

# SENATE BILL No. 211

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 2; IC 4; IC 8; IC 12; IC 14; IC 15; IC 16-18-3-2; IC 29-1-1-4; IC 31-10-1-1; IC 32-3-2-14; IC 33; P.L.40-1994, SECTION 87; P.L.78-1994, SECTION 5; P.L.245-1997, SECTION 2; P.L.172-1994, SECTION 4; P.L.335-1995, SECTION 1; P.L.87-1997, SECTION 4; P.L.338-1995, SECTION 1; P.L.241-1997, SECTION 1; P.L.13-1996, SECTION 3; P.L.248-1996, SECTION 1; P.L.251-1996, SECTION 1; P.L.109-1997, SECTION 4; P.L.163-1997, SECTION 2; P.L.239-1997, SECTION 1; P.L.249-1997, SECTION 1.

**Synopsis:** Legislative study committees and commissions. Establishes a fixed number of specified legislative study committees. Provides that a legislative study must be assigned to one of the legislative study committees. Provides that a legislative study committee consists of 12 members, six appointed from each house of the general assembly and equally divided between the political parties. Requires that the members of a legislative study committee must be appointed from the standing committee of each house that has subject matter jurisdiction of the subject matter of the study. Provides general procedures for the operation of a legislative study committee. Repeals existing statutory study committees. Makes conforming amendments.

**Effective:** Upon passage.

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Miller

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January 6, 1998, read first time and referred to Committee on Public Policy.

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Introduced

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.

## SENATE BILL No. 211

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

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

- 1 SECTION 1. IC 2-5-1.1-6.5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.5. **(a) As used in**  
3 **this section, "agency" includes an agency, an authority, a board, a**  
4 **bureau, a commission, a committee, a department, a division, an**  
5 **institution, or other similar entity created or established by law.**  
6 ~~(a)~~ **(b)** The council shall, upon consultation with the governor's  
7 office, develop an annual report format taking into consideration,  
8 among other things, program budgeting, with the final format to be  
9 determined by the council. The format may be distributed to any  
10 agency. ~~(as defined in IC 2-5-21-1)~~. The agency shall complete and  
11 return fifteen (15) copies to the legislative council before September 1  
12 of each year for the preceding fiscal year.  
13 ~~(b)~~ **(c)** The council shall distribute one (1) copy to the governor's  
14 office, one (1) copy to the budget agency, and three (3) copies to the  
15 state library.  
16 ~~(c)~~ **(d)** The reports are a public record and are open to inspection.  
17 SECTION 2. IC 2-5-1.2 IS ADDED TO THE INDIANA CODE AS

1998

IN 211—LS 6692/DI 75+



1 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
2 PASSAGE]:

3 **Chapter 1.2. Legislative Study Committees**

4 **Sec. 1. As used in this chapter, "legislative study" refers to the**  
5 **study of an issue or topic of interest to the general assembly**  
6 **authorized, required, or urged by any of the following:**

- 7 (1) A statute.  
8 (2) A concurrent resolution of the general assembly.  
9 (3) A resolution of the legislative council.

10 **Sec. 2. As used in this chapter, "study committee" refers to a**  
11 **legislative study committee established under section 3 of this**  
12 **chapter.**

13 **Sec. 3. The following legislative study committees are**  
14 **established:**

- 15 (1) The legislative study committee on agricultural and rural  
16 issues.  
17 (2) The legislative study committee on children, families, and  
18 human affairs.  
19 (3) The legislative study committee on commerce and  
20 economic development.  
21 (4) The legislative study committee on courts and the criminal  
22 code.  
23 (5) The legislative study committee on education.  
24 (6) The legislative study committee on elections.  
25 (7) The legislative study committee on the environment.  
26 (8) The legislative study committee on financial institutions.  
27 (9) The legislative study committee on government  
28 organization and planning.  
29 (10) The legislative study committee on health.  
30 (11) The legislative study committee on insurance.  
31 (12) The legislative study committee on the judiciary and civil  
32 law.  
33 (13) The legislative study committee on labor.  
34 (14) The legislative study committee on natural resources.  
35 (15) The legislative study committee on pensions.  
36 (16) The legislative study committee on public policy.  
37 (17) The legislative study committee on public safety.  
38 (18) The legislative study committee on roads and  
39 transportation.  
40 (19) The legislative study committee on state and local  
41 government affairs.  
42 (20) The legislative study committee on tax and finance.



