 15-9-2-1 as the policy making body for soil and**
 37 **water conservation.**

38 SECTION 5. IC 14-32-2-2 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. The board consists
 40 of the following ~~nine (9)~~ **seven (7)** members:

- 41 (1) Four (4) members who must be land occupiers with farming
 42 interests, appointed by the governor.
 43 (2) ~~Two (2)~~ **Three (3)** members who must be land occupiers with
 44 nonfarming interests, appointed by the governor.
 45 (3) ~~Three (3)~~ **ex officio** members as follows:
 46 (A) ~~The director or the director's designee.~~
 47 (B) ~~The director of the department of agriculture or the~~
 48 ~~director's designee.~~

1 (~~C~~) The director of the Purdue University cooperative
2 extension service or the director's designee:

3 SECTION 6. IC 14-32-2-3 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) A majority of the
5 ~~six (6)~~ **seven (7)** appointed members of the board must have experience
6 as district supervisors.

7 (b) In making appointments to the board, the governor may invite
8 and consider the recommendations of the following:

- 9 (1) The Purdue University cooperative extension service.
10 (2) The department of **agriculture**.
11 (3) The Indiana Association of Soil and Water Conservation
12 Districts.

13 (c) All appointments to the board shall be made without regard to
14 political affiliation.

15 (d) The members appointed to the board under section 2(1) and
16 2(2) of this chapter must be residents of at least four (4) different
17 geographic regions of Indiana.

18 SECTION 7. IC 14-32-2-4 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. (~~a~~) The term of an
20 appointed member of the board is four (4) years. An appointed member
21 shall serve until a successor is appointed and has qualified. The terms
22 shall be staggered so that **at least** three (3) members are appointed
23 every two (2) years.

24 (~~b~~) The terms of the ~~three (3)~~ **ex officio** members of the board are
25 coterminous with the governor's term of office:

26 SECTION 8. IC 14-32-2-7 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 7. (a) The governor
28 may appoint advisory members from other **organizations that**
29 **promote conservation, including local**, state, and federal agencies
30 upon the recommendation of the board.

31 **(b) The governor shall appoint members to the advisory board**
32 **that represent the following:**

- 33 (1) **The department of agriculture.**
34 (2) **The department of natural resources.**
35 (3) **The department of environmental management.**
36 (4) **The Purdue University cooperative extension service.**
37 (5) **The Indiana Association of Soil and Water Conservation**
38 **Districts.**
39 (6) **The Farm Service Agency of the United States**
40 **Department of Agriculture.**
41 (7) **The Natural Resources Conservation Service of the**
42 **United States Department of Agriculture.**

43 SECTION 9. IC 14-32-2-12 IS AMENDED TO READ AS
44 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 12. The board shall do
45 the following:

- 46 (1) Provide for the execution of surety bonds for all board
47 employees and officers who are entrusted with money or
48 property.

