
SENATE BILL No. 545

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-22.

Synopsis: Fish and wildlife matters. Eliminates the provision under which a controlled hunt in a state park can be established only through the adoption of an emergency rule. Increases the maximum compensation that the department of natural resources (DNR) may provide under contract for the use of property in a game bird habitat plan from \$100 to \$200 per acre. Provides that a person less than 18 years of age does not need a license to fish. (To fish without a license under current law, a person must be less than 17 years of age.) Provides that a resident who is less than 18 years of age may participate in free hunting days for young hunters. (To participate under current law, a person must be less than 16 years of age.) Adds trapping to the activities allowed under a yearly resident youth consolidated license. Eliminates the requirement that DNR rules regulating commercial fishing in the Ohio River conform to the laws of Kentucky.

Effective: July 1, 2009.

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January 15, 2009, read first time and referred to Committee on Natural Resources.

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Introduced

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.

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SENATE BILL No. 545



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 14-22-6-13 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 13. (a) If the director:
 3 (1) determines that a species of wild animal present within a state
 4 park poses an unusual hazard to the health or safety of one (1) or
 5 more individuals;
 6 (2) determines, based upon the opinion of a professional biologist,
 7 that it is likely that:
 8 (A) a species of wild animal present within a state park will
 9 cause obvious and measurable damage to the ecological
 10 balance within the state park; and
 11 (B) the ecological balance within the state park will not be
 12 maintained unless action is taken to control the population of
 13 the species within the state park; or
 14 (3) is required under a condition of a lease from the federal
 15 government to manage a particular wild animal species;
 16 the director shall ~~by emergency rule adopted under IC 4-22-2-37.1~~
 17 establish a controlled hunt for the species within the state park.



1 (b) An order issued by the director under this section must set forth
2 the conditions of the hunt.

3 SECTION 2. IC 14-22-8-7 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. (a) The department
5 shall contract for the development of game bird habitats in Indiana.
6 Each contract must:

- 7 (1) be for at least three (3) years; and
- 8 (2) provide a plan for the development of habitat for at least one
- 9 (1) species of game bird.

10 (b) The department may seek the cooperation of federal agencies
11 such as the Agricultural Stabilization and Conservation Service or the
12 Natural Resources Conservation Service in the development of habitat
13 plans and compensation for habitat plans. Monetary compensation may
14 not exceed ~~one~~ **two** hundred dollars (~~\$100~~) (**\$200**) per acre per year
15 and each contract may provide that the site be open for regulated public
16 game bird hunting.

17 (c) The department may purchase land in Indiana from willing
18 sellers for the development of game bird habitats.

19 SECTION 3. IC 14-22-11-8, AS AMENDED BY P.L.14-2007,
20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2009]: Sec. 8. (a) This section does not apply to the following:

- 22 (1) A person who is:
 - 23 (A) a resident of Indiana; and
 - 24 (B) an individual born before April 1, 1943.
- 25 (2) A person who is less than ~~seventeen~~ (~~17~~) **eighteen (18)** years
26 of age.
- 27 (3) A person who is legally blind.
- 28 (4) A person who is a resident patient of a state mental institution.
- 29 (5) A person who is:
 - 30 (A) a resident of a health facility (as defined in
31 IC 16-18-2-167) licensed in Indiana; and
 - 32 (B) taking part in a supervised activity of the health facility.
- 33 (6) A person who:
 - 34 (A) is a resident of Indiana; and
 - 35 (B) has a developmental disability (as defined by
36 IC 12-7-2-61).
- 37 (7) A person whose only participation in fishing is to assist an
38 individual described in subdivision (3), (4), (5), or (6).
- 39 (8) A resident of Indiana who fishes during a free sport fishing
40 day designated under IC 14-22-18.

41 (b) Every person must have a fishing license in the person's
42 possession when fishing in:

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- 1 (1) waters containing state owned fish;
- 2 (2) waters of the state; or
- 3 (3) boundary waters of the state.

