

**ENGROSSED  
HOUSE BILL No. 1248**

---

DIGEST OF HB 1248 (Updated February 19, 1998 10:01 am - DI 76)

**Citations Affected:** IC 12-14; IC 12-17; noncode.

**Synopsis:** Planning councils. Specifies representatives that must be on local planning councils and regional councils. Makes records of recipients of Title IV-A assistance that are maintained by a county office of family and children open to inspection by members of a planning council with members from the county. Provides that the director of the county office of family and children or the director's designee in each county shall assist the planning council's members in obtaining access to the Title IV-A assistance records. Provides that the following members must be appointed to the interagency coordinating council: (1) at least one member representing a Head Start agency or program in the state. (2) at least one member representing a state agency responsible for child care. Requires the interagency coordinating council to meet at least quarterly each year. (Current law requires the council to meet four times a year.)

**Effective:** July 1, 1998.

---

---

**D. Young, Crawford**

(SENATE SPONSORS — KENLEY, SIMPSON)

---

---

January 13, 1998, read first time and referred to Committee on Local Government.  
January 29, 1998, amended, reported — Do Pass.  
February 2, 1998, read second time, amended, ordered engrossed.  
February 3, 1998, engrossed. Read third time, recommitted to a Committee of one, amended, passed. Yeas 99, nays 0. Engrossed.

SENATE ACTION

February 9, 1998, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.  
February 19, 1998, amended, reported favorably — Do Pass.

---

---

EH 1248—LS 7241/DI 88+



C  
O  
P  
Y

February 20, 1998

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

## ENGROSSED HOUSE BILL No. 1248

---

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

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

1 SECTION 1. IC 12-14-26-1, AS ADDED BY P.L.109-1997,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1998]: Sec. 1. As used in this chapter, "planning council"  
4 refers to:

- 5 (1) a local planning council described in ~~IC 12-14-22-13(b)~~  
6 ~~(repealed July 1, 1998)~~; **IC 12-14-26-2(b)**; or  
7 (2) a regional planning council described in ~~IC 12-14-22-13(f)~~  
8 ~~(repealed July 1, 1998)~~; **IC 12-14-26-2(c)**.

9 SECTION 2. IC 12-14-26-2, AS ADDED BY P.L.109-1997,  
10 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 1998]: Sec. 2. ~~Not later than September 1, 1997~~; (a) Each  
12 county executive (as defined in IC 36-1-2-5) shall establish a planning  
13 council by doing one (1) of the following:

- 14 (1) Reappointing the members of a local planning council  
15 established by the county executive under IC 12-14-22-13  
16 (repealed July 1, 1998).

**EH 1248—LS 7241/DI 88+**



C  
O  
P  
Y

- 1 (2) Appointing one (1) or more new members to a local planning
- 2 council established by the county executive under IC 12-14-22-13
- 3 (repealed July 1, 1998).
- 4 (3) Working with other county executives to establish or
- 5 reestablish a regional planning council as provided in
- 6 IC 12-14-22-13(f) (repealed July 1, 1998).
- 7 **(b) Each county executive must include on the local planning**
- 8 **council representatives in the county from each of the following:**
- 9 **(1) The private industry council.**
- 10 **(2) The step ahead council.**
- 11 **(3) The community action program or its equivalent.**
- 12 **(4) The township trustee representing the township in the**
- 13 **county with the highest number of AFDC recipients.**
- 14 **However, if that township trustee does not actively participate**
- 15 **in the work of the local planning council, the county executive**
- 16 **must appoint a township trustee selected by the majority of**
- 17 **the township trustees in the county.**
- 18 **(5) At least one (1) entity that provides job training,**
- 19 **placement, or other job related support services.**
- 20 **(6) At least one (1) school teacher.**
- 21 **(7) At least one (1) school administrator.**
- 22 **(8) At least one (1) representative from a vocational education**
- 23 **facility within the county.**
- 24 **(9) At least five (5) representatives from business and labor in**
- 25 **the county.**
- 26 **(10) The women, infants, and children nutrition program**
- 27 **under 42 U.S.C. 1786 et seq.**
- 28 **(11) The United Way or other social services organizations.**
- 29 **(12) Others as determined by the county executive.**
- 30 **(c) Members of each regional council must include the**
- 31 **following:**
- 32 **(1) One (1) county executive elected by the other county**
- 33 **executives within the region of each private industry council**
- 34 **to serve as facilitator of the regional planning council.**
- 35 **(2) The county auditor of the facilitator's county to serve as**
- 36 **the fiscal officer for the planning council.**
- 37 **(3) Five (5) representatives from each local planning council**
- 38 **within the region of each private industry council who are**
- 39 **selected by the members of each local planning council.**
- 40 **(4) At least one (1) representative from a county office of**
- 41 **family and children within the region of the private industry**
- 42 **council who is chosen by the office of the secretary.**