- 1 (2) Provide for the keeping of a full and accurate record of all
 2 board proceedings and of all resolutions and rules the board
 3 issues or adopts. The accounts of receipts and disbursements are
 4 subject to examination by the state board of accounts.
 5 (3) Offer appropriate assistance to the supervisors of soil and
 6 water conservation districts to carry out district powers and
 7 programs.
 8 (4) Keep the supervisors of districts informed of the activities
 9 and experience of all other districts and facilitate cooperation and
 10 an interchange of advice and experience among districts.
 11 (5) Coordinate the programs of the districts as far as this may be
 12 done by advice and consultation.
 13 (6) Secure the cooperation and assistance of the United States
 14 and state agencies in the work of the districts. However, this
 15 subdivision does not authorize either of the following:
 16 (A) The transfer or control of authority over districts to a
 17 federal agency.
 18 (B) The transfer of title of land or control to the United
 19 States.
 20 (7) Disseminate information throughout Indiana concerning the
 21 activities and programs of the districts and encourage the
 22 formation of districts in areas where organization is desirable.
 23 (8) Coordinate the erosion and sediment part of 33 U.S.C. 1288
 24 (Public Law 92-500, Section 208) and other erosion and
 25 sediment reduction programs that affect water quality, in
 26 cooperation with state and federal agencies and through districts
 27 as provided under IC 14-32-5-1.
 28 (9) Develop a statewide regulatory program to be initiated after
 29 all reasonable voluntary approaches to erosion and sediment
 30 reduction have been exhausted.
 31 **(10) Conduct an inventory of conservation needs for**
 32 **planning purposes and to inform the general assembly.**
 33 **(11) Hold meetings in locations throughout Indiana.**
 34 ~~(10)~~ **(12) Adopt rules under IC 4-22-2 to implement this article.**
 35 SECTION 10. IC 14-32-4-1 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) The governing
 37 body of a district consists of five (5) supervisors as follows:
 38 (1) Two (2) who are appointed.
 39 (2) Three (3) who are elected.
 40 (b) To hold the position of elected supervisor, an individual:
 41 (1) must be an occupier of a tract of land that is:
 42 (A) more than ten (10) acres in area; and
 43 (B) located within the district;
 44 (2) must maintain the individual's permanent residence within the
 45 district; and
 46 (3) must be qualified by training and experience to perform the
 47 duties that this article imposes on supervisors.
 48 **However, the ten (10) acre requirement may be waived if a district**

1 **requests a waiver and the waiver is approved by the board.**

2 (c) To hold the position of appointed supervisor, an individual:

3 (1) must be of voting age;

4 (2) must maintain the individual's permanent residence within the
5 district; and

6 (3) must be qualified by training and experience to perform the
7 duties that this article imposes on supervisors.

8 SECTION 11. IC 14-32-4-8 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. ~~(a)~~ The election
10 committee appointed under section 7 of this chapter shall do the
11 following:

12 (1) Select qualified individuals as prospective nominees to fill
13 any vacancies that exist among the elected supervisors of the
14 district.

15 (2) Contact and ascertain the willingness and ability of each
16 individual to serve if elected.

17 (3) Submit the list of nominees with the qualifications for
18 certification and printing of a sample ballot to the board by
19 December 1.

20 (4) Place the names of the prospective nominees selected under
21 subdivisions (1) and (2) in nomination at the meeting and provide
22 an opportunity for additional nominations to be made from the
23 floor.

24 (5) After nominations are closed, distribute a ballot to each land
25 occupier present at the meeting.

26 (6) Collect and count the ballots after each land occupier present
27 at the meeting has had an opportunity to vote.

28 (7) Report the results of the election to the chairman.

29 ~~(b) The number of prospective nominees selected under subsection~~
30 ~~(a)(1) must exceed the number of vacancies that exist among the elected~~
31 ~~supervisors of the district by at least one (1).~~

32 SECTION 12. IC 14-32-4-10.5 IS ADDED TO THE INDIANA
33 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2006]: **Sec. 10.5. (a) The board may appoint**
35 **associate supervisors to assist in performing duties in each district.**

36 **(b) Associate supervisors are nonvoting members of the board**
37 **and may not hold officer positions on the board.**

38 **(c) Associate supervisors may be reimbursed for approved**
39 **expenses but are not entitled to per diem.**

40 SECTION 13. IC 14-32-4-22 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 22. The supervisors of
42 a district shall do the following:

43 (1) Provide for the execution of surety bonds for all district
44 employees and officers who are entrusted with money or
45 property.

46 (2) Provide for the keeping of a full and accurate record of all
47 district proceedings and of all district resolutions and orders
48 issued or adopted.

1 (3) Provide for an annual audit of the accounts of receipts and
2 disbursements of the district.

3 (4) Provide a copy of each annual financial statement of the
4 district to the board **not later than March 31**.

5 SECTION 14. IC 14-32-5-1 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) A district
7 constitutes a governmental subdivision of the state and a public body
8 corporate and politic exercising public powers.

