



March 25, 2009

**ENGROSSED
HOUSE BILL No. 1203**

DIGEST OF HB 1203 (Updated March 23, 2009 11:20 am - DI 14)

Citations Affected: IC 15-16; noncode.

Synopsis: Invasive species council. Establishes the invasive species council within the Purdue University School of Agriculture. Staggers the initial terms of the appointed council members. (The introduced version of this bill was prepared by the natural resources study committee.)

Effective: July 1, 2009.

**Bischoff, Leonard, Robertson,
Cherry**

(SENATE SPONSORS — MISHLER, WALKER, LEWIS, YOUNG R,
STEELE, SKINNER)

January 12, 2009, read first time and referred to Committee on Natural Resources.
January 22, 2009, reported — Do Pass.
January 29, 2009, read second time, ordered engrossed. Engrossed.
February 2, 2009, read third time, passed. Yeas 92, nays 4.

SENATE ACTION

February 19, 2009, read first time and referred to Committee on Natural Resources.
March 24, 2009, reported favorably — Do Pass.

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EH 1203—LS 6575/DI 77+



March 25, 2009

First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1203

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

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

- 1 SECTION 1. IC 15-16-10 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]:
4 **Chapter 10. Invasive Species Council**
5 **Sec. 1. As used in this chapter, "council" refers to the invasive**
6 **species council established by section 3 of this chapter.**
7 **Sec. 2. As used in this chapter, "fund" refers to the invasive**
8 **species council fund established by section 12 of this chapter.**
9 **Sec. 3. The invasive species council is established within the**
10 **Purdue University School of Agriculture.**
11 **Sec. 4. (a) The council has the following duties:**
12 **(1) Recommend:**
13 **(A) priorities for projects;**
14 **(B) funding; and**
15 **(C) rules and laws;**
16 **concerning invasive species to the appropriate governmental**
17 **agencies and legislative committees.**

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- 1 **(2) Recommend a lead state agency to:**
- 2 **(A) develop an invasive species inventory for each invasive**
- 3 **species taxon; and**
- 4 **(B) develop and maintain a data management system for**
- 5 **invasive species in Indiana.**
- 6 **(3) Communicate with other states, federal agencies, and state**
- 7 **and regional organizations to enhance consistency and**
- 8 **effectiveness in:**
- 9 **(A) preventing the spread of;**
- 10 **(B) early detection of;**
- 11 **(C) response to; and**
- 12 **(D) management of;**
- 13 **invasive species.**
- 14 **(4) Coordinate invasive species education and outreach**
- 15 **programs.**
- 16 **(5) Convene or support an invasive species meeting at least**
- 17 **once per biennium to provide information on best practices**
- 18 **and pertinent research findings.**
- 19 **(6) Assist governmental agencies in:**
- 20 **(A) reviewing current invasive species policies and**
- 21 **procedures; and**
- 22 **(B) addressing any deficiencies or inconsistencies**
- 23 **concerning invasive species policies and procedures.**
- 24 **(7) Assist state agencies in reviewing the agencies'**
- 25 **performance measures for accountability concerning the**
- 26 **agencies' invasive species actions.**
- 27 **(8) Receive reports from any governmental agency regarding**
- 28 **actions taken on recommendations of the council.**
- 29 **(9) Apply for grants.**
- 30 **(10) Provide grants for education concerning or management**
- 31 **of invasive species.**
- 32 **(b) The council does not have any regulatory authority over**
- 33 **invasive species or the authority to hear appeals of grievances.**
- 34 **(c) The council may create advisory committees to provide**
- 35 **information and recommendations to the council.**
- 36 **(d) Beginning July 1, 2011, the council shall issue a written**
- 37 **report to the natural resources study committee (IC 2-5-5-1) in**
- 38 **every odd-numbered year. The report must include a summary of:**
- 39 **(1) the council's activities;**
- 40 **(2) the performance of the council's duties; and**
- 41 **(3) efforts in the state to identify and manage invasive species.**
- 42 **The report may include recommendations of the council.**

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Sec. 5. (a) The council consists of the following eleven (11) members:

(1) The dean of the Purdue University College of Agriculture or the dean's designee, who shall act as secretary of the council.

(2) The director of the Indiana state department of agriculture or the director's designee.

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

(4) The state veterinarian or the state veterinarian's designee.

(5) An employee of the division of fish and wildlife who is designated by the director of the division of fish and wildlife to serve as the aquatic invasive species coordinator.