1           **Sec. 4. (a) A study committee consists of the following members:**

2           **(1) Six (6) members of the senate appointed by the president**  
 3           **pro tempore of the senate with the advice of the minority**  
 4           **leader of the senate. Not more than three (3) members**  
 5           **appointed under this subdivision may be members of the same**  
 6           **political party. The members appointed under this subdivision**  
 7           **must be members of the standing committee of the senate that**  
 8           **has jurisdiction over the subject matter of the legislative**  
 9           **study, as determined by the president pro tempore of the**  
 10           **senate.**

11           **(2) Six (6) members of the house of representatives appointed**  
 12           **by the speaker of the house with the advice of the minority**  
 13           **leader of the house. Not more than three (3) members**  
 14           **appointed under this subdivision may be members of the same**  
 15           **political party. The members appointed under this subdivision**  
 16           **must be members of the standing committee of the house that**  
 17           **has jurisdiction over the subject matter of the legislative**  
 18           **study, as determined by the speaker of the house.**

19           **(b) A member of a study committee serves until the member:**

20           **(1) resigns from the study committee;**

21           **(2) fails to satisfy a requirement for the member's**  
 22           **membership on the study committee, including membership:**

23           **(A) in the chamber of the general assembly from which the**  
 24           **member was appointed; or**

25           **(B) membership on the standing committee from which the**  
 26           **member was appointed; or**

27           **(3) is replaced by the member's appointing authority under**  
 28           **subsection (c).**

29           **(c) An appointing authority may replace a member appointed**  
 30           **by that appointing authority at any time. An individual who**  
 31           **exercises the power of an appointing authority may replace a**  
 32           **member of a study committee appointed by a predecessor of the**  
 33           **individual as the appointing authority.**

34           **(d) A vacancy on a legislative study committee shall be filled by**  
 35           **the appointing authority that appointed the member whose**  
 36           **position is vacant.**

37           **Sec. 5. (a) After January 1 of each year, the chairman of the**  
 38           **legislative council may designate a chair of a study committee from**  
 39           **among the study committee's members.**

40           **(b) The chairman of the council may replace the chair of a study**  
 41           **committee at any time.**

42           **(c) The chair of a study committee serves as chair until the chair**



- 1 is:
- 2 (1) no longer a member of the study committee; or
- 3 (2) replaced under subsection (b).
- 4 Sec. 6. (a) After January 1 of each year, the vice chair of the
- 5 legislative council may designate a vice chair of a study committee
- 6 from among the committee's members.
- 7 (b) The vice chair of the council may replace the vice chair of a
- 8 study committee at any time.
- 9 (c) The vice chair of a study committee serves as vice chair until
- 10 the vice chair is:
- 11 (1) no longer a member of the study committee; or
- 12 (2) replaced under subsection (b).
- 13 (d) The chair of a study committee may delegate any of the
- 14 chair's power to the vice chair of the study committee.
- 15 Sec. 7. If a legislative study is authorized, required, or urged, the
- 16 legislative council shall determine which study committee shall
- 17 conduct the legislative study.
- 18 Sec. 8. A study committee may meet at the call of the chair of
- 19 the study committee.
- 20 Sec. 9. Each member of a study committee is a voting member.
- 21 Sec. 10. Seven (7) members of a study committee are necessary
- 22 for a quorum other than meeting to hear testimony.
- 23 Sec. 11. The affirmative vote of seven (7) members of a study
- 24 committee is required for the study committee to take official
- 25 action.
- 26 Sec. 12. The legislative services agency shall provide staff and
- 27 administrative support for a study committee as directed by the
- 28 legislative council.
- 29 Sec. 13. A study committee shall issue reports as required by the
- 30 legislative council.
- 31 Sec. 14. The legislative council may establish a budget for a
- 32 study committee.
- 33 Sec. 15. Each member of a study committee is entitled to
- 34 receive:
- 35 (1) a per diem instead of subsistence; and
- 36 (2) reimbursement for actual mileage and travel expenses;
- 37 established by the legislative council.
- 38 Sec. 16. The expenditures of a study committee shall be paid
- 39 from appropriations to the legislative council or to the legislative
- 40 services agency.
- 41 Sec. 17. The legislative council may adopt policies to govern
- 42 study committees that are not inconsistent with this chapter.