4 (c) Every person must have a valid trout-salmon stamp in the
 5 person's possession to legally fish for or take trout or salmon in:

- 6 (1) waters containing state owned fish;
- 7 (2) waters of the state; or
- 8 (3) boundary waters of the state.

9 SECTION 4. IC 14-22-11-18, AS ADDED BY P.L.132-2006,
 10 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2009]: Sec. 18. (a) The director may designate not more than
 12 four (4) days each year as free hunting days for youth hunters.

13 (b) During a free hunting day for youth hunters designated under
 14 subsection (a), a resident who is less than ~~sixteen (16)~~ **eighteen (18)**
 15 years of age may:

- 16 (1) hunt using hunting methods that are designated by the director
 17 and that are legal for that hunting season; and
- 18 (2) exercise the same privileges that a resident is entitled to under
 19 IC 14-22-12-1(24).

20 A youth hunter is not required to pay a fee or possess a hunting license.

21 (c) A youth hunter who hunts during a free hunting day for youth
 22 hunters under this section must:

- 23 (1) comply with the conditions and rules adopted by the director;
 24 and
- 25 (2) be accompanied by an individual who:
 26 (A) is at least eighteen (18) years of age; and
 27 (B) holds a valid hunting license under IC 14-22-12 or is not
 28 required to have a hunting license under this chapter.

29 (d) The individual under subsection (c)(2) who accompanies the
 30 youth hunter:

- 31 (1) must be in close enough proximity to monitor the youth
 32 hunter's activities and communicate with the youth hunter at all
 33 times; and
- 34 (2) may assist the youth hunter, including calling, but may not
 35 carry a firearm or bow and arrow.

36 SECTION 5. IC 14-22-12-1, AS AMENDED BY P.L.66-2008,
 37 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2009]: Sec. 1. (a) The department may issue the following
 39 licenses and, except as provided in section 1.5 of this chapter and
 40 subject to subsection (b), shall charge the following minimum license
 41 fees to hunt, trap, or fish in Indiana:

- 42 (1) A resident yearly license to fish, eight dollars and seventy-five

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- 1 cents (\$8.75).
- 2 (2) A resident yearly license to hunt, eight dollars and
- 3 seventy-five cents (\$8.75).
- 4 (3) A resident yearly license to hunt and fish, thirteen dollars and
- 5 seventy-five cents (\$13.75).
- 6 (4) A resident yearly license to trap, eight dollars and seventy-five
- 7 cents (\$8.75).
- 8 (5) A nonresident yearly license to fish, twenty-four dollars and
- 9 seventy-five cents (\$24.75).
- 10 (6) A nonresident yearly license to hunt, sixty dollars and
- 11 seventy-five cents (\$60.75).
- 12 (7) A nonresident yearly license to trap, one hundred seventeen
- 13 dollars and seventy-five cents (\$117.75). However, a license may
- 14 not be issued to a resident of another state if that state does not
- 15 give reciprocity rights to Indiana residents similar to those
- 16 nonresident trapping privileges extended in Indiana.
- 17 (8) A resident or nonresident license to fish, including for trout
- 18 and salmon, for one (1) day only, four dollars and seventy-five
- 19 cents (\$4.75).
- 20 (9) A nonresident license to fish, excluding for trout and salmon,
- 21 for seven (7) days only, twelve dollars and seventy-five cents
- 22 (\$12.75).
- 23 (10) A nonresident license to hunt for five (5) consecutive days
- 24 only, twenty-five dollars and seventy-five cents (\$25.75).
- 25 (11) A resident or nonresident yearly stamp to fish for trout and
- 26 salmon, six dollars and seventy-five cents (\$6.75).
- 27 (12) A resident yearly license to take a deer with a shotgun,
- 28 muzzle loading gun, rifle, or handgun, thirteen dollars and
- 29 seventy-five cents (\$13.75).
- 30 (13) A resident yearly license to take a deer with a muzzle loading
- 31 gun, thirteen dollars and seventy-five cents (\$13.75).
- 32 (14) A resident yearly license to take a deer with a bow and
- 33 arrow, thirteen dollars and seventy-five cents (\$13.75).
- 34 (15) A nonresident yearly license to take a deer with a shotgun,
- 35 muzzle loading gun, rifle, or handgun, one hundred twenty dollars
- 36 and seventy-five cents (\$120.75).
- 37 (16) A nonresident yearly license to take a deer with a muzzle
- 38 loading gun, one hundred twenty dollars and seventy-five cents
- 39 (\$120.75).
- 40 (17) A nonresident yearly license to take a deer with a bow and
- 41 arrow, one hundred twenty dollars and seventy-five cents
- 42 (\$120.75).