COPY



1           **(5) Two (2) township trustees selected by the township trustee**  
 2           **representatives from each local planning council within the**  
 3           **region of each private industry council.**

4           SECTION 3. IC 12-14-26-5, AS ADDED BY P.L.109-1997,  
 5           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6           JULY 1, 1998]: Sec. 5. The director of the county office ~~of family and~~  
 7           ~~children~~ or the director's designee in each county shall **do the**  
 8           **following:**

9           **(1)** Attend each meeting of the planning council that includes  
 10           members from the county to inform the members of the planning  
 11           council concerning:

12            ~~(1)~~ **(A)** progress made in implementing changes to Title IV-A  
 13            assistance; and

14            ~~(2)~~ **(B)** ways the planning council may help community  
 15            members who receive Title IV-A assistance to become more  
 16            self sufficient.

17           **(2) Assist the members of the planning council that includes**  
 18           **members from the county in obtaining access to records**  
 19           **maintained by the county office as described in section 11 of**  
 20           **this chapter.**

21           SECTION 4. IC 12-14-26-11 IS ADDED TO THE INDIANA  
 22           CODE AS A NEW SECTION TO READ AS FOLLOWS  
 23           [EFFECTIVE JULY 1, 1998]: **Sec. 11. Notwithstanding**  
 24           **IC 12-14-22-5(c), all records of recipients of Title IV-A assistance**  
 25           **that are maintained by a county office are open to inspection by**  
 26           **members of a planning council with members from the county.**

27           SECTION 5. IC 12-14-26-12 IS ADDED TO THE INDIANA  
 28           CODE AS A NEW SECTION TO READ AS FOLLOWS  
 29           [EFFECTIVE JULY 1, 1998]: **Sec. 12. The members of a planning**  
 30           **council are subject to IC 34-4-16.5.**

31           SECTION 6. IC 12-17-15-8 IS AMENDED TO READ AS  
 32           FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 8. (a) The council  
 33           consists of at least fifteen (15) but not more than twenty-five (25)  
 34           members appointed by the governor as follows:

35            (1) At least twenty percent (20%) of the members must be  
 36            parents, including minority parents, of infants or toddlers with  
 37            disabilities or children who are less than thirteen (13) years of age  
 38            with disabilities who have knowledge of, or experience with,  
 39            programs for infants and toddlers with disabilities. At least one  
 40            (1) of the members described in this subdivision must be a parent  
 41            of an infant or toddler with a disability or a child with a disability  
 42            who is less than seven (7) years of age.