1 SECTION 3. IC 4-10-13-6 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. Each state  
 3 agency required to prepare reports under the provisions of this chapter  
 4 may ~~after consultation with and agreement by the commission on state~~  
 5 ~~tax and financing policy~~ add to or omit specific categories of data from  
 6 the reports required by this chapter.

7 SECTION 4. IC 4-10-13-7 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The manner  
 9 of publication of any of the reports ~~as herein~~ required **by this chapter**  
 10 shall be prescribed by the state budget committee, and the cost of  
 11 publication shall be paid from funds appropriated to such state agencies  
 12 and allocated by the state budget committee to such agencies for such  
 13 purpose.

14 (b) A copy of ~~such the~~ reports shall be presented to the governor,  
 15 the state board of tax commissioners, the state budget committee, ~~the~~  
 16 ~~commission on state tax and financing policy~~, the Indiana legislative  
 17 advisory commission, and to any other state agency that may request a  
 18 copy of such reports.

19 SECTION 5. IC 4-22-2-19, AS AMENDED BY P.L.44-1995,  
 20 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 UPON PASSAGE]: Sec. 19. (a) Except as provided in section 23.1 of  
 22 this chapter, this section does not apply to the adoption of rules:

- 23 (1) required by statute if initiation of the rules is contingent upon
- 24 the receipt of a waiver under federal law;
- 25 (2) that amend an existing rule;
- 26 (3) required by statutes enacted before June 30, 1995; or
- 27 (4) required by statutes enacted before June 30, 1995, and
- 28 recodified in the same or similar form after June 29, 1995, in
- 29 response to a program of statutory recodification conducted by the
- 30 code revision commission **(before its repeal in 1998)**.

31 (b) If an agency will have statutory authority to adopt a rule at the  
 32 time that the rule becomes effective, the agency may conduct any part  
 33 of its rulemaking action before the statute authorizing the rule becomes  
 34 effective.

35 (c) ~~However~~, An agency shall

- 36 (1) begin the rulemaking process not later than sixty (60) days
- 37 after the effective date of the statute that authorizes the rule. ~~or~~
- 38 (2) if an agency cannot comply with subdivision (1), immediately
- 39 provide written notification to the administrative rules oversight
- 40 committee stating the reasons for the agency's noncompliance.

41 If an agency notifies the administrative rules oversight committee  
 42 concerning a rule in compliance with subdivision (2), failure to adopt



1 the rule within the time specified in subdivision (1) does not invalidate  
2 the rule:

3 SECTION 6. IC 4-22-2-25, AS AMENDED BY P.L.44-1995,  
4 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 UPON PASSAGE]: Sec. 25. (a) An agency has one (1) year from the  
6 date that it publishes a notice of intent to adopt a rule in the Indiana  
7 Register under section 23 of this chapter to comply with sections 26  
8 through 33 of this chapter and obtain the approval or deemed approval  
9 of the governor. If an agency determines that a rule cannot be adopted  
10 within one (1) year after the publication of the notice of intent to adopt  
11 a rule under section 23 of this chapter, the agency shall, before the two  
12 hundred fiftieth day following the publication of the notice of intent to  
13 adopt a rule under section 23 of this chapter, notify the chairperson of  
14 the administrative oversight committee in writing of the:

15 (1) reasons why the rule was not adopted and the expected date  
16 the rule will be completed; and

17 (2) expected date the rule will be approved or deemed approved  
18 by the governor or withdrawn under section 41 of this chapter.

19 (b) If a rule is not approved before the later of:

20 (1) one (1) year after the agency publishes notice of intent to  
21 adopt the rule under section 23 of this chapter, or

22 (2) the expected date contained in a notice concerning the rule  
23 that is provided to the administrative rules oversight committee  
24 under subsection (a)(2);

25 a later approval or deemed approval is ineffective, and the rule may  
26 become effective only through another rulemaking action initiated  
27 under this chapter.