9 (b) A district may do the following:

10 (1) Carry out soil erosion and water runoff preventive and control
11 measures within the district, including engineering operations,
12 methods of cultivation, the growing of vegetation, changes in use
13 of land, and the measures listed in IC 14-32-1-1(7) and
14 IC 14-32-1-1(8), on the following:

15 (A) Land owned or controlled by the state with the consent
16 and cooperation of the agency administering and having
17 jurisdiction of the land.

18 (B) Any other land within the district upon obtaining the
19 consent of the occupier of the land or the necessary rights or
20 interests in the land.

21 (2) Construct, improve, operate, and maintain the structures that
22 are necessary or convenient for the performance of any of the
23 operations authorized in this article.

24 (3) Cooperate or enter into agreements with, and within the limits
25 of appropriations made available to the district by law to furnish
26 financial or other aid to, a federal, state, or other agency or an
27 occupier of land within the district in the carrying on of
28 conservation operations within the district, subject to the
29 conditions that the supervisors consider necessary to advance the
30 purpose of this article.

31 (4) Obtain options upon and acquire, by purchase, exchange,
32 lease, gift, grant, bequest, devise, or otherwise, real or personal
33 property or rights or interests in property.

34 (5) Maintain, administer, and improve property acquired, receive
35 income from the property, and expend the income in carrying out
36 this article.

37 (6) Sell, lease, or otherwise dispose of property or interests in
38 property in furtherance of this article.

39 (7) Make available to land occupiers within the district, on terms
40 that the district prescribes:

41 (A) agricultural and engineering machinery and equipment;

42 (B) fertilizer;

43 (C) seeds;

44 (D) seedlings;

45 (E) other material or equipment; and

46 (F) services from the district;

47 that will assist in conserving the soil and water resources of the
48 land occupiers.

- 1 (8) Develop or participate in the development of comprehensive
2 plans for the proper management of soil and water resources
3 within the district that specify the acts, procedures, performances,
4 and avoidances necessary or desirable for the effectuation of the
5 plans.
- 6 (9) Publish plans and information developed under subdivision
7 (8) and bring the plans and information to the attention of land
8 occupiers within the district.
- 9 (10) Take over, with the consent of the United States or the state,
10 by purchase, lease, or otherwise, and administer any soil and
11 water conservation, erosion control, water quality protection, or
12 flood prevention project of the entity located within the district's
13 boundaries.
- 14 (11) Manage, as agent of the United States or the state, any soil
15 and water conservation, erosion control, water quality protection,
16 flood prevention, or outdoor recreation project within the
17 district's boundaries.
- 18 (12) Act as agent for the United States or the state in connection
19 with the acquisition, construction, operation, or administration of
20 any soil and water conservation, erosion control, water quality
21 protection, flood prevention, or outdoor recreation project within
22 the district's boundaries.
- 23 (13) Accept donations, gifts, and contributions in money,
24 services, materials, or otherwise from the United States and use
25 or expend the services, materials, or other contributions in
26 carrying on the district's operations.
- 27 (14) Sue and be sued in the name of the district.
- 28 (15) Have perpetual succession unless terminated as provided in
29 this article.
- 30 (16) Make and execute contracts and other instruments necessary
31 or convenient to the exercise of the district's powers.
- 32 (17) Adopt rules and regulations consistent with this article to
33 carry into effect the purposes and powers of this article.
- 34 (18) Require an occupier of land not owned or controlled by the
35 state, as a condition to extending benefits under this article to or
36 the performance of work upon the land, to do either or both of the
37 following:
- 38 (A) Make contributions in money, services, materials, or
39 otherwise to an operation conferring benefits.
- 40 (B) Enter into agreements or covenants concerning the use
41 and treatment of the land that will tend to:
- 42 (i) prevent or control soil erosion;
- 43 (ii) achieve water conservation and water quality
44 protection; and
- 45 (iii) reduce flooding;
- 46 on the land.
- 47 (19) Cooperate with the state in the following:
- 48 (A) Conducting surveys, investigations, and research

1 relating to the character of soil erosion and water losses and
2 the preventive and control measures needed.