(6) An employee of the division of entomology and plant pathology who is designated by the director of the division of entomology and plant pathology to serve as the terrestrial invasive species coordinator.

(7) One (1) individual representing research on invasive species.

(8) Two (2) individuals who represent organizations that are primarily concerned with any of the following:

- (A) The hardwood tree industry.**
- (B) The horticulture industry.**
- (C) The agriculture industry.**
- (D) The aquaculture industry.**

(9) Two (2) individuals who represent organizations or local governmental agencies primarily concerned with any of the following:

- (A) Land trusts.**
- (B) Biodiversity conservation.**
- (C) Aquatic conservation.**
- (D) Local parks and recreation.**

(b) The governor shall appoint the members under subsection (a)(7) through (a)(9).

(c) The council shall annually elect a member to serve as chairperson of the council.

Sec. 6. (a) The term of a member of the council appointed under this chapter is three (3) years.

(b) The term of each member of the council continues until a successor has been appointed.

(c) The appointing authority who appointed a member of the council may remove the member for cause.

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1 **Sec. 7. (a) If there is a vacancy on the council, the appointing**
2 **authority who appointed the member whose position is vacant shall**
3 **appoint an individual to fill the vacancy. The appointing authority**
4 **shall appoint a member not later than sixty (60) days after the**
5 **vacancy occurs.**

6 **(b) The member appointed under this section shall fill the**
7 **vacancy for the remainder of the unexpired term.**

8 **Sec. 8. Members of the council shall serve without**
9 **compensation. Subject to the availability of money in the fund,**
10 **members who are not state or county employees are entitled to**
11 **reimbursement for traveling expenses as provided in the Purdue**
12 **University travel policies and procedures established by the**
13 **Purdue University department of transportation and approved by**
14 **the Purdue University vice president of business services.**

15 **Sec. 9. Six (6) members of the council constitute a quorum.**

16 **Sec. 10. (a) The council shall hold at least one (1) regular**
17 **meeting each year at a date, place, and time to be set by the chairperson.**

18 **(b) The chairperson may call special meetings of the council.**

19 **Sec. 11. The Purdue University School of Agriculture shall**
20 **provide administrative assistance to the council.**

21 **Sec. 12. (a) The invasive species council fund is established as a**
22 **separate fund in the Purdue University treasury to carry out the**
23 **purposes of this chapter. The fund shall be administered by the**
24 **council.**

25 **(b) The fund consists of any of the following:**

- 26 **(1) Grants.**
- 27 **(2) Appropriations.**
- 28 **(3) Gifts and donations.**

29 **(c) The expenses of administering the fund shall be paid from**
30 **money in the fund.**

31 **(d) The Purdue University treasurer shall invest the money in**
32 **the fund not currently needed to meet the obligations of the fund**
33 **in the same manner as other public funds may be invested. Interest**
34 **that accrues from these investments must be deposited in the fund.**

35 **(e) Money in the fund may be used for purposes set forth in this**
36 **chapter and to meet the expenses of administering this chapter.**

37 **(f) Money in the fund at the end of a state fiscal year does not**
38 **revert to the state general fund.**

39 **Sec. 13. This chapter expires July 1, 2015.**

40 **SECTION 2. [EFFECTIVE JULY 1, 2009] (a) The initial terms of**
41 **office of the appointed members of the invasive species council**
42 **established by IC 15-16-10-5, as added by this act, are as follows:**

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- 1 **(1) One (1) member appointed under IC 15-16-10-5(a)(7) and**
- 2 **one (1) member appointed under IC 15-16-10-5(a)(8), three**
- 3 **(3) years.**
- 4 **(2) One (1) member appointed under IC 15-16-10-5(a)(8) and**
- 5 **one (1) member appointed under IC 15-16-10-5(a)(9), two (2)**
- 6 **years.**
- 7 **(3) One (1) member appointed under IC 15-16-10-5(a)(9), one**
- 8 **(1) year.**
- 9 **The governor shall specify the term of each member described in**
- 10 **subdivisions (1), (2), and (3) when making the initial appointments.**
- 11 **(b) The initial terms of the appointed members begin July 1,**
- 12 **2009.**
- 13 **(c) The first meeting of the council must convene not later than**
- 14 **October 1, 2009.**
- 15 **(d) This SECTION expires July 1, 2012.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1203, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BISCHOFF, Chair

Committee Vote: yeas 12, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred House Bill No. 1203, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1203 as printed January 23, 2009.)

MISHLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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