28 SECTION 7. IC 4-22-2-42 IS AMENDED TO READ AS  
29 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 42. The publisher  
30 with the assistance of the code revision commission, shall establish a  
31 format, a numbering system, standards, and techniques for agencies to  
32 use whenever they draft and prepare rules under this chapter.

33 SECTION 8. IC 4-22-7-7, AS AMENDED BY P.L.28-1997,  
34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 UPON PASSAGE]: Sec. 7. (a) This section applies to the following  
36 agency statements:

37 (1) Executive orders issued by the governor.

38 (2) Notices that a rule has been disapproved or objected to by the  
39 attorney general under IC 4-22-2-32 or IC 4-22-2-38 or  
40 disapproved or objected to by the governor under IC 4-22-2-34 or  
41 IC 4-22-2-38.

42 (3) Official opinions of the attorney general (excluding advisory



- 1 letters).
- 2 (4) Official explanatory opinions of the state board of accounts
- 3 based on an official opinion of the attorney general.
- 4 (5) Any other statement:
- 5 (A) that:
- 6 (i) interprets, supplements, or implements a statute or rule;
- 7 (ii) has not been adopted in compliance with IC 4-22-2;
- 8 (iii) is not intended by its issuing agency to have the effect
- 9 of law; and
- 10 (iv) may be used in conducting the agency's external affairs;
- 11 or
- 12 (B) that specifies a policy that an agency relies upon to:
- 13 (i) enforce a statute or rule;
- 14 (ii) conduct an audit or investigation to determine
- 15 compliance with a statute or rule; or
- 16 (iii) impose a sanction for violation of a statute or rule.
- 17 This subdivision includes information bulletins, revenue rulings
- 18 (including, subject to IC 6-8.1-3-3.5, a letter of findings), and
- 19 other guidelines of an agency.
- 20 (6) A statement of the governor concerning extension of an
- 21 approval period under IC 4-22-2-34.
- 22 (b) Whenever an agency adopts a statement described by subsection
- 23 (a), the agency shall distribute two (2) duplicate copies of the statement
- 24 to the publisher for publication and indexing in the Indiana Register
- 25 and the copies required by IC 4-23-7.1-26 to the Indiana library and
- 26 historical department. However, if a statement under subsection
- 27 (a)(5)(B) is in the form of a manual, book, pamphlet, or reference
- 28 publication, the publisher is required to publish only the title of the
- 29 manual, book, or reference publication.
- 30 (c) Every agency that adopts a statement described under subsection
- 31 (a) also shall maintain a current list of all agency statements described
- 32 in subsection (a) that it may use in its external affairs. The agency shall
- 33 update the listing at least every thirty (30) days. The agency shall
- 34 include on the list the name of the agency and the following
- 35 information for each statement:
- 36 (1) Title.
- 37 (2) Identification number.
- 38 (3) Date originally adopted.
- 39 (4) Date of last revision.
- 40 (5) Reference to all other statements described in subsection (a)
- 41 that are repealed or amended by the statement.
- 42 (6) Brief description of the subject matter of the statement.



1 (d) At least quarterly, every agency that maintains a list under  
 2 subsection (c) shall distribute two (2) copies of the list to the publisher  
 3 and two (2) copies to the Indiana library and historical department. ~~and~~  
 4 ~~the administrative rules oversight committee.~~

5 SECTION 9. IC 4-22-8-12 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. Failure of an  
 7 agency ~~or~~ the publisher ~~or the code revision commission~~ to comply  
 8 with this chapter does not invalidate a rule or other agency statement.

9 SECTION 10. IC 4-30-16-3, AS AMENDED BY P.L.25-1995,  
 10 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 UPON PASSAGE]: Sec. 3. (a) The commission shall transfer the  
 12 surplus revenue in the administrative trust fund as follows:

13 (1) Before the last business day of January, April, July, and  
 14 October, the commission shall transfer to the treasurer of state, for  
 15 deposit in the Indiana state teachers' retirement fund  
 16 (IC 21-6.1-2), an amount equal to the lesser of:

17 (A) seven million five hundred thousand dollars (\$7,500,000);

18 or

19 (B) the additional quarterly contribution needed so that the  
 20 ratio of the unfunded liability of the Indiana state teachers'  
 21 retirement fund compared to total active teacher payroll is as  
 22 close as possible to but not greater than the ratio that existed  
 23 on the preceding July 1.