3 (B) Publishing the results of the surveys, investigations, or
4 research.

5 (C) Disseminating information concerning the preventive
6 and control measures.

7 **(D) The management of watersheds.**

8 (20) Cooperate with the state in conducting, within the district,
9 soil and water conservation, erosion control, water quality
10 protection, and flood prevention demonstration projects:

11 (A) on land owned or controlled by the state with the agency
12 administering and having jurisdiction of the land; and

13 (B) on any other land upon obtaining the consent of the
14 occupier of the land or the necessary rights or interests in the
15 land.

16 (21) Serve as the management agency for:

17 (A) the erosion and sediment part of 33 U.S.C. 1288 (P.L.
18 92-500, section 208); and

19 (B) other erosion and sediment reduction programs that
20 affect water quality in each county.

21 SECTION 15. IC 14-32-7-6 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6. (a) The division of
23 soil conservation:

24 (1) shall administer and coordinate the duties and responsibilities
25 of the department **of agriculture** under the land resource
26 programs authorized by this chapter; and

27 (2) in carrying out its duties under subdivision (1), may work in
28 cooperation with the following:

29 (A) Federal and state agencies.

30 (B) Local governmental agencies involved in land use
31 planning and zoning.

32 (C) Any person, firm, institution, or agency, public or
33 private, having an interest in land conservation.

34 (b) The department **of agriculture** may employ the personnel and
35 provide facilities and services that are necessary to carry out the
36 ~~department's~~ **department of agriculture's** duties and responsibilities
37 under this chapter.

38 **(c) The department of agriculture shall prepare an annual**
39 **report of the division of soil conservation's expenditures and**
40 **accomplishments and that contains a proposed business plan.**

41 SECTION 16. IC 14-32-7-8.5 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8.5. (a) As used in this
43 section, "soil survey" means a systematic scientific identification,
44 inventory, and mapping of the soils of a given area that sets forth the
45 capabilities, potential, and limitations of the soils in the satisfaction of
46 human needs.

47 (b) The department **of agriculture** shall use the money
48 appropriated by the general assembly to implement and supplement a

1 program of modern soil surveys **and geographic information systems**
 2 **(GIS)** for Indiana that will, within the shortest practicable time, provide
 3 a modern soil survey **and geographic information system** for each
 4 county as an essential tool in land conservation.

5 SECTION 17. IC 14-32-7-12 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 12. (a) As used in this
 7 section, "river" includes streams and the tributaries of rivers.

8 (b) The division of soil conservation shall do the following:

9 (1) Perform all administrative duties required by the rules of the
 10 board.

11 (2) Provide professional assistance to districts in planning,
 12 coordinating, and training for the following:

13 (A) Adult soil and water conservation education.

14 (B) Natural resources conservation information programs
 15 for elementary and secondary schools.

16 **(C) Supervisors and staff.**

17 (3) Provide professional soil conservation technical assistance to
 18 districts.

19 (4) Provide nonagricultural soils interpretive and erosion control
 20 expertise on a regional basis.

21 (5) Assist the districts and other federal, state, and local entities
 22 in encouraging and monitoring compliance with those aspects of
 23 the programs that are related to erosion and sediment reduction.

24 (6) Administer a cost share program for installation of erosion
 25 control structural measures on severely eroding cropland and for
 26 conversion of highly erodible land from crop production to
 27 permanent vegetative cover.

28 (7) Administer a lake and river enhancement program to do the
 29 following:

30 (A) Control sediment and associated nutrient inflow into
 31 lakes and rivers.

32 (B) Accomplish actions that will forestall or reverse the
 33 impact of that inflow and enhance the continued use of
 34 Indiana's lakes and rivers.