C  
O  
P  
Y

- 1 (2) At least twenty percent (20%) of the members must be public  
 2 or private providers of early intervention services.  
 3 (3) At least one (1) member must be a member of the general  
 4 assembly.  
 5 (4) Each of the state agencies involved in the provision of, or  
 6 payment for, early intervention services to infants and toddlers  
 7 with disabilities and their families must be represented by at least  
 8 one (1) member. The members described in this subdivision must  
 9 have sufficient authority to engage in policy planning and  
 10 implementation on behalf of the state agency the member  
 11 represents.  
 12 (5) At least one (1) member must be involved in personnel  
 13 preparation.  
 14 (6) At least one (1) member must represent a state educational  
 15 agency responsible for preschool services to children with  
 16 disabilities and must have sufficient authority to engage in policy  
 17 planning and implementation on behalf of the agency.  
 18 (7) At least one (1) member must represent the department of  
 19 insurance created under IC 27-1-1-1.  
 20 **(8) At least one (1) member must represent a Head Start**  
 21 **agency or program in the state.**  
 22 **(9) At least one (1) member must represent a state agency**  
 23 **responsible for child care.**  
 24 (b) To the extent possible, the governor shall ensure that the  
 25 membership of the council reasonably represents the population of  
 26 Indiana.  
 27 SECTION 7. IC 12-17-15-13 IS AMENDED TO READ AS  
 28 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 13. The council shall  
 29 meet at least ~~four (4)~~ **times quarterly** each year.  
 30 SECTION 8. [EFFECTIVE UPON PASSAGE] **(a) In each county**  
 31 **where the county executives have worked together to establish or**  
 32 **reestablish a regional council under IC 12-14-26-2(a)(3), as**  
 33 **amended by this act, the township trustee members of each local**  
 34 **planning council within the region of each private industry council**  
 35 **shall select two (2) township trustees from the counties within the**  
 36 **region who shall become members of the regional planning council**  
 37 **on July 1, 1998.**  
 38 **(b) This SECTION expires July 2, 1998.**  
 39 SECTION 9. **An emergency is declared for this act.**

C  
O  
P  
Y

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1248, 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:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 6.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to House Bill 1248 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 14, nays 0.

C  
o  
p  
y



## HOUSE MOTION

Mr. Speaker: I move that House Bill 1248 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-14-26-1, AS ADDED BY P.L.109-1997, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. As used in this chapter, "planning council" refers to:

- (1) a local planning council described in ~~IC 12-14-22-13(b)~~ (repealed July 1, 1998); **IC 12-14-26-2(b)**; or
- (2) a regional planning council described in ~~IC 12-14-22-13(f)~~ (repealed July 1, 1998); **IC 12-14-26-2(c)**.

SECTION 2. IC 12-14-26-2, AS ADDED BY P.L.109-1997, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2. ~~Not later than September 1, 1997;~~ **(a)** Each county executive (as defined in IC 36-1-2-5) shall establish a planning council by doing one (1) of the following:

- (1) Reappointing the members of a local planning council established by the county executive under IC 12-14-22-13 (repealed July 1, 1998).
- (2) Appointing one (1) or more new members to a local planning council established by the county executive under IC 12-14-22-13 (repealed July 1, 1998).
- (3) Working with other county executives to establish or reestablish a regional planning council as provided in IC 12-14-22-13(f) (repealed July 1, 1998).

**(b) Each county executive must include on the local planning council representatives in the county from each of the following:**

- (1) The private industry council.**
- (2) The step ahead council.**
- (3) The community action program or its equivalent.**
- (4) The township trustee representing the township in the county with the highest number of AFDC recipients. However, if that township trustee does not actively participate in the work of the local planning council, the county executive must appoint a township trustee selected by the majority of the township trustees in the county.**
- (5) At least one (1) entity that provides job training, placement, or other job related support services.**
- (6) At least one (1) school teacher.**
- (7) At least one (1) school administrator.**

EH 1248—LS 7241/DI 88+



C  
O  
P  
Y

**(8) At least one (1) representative from a vocational education facility within the county.**

**(9) At least five (5) representatives from business and labor in the county.**

**(10) The women, infants, and children nutrition program under 42 U.S.C. 1786 et seq.**

**(11) The United Way or other social services organizations.**

**(12) Others as determined by the county executive.**

**(c) Members of each regional council must include the following:**

**(1) One (1) county executive elected by the other county executives within the region of each private industry council to serve as facilitator of the regional planning council.**

**(2) The county auditor of the facilitator's county to serve as the fiscal officer for the planning council.**

**(3) Five (5) representatives from each local planning council within the region of each private industry council who are selected by the members of each local planning council.**

**(4) At least one (1) representative from a county office of family and children within the region of the private industry council who is chosen by the office of the secretary.**

**(5) Two (2) township trustees selected by the township trustee representatives from each local planning council within the region of each private industry council."**

Page 2, after line 41, begin a new paragraph and insert:

**"SECTION 5. [EFFECTIVE UPON PASSAGE] (a) In each county where the county executives have worked together to establish or reestablish a regional council under IC 12-14-26-2(a)(3), as amended by this act, the township trustee members of each local planning council within the region of each private industry council shall select two (2) township trustees from the counties within the region who shall become members of the regional planning council on July 1, 1998.**

**(b) This SECTION expires July 2, 1998.**

**SECTION 6. An emergency is declared for this act."**

Re-number all SECTIONS consecutively.