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- 1 (18) A resident license to take an extra deer by a means, in a
 2 location, and under conditions established by rule adopted by the
 3 department under IC 4-22-2, five dollars (\$5).
 4 (19) A nonresident license to take an extra deer by a means, in a
 5 location, and under conditions established by rule adopted by the
 6 department under IC 4-22-2, ten dollars (\$10).
 7 (20) A resident yearly license to take a turkey, fourteen dollars
 8 and seventy-five cents (\$14.75).
 9 (21) A nonresident yearly license to take a turkey, one hundred
 10 fourteen dollars and seventy-five cents (\$114.75). However, if the
 11 state of residence of the nonresident applicant requires that before
 12 a resident of Indiana may take turkey in that state the resident of
 13 Indiana must also purchase another license in addition to a
 14 nonresident license to take turkey, the applicant must also
 15 purchase a nonresident yearly license to hunt under this section.
 16 (22) A resident license to take an extra turkey by a means, in a
 17 location, and under conditions established by rule adopted by the
 18 department under IC 4-22-2, fourteen dollars and seventy-five
 19 cents (\$14.75).
 20 (23) A nonresident license to take an extra turkey by a means, in
 21 a location, and under conditions established by rule adopted by
 22 the department under IC 4-22-2, one hundred fourteen dollars and
 23 seventy-five cents (\$114.75). However, if the state of residence of
 24 the nonresident applicant requires that before a resident of
 25 Indiana may take a turkey in that state the resident of Indiana
 26 must also purchase another license in addition to a nonresident
 27 license to take a turkey, the applicant must also purchase a
 28 nonresident yearly license to hunt under this section.
 29 (24) A resident youth yearly consolidated license to hunt, **trap**,
 30 and fish, six dollars (\$6). This license is subject to the following:
 31 (A) An applicant must be less than eighteen (18) years of age.
 32 (B) The license is in lieu of the resident yearly license to hunt,
 33 **trap**, and fish and all other yearly licenses, stamps, or permits
 34 to hunt, **trap**, and fish for a specific species or by a specific
 35 means.
 36 (25) A resident senior yearly license to fish, three dollars (\$3).
 37 This license is subject to the following:
 38 (A) An applicant must be at least sixty-four (64) years of age
 39 and born after March 31, 1943.
 40 (B) The license is in lieu of the resident yearly license to fish
 41 and all other yearly licenses, stamps, or permits to fish for a
 42 specific species or by a specific means.

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1 (26) A resident senior "fish for life" license, seventeen dollars
 2 (\$17). This license is subject to the following:
 3 (A) An applicant must be at least sixty-four (64) years of age
 4 and must have been born after March 31, 1943.
 5 (B) The license applies each year for the remainder of the
 6 license holder's life.
 7 (C) The license is in lieu of the resident senior yearly license
 8 to fish and all other yearly licenses, stamps, or permits to fish
 9 for a specific species or by a specific means.
 10 (b) The commission may set license fees to hunt, trap, or fish above
 11 the minimum fees established under subsection (a).
 12 SECTION 6. IC 14-22-13-6 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. The department shall
 14 adopt rules under IC 4-22-2 regulating commercial fishing in the Ohio
 15 River. ~~that conform with the laws of Kentucky regulating commercial~~
 16 ~~fishing in the Ohio River.~~

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