35 **(8) Provide professional assistance to districts in**
 36 **conservation needs assessments, program development, and**
 37 **program evaluation.**

38 SECTION 18. IC 14-32-8-5 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 5. The purpose of the
 40 program is to provide financial assistance to:

41 **(1) soil and water conservation districts;**

42 ~~(1)~~ **(2) land occupiers; and**

43 ~~(2)~~ **(3) conservation groups;**

44 to implement conservation practices to reduce nonpoint sources of water
 45 pollution through education, technical assistance, training, and cost
 46 sharing programs.

47 SECTION 19. IC 14-32-8-7 IS AMENDED TO READ AS
 48 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 7. Money in the fund

- 1 may be spent in the following ways:
- 2 (1) To increase district technical assistance in local conservation
- 3 efforts.
- 4 (2) To develop an environmental stewardship program to assist
- 5 land occupiers in complying with environmental regulations
- 6 voluntarily.
- 7 (3) To qualify for federal matching funds for county soil survey
- 8 computerization.
- 9 (4) To provide for the following cost sharing programs:
- 10 (A) A program to encourage land occupiers to implement
- 11 conservation practices to reduce nutrient, pesticide, and
- 12 sediment runoff.
- 13 (B) Programs that encourage land occupiers to implement
- 14 nutrient management programs by sharing the cost of any of
- 15 the following:
- 16 (i) Fencing for intensive grazing systems.
- 17 (ii) Purchasing nutrient management equipment.
- 18 (iii) Voluntary environmental audits.
- 19 (iv) Other similar expenditures related to nutrient
- 20 management.
- 21 (5) To provide matching grants to districts for the following:
- 22 (A) Professional watershed coordinators to facilitate and
- 23 administer local watershed protection projects.
- 24 (B) District managers to administer district conservation
- 25 policies and programs.
- 26 (6) To increase state technical and capacity building assistance to
- 27 districts and local conservation efforts by providing for the
- 28 following:
- 29 (A) Capacity building specialists to train district personnel
- 30 in grant writing, grant administration, and leadership
- 31 development.
- 32 (B) Conservation education specialists to help implement
- 33 district conservation education efforts.
- 34 (C) Urban storm water specialists to provide technical
- 35 assistance to developers to contain soil erosion on
- 36 construction sites.
- 37 (7) To make distributions as provided under section 8 of this
- 38 chapter.
- 39 **(8) Implementation of geographic information systems (GIS)**
- 40 **or similar technology.**
- 41 SECTION 20. IC 14-32-8-8 IS AMENDED TO READ AS
- 42 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. (a) In addition to
- 43 funds provided to a district under section 7 of this chapter or from any
- 44 other source, the division of soil conservation shall pay to the district
- 45 one dollar (\$1) for every one dollar (\$1) the district receives from a
- 46 political subdivision.
- 47 (b) The state is not obligated to match more than ten thousand
- 48 dollars (\$10,000) under this section.

1 (c) In order to receive funding under this section ~~before April 15 of~~
2 each year, a district must certify to the division of soil conservation the
3 amount of money the district received from all political subdivisions
4 during the one (1) year period beginning January 1 of the previous year.
5 **The information prepared under this subsection must be part of**
6 **the report prepared under IC 14-32-4-22.** The division of soil
7 conservation shall make distributions under this section not later than
8 July 15 of each year.

9 (d) Before making distributions under this section, the division of
10 soil conservation shall determine the total amount of money that has
11 been certified by all districts as having been provided by political
12 subdivisions. If the cumulative amount to be distributed to all districts
13 exceeds the amount appropriated to the fund, the division of soil
14 conservation shall reduce the distribution to each district
15 proportionately.

16 (e) A district must spend money received under this section for the
17 purposes of the district."

18 Renumber all SECTIONS consecutively.

(Reference is to EHB 1212 as printed February 24, 2006.)

Senator NUGENT