24 On or before June 15 of each year, the board of trustees of the  
 25 Indiana state teachers' retirement fund shall submit to the  
 26 treasurer of state ~~each member of the pension management~~  
 27 ~~oversight commission~~, and the auditor of state its estimate of the  
 28 quarterly amount needed to freeze the unfunded accrued liability  
 29 of the pre-1996 account (as defined in IC 21-6.1-1-6.9) as a  
 30 percent of payroll. The estimate shall be based on the most recent  
 31 actuarial valuation of the fund. Notwithstanding any other law,  
 32 including any appropriations law resulting from a budget bill (as  
 33 defined in IC 4-12-1-2), the money transferred under this  
 34 subdivision shall be set aside in a special account to be used as a  
 35 credit against the unfunded accrued liability of the pre-1996  
 36 account (as defined in IC 21-6.1-1-6.9) of the Indiana state  
 37 teachers' retirement fund. The money transferred is in addition to  
 38 the appropriation needed to pay benefits for the state fiscal year.

39 (2) Before the last business day of January, April, July, and  
 40 October, the commission shall transfer two million five hundred  
 41 thousand dollars (\$2,500,000) of the surplus revenue to the  
 42 treasurer of state for deposit in the pension relief fund



1 (IC 5-10.3-11).  
 2 (3) The surplus revenue remaining in the fund on the last day of  
 3 January, April, July, and October after the transfers under  
 4 subdivisions (1) and (2) shall be transferred by the commission to  
 5 the treasurer of state for deposit on that day in the build Indiana  
 6 fund.

7 (b) The commission may make transfers to the treasurer of state  
 8 more frequently than required by subsection (a). However, the number  
 9 of transfers does not affect the amount that is required to be transferred  
 10 for the purposes listed in subsection (a)(1) and (a)(2). Any amount  
 11 transferred during the month in excess of the amount required to be  
 12 transferred for the purposes listed in subsection (a)(1) and (a)(2) shall  
 13 be transferred to the build Indiana fund.

14 SECTION 11. IC 8-15-2-1.3, AS ADDED BY P.L.83-1996,  
 15 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 UPON PASSAGE]: Sec. 1.3. (a) The authority shall establish a written  
 17 procedure for allocating money to projects described in section 1(a)(3)  
 18 and 1(a)(4) of this chapter.

19 (b) The procedure established under this section must include at  
 20 least the following:

- 21 (1) An application procedure to identify projects that qualify for  
 22 funding.  
 23 (2) Criteria for prioritizing projects.  
 24 (3) Procedures for selecting projects.  
 25 ~~(4) Procedures for reporting the results of the selection process~~  
 26 ~~and the status of projects to the commission on state tax and~~  
 27 ~~financing policy.~~

28 (c) The prioritization and selection process under this section must  
 29 give consideration to the following:

- 30 (1) The impact of the project on toll road usage.  
 31 (2) Consistency of the project with local transportation plans.  
 32 (3) The extent to which the project will have local financial  
 33 participation relative to local available resources.  
 34 (4) The amount of vehicular traffic served.  
 35 (5) The potential local economic impact.  
 36 (6) Whether the project is deemed to be an emergency by the  
 37 applicant and the authority.

38 SECTION 12. IC 12-7-2-34, AS AMENDED BY P.L.2-1997,  
 39 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 UPON PASSAGE]: Sec. 34. "Commission" means the following:

- 41 (1) For purposes of IC 12-10-2, the meaning set forth in  
 42 IC 12-10-2-1.



- 1           ~~(2)~~ For purposes of ~~IC 12-11-7~~, the meaning set forth in  
 2           ~~IC 12-11-7-1~~.  
 3           ~~(3)~~ (2) For purposes of IC 12-12-2, the meaning set forth in  
 4           IC 12-12-2-1.  
 5           ~~(4)~~ (3) For purposes of IC 12-13-14, the meaning set forth in  
 6           IC 12-13-14-1.  
 7           ~~(5)~~ (4) For purposes of IC 12-14-12, the meaning set forth in  
 8           IC 12-14-12-1.  
 9           ~~(6)~~ (5) For purposes of IC 12-28-1, the meaning set forth in  
 10          IC 12-28-1-3.