(Reference is to House Bill 1248 as printed January 30, 1998.)

D. YOUNG



C  
O  
P  
Y

HOUSE MOTION

Mr. Speaker: I move that House Bill 1248 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 3, delete lines 3 through 42.

Page 4, delete lines 1 through 18.

Renumber all SECTIONS consecutively.

(Reference is to House Bill 1248 as reprinted February 3, 1998.)

D. YOUNG

C  
o  
p  
y



COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred House Bill 1248, begs leave to report that said bill has been amended as directed.

D. YOUNG

C  
o  
p  
y



## COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred House Bill 1248, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the amendment made by the committee report of the committee of one adopted February 3, 1998.

Page 3, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 3. IC 12-14-26-5, AS ADDED BY P.L.109-1997, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 5. The director of the county office of family and children or the director's designee in each county shall **do the following:**

(1) Attend each meeting of the planning council that includes members from the county to inform the members of the planning council concerning:

(1) (A) progress made in implementing changes to Title IV-A assistance; and

(2) (B) ways the planning council may help community members who receive Title IV-A assistance to become more self sufficient.

(2) **Assist the members of the planning council that includes members from the county in obtaining access to records maintained by the county office as described in section 11 of this chapter.**

SECTION 4. IC 12-14-26-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: **Sec. 11. Notwithstanding IC 12-14-22-5(c), all records of recipients of Title IV-A assistance that are maintained by a county office are open to inspection by members of a planning council with members from the county.**

SECTION 5. IC 12-14-26-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: **Sec. 12. The members of a planning council are subject to IC 34-4-16.5."**

Page 3, delete lines 3 through 42, begin a new paragraph and insert:

"SECTION 6. IC 12-17-15-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 8. (a) The council consists of at least fifteen (15) but not more than twenty-five (25) members appointed by the governor as follows:

(1) At least twenty percent (20%) of the members must be

**EH 1248—LS 7241/DI 88+**



C  
O  
P  
Y

parents, including minority parents, of infants or toddlers with disabilities or children who are less than thirteen (13) years of age with disabilities who have knowledge of, or experience with, programs for infants and toddlers with disabilities. At least one (1) of the members described in this subdivision must be a parent of an infant or toddler with a disability or a child with a disability who is less than seven (7) years of age.

(2) At least twenty percent (20%) of the members must be public or private providers of early intervention services.

(3) At least one (1) member must be a member of the general assembly.

(4) Each of the state agencies involved in the provision of, or payment for, early intervention services to infants and toddlers with disabilities and their families must be represented by at least one (1) member. The members described in this subdivision must have sufficient authority to engage in policy planning and implementation on behalf of the state agency the member represents.

(5) At least one (1) member must be involved in personnel preparation.

(6) At least one (1) member must represent a state educational agency responsible for preschool services to children with disabilities and must have sufficient authority to engage in policy planning and implementation on behalf of the agency.

(7) At least one (1) member must represent the department of insurance created under IC 27-1-1-1.

**(8) At least one (1) member must represent a Head Start agency or program in the state.**

**(9) At least one (1) member must represent a state agency responsible for child care.**

(b) To the extent possible, the governor shall ensure that the membership of the council reasonably represents the population of Indiana.

SECTION 7. IC 12-17-15-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 13. The council shall meet at least ~~four (4) times~~ **quarterly** each year."

Page 4, delete lines 1 through 18.

C  
O  
P  
Y



Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.

(Reference is to House Bill 1248 as reprinted February 3, 1998, and as amended by the committee report of the committee of One adopted February 3, 1998.)

MEEKS, Chairperson

Committee Vote: Yeas 10, Nays 0.

C  
o  
p  
y

