
TITLE 312 NATURAL RESOURCES COMMISSION

60 Day Requirement ([IC 4-22-2-19](#))

LSA Document #21-451

April 27, 2022

On behalf of the Department of Natural Resources (DNR), I am submitting this notice in compliance with [IC 4-22-2-19](#), which requires an agency to begin the rulemaking process for new rules not later than 60 days after the effective date of the statute that authorizes the rule, unless a notice is filed with the Publisher that includes the reasons why rulemaking began more than 60 days after the effective date.

The statutory authority for rulemaking that required DNR to add [312 IAC 9-10-27](#) is found in [IC 14-22-15.5-9](#).

DNR was unable to begin the rulemaking process within 60 days of the authorizing statute's effective date due to the amount of time needed to prepare the proposed administrative regulation and time required for the Office of Management and Budget to provide a determination of exemption of Executive Order 13-03.

The initial draft of the rule was completed in April 2020 and underwent several revisions to ensure the rule complied with Indiana law. The Office of Management and Budget received the request for a determination on September 2, 2020, and approval for the exemption was granted October 6, 2020. After preliminary adoption of the rule by the Natural Resources Commission, the rulemaking process was initiated when the Notice of Intent to Adopt a Rule was published in the Indiana Register on October 6, 2021 (DIN: [20211006-IR-312210451NIA](#)).

Bryan Poynter
Chair
Natural Resources Commission

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