11          SECTION 13. IC 12-17-2-18, AS AMENDED BY  
 12          P.L.253-1997(ss), SECTION 9, IS AMENDED TO READ AS  
 13          FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) The bureau  
 14          shall make the agreements necessary for the effective administration of  
 15          the plan with local governmental officials within Indiana. The bureau  
 16          shall contract with:

- 17           (1) a prosecuting attorney; or  
 18           (2) a private attorney if the bureau determines that a reasonable  
 19           contract cannot be entered into with a prosecuting attorney; ~~and~~  
 20           ~~the determination is approved by at least two-thirds (2/3) of the~~  
 21           ~~Indiana child custody and support advisory committee~~  
 22           ~~(established under IC 33-2.1-10-1);~~

23          in each judicial circuit to undertake activities required to be performed  
 24          under Title IV-D of the federal Social Security Act (42 U.S.C. 651),  
 25          including determination of paternity, determination and enforcement  
 26          of child support, activities under the Uniform Reciprocal Enforcement  
 27          of Support Act (IC 31-2-1, before its repeal) or the Uniform Interstate  
 28          Family Support Act (IC 31-18, or IC 31-1.5 before its repeal), and if the  
 29          contract is with a prosecuting attorney, prosecutions of welfare fraud.

30          (b) The hiring of an attorney by an agreement or a contract made  
 31          under this section is not subject to the approval of the attorney general  
 32          under IC 4-6-5-3. An agreement or a contract made under this section  
 33          is not subject to IC 4-13-2-14.3 or IC 5-22.

34          SECTION 14. IC 12-17-2-30 IS AMENDED TO READ AS  
 35          FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 30. The director of  
 36          the division shall adopt the rules necessary to implement Title IV-D of  
 37          the federal Social Security Act and this chapter. ~~The division shall send~~  
 38          ~~a copy of each proposed or adopted rule to each member of the child~~  
 39          ~~custody and support advisory committee established by IC 33-2.1-10~~  
 40          ~~not later than ten (10) days after proposal or adoption.~~

41          SECTION 15. IC 13-12-1-1, AS ADDED BY P.L.1-1996,  
 42          SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 UPON PASSAGE]: Sec. 1. The purpose of the recodification act of the  
 2 1996 regular session of the general assembly is to recodify prior  
 3 environmental law in a style that is clear, concise, and easy to interpret  
 4 and apply. Except to the extent that:

5 (1) the recodification act of the 1996 regular session of the  
 6 general assembly is amended to reflect the changes made in a  
 7 provision of another bill that adds to, amends, or repeals a  
 8 provision in the recodification act of the 1996 regular session of  
 9 the general assembly; or

10 (2) the minutes of meetings of the code revision commission  
 11 **(before its repeal in 1998)** during 1995 expressly indicate a  
 12 different purpose;

13 the substantive operation and effect of the prior environmental law  
 14 continue uninterrupted as if the recodification act of the 1996 regular  
 15 session of the general assembly had not been enacted.

16 SECTION 16. IC 14-8-3-2, AS ADDED BY P.L.1-1995, SECTION  
 17 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
 18 PASSAGE]: Sec. 2. The purpose of the recodification act of the 1995  
 19 regular session of the general assembly is to recodify prior natural  
 20 resources law in a style that is clear, concise, and easy to interpret and  
 21 apply. Except to the extent that:

22 (1) the recodification act of the 1995 regular session of the  
 23 general assembly is amended to reflect the changes made in a  
 24 provision of another bill that adds to, amends, or repeals a  
 25 provision in the recodification act of the 1995 regular session of  
 26 the general assembly; or

27 (2) the minutes of meetings of the code revision commission  
 28 **(before its repeal in 1998)** during 1994 expressly indicate a  
 29 different purpose;

30 the substantive operation and effect of the prior natural resources law  
 31 continue uninterrupted as if the recodification act of the 1995 regular  
 32 session of the general assembly had not been enacted.

33 SECTION 17. IC 16-18-3-2 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. The purpose of  
 35 senate enrolled act 24 of the 1993 regular session of the general  
 36 assembly is to recodify prior health and hospital law in a style that is  
 37 clear, concise, and easy to interpret and apply. Except to the extent that:

38 (1) senate enrolled act 24 of the 1993 regular session of the  
 39 general assembly is amended to reflect the changes made in a  
 40 provision of another bill that adds to, amends, or repeals a  
 41 provision in senate enrolled act 24 of the 1993 regular session of  
 42 the general assembly; or



1 (2) the minutes of meetings of the code revision commission  
 2 **(before its repeal in 1998)** during 1992 expressly indicate a  
 3 different purpose;

4 the substantive operation and effect of the prior health and hospital law  
 5 continue uninterrupted as if senate enrolled act 24 of the 1993 regular  
 6 session of the general assembly had not been enacted.

7 SECTION 18. IC 29-1-1-4 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. The report of the  
 9 probate code study commission **(notwithstanding its repeal in 1998)**  
 10 made pursuant to Acts 1949, c. 302, s. 5 and Acts 1951, c. 347, s. 2  
 11 may be consulted by the courts to determine the underlying reasons,  
 12 purposes and policies of this article, and may be used as a guide in its  
 13 construction and application.

14 SECTION 19. IC 31-10-1-1, AS ADDED BY P.L.1-1997,  
 15 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 UPON PASSAGE]: Sec. 1. The purpose of the recodification act of the  
 17 1997 regular session of the general assembly is to recodify prior family  
 18 law and juvenile law in a style that is clear, concise, and easy to  
 19 interpret and apply. Except to the extent that:

20 (1) the recodification act of the 1997 regular session of the  
 21 general assembly is amended to reflect the changes made in a  
 22 provision of another bill that adds to, amends, or repeals a  
 23 provision in the recodification act of the 1997 regular session of  
 24 the general assembly; or

25 (2) the minutes of meetings of the code revision commission  
 26 **(before its repeal in 1998)** during 1996 expressly indicate a  
 27 different purpose;

28 the substantive operation and effect of the prior family law and juvenile  
 29 law continue uninterrupted as if the recodification act of the 1997  
 30 regular session of the general assembly had not been enacted.

31 SECTION 20. IC 32-3-2-14 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. The official  
 33 comments published by the probate code study commission  
 34 **(notwithstanding its repeal in 1998)** may be consulted by the courts  
 35 to determine the underlying reasons, purposes, and policies of this  
 36 chapter and may be used as a guide in its construction and application.

37 SECTION 21. THE FOLLOWING ARE REPEALED [EFFECTIVE  
 38 UPON PASSAGE]: IC 2-5-1.1-10; IC 2-5-2; IC 2-5-3; IC 2-5-5;  
 39 IC 2-5-12; IC 2-5-16; IC 2-5-18; IC 2-5-19; IC 2-5-20; IC 2-5-21;  
 40 IC 2-5-23; IC 2-5-24.1; IC 2-5-25; IC 4-22-2-46; IC 4-22-8-11;  
 41 IC 5-13-9.1; IC 8-1-2.5-9; IC 8-1-2.6-4; IC 12-11-7; IC 14-25-7-16;  
 42 IC 15-1-1.5; IC 15-1.5-3-9; IC 33-1-15; IC 33-2.1-10; P.L.40-1994,



1 SECTION 87; P.L.78-1994, SECTION 5; P.L.172-1994, SECTION 4;  
2 P.L.335-1995, SECTION 1; P.L.338-1995, SECTION 1; P.L.13-1996,  
3 SECTION 3; P.L.248-1996, SECTION 1; P.L.251-1996, SECTION 1;  
4 P.L.87-1997, SECTION 4; P.L.109-1997, SECTION 4; P.L.163-1997,  
5 SECTION 2; P.L.239-1997, SECTION 1; P.L.241-1997, SECTION 1;  
6 P.L.245-1997, SECTION 2; P.L.249-1997, SECTION 1.  
7 SECTION 22. **An emergency is declared for this act.**

